

November 16, 2017

The regular board of directors meeting of Bear Mountain Recreation and Park District was held Thursday, October 19, 2017, at 6:30 p.m. in the Senior Center at 10300 San Diego Street, Lamont, California. The District is a political subdivision in the State of California.

**1. REGULAR SESSION:** Regular Session to Begin at 6:30 p.m. at David Head Center, Senior Center.

**2. CALL TO ORDER AND ROLL CALL:**

Mr. Perez called the meeting to order at 6:33 p.m. Board Members present: Mrs. Villanueva, Mr. Horton, Mr. Rodriguez, and Mr. Perez. Absent: Mr. Castrejon. Staff present: Legal Counsel; Mr. Hodges absent, Lorena Cervantes; District Manager and Mr. Zamora absent.

**3. FLAG SALUTE**

**4. APPROVE AGENDA AS TO FORM:**

**MOTION** Mr. Rodriguez moved Mr. Horton second to approve the agenda with the changes made to change the date from October 21, 2017 to October 19, 2017. Motion passed 4 ayes, 0 noes and 1 absent.

**5. PRESENTATIONS:** (Community Groups and Members of the Public)

**a) Community Presentation- Jorge Guillen-**before I start I want declare that we did a lot in our time together we were progressive and we accomplished a lot one of the best decisions that we did have was to appointing our maintenance supervisor I'm really glad Mr. Anthony we needed a leader and step up and get things done In this time since September of 2015 there was he automatically saved us twenty five thousand with the drinking fountains he also fixed the 2015 wire that effected the park for the next two years with accommodation with the park that cause the parks to be dried out Mr. Perez- I'm going to stop you for just a second and clarified the time limit because we do have a fifteen minute time limit does that also apply to this community presentation I just wanted to make you aware of the time. Mr. Hodges- under the by-laws of the district all comment by the public is limited by three minutes based on the previous resolution Mr. Guillen-the presentations are ten minutes Mr. Hodges- the board recently amendment the by-laws to make all statements by the public limited to three minutes that's the by-laws Mr. Guillen- so were I'm I right now Mr. Perez- one minute so I just wanted to make you aware of that we could cast a vote between the directors and the possibility of letting it go a little bit longer Mr. Guillen- so do I do the ten minutes Mr. Perez- so do we take a vote on that right now Mr. Hodges- you could always extend the time that's up to the boards prerogative Mr. Perez- with no objectives will allow the ten minutes your about at a minute and twenty five seconds Mr. Guillen- with all of that said there was a situation with the tree for whatever reason nobody wanted to take care of it and Anthony stepped up and took care of the situation I'm

saying all of this because there's a lot of stuff getting done and the district is in a better place now, there was a 2014 there was a tree grant that was passed that we were part of this and trees that were not replaced during the two year window but the district agreed to be part of a couple of them happened the next weekend Weedpatch was not included on this grant I believe the sprinkler system were not included for this grant and that's why the Weedpatch Park was not included in the grant even though we had a significant amount of time such records were not provided I'm saying this because as far back 2013 we have members of Weedpatch Park come in and say if there is anything that we could do about the dead trees in the back of the Park, trees in the back of the Park were removed there was nothing we could do about those trees but the situation is due to the lack of effort to provide the proper documents the District was not able to obtain 25 for Weedpatch Park trees and since then we've past the tree policy that stipulates that were suppose to replace each fallen tree the tree policy also stipulates that are maintenance workers would obtain tree certification to maintain the trees properly and that something that has not been mentioned to the maintenance or the board that's part of the reason we passed the tree policy because we saw the lack of leadership we saw from the top nothing would be taken care of in March 30<sup>th</sup> 2014 the baseball were brought up for the first time eventually the next month it was said in the minutes that everything was fine but was not said was that the maintenance were directed to paint with regular paint and trough sand on the court and say that we fixed the court and it wasn't a permanent fix were I'm I at right now Mr. Perez six minutes and thirty seconds Mr. Guillen- on June 6, 2014 the basketball court could be fix for soccer for the needs of the kids at the same meeting it was brought up to repair the baseball diamonds to be ready for the Jr. Giants season as far back as 2014 the administration has known the need of the repair of the fields the only thing that has changed within the last month is that former employees and friends had pointed out that the need has been there for longer the time that could be done with the community help what is obvious is that Weedpatch Park has not been mentioned at all be the administration but the situation is that the Weedpatch Park has been advocated by the people and it's the people that has brought change yes things would get fixed a couple of months after but in the lack of direction I'm not sure how many programs we have aside the Jr. Giants there are no other programs the salary all 355,000 from the duration of contract but what I'm I going to do about it that the public could no longer accept that is just the budget cause there's just too much time to invest in the community and the fact that there is a lack of mentioning the Weedpatch Park in the minutes because we serve people from Hilltop, Metler we have people from Bakersfield and visit the Parks on the weekend also a couple there was however in 2014 in Arvin a adult baseball league, I'm just going to wrap it up we have people from the community that are here to help us out we care the board cares but there's just people that have been here longer that are collecting a paycheck. Mr. Perez- thank you Mr. Guillen I'm going to open it up to our directors Mr. Rodriguez- first of all George you say in this presentation so I think in this point in time we should have the GM have some answers on the things you brought up for next month for the next board meeting and that way you have answers on some questions you have and that way you know why some of these things didn't get done Mr. Perez- to make it easier in what director Rodriguez just said would it would be easier if he just typed out the questions how much time would you need about a week to submit the questions Mr. Guillen- just to clarify this is just not me I met with people I just happened to be the voice I happened to be here I have the time Mr. Rodriguez- you could save the manager some time if you make a list of everything and when she has the time she could get it together for you Mr. Perez- what would be the best communication Mr. Guillen- I could forward it to the district attorney Mr. Perez- the questions should be

