

December 20, 2018

The regular board of directors meeting of Bear Mountain Recreation and Park District was held Thursday, November 15, 2018, at 6:30 pm 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 6:37 p.m. at David Head Center, Senior Center.

2. **CALL TO ORDER AND ROLL CALL:**
Mr. Perez called the meeting to order at 6:30 p.m. Board Members present Mrs. Villanueva, Mr. Castrejon, Mr. Horton, Mr. Rodriguez and Mr. Perez. Staff present: Legal Counsel; Mr. Hodges, Mr. Zamora and Mrs. Cervantes absent.

3. **FLAG SALUTE**

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

MOTION Mr. Horton moved Mr. Rodriguez second to approve the agenda as to form. Motion passed 5 ayes, 0 noes and 0 absent.

5. **PRESENTATIONS: None**

6. **PUBLIC COMMENTS:**
Elvira Trujillo- is my first time here

7. **ORAL COMMUNICATIONS: None**

8. **WRITTEN COMMUNICATIONS: None**

9. **CONSENT AGENDA:**

Mr. Rodriguez- before we Approve our list of bills, I notice that the cleaning supplies is high maybe we could ask Mrs. Cervantes I know that we get a copy of the bill I was just wondering if some of these supplies can be purchased from another place to bring that down a little bit maybe for the next meeting we could put that on the agenda for next meeting Mrs. Villanueva- Mrs. Cervantes send us a list to my house and it's the same like last month and this list is different that the one that I received at my house Mr. Rodriguez- the reason that its different is because there's bills that came in late that were added she explained that to us before Mrs. Villanueva- las month is the same is the last time to approve this kind of paper because its not fair to me to get send one and approve here a different one Mr. Perez- two board members get there package mailed and the rest get them emailed and Mrs. Cervantes is not here tonight to answer that question, you and Mr. Rodriguez receive the same board packet mailed and you receive the same board packet as we do here Mrs. Villanueva- the other concern is the legal services last month it was two thousand something and this month is five thousand eight hundred and ten

dollars and that's why I ask Lorena I need to know what is paid Mr. Rodriguez- correct me if I'm wrong the legal services are not open to the public is just for the board members to see and I don't think it would be appropriate to have a copy of the legal services sent to you I think the proper way to do it is to you or any board member to come to the office and pick them up Mrs. Villanueva- no I'm sorry that is wrong I have the right to receive the papers because I am a board member Mr. Horton- anyone has the right to see any of the bills these are public I think the problem is that when these bills and board packet have to be mailed out they are not complete because everything has not been put together so in order to get to you prior to the meeting she has to send it out incomplete and the other board members that receive them through email receive a complete copy I think there are two ways to resolve it you could get it by email or you could come and pick up a complete packet of the day that is posted either way it will solve this problem Mr. Perez- but I already received an explanation from our staff the charge was the roto roter charge it's a very standard charge however the services that were charged weren't surrendered and complete by them so there should not be a charge I'm going to make sure that the staff takes care of this so we don't have to pay for a service that was not performed

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

10. DEPARTMENT REPORTS:

General Manager Report:

- 10.1 Maintenance- Mr. Zamora- we have been busy with the haunted house we have been helping out with building, with construction and it has put us behind, we have been working on the Weedpatch Park restrooms It was kind of a big deal for the public they have been calling and complaining that there is no restroom, that's understandable because I have kids and I don't like to go to a park where there is no restrooms, so what we been doing is updating our restroom with every chance we got so far we have painted the inside and the outside of the restrooms I have installed a couple of new lights inside so now the restrooms are a lot brighter we removed all the hand rails, toilets, the urinals cleaned them out today we began working on the floors were stripping floors and laid the first coat of primer, we had a issue with the pump at the Lamont Pool our circulation pump went out I got it checked out it was no good so we purchased a new one and I installed it and its running good Mr. Rodriguez- that new motor you replace is that energy saving Mr. Zamora- we matched as best as we could to the new motor but next time that a motor goes out ill research into getting an energy saving one we just wanted to get everything running Mr. Perez- the sewer issue was taken care of these was taking care in house saving us a couple of thousand dollars I know we still got billed around five hundred eighty five dollars but expect to get that back or not pay that and thank you for saving us a couple of thousands of dollars
- 10.2 Recreation – Mr. Perez- the haunted house was a success we had about 580 participants walk through purchase a ticket walk through the haunted house each

