



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: February 11, 2016
PLACE OPEN & CLOSED SESSION MEETINGS: 28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING: 3:30 pm
TIME OF OPEN SESSION MEETING: 6:00 pm

1. Call to Order

The meeting was called to order at 3:43 pm.

2. Roll Call Attendance

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

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

3. Closed Session

A. Conference with Real Property Negotiator

Government Code section 54956.8

Property: APN: 448-04-11 and 12; 222-240-01,02,03 and 08

Agency Negotiator: General Counsel

Negotiating Parties: Valley Sod Farm, Inc.

Negotiation: Price and Terms of Payment

- No Reportable Action

B. Conference with Real Property Negotiator

Government Code section 54956.8

Property: APN 222-24-08 – District Property along Cummings Valley Road

District negotiator: General Counsel

Negotiating parties: Distributed Energy Finance, Inc. (HelioPower)

Under negotiation: Price and terms of payment for ground lease

- No Reportable Action

C. 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

Government Code Section 54956.9

- No Reportable Action

D. Public Employment: General Manager

Government Code Section 54957

- No Reportable Action

4. Convene Open Session

Open Session was convened at 6:04 pm.

5. Summary of Actions Taken During Closed Session

President Zanutto reported as above.

6. Approval of Agenda – Roll Call

The Agenda was approved unanimously by the Board.

7. Pledge of Allegiance

Director 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.

- Jim Nelson addressed the Board, requesting a State of the District report.

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 January 14, 2016 Regular Board Meeting

B. APPROVE Minutes of the January 28, 2016 Regular Board Meeting

C. ACCEPT Minutes from the Dec 1, 2015 Communications Committee Meeting

D. ACCEPT Minutes from the December 3, 2015 Finance Committee Meeting

E. ACCEPT Minutes from the December 15, 2015 Public Safety Committee Meeting

F. ACCEPT Minutes from the December 29, 2015 Liaison Committee Meeting

G. APPROVE Register of Warrants for January, 2016

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

Roll Call Vote: AYE: Baron, LaClaire, Ritchie, Grace, Zanutto

NO: None

ABSTAIN: None

ABSENT: None

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. APPROVE Amended and Restated Employment Agreement with David Edmonds as General Manager (Mr. Davis)

A staff report was presented. President Zanutto stated that the Board conducted a complete and thorough performance evaluation and Mr. Edmonds received a glowing report. Director Grace stated that the District is fortunate to have Mr. Edmonds as General Manager.

Motion: APPROVE Amended and Restated Employment Agreement with David Edmonds as General Manager: Grace. Second: Baron.

Roll Call Vote:

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

- B. ADOPT Resolution 15/16-24 Setting Post Office Box Rental Rates (Mr. Edmonds)

A staff report was presented.

Board Comments: Director Baron expressed concern that the increase under consideration would cause “flight” among box holders and recommended lower rates than those proposed by the Post Office Committee. Vice-President Grace stated that the rental rate should cover the full cost of providing the service, as the District cannot continue to lose money on the operation. Directors Ritchie and LaClaire affirmed that the Board had listened to the concerns of the public.

Public Comments: Larry Young stated that the proposed rates were the result of the public discussion at the last Board meeting and not necessarily the formal recommendation of the committee. Ann Tavormina stressed the importance of making a decision and moving forward. Solveig Thompson also expressed concern that the recommended increase would cause too many box holders to give up their boxes.

Board consensus: Continue funding the CPU at least until ballots are prepared for the Mailbox project, or until the operation is self-sustaining. The Board also reached consensus that the District should not operate the facility as an approved shipper, but staff should bring a Request for Proposal to the Board seeking a concessionaire.

Motion: ADOPT Resolution 15/16-24 Setting Post Office Box Rental Rates at \$150 per year for residents and residential businesses, and \$175 per year for non-residents and non-residential businesses: Zanutto. Second: LaClaire.

Roll Call Vote:

AYE:	LaClaire, Ritchie, Zanutto
NO:	Baron, Grace

ABSTAIN: None
ABSENT: None

C. APPROVE Administration Committee Assignment Requests for Calendar Year 2016 (Mr. Edmonds)

A staff report was presented.

