



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:	May 14, 2015
PLACE OPEN & CLOSED SESSION MEETINGS:	28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING:	4:30 pm
TIME OF OPEN SESSION MEETING:	6:00 pm

1. Call to Order

- The meeting was called to order at 4:34 pm

2. Roll Call Attendance

President Charlene LaClaire
Vice President Rick Zanutto
Director Jane Baron
Director Gil Grace
Director Walt Ritchie

- All Directors were present except President Charlene LaClaire. Vice-President Zanutto presided over the meeting. Also present were General Manager David Edmonds and General Counsel Don Davis. Arriving at 6:00 pm was Clerk of the Board Kristy McEwen.

3. Closed Session

A. Public Employment

Government Code Section 54957: Chief of Police

B. Anticipated Litigation

Government Code Section 54956.9(d)(2): Two Cases

4. Convene Open Session

- Vice-President Zanutto convened Open Session at 6:12 pm

5. Summary of Actions Taken During Closed Session

- No Reportable Action

6. Approval of Agenda – Roll Call

- The Agenda was approved by a 4-0 vote with Director LaClaire absent.

May 14, 2015 Regular Board Meeting

7. Pledge of Allegiance

- Vice-President Zanutto 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. The Board cannot take action on any item that is not on the Agenda. The Board or staff may briefly respond to statements made or questions posed, or may ask questions for clarification. These items may also be referred to staff or scheduled on a future Agenda. There will be a separate opportunity for public comment for each item on the Agenda.

- Jim Nelson spoke on prioritizing replacement of the water system infrastructure. Director Zanutto stated that all communities face problems with their water infrastructure, and that the problems are known and are being addressed. He further stated the District is putting aside \$80 for every acre foot of water purchased for the purpose of water banking once water is available.
- Dan Pike thanked the Board and Staff for taking action on High Country Park and asked about a course of action for private properties. Mr. Edmonds explained the need and plan for a systematic approach.
- Bob Stephens stated a sentence had been inserted into his Letter to the Editor in the May, 2015 edition of The Bear Valley Cub newspaper. He stated for the record that he had not written, “why didn’t they hire this team before? Why did the board use a crappy team prior?” He stated his letter was intended to conciliatory in tone, and he did not agree with that statement.

9. 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 April 9, 2015 Regular Board Meeting
- B. APPROVE Minutes of the April 23, 2015 Regular Board Meeting
- C. ACCEPT Minutes from the April 6, 2015 Administration Committee Meeting
- D. ACCEPT Minutes from the March 24, 2015 Liaison Committee Meeting
- E. APPROVE Register of Warrants for April, 2015

Motion: APPROVE Consent Calendar Items A – D: Grace. Second: Baron

Roll Call Vote: AYE: Grace, Baron, Ritchie, Zanutto
 NO: None
 ABSTAIN: None
 ABSENT: LaClaire

Director Grace pulled Item 9E. Mr. Edmonds clarified an expenditure to Wilbur-Ellis.

Motion: APPROVE Consent Calendar Item E: Grace. Second: Baron

Roll Call Vote: AYE: Grace, Baron, Ritchie, Zanutto
 NO: None
 ABSTAIN: None
 ABSENT: LaClaire

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. ACCEPT FY 2013/14 Annual Financial Report (External Audit) as Prepared and Presented by Charles Z. Fedak & Company (Mr. Edmonds)

- A staff report was presented.
- Director Zanutto asked for clarification on several items: Change in net position of Wastewater Enterprise Fund and amounts of Rents & Revenues line item. Mr. Edmonds responded that these will be brought back as Information Items for a subsequent Board meeting.
- **Motion:** The Board of Directors ACCEPT FY 2013/14 Annual Financial Report (External Audit) as Prepared and Presented by Charles Z. Fedak & Company: Grace. Second: Baron
- **Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto
NO:	None
ABSTAIN:	None
ABSENT:	LaClaire

B. APPROVE Employment Agreement with Jeffery J. Kermode, Interim Public Safety Director/Chief of Police Pending Legal Review and Revision (Mr. Edmonds & Mr. Davis)

- A staff report was presented. Mr. Davis provided an overview and stated the contract will be made public once executed.
- The Board of Directors welcomed Mr. Kermode.
- Mr. Kermode thanked the Board for their efforts and the vote of confidence.
- **Motion:** The Board of Directors APPROVE Employment Agreement with Jeffery J. Kermode, and APPOINT him as Interim Public Safety Director/Chief of Police Pending Legal Review and Revision: Grace. Second: Ritchie
- **Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto
NO:	None
ABSTAIN:	None
ABSENT:	LaClaire

C. AUTHORIZE The General Manager to Execute Purchase Agreement with Grundfos CBS, Inc. for Replacement Booster Pumps for Station 3A for Estimated Cost plus 10% for Change Orders and Contingency – Total Not To Exceed \$46,751. (Mr. Edmonds)

- Mr. Edmonds provided a staff report, and thanked Mr. Jay Carlyn for his assistance in helping locate the temporary replacement pumps.

