BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

REGULAR BOARD MEETING AGENDA

DATE OF MEETING:	June 28, 2018
PLACE OPEN & CLOSED SESSION MEETINGS:	28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING:	4:30 pm
TIME OF OPEN SESSION MEETING:	6:00 pm

1. **Call to Order**

2. **Attendance**

3. **Closed Session**
   A. Conference with Legal Counsel - Anticipated Litigation
   Government Code Section 54956.9(d)(2): (two) potential matters

   B. Public Employment
   Government Code Section 54957
   Title: Public Works Director

   C. Public Employment
   Government Code Section 54957
   Title: General Manager

4. **Convene Open Session**

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

6. **Approval of Agenda**

7. **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.

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.

10. **Action Items:**

A. ADOPT Resolution 17/18-27 and APPROVE the Water Enterprise Fund (Fund 42) Mid-Year Budget Update for Fiscal Year 2017/18.

B. ADOPT Resolution 17/18-28 and APPROVE the Post Office Enterprise Fund (Fund 41) Mid-Year Budget Update for Fiscal Year 2017/18.

C. ADOPT Resolution 17/18-29 and APPROVE the COPS Grant Fund (Fund 68) Mid-Year Budget Update for Fiscal Year 2017/18.

D. ADOPT Resolution 17/18-30 and ESTABLISH the Appropriations Limit for Fiscal Year 2018/19.

E. ADOPT Resolution 17/18-31 and APPROVE the General Fund (Fund 40) Preliminary Budget for Fiscal Year 2018/19.

F. ADOPT Resolution 17/18-32 and APPROVE the Parks & Recreation (Fund 45) Preliminary Budget for Fiscal Year 2018/19.

G. ADOPT Resolution 17/18-33 and APPROVE the Roads Special Revenue Fund (Fund 48) and Roads Reserve Fund (Fund 73) Preliminary Budgets for Fiscal Year 2018/19.

H. ADOPT Resolution 17/18-34 and APPROVE the Water Enterprise (Fund 42), Water Development (Fund 60), Water Bond Redemption (Fund 64), and Water Reserve (Fund 70) Preliminary Budgets for Fiscal Year 2018/19.

I. ADOPT Resolution 17/18-35 and APPROVE the Wastewater Enterprise (Fund 43), Wastewater Development (Fund 61), and Wastewater Reserve (Fund 69) Preliminary Budgets for Fiscal Year 2018/19.

J. ADOPT Resolution 17/18-36 and APPROVE the Solid Waste Enterprise (Fund 49) and Solid Waste Reserve (Fund 71) Preliminary Budgets for Fiscal Year 2018/19.

K. ADOPT Resolution 17/18-37 and APPROVE the Citizen's Option for Public Safety (COPS) Grant (Fund 68) Preliminary Budget for Fiscal Year 2018/19.

L. ADOPT Resolution 17/18-38 and APPROVE the Public Safety Realignment (AB109) Fund (Fund 30) Preliminary Budget for Fiscal Year 2018/19

M. APPROVE Employment Agreement with Jeffery J. Kermode asInterim Assistant General Manager (Mr. Davis)

11. **Information and Discussion Items:**
    A. November 2018 Consolidated Election (Ms. McEwen)
    B. Board Comments
        i. Director Carlyn
        ii. Director Hahn
        iii. Director Roberts
        iv. Vice-President Baron
        v. President Grace
    C. Staff Comments
        i. Administrative Services
        ii. Chief of Police
        i. General Counsel
        ii. General Manager

12. **Future Agenda Items:**
    A. Professional Services Agreement for a Full-Service Well Asset Management Program for Cummings Valley Wells CV1 and CV2 (Tentative: July 12, 2018)
    B. Professional Services Agreement for Water, Wastewater and Solid Waste Capital Replacement Plans: Phase II
    C. Professional Services Agreement for IT Support
    D. Professional Services Agreement for Solid Waste Transfer Station Reconfiguration with Willdan Engineering

13. **Adjournment:** The next regularly scheduled meeting of the Board of Directors is July 12, 2018.

INFORMATION REGARDING AGENDA ITEMS: Copies of the staff reports and other disclosable public records related to each open session item of business referred to on the agenda are on file in the office of the District Secretary and are available for public information during regular business hours. Any person who has a question concerning any of the agenda items may call the District Secretary at 661.821.4428.

ADA Compliance Statement: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District Secretary to the Board of Directors, Kristy McEwen, at 661.821.4428. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Signed, June 25, 2018

_____

Kristy McEwen, Secretary of the Board

STAFF REPORT

AGENDA ITEM #10A-C
Mid-Year Budget Updates

MEETING DATE: June 28, 2018

PREPARED BY: Kristy McEwen
Secretary of the Board of Directors

AGENDA TITLE: ADOPT Resolution 17/18-27 and APPROVE the Water Enterprise Fund (Fund 42) Mid-Year Budget Update for Fiscal Year 2017/18.

ADOPT Resolution 17/18-28 and APPROVE the Post Office Enterprise Fund (Fund 41) Mid-Year Budget Update for Fiscal Year 2017/18.

ADOPT Resolution 17/18-29 and APPROVE the COPS Grant (Fund 68) Mid-Year Budget Update for Fiscal Year 2017/18.

RECOMMENDATION

The Board of Directors adopt Resolutions approving Mid-Year Budget Updates for the Water Enterprise Fund (Fund 42), Post Office Enterprise Fund (Fund 41), and COPS Grant (Fund 68).

BACKGROUND

Generally Accepted Accounting Principles dictate that budget expenditures are divided into distinct categories of: Salaries & Benefits, Services & Supplies, Debt Servicing, Capital Outlay, Expenditure Transfers, Transfers to Other Funds, and Contingencies.

If expenditures or transfers in any of the above categories exceed the amount originally approved by the Board of Directors, a Mid-Year Budget Update is required.

ANALYSIS

Item #10A – The original loan for capital improvements and increased system capacity was recorded with the Water Development Fund and Water Enterprise Funds sharing the liability. While this has been accurately reflected in the District's financial statements, the debt has not been consistently budgeted to reflect the liability in both funds.

A Mid-Year Budget Update is recommended for the Water Enterprise Fund (Fund 42).

Item #10B – Additional State Unemployment Claims related to the December 31, 2016 closure of the Contract Postal Unit resulted in expenditures above the budgeted amount in the Salaries & Benefits category.

A Mid-Year Budget Update is recommended for the Post Office Enterprise Fund (Fund 41).

Item #10C – Higher than anticipated revenues for FY 2017/18 were applied to Police overtime expense, resulting in expenditures above the budgeted amount in the Salaries & Benefits category.

A Mid-Year Budget Update is recommended for the COPS Grant Fund (Fund 68).

FISCAL IMPACT

The above budgets will be adjusted accordingly.

RECOMMENDED MOTION

Item #10A: "I move the Board of Directors ADOPT Resolution 17/18-27 and APPROVE the Water Enterprise Fund (Fund 42) Mid-Year Budget Update for Fiscal Year 2017/18."

Item # 10B: "I move the Board of Directors ADOPT Resolution 17/18-28 and APPROVE the Post Office Enterprise Fund (Fund 41) Mid-Year Budget Update for Fiscal Year 2017/18."

Item # 10C: "I move the Board of Directors ADOPT Resolution 17/18-29 and APPROVE the COPS Grant Fund (Fund 68) Mid-Year Budget Update for Fiscal Year 2017/18."

