

January 19, 2017

The regular board of directors meeting of Bear Mountain Recreation and Park District was held Wednesday, December 21, 2016, 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, Board Room.

2. CALL TO ORDER AND ROLL CALL

Mr. Castrejon called the meeting to order at 6:46p.m. Board Members present Mr. Guillen, Mrs. Villanueva, Mr. Rodriguez, Mr. Perez and Mr. Castrejon. Staff present: Lorena Cervantes, District Manager. Legal Counsel, Mr. Hodges.

3. APPROVE AGENDA AS TO FORM

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

4. PRESENTATIONS: (Community Organizers and Members)

Casey Madera (Kern County 4H group)- Came out to do a tree survey with a group of Kids and met with Mr. Perez at Bear Mountain Park they drew a map of the park marking the trees that we had and the trees that were deceased. Mr. Perez commented that to be in compliance with the tree policy that we have for Bear Mountain Recreation and Park District. Initially his phone call was to the Tejon Ranch conservancy his contact was no longer there. Mr. Perez reached out to Mary Moreno who is heavily involved in the community and has the background knowledge of conservation. Mary Moreno along with some Lamont School District kids some volunteers there were also from the Kern High school District some students came out and they did a survey once we were out here we realized that the task was a lot bigger than what we had initially prepared for having no map at the time having no knowledge of how many trees there were at the park or what type of trees there were. We set out a task to count the trees survey them to provide an observation of the conditions of the trees that we have. Mary Moreno did provide very good observations positive and negatives. This was a good first step there is still a lot of work that needs to get done. Mary Moreno – her group along with the 4H group in Arvin did a survey at his park they had the opportunity to walk around the park and each one of them drew a map and identified some of the trees that they knew. At this park there is a variety of maples, mulberry some pine trees. Some of the observations were that in front of the building where the beautiful grass is however the trees do not like that much water if you put your hand on the bark of that tree it is saturated with water basically its killing those type of pine trees. Her suggestions are to try to get them in a different type of watering system or switch over your type of turf so you don't have to water as much. Mr. Perez passed out some picture that illustrates the watering problem. Also whoever maintains the trees does not know how to make the ring around the trees. Her suggestion is instead of making the ring around the trees if your took 24 inch pvc pipe and

stuck in the ground every ¼ around the big fat tree and filled it with p gravel then the water will soak down to the tree and the tree will keep its roots down into the system and you won't over water. Those were her observations. They had a lot of fun especially involving the kids in the community. Also get a good arborist to trim trees. Look for drought resistance trees they don't require much water. Change the watering system for the trees so it's deep into the ground for the roots to remain deep in the ground. Mr. Perez would like to get more information on how incorporate the pvc pipe with the p gravel. Also there is a tree that should be taken out it's on the north side. Mr. Zamora had General Tree Service come out and look at some trees that were sick. Mary recommended contacting the Arborist Society, or the Native Plant Society they will come and volunteer their time to help identify the problem of the trees. Also White Forest can test your soil or the Garden Supply on Rosedale. Mr. Rodriguez asked Mr. Perez if this was something that he got going he felt that the maintenance supervisor should have been present to receive some training. Also the pine trees in the front are coastal pines and they are from the coast they thrive in a lot of moisture that's why they call them coastal pines these two trees are the most beautiful trees because these kinds of trees do not survive in California because of heat. Mary feels that they are getting to much water. Mr. Perez said he made an effort to coordinate with Lorena and she was going to ask the maintenance supervisor if he could come. Mr. Rodriguez said that this was a good presentation. Mr. Castrejon thanked the group that came out and Mr. Perez.

5. PUBLIC COMMENTS:

- a) Jorge Guillen- commented that the district janitor is still pouring dirty water in the park. The janitor has been told in the past not to do that that its polluting the grass. There is a drain that they can use but it has not been working in 10 years. Mr. Castrejon- we cannot speak about any employee of the District but you can speak to any of the board members in private or the District Manager.

