



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING:	August 14, 2014
PLACE OPEN & CLOSED SESSION MEETINGS:	28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING:	5:00 pm
TIME OF OPEN SESSION MEETING:	6:00 pm

1. Call to Order

- President Mason called the meeting to order at 5:00 pm.

2. Roll Call Attendance

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

All Directors were present except for Director VoVilla. Also present were General Manager David Edmonds and District Counsel Don Davis. Arriving at 6:00 pm for open session were: Financial Consultant David Powell, Police Chief Rod Walthers, Public Works Superintendent Larry Tuma and Board Secretary Kristy McEwen.

3. Closed Session

Conference with Legal Counsel: Anticipated Litigation
Government Code section 54956.9(d)(2): one potential case

- **No Reportable Action**

4. Convene Open Session

- President Mason convened Open Session at 6:20 pm.

5. Summary of Actions Taken During Closed Session

- President Mason reported as above.

6. Pledge of Allegiance

- Resident Jim Nelson led the Pledge of Allegiance

August 14, 2014 Regular Board Meeting

7. Consent Calendar

Consent items are considered routine and are intended to be acted upon in one motion, without discussion. During this portion of the meeting, the Consent Calendar will be read aloud. Prior to approval, the President will give the Board, staff, and public the opportunity to pull any item for discussion. The remaining Calendar will be acted upon. Any pulled items will then be heard and acted upon individually.

- A. APPROVE Minutes of the July 10, 2014 Regular Board Meeting
- B. APPROVE Minutes of the July 24, 2014 Special Board Meeting.
- C. ACCEPT Notes from the July, 2014 Administration Committee Meeting.
- D. ACCEPT Notes from the July, 2014 Communications Committee Meeting.
- E. ACCEPT Notes from the July, 2014 Finance Committee Meeting.
- F. ACCEPT Notes from the July, 2014 Public Safety Committee Meeting.
- G. ACCEPT Notes from the July, 2014 Liaison Committee Meeting.
- H. APPROVE Disclosure of Expenses.
- I. APPROVE Register of Warrants for July, 2014.
- J. APPROVE Financial Statements for June, 2014.
- K. APPROVE "Message from the Board of Directors" Articles for September, 2014 Bear Tracks.
- L. ACCEPT Bear Valley Springs Association, Amenity Usage Analysis.
- M. APPROVE Uncollectible Debt Report for Quarter Ending June 30, 2014.

- **Motion to APPROVE Consent Calendar: Zanutto. Second: LaClaire.**
- Mrs. McEwen read the Consent Calendar. President Mason gave the Board, Staff and Public the opportunity to pull any items. Director Zanutto requested that Item M be removed for discussion.
- After a roll call vote, the motion passed 4:0:1 with Director VoVilla absent.
- After discussion, the Board referred Item M to Staff to develop a policy for collecting unpaid debts.
- **Motion to Table Item M: Zanutto. Second: Grace.**
- After a roll call vote, the motion passed 4-0-1 with Director VoVilla absent.

8. Public Comments on Non-Agenda Items

Members of the public may address the Board on matters not listed on this Agenda. It is a violation of state law for the Board to discuss or take action on non-agenda items. Board members may only briefly ask clarifying questions or refer the matter to staff. Staff may briefly address the matter.

- Jim Nelson addressed the Board on selling potable water to outside contractors.
- John Bank spoke against automation of the security gate.
- Mary Cunningham addressed the history of Measure F, the Gate Tax.
- Al Sharp spoke in favor of keeping a manned gate.
- Lawman Francis spoke about mailbox security and road repair.
- Robert Hupp, Jr. spoke against automation of the security gate.

9. Board Comments

- Director Zanutto reported on the 8/14/14 Water Availability Preservation Committee meeting, introduced water truck promotional campaign for toilet exchange, and gave Liz Block of TCCWD a chance to speak on water saving programs. Director Zanutto also thanked Staff for the Board-friendly packet.

- Vice-President LaClaire said she was pleased with the new agenda format and looking forward to the future.
- President Mason clarified that Agenda Item #17 was informational and the items were not up for discussion that evening.

10. Staff Reports

- **Department Head Reports**

- Financial Report** – Mr. Powell presented a preliminary statement for June, 2014, and spoke on the progress of talks between Bear Valley Springs Association and the District on the under-billing of lake-fill water. Jim Nelson asked if any progress had been made on reconciling Parks & Rec detachment funds. Mr. Powell said he is still waiting for information from Kern County.
- Public Works Status Report** – Mr. Tuma presented a written report and showed the Board the “Save Every Drop” magnetic signs for District vehicles. He also reported that he had signed the District up with Ms. Block for an irrigation system audit.

Director Grace asked about the “Buckle Up for Safety” sign outside the transfer station, and if Well #9 is improving. Mr. Tuma replied that it is being tested monthly for radionuclides.

Director Zanutto asked where the promotional water truck would be parked. Mr. Tuma said he is considering the Police Dept parking lot for visibility.

Vice-President LaClaire asked if the District was still selling water to the Bear Valley Road contractor.

Robert Bertram asked if the road surface comparison had been started. Jim Nelson asked when re-striping on Cumberland would be done, and Lawman Francis expressed concern over potholes.

- Public Safety Report** – Chief Walthers presented a written report.

President Mason requested that Tehachapi stats be included in the report as in the past.

John Bank asked if all the activity in the report came from and for Bear Valley. Chief Walthers stated that it was all dealing with the police dept in Bear Valley.

B. General Counsel Report – Mr. Davis had no non-agenda items.

C. General Manager Report – Mr. Edmonds spoke to the Board and public on transparency, the new agenda format and upcoming agenda items.

