

Special Board Meeting March 9, 2017

1. REGULAR SESSION: Regular Session to Begin at 6:00 p.m. at David Head Center, Senior Center.

2. CALL TO ORDER AND ROLL CALL:

Mr. Castrejon called the meeting to order at 6:02 p.m. Board Members present Mr. Castrejon, Mr. Rodriguez, Mr. Horton, Mrs. Villanueva, and Mr. Perez not present. Staff present Lorena Cervantes, District Manager. Legal representation; Mr. Hodges.

3. APPROVE AGENDA AS TO FORM:

MOTION Mr. Rodriguez moved Mr. Horton to approve the agenda as to form. Motion passed 4 ayes, 0 noes, and 1 absent.

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

None

5. PUBLIC COMMENTS:

Anyone wishing to address the Board on any matter not on the agenda may do so now. All person(s) wishing to speak on an item on the agenda may do so at the time the Board considers at that item. When speaking please tell the Directors your name. There is a three (3) minute limit per speaker on public comments.

None

6. ORAL COMMUNICATIONS: None

7. WRITTEN COMMUNICATIONS: None

8. DISTRICT BOARD MATTERS:

8.1 Discussion and Potential Action- Job Descriptions

Mr. Hodges- meet with Mr. Rodriguez and Mrs. Villanueva to discuss the propose job descriptions but I dropped it. The Recreation Coordinator and Recreation Leader are positions that previous positions that did exist there was two additional recreation positions that were combined into Recreation Coordinator and Recreation Leader. Currently there's not full time Recreation employee so having four Recreation positions didn't make any sense after I dropped these I presented them to the personnel committee and the personnel committee has a recommendation for the board. Mr. Rodriguez-talked about the Job Description. He has met with Mrs. Villanueva, District Manager and Mr. Hodges meet and went over the job descriptions they were old some of them were dated out for a number of years so we updated everything under the supervision of our legal counsel, we have a copy of the new job descriptions if the board wants to review them and approve them at the next meeting or if they want to approve them tonight.

Mr. Hodges- the job descriptions were emailed out to all Board Members everyone should have had a chance to review them prior to sign.

Mr. Castrejon- Is in option to sign but if the Board needs more time is not an issue. Mr. Hodges- one issue that would be raised by waiting is the District Manager has to post job descriptions because she will be posting some upcoming jobs such as the pool manager and lifeguards as well the maintenance supervisor position its currently a interim position and needs to be posted as well delaying on these maybe okay for another week because the next meeting is next week I would not recommended delaying to long because we do need to get the pool manager and the life guard positions posted as soon as possible so those two could get filled before the pools open. Mr. Castrejon- yes that's correct but we do have that meeting next week so it would not be too long, if the board want to amend Mr. Rodriguez we have to go by what the legal counsel is telling us how much time we have because these jobs have to be posted are we going to run into a block wall by waiting. Mr. Castrejon- not necessary because is just one week that's why the Mr. Hodges is saying that if we wait too long that they need to be posted as soon as possible in the sense that we don't delay, that we don't delay longer than next week at all. Mr. Rodriguez what does the District Manager think. District Manager- I think that everyone got them with enough time to read them did you guys have time to read them, Mr. Rodriguez- were not going to make any changes because we already spend time and money on the legal counsel bringing everything up to date everything as far as I'm concerned if everything is there and legal I think we should take of these tonight that was the purpose of having the special meeting is that correct. Mr. Castrejon- yes exactly and the minutes.

MOTION Mr. Perez moved Mr. Rodriguez second to approve 8.1 job descriptions. Motion passed 5ayes, 0 noes, and 0 absent.

District Manager- on the record Mr. Perez arrived at 6:06pm.

8. 2 Discussion and Potential Action- Bylaws- Change Public Time from 10 minutes to 3 minutes.

Mr. Hodges- in the last meeting was directed too draft up a resolution to amend the by-laws to change the public comment time from ten minutes to three minutes with public comments on any one specific subject limited total ten minutes I added a draft in there a termination what constitute the same subject and the topic should be determined by the discussion by the majority of the Board of Directors then present if there's five of you here three believe is the same subject you could end the public comment on that one specific subject after ten minutes these cannot be approved tonight. They have to be approved according to the districts by-laws at a regular reschedule meeting these will be given to you tonight for you to review them if you want any changes made let me before the next meeting, so we look over them before the next Board Meeting, it's a very small change from 10 minutes to 3 minutes for a total with a total of 10 minutes for one specific topic. Mr. Castrejon- does that also have the wording according to the description of the board if it goes over the ten minutes. Mr. Hodges- the last sentence on the sheet that I handed out, the determination of what constitutes the same subject or topic shell be determine the discretion of the majority of the board of directors then present. Mr. Castrejon- if the board doesn't say to talk over then 10 minutes for any specific subject is to the discretion of the board that's how other board meeting that I have gone to have ran. Mr. Hodges- the board can aloud longer than 10 minutes but you have the right to cut off at 10 minutes base on a

specific topic based on this new amendment to the bi-laws. Mr. Castrejon- we will approve this at our regular Board Meeting, if you guys review it and decide you want to approve it on March 16, 2017. Item 8.2 will be table for March 16, 2017.