Attachments:
Draft Resolution 17/18-27
Draft Resolution 17/18-28
Draft Resolution 17/18-29

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-27

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE WATER ENTERPRISE FUND (Fund 42) MID-YEAR BUDGET UPDATE FOR FISCAL YEAR 2017/18

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, in accordance with Government Code 61110, the Board of Directors of Bear Valley Community Services District adopted a Final Budget for Fiscal Year 2017/18 on August 24, 2017;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2017/18;

WHEREAS, the Board of Directors desires to amend the Final Budget;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Water Enterprise Fund Final Budget for Fiscal Year 2017/18 is hereby amended in accordance with the following:

Water Enterprise Fund (Fund 42)

1.	Salaries & Benefits	$	0
2.	Services & Supplies	$	0
3.	Debt Servicing	$	62,868
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to Other Funds	$	0
7.	Contingencies	$	0
8.	Fund Balance Available	$	0

TOTAL BUDGET REQUIREMENTS $62,868

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Gil Grace, President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-27 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____

Kristy McEwen,
Secretary of the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-28

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE POST OFFICE ENTERPRISE FUND (Fund 41) MID-YEAR BUDGET UPDATE FOR FISCAL YEAR 2017/18

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, in accordance with Government Code 61110, the Board of Directors of Bear Valley Community Services District adopted a Final Budget for Fiscal Year 2017/18 on August 24, 2017;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2017/18;

WHEREAS, the Board of Directors desires to amend the Final Budget;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Post Office Enterprise Fund Final Budget for Fiscal Year 2017/18 is hereby amended in accordance with the following:

Post Office Enterprise Fund (Fund 41)

1.	Salaries & Benefits	$	1,200
2.	Services & Supplies	$	0
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to Other Funds	$	0
7.	Contingencies	$	0
8.	Fund Balance Available	$	0

TOTAL BUDGET REQUIREMENTS $ 1,200

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Gil Grace, President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-28 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____

Kristy McEwen,
Secretary of the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-29

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE THE CITIZEN'S OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUND (Fund 68) MID-YEAR BUDGET UPDATE FOR FISCAL YEAR 2017/18

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, in accordance with Government Code 61110, the Board of Directors of Bear Valley Community Services District adopted a Final Budget for Fiscal Year 2017/18 on August 24, 2017;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2017/18;

WHEREAS, the Board of Directors desires to amend the Final Budget;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the COPS Grant Fund Final Budget for Fiscal Year 2017/18 is hereby amended in accordance with the following:

COPS Grant Fund (Fund 68)

1.	Salaries & Benefits	$	141,900
2.	Services & Supplies	$	0
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to Other Funds	$	0
7.	Contingencies	$	0
8.	Fund Balance Available	$	0

TOTAL BUDGET REQUIREMENTS $ 141,900

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Gil Grace, President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-29 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____

Kristy McEwen,
Secretary of the Board of Directors

DRAFT

STAFF REPORT

AGENDA ITEM #10D
Appropriations Limit

MEETING DATE: June 28, 2018

PREPARED BY: Kristy McEwen
Secretary of the Board of Directors

AGENDA TITLE: ADOPT Resolution 17/18-30 and ESTABLISH the Appropriations Limit for Fiscal Year 2018/19.

RECOMMENDATION

The Board of Directors Adopt Resolution 17/18-30 and establish the Appropriations Limit for Fiscal Year 2018/19.

BACKGROUND

Adoption of the appropriation limit occurs annually, as required by the State Constitution, Article XIIIB (as amended) and Government Code Section 7910. Generally, with certain exceptions, exclusions and qualifications, the Gann Limit restricts the amount of 'proceeds of taxes' revenues that the District may appropriate.

In November, 1979, the voters of the State of California approved Proposition 4, commonly known as the Gann Initiative. The Proposition created Article XIIIB of the State Constitution placing limits on the amount of revenue which can be spent by all entities of government. Prop 4 became effective for the 1980/81 fiscal year, but the formula for calculating the limits was based on the 1978/79 "base year" revenues. In June 1990, the voters approved Prop 111, which provided adjustment formulas for local agencies to utilize in adjusting their annual Appropriations Limit. Prop. 111 required an annual review of Limit calculations. The Appropriations Limitations imposed by Propositions 4 and 111 creates a restriction on the amount of revenue which may be appropriated in any fiscal year. The Limit is based on actual appropriations during the 1978/79 fiscal year and is increased each year using the growth of population and inflation. Not all revenues are restricted by the Limit, only those which are referred to as "proceeds of taxes." Specific to Bear Valley, this applies to property taxes and the General Fund.

ANALYSIS

The annual adjustment is derived using population and per-capita personal income inflation factors provided by the State of California Department of Finance. This factor is applied to the prior year's Appropriations Limit to calculate the current year's limit. The per-capita personal income inflation factor provided is 3.67%. The population growth factor provided for Kern County is 1.07%.

STAFF REPORT

AGENDA ITEM #10D
Appropriations Limit

The following formula was used to derive a calculation factor for FY 2018/19 of 1.0478

Per capita cost of living inflation factor:	1.0367	
Population growth factor:	x 1.0107	
Calculation Factor for FY 2017/18:	1.0478	

Appropriations Limit FY 2017/18	x	1.0478	=	Appropriations Limit FY 2018/19
$9,398,960				$9,848,230

FISCAL IMPACT

None, as the District is well below the calculated Appropriations Limit. Fiscal Year 2018/19 property tax revenues are estimated at $1,712,613

RECOMMENDED MOTION

"I move the Board of Directors ADOPT Resolution 17/18-30 and ESTABLISH the Appropriations Limit as calculated above at $9,848,230 for Fiscal Year 2018/19."

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION NO. 17/18-30

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ESTABLISHING THE FISCAL YEAR 2018/19 APPROPRIATION LIMIT

The Board of Directors of the Bear Valley Community Services District resolves as follows:

Section 1. **Findings.** The Board finds as follows:

A. Under Article XIII B of the California Constitution, Division 9 of the Government Code (commencing with Section 7900, and Government Code section 61113 of the Community Services District Law (collectively, the "Appropriations Limit Law"), the district is required to establish an annual fiscal year appropriations limit commonly known as the "Gann Limit."

B. The Bear Valley Community Services District ("District") has established in accordance with these requirements its Fiscal Year 1978/79 appropriation as its base year for determining its appropriations limit.

C. The Appropriations Limit Law permits the District to increase annually its previous base year appropriation by the factor calculated from the average percentage change in the California Per Capita Personal Income and the certified percentage increase in the county's population, each as determined by the State of California, Department of Finance, for the District's Fiscal Year 2018/19.

D. According to the Department of Finance, the percentage change in the Per Capita Personal Income is 3.67%, and the increase in population is 1.07%.

E. Based on the above data, the factor used to calculate the Fiscal Year 2018/19 appropriations limit is 1.0478.

F. The Fiscal Year 2017/18 appropriations limit for Bear Valley Community Services District was $9,398,960. When multiplied by the allowed factor, the Fiscal Year 2018/19 appropriations limit is set at $9,848,230.

G. The documentation used to determine the appropriations limit is available to the public in the District Secretary's Office.

Section 2. Establishment of Fiscal Year 2018/19 Appropriations Limit. The Board of Directors establishes the amount of $9,848,230 as the District's Fiscal Year 2018/19 appropriations limit.

DRAFT

PASSED, APPROVED and ADOPTED on June 28, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____

Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-30 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____

Kristy McEwen,
Secretary to the Board of Directors

DRAFT

DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

EDMUND G. BROWN JR. ▪ GOVERNOR
STATE CAPITOL ■ ROOM 1145 ■ SACRAMENTO CA ■ 95814-4998 ■ WWW.DOF.CA.GOV

May 2018

Dear Fiscal Officer:

Subject: Price Factor and Population Information

Appropriations Limit
California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2018, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2018-19. Attachment A provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2018-19 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts
Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. The code section and the California Constitution can be accessed at the following website: http://leginfo.legislature.ca.gov/faces/codes.xhtml.

Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification
The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2018**.

Please Note: The prior year's city population estimates may be revised.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

MICHAEL COHEN
Director
By:

AMY M. COSTA
Chief Deputy Director

Attachment

May 2018

Attachment A

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost of living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2018-19 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2018-19	3.67

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2018-19 appropriation limit.

