



Bear Mountain Recreation and Park District
A Special District
REGULAR MEETING OF THE BOARD OF DIRECTORS
Thursday, February 18, 2021
David Head Building
10300 San Diego Street
Lamont, California 93241
(www.bearmntprk.com)

MINUTES

1. REGULAR SESSION
2. CALL TO ORDER

The regular board of directors meeting of Bear Mountain Recreation and Park District was held Thursday, January 21, 2021, at 6:30 pm in the David Head Center at 10300 San Diego Street, Lamont, California. The District is a political subdivision in the State of California.

Present: Chairman Perez, Director Villanueva, Director Jimenez, Director Pimentel, and Director Alonso,

Staff Present: District Counsel; Nathan Hodges and District Manager, Lorena Cervantes, and Mrs. Horton

3. **FLAG SALUTE**

Meeting called to order at 6:34 p.m. Flag Salute: Chairman Jesus Perez

4. **APPROVE AGENDA AS FORM**

Director Jimenez motioned for approval of agenda with changes made to item 12.5 resolution should be No. 20-05 not 1901. Seconded by Director Villanueva. Approved 5 ayes, 0 noes and 0 absent.

5. **PRESENTATIONS**
 - a. None

6. PUBLIC COMMENTS

- a. None**

7. ORAL COMMUNICATIONS

- a. None**

8. WRITTEN COMMUNICATIONS

- a. None**

9. CONSENT AGENDA

Items are considered routine, non-controversial and generally approved in a single motion. A board member may request to have an item removed from the consent calendar for discussion of to be deferred. (May include Minutes, Financials, Resolutions, and Policy & Procedure matters).

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

Director Jimenez motioned for approval of consent agenda. Seconded by Director Villanueva. Approved 5 ayes, 0 noes and 0 absent.

10. DEPARTMENTS REPORTS:

General Manager Report:

- 10.1** Maintenance -**Mr. Cervantes-** keeping up with the parks and repairing some leaks, the windstorm blew a lot of leaves and dirt into the swimming pools.
- 10.2** Recreation- **Mrs. Cervantes-** there is going to be a meeting next week regarding the Jr. Giants to see what is going to happen this year and as far as the pools they are not open yet only if its for safety classes that the only way we can open **Mr. Jimenez-** is the recreation the ones that update the website correct **Mrs. Cervantes-** yes **Mr. Jimenez-** and on our website it also says that we are closed so are we open **Mrs. Cervantes-** we are closed to the public if they want to call and make an appointment to come they can but the doors are closed
- 10.3** District Manager- **Mrs. Cervantes-** we were off most of the month but I did work from home submitting stuff that needed to be submitted I did have a meeting with the health department they said the guidelines haven't changed they are still the same I also took the CSDA training yesterday for the ethics training the 1234 I did want to ask there is something else that they want us to put on the website for the board members if you can submit a picture and a biography that way I can post it on the website CSDA recommends that we do it

11. CALENDAR OF EVENTS:

- 11.1** Committee Meetings- **None**

- 11.2 Events-Schedule for David Head Center- all events have been cancelled.
- 11.3 Events-Senior Center- all events have been cancelled.

12. DISTRICT BOARD MATTERS:

12.1 Discussion: 2021 Board Committees

Personnel:

Budget/Salary/Finance:

Five Year Plan/Steering:

Grants:

Program/Fundraising:

AD HOC Committees:

Potential Action: Approve 2021 Board Committees

Mr. Perez- I would like Director Villanueva and myself for the Budget/Salary/Finance Committee and Director Pimentel and myself for the Grant committee **Mr. Hodges-** for purposes of clarity Mr. Chairman are you appointing you and Mrs. Villanueva to the Budget/Salary/Finance Committee tonight and Mr. Pimentel and you to the Grant Committee tonight **Mr. Perez-** I would like to continue this on our next monthly board meeting.

12.2 Discussion: Public Service Ethics AB1234 Training, Sexual Harassment Training and Brown Act Principles.

Potential Action: Approve date/dates for training.

Mr. Hodges- is my recommendation for the District to save money and to do this on line is offered on line through the CSDA and you already paid for the membership and its on demand and do it when it accommodates you I'm happy to come and give you guys the training but you are going to pay me for my time to be out here so you can save a lot of money by doing it on your own but if you want me I will come out here

Mr. Cervantes- I will help Mrs. Villanueva with her online class **Mr. Hodges-** everyone will like to do it on line no one will like to show up to this building so no date needs to be picked and no motion needs to be made **Mr. Perez-** no action taken

12.3 Discussion: Policy on wages/safety during power outage. We currently have a reporting time policy in the employee handbook. The employee handbook should be review for change of law throughout the policy for 2021.

Mrs. Cervantes- the policy that you wanted us to do will be added when we update the employee handbook **Mr. Hodges-** the policy reporting time that that's what this would be, but I do recommend that you have a review of your employee handbook for the updates that have taken place.

12.4 Discussion: Memorandum of Understanding regarding prevailing wage to be used with Non-Profit Organizations that want to donate to the District.

Potential Action: Approve Memorandum of Understanding.