6. ORAL COMMUNICATIONS:

- a) None

7. WRITTEN COMMUNICATIONS:

- a) None

8. CONSENT AGENDA:

- 8.1 Minutes

MOTION Mr. Horton moved Mr. Rodriguez second to approve the minutes motion passed 5 ayes, 0 noes, and 0 absent.

- 8.2 Pre-signed Vouchers

MOTION Mr. Rodriguez moved Mrs. Villanueva second to approve the pres-signed vouchers. Motion passed 5 ayes, 0 noes and 0 absent.

- 8.3 List of Bills

MOTION Mr. Rodriguez moved Mr. Horton second to approve the list of bills. Motion passed 5 ayes, 0 noes, and 0 absent.

9. DEPARTMENT REPORTS:

- 9.1 Maintenance- Mr. Zamora gave an update on estimates Re-wiring for the sprinklers, Roofing and the installation of the pull up bars, picnic tables (Home Depot), bbq grills called Jose he said he could help with the installation but if specs are needed. He is still waiting on a phone number to ask exactly what he needs. He called Miracle Equipment to get prices on the bbq grill. The signs no skateboarding, no bicycling and no rollerblading on basketball court were ordered and put up. Basketball court someone hit it with their car. Mr. Zamora is waiting for a welder that is going to help us by volunteering his time he will let us know what material is needed to get the job done. There was a break in the main waterline for the sprinklers it was fixed if contracted out it would have been \$1500.00 the cost for doing it themselves cost the District \$600.00 saved the District \$900.00. Also another thing we were looking into cutting cost he is working on getting estimates on the solar panels but also looking into other options for cutting energy in the meanwhile. There is a vendor that I have been working with to cut electricity cost on the pool pumps. Mr. Perez asked if a police report was made in regards to the vandalism on the basketball court. Mr. Zamora yes there was. Mr. Perez can you get a cost analysis on the system if possible for the next board meeting. Mr. Rodriguez- This was a good update on the maintenance your brought a lot of good information. Mr. Perez also thanks you for the report. Mr. Castrejon also thank for the update it seems very well prepared.
- 9.2 Recreation-The Arvin and Lamont Christmas Parade. Mrs. Villanueva what was the cost for the parade. Mrs. Cervantes will provide that information at the next board meeting. Mr. Rodriguez find out if we could have Zumba Class in Arvin and possibly have it at the Gym at Haven Drive School. When that gym was built one of the speculations was that the public was going to able to use it. Mr. Castrejon mentioned said he could work with the superintendent in regards to use of haven drive gym. Mrs. Villanueva said in the past they had a lot of problems with the people using it they would start problems. Mrs. Villanueva we would be in charge of the gym if it used for a class. Mr. Castrejon- that would be part of the agreement we would work out details. Mr. Perez who pay the zumba instructor? Mr. Castrejon the people pay the instructor. The instructor pays a percentage to the District for the use of the facility.

10 CALENDAR OF EVENTS:

- 10.1 Committee Meetings- Mrs. Cervantes met with Mr. Castrejon as the capital projects Committee and went over the items that were discussed under maintenance saving energy, basketball court, pools, speed bumps in parking lot due to the accident in the parking lot. Mr. Perez can we be in liability if someone decides to be playing in the parking and cause an accident. Nathan Hodges- yes we could be liable because we are

aware that there was an accident. It would cost more to defend. Mrs. Villanueva could we put chains. Mr. Castrejon that is something that we can't put up the park has it closing hours. Mr. Perez I have seen the small children signs those help for people to slow down it would be less cost. Mr. Horton will put up signs help us with liability issues. Mr. Hodges it would help with the liability but he thinks that they make those types of speed bumps that you put with a concrete gun that are made of rubber this would be a safer way to protect the District. Mr. Castrejon has the maintenance supervisor look into prices for the speed bumps. Mrs. Cervantes- also met with the budget committee meeting and went over the prices of the use of the soccer field other parks and recreation are charging 10.00 per hour the committee decided to change it to that price for when it comes up for approval. Mr. Castrejon would like a budget update for the January meeting. Also we have a new board member and we need to update the committees. Mr. Horton is ok with just taking over the past chairman committees.

