

**REGULAR SCHEDULED MEETING**

**Board of Directors**

Kimberly Hernandez – Board Chair Date: November 21, 2024

Paedrin Fusco – Vice Chair Time: Closed – 5:00 pm

Candace Youngberg Open – 6:00 pm

Cameron Leslie Place: 9590 Avenue C Bombay Beach

James Connelly Niland, CA 92257

1. **CALL TO ORDER:** by Director Hernandez at 5:01pm
2. Pledge Allegiance to the Flag
3. Roll Call to determine Quorum
   1. Director Hernandez - Present
   2. Director Fusco - Present
   3. Director Leslie - Present
   4. Director Connelly - Absent
   5. Director Youngberg – Present
   6. Quorum Established
4. **APPROVAL OF THE AGENDA:** Board will approve the agenda for the Regular Meeting for November 21, 2024, as is or delete/clarify any item on the agenda.
   1. Motion to approve by Director Leslie Seconded by Director Fusco 3-0-0
5. **THE BOARD WILL GO TO CLOSED SESSION:** Motion to go into closed session Director Hernandez at 5:02pm
6. Conference with legal counsel re: anticipated potential litigation (Gov’t code section 54956.9(d)(2)-(5).)
   1. Latest report: Auggie told him to stop work because board was unhappy with long delay and unsatisfactory work. Exhaust system not up to code and he doesn’t have a contractor’s license. Whatever money that has been paid, the district is entitled to have returned. Does the contractor have the money toi satisfy judgement or assets is the question. District has the right to sue and ge3t money back.
   2. Next steps: District to file lawsuit. Claim is for breach of contract and return of the money – disgorgement. If this goes in our favor but he has no money to give us? We could have a judgement and may be able to collect. Judgement allows us to go after money or anything to seize to satisfy judgement. But whate4ver we get is another thing. May be able to go after him criminally as well.
   3. Director Hernandez gave direction to file lawsuit against the kitchen remodel contractor. Director Fusco Seconded. 3-0-0
7. Conference with Real Property Negotiator (Gov’t Code section 54956.8) re: license for use of Bombay North Property.
   1. Director Leslie gave direction to Mr. Driskoll to start drafting up a contract for a license to operate on District Property on Bombay North starting Nove3mber 2025
   2. Director Fusco motioned to appoint Director Leslie as the real estate negotiator with Marco and Cross walk for the license to operate on Bombay North. Seconded by Director Hernandez
8. Public employment (Gov’t code section 54957).
   1. Director Fusco motioned to pay Director Youngberg a stipend of $1900.00 per month for acting as Secretary to the Board from October 12th 2024 to Dec. 31st 2024. Total of $4750.00. Seconded by Director Hernandez 3-0-0
9. **CALL TO ORDER AND RETURN TO PUBLIC SESSION AT 6:00 PM:** Called to order by Director Hernandez at 6:00pm
10. **CONSENT AGENDA:** “A Consent Agenda may be presented by the Board President at the beginning of a meeting. Items may be removed from the Consent Agenda on the request of any one member. Items not removed may be adopted by general consent without debate. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the direction of the assembly”.
11. The Board will review and approve the meeting minutes of the Special called Meeting of October 24, 2024. See Attachment A
12. FINACIAL REPORT: Report on financial status of the District as of October 31, 2024. See Attachment B
13. The Board will approve payment of accounts payable in the form of Demands to the County. Copy of list of Demands is available upon request.
14. The process to establish an Emergency Response Unit. (ERU Admin) See Attachment C
15. What to do with the Large Water Pump that belongs to the District. (ERU Admin) See Attachment C
    1. Motion to Move Item A to #7 made by Director Fusco Seconded by Director Hernandez 30-0-0
16. **OPEN FORUM/PUBLIC COMMENT:** This is an opportunity for members of the public to address the Board on any subject matter within the Board’s jurisdiction, but not an item on the published agenda. Public Comment on agenda items will be allowed when the agenda item is called by the Board. Please make comments at podium, state name and limit comments to 3 minutes.
    1. No public comment
17. **ITEMS REMOVED FROM CONSENT AGENDA:** 
    1. Motion to approve Meeting Minutes form Special called meeting on Oct. 24, 2024 made by Director Fusco seconded by Director Leslie 3-0-0
18. **OLD BUSINESS – DISCUSSION ACTION ON THE FOLLOWING:**
19. The Board will hear an update to construct a fence to separate the trash dumpsters lot from the adjoining lot. (Youngberg) (Item introduced 06/15/52023)
    1. No Update
20. The Board will consider adopting resolution 2024-01-01 Uniform Public Construction Cost Accounting Act. (Youngberg) (Item introduced 09/13/2023)
    1. No update
21. The Board will hear an update on the establishment of a local mass texting or information dissemination service for Bombay Beach Residents. (Hernandez) (Introduced 01/18/2024)
