



BEAR VALLEY COMMUNITY SERVICES DISTRICT

28999 South Lower Valley Road • Tehachapi, CA 93561-9637
661-821-4428 • FAX 661-821-0180

BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: March 13, 2014
PLACE OF OPEN SESSION MEETINGS: 28999 South Lower Valley Road
TIME OF OPEN SESSION MEETING: 6:00 pm

1. CALL TO ORDER

- **President Mason called the meeting to order at 6:00 pm.**

2. ROLL CALL

President Bill Mason
Vice President Charlene LaClaire
Director Gil Grace
Director Matt VoVilla
Director Rick Zanutto

- **All Directors were present. Also present were Interim General Manager Larry Pennell; Interim Financial Consultant David Powell; Police Chief Rod Walthers; Public Works Superintendent Larry Tuma; District Counsel Don Davis and Board Secretary Kristy McEwen.**

3. PLEDGE OF ALLEGIENCE

- **Mr Tuma led the Pledge of Allegience.**

4. CONSENT CALENDAR

- **CONSENT CALENDAR MOTION: THAT ALL MOTIONS INDICATED BY CONSENT CALENDAR ITEMS A THROUGH F BE ADOPTED: ZANUTTO. SECOND: LACLAIRE. AFTER A ROLL CALL VOTE THE MOTION PASSED UNANIMOUSLY.**

- A. Board Minutes – that the minutes of the Feb 3, 2014 Special Board Meeting, the Feb 13, 2014 Regular Board Meeting and the Feb 27, 2014 Regular Board Meeting be accepted as submitted.
- B. Committee Reports – that the notes from the February, 2014 committee meetings be accepted as submitted
- C. Disclosure of Expenses as submitted.
- D. Register of Warrants – that the register for February, 2014 be accepted as submitted
- E. Financial Statements – that the statement for January, 2014 be accepted as submitted
- F. Approval of BVSA proposal of horse trails on road rights of way on Shenandoah, and on Jacaranda to connect with High Country Campground.

5. PUBLIC COMMENTS

- **There were no public comments.**

6. BOARD COMMENTS

- **Director Zanutto reported on the meeting of the Water Availability Preservation Committee. He also passed on the favorable impression District legal counsel has made with TCCWD during lease negotiations.**

7. STAFF REPORTS

- **General Manager's Report – Mr Pennell obtained and delivered to the Board boundary maps delineating the District's sphere of influence. He also reported to the Board and public that after inquiries, there are no open investigations of the Board of Directors or District from either the District Attorney or Grand Jury.**
- **Financial Report – Mr Powell gave an oral presentation.**
- **Public Works Status Report – Mr Tuma presented a written report. After Board comments, Public comments addressed the fire hydrant repair and road striping on Starland by Ken Holden, and fog lines and the new board room door by Ralph Kermode.**
- **Public Safety Report – Chief Walthers presented a written report. Board and public comments followed.**
- **General Counsel Report – Mr Davis updated the Board on the status of the Tehachapi Turf lease negotiations, and stated he hoped to bring a License agreement between TCCWD and the District to the Board in April. Also under negotiation is a master water use agreement with TCCWD. Mr Davis also addressed the rent limitation issue while the property is under bond. Board comments followed.**

8. PUBLIC HEARING ORDERING THE CONTROL, REMOVAL, AND ERADICATION OF PINE BARK BEETLE INFESTATION. (Mr Pennell)

- **President Mason opened the Public Hearing. There were no public comments. President Mason closed the public hearing.**
- **MOTION TO DIRECT THE GENERAL MANAGER TO PROCEED WITH ERADICATION IN ACCORDANCE WITH DISTRICT CODE: MASON. SECOND: GRACE.**
- **Board Comments: Director Zanutto noted that the list is getting longer.**
- **AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

9. ADOPTION OF A RESOLUTION SETTING A PUBLIC HEARING AND DECLARING AND ORDERING THE CONTROL, REMOVAL AND ERADICATION OF PINE BARK BEETLE INFESTATION. (Mr Pennell)

- **MOTION TO ADOPT A RESOLUTION SETTING A PUBLIC HEARING DECLARING AND ORDERING THE CONTROL, REMOVAL, AND ERADICATION OF PINE BARK BEETLE INFESTATION: ZANUTTO. SECONDED: LACLAIRE. AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

10. PRESENTATION AND CONSIDERATION OF APPROVAL OF MOU FOR MISCELLANEOUS EMPLOYEES. (Mr Pennell)

- **Delia Serrano of SEIU 521 addressed the Board.**
- **The item was approved by unanimous consent.**

11. PRESENTATION AND CONSIDERATION OF APPROVAL TO PARTICIPATE WITH BVSA IN FUNDING THE CONSTRUCTION OF WATER PIPELINE TO THE RIFLE RANGE. (Mr Tuma)

- **Mr Tuma presented the cost estimate referred from the Liaison Committee.**
- **Board Comments: After discussion of the options, the Board agreed that the District should not use Parks & Recreation funds, but the project should be a true cost share between the BVSA and BVCS. Director Zanutto suggested inclusion of a storage tank in the project.**