answered by the general manager Mr. Cervantes- I would rather him send them to Mr. Hodges and have him send them to me Mr. Hodges- when I receive them I will forward them to everybody Mr. Perez- one that is specific to you in reference I think you said in the same meeting the individual that did the work on the basketball court do you do you have a approximate date it happened within a month Mr. Perez- from a month from today Mr. Guillen- no these is years ago Mr. Perez- any other comments thank you so much Mr. Guillen.

**6. PUBLIC COMMENTS:** Gustavo Aguirre- we met with Committee Progresso from Lamont last month and Mr. Freddie offered to meet with us then we invited him to our meeting but he was not able to attend since he was not there the committee decided on the lights to see if there was plenty of lights and also see if it is possible to transform the tennis courts into soccer I think for the lights one time I came one time I seen in the playground I don't know if it is not turning on or is not working if that is the case the committee wants to repair those lights and put LED lights one of the questions would be what is one of the best way to move forward one question can we ask for a estimate in how much it would cost to develop that soccer field were are not familiar with these type of process so were are asking for advise to move forward Mr. Rodriguez- I suggest what you're talking about give us a list of what you want to do and then we could give that to the GM and then she will look at everything if you want to donate money fix this or that we could let our attorney look into the liability part of everything Mr. Hodges- there should not be any issue getting bids if he gets a bit of how much it's going to cost to transform the tennis court and he could come in and make a presentation the board can put it on the agenda for the following month to approve or not to approve it I don't see a problem with him getting quotes there's is no liability issues with that because there is no work being perform only if the board approves it Mr. Rodriguez- just make a list of the things you want to do and give it to her Mr. Aguirre- the light and the estimates for the tennis courts we need to approve it as well in our committee we need to fill out a application and that's why we need the cost of the lights and we could fill out the application and get that approved and bring that and say this application is approved one of the reasons for getting the estimates for the soccer field to see if we have the funds for that we have some funds right now next year were going to get more there priorities are the parks but if we take too much time they're going to invest those funds in another community project the government agencies when they do project they need to do the prevailing wages Mr. Hodges- it's going to depend how much the project cost if the project is donated we don't have to worry about prevailing wage obviously but if the district is spending money then we do have to worry about prevailing wage so if there is a general contractor donating his time and community members donating their time and take the time to do the project that should not be a issue Mr. Perez- at this time I would like to direct or open it for discussion for our district counsel to look into that and work directly with Mr. Aguirre to give him a written outline that way he knows best how to move forward with that Mr. Hodges- let me just cut you off their sorry Mr. Perez- no go ahead Mr. Hodges- Its going to be difficult to work because I don't know the all of the details so I have to give a bunch of different options and different answers and different pathways that this could lead so I think before I get involved not to waste the districts money I should know how this is going to proceed so I could say yes this is a good idea or no this is not a good idea and you could do it this way instead Mr. Horton- I suggest you get the estimate and bring it back to the next meeting and as far as the lighting situation I would suggest you meet with the maintenance manager and the Director because they're the ones that have the knowledge with the lights and what could be wrong with them and the one with all the records I

