



## **BEAR VALLEY COMMUNITY SERVICES DISTRICT**

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### **BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES**

DATE OF MEETING: April 23, 2015  
PLACE OPEN & CLOSED SESSION MEETINGS: 28999 S. Lower Valley Road  
TIME OF CLOSED SESSION MEETING: 2:30 pm  
TIME OF OPEN SESSION MEETING: 6:00 pm

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#### **1. Call to Order**

- The meeting was called to order at 2:35 pm.

#### **2. Roll Call Attendance**

President Charlene LaClaire  
Vice President Rick Zanutto  
Director Jane Baron  
Director Gil Grace  
Director Walt Ritchie

All Directors were present. Also present were General Manager David Edmonds and General Counsel Don Davis. Arriving at 6:00 pm were Chief of Police Rod Walthers and Clerk of the Board Kristy McEwen.

#### **3. Closed Session**

##### **A. Public Employment**

Government Code Section 54957: Chief of Police

District Counsel Don Davis advised the Board that pursuant to the Brown Act, items can be added to the Agenda if the need arises after posting. Mr. Davis recommended one additional item be added under Agenda Item 3B.

**Motion:** The Board of Directors add Item #3B, Anticipated Litigation, Government Code Section 54956.9(d)(2): One Case: Baron. Second: Ritchie

**Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto, LaClaire
NO:	None
ABSTAIN:	None
ABSENT:	None

##### **B. Anticipated Litigation**

Government Code Section 54956.9(d)(2): One Case

April 23, 2015 Regular Board Meeting

**4. Convene Open Session**

- Open Session was convened at 6:14 pm.

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

- No reportable action

**6. Approval of Agenda – Roll Call**

- The Agenda was approved unanimously by the Board of Directors

**7. Pledge of Allegiance**

- The Pledge of Allegiance was led by Don Davis.

**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.

- Laurie Hamilton spoke on the replanting of High Country Park and calling for volunteers to help. Mr. Edmonds stated that before planting begins, a plan for providing water to the seedlings must be addressed.

**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. Procedural Items:**

A. EXTEND the Application Period for Citizen Members to Various Committees by President of the Board of Directors (President LaClaire)

- By unanimous consent the Board requested that President LaClaire extend the deadline for citizen volunteers by two weeks.

**11. Action Items:**

A. ACCEPT or REJECT Claim for Damages by John and Linda Preston. (Mr. Davis)

- A staff report was provided.

**Motion:** The Board of Directors REJECT the Claim for Damages by John and Linda Preston in its Entirety: Zanutto. Second: Baron

**Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto, LaClaire
NO:	None
ABSTAIN:	None
ABSENT:	None

B. ADOPT Resolution 14/15-16 of the Board of Directors of the Bear Valley Community Services District, Declaring the Existence of a Water Shortage Stage Three Condition Applicable to Water Usage Throughout the District Pursuant to Bear Valley Community Services District Code Chapter 7-4 (Water Conservation) and in Furtherance of the Emergency Water Conservation Regulations Adopted by and Pending before the State Water Resources Control Board. (Mr. Davis)

- A staff report was provided.
- **Board Comments:** Director Zanutto questioned if the Condo Association was also a high volume user.
- **Public Comments:** Claude Kiser cautioned the Board regarding the Drought Surcharge in light of the recent San Juan Capistrano decision. Mr. Davis assured the Board that the surcharge is not a change or raise in rates that is subject to Proposition 218, rather the implementation of an existing statute. Edward Simpkins of the BVSA asked and it was confirmed that the 30% reduction applies to 2013 usage. He also stated that he believes the Association will reach the goal.

**Motion:** The Board of Directors ADOPT Resolution 14/15-16 of the Board of Directors of the Bear Valley Community Services District, Declaring the Existence of a Water Shortage Stage Three Condition Applicable to Water Usage Throughout the District Pursuant to Bear Valley Community Services District Code Chapter 7-4 (Water Conservation) and in Furtherance of the Emergency Water Conservation Regulations Adopted by and Pending before the State Water Resources Control Board.: Zanutto. Second: Baron

**Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto, LaClaire
NO:	None
ABSTAIN:	None
ABSENT:	None

C. ADOPT Resolution 14/15-17 Acknowledging the Retirement of Chief of Police Rod Walthers (Ms. McEwen)

- A staff report was provided. Mr. Edmonds recited Resolution 14/15-17.

**Motion:** The Board of Directors ADOPT Resolution 14/15-17 Acknowledging the Retirement of Chief of Police Rod Walthers: Grace. Second: Zanutto

**Roll Call Vote:**

AYE:	Grace, Baron, Ritchie, Zanutto, LaClaire
NO:	None
ABSTAIN:	None
ABSENT:	None

- President LaClaire presented the Resolution to Chief Walthers. Chief Walthers addressed the Board and Public.

