



Bear Mountain Recreation and Park District
A Special District
SPECIAL MEETING OF THE BOARD OF DIRECTORS
Thursday, December 17, 2020
David Head Building
10300 San Diego Street
Lamont, California 93241
(www.bearmntnprk.com)

MINUTES

1. SPECIAL SESSION: Regular Session to Begin at 5:30 p.m. at David Head Center, Senior Center
2. CALL TO ORDER AND ROLL CALL:

Special meeting board of directors of Bear Mountain Recreation and Park District was held Monday, December 2, 2020, at 5:30 pm in the Senior 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 Rodriguez, and Director Horton

Staff Present: District Counsel; Nathan Hodges, District Manager, Lorena Cervantes

3. FLAG SALUTE

4. APPROVE AGENDA AS FORM

Director Rodriguez motioned for approval of agenda as to form. Seconded by Director Horton. Approved 5 ayes, 0 noes and 0 absent.

5. WRITTEN COMMUNICATIONS

5.1 Community Development Block Grant

Mrs. Cervantes- I received a letter from the county and we would have to apply in the month of December I have this item under board matters

6. PUBLIC COMMENTS-None

7. BOARD MATTERS

- 7.1 **Discussion:** Coronavirus Relief Fund Program Assistance to Special Districts. Agreement between Bear Mountain Recreation and Park District and Kern County allowing BMRPD to apply for reimbursement from Kern County under the CARES Act for expenditures made related to COVID-19.
Potential Action: Approve execution of the Agreement and all steps necessary to apply for reimbursement pursuant to the Agreement.

Director Horton motioned to Approve execution of the Agreement and all steps necessary to apply for reimbursement pursuant to the Agreement. Seconded by Director Rodriguez. Approved 5 ayes, 0 noes and 0 absent.

- 7.2 **Discussion:** Community Development Block Grant (CDBG) Funds available
Potential Action: Approve applying for CDBG funds for recreation improvements. District Manager recommends using funds to install a new playground at Weedpatch Park.

Director Rodriguez motioned to Approve applying for CDBG funds for recreation improvements. District Manager recommends using funds to install a new playground at Weedpatch Park. Seconded by Director Horton. Approved 5 ayes, 0 noes and 0 absent.

- 7.3 **Discussion:** Purchase and install server for the District.
Potential Action: Approve the purchase and installation of the server

Director Rodriguez motioned to Approve the purchase and installation of the server. Seconded by Director Horton. Approved 5 ayes, 0 noes and 0 absent.

- 7.4 **Discussion:** Prevailing wage issues regarding potential donation of District Improvements
Mr. Hodges- this is an issue that arose based on the potential donation of walking paths to the district I didn't have a definite answer for you at the time I took a class and did research on this issue is still in a gray area because were are dealing with district improvements basically improvements to public property and that would fall under prevailing wages at any time that there is an improvement to public lands it's a public improvement and it falls under prevailing wages the caveat out there the statue essentially states when public funds or the equivalent of public funds are used for this improvement for this capital improvement then prevailing wages applies so we have to different elements that we are dealing with public funds and public lands for capital improvements because we don't have any public funds that are being used to improve the actual land is a gray are so from the research I've done my conclusion is that we can move forward with this projects without prevailing wages as long as the agreements that we have if the other side informs them that this might fall under capital improvement and that prevailing wages might apply and there for we are giving you notice of it and telling you to go do your own research and were are telling you to

indemnify us if anything happens out of this project and I believe as long as we put those two provisions inside of any agreement or any mem of understanding and we put them on notice that this might apply we don't believe it does but it may you're doing this at your own risk we are not putting any money into this we are not doing any work into this

8. DISTRICT CLOSED SESSION:

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

Director Rodriguez motioned to enter closed session at 6:14 p.m. Seconded by Director Jimenez. Approved 5 ayes, 0 noes and 0 absent.

Mr. Perez- were out of closed session the time is 6:47 p.m. **Mr. Hodges-** during closed session, the board completed the performance evaluation for the General Manager for the year 2020 no further action was taken

9. DIRECTORS TIME:

Mrs. Villanueva- thank you and good night

Mr. Jimenez- thank you for being here and have a good night

Mr. Rodriguez- it has been a pleasure working with the president and the employees, and Mr. Hodges for doing all our legal work and Mrs. Cervantes doing the best she can and that all the board members see it that way

Mr. Horton- I want to thank the board member for working together and get this evaluation done in a timely manner

Mr. Perez- I want to thank all the board members for your professionalism in working in close session in the evaluation of the General Manager and I also want to make a quick announcement that Bear Mountain Recreation will be in the Christmas Parade we have got our Recreation Coordinator and out Maintenance Supervisor to participate he will be driving our district vehicle in the caravan his going to be driving through Lamont and parts of Weedpatch and for my directors time too I would like to direct our district counsel to draft Bear Mountain Recreation and Park District in the MOU with the necessary language in relation in the prevailing wages issue that we make have coming into agreement with the community group that wishes to donate anything to us into improving our parks, I look forward to seeing each one of you in our next board meeting on December 17, 2020

10. ADJOURNMENT

Director Rodriguez motioned to adjourn the meeting at 6:52 p.m. Seconded by Director Jimenez. Approved 5 ayes, 0 noes and 0 absent.