suggest you meet with them as soon as possible Mr. Perez- Anthony about a week's time do you see yourself to come up with a list of the lights that need to be fixed and then work with Mr. Aguirre to provide him that information I don't know what it would cost and that would probably be a little bit more timing Mrs. Cervantes- were currently working with estimates nothing has been approved because we're working on putting together the five year plan and see what is priority Mr. Aguirre- the lights in this park but if you want to provide for the Weedpatch Park It would be good to know for both parks and maybe for next year we could do Weedpatch Park Mr. Perez- just because it's getting dark soon so we provide the park for a longer period of time without natural sunlight I would definitely like for you to work with the General manager to work out a time to sit down spend a hour or two and get all the information and get these reports back to us yes we defiantly encourage for you to work with the general manager and also our maintenance supervisor Mr. Aguirre- I think that would be great like that we could present all the needs that the park has to the committee, okay will set up a meeting Mr. Hodges- are you guys no-profit Mr. Aguirre- yes we are, thank you Mr. Jimenez- I think what you guys are doing with George is great getting his questions and the General Manager will answer them and like that it will answer many of our question and like that we won't repeat our questions when we come to the meetings, so I was wondering if it was possible to get questions from the community and have the General Manager answer them and maybe post it up on the face book website that you guys have the reason we repeat our self is because we don't get any answers I don't know what process you guys are in with hiring the office manager the lady that came in my point of view she's great she has experience doing grant writing and that's what we need she told me she didn't get a chance to get interviewed I'm not sure if that's true or not true she was wondering why she didn't get interviewed because we want to improve our community we need more money I feel if we hire someone with these qualifications will take a step forward I came to the conclusion that the new board, you guys have been doing a great job I just that there's just a miss understanding I don't know about the things that have been going on in the Park and hasn't been improved in the last five to six years but hopefully now you guys lets us do the questions and we could get answers and maybe you guys could post it up in social media that way we could start building a relationship between the community and the board members like that we could work together and if there is nothing to be hitting and you has provide us with those clarifications I feel that there working eighty percent and were not meeting them half way I think we started wrong by not having a representative from the Bear Mountain Recreation I think because they had that meeting for improving the park so we should start by building a relationship and with the office manager If you don't decide to hire her I hope you decide to hire someone with better qualifications than her because we don't want to walk backwards instead of walking forward, thank you Mr. Perez- directors response Mr. Rodriguez- you said in five years nothing had been done and so forth let me point out to you we didn't have the right people to be responsible for example we had Anthony he was doing it because that was part of the job but now he is responsible so now we have somebody that is responsible in the past he was doing the job but he wasn't responsible for that so if things didn't come out right he wasn't responsible but now he is responsible now he has to make sure that this stuff gets done and it's the same thing with the GM that's the reason we had to bring our attorney on board to bring everything up to date the policy and procedures and that takes a lot of time so you have to have these things because that is the face for this district if don't have any procedures and policies in place and things start happening who is going to blame who so were glad were moving forward and pretty good because we have our attorney that is bringing these policies and procedures up to date some of them had not been

revised since 1979 and there old but we have now is written in stone Mr. Jimenez- If I'm write there is people that been working for more than five years and the fourth year I started doing my job the manager needs to do certain things they don't need the attorney to say look at the by-laws Mr. Rodriguez- you have to give her credit there was things that were causing some friction Mr. Jimenez- If you guys put the questioner on face book and answer questions and help us work together Mr. Rodriguez- I assure you that anyone that comes and ask question will get a answer with this board right here and if you don't get any answers is time for the board to ask why Mr. Perez- Jovanie any questions that you have I think that is constructive it allows for accountability if the public has a question and they submit the question as long as were not breaking the rules or confidential information about a employee Mr. Jimenez- putting it on the website that way the people that are not her could ask questions and get answers I'm not sure if that's a possibility Mr. Perez- It's a good form of communication I would say I'm not confident right now on who's releasing the information on face book I don't really have that today I'm conducting the meeting and I don't want to say were going to do it but if in the next meeting publicly we answer those questions but right now I don't feel comfortable to say yes were going to do that just because I don't know who's hands are on the keyboard I don't think we have a district spokesman Mr. Hodges- additionally you have to be concern if this is going to cost inundation questions to the district manager that she's not going to be able to do her job because she's responding to questions and what's the time frame for responses It just goes on and on is a slippery slope when your allowing as many questions to be asked directly to the manager your requiring her to give answer in a specific time frame I'm not saying the public shouldn't get answers they should but you don't want to pull her out of her other job Mr. Perez- what will do is just submit them to the board that way there submitted and that way will do it in a timely manner without putting that pedometer on because that's a big concern we don't just want her to focus on just one thing but I don't want to discourage you from doing what you want to do and that is one of the first thing you said can we ask questions can we submit them can we get answers, absolutely some answers might not come within the first month but is it's just one question being answer I have a strong suspicion it will be answer that will make it a little bit easier Mr. Perez- I don't know the process of the office manager being hired or actually what were going to be doing is that we're going to be considering appointing somebody today but that is under close session Mr. Jimenez- do you guys interview all the candidates or do you guys just focus just in one or two candidates Mr. Hodges- we don't talk about the hiring process Mr. Perez- our district counsel answered your questioned Mr. Guillen- in regards to whoever you appointed or who the district decides to hire I suggest is that the board members specifically ask questions to people that were interviewed and people who were not interviewed for a long period of time I suspected that there was fear that overqualified people being hired for whatever reason because there is under qualified people in the district but the five year plan was brought since 2012 and for the entire year of 2012 but since then I went into the records I haven't seen any meeting with the five year committee until recently but what I'm pointing out is that it's not being brought by right people and I was ammonite by the Horton's that were specifically mad that I was writing policy just take into consideration who's being hired who's pointing favoritism or who's related to who I specifically remember the former pool manager disregarding unfinished applications and all those people got wired expect the only person that actually finished the application Mr. Perez- at this point I'm going to have to stop you right there because I'm sure if that is public information I could say we might be able to look into it but if that information came from you being a board member I would have to stop that because I don't think that is public information Mr. Rodriguez- I would