- **MOTION TO PARTNER WITH BVSA TO FUND A WATER LINE TO THE RIFLE RANGE, INCLUDING A STORAGE TANK, WITH A COST NOT TO EXCEED \$7000: MASON. SECOND: ZANUTTO.**
 - **Board and public comments followed.**
 - **AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**
12. REPORT AND CONSIDERATION OF APPROVAL OF FUNDING OPERATOR-IN-TRAINING POSITION AT WASTEWATER TREATMENT PLANT. (Mr Tuma)
- **MOTION TO APPROVE FUNDING FOR OPERATOR-IN-TRAINING POSITION AT THE WASTEWATER TREATMENT PLANT: LACLAIRE. SECOND: VOVILLA**
 - **President Mason opened Board comments. Director Zanutto complimented the WWTP staff on the cleanliness of the facility. Director Grace inquired on the number of hours necessary to obtain Class 1 license. President Mason closed Board comments. There were no public comments.**
 - **AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**
13. DISCUSSION/DIRECTION TO CLARIFY DISTRICT POLICY ON WATER LEAKS. (Mr Pennell)
- **President Mason reviewed the history of the current policy. After polling the Board members, with Director Zanutto dissenting, consensus was reached to bill excess usage at Tier 5 rates regardless of whether the cause is water breaks or willful neglect. The staff was directed to return to the Board with a clearly written policy for consideration. Public comments addressed the need to protect the precious resource, and the availability of terms for paying large water bills.**
14. CONSIDERATION OF APPROVAL OF TEMPORARY NON-EXCLUSIVE ACCESS AGREEMENT WITH BEAR MOUNTAIN RANCH IN CONJUNCTION WITH BMR'S CAL FIRE APPROVED TIMBER HARVEST PLAN. (Mr Tuma)
- **District Counsel summarized the changes made to the proposed agreement—changing the language to a license agreement for road use rather than the granting of an easement. Mr Tuma presented a report from engineering firm estimating the per trip damage mitigation fee at \$1309. The Board and staff discussed the advisability of requiring a performance bond.**
 - **MOTION TO APPROVE THE TEMPORARY NON-EXCLUSIVE ACCESS AGREEMENT WITH BEAR MOUNTAIN RANCH CONTINUED FROM DEC 12, 2013 BOARD MEETING IN THE PRESENT FORM BEFORE THE BOARD: MASON. SECOND: ZANUTTO.**
 - **Public comments by Mr & Mrs Ken Holden addressed quality of life issues, noise, cost of materials. Dan Pike warned of the extreme fire danger if no action is taken.**
 - **After Board and Public comments, a roll call vote was taken.**
 - **MASON: AYE**
 - **LACLAIRE: AYE**
 - **GRACE: NO**
 - **VOVILLA: NO**
 - **ZANUTTO: AYE**
 - **THE MOTION PASSED 3:2**
15. REVIEW OF DISTRICT CODE TITLE 1, SECTION 5 AS REVISED AND RECOMMENDED BY ADMINISTRATION COMMITTEE AND POSSIBLE REFERRAL TO LEGAL COUNSEL. (Mr Pennell)
- **President Mason opened Board comments: After discussion it was agreed to keep the first Regular Board meeting of the month at 4:00pm Closed Session/6:00pm Open Session, and change the second Regular Meeting of the month to 9:00am Closed Session/10:00am Open Session.**
 - **The item was referred to legal counsel for review.**
16. BOARD ASSIGNMENT TO ADMINISTRATION COMMITTEE TO REVIEW AND POTENTIALLY UPDATE THE REMAINDER OF TITLE 1, ADMINISTRATION, AND TITLE 3, PUBLIC SAFETY, OF THE DISTRICT CODE. (Mr Pennell)

- **The item was approved by unanimous consent.**

17. CONSIDERATION OF APPROVAL OF DISTRICT PARTICIPATION IN A KERN CO. FIRE VEGETATION MANAGEMENT AGREEMENT AS REFERRED BY LIAISON COMMITTEE, OCT 22, 2013. (President Mason)

- **After discussion, the Board directed staff to pursue implementation of the agreement.**

18. DISCUSSION/DIRECTION ON OBTAINING CSDA DISTRICT TRANSPARENCY CERTIFICATE. (Vice-President LaClaire)

- **The item was approved by unanimous consent.**

19. REFERRAL FROM INFRASTRUCTURE COMMITTEE: WIDENING OF MAILBOX STAND ON CUMBERLAND AND SADDLEBACK. (Mr Tuma)

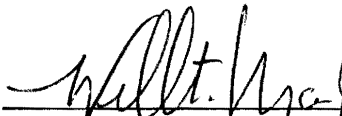
- **Mr Pennell recommended not establishing a Mailbox Capital Improvement account, but that staff would find the appropriate funding source for the project.**
- **MOTION TO APPROVE THE WIDENING OF THE MAILBOX STAND ON CUMBERLAND AND SADDLEBACK: MASON. SECOND: ZANUTTO.**
- **Board and public comments followed.**
- **AFTER A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.**

20. BOARD MEMBERS' DISCUSSION OF NEEDS/PREFERENCES REGARDING LAPTOPS/IPADS. (President Mason)

- **After discussion, the Board reached the consensus that laptops were preferable. Mr Pennell said that staff will research the pricing and purchase options.**
- **MOTION TO PURCHASE LAPTOPS FOR DISTRICT USE BY THE BOARD OF DIRECTORS: LACLAIRE. SECOND: MASON.**
- **Public comments: Ralph Kermode stated that the Directors should have the proper equipment to do their jobs.**
- **A roll call vote was taken:**
 - **MASON: AYE**
 - **LACLAIRE: AYE**
 - **GRACE: NO**
 - **VOVILLA: AYE**
 - **ZANUTTO: AYE**
- **THE MOTION PASSED 4-1**

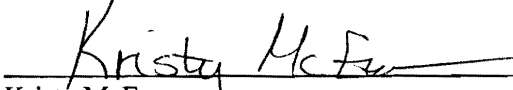
21. ADJOURNMENT.

- **The meeting was adjourned at 9:14pm.**



William T Mason Jr, President
Bear Valley Community Services District

ATTEST:



Kristy McEwen
Board Secretary