



# 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 AUGUST 17, 2011 6:00 P.M.

### A. Call to Order & Roll Call

A Regular Meeting of the De Luz Community Services District was held at the Rancho California Water District Community Room commencing at 6:02 p.m. on August 17, 2011. 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 Donoho gave the Sheriff's Report for July 2011 and updated the Board on August activities. The written report is on file with the District. He reported that Deputy Folia dispersed a group of skateboarders setting up an illegal luge race near Camino Gatillo and Via Gorrion. Discussion followed and the Board requested that the Deputies obtain the name of the promoter so that legal Counsel can follow up with a letter.

At this time, President Rubin invited the Deputies and Staff to the Westside Picnic on October 1, 2011.

**C. Public Comment**

None.

**D. Information Only**

The Board received the July Financial Report and the Statement of Investment Policy.

**E. Consent Calendar**

General Counsel Jackson reviewed the minutes of the July 20, 2011 and clarified that SB 802 (Leno) is now in the form of a new bill, SB 293 (Padilla). He requested that the minutes be corrected to reflect the new bill number.

Motion was made by Bianchi, seconded by Buescher, to approve the Consent Calendar with corrections to the July 20, 2011 Minutes.

The motion carried unanimously.

**F. Discussion of Legal Matters**

General Counsel Jackson refreshed the Board on Brown Act requirements regarding agendas: adding items to, posting of, and action thereon.

**G. Appointing Assistant Secretary of the District**

General Counsel Jackson explained that an Assistant Secretary is necessary to expedite the execution of various documents and the accomplishment of work of the District in the absence of the Secretary. Due to the retirement of the previous Assistant Secretary, Counsel recommended that the Board appoint Cher Ruzek as Assistant Secretary.

Motion was made by Buescher, seconded by Adams, to adopt Resolution No. 11-18:

Appointing An Assistant Secretary for the District

The motion carried unanimously.

**H. LAFCO Board Election**

General Manager Holmes explained that if the Board President is unable to attend the upcoming LAFCO meeting and election, the legislative body of the District can designate another Board Member to vote in place of the President. It was the consensus of the Board that Susan Egge and Mike Adams be named as alternate voting delegates in the event the Board President cannot participate in the election.

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 11-19:

Authorizing Delegates to Vote on Behalf of the District at the LAFCO Special District Election

The motion carried unanimously.

**I. Award of Contract: El Viento Seco Slope Repair**

General Manager Holmes reported there were four valid bids received for this project. The Engineer's Estimate was \$45,000.00 and the low bidder was Peters Paving & Grading, Inc., in the amount of \$32,994.70. Funding for this project will be from Zone II Roadway Rehabilitation Funds.

Motion was made by Bianchi, seconded by Buescher, to adopt Resolution No. 11-20:

Awarding a Contract for the El Viento Seco Slope Repair Project

The motion carried unanimously.

**J. Award of Contract: FEMA Project #DCSD-03, Repairs to Los Gatos Road**

General Manager Holmes reported that there were three valid bids received for this project. The Engineer's estimate was \$86,000.00 and the low bidder was Peters Paving & Grading, Inc., in the amount of \$72,952.00. This project will be funded with Zone I Roadway Rehabilitation Funds and has been approved for reimbursement by FEMA/CalEMA.

Motion was made by Adams, seconded by Bianchi, to adopt Resolution No. 11-21:

Awarding a Contract for the FEMA Project #DCSD-03, Repairs to Los Gatos Road

The motion carried unanimously.

**K. Approval of Plans and Scope of Work: 2011 Crack and Slurry Seal Project**

General Manager Holmes presented the plans and scope of work for the 2011 Crack and Slurry Seal project. The Engineer's Estimate is \$366,600. The project will be funded with Roadway Rehabilitation Funds from each zone as follows: \$87,600 (Primary Zone), \$32,000 (Zone I), \$46,400 (Zone II), \$57,100 (Zone III), \$24,700 (Zone IV), and \$118,800 (Zone V). He requested that the Board approve the Plans and Scope of Work, and authorize Staff to solicit bids.

Motion was made by Buescher, seconded by Adams, to adopt Resolution No. 11-22:

Approving the Plans and Scope of Work for the 2011 Crack and Slurry Seal Project.

The motion carried unanimously.

**L. Approval of Plans and Scope of Work: FEMA Project #DCSD-09, Erosion Repair to Sandia Creek Drive**

General Manager Holmes reported that this project is for storm related repairs to Sandia Creek Drive. The Engineers Estimate is \$90,000. This project will be funded by Primary Zone Roadway Rehabilitation Funds with reimbursement by FEMA/CalEMA. He requested that the Board approve the Plans and Scope of Work, and authorize Staff to solicit bids

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 11-23:

Approving the Plans and Scope of Work for the FEMA Project #DCSD-09, Erosion Repair to Sandia Creek Drive

The motion carried unanimously.

**M. Finance Committee Report**

Director Bianchi reported that at their recent meeting, the Finance Committee discussed that the District audit was near completion and submittal to the County for placement of assessments on the tax rolls is complete. Director Bianchi also reported that the District has received Obligation Notification for FEMA-1952-DR-CA which included approval of all 13 requested repair projects.

The Finance Committee and Staff will continue to update the "available funding" spreadsheet to assist the Engineering Committee in planning projects. Director Adams recommended adding another line item to the spreadsheet for future approved projects.

**N. Engineering Committee Report**

Director Buescher reported that at their recent meeting, the Engineering Committee discussed cyclist signs, Botts Dots, the newly installed fence on Camino Gatillo, security cameras, and the project schedule. He stated that the schedule now shows the month that the plans, specifications, and/or scope of work will be presented to the Board for approval.

He also reported that the Committee has not received an update from Southern California Edison regarding the relocation of the utility box at the intersection of Sycamore Mesa and Rancho California Road.

**O. General Manager's Report**

General Manager Holmes presented his written report which is on file with the District Office. He reported that additional FEMA/CalEMA monies were recently received for the December 2010 storm related damages.

Directors Buescher and Bianchi requested that discussion of a District newsletter be placed on next months Engineering Committee agenda.

**P. Closed Session**

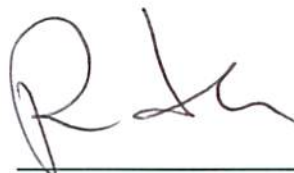
The Board met in closed session pursuant to the provisions of Government Code §54956.9(b)(1): potential litigation against the District (one case).

*The Board reconvened in open session.*

The Board took no action in closed session.

**Q. Adjournment**

There being no further business, President Rubin adjourned the meeting at 7:12 p.m.



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Rob Holmes  
Secretary, Board of Directors

ATTEST:



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Steve Rubin  
President, Board of Directors