



De Luz Community Services District

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BOARD OF DIRECTORS
MICHAEL ADAMS
GENE BIANCHI
BRYAN BUESCHER
SUSAN EGGE
STEVE RUBIN

GENERAL MANAGER
ROB HOLMES

MINUTES REGULAR MEETING OF THE BOARD OF DIRECTORS FEBRUARY 20, 2013 6:00 P.M.

A. Call to Order & Roll Call

A meeting of the De Luz Community Services District was held at the De Luz CSD Office commencing at 6:03 p.m. on February 20, 2013. Present at the meeting were the following Directors:

Director Adams
Director Bianchi
Director Buescher
Director Egge
Director Rubin

General Manager Holmes, Assistant Secretary Ruzek, and General Counsel Jackson were also present.

President Rubin led the flag salute.

B. Sheriff

Deputy Simmons gave the Sheriff's Report for January 2013 and updated the Board on February activities. The written report is on file with the District.

C. Public Comment

None.

D. Information Only

The Board received the January Financial Reports and the Statement of Investment Policy.

Assistant Secretary Ruzek drew the Board's attention to the enrollment forms from CSDA regarding their upcoming Webinars for Board members and Staff.

E. Consent Calendar

Motion was made by Bianchi, seconded by Egge, to approve the Consent Calendar.

The motion carried unanimously.

F. Discussion of Legal Matters

General Counsel Jackson updated the Board on several bills he is watching that may have an impact on Special Districts. He stated that the deadline for introducing new bills for the current Legislative Session in Sacramento is February 23rd.

- AB44 Buchanan - Amends the Public Contract Code to require all bidders on public works projects to list the license numbers for all subcontractors and dispenses with the requirement of listing their business address;
- AB185 Hernandez - Amends the Government Code by requiring that recordings of Open session meetings be kept for 2 years post meeting before destruction; existing law allows destruction at 30 days post meeting; also requires agencies receiving a Franchise Fee from an entity that provides public, educational or governmental access channels to televise is public meetings;
- AB194 Campos - Amends Government Code and adds a new section that would make it a misdemeanor for a public official, while acting as chairperson, to prohibit public criticism of the policies, procedures, programs or services of the Agency, or acts/omissions of the legislative body;
- AB124 Corbett - Amends Government Code and add a section to the Public Contract Code that would provide for every public contract for the purchase or installation of clean energy devices, technologies or systems, a 5% preference to bidders that certifies all parts have been manufactured or assembled in the State of California.

General Counsel Jackson also updated the Board as to the position of Riverside County with regards to the District's draft Parking Ordinance. He was informed by County Counsel Tiffany North that the County will take "no position" since the roads are not within their accepted area of maintenance boundary. Counsel Jackson addressed enforcement concerns with Ms. North if the District proceeds with adopting the Parking Ordinance. He is awaiting further input from Ms. North.

G. Approval to Close 2005 FEMA-1577-DR and FEMA-1585-DR Bank Accounts

Assistant Secretary Ruzek explained that the District has received Audit Waiver letters from Cal-EMA stating that these projects are now complete. She stated that the balance of funds in the FEMA-1577 and FEMA-1585 bank accounts for the 2005 disaster is interest earned over the life of the projects, and asked that the Board approve closure of the accounts and transfer the remaining funds to the General Fund.

Motion was made by Bianchi, seconded by Adams, to approve closure of the FEMA-1577-DR and FEMA-1585-DR bank accounts and transfer of the balance of funds into the General Account.

The motion carried unanimously.

H. Nomination of Candidate for SDRMA Board of Directors

Assistant Secretary Ruzek explained that the District has received a Notice of Nominations and Nomination Packet for the Special District Risk Management Authority (SDRMA) Board of Directors 2013 election. Candidates must be nominated by Resolution of their agency's governing body.

The Board took no action on this item.

I. Ad-Hoc Long Range Planning Committee Report

Director Bianchi reported that at their recent meeting, the Long Range Planning Committee met with Paul Thompson of Albert A. Webb Associates to revise and incorporate Board recommendations into the Rate and Method of Apportionment (*RMA*) document as discussed at last months meeting. To illustrate the Modified Taxable Property scenario Director Bianchi gathered, with the help of a Realtor, property sales information based on acreage and covering a 15-year period and presented a spreadsheet to the Board for their review.

J. Approval of the Rate and Method of Apportionment

Paul Thompson reviewed the revised Rate and Method of Apportionment (*RMA*) with the Board. Discussion followed regarding the language definition of "Maximum Special Tax" on Page 3 of the *RMA*. It was the consensus of the Board to approve the *RMA* as presented; however, the Ad-Hoc Committee will revise the language to the Maximum Special Tax definition.

Motion was made by Rubin, seconded by Buescher, to approve the Rate and Method of Apportionment (*RMA*) as presented and allow the Ad-Hoc Committee to revise the Maximum Special Tax language definition.

The motion carried unanimously

K. Finance Committee Report

Director Egge reported that at their recent meeting, the Finance Committee reviewed the District claims, the Roadway Rehabilitation spreadsheet, and the closing of the FEMA-1577- and FEMA 1585 bank accounts.

L. Engineering Committee Report

Director Rubin reported that at their recent meeting, the Engineering Committee reviewed Tract Map 36360 where the Developer desires to construct a new road across an entire parcel to create access from Carancho Road to Las Palmeras via Camino Del Valle. The Committee discussed the pros and cons of keeping the road private versus accepting it into the District's maintained system. They will continue to monitor the process.

Director Rubin also reported that a new owner/developer has acquired Walker Basin. He stated the Committee will monitor the situation closely as any development will have a significant impact on the District.

M. General Manager's Report

General Manager Holmes presented his written report which is on file with the District Office. He updated the Board on the Sycamore Mesa Road project stating that he has received a bid and construction will begin within then next month. He also stated that he has composed the Request for Proposal (RFP) for the franchise trash contract and will be sending it out to prospective vendors.

N. Adjournment

There being no further business, President Rubin adjourned the meeting at 7:25 p.m.



Rob Holmes
Secretary, Board of Directors

ATTEST:



Steve Rubin
President, Board of Directors