10.2 Events-Schedule for David Head Center

10.3 Events- Senior Center

11. DISTRICT BOARD MATTERS:

Mr. Castrejon recommends since there are a few agreements for approval that they get tabled and get approved at the next board meeting. To give the board more time to review them. If you have any questions contact the District Counsel. Mr. Hodges said that if anyone had questions he would be happy to answer any questions. Mr. Hodges gave a brief summary on the BMRPD Education Assistance Program/Application/Agreement. Mr. Rodriguez would like to thank the Counsel. Mr. Perez asked the legal counsel in policies like this has he ever seen where the employees have to pay the full the amount back if they are terminated or leave before time. District counsel said no they would pay a prorated amount due to their service. Mrs. Villanueva what does the stipulation of the 10% mean. Mr. Hodges it's like 10 % interest that is legally enforceable that they would pay if they left before time. It's the time value of money. Mr. Horton if an employee's loses their job due to budget would they have to pay something back. Mr. Hodges- only if they were terminated with cause but if you terminate them without cause they did not do anything wrong they would not be liable. The District decided to lay them off you have also decided to forgive what they owe to the District because it's not their choice it's not something they have done wrong.

11.1 Discussion: BMRPD Education Assistance Program/Application/Agreement

- o Potential Action: Approve Program/Application/Agreement as Drafted

MOTION Mr. Rodriguez moved Mr. Perez second to table this item for the next board meeting. Motion passed 5 ayes, 0 noes, and 0 absent.

Mr. Castrejon would like to table this item for the next board meeting. Mr. Hodges informed the board that he included the entire vehicle policy with the GPS policy because it had not been update in the last 20 years looking at the bylaws. Mr. Rodriguez has read the policy and he is ready to approve it also Mr. Horton.

11.2 Discussion: BMRPD Employee Vehicle Use/GPS Policy

MOTION Mr. Perez moved Mr. Horton second to Approve Vehicle Use/GPS Policy.
Motion passed 5 ayes, 0 noes, and 0 absent.

11.3 Discussion: BMRPD License Agreement for Church Use of District Facilities

Mr. Hodges gave a brief summary of the license agreement for the church so it's not a rental agreement which means it doesn't lock the church into any specific duration that they have to use. It's only a per use its similar to the way that they are operating now it includes all the term the board asked to be in the agreement. Mr. Olvera asked what the terms are. Mr. Hodges said that it was a 5 year agreement at that is a per use charge for the church. The church has the right of first refusal in case someone wants to use it on a Sunday. Similar to the way you're operating now it's just now in writing. If you have any additional questions feel free to contact Mr. Hodges or bring back to the board for discussion. Mr. Olvera is this a take it or leave it contract or is it a negotiable contract. Mr. Hodges can make any recommendations for the legal terms. Mr. Olvera knows that the District is looking out for the District Mr. Olvera needs to look out for the church. This agreement can be brought up back to the board for negotiations. Jesus G. Perez said he can speak for himself as a board member that this can be amended if all the board comes into an agreement we want to work with the community we want to work with the church we are here to not only to protect the District but we are here to provide a service to our community. Mr. Olvera he was getting a different impression from the board. Mr. Perez I hope we have amended your impression we definitely want to work with you. Mr. Olvera we have to work on that. Mr. Perez this is a working board. Mrs. Villanueva the only thing I would like to make clear and to be in the minutes that in case of an emergency the church would be willing to give it up. Mr. Olvera in the 13 years that we have used we have given it up when needed. Mr. Hodges this is part of the agreement. Mr. Perez asked Mr. Olvera hoping to get a very honest answer what gives you the impression because this is a brand new board minus the exception of the president being here for 2 years we have not been here for 13 years. Mr. Olvera- Thank you for that question. If you do a little bit of research and look at the previous minutes you can hear the recordings and the spirit that motivated some of these questions that had made me feel like this and you will get the answer. I am being very sincere about the response.

MOTION Mr. Rodriguez moved Mrs. Villanueva second to BMRPD License Agreement for Church Use of District Facilities. Motion passed 4 ayes, 0 noes, and 1 abstain.

