



BEAR VALLEY COMMUNITY SERVICES DISTRICT

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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: February 9, 2017
PLACE OPEN & CLOSED SESSION MEETINGS: 28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING: 5:30 pm
TIME OF OPEN SESSION MEETING: 6:00 pm

1. **Call to Order**

The meeting was called to order at 5:37 pm.

2. **Roll Call Attendance**

All Directors were present. Also present were General Manager David Edmonds and General Counsel Don Davis (via teleconference). Arriving at 6:00 pm was 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

4. **Convene Open Session**

Open Session was convened at 6:10 pm.

5. **Summary of Actions Taken During Closed Session**

Reported as above

6. **Approval of Agenda**

The Agenda was approved unanimously by the Board.

7. **Pledge of Allegiance**

Director Grace 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.

- Linda LeLievre spoke on the General Manager’s contract and repeated a rumor which appears to be unfounded

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 12, 2017 Regular Board Meeting
- B. APPROVE Minutes of the January 26, 2017 Regular Board Meeting
- C. APPROVE Register of Warrants for January 2017

Motion: APPROVE Consent Calendar Items A – B: Grace. Second: Muell.

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

Director Grace pulled Item C to clarify a warrant.

Motion: APPROVE Consent Calendar Item C: Grace. Second: Baron.

Roll Call Vote: AYE: Baron, Carlyn, Grace, Muell, Ritchie
 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 Initial Committee Task Assignments for 2017 (Mr. Edmonds)
 - i. Administration

Motion: The Board of Directors ASSIGN the Administration Committee to review Employee Handbook, review open contracts, and prioritize ordinance code updates: Carlyn. Second: Muell

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

- ii. Communication

Motion: The Board of Directors ASSIGN the Communication Committee to provide a steady stream of information via Bear Tracks, The BV Cub, and District website: Carlyn. Second: Muell

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

iii. Finance

Motion: The Board of Directors ASSIGN the Finance Committee to discuss the upcoming budget process, audit warrants and invoices, and review project updates from a budgetary standpoint: Carlyn. Second: Muell

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

iv. Infrastructure

Motion: The Board of Directors ASSIGN the Infrastructure Committee review and expedite Mailbox and Gate projects, followed by Road Rehabilitation and Title 22 permit: Carlyn. Second: Muell

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

v. Public Safety

Motion: The Board of Directors ASSIGN the Public Safety Committee follow up on the recruitment of police chief, and liaison with Disaster Preparedness Advisory Council and Kern County Fire Department: Carlyn. Second: Grace

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

12. Information and Discussion Items

- A. Bear Valley & Cumberland Road Rehabilitation Project (Mr. Edmonds) – Culvert replacement, leading to complete road closures, is scheduled to begin February 20.
- B. Legal Costs Reporting (Director Muell) – Director Muell reported that the Finance Committee had received a breakdown of the most recent legal bill and is satisfied that all expenses and charges are accurate. Mr. Davis reminded the Board that billing detail has been provided with each monthly billing.
- C. Property Owner Survey (Director Muell) – Director Muell introduced the idea of conducting a property owner survey on their views of the state of the District and solutions that are being considered. The Board reached a consensus to return to this topic once specific questions and costs are identified.

D. Board Member(s) Appointments to meet with Kern County Supervisor Scrivner to discuss Federal and State Infrastructure Funds (Director Muell) – Director Muell explained his rationale for suggesting the meeting. The Board concluded that a formal appointment is not necessary and that Director Muell may meet informally with Supervisor Scrivener.

E. Committee Reports

- i. Standing Committees – No January meetings
- ii. Other Appointments – No January meetings

F. Board Comments

- i. Director Baron recommended Board training on Parliamentary Procedure, meeting conduct and the Brown Act.
- ii. Director Grace requested an update on Department Head recruiting
- iii. Director Muell: None
- iv. Vice-President Ritchie: Anticipated Topics: Legal Services Contract Review; Outsourcing Dispatch - Vote of Rescission of Prior Board Action
 - Director Ritchie refused to discuss the above topics as they were not included on the Agenda as action items as he had requested. Mr. Davis clarified that action items must be advanced to an agenda by the full Board of Directors rather than individual directors. Upon President Carlyn's request for clarification, Director Ritchie stated that he had requested the action item to cancel the existing Dispatch contract with Kern County. He further stated that he would move forward with his complaint. President Carlyn stated that the Board had agreed in Closed Session not to take action until two items had been completed, neither of which have taken place. Mr. Edmonds asked for clarification for the record, and the Board again reached consensus to not place an action item on the agenda until the two items had been completed.
- v. President Carlyn: None

G. Staff Reports

- i. Department Head Reports
 1. Finance Report – Mr. Edmonds reviewed Period 5 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 – Mr. Edmonds presented 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 the status of the solid waste permit and discussed the harmful impact of rumors and false information.

H. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)

A staff report was presented with several corrections and clarifications.

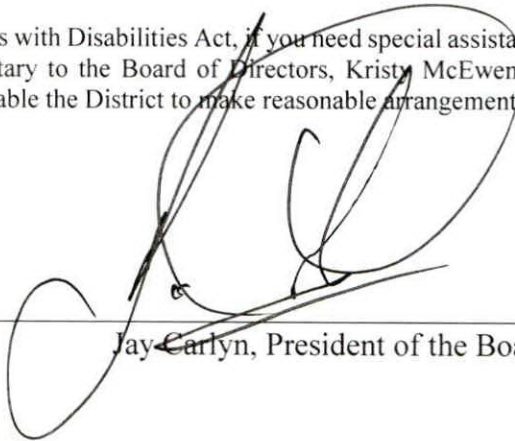
13. Future Agenda Items:

- A. ADOPT Striping Plan for Upper Elevation Roads (Tentative: February 23, 2017)
- B. APPROVE Contract for Striping of Upper Elevation Roads (Tentative: February 23, 2017)
- C. ADOPT Amendment to District Code 7-4, Water Conservation (Tentative: February 23, 2017)
- D. Mailbox Project – Consultant Proposal (Tentative: February 23, 2017)
- E. Cummings Valley Stakeholders Meeting Update (Tentative: February 23 or March 9, 2017)
- F. APPOINT Citizen Volunteers to Committees (Tentative: March 9, 2017)
- G. Presentation and Acceptance of Annual Financial Report (External Audit) as Prepared and Presented by Fedak & Brown, LLP (Tentative: March 23, 2017)
Mr. Edmonds reviewed the above and added:
- H. Discussion Item – Committee Volunteer Appointment Process

14. Adjournment: The meeting was adjourned at 9:30 pm. The next regularly scheduled meeting of the Board of Directors is February 23, 2017.

INFORMATION REGARDING AGENDA ITEMS: Copies of the staff reports and other disclosable public records related to each open session item of business referred to on the agenda are on file in the office of the District Secretary and are available for public information during regular business hours. Any person who has a question concerning any of the agenda items may call the District Secretary at 661.821.4428.

ADA Compliance Statement: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District Secretary to the Board of Directors, Kristy McEwen, at 661.821.4428. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.



Jay Carlyn, President of the Board

ATTEST



Kristy McEwen, Secretary of the Board