## 12. Information and Discussion Items:

A. Ordinance of the Board of Directors of the Bear Valley Community Services District, Amending District Code Section 7-4-6 with respect to Water Reduction Measures during a Stage Three Condition. (Mr. Davis)

- Mr Davis presented a staff report. A public meeting will be noticed and the Ordinance will be brought before the Board in May.

- B. High Country Park Pine Bark Beetle Abatement (Mr. Edmonds & Mr. Davis)
  - Mr. Edmonds provided an update. Abatement is underway and there have been no complaints, and several compliments on the courtesy of the timber truck drivers. The owner of Bear Mountain Ranch has agreed to allow the District to remove slash pile to BMR property until a burn permit can be obtained.
  
- C. Serra Place Water Line Break (Mr. Edmonds)
  - A staff report was provided. Director Ritchie complimented the Road and Water crews on their efficiency.
  
- D. Water Tank/Pump Failure at Tanks 3A and 3B1 (Mr. Edmonds)
  - A staff report was provided. Discussion followed.
  
- E. Staff Correction re Well #6 versus Well #25 (Ms. McEwen)
  - A staff report clarifying the mislabeling of the two wells in previous staff reports.
  
- F. Earth Day: Clean Up & Solid Waste Drop-Off (Ms. McEwen)
  - A staff report and update was provided. Director Zanutto volunteered to help on the day.
  
- G. Board Comments
  - Director Baron: Anticipated Topics:
    1. Historical documentation of USGS Bear Valley Blue-Line Streams vis-a-vis Resultant Regulations (RWQCB, F&W)
      - a. Director Baron stated her research showed historical maps previous to 1992 showed waterways were marked as intermittent rather than blue-line waterways. She requests historical documentation from long-time residents to support or refute the existence of blue-line streams, such as a 1969 Hydrological Study performed for Dart Industries.
    2. Status and direction of Revised WDR Order & NPDES permits for Recycled Water in Non-restricted Recreational Impoundments
      - a. A Board decision is needed to place revision of the application on the priority list and who will be responsible for the preparation and research and how it will be funded.
      - b. Director Zanutto suggested contacting communities listed in the previous URS report for information. The matter will be considered as part of the budget discussion to determine if/when it can be pursued. Mr. Simpkins offered assistance from the BVSA.
  - Director Grace: None
  - Director Ritchie: None
  - Vice-President Zanutto: Information from TCCWD meeting indicates a problem with CCI effluent to Tehachapi Turf property which may impact the

current lease and pipeline agreement. Mr. Davis will look into the issue and report back to the Board.

- President LaClaire: None

H. Staff Reports

- i. General Counsel Report – None
- ii. General Manager Report – None

13. **Future Agenda Items:**

- A. Community Revitalization & Design Standards for District Infrastructure (Tentative: May 14, 2015)
- B. Entry Gate Improvement Project Concept (Tentative: May 14, 2015)
- C. Mailboxes Project Concept (Tentative: May 14, 2015)
- D. ACCEPT FY 2013/14 Annual Financial Report (External Audit) as Prepared and Presented by Charles Z. Fedak & Company (Tentative: May 14, 2015)
- E. Refined Solar Project Proposal (Tentative: May 14, 2015)
- F. Mid-Year Budget Update (Tentative: May 14, 2015 or Special Work Session)
- G. Ordinance Code & Policy Updates re Board of Directors (Tentative: May 28, 2015)
- H. Entry Gate Improvement Project – Adopt Concept Plan (Tentative: June 11, 2015)
- I. Amendment to Cornerstone Engineering Agreement for Entry Gate Project (Tentative: June 11, 2015)
- J. FY 2015/16 Budget Development (Tentative: June 11, 2015 or Special Work Sessions)

The following were added by Mr. Edmonds:

- K. Update on Tehachapi Turf Lease
- L. Appointments to Committees (Tentative: May 28, 2015)
- M. Ordinance Amending District Code 7-4-6

14. The Board re-convened to Closed Session at 8:38 pm.

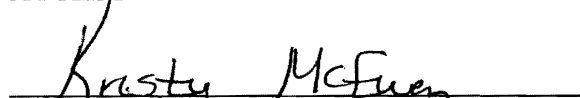
15. **Summary of Actions Taken During Closed Session**

- No reportable action

16. **Adjournment:** The meeting was adjourned at 9:20 pm. The next regularly scheduled meeting of the Board of Directors is May 14, 2015.

  
Charlene LaClaire, President

ATTEST

  
Kristy McEwen, Clerk of the Board