like to make a comment you mentioned the five year plan we have the five year plan going now were going to have a meeting and bring that back to the board Mr. Guillen-you guys didn't know there was a Weedpatch five year plan since 2012 Mr. Rodriguez- like I said we have paper work on five year plan Mr. Horton- the five year plan doesn't just have to be done by the General Manager it has to be done by this board that is elected I don't know what happened before I was here Mr. Guillen – I really admire that you want to volunteer to the community but that is not the point Mr. Horton- the point was that it wasn't getting done and you were blaming somebody else for not doing it in reality it was the boards place to do it, I'm not volunteering we took this office so it's our job to do it to make policies and to do things like this I can't speak from before because I wasn't here I could speak for right now were in the process getting done Mr. Jimenez- you guys could get legal charges if you don't give everyone a equal fair when hiring if you hire a family member without giving everyone a opportunity there could be legal consequences is that correct Mr. Hodges- we are a equal opportunity employer and I could tell you that the way the hiring process is going is applicants that submit a complete application on time are interviewed if the application is incomplete or if the application is submitted after the window of that job closes they didn't comply with the application requirements and so there not interviewed

**7. ORAL COMMUNICATIONS: None**

**8. WRITTEN COMMUNICATIONS: None**

**9. CONSENT AGENDA:**

- 9.1 Minutes
- 9.2 Pre-signed Vouchers
- 9.3 List of Bills

**MOTION** Mr. Rodriguez moved Mr. Horton second to approve items 9.1, 9.2, and 9.3.  
Motion passed 4 ayes, 0 noes, and 1 absent.

**10. DEPARTMENT REPORTS:**

**General Manager Report:**

- 10.1 Maintenance-Mr. Zamora- I just want to start off by saying that the parks are looking really nice I been here for almost ten years there starting to look very nice and I'm very happy let's start off with the trees at Arvin Pool they give us problems every year around this time but we rented a lift and we went in and we took almost everything off except some branches on top we took care of that problem and at the same time while we had the lift we went to both parks and at Weedpatch Park we got the parking lights working and changed a couple at the basketball court at Weedpatch Park and came over here to the tennis court and we got four of the tennis lights working the rest of them are gone but we got a little bit of light over there after getting a call from Mr. Rodriguez he informed us about something at the Arvin Pool that look like termites eating the wood outside the building I then called Clark Pest Control Services they came and inspected and he found

