



## **BEAR VALLEY COMMUNITY SERVICES DISTRICT**

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28999 South Lower Valley Road • Tehachapi, CA 93561-7460  
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### **REGULAR BOARD MEETING MINUTES**

DATE OF MEETING: April 12, 2018  
PLACE OPEN & CLOSED SESSION MEETINGS: 28999 South Lower Valley Road  
TIME OF CLOSED SESSION MEETING: Following Open Session  
TIME OF OPEN SESSION MEETING: 6:00 pm

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1. **Call to Order**

The meeting was called to order at 6:04 pm.

2. **Attendance**

All Directors were in attendance. Also present were General Manager David Edmonds, General Counsel Don Davis, Chief of Police Tim Melanson and Secretary of the Board Kristy McEwen.

3. **Approval of Agenda**

The Agenda was approved unanimously by the Board.

4. **Pledge of Allegiance**

5. **Staff Introduction** – Chief of Police

Mr. Edmonds introduced Chief Melanson. He was welcomed by the community and the Board of Directors.

A. Oath of Office – Ms. McEwen administered the Oath of Office

B. Badge Pinning Ceremony – Angie Melanson had the honor of pinning the badge.

6. **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.

- Ed and Karen Duvall encouraged the Board and District approve their request to erect a fence through a drainage/equestrian easement at the rear of their property. The item will return for discussion at a future Board meeting.

7. **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 March 8, 2018 Regular Board Meeting
- B. APPROVE Minutes of the March 22, 2018 Regular Board Meeting
- C. ACCEPT Minutes from the February 6, 2018 Communications Committee Meeting
- D. ACCEPT Minutes from the February 8, 2018 Finance Committee Meeting
- E. ACCEPT Minutes from the February 13, 2018 Infrastructure Committee Meeting
- F. ACCEPT Minutes from the February 21, 2018 Public Safety Committee Meeting
- G. APPROVE Register of Warrants for March 2018.

**Motion:** APPROVE Consent Calendar Items A – G: Grace. Second: Roberts.

**Roll Call Vote:**

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

#### 8. 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

#### 9. Action Items:

##### A. Board of Directors Vacancy (Mr. Edmonds & Mr. Davis)

Names were drawn at random and the following candidates were allowed five minutes to address the Board:

Ken Ames, D. Wayne Berman, Gregory Hahn, Peter Pollock, Terry Quinn, Beverly Smith.

Stan Teliczan withdrew prior to the meeting.

Norwin Huckabay and James Panek were not present.

After candidates answered questions from the Board and a period of public comment, the floor was opened for nominations.

- i. APPOINT a Member to the Board of Directors for the Term Ending December, 2018

**Motion:** NOMINATE Gregory Hahn to the Board of Directors for the Term Ending December 2018: Baron. Second: Roberts

**Roll Call Vote:**

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

- ii. ADOPT Resolution 17/18-23 Confirming the Appointment

**Motion:** The Board of Directors ADOPT Resolution 17/18-23 Confirming the Appointment of Gregory Hahn: Carlyn. Second: Grace

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

- iii. Oath of Office – Ms. McEwen administered the Oath of Office
- iv. Introductory Comments by Director Hahn

- B. ADOPT Ordinance No. 18-248 Amending Chapter 2 (Signs) of Title 6 (Public Ways and Property) of the District and Making Other Conforming Amendments. (Mr. Davis)

A staff report was presented.

**Motion:** The Board of Directors ADOPT Ordinance No. 18-248 Amending Chapter 2 (Signs) of Title 6 (Public Ways and Property) of the District and Making Other Conforming Amendments: Roberts. Second: Carlyn

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

- C. ADOPT Resolution No. 17/18-24 Amending the Policy Regarding the Use of the Gate Area Changeable Copy Sign (Mr. Davis)

A staff report was presented. The Board requested an amendment to the policy to include a 5-day response time.

**Motion:** The Board of Directors ADOPT Resolution No. 17/18-24 Amending the Policy Regarding the Use of the Gate Area Changeable Copy Sign as amended: Roberts. Second: Baron

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

- D. ADOPT Resolution No. 17/18-25 Claiming Small Individual Funds of Under Fifteen Dollars Each that have been Unclaimed for Over One Year and Ordering the Transfer of Such Funds to the General Fund (Mr. Davis)

A staff report was presented.

