

**MINUTES
REGULAR MEETING
OF THE BOARD OF DIRECTORS
SEPTEMBER 16, 2009
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 6:00 p.m. on September 16, 2009. Present at the meeting were the following Directors:

Director Adams
Director Bianchi
Director Buescher
Director Rubin

Director Boyer was absent.

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

President Rubin led the flag salute.

At this time, General Counsel Jackson asked that Agenda Item "L" Executive Session be pulled from the agenda.

B. Sheriff

Deputy Donoho gave the Sheriff's Report for August 2009 and updated the Board on September activities. The written report is on file with the District. He also introduced Lt. Madden, who will be working with our Deputies.

C. Public Hearing

President Rubin stated that the Notice of Hearing was published in the Press-Enterprise on August 20, 2009 and August 27, 2009. He opened the Public Hearing on the proposed relocation of the District offices.

General Manager Holmes reported on the various buildings under consideration, and the procedure used to investigate them. He specifically discussed APN 909-353-027, its configuration of offices and warehouse, the financing being considered, and the fiscal impact to the District.

Staff stated that supportive verbal public comment was received from Property Owners Harold Rouse and John Rogers. No negative comment was received.

Staff entertained questions from the Board.

President Rubin opened the Hearing to public comment.

Fuerte Road Property Owner, George Wilkinson, expressed concern over the abandonment of the District Office/Fire Station proposal of several years ago, where the funding for the new building would come from, and what additional costs would be incurred.

There being no public comment, the Hearing was closed by President Rubin.

Discussion of the Board continued including responses to Mr. Wilkinson's concerns. The District will continue with its due diligence in exploring this opportunity.

D. Public Expression

Property Owner George Wilkinson asked for a status report for the improvement of Fuerte Road.

General Manager Holmes stated that a slurry seal will be done on the good parts of Fuerte Road in the next few weeks, and that new pavement for the remainder of Fuerte Road will be completed before the end of the year.

E. Information Only

The Board received the Statement of Investment Policy.

F. Consent Calendar

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

The motion carried unanimously.

G. Discussion of Legal Matters

General Counsel Jackson discussed an appellate court ruling of interest to the District.

H. Approval of Plans and Scope of Work: Via Tornado and Los Gatos Road

General Manager Holmes presented the plans and scope of work for the Rehabilitation of a Portion of Via Tornado (Via Santa Rosa to Camino Estribo - Zone V) and Rehabilitation of a Portion of Los Gatos Road Phase II (Zone I). This project has an engineer's estimate of \$214,178, and will be funded with Zone V and Zone I Roadway Rehabilitation Funds.

Motion was made by Buescher, seconded by Bianchi, to adopt Resolution No. 09-13:

Approving the Plans and Scope of Work for the Rehabilitation of a Portion of Via Tornado (Via Santa Rosa to Camino Estribo - Zone V) and Rehabilitation of a Portion of Los Gatos Road Phase II (Zone I)

The motion carried unanimously.

I. Finance Committee Report

Director Adams reported that no Finance Committee meeting was held this month.

J. Engineering Committee Report

Director Buescher reported that the Engineering Committee reviewed upcoming rehabilitation plans and their progress. He also stated that the crack seal and striping projects need to be completed before this winter.

K. General Manager's Report

General Manager Holmes presented his written report which is on file with the District Office.

L. Executive Session

Removed from Agenda.

M. Adjournment

There being no further business, President Rubin adjourned the meeting at 6:43 p.m.

Rob Holmes
Secretary, Board of Directors

ATTEST:

Steve Rubin
President, Board of Directors