



## **BEAR VALLEY COMMUNITY SERVICES DISTRICT**

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### **BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES**

DATE OF MEETING:	October 29, 2015
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

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**1. Call to Order**

The meeting was called to order at 5:00 pm.

**2. Roll Call Attendance**

President Charlene LaClaire

Vice President Rick Zanutto

Director Jane Baron

Director Gil Grace

Director Walt Ritchie

All Directors were in attendance. Also present were General Manager David Edmonds and General Counsel Don Davis. Arriving at 6:00 pm were Chief of Police Jeff Kermode and Board Secretary Kristy McEwen.

**3. Closed Session**

- A. Government Code Section 54956.9 Conference with Legal Counsel: Existing Litigation: Laura Hutchinson v. Bear Valley Community Services District, et al. United States District Court Case 1:15-CV-01047-JLT

**4. Convene Open Session**

President LaClaire convened Open Session at 6:06 pm.

**5. Summary of Actions Taken During Closed Session**

No Reportable Action

**6. Approval of Agenda – Roll Call**

Item 12A.i was pulled from the Agenda. The Agenda as amended was approved unanimously by the Board.

**7. Pledge of Allegiance**

President LaClaire 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.

None

**9. Presentations**

**A. Solar Project (HelioPower)**

Tom Millhoff from HelioPower gave a presentation of a proposed solar project to the Board and public. A lengthy discussion with questions and answers from both Board and public followed. The Board requested a Study Session be scheduled once they have had time to review the presentation.

**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. APPOINT Citizen Volunteers to the Disaster Preparedness Advisory Council (DPAC) (Mr. Edmonds & Ms. McEwen)**

A staff report was presented. Chief Kermode commended the current council members.

**Motion:** The Board of Directors APPOINT Jeannie Taylor as a Citizen Volunteer to the Disaster Preparedness Advisory Council: Grace. Second: LaClaire

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

**Motion:** The Board of Directors APPOINT Peggy Mueller as a Citizen Volunteer to the Disaster Preparedness Advisory Council: LaClaire. Second: Grace

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

**Motion:** The Board of Directors APPOINT Jim Nelson as a Citizen Volunteer to the Disaster Preparedness Advisory Council: Baron. Second: LaClaire

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

**Motion:** The Board of Directors APPOINT Adam Rocke as a Citizen Volunteer to the Disaster Preparedness Advisory Council: Zanutto. Second: Baron

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

**Motion:** The Board of Directors APPOINT Debbie Swarens as a Citizen Volunteer to the Disaster Preparedness Advisory Council: LaClaire

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

**Motion:** The Board of Directors APPOINT Jake Anzulis as an Alternate Citizen Volunteer to the Disaster Preparedness Advisory Council: Baron. Second: LaClaire

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

**Motion:** The Board of Directors APPOINT Michael Gruett as an Alternate Citizen Volunteer to the Disaster Preparedness Advisory Council: LaClaire. Second: Baron

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

**Motion:** The Board of Directors APPOINT Sharon Brucker as an Alternate Citizen Volunteer to the Disaster Preparedness Advisory Council: Baron. Second: LaClaire

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

B. APPROVE District Emergency Plan (Mr. Davis, Chief Kermodé)

A staff report was presented.

**Motion:** The Board of Directors APPROVE the October 2015 revision of the Bear Valley Community Services District Emergency Plan submitted by the Disaster Preparedness Advisory Council, as amended: LaClaire. Second: Baron

