



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: January 12, 2017
PLACE OPEN & CLOSED SESSION MEETINGS: 28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING: 4:00 pm
TIME OF OPEN SESSION MEETING: 6:00 pm

1. Call to Order

The meeting was called to order at 4:10 pm.

2. Roll Call Attendance

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

3. Pledge of Allegiance

The Pledge of Allegiance was deferred to Open Session.

4. Closed Session

A. Conference with Legal Counsel:

Anticipated Litigation (6) cases

Government Code Section 54956.9

- REJECT Damage Claim by William W. Kritlow
- ACCEPT Damage Claim by Brandi & Eric Kendrick in an amount not to exceed \$325
- REJECT Damage Claim by Marcie Crytzer
- No Reportable Action on remaining cases

B. Conference with Legal Counsel – Existing Litigation

Government Code section 54956.9(d)(1)

Name of case: Cheng 90/10 LLC v. Bear Valley Community Services District et al., Kern County Superior Court, Case No. BCV-16-100954-DRL

- No Reportable Action

Board will reconvene into Closed Session after Open Session is adjourned.

5. Convene Open Session

Open Session was convened at 6:12 pm.

6. Summary of Actions Taken During Closed Session

General Counsel Davis reported as above.

7. Approval of Agenda – Roll Call

The Agenda was approved unanimously by the Board.

8. Pledge of Allegiance

Director Ritchie led the Pledge of Allegiance

9. 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.

- Hilary Jarvis Hamil spoke on road safety, striping and phone books

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 December 8, 2016 Regular Board Meeting
- B. APPROVE Minutes of the December 14, 2016 Special Board Meeting
- C. APPROVE Register of Warrants for December, 2016

Motion: APPROVE Consent Calendar Items A – C: Carlyn. Second: Grace.

Roll Call Vote: AYE: Baron, Carlyn, Grace, Muell, Ritchie
 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.

- None

12. Procedural Items

- A. APPOINT 2017 Board Member Committee Assignments by President of the Board of Directors (President Carlyn)

President Carlyn made the following Committee assignments:

- Liaison – President Carlyn, Vice-President Ritchie
- Public Safety – Chair G. Grace; Vice-Chair W. Ritchie
- Infrastructure – Chair G. Grace; Vice-Chair J. Baron
- Finance – Chair L. Muell; Vice-Chair J. Carlyn

- Communication – Chair J. Baron; Vice-Chair L. Muell
- Administration – Chair W. Ritchie; Vice-Chair J. Carlyn

13. Information and Discussion Items I

- A. Review Committee Process; Standing and Ad-Hoc Committees (Director Muell)
 Director Muell stated his dissatisfaction with the current committee structure and effectiveness and suggested the formation of three ad hoc committees. An action item on ad hoc committees will be added to the next Regular Board Meeting Agenda.
- B. 2017 Committee Meeting Schedule (Board)
 Staff will poll committee chairs for their meeting preferences and the topic will return as a discussion item at the next Regular Board Meeting.

14. Action Items

- A. ADOPT Resolution 16/17-31 Amending Conflict of Interest Code (Mr. Davis)
 A staff report was presented.

Motion: The Board of Directors ADOPT Resolution 16/17-31 Amending Conflict of Interest Code: Grace. Second: Baron.

Roll Call Vote:

AYE:	Baron, Carlyn, Grace, Muell, Ritchie
NO:	None
ABSTAIN:	None
ABSENT:	None

- B. APPROVE Board Member Attendance at California Special Districts Association (CSDA) Training (Ms. McEwen)

A staff report was presented. Discussion followed on two training opportunities: Board Member Best Practices on February 9, 2017 with Director Carlyn expressing interest, and a Webinar: Rules of Order Made Easy on January 26, 2017 with Directors Baron and Carlyn wishing to take part. Director Muell inquired of Mr. Davis regarding State mandated ethics training, stating he did not believe he was required to take such training and that he would refuse to attend.

Motion: The Board of Directors APPROVE Directors Baron and Carlyn to attend the Webinar: Rules of Order Made Easy; and Director Carlyn to attend Board Member Best Practices: Grace. Second: Baron.