termites only on one section of the building because it's all brick were we used to have our little bear camp it's a little wood structure he found termites there I'm waiting for a full report he didn't find anything else a little bit of water damaged he said that's nothing to be to concern about so I'm waiting for that full report so I should have that for our next board meeting and around the building we planted grass hopefully it comes out really good this year I got a really good price on the seed and this is the time of the year we catch up on all of our painting and cleaned up graffiti around the park Mr. Rodriguez- Anthony you did a good job on the trees is looking great and everything out here in the front looks good next time when you replace the lights maybe you could look into LED lights there a lot brighter I don't know what you would have to do if you would have to enter all the electrical Mr. Zamora- I think is just regular electrical wire that's what I was told Mr. Hodges- and it's cheaper Mr. Rodriguez- everything is looking good Mr. Zamora- the public was saying that we were suppose to take some classes to trim trees I have gotten in contact with Mary Moreno she gave us the contacts I have been talking to a lady she informed me that we just missed the arborist classes here in BC and the nearest one is in Brea California it's pretty far It would be every week on Thursday for ten Thursday's and that's very far to drive she said maybe in a year to two years that it depends on how many people request to take the class and that they'll have it again here in BC again but that it will be awhile Mr. Perez- with that I would also check with Taft College sending you that far is not good and a year to two years away is a long time Mr. Rodriguez- they have these tree services in Bakersfield that are certified tree trimmers maybe you could go with them and observe while they work Mr. Zamora- yes I will look into it because any knowledge that we could get about trimming the trees will help Mr. Horton- I have a question about the tree that blow over last year are we going to be replacing that Mr. Zamora- I have been looking into getting trees donated and it's not easy were just going to have to buy some trees Mr. Perez- with the comment related with the trees we haven't had a maintenance committee meeting we should definitely set one up I don't know who the other person is I know I'm on it Mrs. Cervantes- capital maintenance is you and Fredi Mr. Perez- so we should definitely have a meeting and look into that I think with reaching out to Mary Moreno she is a great Family Resource the time I'm sure she was pretty busy when the fair was going on she has done so much for community base conservation and get them to come out and do some work for free I haven't talked to her for the last six months will also give her a ring and see what else what ideas she can bring even though she's not a Lamont member she's a strong advocate for conservation she's really into nature when it comes down to nature animals, trees she's going to be a great community resource Mr. Villanueva- I have a question regarding the peace of land that we received the city of Arvin did some repairs and they apparently got a peace that belonged to the pool in Arvin what has happened in respects to that Mr. Hodges- in order to do anything you would have to file a government claim against the city that government claim would then go to the city council to make a decision if they decided if they if they want to decompensate you which typically doesn't happen if they decided that they didn't then you would have to then file a law suit to try to get the damages for the loss for that piece of property litigation would be expensive Mr. Villanueva- then what is going to be the process because its expensive were not going to fight the piece of land Mr. Hodges- well there is a couple of different issues that you would have to look at is a taking by a government entity an so the government has

the right to take property if it's for the good for the good general public so I'm assuming that's what their argument would be this is a proper taking and we don't have to provide compensation we took to better the community it's the same thing that happened they would still have to pay you what that piece of property is worth but I don't know how large piece of property is and what is actually worth and in order to get that processes going It would be a law suit so an example when this is happening is there expanding 24<sup>th</sup> street in Bakersfield they have gone through and essentially taken those homes from the people and said you can't live here anymore this is our land now were going to pay you for them this is the compensation but is ours and this is what they could say about this piece of property we took it to better the community will pay you what we believe it's worth a fair price I don't know how big the piece of property is I haven't seen it Mr. Perez- in the interest of time I think we should just bring that up at the next meeting just put it on the agenda I want to get a comment from the General Manager and the Maintenance Manager have you seen the area Mr. Cervantes- I've gone over there but I don't know how much belongs to us and how much belongs to them because it's a very fine line of what's there's and what's ours Mr. Perez- Have we been issued any notice Like for the people you were saying on 24<sup>th</sup> street Mrs. Cervantes- whenever there going to do any work they do let us know Mr. Hodges- I don't know if they actually took that property did they take it and now they're saying that that belongs to them or your just saying that, the piece of property is damaged do you have a answer for that Mr. Perez- before we go there Anthony do you think is damaged because they did not pt it fence out there Mr. Zamora- just the sprinkler system Mrs. Villanueva- my questions if right now they just took one piece and it belongs to the district when they keep doing more work there going to feel with the right to get whatever they want and were going to continue say that they take it or at least a letter letting them know that we don't agree on what they did is not correct Mr. Hodges- I think your idea of sending them a letter is good however before we send the letter we have to show were our property line ends and were there's begins and if they infringed a pond that so I need to get somebody out there that could actually map this properly then I'm happy to send a letter saying these are the pedometers that you over stepped and you've essentially take part of our property or damage part of our property were not going to allow these to continue but until we know the exact location of our property line I think it would be unwise for the district to make any claims because they could then come back the city is going to have a lot more resources than this district does and then could come back say no here is the property line we had somebody go out there we done measurement this is within the city boundaries we know where the property line is in and we didn't do anything and that just creates tension between the district and the city so if you want to pursue that no problem but we have to spend some money to send somebody out there to map it out Mr. Rodriguez- what I saw out there what they've done they but a side walk and some gutters a little bit low so what they should have done was have that rounded of where the sprinklers broke which they didn't do what our employees can do is just level it out and have a nice formation there if we make them do it and is going to cause friction but I don't think is that big of a deal Mr. Hodges- to make them do it we have to show that it's in fact our property Mr. Rodriguez- Anthony maybe you could go out there and take some pictures of them and bring them back and show them to the board and the attorney Mr. Hodges- and then we could just send a nice letter off with those pictures and saying please remedy this situation without



Mr. Horton- have they been contacted by us Mr. Hodges- not by me Mr. Perez- let's just put this on the agenda for next week I don't want to let it go to long what I would like to know is what are the estimated damages if the maintenance supervisor could work with the general manager and come up with a approximate number in what the damages were and also for the general manager to go and observe one of the questions that I would want the general manager to come back with if she views this as a act of aggression I think that was the concern of director Villanueva if this was a act of aggression I don't see that being at this point I've gone out there to see it, it does better the public I agree with Director Rodriguez observation and come back with a approximate cost and also see if anyone can get hurt there as well and come back with that information and with that knowledge we could bring Mr. Hodges and move forward but at this time see the district writing a letter until we have all that information and until we consult it with our district counsel Mr. Hodges- how long ago did this construction happen Mr. Villanueva- since 2016 Mr. Hodges- beginning of 2016 end of 2016 Mrs. Villanueva- around mid 2016.