- **Motion:** The Board of Directors AUTHORIZE The General Manager to Execute Purchase Agreement with Grundfos CBS, Inc. for Replacement Booster Pumps for Station 3A for Estimated Cost plus 10% for Change Orders and Contingency – Total Not To Exceed \$46,751: Ritchie. Second: Baron
- **Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto
NO:	None
ABSTAIN:	None
ABSENT:	LaClaire

D. ELECT a Candidate for Special District Representative to Serve on the Kern County Local Agency Formation Commission (LAFCo) for the Term Ending May, 2016. (Ms. McEwen)

- A staff report was provided.
- **Motion:** The Board of Directors ELECT Charlene LaClaire for Special District Representative to serve on the Kern County Local Agency Formation Commission (LAFCo) for the term ending May, 2016: Grace. Second: Ritchie
- **Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto
NO:	None
ABSTAIN:	None
ABSENT:	LaClaire

12. Information and Discussion Items:

A. Community Revitalization & Design Standards for District Infrastructure (Mr. Edmonds)

- Mr. Edmonds gave a Power Point presentation.
- Discussion by Board and Public followed.

B. Entry Gate Improvement Project Concept (Mr. Edmonds)

- Mr. Edmonds gave a Power Point presentation.
- Discussion by Board and Public followed.
- Staff will present a final concept for adoption at a subsequent meeting.

C. Mailbox Project Concept (Mr. Edmonds)

- Mr. Edmonds gave a Power Point presentation.
- Discussion by Board and Public followed.
- Staff will present a final concept for adoption at a subsequent meeting.

D. April Committee Reports

- i. Administration Committee (May 4, 2015) – Director Ritchie provided a verbal report.
- ii. Communications Committee – No May meeting
- iii. Finance Committee (May 7, 2015) – Director Grace provided a verbal report.
- iv. Infrastructure Committee (May 12, 2015) – Director Grace provided a verbal report.

- v. Liaison Committee (April 28, 2015) – Director Zanutto provided a verbal report.
- vi. Public Safety Committee (April 21, 2015) – Director Grace provided a verbal report.

E. Board Comments

- i. Director Baron: Provided an update on the Mussel Study required by Regional Water Quality Control Board.
- ii. Director Grace: None
- iii. Director Ritchie: None
- iv. Vice-President Zanutto: None
- v. President LaClaire: Absent

F. Staff Reports

- i. Department Head Reports
 - 1. Public Works Report – a written report was provided. Director Baron asked for clarification on several matters. Staff will follow up and bring back as Information Items for a subsequent Board meeting
 - 2. Public Safety Report – BVPD Statistics for April, 2015 were presented.
- ii. General Counsel Report – Mr. Davis updated the Board on water conservation regulations and the Tehachapi Turf lease related to the availability of reclaimed water from California Correctional Institute.
- iii. General Manager Report – None

G. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)

- A staff report was provided.
- Clarifications and corrections in several articles were addressed.

13. **Future Agenda Items:**

- A. Refined Solar Project Proposal (Tentative: May 28, 2015)
- B. Mid-Year Budget Update (Special Work Session TBD)
- C. Ordinance Code & Policy Updates re Board of Directors (Tentative: May 28, 2015)
- D. Appointment of Citizen Volunteers for Committees (Tentative: May 28, 2015)
- E. Ordinance of the Board of Directors of the Bear Valley Community Services District, Amending District Code Section 7-4-6 with respect to Water Reduction Measures during a Stage Three Condition. (Tentative: May 28, 2015)
- F. Entry Gate Improvement Project – Adopt Concept Plan (Tentative: June 11, 2015)
- G. Amendment to Cornerstone Engineering Agreement for Entry Gate Project (Tentative: June 11, 2015)
- H. FY 2015/16 Budget Development (Special Work Sessions TBD)
- I. Update and Legal Review – Tehachapi Turf Lease (Tentative: June 11, 2015)
- Mr. Edmonds reviewed the above and added:**
- J. Board Inquiry – Contractor Water Sales

14. **Adjournment:** The meeting was adjourned at 10:52 pm. The next regularly scheduled meeting of the Board of Directors is May 28, 2015.

Charlene LaClaire

Charlene LaClaire, President

ATTEST

Kristy McEwen

Kristy McEwen, Clerk of the Board