8.3 Discussion and Potential Action CSDA Summit and Kern Economic Development Summit.

Mr. Castrejon- asked for this to be put on the agenda because the special district association is having a summit April 22nd and as Board Members that we are already it's a good opportunity to expand our knowledge and skills as Board Members we should take advantage it. It will be from Sunday till Wednesday it will be in Long Beach so we commute daily or we could just stay at place, I would personally commute because it's what I prefer I would pay my own expenses I would not ask the District to cover my expenses but I would like to recommend for the board to think about it and consider attending this training. The board to review and approve it for next Board Meeting, its under the California Special District Association maybe we could get something printed or e-mailed to each board member to review it. Mr. Rodriguez- I would like to see more information on this the cost for attending. Mr. Perez- what would be the subject or the materials will be presented. Mr. Castrejon- is the leadership academy conference is comprehensive governance for elected and appointed directors there's a website just for the conference the conference content is for California Special District Association Leadership the curriculum based on continuant education program which recognize a necessity for the board and the General Manager toward close detour a common goal the Special District. San Luis Obispo April 23rd-April 26th.Mr. Rodriguez- I would like to see a flyer more information than what you're reading. Mr. Castrejon this could be presented approved by the district for registration. Mr. Perez- is there a time line to pay or registration. Mr. Hodges- there's three of these conferences one is in Napa, La Goya, and San Diego the San Diego one is in February, early registration is by March 24th regular is after is after the 24th is 600 dollars for the first person 400 dollars for each additional person for early registration, regular registration is 650 dollars for the first person and 450 for additional people non members are more expensive. District Manager- If you send me the information I could print it and send it to the board members on Monday. Mr. Perez- I would like to recommend for those who would want to stay there's plenty of places that are in San Luis Obispo that are cost effective. Mr. Rodriguez- is these going to interfere with our budget that were working on now is it going to do some damage here we need to ask the District Manager to look into that. Mr. Castrejon- That's why I brought it up to the board; I think it will be more beneficial in the long run because we have to get train to run a smooth operation better. Mr. Rodriguez- That's her position (District Manager) to get her all the education that she needs to bring it to us. Mr. Castrejon- We also need to go out there and be part of it. Mr. Rodriguez- I understand what you're saying what I'm looking at is our budget were already over our budget because our attorney is doing a lot of work to bring us back to the right position where we should be, I know we all need to be educated but we need to see what our district Manager has to say on the budget to see what can be aloud instead of just putting it on the agenda. Mr. Horton- We should send a couple people and have them come back and report mainly the General Manager that part of her duties to take workshops. That would save us a lot of money. Mr. Perez- Besides getting the flyer we should also get a financial impact report that will have the amount of people that should attend was this something that the District Manager was planning to attend. District Manager- I know about conferences I just had my insurance audit and they want me to attend a conference in May, I was going to bring this up to

