



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: October 27, 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 5:02 pm.

2. **Attendance – Roll Call**

President Rick Zanutto
Vice President Gil Grace
Director Jane Baron
Director Charlene LaClaire
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 Secretary of the Board Kristy McEwen.

3. **Closed Session**

- A. Conference with Legal Counsel:
Anticipated Litigation (1) case
Government Code Section 54956.9
 - **No Reportable Action**
- B. Public Employment: Chief of Police
Government Code Section 54957
 - A professional recruiter will be engaged.

4. **Convene Open Session**

Open Session was convened at 6:11 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**

Ms. McEwen 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.

- Fiona Nelson and Jim Nelson spoke on negative politics and expressed concern on the release of information. Linda LeLievre referenced the Public Utility Commission.
- General Counsel Mr. Davis gave a clear explanation of the District’s obligations under the California Public Records Act upon receipt of a Public Records Request.
- Stan Teliczan spoke to the Board on flag etiquette, specific to the flag at the Bear Valley Police Department.

9. Public Appreciation

A. Donation of Police Department Sign (Chief Kermode)

- The Board and public expressed their appreciation to Mr. Corona for his generous donation.
(This item was taken out of order, upon Mr. Corona’s arrival)

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 Service Agreement with Kern County for Provision of Dispatch Services. (Mr. Davis)

A staff report was presented and lengthy discussion followed. Director Ritchie spoke in opposition, disputing the level and quality of service to be provided by Kern County Sheriff’s Office dispatch. Additionally, he stated that a public hearing is necessary ten days before approval. General Counsel Davis clarified that there is no requirement for the District to hold a public hearing for approval of a service agreement and that this item is in compliance with the Brown Act as it was duly noticed and provides for public comment.

Motion: The Board of Directors APPROVE the Service Agreement with Kern County for provision of dispatch services at a final cost within 10% of the quoted amount of \$94,771, subject to final review and approval as to form and contents by the General Manager, Chief of Police and General Counsel and AUTHORIZE all listed individuals to execute the Agreement: Grace. Second: Baron

Roll Call Vote:

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

B. APPOINT Citizen Volunteers to the Disaster Preparedness Advisory Council (DPAC) (Mr. Edmonds)

A staff report was presented and prospective volunteers were invited to address the Board.

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

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

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

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

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

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

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

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

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

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

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

Motion: The Board of Directors APPOINT John Rosica as a Citizen Volunteer Alternate to the Disaster Preparedness Advisory Council: Zanutto. Second: Baron

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

Motion: The Board of Directors APPOINT Phill Turok as a Citizen Volunteer Alternate to the Disaster Preparedness Advisory Council: LaClaire. Second: Zanutto

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

C. APPROVE Telecommunications Facilities Right-of-Way Agreement with Race Communications. (Mr. Davis)

A staff report was presented.

Motion: The Board of Directors APPROVE a Telecommunications Facilities Right-of-Way Agreement with Race Communications, subject to final review and approval by the General Manager and General Counsel: Ritchie. Second: Grace

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

D. Request for Proposals – Post Office Space (President Zanutto & Vice President Grace)

A staff report was presented.

Motion: The Board of Directors APPROVE the re-noticing of a Request for Proposals for postal services only: Grace. Second: LaClaire

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

Director LaClaire left the meeting at 9:10 pm.

E. ACCEPT or REJECT Claim for Damages by Mark Lacy (Mr. Davis)

A staff report was presented.

Motion: The Board of Directors ACCEPT the claim filed by Mark Lacy and AUTHORIZE the General Manager to process the claim in an amount not to exceed \$1000: Grace. Second: Baron.

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

F. ADOPT Resolution 16/17-24 Closing the Emergency Fund (Fund 47) and Transferring the Balance to the General Fund (Fund 40). (Mr. Edmonds)
A staff report was presented.

Motion: The Board of Directors ADOPT Resolution 16/17-24 Closing the Emergency Fund (Fund 47) and Transferring the Balance to the General Fund (Fund 40): Grace. Second: Ritchie.

Roll Call Vote:

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

G. ADOPT Resolution 16/17-25 Closing the Police Explorer Fund (Fund 35) and Transferring the Balance to the General Fund (Fund 40). (Mr. Edmonds)
A staff report was presented.

Motion: The Board of Directors ADOPT Resolution 16/17-25 Closing the Police Explorer Fund (Fund 35) and Transferring the Balance to the General Fund (Fund 40): Baron. Second: Ritchie.

Roll Call Vote:

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

H. ADOPT Resolution 16/17-26 Closing the State Unemployment Insurance Fund (Fund 72) and Transferring the Balance to Various Funds. (Mr. Edmonds)
A staff report was presented.

Motion: The Board of Directors ADOPT Resolution 16/17-26 Closing the State Unemployment Insurance Fund (Fund 72) and Transferring the Balance to Various Funds: Baron. Second: Ritchie

Roll Call Vote:

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

12. Information and Discussion Items:

A. Project Updates (Mr. Edmonds)

- i. Goldspike Water & Road Repairs
 - ii. Medicine Bow Boulder Removal & Road Repair
 - iii. Deertrail Road Repairs
 - iv. Bear Valley & Cumberland Road Rehabilitation Project
- Updates and photos, where available, were provided to the Board.

B. Campaign Signs (Mr. Edmonds)

- Mr. Edmonds reminded candidates and public of restrictions on placing signs on District properties and road rights-of-way.

- C. Continuation of Drought Declaration (Mr. Davis)
- Stage Three conditions are set to expire on November, 30, 2016. Staff will recalculate conservation numbers and will bring back as an action item for November 10.
- D. Wildlife Update (Chief Kermode)
- Chief Kermode notified the Board and public on a wounded buck, mountain lion and wild pig sightings.
- E. Board Comments
- i. Director Baron – None
 - ii. Director LaClaire – None
 - iii. Director Ritchie – None
 - iv. Vice-President Grace requested an update on the solar project.
 - v. President Zanutto also requested a solar update. Mr. Davis reported that HmU Holdings is in negotiations with finance companies and a decision should be forthcoming.
- F. General Counsel Comments – Mr. Davis recommended an overview of the Stakeholder’s meeting once the new Board is seated.
- G. General Manager Comments – None

13. Future Agenda Items:

- A. Cummings Valley Stakeholders Meeting Update (Tentative November 10)
 - B. Continuation of Drought Declaration – Action Item (Tentative November 10)
 - C. Kawaiisu Preserve Master Plan (Tentative November 10)
- Mr. Edmonds reviewed the above and added:**
- D. Municipal & Industrial Contract with TCCWD
 - E. Cancel Meetings, November 24 & December 22, 2016.
 - F. Approve Employee Appreciation Party

14. **Adjournment:** The meeting was adjourned at 10:26 pm. The next regularly scheduled meeting of the Board of Directors is November 10, 2016


Richard Zanutto, President of the Board

ATTEST


Kristy McEwen, Secretary of the Board