Mr. Hodges- what I put together was an outline of a agreement you can use in any situation if anyone wants to donate a project to the district such as the walking path the issue that

you are going to face and I can't guarantee that this agreement will resolve we tried to limit the exposures as much as possible by using this is relating to prevailing wages this is our representation of warranty in this agreement, that this labor code exist this is what it means and when prevailing wage applies, we are trying to limit our liabilities as much as possible, the biggest part of this is indemnity we bold this and put it in all caps so nobody can say they didn't know that this existed we also made them initial that they have received it that they have reviewed it what basically what this is saying the fullest extent that we can under the law we are required this entity to defend and indemnify us from anything that they do wrong for anything that they cause for any damage property any damage to a person including prevailing wage claims or violations the only way they don't have to indemnify us is if we have committed wrongful neglects were we intended to cause harm to somebody that's the only way they get out of there obligations so I've tried to put as much here to protect you I can't guarantee that any agreement will protect you from a prevailing wage violation this is much as we can't do to try to get around those laws, I recommend that you do nothing with this agreement till somebody comes and makes a proposal and then you can work with that entity or with that person and say this is what we have in our minds or type of agreement for this I wouldn't make this a official policy yet **Mrs. Cervantes-** the committee is just waiting for this to take it to their lawyer to see if is something that they can work with for the projects that they have in mind **Mr. Jimenez-** what did they want to do **Mrs. Cervantes-** they want to do the walking path and upgrade the baseball fields **Mr. Hodges-** what you can do is approve this as a draft a understanding agreement not to be use not to be use as a final form, my recommendation is to either do nothing or to approve this sole as a draft memorandum that can be use when approached by a entity as a starting place of negotiation

**Director Villanueva motioned to approve item 12.4 as a draft memorandum.
Seconded by Director Alonso. Approved 5 ayes, 0 noes and 0 absent.**

12.5 Discussion: Amend RESOLUTION 20-05 COMPENSATION OF BOARD OF DIRECTORS (Public Resources Code 5784.15)

MR. Jimenez- I wanted to have a discussion on this because a lot of board members help the district, and they should get compensated **Mr. Hodges-** what are you looking to get compensated for **Mr. Jimenez-** for all webinar training and for when we come and help **Mr. Hodges-** I know that the maximum compensation for the board of directors is 500 dollars a month so you can't guarantee that all meeting will be compensated this code states the board of directors may provide ordinance or resolution and each of its members may receive a compensation of a amount not to exceed 100 dollars for attending each meeting of the board the board of directors by ordinance may increase the amount of the water code which may increase the amount of compensation board members should not exceed compensation for 6 meetings of the board in a calendar month the board of directors if the district compensates board members more than five meetings under the calendar month base on supporting evidence why more than five meeting a month are necessary for the effect operation of the district in addition the members of the board may receive there actual travel and accidental expenses occurred in official business the member of the board of directors may wave the compensation for the purpose of this session a meeting of the board of directors

includes but is not limited to regular meetings, special meetings, close session, emergency meetings, field trips, district public hearings or meetings of the committee of the board, is up to you guys is limited obviously you can't get compensated for anything that you do for the district I think the way you have it structure now works very well and you amended that last year if you want to add to it your more than free to do that and you should take the district budget into account when you do that **Mr. Jimenez-** don't we have ten thousand for each board member **Mrs. Cervantes-** that is for the hole board not for each board member **Mr. Hodges-** I can tell you the boards leading up to three to four boards ago the board would wave there compensation **Mrs. Cervantes-** we never paid the board before **Mr. Hodges-** I believe it came back when Jorge was the chairman that's when compensation came back that I'm aware and training that are required by law you will get compensated for it and other trainings that you would like to get compensated for would have to be 3 hours long to be able to get compensated **Mr. Jimenez-** what about if a board member comes and helps the district in something will they get compensated for it **Mr. Hodges-** that is not technically a meeting **Mr. Pimentel-** if the board wants to come and help write a grant or help in something is there a area that they can do that **Mr. Cervantes-** there is no available offices for that **Mr. Hodges-** that is something that you should look into, turn the old board room into a office for you guys to have access to come and work and you need to remember that as a board member you can't manage day to day operation I recommend to change your policy you guys took a little bit of time last year, to get this drafted up but your more than welcome to change any resolution any policy that you have **Mrs. Villanueva-** when this COVID end we need to do what we did before go out to the community and we would not compensated for that **Mr. Jimenez-** and would you have liked to get paid for that **Mrs. Villanueva-** the community needs to know that we are not just here to get compensation but if not that were here to help the community **Mr. Perez-** we will table item 12.3 for next month regular board meeting

12.6 Discussion: Special District Governance Certificate-Yovani Jimenez

Potential Action: Approve a reimbursement of \$65.00 to Yovani Jimenez for Special District Governance Certificate.

Director Villanueva motioned to approve a reimbursement of \$65.00 to Yovani Jimenez for Special District Governance Certificate. Seconded by Director Alonso. Approved 5 ayes, 0 noes and 0 absent.

13. FINANCIAL REPORTS:

13.1 Review of District's Financial Accounts- Action

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

Director Alonso motioned for approval of Financial Reports items 13.1 and 13.2. Seconded by Director Villanueva. Approved 5 ayes, 0 noes and 0 absent.

14. DISTRICT CLOSED SESSION:

a. None

15. DIRECTORS TIME:

Fernando Pimentel- None

Fernando Alonso- just a reminder for the link of CSDA for the trainings that are recommended and the direct deposit form.

Yovani Jimenez- I would like to direct the manager to convert the current board room for office space for the board and, I would like to direct the manager to purchase speakers to hear phone better and

Petra Villanueva- we had a productive meeting, and we had few changes and take care have a good night.

Jesus Perez- I agree the speaker is very much needed **Mrs. Cervantes-** I just wanted to let you guys know that we have the 700 form that needs to be filed if you guys can get it to me as soon as possible I emailed Mr. Alonso one and email you one or you can stop at the office for one, regarding the board room we have been discussing with maintenance about taking out the carpet I'm not sure when it will be ready but we will start working on that

Mr. Jimenez- will that be ready next month **Mrs. Cervantes-** I'm not sure but you are more that welcome and we can place you in the senior side

16. ADJOURNMENT

Director Villanueva motioned to adjourn the meeting at 8:35 p.m. Seconded by Director Jimenez. Approved 5 ayes, 0 noes and 0 absent.