ticket was sold for 2 dollars so profit after expense was 858 dollars we did receive 200 dollars in donations from ABC Foods here in Lamont and myself, also permission was giving to the Harvest Festival committee by a board member that was not discussed with the district manager, promising the front portion of the parking lot for the festival it was something that was not discussed with the board or the District Manager this could have been a liability issue since it was public space and certain requirements need to be followed Mr. Hodges can give further information on that. The recreation staff is starting to work on the Christmas parade event Mr. Hodges- the main issue is that handicap spots were taken and because we have to be ADA compliance, we have to leave spots for the handicap people to park and to be able to access the facility, Mrs. Cervantes called me and I told her what to do make that available she talked to the Harvest Festival Committee or whoever was in charge and they made it happen

- 10.3 District Manager- Mr. Perez- the district manager attended a CAPRI board meeting on November 5th and 6th and they would discussing possible changes that would benefit this district and any other districts that are insured by CAPRI also the General Manager attended a fundraising work shop on Monday on Veteran's Day so it was a day for all staff including herself but there was an opportunity to receive free fundraising training and she took it upon herself and signed herself up and myself so we went it was very informative it was in Delano there was other community groups it was great and for her to do it on her day off , also tonight she is absent because she is attending a grant workshop in Oakland that took place today November 15, 2018

11. CALENDAR OF EVENTS:

- 11.1 Committee Meetings- Mr. Perez- we had a meeting with the Grant Writing Committee me Mr. Horton and Mrs. Cervantes and at that time an application was delivered by Mr. Horton we are going to be working on Clean Vehicle Grant it's available to many districts including ours hope to have an update regarding that application if we get awarded that grant
- 11.2 Events- Schedule for David Head Center
- 11.3 Events- Senior Center

12. DISTRICT BOARD MATTERS:

- 12.1 Discussion and Potential Action: Large Event Policy
Mr. Horton- I had provided a list to the board members I needed an update to pricing before anything could get approve Mr. Perez- I have a report from Mrs. Cervantes that there is some cost that have not been recorded the recommendation from the staff is that this item would be table for next month for review of the board Mr. Horton- is my understanding with speaking to Mr. Cervantes about this issue there was some numbers that need to be crunched based on maintenance cost if there is damage so she was going to meeting with the maintenance supervisor to go through those so they could put in accurate numbers and provide that to the board before you vote on anything Mr. Perez- so

without any objection will go ahead and table this item for next month regular meeting of the board

12.2 Discussion and Potential Action: LAFCO SOI District Map Boundaries
Mr. Hodges- no update Mr. Perez- will go ahead and table this item for next month pending update

12.3 Discussion Potential Action: Update of Employee Handbook
Mr. Hodges- this handbook that I have for you here it includes are the updates that I'm proposing on page 31 we change the vacation leave maximum accrual to be one in half times rather than a unlimited amount of accrual I also changed the sick leave accrual so there is no accrual just you get a certain number of days you guys 15 days for each employee sick time you other use it or lose it at the end of the year that's one of the big changes another big change that is very important, you'll see on page 45 section 15 reasonable accommodation in the interacted prosses this is very important the insurance company just asked for the interacted prosses policy of the district this is basically how you deal with people that have disability, employees that have disabilities or applicants for employments that have disability and under the law you have to provide them reasonable accommodation if they are able to still do the job with those accommodations this is the policy that it outlines how the employees needs to come to the district and ask for these accommodations and then how we go through that interactive prosses this is actually a really big change that is in here right now there is a lot of litigation with this and is essentially if you don't have this interactive prosses and somebody quits for example they could sue you for wrongful termination I had to work with my disability which is something that I couldn't do or I had to quit so you forced them to quit which in the law is the same as terminating them and that really a big deal there are other changes in here there are not as big they are minor we just made what we had comply with the 2018 laws, the first page will be changed, and I wanted you guys to review everything before there was a vote on anything this is what I'm proposing and it should be the new employee handbook at the next meeting if you have any questions if one thing is added and one thing is deleted come back and will discuss those and explain why they shouldn't be or why it's a good idea or whatever the comment would be this is for you guys to review I don't think any action is necessary Mr. Perez- we will go ahead and table this item so that each board member can have time to go over the different sections that have been updated and bring it back for potential action

12.4 Discussion and Potential Action: Approval of Date for Ethics Training for Board Members on Saturday, January 19, 2019 between 10am-2pm to be combined with the Sexual Harassment training.