- 10.2 Recreation-Mrs. Cervantes- right now our recreation coordinator with volunteers are working on the haunted house that were going to be having on October 30<sup>th</sup> we have partner with the Lamont Weedpatch there helping us do the trunk or treat there going to be giving free candy and the booths are for free there doing all the sing ups for the booths and were going to concentrate on the haunted house Mr. Perez- is it too early to do signups for next summer baseball Mrs. Cervantes- yes we don't do signups until March Mr. Perez- I'm excited for the haunted house is there is there still volunteers that are needed Mrs. Cervantes- yes they are, Joshlyn is working closely with Rosalva helping her get everything together for the haunted house but we still need volunteers Mrs. Villanueva- has the position been opened Mrs. Cervantes- no I have it under Board Matters because when I talked to Nathan he said that it had to be on the agenda before I could open it Mr. Hodges- where is the haunted house held Mrs. Cervantes- here in the hall Mr. Hodges- do kids walk through and get scared is there anything that they could trip over can we have their parents sign a general release, it's a simple general release we could put it in English and in Spanish and make it very simple just a general release releasing the district from if the kids trip and fall you never know Mr. Horton- the kids under 18 that will not have the parents with them so how would we address that issue just have them not come in Public- you guys could get the document out to the school district ahead of time and get them sign and dropped off here Mrs. Cervantes- I will talk to the committee that I'm working with the trunk or treat because they easily give out flyers to everybody at the school Mr. Horton- you could just put the waiver in back of the flyer Mrs. Cervantes- they already passed out the flyers Mr. Horton- a warning poster that could be put up or something Mr. Hodges- not for minors Mr. Perez- would our insurance cover it Mr. Hodges- yes tender the insurance and pay the deductible Mr. Perez- I'm comfortable leaving up to our General manager to make the best decision Mrs. Cervantes- can I contact our insurance and see what they say Mr. Perez- we've had members of our community trip and fall and twist a ankle from that one observation I don't think people want to come after us Mr. Hodges- It only takes one I could send a waiver to the manager tomorrow It will have to be translated in Spanish because I don't speak Spanish Mr. Perez- talk to the insurance company and talk to Mr. Hodges or make a big poster that is in English and in Spanish Mr. Hodges- what if we could create a

waiver that could be posted on the website that has a electronic signature capability Mrs. Cervantes- on the website a lot of the parents are not going to go on the website and do it not in our community Mr. Hodges- what the district can do for all district activities is something like the kids that go to rush the trampolines they have a waiver that you sign that is good for one year the kids could go there however much they want throughout that year and you wave all liability is all electronically is on the internet on their web page we could put something together like that for the district that could cover all these different district activities that we have through the year parents sing once a year and we could we done with that Mr. Rodriguez- If that's the way to go if you could look into to it something that could last for the whole year Mr. Hodges- the only issue would be checking the kids names with whatever waiver has been signed.

## **11. CALENDAR OF EVENTS:**

11.1 Committee Meetings- Mrs. Cervantes- we haven't had any but were going to be meeting the budget and finance and the five year plan after the first week of November once I get all my numbers for September in there and were going to be going over the budget and the five year plan and the list that we have that is priority to get fixed and the cost Mr. Perez- one suggestion I would make is with then the next month we can just have all committee meeting meet at whatever time is available just to make the attempt I know that the capital maintenance will try to do within the next couple of weeks and just work with the staff.

11.2 Events-Schedule for David Head Center

11.3 Events- Senior Center

## **12. DISTRICT BOARD MATTERS:**

12.1 Discussion re: Policy Manual #2, attached to the BMRPD Bylaws (policies governing fees and charges)  
Potential Action: Approve Policy #2, attached to the BMRPD Bylaws (policies governing fees and charges)

Mr. Hodges- this was a direct that I was given to help amend the policies that are attached to the bi-laws this purpose policy number 2 was provided to the board a couple of months ago for review there is no modification of it other than the table at the back the picnic shelter were updated to 25 dollars per shelter and the soccer field on Weedpatch Park was amendment to 10 dollars a hour minimum two hours and other than that there has not been done real changes since you received your review so it's up to you if you reviewed if you have questions I'm happy to answer the questions this is twenty years in the making to amend this Mr. Rodriguez- there was a few changes to the soccer field and so forth other than that everything else we agreed and talked about so I would recommend to make a motion to approve 12.1 Policy Manuel #2 Mr. Perez- before we get a second on Policy #2 governing fees and charges one of the comments a couple of months back was that the soccer field prices was a little high is there any follow-up with that I

didn't think it was Mrs. Cervantes- after he heard the price I don't think he thought It was either after he heard the price.