Roll Call Vote:

AYE:	Baron, Carlyn, Grace, Muell, Ritchie
NO:	None
ABSTAIN:	None
ABSENT:	None

15. Information and Discussion Items II

- A. Bear Valley & Cumberland Road Rehabilitation Project (Mr. Edmonds)
 Mr. Edmonds provided an update.

- B. Upper Elevation Road Striping (Mr. Edmonds)
Mr. Edmonds gave a Powerpoint presentation showing project alternatives for Board direction. By unanimous consensus, the Board directed Mr. Edmonds to pursue Alternative 1: Yellow, black, yellow centerline; centered yellow reflectors; white fog lines where applicable.
- C. Dispatch Outsourcing (Mr. Davis & Chief Kermode)
Mr. Davis provided a brief update on the status of contract negotiations.
- D. Amendment to District Code 7-4, Water Conservation (Mr. Davis)
Mr. Davis introduced the recommended amendments for action at the next Regular Board meeting.
- E. Solar Project (Mr. Davis)
Mr. Davis gave a brief update. Several directors expressed disappointment that construction has not yet begun. Director Muell requested an accounting of District and legal expenses for the project.
- F. External Auditor (President Carlyn)
This item was included at Board request to define a possible scope of services for an external auditor. After discussion, the Board concluded no direction was needed. Director Muell will serve as Board representative to review District finances via the Finance Committee.
- G. Committee Reports
 - i. Standing Committees – No December committee meetings
 - ii. Other Appointments
 - 1. Greater Tehachapi Regional Water Group/Water Availability & Preservation Committee – No report.
 - 2. Cummings Basin Stakeholder Group – No report; Board representatives will be appointed at the next Regular Board Meeting. Mr. Edmonds stated that the Board should also consider appointing a representative to the Greater Tehachapi Fire Safe Council.
- H. Board Comments
 - i. Director Baron: None
 - ii. Director Carlyn: None
 - iii. Director Grace requested staff look into culverts on Butterfield.
 - i. Director Muell stated his Anticipated Topics had been addressed: Committee Assignments; Solar Project; Upper Elevation Road Striping; Dispatch; Board Auditor
 - iv. Director Ritchie requested that Dispatch Outsourcing be brought back as an Action Item at a future meeting. President Carlyn stated that the topic would be discussed further when the Board re-convened to Closed Session.
- I. Staff Reports
 - i. Department Head Reports
 - 1. Finance Report – Mr. Edmonds reviewed Period 4 financial reports as submitted in the Board Package.

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 reported on recruitment, the 2017 Holiday schedule, staff retirements and re-assignments and storm cleanup.

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

16. Future Agenda Items:

- A. Amendment to District Code 7-4, Water Conservation (Tentative: January 26, 2017)
- B. Cummings Valley Stakeholders Meeting Update (Tentative: January 26, 2017)
- C. Postal Services Concessionaire (Tentative: January 26, 2017)
- D. Prioritization of District Goals and Objectives (Tentative: January 26, 2017)
- E. APPOINT Citizen Volunteers to Committees (Tentative: March 9, 2017)
Mr. Edmonds reviewed the above and added:
- F. Action Item: Ad hoc committees
- G. Board Appointments: Fire Safe Council & Cummings Basin Stakeholders
- H. Project Updates

17. Re-convene Closed Session

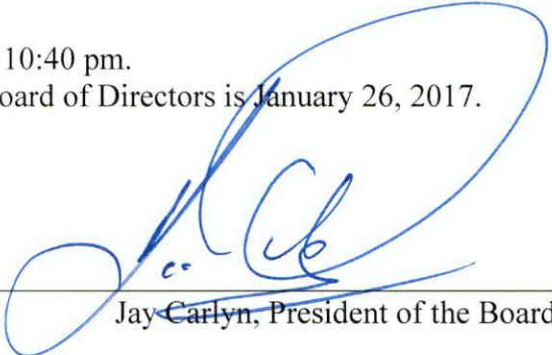
Closed Session was convened at 10:05 pm.

18. Summary of Actions Taken During Closed Session

No Reportable Action

19. Adjournment: The meeting was adjourned at 10:40 pm.

The next regularly scheduled meeting of the Board of Directors is January 26, 2017.



Jay Carlyn, President of the Board

ATTEST



Kristy McEwen, Secretary of the Board