the Board if I could attend it's a CPRS all the recreations attend them. Mr. Horton- I would not be able to attend. Mr. Perez- The more information we have the better decisions we could make. Mr. Castrejon- This would be very beneficial and educational for our Board Members since we have a lot of new members. This one would be at the state capitol it also a big difference in cost it is only \$175.00 early registration for member and \$265.00 for non-member it would be May 16-17. I think all the board members should attend we have to register before April 14, 2017. At least try to make me personally I would like to be there at least consider attending I talked to Petra about it before hopefully she can attend also. We could waive the other since it's a little bit higher I see your point Mr. Rodriguez but in future cases I would like to see for you guys to get as much education as you can you never stop learning you learn everyday and if you can try to obtain that. It is a two page flyer it already includes the agenda on it. Robert Rodriguez- I receive that Special District Magazine and I read it pretty good if I see anything in it that is going to benefit me as far as making decision for parks and recreation I look into it. I am pretty aware of when the law has changed the good thing is that you can go into the computer and look up the laws I do that because that is one good way to save the District some money. That is one of things that I would like to see done is for this District to find ways to save money. Mr. Perez- If we have this for vote next week will we have them separate or may I make a suggestion that we have them separate that way we can make a decision on who is going to attend or how many are going to attend for one conference and for the legislative we can do a different vote because they do have a different financial impact. We should have a budget for these items to kind of guide us and hopefully we can stay under save money. One question that I have for our legal counsel is if myself and Lorena just as an example were the only two that went to the conference how may we structure it so we can all be in the same building so we can relate the information back without violating the brown act. For example Lorena and I had these notes that we went over and we prepared a presentation of what we learned is there a way that we can get everybody together including yourself without violating the brown act. Mr. Hodges- we would just have a meeting we would just notice a special meeting or do it at a regular meeting that would be just one of the agenda items as a discussion of what took place at that meeting or at that conference. Mr. Castrejon- what about giving everybody a report because I don't think our meeting will be that long to give a report. Mr. Hodges- well if you just put it into one of the regular meetings you will be fine. Mr. Castrejon- Kern County Economic Development Summit I don't know if we are member of it but I would like to see if any of the members can attend or the general manager on March 15, 2017. I have attended a few summits on my own you can learn a lot from them. It is \$100.00 per person if anybody is interested in attending that. Anyone who attends report back to the board. Mrs. Villanueva can't attend she is going to Sacramento. There is a lot of new development over there by the Tejon Ranch are we ready how do we approaching this what if there is a need for a new park over there how much are we going to get. Mr. Horton- Can't attend. Mr. Perez- if we had a strategic meeting to plan for all these items that can impact the District significantly so we can plan accordingly maybe it is in conjunction with the 5 year planning committee just so we know if there is something new coming around the corner just so we know we have talked about it in a structured way this is what we have come with. One of the questions that I would have for Lorena how in the past whenever we have had a new development have had money come in were we essentially instructed to do something with that money for a new developed are.

Potential Action: Approve District Funds for Board Members attendance.

MOTION Mr. Castrejon moved Mrs. Villanueva second to approve the District Funds for board members to attend the Kern County Economic Development Summit. Motion passed 4 ayes, 1 noe, and 0 absent.

9. DISTRICT CLOSED SESSION:

9.1 Significant exposure to litigation pursuant to § 54956.9(d)(2): 1 case, a statement of fact concerning the litigation would jeopardize the District's ability to conclude existing settlement negotiations to its advantage.

9.2 Public Employee Appointment (§ 54957): Interim Office Manager

MOTION Mr. Castrejon moved Mr. Horton second to go into closed session at 6:36 p.m. Motion passed 5 ayes, 0 noes and 0 absent. The board came out of closed session at 6:59 p.m. Mr. Hodges- during closed session the board approved a settlement offer to be made no additional facts can be made at this time because it has not been offered or accepted. The District Counsel will provide an update to the board of the status of that offer when I know more. Also during closed session the board appointed Lucia Alcala as the Interim office manager and the amount she will be paid and her benefits status will be reported to the District Manager that is not public record.

14. DIRECTORS TIME:

A Director on their own initiative or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification or make a brief announcement, or make a brief report on his or her own activities. [A] member may provide reference to staff or other resources for factual information request staff to report back to the body at subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a further agenda.

Mrs. Villanueva- good night I hope everything goes well

Mr. Horton- None

Mr. Rodriguez- this meeting was really important and is moving us forward and we are getting everything in order and that is what it has to take to run this District right. Our District Counsel is doing a great job getting us this legal information. Mrs. Cervantes is a lot happier and she is doing a good job. We are moving forward since I have been here we have been doing a lot of changes it has to get done. This is what makes a good District when everything is updated.

Mr. Perez- I was really happy with the access to the information days prior to and being able to go over these it shows that we are making progress.

Mr. Castrejon-Don't forget about the wild flower days. Facebook page is asking for the administrator information so it is under my account. I think that the best solution for this is to create a new social media where the District administrates it. I don't want access information that I am not suppose to access. Nathan- The district needs to create a business page using a fake person and that fake person would be the administrator of the page. The District Manager and the office manager they would have access to that fake person login information. That would be the easiest way to stir around anyone person managing the District page. Cancel the current

Facebook page and start a new one. Public Safety Forum at Haven Drive- would the like the District to have an informational booth on May 21, 2017.

15. ADJOURNMENT

MOTION Mr. Rodriguez moved Mrs. Villanueva second to adjourn the meeting at 7:08 p.m. Motion passed 5 ayes, 0 noes, and 0 absent.

Any person with a disability who requires accommodations in order to participate in the meeting should telephone Lorena Cervantes 661-845-0757, at least 48 hours prior to the meeting in order to make a request for a disability-related modification or accommodation

DECLARATION OF POSTINGS: I declare under penalty of perjury, that I am employed by the Bear Mountain Parks and Recreation District and I Posted the foregoing agenda at the District office and website

District Manager; Lorena Cervantes