2018-19:

Per Capita Cost of Living Change = 3.67 percent
Population Change = 0.78 percent

Per Capita Cost of Living converted to a ratio: $\frac{3.67 + 100}{100} = 1.0367$

Population converted to a ratio: $\frac{0.78 + 100}{100} = 1.0078$

Calculation of factor for FY 2018-19: 1.0367 x 1.0078 = 1.0448

Fiscal Year 2018-19

Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2017 to January 1, 2018 and Total Population, January 1, 2018

County City	Percent Change 2017-2018	--- Population Minus Exclusions --- 1-1-17	 1-1-18	Total Population 1-1-2018
Kern				
Arvin	1.80	21,312	21,696	21,696
Bakersfield	1.12	382,570	386,839	386,839
California City	-0.36	12,462	12,417	14,875
Delano	1.07	44,209	44,680	53,276
Maricopa	2.21	1,131	1,156	1,156
McFarland	1.62	13,230	13,444	15,105
Ridgecrest	1.37	27,688	28,066	28,822
Shafter	3.98	17,937	18,650	19,271
Taft	0.82	6,706	6,761	9,482
Tehachapi	2.05	8,627	8,804	12,299
Wasco	2.36	22,177	22,700	27,691
Unincorporated	0.70	310,418	312,576	315,289
County Total	1.07	868,467	877,789	905,801

*Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

STAFF REPORT

AGENDA ITEM #10E – 10L
Preliminary Budget 2018/19

MEETING DATE: June 28, 2018

PREPARED BY: Kristy McEwen
Secretary of the Board of Directors

AGENDA TITLE: ADOPT Resolutions 17/18-31 through 17/18-38 and APPROVE Preliminary Budgets for Fiscal Year 2018/19: General Fund, Parks & Recreation Fund, Roads Special Revenue & Reserve Funds, Various Water Funds, Various Wastewater Funds, Various Solid Waste Funds, Citizen's Option for Public Safety Fund, and Public Safety Realignment Funds

---

RECOMMENDATION

The Board of Directors adopt the Resolutions and approve the eight (8) Preliminary Budget Resolutions for Bear Valley Community Services District for Fiscal Year 2018/19.

BACKGROUND

California Government Code Section 61110 stipulates the budget timelines and procedures to be followed by Special Districts. The pertinent dates are:

July 1 – 61110(c) "On or before July 1 of each year…the board of directors shall publish a notice stating all of the following:

(1) Either that it has adopted a preliminary budget or that the general manager has prepared a proposed final budget which is available for inspection at a time and place within the district specified in the notice.

(2) The date, time, and place when the board of directors will meet to adopt the final budget and that any person may appear and be heard regarding any item in the budget or regarding the addition of other items.

September 1 – 61110(f) "On or before September 1 of each year the board of directors shall adopt a final budget that conforms to generally accepted accounting and budgeting procedures for special districts. The general manager shall forward a copy of the final budget to the auditor of each county in which the district is located."

To meet these timing mandates, Staff proposed the following timeline:

Preliminary Budget Study Session was held on Monday, June 25, 2018

Public Hearing and Adoption of Final Budget
Thursday, August 23, 2018, Regular Board Meeting

ANALYSIS

The Budget Study Session has been held, providing Staff and the Board an opportunity to discuss methodology, concerns and priorities prior to adoption of the various preliminary budgets.

STAFF REPORT

AGENDA ITEM #10E – 10L
Preliminary Budget 2018/19

The emphasis of FY 2018/19 will be to assure the sustainability of all District funds, with an emphasis on the various enterprise funds. This includes comprehensive Capital Replacement Plans and Rate Studies for the Water, Wastewater and Solid Waste utilities, which are imperative to ensure the funds remain solvent and have the resources to continue to provide services.

The purpose of the Preliminary Budgets is to provide the public, staff and Board of Directors ample time for review prior to the adoption of the Final Budget. As the Preliminary Budget is prepared prior to the June 30 close of the fiscal year, it includes projected revenues and costs rather than actual amounts. Adjustments will be made as actual expenses and revenues for the balance of the fiscal year are processed and will be reflected in the FY 2018/19 Final Budgets.

FISCAL IMPACT
Preliminary expenditure plans will be set for the coming year.

RECOMMENDED MOTIONS

#10E "I move the Board of Directors ADOPT Resolution 17/18-31 and APPROVE the General Fund (Fund 40) Preliminary Budget for Fiscal Year 2018/19."

#10F "I move the Board of Directors ADOPT Resolution 17/18-32 and APPROVE the Parks & Recreation Fund (Fund 45) Preliminary Budget for Fiscal Year 2018/19."

#10G "I move the Board of Directors ADOPT Resolution 17/18-33 and APPROVE the Roads Special Revenue Fund (Fund 48) and Roads Reserve Fund (Fund 73) Preliminary Budgets for Fiscal Year 2018/19."

#10H "I move the Board of Directors ADOPT Resolution 17/18-34 and APPROVE the Water Enterprise (Fund 42), Water Development (Fund 60), Water Bond Redemption (Fund 64), and Water Reserve (Fund 70) Preliminary Budgets for Fiscal Year 2018/19."

#10I "I move the Board of Directors ADOPT Resolution 17/18-35 and APPROVE the Wastewater Enterprise (Fund 43), Wastewater Development (Fund 61), Wastewater Bond AD95-1 Fund (Fund 67) and Wastewater Reserve (Fund 69) Preliminary Budgets for Fiscal Year 2018/19."

#10J "I move the Board of Directors ADOPT Resolution 17/18-36 and APPROVE the Solid Waste Enterprise (Fund 49) and Solid Waste Reserve (Fund 71) Preliminary Budgets for Fiscal Year 2018/19."

#10K "I move the Board of Directors ADOPT Resolution 17/18-37 and APPROVE the Citizen's Option for Public Safety (COPS Grant) Fund (Fund 68) Preliminary Budget for Fiscal Year 2018/19."

#10L "I move the Board of Directors ADOPT Resolution 17/18-38 and APPROVE the Public Safety Realignment Fund (Fund 30) Preliminary Budget for Fiscal Year 2018/19."

STAFF REPORT

AGENDA ITEM #10E – 10L
Preliminary Budget 2018/19

Attachments:
Draft Resolutions 17/18-31 through 17/18-38
FY 2018/19 DRAFT Personnel Allocation
FY 2018/19 DRAFT Full-Time Salary Scale
FY 2018/19 DRAFT Part-Time Salary Scale

DRAFT Personnel Allocation *DRAFT*

Fiscal Year 2018/19

The Fiscal Year 2018/19 Preliminary Budgets were prepared with the following personnel allocation:

Full-Time:

Administration	Quantity	Months	Quantity	Months	Quantity	Months
Full-Time						
General Manager	1	12				
Assistant to the General Manager	1	12				
Administrative Services Director	1	12				
Accountant II	1	12				
Administrative Assistant	1	12				

Public Safety	Quantity	Months	Quantity	Months	Quantity	Months
Chief of Police	1	12				
Police						
Sergeant	1	12				
Police Officer I-III	2	12	2	10		
Administrative Analyst	1	12				
Entry Gate						
Gate Pass Coordinator	1	12				

Public Works	Quantity	Months	Quantity	Months	Quantity	Months
Public Works Director	1	12				
Administrative Assistant	1	12				
General Services						
General Services Supervisor	1	10				
Maintenance Worker I-II	4	12				
Roads						
Roads Supervisor	1	10				
Roads Crew Lead	1	12				
Maintenance Worker I-II	2	12	2	10		
Wastewater						
Wastewater Supervisor	1	12				
Wastewater Operators II-V	2	12				
Water						
Water Supervisor	1	12				
Water Operators I-V	3	12	1	10		
Maintenance Worker I-II	1	12				

Total Full-Time Positions	35

Part-Time:

Year Round Hourly, Limited-Term & Seasonal	Budgeted # Hours	Full-Time Equivalents	ACA Full-Time Equivalents
Administration			
Assistant General Manager	520	0.25	0.33
Billing Clerks (2)	1924	0.93	1.23
Public Safety			
Gate Pass Coordinators (approx. 12)	9820	4.72	6.29
Police Department Office Assistant	400	0.19	0.26
Public Works			
Laborers (4)	4000	1.92	2.56

Total Full-Time Equivalent Positions	8.01
Affordable Care Act Full-Time Equivalent Positions	10.68