11.4 Discussion: BMRPD Public Arts Policy Application for Participation

Mr. Hodges was contacted by the previous chairman of the board and given a directive to prepare an application to go along with the Public Art Policy that the board previously approved. Mr. Hodges drafted an application for the board to review and if there are any question or

changes let him know to be able to implement this policy. Mr. Rodriguez is ready to vote on the application. Mr. Rodriguez talked to the past president this policy is not just going to be good for Bear Mountain Park and Recreation. Mr. Rodriguez has been working with public works supervisor in Arvin. They have a boxing club there in Arvin he took a tour of in inside its really nice but the outside of the building is really plain so he got hold of one of the Artist that Jorge had contacted and he took some pictures of some art work that he is doing in Bakersfield and Mr. Rodriguez faxed them to the public work supervisor in Arvin and she looked at them he also gave her a copy of the art policy that our District adopted he received positive feedback. They are going to look into put art in the building in Arvin. Mr. Rodriguez feels that this Art Policy is a good deal and wants to thank the past president.

MOTION Mr. Rodriguez moved Mrs. Villanueva second to Approve Application for Participation. Motion passed 5 ayes, 0 noes, and 0 absent.

11.5 Discussion: BMRPD Press Release for Public Arts Policy

The former chairman asked that Mr. Hodges that he prepare a press release to be released. If there are any changes he would be happy to make them. The information is directly quotes taken from the policy. Mr. Guillen commented that if this gets approved tonight he would have a list of the women artist by Monday to Mr. Hodges. Mr. Hodges will modify it and send it to the District Manager so that she can release it.

MOTION Mr. Rodriguez moved Mr. Horton second to Approve Press Release to be released. Motion passed 5 ayes, 0 noes, and 0 absent.

11.6 Discussion: BMRPD Amended Rental Rates for District Facilities

Mr. Rodriguez the budget and finance committee met at 5:30pm tonight and the only change was on the soccer field price because we had tabled this item because we did not have a price. The District Manager recommended moving the price to \$10.00 per hour and we are going to go with the recommendation.

MOTION Mr. Perez moved Mr. Rodriguez second to Approve Rental Rates as Amended. Motion passed 5 ayes, 0 noes, and 0 absent.

11.7 Discussion: Proposed Amendments to District Bylaws, as presented by District Counsel

Mr. Hodges was directed to go over the bylaws a couple of meetings ago and propose changes on the bylaws. Mr. Hodges gave a summary of the changes that he will be proposing and that next board meeting. The bylaws have not been updated in a long time. The current bylaws are missing page 29. Mr. Hodges will be drafting a Resolution that replaces all the current policies with the new ones. He will have everything done for the next meeting in writing. Mr. Horton asked if there was anything in the bylaws of what the board member duties were. Mr. Hodges said no but there is for chairman, vice chairman and secretary clerk. There is information of how the meetings need to take place.

MOTION Mr. Rodriguez moved Mr. Horton second to table this item for the next board meeting. Motion passed 5 ayes, 0 noes, and 0 absent

11.8 Discussion and Action: Election of Board Officers: Chair/Vice-Chair/Secretary

Mrs. Villanueva nominated Mr. Castrejon for Chairman and Mr. Perez also nominated Mr. Castrejon. Mrs. Villanueva nominated Mr. Perez for vice chairman, Mr. Perez nominated himself for vice chairman, Mr. Rodriguez nominated himself for vice chairman and Mr. Horton nominated Mr. Rodriguez for vice chairman. The board asked what the secretary job is. Mr. Hodges responded the secretary job is to make sure the minutes are transcribed. Mrs. Villanueva nominated Mr. Horton for secretary. Mrs. Villanueva nominated Mr. Horton as secretary. Mr. Rodriguez nominated Mrs. Cervantes she has been secretary. Mr. Hodges came up with a tally.

MOTION Mrs. Villanueva moved Mr. Perez second to go into recess. Motion passed 5 ayes, 0 noes, and 0 absent.

