



De Luz Community Services District

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BOARD OF DIRECTORS

MICHAEL ADAMS
GENE BIANCHI
BRYAN BUESCHER
RAMI MINA
STEVE RUBIN

GENERAL MANAGER

ROB HOLMES

MINUTES REGULAR MEETING OF THE BOARD OF DIRECTORS October 21, 2015 6:00 P.M.

A. Call to Order & Roll Call

A Regular Meeting of the De Luz Community Services District was held at the De Luz Community Services District Office at 6:00 p.m. on October 16, 2015. Present at the meeting were the following Directors:

Director Adams
Director Bianchi
Director Mina
Director Rubin

Director Buescher was absent.

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

President Rubin led the flag salute.

Director Buescher entered the meeting at 6:03 p.m.

B. Sheriff

Deputy Garcia gave the Sheriff's Report for September 2015 and updated the Board on October activities. He reported that the "stepped-up" speed enforcement on Sandia Creek Drive has resulted in thirty-nine citations; some vandalism at the "lookout" points; a drug arrest and report of a stolen vehicle. The written report has not yet been received.

C. Public Comment

None.

D. Britney Abshire

Ms. Abshire updated the Board on the progress of her Girl Scout Gold Award project and her recent meeting with Riverside County Supervisor, Kevin Jeffries in which she is seeking CID funds for her project. She also stated that she will be attending the De Luz Women's Club meeting to solicit their assistance in donating to her project.

E. Information Only

The Board received the September Financial Report, Statement of Investment Policy, and Note of Appreciation from Property Owner, and Upcoming Free CSDA Webinars: Harassment Prevention & Ethics Compliance Training.

F. Consent Calendar

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

The motion carried unanimously.

G. Discussion of Legal Matters

None.

H. Award of Contract: Rehabilitation and Overlay of Carancho Road (Sandia Creek Drive to South of El Prado Road)

General Manager Holmes reported that there were three bids received for this project. The Engineer's Estimate was \$297,000.00 and the low bidder was Eagle Paving Company, Inc., in the amount of \$276,703.00. Funding for this project will be from Primary Roadway Rehabilitation Funds.

However, General Counsel Jackson reported that a bid protest was received from the second low bidder, Peters Paving & Grading, Inc. They are asserting that the bid submitted by Eagle Paving Company, Inc., incomplete, and was therefore non-responsive. Specifically, the letter asserted that Eagle's bid bond lacked the signature

of a principal of Eagle Paving; the Non-Collusion Affidavit - while signed by Eagle, was not notarized, and questioned how Eagle planned to accomplish the pulverizing portion of the project since they did not list a subcontractor.

General Counsel Jackson informed the Board that a copy of the protest letter was furnished to Eagle Paving. They responded to Counsel that the paperwork omission was an oversight and that they intend to rent a pulverizing machine from an equipment company and perform that portion of the work with its own forces.

Discussion followed regarding the options open to the District in light of the protest, including the rejection of all bids and re-bidding the project. General Counsel Jackson explained that the irregularities do not confer a tangible benefit to Eagle Paving; therefore, the Board could waive them and enter into a contract with Eagle Paving.

Motion was made by Adams, seconded by Mina, to waive the irregularities in Eagle Paving's bid bond; failure to notarize the Non-Collusion Affidavit; accept that they will be doing the pulverizing with their own forces, and award the contract to Eagle Paving Company, Inc.

The motion carried unanimously.

Motion was made by Bianchi, seconded by Adams, to adopt Resolution No. 2015-12:

Awarding a Contract for the Rehabilitation and Overlay of Carancho Road
(Sandia Creek Drive to South of El Prado Road)

The motion carried unanimously

I. Finance Committee Report

Director Adams reported that at their recent meeting, the Finance Committee discussed the implementation of an IT program for the District computers and the time frame of an election for a new ballot measure. He also reported that the Committee has tabled the purchasing of the PMS software.

J. Engineering Committee Report

Director Bianchi reported that at their recent meeting, the Engineering Committee discussed the District's tree trimming procedures; the progress of the Rehabilitation of Via Vaquero - Phase III project and the protest received regarding the bid for the Carancho Overlay project. He also reported that no new parcel or tract maps have been received and the cancellation of the next Engineering Committee meeting

scheduled for November 11th due to the Veteran's Day holiday.

K. General Manager's Report

General Manager Holmes presented his written report which is on file with the District Office. He informed the Board that the bulky-item pick up has been scheduled with CR&R for November 14, 2015; road striping is scheduled for the Via Vaquero - Phase III which will complete the project, and that he will be meeting quarterly with Staff members of Supervisor Jeffries.

The Board adjourned to Closed Session.

L. Closed Session

The Board met in closed session pursuant to the provisions of Government Code §54957: Review of the performance of a public employee (General Manager).

The Board reconvened in open session.

General Counsel Jackson reported that no action was taken during closed session.

M. Adjournment

There being no further business, President Rubin adjourned the meeting at 7:55 p.m.



Cher Ruzek, Assistant Secretary
Board of Directors

ATTEST:



Steve Rubin, President
Board of Directors