



## **BEAR VALLEY COMMUNITY SERVICES DISTRICT**

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

DATE OF MEETING: October 13, 2016  
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

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**1. Call to Order**

The meeting was called to order at 4:38 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 (2) cases  
*Government Code Section 54956.9*
- No Reportable Action

**4. Convene Open Session**

Open Session was convened at 6:05 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**

Commander Rice of the Bear Valley Springs Veterans Association 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.

- Tom Neisler, the new General Manager of Tehachapi Cummings County Water District, introduced himself to the Board, staff and public.
- Paul Cooke, Richard Stevenson and Kathryn Jacobson spoke on the post office.

## 9. Presentation

### A. Solid Waste (Nancy Ewert, Assistant Director, Kern County Public Works)

- Ms. Ewert gave a presentation on Solid Waste regulations and requirements and necessary changes to be implemented at the District Solid Waste Transfer Station.

## 10. 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 August 11, 2016 Regular Board Meeting
- B. APPROVE Minutes of the August 25, 2016 Regular Board Meeting
- C. APPROVE Minutes of the August 16 & 17, 2016 Special Board Meeting
- D. APPROVE Minutes of the August 19, 2016 Special Board Meeting
- E. APPROVE Minutes of the August 22, 2016 Special Board Meeting
- F. ACCEPT Minutes of the July 18, 2016 Administration Committee Meeting
- G. ACCEPT Minutes of the July 18, 2016 Infrastructure Committee Meeting
- H. ACCEPT Minutes of the July 21, 2016 Finance Committee Meeting
- I. ACCEPT Minutes of the July 26, 2016 2016 Liaison Committee Meeting
- J. ACCEPT Minutes of the August 2, 2016 Communication Committee Meeting
- K. ACCEPT Minutes of the Sept 8, 2016 Administration Committee Meeting
- L. APPROVE "Message from the Board of Directors" Article
- M. ACCEPT Register of Warrants for August, 2016
- N. ACCEPT Register of Warrants for September, 2016

**Motion:** APPROVE Consent Calendar Items A – L & N: Grace. Second: Ritchie.

**Roll Call Vote:**

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

Item M was pulled by Director Zanutto for clarification of reversed and re-issued warrants.

**Motion:** APPROVE Consent Calendar Item M: Zanutto. Second: Grace.

**Roll Call Vote:**

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

## 11. 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.

- President Zanutto disclosed to the Board that he had spoken to the Bear Valley Springs Veterans Association regarding Action Item 12A.

## 12. Action Items:

- A. APPROVE Tenant Improvements at Cub Lake; Veterans Memorial, Eagle Scout Service Project (Mr. Edmonds, BVSA, Eagle Scout)

A joint presentation of the project was given by prospective Eagle Scout Kyle Olivier and representatives of the Bear Valley Springs Veterans Association.

**Motion:** The Board of Directors APPROVE the requested tenant improvements at Cub Lake for a Veterans Memorial as part of an Eagle Scout project: Zanutto.  
Second: Baron

**Roll Call Vote:**

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

- B. Goldspike Water and Road Repair Project (Project No. 16/17-2) (Mr. Edmonds)  
i. REJECT All Bids

A staff report was presented.

**Motion:** The Board of Directors REJECT All Bids for Goldspike Water & Road Repair Project (Project No. 16/17-2): Grace. Second: Baron

**Roll Call Vote:**

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

- ii. RATIFY Emergency Change Order No. 1 with Griffith Company under Project No. 16/17-1

**Motion:** The Board of Directors RATIFY Emergency Change Order No. 1 with Griffith Company under Project No. 16/17-1 in the amount of \$136,019 and increase the preauthorized change orders to under this construction agreement to \$518,998: Baron. Second: Grace

**Roll Call Vote:**

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

- C. ADOPT Resolution 16/17-23 Approving an Installment Sale Agreement (Loan) for the Bear Valley & Cumberland Road Rehabilitation Project; and AUTHORIZE the General Manager and General Counsel to Take All Necessary Actions to Finalize and Execute the Loan Documents. (Project No. 16/17-1) (Mr. Edmonds & Mr. Davis)

A staff report was presented.

**Motion:** The Board of Directors ADOPT Resolution 16/17-23 approving an Installment Sale Agreement (Loan) and related documents for the Bear Valley & Cumberland Road Rehabilitation Project (Project No. 16/17-1) subject to final review and approval by the General Manager and General Counsel: LaClaire. Second: Baron.