**MOTION** Mr. Rodriguez moved Mrs. Villanueva second to approve items 12.1 policy manual #2. Motion passed 4 ayes, 0 noes, and 1 absent.

12.2 Discussion: Surplus Property Policy  
Potential Action: Direct District Counsel to create Surplus Policy

Mr. Hodges- this was brought to my attention by the District Manager because there is some property equipment that is down by the district that people in the community that have asked if they could purchase or not it would be great to say yes lets sell it the government code says something different there's multiple code sections that have to do in how you have to only sell surplus property but also how you have to account for all the property that you currently have I've looked through the bi-laws that the district currently has there are no policies dealing with this at all is my recommendation to put something together that outlines how the district takes care of not only the real property which is the big part of this district but the equipment if things end up breaking I think one of the issues is the truck that is not worth fixing how do we get rid of that and is do it properly does it need to go to auction or can't be sold to a private individual what are the procedures so that we don't get in trouble is my recommendation to put a policy together Mr. Rodriguez- go on ahead this are things that have to be done in order to protect the district if you're looking for a motion I will make a motion to bring up to date the surplus property policy and get all the government codes Mr. Hodges- you don't have to make a motion you just have to direct me Mr. Perez- do other district have similar policies in place Mr. Hodges- they should Mr. Perez-yes we need to get rid of items that are outdated, potential action for item 12.2 is to direct district counsel to create the surplus so at this time with the recommendation of Director Rodriguez the Board directs the district counsel to create the surplus policy for Bear Mountain Recreation and Park District Mr. Hodges- I will do that I will bring it to the next board meeting for you guys to review and then you could vote on it on the following meeting or I could get it to you prior to the next meeting for you to review so we you could put it on the agenda whatever you want me to do I'll get it to the District Manager so she could pass it to everybody.

12.3 Discussion and Potential Action: Fund Raising

Mr. Perez- so we had talked about doing a series of fund raisers I think I would really like to work just with Donny on something like this Donny hah mention that he had access to some barbecue equipment and I would like to recruit my parent as volunteers they already said yes to a different volunteer opportunity that we have for a thank you dinner for our volunteers that helped out coaches that helped out for our baseball season they have already said yes that they will come and cook and help serve food as needed so Donny within this next month will sit down and meet when we can borrow that equipment and work with the District Staff to come up with a date were we could have a area in the park or inside whenever is available so we have the new event for this next month Mr. Horton- I would just like to know how many people Joshlyn- we would like to have the volunteers and there family Mr. Horton- just spouse and kids Joshlyn- yes Mr. Perez- we will work with our recreation coordinator on this and then I will work with

Donny for the fund raiser, for our fund raiser item can you put it on for the next board meeting, do I have a motion to make a fund raising committee for the benefit of the Bear Mountain Recreation and Park District. Mr. Perez- I volunteer to serve on the fund raising committee we also have Mr. Horton volunteer to serve on the fund raising committee any objection hearing that motion passes.

**MOTION** Mr. Rodriguez moved Mrs. Villanueva second to approve to make a fund raising committee. Motion passed 4 ayes, 0 noes, and 1 absent.

12.4 Discussion: Baseball Field in Arvin/ Restrooms

Mrs. Cervantes- we asked to put it on there because we had a problem using the restrooms at Heaven Drive School so when we get the baseball field in Arvin we have to make sure we have restrooms for the kids I don't know if we could work with Haven Drive were we could get a key for the restrooms we have problems renting from the City of Arvin Kovacevich Park or any other areas because they give priority to the Arvin Little League do you think we could get a key or would we have to pay for a custodian Mr. Horton- I'm not sure I would have to talk to them to see what we can do Mrs. Cervantes- Is just for six weeks we could be responsible for cleaning the restrooms after our kids us it and that is something we would need to talk to Rosalva so she could talk to the volunteers if they're willing to help us clean the restrooms for us to get a key Mr. Horton- why were they not able to open it for us Joshlyn- I don't know I never saw a custodian there Mr. Perez- will table this item for discussion for the next board meeting I think we should definitely keep the conversation going to find solutions for next year it's really early to find a solution for next year but we may have to attend a school district meeting and see if they could abdicate resources for the benefit of the kids and the community that were serving because there also there students item 12.4 tabled for next board meeting.

