



BEAR VALLEY COMMUNITY SERVICES DISTRICT

28999 South Lower Valley Road • Tehachapi, CA 93561-7460
PHONE 661-821-4428 • FAX 661-821-0180

BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: August 28, 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

A. President Mason called the meeting to order at 5:10 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. Also present were General Manager David Edmonds and District Counsel Don Davis. Arriving at 6 pm for open session: Financial Consultant David Powell, Police Chief Rod Walthers, Public Works Superintendent Larry Tuma and Board Clerk Kristy McEwen.

3. Closed Session

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

- **No Reportable Action**

4. Convene Open Session

A. President Mason Convened Open Session

5. Summary of Actions Taken During Closed Session

A. President Mason Reported as Above.

6. Approval of Agenda – Roll Call

A. Action: APPROVE Agenda as presented.
B. Vote: Ayes—5, No—0

August 28, 2014 Regular Board Meeting

7. Pledge of Allegiance

- A. Mr Tuma led the Pledge of Allegiance

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.

- Nick Smirnoff addressed the Board on Starthistle abatement
- Sandy Williams spoke about the proposed Tehachapi sales tax increase
- Roberta Miller asked the status of the logging issue
- Jim Nelson asked that the Board take a moment to acknowledge the passing of resident Ralph Kermode; President Mason, Vice-President LaClaire and Mr. Edmonds spoke in his memory and President Mason called for a moment of silence in his honor.

9. Board Comments

- A. Director Grace spoke in appreciation of the work done by the Disaster Preparedness Advisory Council and shared their desire to set up SEMS/NIMS (Standardized Emergency Management System/National Incident Management System) training for District and BVSA staff and volunteers. He suggested a presentation to the Board and Public in the near future.
- B. Director VoVilla confirmed that he did not file for re-election to the Board of Directors, stating his admiration of the hours put in by the current Directors, and sharing a list of issues he hopes the Board continues to pursue: Continued work on the water business, modification of the waste water discharge permit, continued improvement of roads and infrastructure.
- C. Director Zanutto asked if there will be enough Park & Recreation money set aside to carry BVSA lake-fill water purchases from July to January.
- D. Vice-President LaClaire stated she would like to see cooperation between the BVSA and the District in matters requiring confidentiality. She also asked how lake-fill water would be billed.
- E. President Mason stated he would like to see resolution of the issue of locking mailboxes and hopes to see a MicroPAVER-driven pavement management plan brought before the Board as an action item soon.

10. 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.

- **None**

11. Action Items:

- A. ADOPT Resolution 14/15-8 of the Board of Directors of the Bear Valley Community Services District, AMENDING the District's Surcharges for Water Conservation that are Applicable to Basic Water Rates During a Declared Water Shortage Condition. (Mr. Davis)
- A staff report and resolution were presented and Mr. Davis reviewed the Board's desire to amend the existing surcharge regulations. Board discussion followed.
 - Public Comments: Alan Miller asked for clarification; Dave Licher questioned the need and basis for the surcharge; John Martin of Tehachapi Cummings County Water District said TCCWD fully supports the District's efforts.
 - **Motion to ADOPT Resolution 14/15-8 as recommended in the staff report: GRACE. Second: ZANUTTO**
 - **Vote: Ayes—5, No—0**
- B. ADOPT Resolution 14/15-9 of the Board of Directors of the Bear Valley Community Services District, AUTHORIZING the Issuance of Subpoenas for Certain District Administrative Hearings. (Mr. Davis)
- A staff report and resolution were presented by Mr. Davis.
 - Board Comments: None
 - Public Comments: Jim Nelson questioned the contempt procedures
 - **Motion to ADOPT Resolution 14/15-9 as recommended in the staff reports: LACLAIRE. Second: ZANUTTO**
 - **Vote: Ayes—5, No—0**

12. Information Items:

Presented for informational purposes only. Typically, no formal action is taken by the Board; direction to staff may be given.

A. Election Update

- **An update per the attached staff report was given by Mr. Edmonds.**

B. Communications, Articles, Public Outreach

- **A staff report and explanation of this new agenda item was shared by Mr. Edmonds.**

C. Presentation: Security Gate Improvements

- **Mr. Edmonds gave a power point presentation outlining the history and possible next steps of the gate improvement concept. Public and Board discussion followed.**

D. Presentation: BVCSO Solar Project

- **Mr. Edmonds gave a power point presentation explaining the motivation, history and possible next steps of a District solar project. Public and Board discussion followed.**

13. Future Agenda Items:


- A. Revision of District Code – Pine Bark Beetle Abatement Policy (Tentative for September 11, 2014)
- B. Outside Water Sales (Tentative for September 11, 2014)

Additional Items from Discussion:

- C. Lake-fill Billing Discussion (Tentative for September 25, 2014)
- D. Locking Mailbox Presentation
- E. Disaster Council Presentation (Tentative for October 23, 2014)

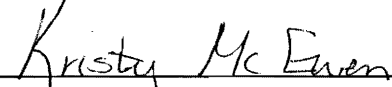
14. Adjournment:

- **The meeting was adjourned at 9:37 pm.**
- **The next regularly scheduled meeting of the Board of Directors is September 11, 2014 at 6:00 pm.**



William T Mason Jr, President
Bear Valley Community Services District

ATTESTED:



Kristy McEwen
Clerk of the Board