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

- C. ADOPT Mailbox Project Concept Plan Including Product Type (Mr. Edmonds)  
 A staff report was presented. Board and public discussion, centered on mailbox type, followed.  
**Motion:** The Board of Directors ADOPT the above Mailbox Project Concept Plan including the use of decorative cluster box units: Zanutto. Second: Grace  
**Roll Call Vote:** AYE: Grace, Baron, Ritchie, Zanutto, LaClaire  
 NO: None  
 ABSTAIN: None  
 ABSENT: None
- D. ADOPT Resolution 15/16-20 Designating the General Manager as the District's Agent with California Emergency Management Agency for State Disaster Relief (Mr. Edmonds, Chief Kermode)  
 A staff report was presented.  
**Motion:** The Board of Directors ADOPT Resolution 15/16-20 Designating the General Manager as the District's Agent with California Emergency Management Agency for State Disaster Relief: Zanutto. Second: Ritchie  
**Roll Call Vote:** AYE: Grace, Baron, Ritchie, Zanutto, LaClaire  
 NO: None  
 ABSTAIN: None  
 ABSENT: None
- E. APPROVE a Cost Sharing Agreement with Tehachapi-Cummings County Water District (TCCWD) to update the Regional Urban Water Management Plan (Mr. Davis)  
 A staff report was presented.  
**Motion:** The Board of Directors APPROVE a Cost Sharing Agreement with Tehachapi-Cummings County Water District (TCCWD) to update the Regional Urban Water Management Plan subject to final review and revision by legal counsel: Grace. Second: Baron.  
**Roll Call Vote:** AYE: Grace, Baron, Ritchie, Zanutto, LaClaire  
 NO: None  
 ABSTAIN: None  
 ABSENT: None
- F. INTRODUCE Ordinance 15-243, an Ordinance of the Board of Directors of the Bear Valley Community Services District, Amending and Restating Chapter 7 of Title 1 of the District Code Pertaining to Claims Against the District. (Mr. Davis)  
 A staff report was presented.  
**Motion:** The Board of Directors READ the title of Ordinance 15-243, an Ordinance of the Board of Directors of the Bear Valley Community Services District, Amending and Restating Chapter 5 of Title 1 of the District Code Pertaining to the Board of Directors, and waive further reading and INTRODUCE the ordinance: Zanutto. Second: LaClaire  
**Roll Call Vote:** AYE: Grace, Baron, Ritchie, Zanutto, LaClaire  
 NO: None  
 ABSTAIN: None  
 ABSENT: None

**12. Information and Discussion Items:**

- A. Recruitment (Mr. Edmonds)
  - i. Staff Introductions  
This item was pulled from the Agenda.
  - ii. Update  
Mr. Edmonds provided an update on the NeoGov HR software.
- B. Board Comments
  - i. Director Baron: None
  - ii. Director Grace spoke about the recent Town Hall meeting with Assemblywoman Shannon Grove.
  - iii. Director Ritchie spoke about recruitment for the police department.
  - iv. Vice-President Zanutto spoke about the approaching Dec. 31 notification deadline to terminate the automatic renewal clause in the District's contract with Benz Sanitation.
  - v. President LaClaire reported on her attendance at the ACWA 2015 Regulatory Summit.
- C. Staff Comments
  - i. General Counsel – None
  - ii. General Manager – None

**13. Future Agenda Items:**

- A. Update Job Descriptions (Tentative: November 12)
- B. Amend Memorandums of Understanding (MOUs) with Both Bargaining Units (Tentative: November 12)
- C. Annual Renewal of Employee Benefits (Tentative: November 12)
- D. Approve Professional Services Agreement for Road Striping Plans for the Upper Elevation Roads (Tentative: November 12)  
Mr. Edmonds reviewed the above. The following were added:
- E. Adopt Ordinance 15-243 (Tentative: November 12)
- F. Professional Services Agreement: HelioPower (Tentative: November 12)
- G. Professional Services Agreement: environmental study (Tentative: November 12)
- H. Solar Study Session (Tentative: November 12)
- I. Benz Contract (Tentative: November 12)

**14. Adjournment:** The meeting was adjourned at 11:15 pm. The next regularly scheduled meeting of the Board of Directors is November 12, 2015.

  
Charlene LaClaire, President

ATTEST

  
Kristy McEwen, Board Secretary