



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:	May 28, 2015
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 5:05 pm

2. Roll Call Attendance

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

- All Directors were in attendance. Also present were General Manager David Edmonds and General Counsel Don Davis. Arriving at 6:00 were Interim Police Chief Jeff Kermode and Clerk of the Board Kristy McEwen.

3. Closed Session

A. Public Official Appointment

Government Code Section 54957: Committee Volunteer Members:

1. Administration Committee
2. Communications Committee
3. Finance Committee
4. Infrastructure Committee
5. Public Safety Committee

4. Convene Open Session

- President LaClaire convened Open Session at 6:05 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

7. Pledge of Allegiance

- Interim Chief Kermode led the 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.

- Bob Bertram announced an upcoming “Smart Growth Tehachapi” meeting.
- Jim asked why no action has been taken since his initial comments to place a bond measure for water infrastructure on the ballot. Mr. Edmonds responded that no direction has been given by the Board with regard to pursuing a ballot measure, however that does not mean nothing is being done as infrastructure mapping is underway. Director Zanutto added that a \$40 million bond measure would increase taxes to property owners by \$600/year for 20 years – this does not include the cost of concurrent road replacement. Such increases could tax residents right out of the District.

9. Presentations

A. PRESENTATION of Refined Solar Proposal by HelioPower with AECOM (Mr. Edmonds & Mr. Davis)

- A presentation was given by Nick Weber of HelioPower. The Board and public asked questions of Mr. Weber and Danny Gold of AECOM
- Technical information will be distributed to the Board and the concept will be brought back at a subsequent meeting for adoption

10. Procedural Items:

A. APPOINT Citizen Volunteer Members to Various Committees by President of the Board of Directors (President LaClaire)

- President LaClaire made the following committee appointments:
 - Administration – Debra Greenwood
 - Finance – Jay Carlyn
 - Infrastructure – John Bryant, Matt VoVilla, Dennis Wesley
 - Public Safety – Robert Bertram, Bob Stephens, Butch Reyburn

11. 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

12. Public Hearings:

A. ADOPT Ordinance 15-241, an Urgency Ordinance of the Board of Directors of the Bear Valley Community Services District Amending Section 7-4-6(C) of Chapter 7-4 of the District Code Pertaining to Water Conservation Measures During Stage Three Drought Conditions (Mr. Davis)

- President LaClaire opened the Public Hearing at 8:04 pm
- Comments were made by: Jim Nelson, John Martin and Claude Kiser

- President LaClaire closed the Public Hearing at 8:12 pm
- Motion:** The Board of Directors ADOPT Ordinance 15-241, an Urgency Ordinance of the Board of Directors of the Bear Valley Community Services District Amending Section 7-4-6(C) of Chapter 7-4 of the District Code Pertaining to Water Conservation Measures During Stage Three Drought Conditions: Grace. Second: Baron
- Roll Call Vote:** AYE: Grace, Baron, Ritchie, Zanutto, LaClaire
 NO: None
 ABSTAIN: None
 ABSENT: None

13. Action Items:

- A. INTRODUCE Ordinance 15-242, an Ordinance of the Board of Directors of the Bear Valley Community Services District Amending and Restating Chapter 5 of Title 1 of the District Code Pertaining to the Board of Directors (Mr. Davis)
- After discussion, the Board instructed Mr. Davis to include the following revisions:
 - 1-5-5 – add ‘at district expense’
 - 1-5-9 – clarify for purposes of presentation or provide information
 - 1-5-10B(1) – change ‘no more than three’ to ‘up to three’
 - 1-5-10B(3) – clarify ‘each following’ odd numbered year
 - 1-5-10B(4) – change ‘will’ to ‘may’
 - 1-5-10B(5) – strike ‘without cause’
 - 1-5-10B(6) – strike ‘generally’
 - 1-5-10C(3) – strike ‘long term’
 - 1-5-10D(2) – add ‘to serve as chair and vice-chair’

Motion: The Board of Directors INTRODUCE Ordinance 15-242, an Ordinance of the Board of Directors of the Bear Valley Community Services District Amending and Restating Chapter 5 of Title 1 of the District Code Pertaining to the Board of Directors: Grace. Second: Zanutto

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

14. Information and Discussion Items:

- A. Community Clean-Up Day Report (Ms. McEwen)
- A staff report was provided by Ms. McEwen
- B. Board Inquiry – Audit Question/Clarification (Mr. Edmonds)
- A staff report and explanation was provided by Mr. Edmonds
- C. Board Inquiry – Contractor Water Sales Process (Mr. Edmonds)
- A staff report and explanation of the process was provided by Mr. Edmonds
- D. Board Comments
- Director Baron reported that California Department of Fish & Wildlife has determined that District lakes are a habitat and under their jurisdiction,

therefore permits are required for cattail and reed removal. She also reported that the Fresh water Mussel study has been completed.

- ii. Director Grace requested monthly financial statements and proposed that the District pursue a rate study for water and wastewater rates. Mr. Edmonds said that now the audit is finalized, financial reports will be forthcoming shortly. Mr. Davis offered to provide examples of rate studies to the Board.
- iii. Director Ritchie: None
- iv. Vice-President Zanutto thanked Director Baron for all her work and efforts related to the above mentioned issues. He reported on the TCCWD Board Meeting. He also asked about state mandated reimbursements and uncollectable accounts. Mr. Edmonds responded that fewer accounts are getting to the uncollectable stage due to stricter enforcement of payment and shut off policies.
- v. President LaClaire reported on the Fire Safe Council meeting.

E. Staff Reports

- i. General Counsel Report – Mr. Davis reported that work at High Country Park is complete. Additionally he attended a planning meeting, delivered a refund check to the Turcos and toured the Grinding Rocks Site. A review of the Grimmway lease is underway. As the District had received a ballot for the upcoming Bear Valley Springs Association election, Mr. Davis queried the Board on their pleasure. It was decided to return the ballot for quorum purposes only.
- ii. General Manager Report – Mr. Edmonds clarified the reason for the Turco refund.

15. Future Agenda Items:

- A. ADOPT Ordinance 15-242 of the Board of Directors of the Bear Valley Community Services District, Amending District Code Section 1-5: Board of Directors (Tentative: June 25, 2015)
 - B. Entry Gate Improvement Project – Adopt Concept Plan (Tentative: June 11, 2015 or June 25, 2015)
 - C. Amendment to Engineering Agreement for Entry Gate Project (Tentative: June 11, 2015 or June 25, 2015)
 - D. Mailbox Project – Adopt Concept Plan (Tentative: June 11, 2015 or June 25, 2015)
 - E. Mid-Year Budget Update (Special Work Session TBD)
 - F. FY 2015/16 Budget Development (Special Work Sessions TBD)
- Mr. Edmonds reviewed the above and added:**
- G. Adopt Solar Concept (Tentative: June 11, 2015)

16. Adjournment: The meeting was adjourned at 10:48 pm. The next regularly scheduled meeting of the Board of Directors is June 11, 2015.

Charlene LaClaire

Charlene LaClaire, President

ATTEST

Kristy McEwen

Kristy McEwen, Clerk of the Board