MOTION Mr. Rodriguez moved Mr. Horton second to approve item 12.4 Ethics Training for Board Members on Saturday, January 19, 2019 between 10am-2pm to be combined with the Sexual Harassment training. Motion passed 4 ayes, 0 noes and 1 absent.

Mr. Perez- around 5 to 10 minutes ago Mr. Castrejon asked to be excused momentarily so that's the one absent that is being recorded right now

12.5 Discussion and Potential Action: Bear Mountain Recreation and Park District Committees Policy.

Mr. Hodges- this is something that was asked to be prepared because there has been some confusion basically of what committees are supposed to do, who's entitled to receive notice of committee meetings how they're supposed to be planned so I put together a propose policy and some procedures in how committees operate is just for you to review and if you make changes again I would not recommend taking any action on it tonight because nobody has had the chance to review it but it outlines the essentially everything from the general rules governing committee to how things are supposed to take place in committee meetings are you supposed to use an agenda how the agenda is supposed to get submitted the public it outlines basically everything you have to do with the committee to follow the law I know is quite a bit is five pages it gives you a foundation with moving forward specially with bringing in new board members that haven't been part of committees in the past Mr. Perez- we will table this item for next month's regular board meeting as a discussion and potential action item

12.6 Discussion and Potential Action: Update Conflict of Interest Code

Mr. Hodges- this is on the agenda because the County of Kern contacted the district requesting that the conflict of interest code be updated it hasn't been updated since 2007 so I started to review it and I will have a draft proposed changes or if no changes are necessary ready to review at the next board meeting so we could comply with the County of Kern the Conflict of Interest Code is who has to fill out the form 700 what needs to be disclosed Mr. Perez- we will table this item for next month's regular board meeting as a discussion and potential action item

12.7 Discussion and Potential Action: Lock down policy and procedure

Mr. Hodges- at the last board meeting because of the arrest and assault that took place within these premises I was asked to prepare a lock down policy that's what I have done here I also added a containment and response procedure in case there is a has mat spill or something like that it doesn't just include like an active threat shooter situation it also includes a has mat spill or big oil spill or something like that so just review this is something in the right directions also something that the insurance company wants to see its good that you guys are on top of this Mr. Horton- is really good that were getting this because every company has this Mr. Rodriguez- this is something that should have been done a long time ago but we have to wait till things happen but never the less we are moving forward this is something that is going to benefit Bear Mountain Park and Recreation Mr. Perez- I agree, for this document Mr. Hodges does it also include an evacuation plan Mr. Hodges- that's next Mr. Perez- we will table this item for next month's board meeting

12.8 Discussion and Potential Action: Evacuation policy and procedure

Mr. Hodges- again from the guys getting arrested with guns it made you guys to request a evacuation policy this is just a policy how this place should be evacuated in certain situations like a fire what I notice I looked around and I didn't see was a map it should be in every room that's something that insurance company has asked for as well they also asked to see the evacuation policy of the district we didn't have one in place so what I did I gave the district manager this policy to show to the auditor yesterday and she informed the auditor that this is just a draft policy that its being consider by the board but were working into implementing that this is for your review and we could take action at the next board meeting Mr. Perez- will table item 12.8 for next month's regular board of directors board meeting

- 12.9 Discussion and Potential Action: Creation of law enforcement position/division
Mr. Hodges- you guys also asked me to research the formation of the police department what the steps are and honestly I can tell you my other clients what work I did for you what I passed out I just didn't have time to get to it yet so I will get to it and I will have something for you at the next board meeting Mr. Perez- thank you so much Mr. Hodges for the update, it was brought to our attention as member of our board that we had the authority to possibly create a law enforcement agency pertaining to this district there has been some concern of safety within our board of director seen some incent that have took place on or in surrounding area of our district property including a murder within 300 feet of our property line and there was criminal activity that took place in our property involving fire arms we wanted to explore the option to having security via police force created, pending that information will table item 12.9 for next month regular meeting

13. FINACIAL REPORTS:

- 13.1 Review of District's Financial Accounts- Action
13.2 QuickBooks Reports- Aged payables, balance sheet, profit and loss

MOTION Mr. Horton moved Mr. Rodriguez second to approve item 13.1 and 13.2. Motion passed 5 ayes 0 noes and 0 absent.

