



## BEAR VALLEY COMMUNITY SERVICES DISTRICT

28999 South Lower Valley Road • Tehachapi, CA 93561-7460  
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### BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: August 24, 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

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1. **Call to Order**

The meeting was called to order at 4:11 pm.

2. **Attendance**

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

3. **Closed Session**

A. Conference with Real Property Negotiators

*Government Code Section 54956.9*

Property: Cummings Valley; APN: 22-240-08-00

Agency Negotiator: General Manager and General Counsel

Negotiating Parties: HmU Holdings LLC (HelioPower)

Under negotiation: Price and Terms of Lease

- No Reportable Action

B. Public Employee Discipline/Dismissal/Release

*Government Code Section 54957*

- No Reportable Action

C. Public Employee Performance Evaluation

Title: General Manager

*Government Code Section 54957*

- No Reportable Action

4. **Convene Open Session**

Open Session was convened at 6:07 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.

August 24, 2017 Regular Board Meeting

**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.

- Jim Nelson asked about right of way mowing.

**9. 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

**10. Public Hearing Items:**

Fiscal Year 2017/18 Final Budgets: (Mr. Edmonds)

- A Staff Report and Powerpoint presentation enumerating Additions, Deletions and Omissions from Preliminary to Final Budgets was reviewed.

- A. ADOPT Resolution 17/18-10 and APPROVE the General Fund (Fund 40) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:16 pm.

President Carlyn closed the Public Hearing at 6:17 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-10 and APPROVE the General Fund (Fund 40) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Muell. Second: Carlyn

<b>Roll Call Vote:</b>	AYE:	Baron, Muell, Roberts, Grace, Carlyn
	NO:	None
	ABSTAIN:	None
	ABSENT:	None

- B. ADOPT Resolution 17/18-11 and APPROVE the Parks & Recreation (Fund 45) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:19 pm.

President Carlyn closed the Public Hearing at 6:20 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-11 and APPROVE the Parks & Recreation (Fund 45) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Carlyn. Second: Roberts

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

- C. ADOPT Resolution 17/18-12 and APPROVE the Post Office Enterprise Fund (Fund 41) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:23 pm.  
President Carlyn closed the Public Hearing at 6:24 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-12 and APPROVE the Post Office Enterprise Fund (Fund 41) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Muell. Second: Baron

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

- D. ADOPT Resolution 17/18-13 and APPROVE the Roads Special Revenue Fund (Fund 48) and Roads Reserve Fund (Fund 73) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:27 pm.  
President Carlyn closed the Public Hearing at 6:28 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-13 and APPROVE the Roads Special Revenue Fund (Fund 48) and Roads Reserve Fund (Fund 73) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Roberts. Second: Carlyn

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

- E. ADOPT Resolution 17/18-14 and APPROVE the Water Enterprise (Fund 42), Water Development (Fund 60), Water Bond Redemption (Fund 64), and Water Reserve (Fund 70) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:31 pm.  
President Carlyn closed the Public Hearing at 6:34 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-14 and APPROVE the Water Enterprise (Fund 42), Water Development (Fund 60), Water Bond Redemption (Fund 64), and Water Reserve (Fund 70) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Muell. Second: Roberts

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

- F. ADOPT Resolution 17/18-15 and APPROVE the Wastewater Enterprise (Fund 43), Wastewater Development (Fund 61), Wastewater Bond Redemption (Fund 67), and Wastewater Reserve (Fund 69) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:39 pm.

President Carlyn closed the Public Hearing at 6:40 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-15 and APPROVE the Wastewater Enterprise (Fund 43), Wastewater Development (Fund 61), Wastewater Bond Redemption (Fund 67), and Wastewater Reserve (Fund 69) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Carlyn. Second: Muell

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

- G. ADOPT Resolution 17/18-16 and APPROVE the Solid Waste Enterprise (Fund 49) and Solid Waste Reserve (Fund 71) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:42 pm.

