



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: February 25, 2016
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**

The meeting was called to order at 5:04 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 was Secretary of the Board Kristy McEwen.

3. **Closed Session**

- A. 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
- B. 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

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 Ritchie 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.

- Len Haynes, Brent Zimmerman and Dee Zimmerman spoke about the recent mountain lion attack.
- Alan Young spoke on the Post Office.

9. 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

10. Action Items:

A. APPROVE Resolution 15/16-25 Approving a Power Purchase Agreement with HMU Holdings, LLC (an Affiliate of Heliopower, Inc.), Pursuant to the California Energy Conservation Contract Law (Government Code Sections 4217.10-4217.18) (Mr. Davis)

- Agenda Item 10A was postponed until after 7:30 pm, the advertised time of the Public Hearing.
- A staff report was presented by General Counsel. Representatives of Heliopower participated via teleconference.
- President Zanutto opened the Public Hearing at 8:03 pm.
- Comments were made by Jim Nelson and Larry Muell
- President Zanutto closed the Public Hearing at 8:13 pm.

Motion: The Board of Directors APPROVE Resolution 15/16-25 Approving a Power Purchase Agreement with HMU Holdings, LLC (an Affiliate of Heliopower, Inc.), Pursuant to the California Energy Conservation Contract Law: Zanutto. Second: LaClaire

Roll Call Vote:

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

B. APPROVE Resolution 15/16-26 Extending the Stage Three Condition Applicable to Water Usage throughout the District Pursuant to Bear Valley Community Services District Code Chapter 7-4 (Water Conservation) and in Furtherance of the Emergency Water Conservation Regulations Adopted and Extended by the State Water Resources Control Board (Mr. Davis)

- A staff report was presented.

Motion: The Board of Directors APPROVE Resolution 15/16-26 Extending the Stage Three Condition Applicable to Water Usage throughout the District Pursuant to Bear Valley Community Services District Code Chapter 7-4 (Water Conservation) and in Furtherance of the Emergency Water Conservation Regulations Adopted and Extended by the State Water Resources Control Board: Baron. Second: Grace

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

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

- A staff report was presented.

Board Comments: Director LaClaire disagreed with the inclusion of Solar and Bear Tracks articles. Director Baron requested the addition of the Regional Underground Water Management Plan.

Motion: The Board of Directors APPROVE the Infrastructure Committee assignment requests as presented with the requested addition: Grace. Second: Baron

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

The Motion Failed.

Motion: The Board of Directors APPROVE the Infrastructure Committee assignment request to review Road Rehabilitation, Road Striping, Mailbox Project, Gate Improvement Project, Solid Waste, Title 22 Wastewater and Groundwater Sustainability Management: LaClaire. Second: Ritchie

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

D. APPROVE Public Safety Committee Assignment Requests for Calendar Year 2016 (Mr. Edmonds)

- A staff report was presented.

Motion: The Board of Directors APPROVE the Public Safety Committee assignment requests as presented, with the addition of wild animal intrusions: LaClaire. Second: Baron

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

E. SCHEDULE Study Session for Prioritization of District Goals & Objectives (Mr. Edmonds)

- A staff report was presented.

Motion: The Board of Directors SCHEDULE a Study Session for Prioritization of District Goals & Objectives on March 7, 2016 at 11:00 am: Grace. Second: Ritchie

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

- F. AUTHORIZE the General Manager to Execute a Service Agreement for Emergency Repairs to Water and Road Infrastructure on Goldspike Road (Mr. Edmonds)
- A staff report was presented. Mr. Edmonds recommended no action on this item until a determination from the District's insurance carrier.

11. Information and Discussion Items:

- A. Solid Waste (Mr. Edmonds)
Mr. Edmonds provided a verbal update on new Kern County permitting requirements and potential large scale changes in the solid waste transfer station that may follow.
- B. Logging Activity (Mr. Edmonds)
Mr. Edmonds provided a verbal update on current grant funded hazard abatement underway by Southern California Edison.
- C. Police Tax (Mr. Edmonds)
Mr. Edmonds provided a verbal update. Staff will return with preliminary numbers before the March 10, 2016 Regular Board Meeting.
- D. Recruitment Update (Mr. Edmonds)
A staff report was presented.
- E. Board Comments
- Director Baron inquired about the response from citizen volunteers for standing committees. One response has been received thus far.
 - Director LaClaire: None
 - Director Ritchie: None
 - Vice-President Grace: None
 - President Zanutto: None

12. Future Agenda Items:

- Solar Project (Recurring Item)
- Mailbox Project (Recurring Item)
- Approve Various Job Descriptions (Recurring Item)
- AM 530 (Tentative: March 10)
- Surplus Vehicles – Public Works (Tentative: March 10 or 24)
- Approve Road Striping Plan (Tentative: March 24)
- Approve On-Call Engineering Contract (Tentative: March 24)
- Gate Project Professional Services Contract(s) Approval (Tentative: March 24)

13. **Adjournment:** The meeting was adjourned at 10:52 pm. The next regularly scheduled meeting of the Board of Directors is March 10, 2016.



Richard Zanutto, President of the Board

ATTEST:



Kristy McEwen, Secretary of the Board