Motion: APPROVE Administration Committee Assignment Requests for Calendar Year 2016: Ritchie. Second: Zanutto.

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

D. AUTHORIZE the General Manager to Purchase Two Fleet Vehicles for the Water Division from Motor City Buick GMC in an amount not to exceed \$76,000 (\$38,000 each) (Mr. Edmonds)

A staff report was presented.

Motion: AUTHORIZE the General Manager to Purchase Two Fleet Vehicles for the Water Division from Motor City Buick GMC in an amount not to exceed \$76,000 (\$38,000 each): Grace. Second: Baron.

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

E. AUTHORIZE the General Manager to Purchase Valve Exercising Equipment for the Water Division from Industrial Systems Inc. in an amount not to exceed \$50,000 (Mr. Edmonds)

A staff report was presented.

Board Comments: Vice-President Grace expressed concern that the valve exercising program does not delay the road rehabilitation project. Mr. Edmonds said the plan is to complete sections ahead of construction. Director Zanutto confirmed that the equipment will be stored indoors.

Motion: AUTHORIZE the General Manager to Purchase Valve Exercising Equipment for the Water Division from Industrial Systems Inc. in an amount not to exceed \$50,000: Grace. Second: LaClaire.

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

12. **Information and Discussion Items:**

A. Water Conservation (Mr. Edmonds)

A staff report was presented and discussion followed.

B. Police Tax (Mr. Edmonds)

A staff report was presented and discussion followed. The importance of an informational campaign with clear and concise talking points was stressed. Election

timelines were discussed – the District may attempt to place a measure on the June 2016 primary election, with the possibility of returning with a second measure in November 2016 if the June measure fails to pass.

C. Mailbox Project (Mr. Edmonds)

Mr. Edmonds provided a verbal update.

D. Solar Project (Mr. Davis)

Mr. Davis provided a verbal update.

E. Committee Reports

- i. Administration Committee – President Zanutto stated that Agenda Item 11C had provided an adequate report of the February 8, 2016 meeting.
- ii. Communications Committee – Director Ritchie reported on the February 2, 2016 meeting.
- iii. Finance Committee – Vice-President Grace reported on the February 4, 2016 meeting.
- iv. Infrastructure Committee – Director Baron reported on the February 9, 2016 meeting.
- v. Liaison Committee – President Zanutto reported on the January 26, 2016 meeting.
- vi. Public Safety Committee – Vice-President Grace reported on the January 19, 2016 meeting.

F. Board Comments

- i. Director Baron: None
- ii. Director LaClaire stated that the District should aid Kern County Fire with fire suppression efforts on Deertrail Drive.
- iii. Director Ritchie: None
- iv. Vice-President Grace: None
- v. President Zanutto: None

G. Staff Reports

- i. Department Head Reports
 1. Finance Report – Mr. Edmonds reviewed Period 5 reports as submitted in the Board Package and reported on the progress of the FY 2014/15 Audit.
 2. Public Works Report – Mr. Edmonds reviewed the Public Works report as submitted in the Board Package.
 3. Public Safety Report – Chief Kermode reviewed the Public Safety report as submitted in the Board Package.

- ii. General Counsel Report – Mr. Davis had nothing further.
- iii. General Manager Report – Mr. Edmonds had nothing further.

H. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)
A staff report was presented. No corrections or clarifications.

13. Future Agenda Items:

- A. Solar Project (Recurring Item)
- B. Mailbox Project (Recurring Item)
- C. Approve Various Job Descriptions (Recurring Item)
- D. Study Session – Goals & Objectives (Tentative: February 25)
- E. Recruitment Update (Tentative: February 25)
- F. Surplus Vehicles – Public Works (Tentative: February 25)
- G. Gate Project Professional Services Contract(s) Approval (TBD)

Mr. Edmonds reviewed the above and added:

- H. On call Engineering contract with Willdan Group
- I. Well #9 Update
- J. Infrastructure and Public Safety Committee assignment requests

14. **Adjournment:** The meeting was adjourned at 10:13 pm. The next regularly scheduled meeting of the Board of Directors is February 25, 2016.


Richard Zanutto, President

ATTEST:


Kristy McEwen, Secretary