



BEAR VALLEY COMMUNITY SERVICES DISTRICT

28999 South Lower Valley Road • Tehachapi, CA 93561-9637
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BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING:	June 12, 2014
PLACE OPEN & CLOSED SESSION MEETINGS:	28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING:	5:00 pm
TIME OF OPEN SESSION MEETING:	6:00 pm

1. CALL TO ORDER

- **The meeting was called to order at 5:35 pm**

2. ROLL CALL

President Bill Mason
Vice President Charlene LaClaire
Director Gil Grace
Director Matt VoVilla
Director Rick Zanutto

All Directors were present. Also present at 6:00 pm were Interim General Manager David Powell, Special Project Consultant Larry Pennell, Chief Rod Walthers, Public Works Superintendent Larry Tuma, and Board Secretary Kristy McEwen.

3. CLOSED SESSION

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Government Code section 54956.8
Property: APN: 448-04-11 and 12; 222-240-01, 02, 03 and 08
Agency Negotiator: District Counsel
Negotiating Parties: Valley Sod Farm, Inc. & Tehachapi-Cummings County Water District
Under Negotiation: price and terms of payment
No reportable action

b. PUBLIC EMPLOYEE APPOINTMENT

Government Code section 54957
Title: District General Manager
No reportable action. Item was continued.

4. SUMMARY OF ACTIONS TAKEN DURING CLOSED SESSION

- **President Mason reported as above.**

5. PLEDGE OF ALLEGIANCE

- **Mr Tuma led the Pledge of Allegiance**

6. CONSENT CALENDAR

All items on the Consent Calendar are considered to be routine and noncontroversial by staff. However, if discussion is required, the item will be removed from the consent agenda and will be discussed after the consent agenda is approved.

- A. Board Minutes – that the minutes of the May 8, 2014 Regular Board Meeting and the minutes of the May 13, May 14, May 15, May 16, May 22, and May 30, 2014 Special Board Meetings be accepted as submitted.
- B. Committee Reports – that the notes from the May, 2014 committee meetings be accepted as submitted.
- C. Disclosure of Expenses as submitted.
- D. Register of Warrants – that the register for May, 2014 be accepted as submitted.
- E. Financial Statements – that the statement for April, 2014 be accepted as submitted.
- F. That the bid proposal from Downtown Ford Sales for purchase of Road Dept truck be accepted as submitted.
- G. Approval of BVSA proposal for gas line replacement project at Oak Tree Country Club
- H. Approval of BVSA proposal for replacement of East Barn at the Equestrian Center.

Director Zanutto and Vice-President LaClaire requested corrections to the May 22, 2014 SBM minutes.

**MOTION TO APPROVE CONSENT CALENDAR AS CORRECTED: LACLAIRE.
SECOND: ZANUTTO.**

AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.

7. PUBLIC COMMENTS

- **Steve Miles spoke to the Board about weed clearance on District property**

8. BOARD COMMENTS

- **Director Zanutto reported on the Smart Growth Tehachapi meeting**
- **Director Grace reminded those attending about the July 8, 2014 Disaster Preparedness Town Hall meeting.**

9. STAFF REPORTS

General Manager's Report – **Mr Powell provided a verbal report regarding citizen concerns over the nature trail/walking path. Discussion followed.**

Financial Report – **Mr Powell provided a written report. Discussion followed.**

Public Works Status Report – **Mr Tuma provided a written report. Discussion followed.**

Public Safety Report – **Chief Walthers provided a written report. Discussion followed.**

General Counsel Report – **Mr Davis spoke to the Board and Public on the turf lease negotiations and the Finance Resolutions on the agenda.**

10. CONSIDERATION OF AN AMENDED AND RESTATED AGRICULTURAL LEASE BETWEEN THE DISTRICT AND ROBB-ARMSTRONG TURF, INC. AND VALLEY SOD FARM, INC. FOR APPROXIMATELY 293 ACRES OF DISTRICT-OWNED LAND LOCATED ALONG CUMMINGS VALLEY ROAD AND THE NORTHWEST CORNER OF BAILEY ROAD AND GIRAUDO ROAD, KERN COUNTY. (Mr Davis)

MOTION TO APPROVE AMENDED AND RESTATED AGRICULTURAL LEASE BETWEEN THE DISTRICT AND ROBB-ARMSTRONG TURF, INC. AND VALLEY SOD FARM, INC. AS OUTLINED ABOVE: GRACE. SECOND: ZANUTTO. AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.

11. CONSIDERATION OF A LICENSE AGREEMENT FOR TEMPORARY ABOVE-GROUND RECYCLED WATER DISTRIBUTION LINE BETWEEN THE DISTRICT AND TEHACHAPI CUMMINGS COUNTY WATER DISTRICT TO SERVE THE APPROXIMATELY 293 ACRES OF DISTRICT-OWNED LAND LOCATED ALONG CUMMINGS VALLEY ROAD AND THE NORTHWEST CORNER OF BAILEY ROAD AND GIRAUDO ROAD, KERN COUNTY. (Mr Davis)

MOTION TO APPROVE A LICENSE AGREEMENT FOR TEMPORARY ABOVE-GROUND RECYCLED WATER DISTRIBUTION LINE BETWEEN THE DISTRICT AND TEHACHAPI CUMMINGS COUNTY WATER DISTRICT AS OUTLINED ABOVE: LACLAIRE. SECOND: GRACE. AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.