12.5 Discussion and Potential Action: Approval to post a job opening for a Recreation Leader and hire as soon as possible.

Mrs. Cervantes- this was brought up at the last board meeting and the board was okay with doing it but I spoke to Nathan and he said if it's not on the agenda we can't approve it so I put it on the agenda so we can approve it tonight so I could post the position and hire.

**MOTION** Mr. Horton moved Mr. Rodriguez second to approve item 12.5 open and hire the position of the Recreation Leader. Motion passed 4 ayes, 0 noes, and 1 absent.

12.6 Discussion and Potential Action: Website approval to post updated policies and current budget.

Mrs. Cervantes- I put that on there because we have been approving a lot of policies and procedures and the community has questions so if it's okay for me everything that has

been approved so far if I could start posting it on the website all the policies and procedures that have been approved with Mr. Hodges and the Board and also the budget we don't have that on the website if I could go ahead and just post it incase people have question they could go in there look at it I just want to verify that I could do that it has the prices and everything.

**MOTION** Mrs. Villanueva moved Mr. Rodriguez second to approve item 12.6 Website approval to post updated policies and current budget. Motion passed 4 ayes, 0 noes, and 1 absent.

### **13. FINANCIAL REPORTS:**

13.1 Review of District's Financial Accounts- Action

13.2 QuickBooks Reports- Aged payables, balance sheet, profit and loss

**MOTION** Mr. Rodriguez moved Mr. Horton second to approve items 13.1. Motion passed 4 ayes, 0 noes, and 1 absent.

**MOTION** Mr. Rodriguez moved Mr. Horton second to approve items 13.2. Motion passed 4 ayes, 0 noes, and 1 absent.

### **14. DISTRICT CLOSED SESSION:**

**MOTION** Mr. Rodriguez moved Mr. Horton second to approve to go into District Closed Session at 8:24pm. Motion passed 4 ayes, 0 noes, and 1 absent.

14.1 Public Employee Appointment (§ 54957) Title: Office Manager

14.2 Public Employee Performance Evaluation (§ 54957) - Title: General Manager

Mr. Perez- back in the Board Meeting of the Board of Directors the time is 10:25pm coming out of close session Mr. Hodges- during close session the board did not vote to approve a office manager and decided to table items 14.1 until the next meeting regarding item 14.2 no public employee evaluation was completed the board voted to table that until the next meeting as well

### **15. DIRECTORS TIME:**

**Mrs. Villanueva-** thank you very much and see you at the next meeting

**Mr. Horton-** nothing

**Mr. Rodriguez-** I want to say this meeting to me is nothing new I've been to this kind of stuff before so I just want to let you guys know that when you're in closed session like I said earlier your could speak your peace because this is what stays whether someone gets mad or disagrees this is we're it stays I'm not mad at you or anything we are strictly talking about a item here and the things that were brought up were legitimate if you guys want to change the way the GM

handles stuff then we need to go back and get them changed I'm not saying all the board members want it that way It would not be right if we did it's kind of micromanaging the GM you taking her power away and as of this point right now she's not taking advantage of her power and doing things that is causing the employees to be upset or anything like that she's been fair with everybody I'm with Mr. Hodges this particular item shouldn't never went this far that's why I sat here and listened to you guys going back in forth talking about the applicants they didn't qualified that was the end and then as I listened to it I started thinking maybe they knew some of the applicants and trying to get them in there that entered my mind and that's why I was here listening and listening that's the feeling that I got, I don't think is polite that Mrs. Villanueva left because it's getting late or she's tired or whatever we have a item on this agenda and we have to take care of it going back it should have never lasted this long but for some reason there's some friction there somewhere that is causing this item to get postponed for I can't think of any reason why It should be Mr. Hodges- just for the record Director Villanueva exit the meeting at 10:27pm. **Mr. Perez-** the time is right now 10:30 Mr. Perez- for my directors time I want to say it was definitely a learning experience and growing up in the community of Lamont I can't express how proud I am right now of the amount of the knowledge and the amount of care that's on this board and with that said I think moving forward will be more efficient It really makes me feel good that from our District Counsel and our Board Members and our staff here at Bear Mountain Recreation that people actually care because a lot of personal opinions and a lot of personal recommendations a lot of heart so I want to thank everybody I move to entertain a motion to end today's meeting.

## **16. ADJOURNMENT**

**MOTION** Mr. Rodriguez moved Mr. Horton second to approve to Adjourned the meeting at 10:32pm. Motion passed 3 ayes, 0 noes, and 2 absent.