The board came out of recess at 8:35 pm. Mr. Hodges read the tally for vice chairman from Mr. Rodriguez and Mr. Perez. Mr. Perez won 3 to 1. Mr. Hodges read tally for secretary from Mr. Horton and Mrs. Cervantes for secretary. Mrs. Cervantes won 3 to 1.

MOTION Mr. Rodriguez moved Mrs. Villanueva second to approve Mr. Castrejon and the new chairman of the board, Mr. Perez as the new vice chairman of the board and approve that Mrs. Cervantes to remain as Secretary of the board. Motion passed 5 ayes, 0 noes, and 0 absent.

11.9 Discussion and Potential Action: Public Arts Policy – Mr. Horton had a couple of questions if the artist sketches something out and when its put up it's not what was approved. If it is not what was approved it comes down we try to contact the artist. Mr. Guillen said he can volunteer himself if we can't get a hold of the artist. Mr. Hodges explained to Mr. Horton that in the application that they approved the artist is required to submit the drawing for the mural. Additionally they have to post on the location that they are drawing to give the public the opportunity to give their opinion. Mr. Guillen this is art it is not graffiti everything that is put up has to be legible. No Action taken.

11.10 Discussion and Potential Action: Holiday Schedule 2017

Mr. Hodges recommends tabling this item for him to review that it complies with the employee handbook Holiday Schedule.

MOTION Mr. Horton moved Mr. Rodriguez second to table this item for the next board meeting.

11.11 Discussion and Potential Action: 2016-02 Resolution Property Tax Advance

Mr. Perez asked if this was the second one throughout the years or this year? Mr. Cervantes no this is the second one this year. Mr. Perez the purpose of this is to keep the District running. In the years plus he has heard that there has been a surplus of \$300,000.00. Mr. Perez commented that the tax District that affected our budget is there a way that we can get away from this. Mrs. Cervantes responded not at this time we want to start putting money in our reserves but at this moment we can't. Mr. Perez maybe the budget committee can help with this where we can start putting money in reserves. Mrs. Cervantes we are doing better than before.

MOTION Mr. Rodriguez moved Mrs. Villanueva second to approve 2016-02 Resolution Property Tax Advance. Motion passed 5 ayes, 0 noes, and 0 absent.

12. FINANCIAL REPORTS:

12.1 Review of District's Financial Accounts- Action

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

MOTION Mr. Rodriguez moved Mr. Horton second to approve Item 12.1 Financial Reports and 12.2 Quickbook reports. Motion passed 5 ayes, 0 noes, and 0 absent.

13. DISTRICT CLOSED SESSION:

None

14. DIRECTORS TIME:

Villanueva- thanked everyone that came to the board meeting and feels that everyone needs to work together. He would like to know what happened with the annexation of Lamont Park. She is letting the board know that she is trying to get information on her own that way there will be no conflicts. Merry Christmas and Happy New Year.

Perez- Thanked the volunteers that came out to help do the tree survey. He would like the District to see it as one of chief duties to maintain the park. He never thought the District would have a problem with over watering the trees. Also wants to thank Mr. Rodriguez for his knowledge on the coastal pine he was interested in that exchange in difference of opinion. Mr. Perez wants to add that at the last meeting there a comment in regards to the compensation being received. He would like to inform that at the end of the tree survey with the volunteer group he invited them to lunch so 65% of his compensation went directly for paying for the pizza and beverages. Happy holidays are safe stay off the roads. Thank you

Rodriguez- Maybe next year we can donate our compensation for the employees and the board to have a Christmas Party. Also maybe we can invest in another tape recorder and get rid of the antique.

Horton- **Thanked everyone for coming out and Anthony and Lorena for their good job. Merry Christmas.**

Castrejon- Merry Christmas and Happy New Year thanked everyone for coming and Congratulated Donny for being on the board. The training was real helpful he looks forward to attending more of those.

15. ADJOURNMENT

MOTION Mr. Rodriguez moved Mrs. Villanueva second to adjourn the meeting. Motion passed 5 ayes, 0 noes, a1 absent.