



BEAR VALLEY COMMUNITY SERVICES DISTRICT

28999 South Lower Valley Road • Tehachapi, CA 93561-7460
PHONE 661-821-4428 • FAX 661-821-0180

BEAR VALLEY COMMUNITY SERVICES DISTRICT REGULAR BOARD MEETING MINUTES

DATE OF MEETING: July 14, 2016
PLACE OPEN SESSION MEETINGS: 28999 South Lower Valley Road
TIME OF CLOSED SESSION: 4:00 pm
TIME OF OPEN SESSION MEETING: 6:00 pm

1. **Call to Order**

The meeting was called to order at 4:12 pm.

2. **Attendance – Roll Call**

President Rick Zanutto
Vice President Gil Grace
Director Jane Baron
Director Charlene LaClaire
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 Jeff Kermode and Secretary of the Board Kristy McEwen.

3. **Closed Session:**

- A. Conference with Legal Counsel:
Anticipated Litigation (1) case
Government Code Section 54956.9
 - No Reportable Action
- B. Public Employment:
Chief of Police
Government Code Section 54957
 - No Reportable Action

4. **Convene Open Session**

President Zanutto convened Open Session at 6:10 pm.

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

President Zanutto reported as above.

6. **Approval of Agenda – Roll Call**

The Agenda was approved unanimously by the Board.

7. Pledge of Allegiance

Director Baron 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.

- Laurie Betts, Donna Grier and Jim Nelson urged District action on Yellow Starthistle eradication efforts.
- Peter Balion addressed the Board on police conduct.
- Ginny Tunks addressed the Board requesting District help to notify residents of possible financial aid for the removal of dead trees. Notice will be included in the August 2016 Bear Tracks and on the District website.
- Frank Andrade addressed the Board on the police department and post office.

9. Consent Calendar

Consent items are considered routine and are intended to be acted upon in one motion, without discussion. During this portion of the meeting, the Consent Calendar will be read aloud. Prior to approval, the President will give the Board, staff, and public the opportunity to pull any item for discussion. The remaining Calendar will be acted upon. Any pulled items will then be heard and acted upon individually.

- A. APPROVE Minutes of the June 9, 2016 Regular Board Meeting
- B. APPROVE Minutes of the June 21 & 22, 2016 Special Board Meetings
- C. APPROVE Minutes of the June 23, 2016 Regular Board Meeting
- D. APPROVE Minutes of the June 30, 2016 Special Board Meeting
- E. ACCEPT Minutes of the April 26, 2016 Liaison Committee Meeting
- F. APPROVE Register of Warrants for June 2016

Motion: APPROVE Consent Calendar Items A – E: Baron. Second: Grace.

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

Item 9F was pulled by Directors LaClaire and Grace. Director LaClaire commented on legal costs. Director Grace requested clarification of Warrant #7524- Cornerstone Engineering and Customer Refund warrants.

Motion: APPROVE Consent Calendar Items F: LaClaire. Second: Grace.

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

10. 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

11. Action Items:

- A. Refinance General Obligation Bonds: ADOPT Resolution 16/17-1 Approving the Bear Valley Community Service District Improvement District No. 2 Taxable General Obligation Refunding Bonds and Authorizing the Execution of the Escrow Instructions and Such Other Documents as May Be Necessary to Close Escrow on the Refunding Bonds (Mr. Davis)

A staff report was presented by Mr. Davis.

Motion: The Board of Directors ADOPT Resolution 16/17-1 approving the Bear Valley Community Services District Improvement District No. 2 Taxable 2016 General Obligation Refunding Bonds: Grace. Second: LaClaire

Roll Call Vote:

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

Motion: The Board of Directors AUTHORIZE the Board President, Secretary, General Manager and General Counsel and their designees to execute the Escrow Instructions and such other documents as may be necessary to issue the Bear Valley Community Services District Improvement District No. 2 Taxable 2016 General Obligation Refunding Bonds: LaClaire. Second: Baron

Roll Call Vote:

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

- B. Solar Project: ADOPT Resolution 16/17-2 and APPROVE a Solar Facility Ground Lease with HmU Holdings, LLC for the Construction and Operation of a Solar Energy Project (Mr. Davis)

A staff report was presented. Discussion and public comment followed.

Motion: The Board of Directors ADOPT Resolution 16/17-2 and APPROVE a Solar Facility Ground Lease with HmU Holdings, LLC for the Construction and Operation of a Solar Energy Project: Grace. Second: LaClaire.

Roll Call Vote:

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

- C. DIRECT Staff to Initiate Closure of the Contract Postal Unit (Mr. Edmonds)
A staff report was presented. Board discussion followed.
Public Comments: Elizabeth Holtschneider spoke on customer service.