Preliminary Budget:
Adopted by the Board of Directors on June 28, 2018

Bear Valley
Community Services District

DRAFT - Fiscal Year 2018/19 Regular Full-Time Salary Schedule - DRAFT

	Scale	A	B	C	D	E	F
Gate Pass Coordinator	1	2,080	2,184	2,293	2,408	2,528	2,655
Bookkeeper; Customer Service Specialist; Maintenance Worker I; Reserve Officer; Wastewater Operator In Training; Water Operator In Training	2	3,304	3,469	3,643	3,825	4,016	4,217
Accountant I; Administrative Assistant; Billing Clerk; Dispatcher; Equipment Operator; Maintenance Worker II; Mechanic; Police Technician; Wastewater Operator I; Water Operator I	3	4,295	4,510	4,736	4,972	5,221	5,482
Police Officer I; Wastewater Operator II; Water Operator II	4	4,510	4,736	4,972	5,221	5,482	5,756
Police Officer II; Roads Crew Lead; Senior Dispatcher; Wastewater Operator III; Water Operator III	5	4,736	4,972	5,221	5,482	5,756	6,044
Police Officer III; Wastewater Operator IV; Water Operator IV	6	4,972	5,221	5,482	5,756	6,044	6,346
Wastewater Operator V; Water Operator V	7	5,221	5,482	5,756	6,044	6,346	6,663
Accountant II; Administrative Analyst; Dispatch Supervisor; Senior Police Officer	8	5,743	6,030	6,332	6,648	6,981	7,330
Supervisors - General Services, Roads, Wastewater, Water	9	6,317	6,633	6,965	7,313	7,679	8,063
Finance Manager; Sergeant	10	6,633	6,965	7,313	7,679	8,063	8,466
Finance Director	11	7,628	8,010	8,410	8,831	9,272	9,736
Department Heads - Administrative Services, Chief of Police, Public Works; Assistant to the GM	12	9,535	10,012	10,513	11,038	11,590	12,170
Assistant General Manager	13	10,966	11,514	12,090	12,694	13,329	13,995

Preliminary Budget:
Adopted by the Board of Directors on June 28, 2018

Bear Valley
Community Services District

DRAFT - Fiscal Year 2018/19 Part-Time & Limited-Term Hourly Rates - DRAFT

Scale	Position	Step A	Step B	Step C	Step D	Step E	Step F
	Clerk						
	Gate Pass Coordinators						
	Effective July 1, 2018	$11.00	$11.55	$12.13	$12.73	$13.37	$14.04
1	*Effective January 1, 2019**	$12.00	$12.60	$13.23	$13.89	$14.59	$15.32
	Intern						
	Laborer						
2	Office Assistant	$13.46	$14.13	$14.84	$15.58	$16.36	$17.18
	Bookkeeper						
	Customer Service Specialist						
	Dispatcher w/out POST Certificate						
	Wastewater Operator In Training						
	Water Operator In Training						
3	Reserve Officer	$19.05	$20.00	$21.00	$22.05	$23.16	$24.31
	Billing Clerk						
4	Dispatcher with POST Certificate	$24.77	$26.01	$27.31	$28.67	$30.11	$31.61

When applicable, hourly rates shall be based upon equivalent full-time rates, rounded down one cent, including those positions not listed.

*California Minimum Wage increases to $12.00/hour effective January 1, 2019.

Preliminary Budget:
Adopted by the Board of Directors on June 28, 2018

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-31

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE GENERAL FUND (Fund 40) PRELIMINARY BUDGET FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

General Fund (Fund 40)

1.	Salaries & Benefits		$ 1,539,807
2.	Services & Supplies		$ 714,849
3.	Debt Servicing		$ 0
4.	Capital Outlay		$ 755,901
5.	Expenditure Transfers		$ 0
6.	Transfers to other Funds		$ 500,712
7.	Contingencies		$ 0
8.	Fund Balance Available		$ 1,711,171
	TOTAL BUDGET REQUIREMENTS	$ 5,222,440	

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

DRAFT

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-31 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary to the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-32

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE PARKS & RECREATION FUND (Fund 45) PRELIMINARY BUDGET FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

Parks & Recreation Fund (Fund 45)

1.	Salaries & Benefits	$	26,689
2.	Services & Supplies	$	141,963
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	75,000
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 243,652	

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

DRAFT

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17-18-32 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary to the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-33

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE ROADS SPECIAL REVENUE FUND (Fund 48) AND ROADS RESERVE FUND (Fund 73) PRELIMINARY BUDGETS FOR FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

Roads Special Revenue Fund (Fund 48)

1.	Salaries & Benefits	$ 595,167
2.	Services & Supplies	$ 693,074
3.	Debt Servicing	$ 426,783
4.	Capital Outlay	$ 1,292,900
5.	Expenditure Transfers	$ 0
6.	Transfers to other Funds	$ 86,191
7.	Contingencies	$ 0
8.	Fund Balance Available	$ 0
	TOTAL BUDGET REQUIREMENTS	$ 3,094,115

Roads Reserve Fund (Fund 73)

1.	Salaries & Benefits	$ 0
2.	Services & Supplies	$ 0
3.	Debt Servicing	$ 0
4.	Capital Outlay	$ 0
5.	Expenditure Transfers	$ 0
6.	Transfers to other Funds	$ 196,905
7.	Contingencies	$ 0
8.	Fund Balance Available	$ 616,485
	TOTAL BUDGET REQUIREMENTS	$ 813,390

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

DRAFT

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-33 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary to the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-34

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE WATER ENTERPRISE (Fund 42), WATER DEVELOPMENT (Fund 60), WATER BOND REDEMPTION (Fund 64), AND WATER RESERVE (Fund 70) PRELIMINARY BUDGETS FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

Water Enterprise Fund (Fund 42)

1.	Salaries & Benefits	$ 1,380,375
2.	Services & Supplies	$ 1,957,635
3.	Debt Servicing	$ 62,736
4.	Capital Outlay	$ 466,042
5.	Expenditure Transfers	$ 0
6.	Transfers to other Funds	$ 80,257
7.	Contingencies	$ 0
8.	Fund Balance Available	$ 0

TOTAL BUDGET REQUIREMENTS $ 3,947,045

Water Development Fund (Fund 60)

1.	Salaries & Benefits	$ 0
2.	Services & Supplies	$ 0
3.	Debt Servicing	$ 99,710
4.	Capital Outlay	$ 0
5.	Expenditure Transfers	$ 0
6.	Transfers to other Funds	$ 17,226
7.	Contingencies	$ 0
8.	Fund Balance Available	$ 0

TOTAL BUDGET REQUIREMENTS $ 116,936

DRAFT

Water Bond Redemption Fund (Fund 64)

1.	Salaries & Benefits		$ 0
2.	Services & Supplies		$ 0
3.	Debt Servicing		$ 83,565
4.	Capital Outlay		$ 0
5.	Expenditure Transfers		$ 0
6.	Transfers to other Funds		$ 0
7.	Contingencies		$ 0
8.	Fund Balance Available		$ 172,623
	TOTAL BUDGET REQUIREMENTS	$ 256,188	

Water Reserve Fund (Fund 70)

1.	Salaries & Benefits		$ 0
2.	Services & Supplies		$ 0
3.	Debt Servicing		$ 0
4.	Capital Outlay		$ 0
5.	Expenditure Transfers		$ 0
6.	Transfers to other Funds		$ 1,073,032
7.	Contingencies		$ 0
8.	Fund Balance Available		$ 10,397
	TOTAL BUDGET REQUIREMENTS	$ 1,083,429	

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

DRAFT

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-34 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary of the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-35

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE WASTEWATER ENTERPRISE (Fund 43), WASTEWATER DEVELOPMENT (Fund 61), WASTEWATER BOND AD 95-1 FUND (Fund 67) AND WASTEWATER RESERVE (Fund 69) PRELIMINARY BUDGETS FOR FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

Wastewater Enterprise Fund (Fund 43)

1.	Salaries & Benefits	$	492,222
2.	Services & Supplies	$	299,749
3.	Debt Servicing	$	0
4.	Capital Outlay	$	340,500
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	54,619
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 1,187,090	

Wastewater Development Fund (Fund 61)

1.	Salaries & Benefits	$	0
2.	Services & Supplies	$	0
3.	Debt Servicing	$	33,957
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	0
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 33,957	

DRAFT

Wastewater Bond AD 95-1 Fund (Fund 67)

1.	Salaries & Benefits	$	0
2.	Services & Supplies	$	0
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	5,000
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 5,000	

Wastewater Reserve Fund (Fund 69)

