



## **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 27, 2017  
Place of Open Session Meeting: 28999 South Lower Valley Road  
Time of Open Session Meeting: 6:00 pm

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1. **Call to Order**

The meeting was called to order at 6:00 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. **Approval of Agenda**

The Agenda was approved unanimously by the Board.

4. **Pledge of Allegiance**

5. **Hearing Items**

- A. Public Hearing to Consider the Formation of Mailbox Assessment District 2017-1 and Directing the Tabulation of Ballots (Mr. Edmonds & Mr. Davis)  
A staff report was presented.

President Carlyn opened the Public Hearing at 6:09 pm.

Statements were made by the following members of the public: Teresa Kline, Miles Coverdale, Neill D. Hicks, George D. Faria, Kathy Carey, Ginny Tunks, Laurie Hamilton, Thelma Jeani Faria, C. McNaughton, Ian Cant, Linda LeLievre

President Carlyn closed the Public Hearing at 7:10 pm.

**Motion:** The Board of Directors ORDER the Tabulation of Ballots for Mailbox Assessment District 2017-1: Muell. Second: Roberts

**Roll Call Vote:**

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

- B. Public Hearing to Consider the Collection of Delinquent Accounts for Water, Sewer, and Refuse Services via Tax Roll (Mr. Edmonds)  
A staff report was presented.

President Carlyn opened the Public Hearing at 7:19 pm.  
No public comments were made.  
President Carlyn closed the Public Hearing at 7:21 pm.

**6. 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.

- Teresa Klein spoke on Administration Office hours
- Jim Nelson addressed the Board regarding the cancellation of the July Public Safety Committee meeting and the Emergency Operations Plan prepared by the Disaster Preparedness Advisory Council.

**7. 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

**8. Action Items I:**

- A. ADOPT Resolution 17/18-1 to Collect Delinquent Accounts for Water, Sewer, and Refuse Services via Tax Roll (Mr. Edmonds)

**Motion:** The Board of Directors ADOPT Resolution 17/18-1 to Collect Delinquent Accounts for Water, Sewer, and Refuse Services via Tax Roll: Grace. Second: Baron

**Roll Call Vote:**

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

- B. APPROVE Professional Services Agreement for Water, Wastewater, and Solid Waste Capital Replacement Plans (Mr. Edmonds)  
A staff report was presented.

**Motion:** The Board of Directors APPROVE a Professional Services Agreement for Water, Wastewater, and Solid Waste Capital Replacement Plans: Muell. Second: Carlyn

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

C. FY 2017/18 Tax Roll Items: (Mr. Edmonds)

A staff report was presented. Mr. Edmonds emphasized to the public that the following Agenda Item is for annual renewal of existing taxes and assessments required by Kern County and are not new taxes.

- i. ADOPT Resolution 17/18-2 Setting the Special Tax for Gate Operations for FY 2017/18 at \$75 per Parcel

**Motion:** The Board of Directors ADOPT Resolution 17/18-2 Setting the Special Tax for Gate Operations for FY 2017/18 at \$75 per Parcel: Roberts. Second: Muell

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

- ii. ADOPT Resolution 17/18-3 Setting the Special Tax for Police Protection Services for FY 2017/18 at \$80 per Parcel

**Motion:** The Board of Directors ADOPT Resolution 17/18-3 Setting the Special Tax for Police Protection Services for FY 2017/18 at \$80 per Parcel: Muell. Second: Carlyn

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

- iii. ADOPT Resolution 17/18-4 Setting the Road Assessment for FY 2017/18 at \$340 per Parcel

**Motion:** The Board of Directors ADOPT Resolution 17/18-4 Setting the Road Assessment for FY 2017/18 at \$340 per Parcel: Grace. Second: Carlyn

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

- iv. ADOPT Resolution 17/18-5 Setting the Tax Rate for Improvement District #2 Bonds for FY 2017/18 at 0.00417933% per \$1,000 Assessed Value of Property

**Motion:** The Board of Directors ADOPT Resolution 17/18-5 Setting the Tax Rate for Improvement District #2 Bonds for FY 2017/18 at 0.00417933% per \$1,000 Assessed Value of Property: Muell. Second: Roberts

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

- v. ADOPT Resolution 17/18-6 Setting Water Standby Charges for FY 2017/18 at \$40.28

**Motion:** The Board of Directors ADOPT Resolution 17/18-6 Setting Water Standby Charges for FY 2017/18 at \$40.28: Roberts. Second: Muell

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

- vi. ADOPT Resolution 17/18-7 Setting the Sewer Standby Charges for FY 2017/18 at \$59.96

**Motion:** The Board of Directors ADOPT Resolution 17/18-7 Setting the Sewer Standby Charges for FY 2017/18 at \$59.96: Grace. Second: Baron

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

- D. 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. Davis)  
A staff report was presented.

**Motion:** The Board of Directors 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: Muell. Second: Carlyn

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

E. APPROVE Finance Committee Task Assignment (Ms. McEwen)

A staff report was presented.

**Motion:** The Board of Directors ASSIGN the Finance Committee to research historic and future tax information for Bear Valley: Carlyn. Second: Muell

**Roll Call Vote:**

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

F. APPOINT Citizen Volunteers to Standing Committees of the Board (Ms. McEwen)

i. Communication Committee

**Motion:** The Board of Directors APPOINT Rhonda Brady to serve on the Communication Committee until March 2019 or until a successor is named: Muell. Second: Roberts

**Roll Call Vote:**

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

The Board agreed to Director Baron's request for an additional motion.