President Carlyn closed the Public Hearing at 6:43 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-16 and APPROVE the Solid Waste Enterprise (Fund 49) and Solid Waste Reserve (Fund 71) Final Budgets for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Muell. Second: Roberts

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

- H. ADOPT Resolution 17/18-17 and APPROVE the Citizen's Option for Public Safety (COPS) Grant (Fund 68) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:44 pm.  
President Carlyn closed the Public Hearing at 6:47 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-17 and APPROVE the Citizen's Option for Public Safety (COPS) Grant (Fund 68) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Carlyn. Second: Roberts

**Roll Call Vote:**

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

- I. ADOPT Resolution 17/18-18 and APPROVE the Public Safety Realignment (AB109) Fund (Fund 30) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk.

President Carlyn opened the Public Hearing at 6:49 pm.  
President Carlyn closed the Public Hearing at 6:50 pm.

**Motion:** The Board of Directors ADOPT Resolution 17/18-18 and APPROVE the Public Safety Realignment (AB109) Fund (Fund 30) Final Budget for Fiscal Year 2017/18 and AUTHORIZE the General Manager to File with the Kern County Auditor-Controller-County Clerk: Baron. Second: Carlyn

**Roll Call Vote:**

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

#### 11. Action Items:

- A. CANCEL Regular Board Meetings of September 14 and September 28, 2017 (Ms. McEwen)
- A Staff Report was presented.

**Motion:** The Board of Directors CANCEL Regular Board Meetings of September 14 and September 28, 2017: Carlyn. Second: Grace

**Roll Call Vote:**

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

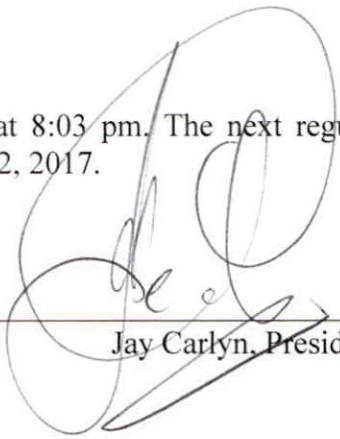
## **12. Information and Discussion Items:**

- A. Update on Status of Approved Solar Project Under SCE's Renewable Energy Self-Generation Bill Credit Transfer Program (RES-BCT) and Consideration of Potential Reconfiguration of Project Facilities to Qualify Under SCE's Net Energy Metering Program (NEMS) (Mr. Davis)
  - Mr. Davis provided an update on SCE's system capacity limitations and inability to connect to the proposed project. By Board direction and consensus, the District will allow the agreement with Heliopower to expire.
  
- B. Bear Valley & Cumberland Road Rehabilitation Project (Mr. Edmonds)
  - Mr. Edmonds provided an update
  
- C. District Social Media (Communication Committee)
  - After discussion, consensus was reached by the Board to allow the Communication Committee and staff to move forward with social media
  
- D. Board Comments
  - i. Director Baron: None
  - ii. Director Muell: Expressed disappointment that September meetings were cancelled. He also stressed the importance of adopting the District Emergency Plan prepared by the Disaster Preparedness Advisory Council.
  - iii. Director Roberts: None
  - iv. Vice-President Grace: Confirmed that the District will abate yellow starthistle growth on District property, but does not abate on private property
  - v. President Carlyn: None
  
- E. Staff Comments
  - i. Public Safety Consultant – Mr. Kermode informed the Board that one of the two Reserve applicants has withdrawn his name from consideration.
  
  - ii. General Counsel – Mr. Davis announced the District had prevailed on a complaint in Small Claims Court. He also reported progress on obtaining a conservation easement for the Kawaiisu Historical Site.
  
  - iii. General Manager – Mr. Edmonds shared pictures of diagnostic work on Wells CV1 and CV2 for rehabilitation.

## **13. Future Agenda Items:**

- A. Kawaiisu Historical Preserve Master Plan & Conservation Easement (TBD)
- B. RATIFY Change Orders: Bear Valley & Cumberland Roads Rehabilitation Project (TBD)  
Mr. Edmonds reviewed the above and added:
- C. Approval of Emergency Operations Plan

14. **Adjournment:** The meeting was adjourned at 8:03 pm. The next regularly scheduled meeting of the Board of Directors is October 12, 2017.



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Jay Carlyn, President of the Board

ATTEST



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Kristy McEwen, Secretary of the Board