**Motion:** The Board of Directors ADOPT Resolution No. 17/18-25 Claiming Small Individual Funds of Under Fifteen Dollars Each that have been Unclaimed for Over One Year and Ordering the Transfer of Such Funds to the General Fund: Grace. Second: Baron

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

E. APPOINT Citizen Volunteer to the Public Safety Committee (Ms. McEwen)

**Motion:** The Board of Directors APPOINT Michael Gruett to serve on the Public Safety Committee until March 2019 or until a successor is named: Roberts. Second: Hahn

**Roll Call Vote:**

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

**10. Procedural Items:**

- A. Committee Assignments by President of the Board of Directors (Ms. McEwen)  
President Grace made the following Committee assignments:
- Public Safety – Director Hahn, Vice-chair
  - Finance – Director Hahn, Vice-chair

**11. Information and Discussion Items:**

A. March Committee Reports

- i. Administration Committee – Director Carlyn reported on the March 8, 2018 meeting
- ii. Communications Committee – Director Roberts reported on the March 6, 2018 meeting
- iii. Finance Committee – Director Carlyn reported on the March 8, 2018 meeting
- iv. Infrastructure Committee – Director Baron reported on the March 13, 2018 meeting
- v. Liaison Committee – No March Meeting
- vi. Public Safety Committee – Director Roberts reported on the March 21, 2018 meeting

B. Board Comments

- i. Director Carlyn thanked the Volunteers in Police Service for helping to transport new Police vehicles and he asked on the progress of Bear Valley & Cumberland Roads Rehabilitation.
- ii. Director Roberts: None
- iii. Director Hahn: None
- iv. Vice-President Baron: None
- v. President Grace: None

C. Staff Reports

i. Department Head Reports

1. Finance Report – Mr. Edmonds reviewed Period 7 Financial Reports as submitted in the Board Package.
2. Public Works Report – Mr. Edmonds reviewed the report as submitted in the Board Package.
3. Public Safety Report – Chief Melanson reviewed the report as submitted in the Board Package.

ii. General Counsel Report – Mr. Davis reported on the progress to date on the recovery of Jacaranda guardrail replacement expenditures. He also recommended the District pursue an Administrative Citation Ordinance. He was requested to bring back a Draft Ordinance for Board Review.

iii. General Manager Report – Mr. Edmonds had nothing further.

D. Media / Public Outreach / Communications / Correspondence (Ms. McEwen)

A staff report was presented, with clarifications and corrections as submitted in the Board Package.

## 12. Future Agenda Items:

- A. Staff Introduction – Administrative Services Director (April 26, 2018)
- B. Status Update on Phase I of the Water, Wastewater and Solid Waste Capital Replacement Plans by Willdan Engineering (April 26, 2018)
- C. Professional Services Agreement for Water, Wastewater and Solid Waste Capital Replacement Plans: Phase II (April 26, 2018)
- D. Professional Services Agreement for Solid Waste Transfer Station Reconfiguration (April 26, 2018)
- E. Professional Services Agreement for Installation of New Server & IT Equipment
- F. Multiple Facilities Tours (Tentative Spring 2018)  
Mr. Edmonds reviewed the above and added:
- G. Duvall Fencing Encroachment Request
- H. Draft Administrative Citation Ordinance

## 13. Closed Session

A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

*Government Code Section 54956.9(d)(1)*

Laura Hutchinson v. Bear Valley Community Services District et al., United States District Court, Eastern District of California, Case No. 1:15 - CV- 01047- JLT

- No Reportable Action

B. Conference with Real Property Negotiators

*Government Code Section 54956.9*

Property: Various Recreational Amenities

Agency Negotiator: General Manager and General Counsel

Negotiating Parties: Bear Valley Springs Association

Under negotiation: Price and Terms of Lease

- No Reportable Action

C. Public Employment

*Government Code Section 54957*

Title: General Manager

- No Reportable Action

## 14. Convene Open Session

Open Session was reconvened at 11:47 pm.

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

Mr. Davis reported as above.

16. **Adjournment:** The meeting was adjourned at 11:48 pm. The next regularly scheduled meeting of the Board of Directors is April 26, 2018.

  
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Gil Grace, President of the Board

ATTEST

  
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Kristy McEwen, Secretary of the Board

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