1.	Salaries & Benefits	$	0
2.	Services & Supplies	$	0
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	454,209
7.	Contingencies	$	0
8.	Fund Balance Available	$	28,775
	TOTAL BUDGET REQUIREMENTS	$ 482,984	

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

DRAFT

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-35 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary of the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-36

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING SOLID WASTE ENTERPRISE (Fund 49), AND SOLID WASTE RESERVE (Fund 71) PRELIMINARY BUDGETS FOR FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

Solid Waste Enterprise Fund (Fund 49)

1.	Salaries & Benefits	$	284,564
2.	Services & Supplies	$	562,258
3.	Debt Servicing	$	0
4.	Capital Outlay	$	325,000
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	35,763
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 1,207,585	

Solid Waste Reserve Fund (Fund 71)

1.	Salaries & Benefits	$	0
2.	Services & Supplies	$	0
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	496,677
7.	Contingencies	$	0
8.	Fund Balance Available	$	237,193
	TOTAL BUDGET REQUIREMENTS	$ 733,870	

DRAFT

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-36 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary of the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-37

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE CITIZEN'S OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUND (Fund 68) PRELIMINARY BUDGET FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

COPS Grant Fund (Fund 68)

1.	Salaries & Benefits	$	120,000
2.	Services & Supplies	$	13,500
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	0
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 133,500	

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

DRAFT

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-37 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary of the Board of Directors

DRAFT

BEAR VALLEY COMMUNITY SERVICES DISTRICT

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

RESOLUTION 17/18-38

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT ADOPTING THE PUBLIC SAFETY REALIGNMENT FUND (Fund 30) PRELIMINARY BUDGET FOR FISCAL YEAR 2018/19

WHEREAS, the Bear Valley Community Services District was formed and operates pursuant to Government Code Section 61000, et seq.;

WHEREAS, the Board of Directors has reviewed the anticipated revenues and the proposed expenditures for Fiscal Year 2018/19;

NOW THEREFORE BE IT RESOLVED in accordance with Government Code 61110, the Preliminary Budget for Fiscal Year 2018/19 is hereby adopted in accordance with the following:

Public Safety Realignment Fund (Fund 30)

1.	Salaries & Benefits	$	0
2.	Services & Supplies	$	8,887
3.	Debt Servicing	$	0
4.	Capital Outlay	$	0
5.	Expenditure Transfers	$	0
6.	Transfers to other Funds	$	0
7.	Contingencies	$	0
8.	Fund Balance Available	$	0
	TOTAL BUDGET REQUIREMENTS	$ 8,887	

BE IT FURTHER RESOLVED, that the means of financing the expenditure programs will be monies derived from Revenue to Accrue, Fund Balance Available, Property Taxes, Special Taxes and Assessments, and various Grants and Fees.

BE IT FURTHER RESOLVED, that the Preliminary Budget is hereby adopted in accordance with the listed documents which show in detail the approved appropriations, revenues, and method of financing attached hereto and by reference made a part hereof:

DRAFT

ATTACHMENTS:

FY 2018/19 Revenue & Expenditure Detail and Schedules
FY 2018/19 Personnel Allocation
FY 2018/19 Full-Time Salary Scale
FY 2018/19 Part-Time Salary Scale

PASSED AND ADOPTED, this 28th day of June, 2018 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Gil Grace, Board President
Bear Valley Community Services District

ATTEST:
I hereby certify that the above Resolution No. 17/18-38 was duly introduced, read, and adopted by the District at a regularly noticed meeting held on June 28, 2018.

_____
Kristy McEwen,
Secretary of the Board of Directors

DRAFT

STAFF REPORT

AGENDA ITEM #10M
Employment Agreement – Interim

MEETING DATE: June 28, 2018

PREPARED BY: Donald M. Davis, General Counsel

AGENDA TITLE: Approval of Employment Agreement with Jeffery J. Kermode as Interim Assistant General Manager

---

RECOMMENDATION

That the Board APPROVE the Employment Agreement with Jeffery J. Kermode as Interim Assistant General Manager.

BACKGROUND

The Assistant General Manager position is currently vacant and a recruitment is underway for a new General Manager to replace Mr. Edmonds who will be stepping down from his position for medical reasons in the very near future. As the General Manager recruitment may take a number of weeks or possibly months to identify and retain a viable candidate, and in the absence of an Assistant General Manager, it is necessary for the continuation of District business that Mr. Kermode be retained on an interim basis manage and oversee day-to-day District operations based on his management background and familiarity with District operations resulting from his tenure as the District Chief of Police as well as a consultant for the District.

DISCUSSION

Mr. Kermode retired as the District's Chief of Police in 2017 following a long career in public safety. Because he is currently receiving a pension through the California Public Employees Retirement System ("CalPERS"), Mr. Kermode is subject to certain employment requirements under the CalPERS rules. Among these requirements are the following: (1) he must be appointed by the Board based on a showing that there is an open recruitment for the position whose duties he will be providing; (2) he has the requisite specialized skills the District needs to maintain District operations; (3) he will be limited to a total of 960 hours of work for the District or any other CalPERS employer during its fiscal year; and (4) his salary is subject to certain limitations based on the District's salary scale for the position. As set forth in the recitals of the proposed Employment Agreement, all of these requirements are satisfied, including the salary level limitation as the proposed hourly rate is consistent with the Board approved salary scale for the Assistant General Manager position. Mr. Kermode is fine with and specifically requested a time limitation of approximately 20 hours per week, as he is retired and also desires to continue his consulting work. He has graciously agreed to provide this service in recognition of the transitional challenges facing the District.

REQUESTED MOTION

"I move the Board of APPROVE the Employment Agreement with Jeffery J. Kermode as Interim Assistant General Manager, effective July 2, 2018."

Attachment: Employment Agreement

INTERIM ASSISTANT GENERAL MANAGER
EMPLOYMENT AGREEMENT

THIS INTERIM ASSISTANT GENERAL MANAGER EMPLOYMENT AGREEMENT ("**Agreement**") is effective as of July 2, 2018 ("**Effective Date**"), and is between the BEAR VALLEY COMMUNITY SERVICES DISTRICT, a California community services district ("**District**") and JEFFERY J. KERMODE, an individual ("**Kermode**").

Recitals

A. The District currently does not have an Assistant General Manager and the District's General Manager has announced the need to go out on medical leave due to a serious medical condition.

B. An open recruitment process is underway for a permanent General Manager. The District anticipates that it may be several months or more from the Effective Date before a permanent hire can be made.

C. The District desires to retain Kermode to serve as the District's Interim Assistant General Manager.

D. Kermode has over 35 years of public safety and public agency administrative experience, including service as the Chief of Police for the City of Tehachapi from 2006 until his retirement in June 2014 and as Interim Chief of Police and Chief of Police for the District from 2015 to 2017.

E. Kermode's administrative background and experience with District business and operations are specialized skills that the District needs in order to maintain District operations and prevent a stoppage of public business during the recruitment for a permanent General Manager.

F. Kermode is a "retired annuitant" of the California Public Employees Retirement System ("**CalPERS**") within the meaning of Government Code section 21221(h) and a retired person "receiving a pension benefit from a public retirement system" under Government Code section 7522.56.

G. Kermode represents that he had not received unemployment compensation from any CalPERS employers during the preceding 12-month in accordance with Government Code sections 7522.56(e)(1) and 21221(h).

H. Kermode acknowledges that as a retired annuitant he is restricted to working no more than a total of 960 hours for District or any other CalPERS employers during the District's 2017-2018 fiscal year or the 2018-2019 fiscal year under Government Code sections 7522.56(d) and 21221(h).

I. Kermode further acknowledges that his compensation is statutorily limited as provided in Government Code sections 7522.56(d) and 21221(h), and this Agreement.

J. The parties' intent is that the terms and conditions of this Agreement under which Kermode will provide services to the District will conform to the applicable provisions of

DRAFT

Government Code sections 7522.56 and 21221 to the fullest extent required by such laws, as they may be amended.

K. Kermode desires to accept employment as District's Interim Assistant General Manager in consideration of and subject to the terms and conditions of this Agreement.