12. PUBLIC HEARING ORDERING THE CONTROL, REMOVAL, AND ERADICATION OF PINE BARK BEETLE INFESTATION. (Mr Powell)
- **President Mason opened the public hearing.**
 - **No public was present for purposes of the hearing**
 - **President Mason closed the public hearing.**

13. ADOPTION OF A RESOLUTION SETTING A PUBLIC HEARING AND DECLARING AND ORDERING THE CONTROL, REMOVAL AND ERADICATION OF PINE BARK BEETLE INFESTATION. (Mr Powell)

MOTION TO ADOPT RESOLUTION: LACLAIRE. SECOND: VOVILLA. AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.

14. REQUEST TO SOLICIT BIDS FOR ROAD RESURFACING TEST PROJECT (Mr Tuma)
- **Directors Mason and Grace expressed reluctance to proceed with any projects until an approved MicroPaver plan has been adopted. Discussion centered on advisability of investigating new techniques and products and possible cost savings vs. proceeding without approved plan.**
 - **Public comments were made by Jim Nelson and Mary Cunningham**

MOTION TO SOLICIT BIDS FOR ROAD RESURFACING TEST PROJECT: ZANUTTO. SECOND: VOVILLA

GRACE: NO; VOVILLA: YES; ZANUTTO: YES; LACLAIRE: YES; MASON: NO

The motion passed 3-2.

15. CONSIDERATION OF EMPLOYMENT AGREEMENT BETWEEN THE DISTRICT AND DAVID POWELL FOR THE POSITION OF INTERIM GENERAL MANAGER (Mr Davis)

MOTION TO ENTER INTO AN AGREEMENT WITH DAVID POWELL FOR THE POSITION OF INTERIM GENERAL MANAGER: ZANUTTO. SECOND: LACLAIRE. AFTER A ROLL CALL VOTE, THE MOTION WAS APPROVED UNANIMOUSLY.

16. CONSIDERATION OF CONSULTING CONTRACT BETWEEN THE DISTRICT AND LARRY PENNELL FOR SPECIAL PROJECTS. (Mr Davis)

**MOTION TO APPROVE AGREEMENT WITH LARRY PENNELL FOR SPECIAL CONSULTING SERVICES: ZANUTTO. SECOND: GRACE
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

17. ADOPTION OF A RESOLUTION SETTING SPECIAL TAX FOR GATE OPERATIONS FOR FISCAL YEAR 2014-15(Mr Powell)

- **Mr Powell introduced Items #17 – 22 by stating these are routine, procedural resolutions required by Kern Co. No rate increases have been implemented.**

**MOTION TO ADOPT RESOLUTION SETTING SPECIAL TAX FOR GATE OPERATIONS FOR FISCAL YEAR 2014-15: GRACE. SECOND: VOVILLA
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

18. ADOPTION OF A RESOLUTION SETTING SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR FISCAL YEAR 2014-15(Mr Powell)

**MOTION TO ADOPT RESOLUTION SETTING SPECIAL TAX FOR POLICE PROTECTION SERVICES FOR FISCAL YEAR 2014-15: LACLAIRE. SECOND: ZANUTTO.
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

19. ADOPTION OF A RESOLUTION SETTING THE ROAD ASSESSMENT FOR FISCAL YEAR 2014-15(Mr Powell)

**MOTION TO ADOPT A RESOLUTION SETTING THE ROAD ASSESSMENT FOR FISCAL YEAR 2014-15: ZANUTTO. SECOND: VOVILLA.
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

20. ADOPTION OF A RESOLUTION SETTING THE TAX RATE FOR FISCAL YEAR 2014-15 FOR IMPROVEMENT DISTRICT NUMBER 2 BONDS. (Mr Powell)

**MOTION TO ADOPT RESOLUTION SETTING THE TAX RATE FOR FISCAL YEAR 2014-15 FOR IMPROVEMENT DISTRICT NUMBER 2 BONDS: ZANUTTO. SECOND: LACLAIRE.
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

21. ADOPTION OF A RESOLUTION SETTING WATER STANDBY CHARGES FOR FISCAL YEAR 2014-15. (Mr Powell)

**MOTION TO ADOPT RESOLUTION SETTING WATER STANDBY CHARGES FOR FISCAL YEAR 2014-15: ZANUTTO. SECOND: LACLAIRE.
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY**

22. ADOPTION OF A RESOLUTION SETTING SEWER STANDBY CHARGES FOR FISCAL YEAR 2014-15. (Mr Powell)

**MOTION TO ADOPT RESOLUTION SETTING SEWER STANDBY CHARGES FOR FISCAL YEAR 2014-15: ZANUTTO. SECOND: LACLAIRE.
AFTER A ROLL CALL VOTE, THE MOTION PASSED UNANIMOUSLY.**

23. ADJOURNMENT

President Mason adjourned to closed session at 8:24 pm.

24. CLOSED SESSION

PUBLIC EMPLOYEE APPOINTMENT

Government Code section 54957

Title: District General Manager

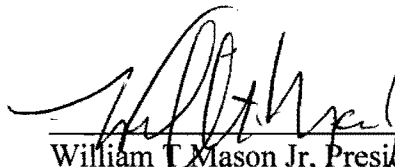
No reportable action

25. SUMMARY OF ACTIONS TAKEN DURING CLOSED SESSION

- **President Mason reported as above.**

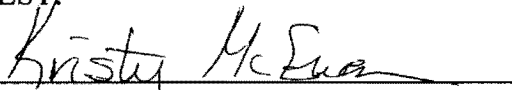
26. ADJOURNMENT

The meeting was adjourned at 10:40 pm



William T. Mason Jr, President
Bear Valley Community Services District

ATTEST:



Kristy McEwen
Board Secretary