



BEAR VALLEY COMMUNITY SERVICES DISTRICT

28999 South Lower Valley Road • Tehachapi, CA 93561-7460
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REGULAR MEETING OF THE BOARD OF DIRECTORS MINUTES

Date of Meeting:	July 13, 2017
Place Open & Closed Session Meetings:	28999 South Lower Valley Road
Time of Closed Session Meeting:	4:00 pm
Time of Open Session Meeting:	4:45 pm
Location of Town Hall:	29600 Bear Valley Road
Time of Town Hall:	6:00 pm

1. Call to Order

The meeting was called to order at 4:01 pm

2. Attendance

All Directors were in attendance. Also present were General Manager David Edmonds, General Counsel Don Davis and Secretary of the Board Kristy McEwen.

3. Closed Session

A. Conference with Legal Counsel - Existing Litigation

Government Code Section 54956.9(d)(1)

Davies v. Bear Valley Community Services District

Superior Court of California, County of Kern, East Division Mojave Branch

Case No. MCS-17000060

- No Reportable Action

B. Conference with Legal Counsel - Anticipated Litigation (Liability Claims)

Government Code Section 54956.9(d)(2)

Claimants:

- i. Gary & Sandra Adams
Claim was rejected by the Board
- ii. Vito Ferrin
Claim was rejected by the Board
- iii. Brandon Korngold
Claim was rejected by the Board
- iv. Maxx McCabe
Claim was rejected by the Board

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v. Brent & Jennifer Whitney
Claim was rejected by the Board

4. Convene Open Session

Open Session was convened at 4:52 pm

5. Summary of Actions Taken During Closed Session

Mr. Davis reported as above

6. Approval of Agenda

The Agenda was approved unanimously by the Board.

7. 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.

- None

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 June 8, 2017 Regular Board Meeting
- B. APPROVE Minutes of the June 26 & 27, 2017 Special Board Meeting
- C. APPROVE Minutes of the June 29, 2017 Special Board Meeting
- D. ACCEPT Minutes from the April 13, 2017 Finance Committee Meeting
- E. ACCEPT Minutes from the May 25, 2017 Liaison Committee Meeting
- F. APPROVE Register of Warrants for June 2017

Motion: APPROVE Consent Calendar Items A – F: Baron. Second: Muell.

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

- All Directors acknowledged receipt of a letter from Anna Tavormina & D. Wayne Berman in reference to Agenda Item 11B. Director Carlyn disclosed a conversation with Miles Coverdale on the mailbox issue.

11. Action Items:

- A. ACCEPT Report of Delinquent Accounts and SCHEDULE Public Hearing to Place Delinquencies on Tax Roll for Collection (Mr. Edmonds)

A staff report was presented.

Motion: The Board of Directors ACCEPT the Report of Delinquent Accounts and SCHEDULE a Public Hearing for July 27, 2017 to Place Delinquencies on Tax Roll for Collection: Carlyn. Second: Baron.

Roll Call Vote:

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

- B. ADOPT Ordinance 17-246 Amending and Restating Section 6-3-20 of Chapter 3 of Title 6 of the District Code Pertaining to Rules and Regulations at District Firing Range Facilities. (Mr. Edmonds & Mr. Davis)

A staff report was presented. Several members of the public spoke against the wording of Section 6-3-20(F) "Exceptions" of the Ordinance.

Motion: The Board of Directors ADOPT Ordinance 17-246 Amending and Restating Section 6-3-20 of Chapter 3 of Title 6 of the District Code Pertaining to Rules and Regulations at District Firing Range Facilities: Carlyn. Second: Muell.

Roll Call Vote:

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

- C. ADOPT Ordinance 17-247 Amending and Restating Chapter 7 of Title 1 of the District Code Pertaining to Claims Against the District to Delegate the Authority to Administer Chapter 7 and Settle Certain Claims to the General Manager. (Mr. Edmonds & Mr. Davis)

- This Item was continued to July 27, 2017

12. Future Agenda Items:

- A. APPROVE Professional Services Agreements for Water, Wastewater, and Solid Waste Capital Replacement Plans (Tentative July 27, 2017)
- B. HEARING Mailbox Project Assessment (July 27, 2017)
- C. HEARING and Resolution to Collect Delinquent Accounts for Water, Sewer, and Refuse Services via the Tax Roll (July 27, 2017)
- D. FY 2017/18 Tax Roll Items (July 27, 2017)
- E. ADOPT Final Budgets (August 24, 2017)

13. **Recess to Town Hall Meeting at 29600 Bear Valley Road (Whiting Center)**

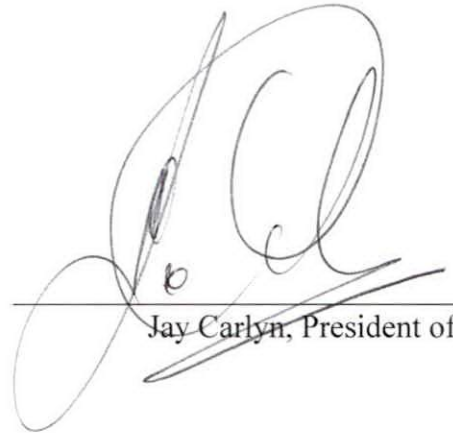
14. **Reconvene Town Hall at 6:00 PM**

- The Board reconvened at 6:10 pm for an open Town Hall forum on the Proposed Mailbox Assessment.

15. **Adjourn**

Motion: Adjourn the meeting and continue Item 11C to the next regularly scheduled meeting of the Board on July 27, 2017: Baron. Second: Carlyn

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



Jay Carlyn, President of the Board

ATTEST



Kristy McEwen, Secretary of the Board