L. This Agreement was approved by the District's Board of Directors at a meeting on June 28, 2018.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth the parties agree as follows:

1. **HIRE**.

a. District hereby employs Kermode and Kermode hereby accepts employment with District under the terms and conditions described in this Agreement.

b. Kermode acknowledges that he is an at-will, part-time, temporary employee of District, and nothing in this Agreement is intended to, or does, confer upon Kermode any right to any property interest in continued employment, or any due process right to a hearing before or after a decision by the Board of Directors to terminate his employment, except as is expressly provided in Section 5 [Term] or Section 6 [Termination] of this Agreement. Nothing contained in this Agreement in any way prevents, limits or otherwise interferes with the right of District to terminate the services of Kermode, as provided in Section 5 [Term] or Section 6 [Termination]. And nothing in this Agreement prevents, limits or otherwise interferes with the right of Kermode to resign at any time from this position with District, subject only to the provisions set forth in Section 5 [Term] or Section 6 [Termination] of this Agreement.

2. **SCOPE OF SERVICES.**

a. As Interim Assistant General Manager, Kermode agrees to perform all duties of the General Manager position on an interim basis as provided in the ordinances, rules, regulations and policies of the District and other applicable laws of the State of California.

b. Kermode further agrees to perform such other legally permissible and proper services and functions of a General Manager as the District's Board of Directors may, from time-to-time, direct or assign.

c. Kermode agrees to keep the Board of Directors fully apprised of all significant ongoing operations of the District. Toward that end, Kermode will periodically, or as may be specifically requested by the Board of Directors, provide status reports on his activities and those of the District.

d. The District acknowledges that Kermode operates a private business (the JJK Group) and intends to continue such work during his service to the District, and because of that enterprise and other time limitations, Kermode is not available to work more than 20 hours a week for the District. As such, Kermode may work a flexible schedule, however, he will use his best efforts to perform his services during periods of normal business hours, which are 8:00 a.m. to 4:30 p.m. Monday to Friday, and that he will also try to be available outside of normal business hours such as to attend Board meetings or supervise certain District operations that occur around the clock.

3. **COMPENSATION AND REIMBURSEMENT.**

a. District will pay Kermode compensation at the rate of $77.00 per hour according to the payroll schedule in place for District employees paid semi-weekly (26 pay periods per year) subject to the limitations provided below.

i. Compliance with CalPERS Requirements. It is the intent of the parties to compensate Kermode only to the extent permitted under Government Code sections 21221(h) and 7522.56(d), and corresponding CalPERS regulations and policy statements. The parties acknowledge and agree that the hourly rate of pay set forth above does not exceed the salary limitations established by CalPERS based on the current salary of the District's General Manager and the salary band established for the Assistant General Manager position**.**

ii. Recordation and Reporting of Hours Worked. Kermode must comply with all applicable CalPERS regulations governing employment after retirement, including the recordation and reporting of all hours worked for District to CalPERS as may be required. District will assist in any such reporting obligations to CalPERS.

b. No later than four days before each payment, Kermode must file with the District Secretary a report on the number of hours served by Kermode in the performance of his duties hereunder and his compensation will be based on the number of hours shown in the reports. Currently, timesheets are due every other Monday and payment is made Friday of the same week.

c. Under Government Code section 21221(h) and related CalPERS regulations and policy statements, Kermode acknowledges that he may not receive from District any benefits District commonly provides to its employees including any retirement plan, health care or similar benefits for regular employees nor is Kermode eligible for any other benefits available to employees from District except as specifically described in this Agreement.

d. Kermode may receive mileage reimbursement at the current IRS rate in accordance with District travel policies for use of his personal vehicle for official duties.

e. District will also pay for or reimburse Kermode for other reasonable and necessary expenses associated in the performance of his duties.

4. **USE OF DISTRICT EQUIPMENT AND FACILITIES.** Kermode will be provided and may use all applicable District facilities and equipment that are necessary for carrying out the services required under this Agreement including office space, phone, computer, and copying equipment.

5. **TERM OF AGREEMENT.**

a. To ensure that Kermode may continue to receive his retirement benefits under CalPERS, this Agreement will expire as of the first of the following to occur:

i. Kermode working his cumulative 960th hour for District or any other CalPERS employer during District's 2017-2018 fiscal year, or 2018-2019 fiscal year;

DRAFT

ii. upon termination of the Agreement by either Kermode or District as provided in Section 6 [Termination] of this Agreement; or

iii. six months from the Effective Date.

b. Kermode must immediately notify District if he accumulates a total of 960 hours of employment with the District and any other CalPERS employer during District's 2017-2018 fiscal year or 2018-2019 fiscal year.

c. The parties may, by mutual written agreement, extend the term of this Agreement for such period or periods as may be permitted by law.

6. **TERMINATION.**

a. District may terminate this Agreement at any time.

b. Kermode may terminate this Agreement at any time upon at least 30 calendar days' written notice to District.

c. Upon termination, any and all District Records or equipment provided to Kermode and any and all District Records (defined below) prepared by Kermode or relating to the performance of his duties under this Agreement in his possession, must be delivered to District as soon as possible, but not later than the date of termination. In the event of such termination, Kermode will be entitled to payment through to the date of termination.

7. **RELATIONSHIP BETWEEN PARTIES.** Kermode's acknowledges and agrees that the services provided under this Agreement are performed as a retired CalPERS annuitant and that Kermode acquires none of the rights, privileges, or benefits of regular District employees.

8. **INDEMNIFICATION AND BONDING.** To the extent provided by the California Government Claims Act [Government Code section 810 and following] District will indemnify, defend, and hold Kermode harmless from and against any action, demand, suit, monetary judgment or other legal or administrative proceeding, and any liability, injury, loss or other damages, arising out of any act or omission occurring during and within the scope of Kermode's employment with District under this Agreement. The District will bear the full cost of any fidelity or other bonds required of this position under applicable law.

9. **DISTRICT RECORDS.** All data, reports, studies, audio tapes, video tapes, and other documents and materials prepared by or received by Kermode in connection with the performance of his duties under this Agreement (collectively, "**'District Records**") will be the sole property of District without limitation on their use. All District Records will be held confidential by Kermode to the extent permitted by applicable law. Such District Records may not without the consent of the Board of Directors be used for any purpose other than the performance of Kermode's duties under this Agreement. No District Records may be disclosed by Kermode to any person or entity not connected to the District, except as required by applicable law. This provision will survive the expiration or termination of this Agreement.

10. **NONDISCRIMINATION.** Kermode may not discriminate, in any way, against any person on the basis of age, sex, race, color, religious ancestry, national origin, disability, or any

DRAFT

other basis protected under applicable District ordinance, resolution or policy, or local, state, or federal law, in connection with or related to the performance of his duties and obligations under this Agreement.

11. **COMPLIANCE WITH ALL LAWS.** Kermode agrees to observe and comply with all applicable federal, state and local laws, ordinances, codes and regulations, in the performance of his duties and obligations under the Agreement. Kermode must perform all services under this Agreement in accordance with these laws, ordinances, codes and regulations.

12. **CONFLICT OF INTEREST**. Kermode represents and warrants to District that he presently has no interest, and represents that he will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or interfere in any way with performance of his services under this Agreement. While this Agreement is in effect, District will not assign any work to the JJK Group under its existing on-call agreement with that business nor may Kermode or any employee of the JJK group perform any services for the District under such on-call agreement.

13. **NOTICES.** All notices and other communication required or permitted to be given under this Agreement, including any notice of change of address, must be in writing and given by personal delivery, or deposited with the United States Postal Service, postage prepaid, addressed to the parties intended to be notified. Notice will be deemed given as of the date of personal delivery, or if mailed, upon the date of deposit with the United States Postal Services. Notice must be given as follows:

District: President
Board of Directors
Bear Valley Community Services District
28999 South Lower Valley Road
Tehachapi, CA 93561

Kermode: Jeffrey J. Kermode
785 Tucker Road, Suite G433
Tehachapi, CA 93561

14. **ENTIRE AGREEMENT.** This Agreement represents the entire agreement of the parties with respect to the subject matter of this Agreement and supersedes all prior agreements and understandings.

15. **AMENDMENTS.** The terms and conditions of this Agreement may not be modified except by a written amendment to this Agreement signed by the Kermode and the District.