**Roll Call Vote:**

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

- D. APPROVE Grant of Easement to Southern California Edison for the Banducci Substation Project Over Portions of District Property in Cummings Valley; and APPROVE Deposit of Sale Proceeds into the General Fund (Mr. Davis)

A staff report was presented.

**Motion:** The Board of Directors APPROVE a Grant of Easement to Southern California Edison for the Banducci Substation Project Over Portions of the District Property in Cummings Valley, and APPROVE the Deposit of Sale Proceeds into the General Fund: LaClaire. Second: Grace

**Roll Call Vote:**

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

- E. AUTHORIZE the General Manager to Execute Various Documents and Agreements related to Employee Group Health Benefits through the District's Insurance Broker (Mr. Edmonds)

A staff report was presented.

**Motion:** The Board of Directors AUTHORIZE the General Manager to Execute Various Documents and Agreements related to Employee Group Health Benefits through the District's Insurance Broker as Specified in the Staff Report and Implement the Renewals and Plan Changes: Grace. Second: Baron

**Roll Call Vote:**

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

- F. APPROVE Orientation Packet for New Board Members, as recommended by the Administration Committee (Director LaClaire)  
A staff report was presented.

**Motion:** The Board of Directors APPROVE the Orientation Packet for New Board Members, as recommended by the Administration Committee: Ritchie. Second: Zanutto

**Roll Call Vote:**

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

**13. Information and Discussion Items:**

- A. Project Updates (Mr. Edmonds) – Mr. Edmonds provided updates and shared photos of the listed projects.
- i. Goldspike Water & Road Repairs
  - ii. Medicine Bow Boulder Removal & Road Repair
  - iii. Bear Valley & Cumberland Road Rehabilitation Project
- B. Deertrail & Starland Road Repairs (Mr. Edmonds) – Mr. Edmonds provided an update and shared photos.
- C. Race Communications (Mr. Edmonds) – Jim Miller from Race Communications was present to provide an update and answer questions.
- D. Solid Waste Transfer Station (Mr. Edmonds) – No further discussion necessary after Agenda Item #9
- E. Award Received – Special District Risk Management Authority (Mr. Edmonds) – Mr. Davis had accepted the award on behalf of the District and presented it to the Board.
- F. Challenge the Bear Bike Ride (Chief Kermode) – Chief Kermode reviewed the course maps and plans for the October 22, 2016 ride.
- G. Committee Reports
- i. Standing Committees
    1. Administration Committee – Director LaClaire reported on the Sept 9 & Oct 10, 2016 meetings.
    2. Communications Committee – Director Ritchie reported on the Oct 4 & Oct 6, 2016 meetings
    3. Finance Committee – Director Grace reported on the October 6, 2016 meeting
    4. Infrastructure Committee – No Sept Meeting
    5. Public Safety Committee – No Sept Meeting
    6. Liaison Committee – No Sept Meeting

- ii. Other Appointments
  - 1. Water Availability & Preservation Committee – No October meeting
  - 2. Cummings Basin Stakeholder Group – Mr. Davis will provide a briefing to the Board of Directors as an Information Item at a future meeting.
  - 3. Greater Tehachapi Fire Safe Council – No District representative in attendance.

#### H. Board Comments

- i. Director Baron: None
- ii. Director LaClaire: None
- i. Director Ritchie: None
- iii. Vice-President Grace clarified for the record that the District had received written proposals for dispatch services. The proposal from Kern County Sheriff's Office was displayed to the public.
- iv. President Zanutto inquired as to the cost of pulling pumps in-house rather than using a contractor.

#### I. Staff Reports

- i. Department Head Reports
  - 1. Finance Report – Mr. Edmonds reviewed Period 1 financial reports.
  - 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 reported on a meeting with residents Mr. & Mrs. Duvall regarding encroachment issues.
- iii. General Manager Report – Mr. Edmonds reported the District has received confirmation of contract termination as of Dec. 31, 2016 from the USPS.

- J. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)  
A staff report was presented.

#### 14. Future Agenda Items:

- A. Disaster Preparedness Advisory Council (DPAC) Appointments for Calendar Year 2017 (Tentative: October 27)
- B. APPROVE Service Agreement with Kern County for Dispatch Services (Tentative: October 27)  
Mr. Edmonds reviewed the above and added the following:
- C. Cummings Basin Stakeholder's Group Information Item
- D. Approve Job Descriptions
- E. Telecommunications Facilities Agreement with Race Communications.

15. **Adjournment:** The meeting was adjourned at 10:35 pm. The next regularly scheduled meeting of the Board of Directors is October 27, 2016.

  
Richard Zanutto, President of the Board

ATTEST

  
Kristy McEwen, Secretary of the Board