11. Disclosures by the Board of Directors

Board Members are asked to disclose any outside communications with individuals and organizations that have an action item on this agenda that pertains directly to them or their specific personal or private interests and which communication is not included or disclosed in the agenda package, so that all interested persons have an equal opportunity to express and represent their interests.

Mr. Davis explained the basis for this requirement. There were no disclosures.

Action Items:

12. ADOPT Resolution 14/15-4 of the Board of Directors of the Bear Valley Community Services District, Declaring the Existence of a Stage Two Condition Applicable to Water Usage Throughout the District Pursuant to Bear Valley Community Services District Code Chapter 7-4 and in Furtherance of the Emergency Water Conservation Regulations Adopted by the State Water Resources Control Board as Article 22.5 of Title 23 of the California Code of Regulations. (Mr. Davis)

- Mr Davis gave a Power Point presentation explaining the District's obligations in light of the state requirements for water conservation.
- Board and Public Comments focused on the 10 unit surcharge baseline, whether surcharge should be calculated from zero or 10 units and above and if both residential and commercial rates should be included.
- District Counsel recommended the Board amend Section 3 of Resolution 14/15-4 to become effective at the start of the October, 2014 billing cycle. Staff will bring a Resolution addressing surcharges back to the Board.
- **Motion to ADOPT Resolution 14/15-4 Declaring the Existence of a Stage Two Condition Applicable to Water Usage Throughout the District; Amending Section Three, Adjustment of Water Rates and Surcharges, to be effective as of the October billing cycle: GRACE. Second: LACLAIRES.**
- After a roll call vote, the motion passed 4-0-1 with Director VoVilla absent.

13. ADOPT Resolution 14/15-5 and APPOINT the Position of General Manager as Contracting Officer for Union Bank Account and AUTHORIZE the General Manager to Execute the Necessary Documents. (Mr. Edmonds)

- A staff report and resolution were presented.
- **Motion to ADOPT Resolution 14/15-5, APPOINT the position of General Manager as Contracting Officer for Union Bank account, and AUTHORIZE the General Manager to execute the necessary documents: LaClaire. Second: Grace.**
- After a roll call vote, the motion passed 4-0-1 with Director VoVilla absent.

14. ADOPT Resolution 14/15-6 Determining the Minimum Amount for Interest and Redemption Charges on Bonded Indebtedness approved by voters of Assessment District 95-1 for Fiscal Year 2014-2015 and Fixing Rate of Taxation to be Levied. (Mr. Powell)

- A staff report and resolution were presented.
- **Motion to ADOPT Resolution 14/15-6 authorizing the collection of the taxes for payments of the bonded indebtedness for Assessment District 95-1 of \$34.02 per taxable parcel: Grace. Second: LaClaire.**
- After a roll call vote, the motion passed 4-0-1 with Director VoVilla absent.

15. ADOPT Resolution 14/15-7 Setting a Public Hearing and Declaring and Ordering the Control, Removal and Eradication of Pine-Bark Beetle Infestation.
 - A staff report and resolution were presented.
 - **Motion to ADOPT Resolution 14/15-7 Setting a Public Hearing and Declaring and Ordering the Control, Removal and Eradication of Pine-Bark Beetle Infestation: LaClaire. Second: Grace.**
 - After a roll call vote, the motion passed 4-0-1 with Director VoVilla absent.

16. APPROVE Board Member Attendance at California Special District Association 2014 Annual Conference. (Mr. Edmonds)
 - A staff report and resolution were presented. President Mason noted a traditional, informal agreement among Board members that conference attendance would be limited to two members at a time. After discussion, Directors Grace and Zanutto would attend.
 - **Motion to APPROVE Directors Grace and Zanutto to attend the California Special Districts Association 2014 Annual Conference, Full Conference Registration: LaClaire. Second: Mason.**
 - After a roll call vote, the motion passed 4-0-1 with Director VoVilla absent.

Information Items:

17. Future Agenda Items:

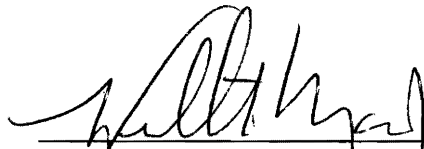
- Discussion of Solar Project (Tentative for August 28, 2014)
- Discussion of Gate Automation Concept (Tentative for August 28, 2014)

Mr Edmonds addressed the Board and Public on Items A and B, and also listed the following items to be addressed in future Board meetings:

- Revision of Pine Bark Beetle Abatement policies – will go to the September Administration committee and then tentatively to the September 11, 2014 Regular Board Meeting.
- Review and Recommendation regarding Water Conservation Surcharges – Information Item at August 28, 2014 Regular Board Meeting; Action Item at September 11, 2014 Regular Board Meeting.
- Information Item on Upcoming Election
- Recommendation of revised Water Selling Policies.
- Recommendation of revised Uncollectible Debt Policies.
- Locking Mailbox options.
- Director Grace informed the Board and Public that Wildlife Biologist Victoria Monroe has offered to make a presentation on Feral Pigs to the community. After discussion, the Board agreed that this would be a good topic for a BVCSD/BVSA Town Hall Meeting.

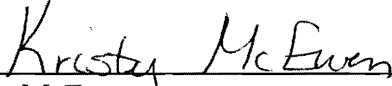
Adjournment:

- **The meeting was adjourned at 9:42 pm.**
- **The next regularly scheduled meeting of the Board of Directors is August 28, 2014.**



William T Mason Jr, President
Bear Valley Community Services District

ATTESTED:



Kristy McEwen
Clerk of the Board