



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: September 9, 2021
PLACE OPEN & CLOSED SESSION MEETING: 28999 South Lower Valley Road
TIME OF CLOSED SESSION MEETING: 5:00 pm
TIME OF OPEN SESSION MEETING: 6:00 pm

In accordance with the Governor's Executive Order (N-29-20) and the declared State of Emergency, including social distancing directives as a result of the threat of the COVID-19 virus, Board members and BVCS D staff will be participating in this meeting remotely. There will not be a physical location for this meeting. Members of the public may participate in the meeting in the following ways:

- 1. Open Session Webinar Link:** <https://us02web.zoom.us/j/86201177316>
- 2. Phone:** Dial (for higher quality, dial a number based on your current location):
US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592
Webinar ID: 862 0117 7316
International numbers available: <https://us02web.zoom.us/j/86201177316>
- 3. Email:** You may submit comments on a specific item to kmcewen@bvcsd.org. Please send your email at least one hour prior to the start of the Open Session meeting.

The Bear Valley Community Services District thanks you for your understanding and for doing your part to prevent the spread of COVID-19.

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- 1. Call to Order**
 - 2. Attendance**
 - 3. Closed Session**
 - A. Conference with Legal Counsel – Existing Litigation under Government Code section 54956.9(d)(1)
David Edmonds v. Bear Valley Community Services District,
Kern County Superior Court Case Number: BCV-21-100487
 - B. Conference with Real Property Negotiators under Government Code section 54956.8
Property: Approximately 5000 acres of District land
Agency Negotiators; General Manager and General Counsel
Negotiating Party: Milano Land & Cattle Company, LLC
Under negotiation: Price and terms of lease renewal

September 9, 2021 Regular Board Meeting

C. Public Employee Performance Evaluation
Title: General Manager

4. **Convene Regular Meeting**
5. **Summary of Actions Taken During Closed Session**
6. **Pledge of Allegiance**
7. **Approval of Agenda**
8. **Staff Introductions**

A. Bear Valley Police Officer Jacinto Rivera

9. **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.

10. **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 July 8, 2021 Regular Board Meeting
- B. APPROVE Minutes of the July 29, 2021 Special Board Meeting
- C. ACCEPT Quarterly Investment Report as of June 30, 2021
- D. ACCEPT Monthly Investment Report as of July 31, 2021
- E. ACCEPT Register of Warrants for July 2021
- F. ACCEPT Register of Warrants for August 2021
- G. APPROVE Request from Bear Valley Springs Association for Mulligan Room Patio Project in accordance with plans submitted and compliance with all conditions of approval required under the lease.
- H. APPROVE Request from Bear Valley Springs Association for Oak Tree Country Club Drive-Thru Lane Project in accordance with plans submitted and compliance with all conditions of approval required under the lease.

11. **Disclosures by the Board of Directors**

Board Members are asked to disclose any outside communications with individuals and organizations that have an action item on this agenda that pertains directly to them or their specific personal or private interests and which communication is not included or disclosed in the agenda package, so that all interested persons have an equal opportunity to express and represent their interests.

12. Action Items:

- A. AUTHORIZE First Amendment to Professional Services Agreement with Davey Resource Group to provide Registered Professional Forester services for the CALFIRE Fuel Reduction Grant Program. (Mr. Malinen)
- B. ADOPT Resolution 21/22-10 Approving FY 2021/22 Investment Policy (Mr. Jones)
- C. ADOPT Resolution 21/22-11 Authorizing the Execution and Delivery of an Installment Sale Agreement, and Authorizing and Directing Certain Actions in Connection with the Acquisition of Public Works Work/Plow Trucks (Mr. Jones)
- D. ADOPT Resolution 21/22-12 Adopting the Updated Kern Multi-Jurisdiction Hazard Mitigation Plan (Chief Kermode)
- E. APPROVE Purchase of Public Works Skip Loader (Mr. Malinen)
- F. APPROVE Amended and Restated Lease Agreement with Milano Cattle Company, LLC (Mr. Davis)
- G. AUTHORIZE the General Manager to Execute a Contract in an Amount Not to Exceed \$47,738.04 with Pacific Irrigation, Inc. for Rehabilitation of Well #9 (Mr. Malinen)

13. Information and Discussion Items:

- A. Board Member Training – 2021 (Ms. McEwen)
- B. Board Comments
 - i. Director Carlyn:
 - ii. Director Grace:
 - iii. Director Jensen:
 - iv. Vice-President Quinn:
 - v. President Hahn:
- C. Staff Reports
 - i. Department Head Reports
 - 1. Finance Report
 - 2. Public Works Report
 - 3. Public Safety Report
 - ii. General Counsel Report
 - iii. General Manager Report

14. Future Agenda Items:


- A. Appoint Citizen Volunteers to the Disaster Preparedness Advisory Council (October 14, 2021)
- B. Reschedule November 11, 2021 Regular Board Meeting (October 14, 2021)
- C. Authorize the General Manager to Execute Various Documents and Agreements related to Employee Group Health Benefits through the District's Insurance Broker (November 2021)

15. **Adjournment:** The next regularly scheduled meeting of the Board of Directors is October 14, 2021.

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, September 1, 2021



Kristy McEwen, Secretary of the Board