    1. Forward to next meeting
22. The Board will hear an update on process to applying for the Community Facilities Direct Loan and Grant Program through the U.S. Department of Agriculture. (Youngberg) (Introduced 01/18/2024)
    1. Put on hold for Re3silience center grant
    2. Motion to remove made by Director Hernandez. Seconded by Director Leslie
23. Park Grant Application Process. (Youngberg)
    1. Report: All information is in and waiting on contractor to come back with a final design and plan for Board to approve
24. District Kitchen Remodel Project. (Youngberg)
    1. Will Be in report from closed session
25. The Process to Acquire the Fire Department Building at Bombay Beach. (Fusco)
    1. No Update
26. The Process to establish a Flood Response Unit for Bombay Beach. (Youngberg/Fusco)
    1. No update
27. Avenue A Beautification Update. (Youngberg)
    1. Just submitted phase 2 grant for second row of trees
28. The Board will hear an update and discuss the offers for the Districts Fire Apparatus listed on GovDeals for sale/auction. (Youngberg).
    1. No Update
29. The Board will discuss the purchase of a water bowser or like option for the ERU to assist with Fire Suppression. (ERU Admin)
    1. Louie’s old truck sitting in County Surplus yard and we are submitting a letter to get it returned. Sonia talked about purchasing a truck and parking it at the fire station with the keys in it to use in case of emergency
30. The Board will discuss the scope of work for upgrades to the Fire Station to repair internal structure and trouble shoot and repair electrical issues. (Youngberg)
    1. Motion to remove by Director Fusco Seconded by director Hernandez 3-0-0
31. The Board will discuss the scope of work for upgrades to the Community Center: Items of concern are electrical issues, weatherization upgrades. (Youngberg)
    1. Motion to remove by Director Fusco Seconded by director Hernandez 3-0-0
32. The Board will discuss the scope of work to the Districts Medical Trailer Items of concern: electrical issues, skirting, handicap ramp. (Youngberg)
    1. ` Motion to remove by Director Fusco Seconded by director Hernandez 3-0-0
33. The Board will authorize accepting local bids for Fire Station, Community Center, Medical Trailer repairs and upgrades.
    1. Motion to remove by Director Fusco Seconded by director Hernandez 3-0-0
34. The Board will discuss if continuing use of District supplied cell phone service is still required. (Hernandez)
    1. Discussion on phone plans and phones not working. Director Hernandez will look into getting the issue resolved
35. The Board will discuss looking at other payroll agencies to provide District Payroll Service. (Introduced 06/20/2024)
    1. No Update
36. The Board will discuss the process of renaming Avenue E to Ernie Street. (Czar/Youngberg) (Introduced 06/20/2024)
    1. No Update
37. **NEW BUSINESS – DISCUSSION/ACTION ON THE FOLLOWING:**
38. Report From Closed Session
    1. Director Hernandez Reported from Closed Session
39. The Board will discuss changing hours the Dumpster are available to the Public. (Fusco)
    1. No Change in hours
40. The Board will discuss listing Position for Clerk of the Board/General Manager in IV Press.
    1. Director Fusco Gave direction to advertise position for Clerk of the board
41. The Board will discuss amount to spend on Community Educational Meeting and Christmas Party Event on December 21st.
    1. Director Fusco motioned to contribute $500.00 towards Community Christmas Party. Seconded by director Hernandez 3-0-0
42. **COMMUNITY REPORTS:**
43. Chrismas party Dec 21st at 5pm all ages welcome
44. Harvest Dinner and Parade Dec 7th at 12pm starting at the entrance to town Dinner at 6pm
45. Clean Up Saturday Nov. 23rd at the Center to get rid of appliances and oil and tires
46. Dog Shots Sunday Nov. 24th 2:30pm to 3:30pm at the fire station
47. **BOARD DISCUSSION/DIRECTIVES:**
    1. Put Roque on the agenda for December to discuss grant contract
48. **DIRECTOR REPORTS:**
49. **ADJOURNMENT:** Motion to adjourn made by Director Fusco at 6:28pm Seconded by Director Leslie



**ATTACHEMENT B:**

**FINACIAL REPORT:**

1. Bank Of America Account Balances:
   1. Pending access to accounts
2. Five Star:
   1. Pending Access to accounts
3. County Fund:
   1. Pending Access to District Email
4. Four checks waiting to deposit:
   1. Verizon - $1,102.63
   2. AT&T - $1,131.35
   3. Openhouse - $1,250.00
   4. Audubon - $200.00
   5. Total to Deposit: $3,683.98
5. Checks that need to be written to cover bills:
   1. Republic: $1567.40
   2. CSDA: $238.00
   3. Walker & Driskill: $910.00
   4. Total Checks: $2715.40

**ATTACHNENT C:**

**PROCESS TO START AN EMERGENCY RESPONSE UNIT: (ERU ADMINS)**

Nothing to Report: No update from ERU Admins

**UPDATE ON SALE OF LARGE WATER PUMP BELONGING TO THE DISTRICT:**

Nothing to Report: No update from Auggie