16. **WAIVERS.** The waiver by either party of any breach or violation of any term, covenant or condition of this Agreement, or of any ordinance, law or regulation, will not be deemed to be a waiver of any other term, covenant, condition, ordinance, law or regulation, or of any subsequent breach or violation of the same or other term, covenant, condition, ordinance, law or regulation. The subsequent acceptance by either party of any fee, performance, or other consideration, which may become due or owing under this Agreement, will not be deemed to be

DRAFT

a waiver of any preceding breach or violation by the other party of any term, condition, covenant of this Agreement or any applicable law, ordinance or regulation.

17. **APPLICABLE LAW.** The laws of the State of California govern this Agreement.

18. **CAPTIONS.** The captions appearing in this Agreement are for convenience only, are not part of this Agreement, and will not be considered in interpreting this Agreement.

20. **INTERPRETATION.** The parties each acknowledge that they have had an opportunity to review this Agreement with their respective legal counsel and agree that this Agreement is the product of negotiations between the parties. This Agreement will be interpreted without reference to the rule of interpretation of documents that uncertainties or ambiguities may be construed against the party so drafting the Agreement.

21. **SEVERABILITY.** If any term, provision, covenant or condition is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remainder of the provisions will remain in full force and effect.

22. **ACKNOWLEDGMENT**. Kermode, having had the opportunity to consult legal counsel in regard to this Agreement, acknowledges that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

[Signatures on the following page.]

DRAFT

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date of this Agreement, first written above.

GIL GRACE, President
Bear Valley Community Services District

ATTEST:

KRISTY MCEWEN, Board Secretary

JEFFERY J. KERMODE

DRAFT

STAFF REPORT

AGENDA ITEM #11A
November 6, 2018 Consolidated General Election

MEETING DATE: June 28, 2018

PREPARED BY: Kristy McEwen,
Secretary of the Board of Directors

AGENDA TITLE: November 6, 2018 Consolidated General Election

RECOMMENDATION

No Recommendation. Information only.

BACKGROUND

On May 15, 2018, Kern County Auditor-Controller-County Clerk advised the District that the full term (4-year) offices held by incumbents Jane Baron, Gilbert Grace and Steven Roberts (appointed to fill the unexpired term of Walter Ritchie upon his resignation) are to be filled at the upcoming general district election on November 8, 2016.

In addition, Gregory Hahn was appointed to fill the vacancy left by the resignation of Director Larry Muell. In accordance with Section 1780 of California Elections code, if such a vacancy occurs "in the first half of a term of office and at least 130 days prior to the next general district election, the person appointed to fill the vacancy shall hold office until the next general district election that is scheduled 130 or more days after the date the district board is notified of the vacancy, and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy shall hold office for the unexpired balance of the term of office."

Accordingly, a separate election will be held on November 6, 2018 for the unexpired (2-year) balance of the term.

Declaration of Candidacy forms are available from July 16, 2018 to August 10, 2018 at the office of the Kern County Clerk in Bakersfield; on July 24 and July 31, 2018 at the Mojave Administration Building; July 26 and August 2, 2018 at the Ridgecrest Administration Building and July 28 and August 4, 2018 at the Kern County Elections Office.

California Elections Code Section 10516 stipulates that, "in any district or agency election, if a Declaration of Candidacy for an incumbent elective officer of a district is not filed by 5 pm on the 88th day before the general district election, any person other than the person who was the incumbent on the 88th day shall have until 5 pm on the 83rd day before the election to file a Declaration of Candidacy for the elective office." If necessary, the deadline to file Declaration of Candidacy papers will be extended to August 15, 2018.

The district election will be consolidated with the November 6, 2018 general election and the newly elected Directors will take office at noon on the first Friday in December following the general district election. (CA Elections Code Section 10554). The Secretary of the Board will administer the Oath of Office at the December 13, 2018 Regular Board Meeting.

FISCAL IMPACT

Kern County Elections Office estimates an average cost of $5 per registered voter. As of June 21, 2018, there were 3,841 registered voters in the District, making the cost of the election approximately $19,200.

Attachments:
Notice of General District Election

Mary B. Bedard, CPA
Auditor-Controller-County Clerk-Registrar of Voters

KERN COUNTY AUDITOR-CONTROLLER-COUNTY CLERK-ELECTIONS
1115 Truxtun Avenue, 1st and 2nd Floor • Bakersfield, CA 93301-4639

May 15, 2018

Bear Valley Community Services District
Kristy McEwen, Secretary
28999 S. Lower Valley Rd
Tehachapi, CA 93561

Re: Consolidated General Election – November 6, 2018

The Kern County Elections Office is preparing for the November 6, 2018 Consolidated General Election. Enclosed is the packet with all necessary forms to gather the most current information for the candidates whose terms are up for election. The **Notice of Elective Offices to be Filled** form is to be reviewed and signed by the District Secretary and the ***original*** returned to this office. Please return the **Notice of Elective Offices to be Filled** with the **District Request for Consolidated Election Services** on or before **July 5, 2018***, pursuant to the provisions of Section 10509 of the Elections Code.

Please advise board members and other potential candidates as follows:

Declaration of Candidacy forms will be available from July 16, 2018 until 5:00 p.m. August 10, 2018 at this office.

Candidates wishing to submit a Candidate's Statement, of no more than 200 words, for printing and distribution to the voters must submit such Statement for filing at the same time the Declaration of Candidacy is filed. The statement must be prepared on a form supplied by the Elections Office.

The provisions of Elections Code Section 13307 provide for payment of the estimated cost of printing and handling the Statement at the time of filing the Declaration of Candidacy, unless the District has elected to cover costs.

Estimated candidate statement costs shown for cities, schools and special districts are based on the election method (i.e. at large or by trustee area) and district boundaries in place at the time the estimate was prepared. Subsequent changes to election method or boundaries may change the cost of the candidate statement.

If your board has made appointments to fill vacancies pursuant to Government Code Section 1780, please bear in mind that by the provisions of subdivision (d)(2) "the person appointed to fill a vacancy shall hold office until the next district general election." This means that where an appointment has been made to replace a director whose term would not have expired until 2020, an election must be held this coming November to fill the unexpired portion of the term.

Your prompt response is appreciated. If you have any questions please contact Nyoka Reed at 661-868-3711 or 1-800-452-8683.

Sincerely,

Mary B. Bedard, CPA
Auditor-Controller-County Clerk

By: _____
Nyoka Reed, Elections Process Clerk

MBB:nr

*Date changed due to July 4, 2018 Holiday.

NOTICE OF ELECTIVE OFFICES TO BE FILLED IN THE

Bear Valley Community Services District

TO: Mary B. Bedard, Auditor-Controller-County Clerk, Kern County

You are hereby notified that at the **Consolidated General Election** to be held in the above district on **November 6, 2018**, the elective office(s) listed below are to be filled.

DISTRICT INCUMBENTS COMING UP FOR ELECTION:

NAME	TRUSTEE AREA (If applicable)	TERM OF OFFICE
Jane O. Baron		Full Term, 4 years
Steven Roberts, Appointed		Full Term, 4 years
Gilbert Grace		Full Term, 4 years
Gregory Hahn, Appointed		Short Term, 2 years

The qualifications of a nominee and of an elective officer of the district are as follows:
Resident and registered voter of the district

You are further notified that if a candidate files a candidate's statement pursuant to Elections Code Section 13307, the cost of printing and handling said statement shall be paid by the **Candidate.**

The estimated cost for a 200 word Candidate Statement is: $480

Please indicate the number of measures (if any) you anticipate placing on the ballot: _____.
The last day to file a measure is **August 10, 2018.**

Please note: "Certificate of Accuracy of District Boundaries" was signed off on **CERTIFICATE NOT RETURNED - PLEASE SEE ENCLOSED INFORMATION.** If any changes have occurred in the district division or boundaries, please notify the Elections Office at once.

The District Secretary is required by Elections Code Section 10522 to deliver to the county elections official **a map showing the boundaries of the district** and the boundaries of the division. The map is to be delivered with the "Notice of Elective Offices to be Filled" not later than **July 5, 2018***.