14. DISTRICT CLOSED SESSION:

15. DIRECTORS TIME:

Mrs. Villanueva- thank you and good night, the other point that I do want to make is that we have pending work with Lorena the power point we have five months that this was asked for and it's been six months and it hasn't been finished supposedly we were going to finish it when the pools closed and the other thing is that we had a meeting scheduled and I don't know the reason why she cancelled she just said had some other things and asked if she couldn't be present that if the person that works with her just for her to take notes and she said that no one can take her place for any meeting so then my question is were paying the person that is in charge of the office so what that means is that the person that is covering her in the office has no authority if there's an emergency I want to get that cleared so what that means if Lorena is not here the committees can't do nothing so

I'm confused in that if we have someone in charge and we have the person that is helping her if Lorena can't be there that person should step in and take her place

Mr. Castrejon- it's been a pleasure serving my community and wish you the best and I'll be here at the next board meeting

Mr. Horton-thankyou good night

Mr. Rodriguez- well I don't have anyone to thank they all left and I wish they could stick around until we finish the meeting so they could get a full picture of everything that is going on and I'm really disappointed in our new official he should of stay here, other than that I don't have nothing else to say and thank our legal counsel for all the information of all the items that we had on the agenda it takes a person that knows the laws to give us this information

Mr. Perez- it was a little upsetting to see everyone leave a little bit early I had a small gesture for the community of bringing in some pizza for the term of Mr. Castrejon ending for the 4 years and then we had a new board member in the audience is just bitter sweet that everyone left early, and to comment on Mrs. Villanueva comment the last program committee that we had or the committee for the presentation it was discussed and it was agreed upon that we were going to postpone the presentation that way if we had a new board members come on that they would receive that presentation as well so that was discussed and agreed upon but I didn't want to interrupt you in your directors time so I did have that so in the last meeting we meet here at the David Head Center and we talked about that and it was agreed upon I wish that the presentation would just be done and over with to be honest there's a lot of good points and I don't think it requires that much time never the less it was agreed upon that we would do it after the new board members did come on I had my own hopes to have the presentation before that and I agreed upon it too that we would just wait, and in regards in the issue of having Mrs. Cervantes available for committee meetings I looked over in our bylaws I want to forward the question to our legal counsel if Mr. Cervantes is not available for a committee meeting is it permissible for anybody to be place so a committee meeting could proceed Mr.

Hodges- I don't think that there would be a problem with that but I think all of this could be resolved if these procedures that I presented to you for the committee meetings it eliminates any immunity of how the committee meeting how they supposed to meet when they're supposed to meet what they are supposed to discuss and who is supposed to be present it eliminates all of those issues that the board has been having in the past so Petra's concern should be eliminated as soon as you review that policy and make some changes or just approve it as it is and there shouldn't be this issue anymore Mr. Perez- we did have the person that appears to be the new director in our audience it's nice to see him consistent throughout the year and also tonight he was present but unfortunately he didn't stay through the whole meeting but however we had a good meeting tonight and I want to thank everyone for coming thank you to our legal counsel, and I want to thank the community for taking their time to vote in this past election I know a lot of people didn't chose to vote because it wasn't a presidential election however the votes are being counted and I'm very grateful for everyone in the community for taking time vote and continue to support this district Mr. Rodriguez- I want to thank you for winning the seat and reason being is because you have a lot of time to attend a lot of these meetings with the district manager and bring up a lot of good issues and I like to see you doing that and

that makes you a good president and I like to see you serve the next four years as our president Mr. Perez- thank you Mr. Rodriguez

16. ADJOURNMENT

MOTION Mr. Rodriguez moved Mr. Horton second to adjourn the meeting at 7:35pm.
Motion passed 5 ayes 0 noes and 0 absent.