Motion: The Board of Directors DIRECT Staff to Initiate Closure of the Contract Postal Unit as of January 1, 2017: Grace. Second: Ritchie

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

- D. APPROVE Employment Agreement with Jeffery J. Kermode, Public Safety Director/Chief of Police (Mr. Edmonds & Mr. Davis)
A staff report was presented. The Board of Directors and many members of the public expressed their gratitude and appreciation for Chief Kermode's service to the community.

Motion: The Board of Directors APPROVE Employment Agreement with Jeffery J. Kermode, Public Safety Director/Chief of Police pending Legal Review and Revision: Ritchie. Second: Grace

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

- E. SCHEDULE Special Meeting for Award of Contract for Road Rehabilitation Project and Fiscal Year 2016/17 Final Budget Development (Mr. Edmonds)
A staff report was presented. Board discussion followed.

Motion: The Board of Directors SCHEDULE a Special Meeting for Award of Contract for Road Rehabilitation Project and Fiscal Year 2016/17 Final Budget Development at 1:00 pm on July 20, 2016: Grace. Second: Baron

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

12. Information and Discussion Items:

- A. Bear Valley & Cumberland Road Rehabilitation Project (Mr. Edmonds) – Mr. Edmonds reported that bid opening for the Project would take place on July 15, 2016. Board action is necessary to award the bid.
- B. Deer Fire (Mr. Edmonds & Chief Kermode) – Chief Kermode and Mr. Edmonds reported on various aspects of the Deer Fire and its containment. Extended discussion followed.
- C. Town Hall – August Meeting (Mr. Edmonds) – After discussion of likely topics and plans already underway, the Board by consensus opted to defer hosting of the August 17 Town Hall meeting to the Tehachapi Fire Safe Council.

D. Recruitment Update (Mr. Edmonds) – An update was given to the Board, as provided in the Board Package.

E. Committee Reports

i. Standing Committees

1. Administration Committee
 - No June Meeting
2. Communications Committee
 - No June Meeting
3. Finance Committee
 - No June Meeting
4. Infrastructure Committee – July 12, 2016
 - Director Baron reported on the July 12 meeting.
5. Public Safety Committee
 - No June Meeting
6. Liaison Committee – June 28, 2016
 - Directors Grace and Zanutto reported on the June 28 meeting.

ii. Other Appointments

1. Water Availability & Preservation Committee – July 14, 2016
 - Directors Grace and Zanutto reported on the July 14 meeting.
2. Cummings Basin Stakeholder Group – June 23, 2016
 - Committee has not yet met.
3. Greater Tehachapi Fire Safe Council – July 13, 2016
 - Director LaClaire reported on the July 13 meeting.

F. Board Comments

- i. Director Baron: None
- ii. Director LaClaire: None
- iii. Director Ritchie: None
- iv. Vice-President Grace: None
- v. President Zanutto suggested the Board consider forming an ad hoc committee on forest problems and options in the upper elevations. This will return as a discussion item at a future Board meeting.

G. Staff Reports

i. Department Head Reports

1. Finance Report – Mr. Edmonds reviewed Period 9 financial reports.
2. Public Works Report – Mr. Edmonds reviewed the Public Works report as submitted in the Board Package.
3. Public Safety Report – Chief Kermode reviewed the Public Safety report as submitted in the Board Package.

ii. General Counsel Report – Mr. Davis had nothing further.

iii. General Manager Report – Mr. Edmonds reported that SDRMA, the District's insurance carrier, has reversed its decision to cover the repairs on Goldspike Road and the cost must be paid from the Water Enterprise Fund.

- H. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)
A staff report was presented.

13. Future Agenda Items:

- A. Bear Valley & Cumberland Roads Rehabilitation Project – Award Contract (See Item 10.D)
- B. Resolution to Collect Delinquent Accounts for Water, Sewer, and Refuse Services via the Tax Roll (July 28)
- C. Review of Lobbyist Contract (Tentative July 28)
- D. Resolution(s) Thanking Various Fire Protection Agencies for Assistance with the Deer Fire (Tentative July 28 or August 11)
- E. FY 2016/17 Final Budget (Various Study Sessions TBD; Adopt Final Budget August 25)
Mr. Edmonds reviewed the above and added:
- F. Agreement for FY 2015/16 Audit.
- G. Review of Lobbyist Contract
- H. Discussion Item: Ad hoc committee
- I. Staff Introductions.

14. **Adjournment:** The meeting was adjourned at 11:17 pm. The next regularly scheduled meeting of the Board of Directors is July 28, 2016.
See Item 10.E for scheduling of Special Meeting.


Richard Zanutto, President of the Board

ATTEST


Kristy McEwen, Secretary of the Board