Dated: _____ ,_____

District Seal

_____

Signature of Secretary

NOTE: This Notice and Transmittal shall be made at least 125 days before the general district election and shall either be delivered in person or mailed by certified mail in time to reach the Kern County Elections Office on the designated date. (Elections Code Sections 10504, 10509, 10522)
*Date changed due to July 4, 2018 Holiday,

This document is subject to change without notice.

MINI-CALENDAR
CONSOLIDATED GENERAL ELECTION – NOVEMBER 6, 2018

PETITION IN LIEU OF FILING FEE – SUPERVISORIAL CANDIDATES ONLY	
7/2/18 thru 7/27/18	Period for securing signatures on the "Petition in Lieu" of filing fees form. *Petitions must be filed at the time of or prior to filing the Declaration of Candidacy.*
NOMINATION PERIOD – ALL CANDIDATES	
07/16/18 thru 8/10/18 (E-113 to E-88)	Filing period for Nomination
8/15/18 (E-87 to E-83)	Last day to file nomination papers – extended period *(Extension period is for anyone other than the Incumbent – office extends if the Incumbent fails to file. If the Incumbent is termed out or it is a vacant office there is no extension).*
WRITE IN CANDIDATES	
9/10/18 thru 10/23/18 (E-57 to E-14)	Write-in Candidate filing period
IMPORTANT FILING DATES	
8/10/18 (E-88)	Last day City/District may consolidate
8/10/18 (E-88)	Last day to file Tax Rate Statement
8/20/18 (E-78)	Last day to file Arguments For or Against
8/20/18 (E-78)	Last day for County Counsel to provide Impartial Analysis
8/27/18 (E-71)	Last day to file Rebuttal Arguments
10/8/18 (E-29)	First day to issue Vote by Mail Ballots
10/22/18 (E-15)	Last day to Register to Vote
10/23/18 thru 11/6/18 (E-14 to E-day)	Conditional Voter Registration in the Elections Office only

REPRESENTATIVES FROM OUR OFFICE WILL BE AT THE FOLLOWING LOCATIONS TO PROCESS NOMINATION DOCUMENTS

Mojave Administration Building, 1775 Highway 58:
Hours: 9:00 am to 4:00 pm (closed from 12-1 for lunch)

Tuesday, July 24th, 2018 and Tuesday July 31st, 2018

Ridgecrest Administration Building, 400 N. China Lake Blvd:
Hours: 9:00 am to 4:00 pm (closed from 12-1 for lunch)

Thursday, July 26th, 2018 and Thursday, August 2nd, 2018

Elections Office 1115 Truxtun Ave., Bakersfield:
Hours: 9:00 am to 2:00 pm

Saturday, July 28, 2018 and Saturday, August 4th, 2018

As of 5/9/18

District Request for Consolidated Election Services

This checklist has been prepared to clarify our roles in conducting your District's consolidated election, and to act as an official agreement for reimbursement of costs for County services in accordance with our County's billing policy for consolidated elections. If your jurisdiction requests that the County Elections Office consolidate and conduct your election, this "Districts Request for Consolidated Election Services" form must be completed and returned to the Elections Office at the time that you submit your completed Notice of Elective Offices To Be Filled form.

The County Elections Official will:

- Prepare a calendar of events and due dates for the election.
- Publish the Notice of Election, candidate filing period and precinct officers and polling places.
- Establish Polling places, and recruit and train election officers.
- Prepare and process the filing of nomination documents, resolve ballot designation issues, and address all other legal requirements for county, school and special district offices.
- Print candidate statements exactly as submitted unless they are not in compliance with codes, laws, and policies. We are not responsible for correcting any errors in punctuation, spelling, or grammar in statements submitted by candidates.
- Arrange for the Spanish translation of all materials provided to the voters.
- Prepare and arrange for the printing of sample ballot booklets and official ballots.
- Implement the vote-by-mail ballot process.
- Tally all votes cast.
- Conduct election canvass procedures.
- Provide a copy of the election certification and final results.
- Furnish Certificates/Oaths of Office for county, school and special district candidates.
- Prepare and mail invoice to jurisdiction for costs of the election.
- Take all actions necessary to properly and lawfully conduct the election.

In addition to the applicable items above, if a **measure is to be consolidated** with the election the **County Elections Official will:**

- Prepare a measure calendar of events and due dates for the election.
- Publish measure information (notice to submit arguments, etc.)
- Determine all argument information, e.g. deadline dates, maximum number of words, format, etc.

The District will:

- Pursuant to Education Code 5091 and Government Code 1780, notify the Elections Office of any vacancies prior to the deadline of June 29, 2018 (E-130).
- Pursuant to Elections Code Section 10522 provide a map to the Elections Division showing the boundaries of the district and divisions within the district at least 125 (**July 5, 2018***) days prior to the date fixed for the general district election.
- Return the following to the Elections Official no later than **July 5, 2018*** (E-125):
    - Notice of Elective Offices to be Filled
    - District Request for Consolidated Election Services
- Prepare a resolution calling for the election on **special measures** and submit to the Kern County Elections office no later than **August 10, 2018** (E-88).
- Follow the measure calendar prepared by the Elections Official.
- Reimburse the County their share of costs allocated in accordance with the County billing policy for consolidated elections.
- Pursuant to Elections Code 10002, pay the full cost billed within 30 days of the invoice date. The District understands and agrees that failure to pay within 30 days will result in an interest charge at the County's pooled interest rate commencing from the date of the election.

SEE REVERSE SIDE

*Date changed due to July 4, 2018 Holiday.

The undersigned requests the election services previously identified to be performed by the County Elections Official for the: **November 6, 2018, Consolidated General Election**

Signed: _____

Title: _____

District Name: _____

District Mailing Address: _____

Date: _____

Telephone: _____

Please deliver this completed form along with the signed Notice of Elective Offices to Be Filled form by mail or personal delivery to:

Elections Office
1115 Truxtun Avenue, 1st Floor
Bakersfield, CA 93301

If you have questions please contact Nyoka Reed at (661) 868-3711 or (661) 868-3590.

*Date changed due to July 4, 2018 Holiday.

RESOLUTION 15/16-32

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT REQUESTING CONSOLIDATION OF GENERAL MUNICIPAL ELECTIONS OF THE BEAR VALLEY COMMUNITY SERVICES DISTRICT WITH STATEWIDE GENERAL ELECTIONS AND THE PROVISION OF ELECTION SERVICES BY THE COUNTY ELECTIONS OFFICE FOR SUCH CONSOLIDATED ELECTIONS

The Board of Directors of the Bear Valley Community Services District resolves as follows:

Section 1. Findings. The Board finds as follows:

A. Under Elections Code section 10400 and following, the Board of Directors of the District may by resolution request that District elections held on the same day as statewide general elections be consolidated with such statewide elections and that the Board of Supervisors of Kern County permit the County Elections Office to render specified services to the District relating to the conduct of such elections.

B. The Board desires to consolidate the general municipal elections of the Bear Valley Community Services District with statewide general elections until further notice to the contrary is given.

C. The Board further desires that the County Elections Office provide the services specified in the County's form of "District Request for Consolidated Elections Services" for such consolidated elections until further notice to the contrary is given.

D. The County of Kern Elections Office has requested an updated resolution for this purpose and that these policies remain in effect until rescinded by Board resolution

Section 2. Request for Consolidation of Elections. The Board of Directors requests that the Board of Supervisors of Kern County through its Elections Office consolidate the District's municipal elections that occur on the same date as a statewide general election with such statewide election.

Section 3. Request for Election Services. The Board of Directors requests that the Board of Supervisors of Kern County permit its Elections Office to provide the services specified in the County's form of "District Request for Consolidated Elections Services," as it may be amended, with respect to any consolidated District election, and the Board further agrees to pay the applicable costs for such services.

Section 4. Effective Date. This resolution will become effective immediately upon adoption and remain in full effect and force until rescinded by this Board.

PASSED, APPROVED AND ADOPTED on June 9, 2016, by the following vote:

AYES:	Baron; LaClaire; Ritchie; Grace; Zanutto
NOES:	None
ABSENT:	None
ABSTAIN:	None

Richard Zanutto, Board President
Bear Valley Community Services District

ATTEST:

Kristy McEwen
Secretary of the Board of Directors