**Motion:** The Board of Directors APPOINT Key Budge and Linda Flores to serve on the Communication Committee until March 2019 or until a successor is named: Baron. Second: Grace

**Roll Call Vote:**

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

ii. Administration Committee

**Motion:** The Board of Directors APPOINT Bill Stevens to serve on the Administration Committee until March 2019 or until a successor is named: Roberts. Second: Carlyn.

**Roll Call Vote:**

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

9. Information and Discussion Items:

A. Bear Valley & Cumberland Road Rehabilitation (Mr. Edmonds)

Mr. Edmonds provided an update.

**B. June Committee Reports**

- i. Administration Committee – Director Roberts reported on the June 8, 2017 meeting
- ii. Communications Committee – Director Baron reported on the June 6 & June 12, 2017 meetings.
- iii. Finance Committee – Director Muell reported on the June 8, 2017 meeting
- iv. Infrastructure Committee – No June Meeting
- v. Liaison Committee – Directors Carlyn and Grace reported on the June 28, 2017 meeting.
- vi. Public Safety Committee – No June Meeting

**C. Board Comments**

- i. Director Baron asked if Yellow Star Thistle abatement had begun on District property. Mr. Edmonds confirmed that it had.
- ii. Director Muell stated he would defer his Anticipated Topics of: Rate Study, Solar Project, Gate Project, Police Department Tax to a future meeting.
- iii. Director Roberts: None
- iv. Vice-President Grace requested the Board of Directors commend Officer Arebalo for excellent service for a storm water vehicle rescue at a future meeting
- v. President Carlyn: None

**D. Staff Reports**

**i. Department Head Reports**

1. Finance Report – Mr. Edmonds reviewed Period 10 financial reports as submitted in the Board Package and stated that preliminary field work for the 2016/17 Audit is scheduled for August 7-9, 2017.
2. Public Works Report – Mr. Edmonds reviewed the Public Works report as submitted in the Board Package and updated the Board on the renewal application for an upgraded Solid Waste permit.

i. General Counsel Report – Mr. Davis informed the Board he was drafting an update to the Solid Waste section of the District Ordinance Code.

ii. General Manager Report – Mr. Edmonds informed the Board and Public that the ballot tabulation for Mailbox Assessment District 2017-1 was completed with the following results:

- Construction Assessment – Yes: 595 (38%); No: 951 (62%)
- Maintenance Assessment – Yes: 617 (40%); No: 932 (60%)

The assessment was not approved by the property owners.

**E. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)**

A staff report was presented, with corrections and clarifications as included in the Board Package.

**10. Action Items II:**

- A. ADOPT Resolution 17/18-8 Declaring the Election Results for the Mailbox Assessment District 2017-1 Ballot Measure

**Motion:** The Board of Directors ADOPT Resolution 17/18-8 Declaring the Election Results for the Mailbox Assessment District 2017-1 Ballot Measure: Carlyn. Second: Muell

**Roll Call Vote:**

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

**Note: Items 10B & 10C will only be acted on if a majority of the voters approve the ballot measure pursuant to Item 10A. If there is a majority protest, no action will be taken on Items 10B & 10C.**

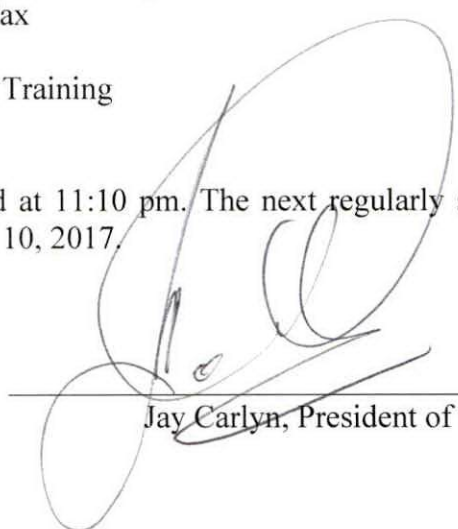
The assessment was not approved by property owners, therefore no action was taken on Agenda Items 10B and 10C.

- B. ADOPT Resolution 17/18-9 approving the Final Assessment Engineer's Report, Approving the Formation of Mailbox Assessment District 2017-1, and Approving and Confirming the Levy of Assessments for the Assessment District.
- C. ADOPT Resolution 17/18-10 Fixing an Assessment for Mailbox Assessment District 2017-1 within an Established Zone of Benefit for Fiscal Year 2017/18.

**11. Future Agenda Items:**

- A. SCHEDULE Final Budget Study Sessions (Tentative: August 10, 2017)
- B. Solar Project Update (Tentative August 10, 2017)
- C. ADOPT FY 2017/18 Final Budgets (August 24, 2017)
- D. Kawaiisu Historical Preserve Master Plan & Conservation Easement (TBD)  
Mr. Edmonds reviewed the above. The following were added:
- E. Meeting with Kern County re: Gas Tax
- F. Recruitment
- G. Brown Act/Parliamentary Procedure Training
- H. Commendation for Officer Arebalo

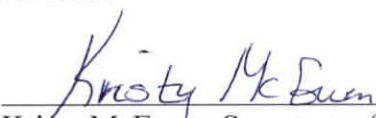
12. **Adjournment:** The meeting was adjourned at 11:10 pm. The next regularly scheduled meeting of the Board of Directors is August 10, 2017.



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Jay Carlyn, President of the Board

ATTEST



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Kristy McEwen, Secretary of the Board

July 27, 2017 Regular Board Meeting