



**BOMBAY BEACH COMMUNITY SERVICES DISTRICT  
BOMBAY BEACH, CALIFORNIA**

9590 Avenue "C", Niland, CA 92257  
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**Regular Meeting Minutes**

**Board of Directors**

Loyd Kattro - Chairperson  
Cindy Hollenbeck – Vice Chairperson  
Louis Knight  
Gloria Town  
Ernest Hawkins

Date: February 21, 2019  
Time: 06:00 P.M.  
Place: 9590 Ave. C Bombay Beach  
Niland, CA 92257

1. CALL TO ORDER: The meeting was called to order at 6:05 p. m. by Director Kattro.
  - A. Pledge of Allegiance to the Flag – The Pledge of Allegiance to the Flag was led by Secretary Sadorra.
  - B. Roll Call
 

Director Kattro	Present
Director Hollenbeck	Present
Director Knight	Present
Director Town	Present
Director Hawkins	Present

Five of five Directors present. Quorum met.

Staff Present: Secretary: Augustine Sadorra

2. APPROVAL OF THE AGENDA: The Board will approve the agenda for February 21, 2019 as is or delete/clarify any item on the agenda.

Motion made by Director Hollenbeck to approve the agenda for February 21, 2019. Motion seconded by Director Kattro. Motion passed by unanimous vote of Board members present. (5-0-0)

3. APPROVAL OF THE MINUTES: The Board will review and approve the meeting minutes from the last Regular Meeting on January 17, 2019 and the Special Called Meeting held on February 16, 2019.

Motion made by Director Hollenbeck to approve the meeting minutes from the January 17, 2019 Regular Meeting and the Special Called Meeting held on February 16, 2019. Motion seconded by Director Hawkins. Motion passed by unanimous vote of Board members present. (5-0-0)

4. FINANCIAL REPORT The Board will hear a report on the financial status of the District as of January 31, 2019.

A.	County Auditor Account.	\$	<u>&lt;3,782.23&gt;</u>
	Positive Balance in County Fund Account		\$ <u>&lt;3,782.23&gt;</u>
B.	Bank of America Accounts		
	General Checking Account (ending 1946)	\$31,010.17	
	Savings Account (6398) Bombay North	23,127.68	
	Savings Account (5949)	70,647.79	
	Savings Account (8163)	91,587.65	
	Bank Accounts Total		\$ <u>216,373.29</u>
	<b>TOTAL CASH ASSETS</b>		<b><u>\$212,591.06</u></b>

Motion to approve the financial report was made by Director Hawkins. Motion seconded by Director Hollenbeck. Motion passed by unanimous vote of Board members present. (5-0-0)

5. 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 agenda. Any action taken as a result of public comment shall be limited to direction to staff. (Please Limit Comments to 3 Minutes per speaker and to 30 minutes limit for open forum) (Each speaker is requested to voluntarily provide their name and residence prior to speaking) The following comments were heard:

- Bill Roller, a local resident spoke on his concerns
  1. There is a need to have Sheriffs Office deputies in Bombay Beach on the weekends due to visitors speeding on the streets with quads, motor bikes and buggies.
  2. Dogs in the neighborhoods need to be controlled
  3. Noise and loud music needs to be cut down after curfew.
 Director Knight recommended calls be made to the non-emergency number for the Sheriffs Office so deputies can respond
- The non-emergency number for the Sheriffs Office is (442) 265-5250

**The Secretary was directed to put on next agenda, Develop an Ad Hoc Committee to talk to the Sheriffs Office**

- Tom, a local resident stated he had a problem with the Ski Inn due to the loud music into the late hours. He mentioned a car crash that happened in town and that the District had a lawsuit potential and could be liable because the Board is not controlling the problem. He pointed out one of the Boards Directors telling him he was in conflict of interest by just sitting on the Board.
- Melba, a local resident, complained about the noisy music coming from the Ski Inn. She lived near the Inn and complained about headaches due to the loud music. She recited some health articles of effects of loud noise and the need to stop the loud music. Director

- Hawkins apologized for the Loud Noise.
- Larry, a local resident, complained about the loud noise from the Ski Inn. He has called the Sheriffs Office and did not get any response. He was the first on scene at the accident when the driver ran into a tree near his home where the driver was badly burned.
  - The Board had comments on the County Noise Ordinance and what was the standard. Director Knight explained that the standard was not a specific hour, rather a decibel level.
  - Dino, a local resident, complained of the loud music from the Ski Inn and considered it a nuisance. Director Knight commented that the Board can enforce the law.
  - Tao, a local home owner, commented that the individual that was involved in the accident was not part of the Biennale.
  - Tim, a local resident, commented that the accident kid was not at the party where he was working security.
  - Larry, a local resident, commented on:
    1. Road conditions in the District are very bad. Director Knight commented that the roadways maintenance was the responsibility of the County.
    2. Need local input to how the Biennale is conducted. A committee should be established to put the festival on.
    3. Notices lots of people at meeting tonight, the whole town should listen and discuss all items on the agenda, not just their special interest.
  - Loren, local homeowner and Biennale organizer. Commented on the Art community wanting to get some programs going to address the Trash and Street light issues.

**Director Kattro announced that Congressman would be the primary speaker at a town hall meeting at the Bombay Beach Community Services District Building on Wednesday February 27<sup>th</sup> at 5:00 pm.**

- Steve, a local resident – he is a long time resident of Bombay Beach and the original spirit for Bombay Bay Beach was that it was a party town and things need to change. Everyone needs to work together. He restated that the street maintenance was the responsibility of the County. He also mentioned that there was already an existing ordinance for noise.
- Pat, a local resident commented that the town was dying until the Biennale started.
- Unidentified person commented that he was not against the Ski Inn but would like them to tone it down with the loud music.
- Tim wanted to invite everyone to enjoy the Biennale, all just need to work together.

6. OLD BUSINESS – DISCUSSION/ACTION ON THE FOLLOWING:

- A. Bombay Beach North Properties – The Board will hear a report on the progress of the refund process with individuals claiming interests in Bombay North.  
(Resolution 2018-06-01 ends June 21, 2019)

No new claims received for Bombay North

- B. Flood Control in Bombay Beach residential area. –The Board will be updated on the progress of the District effort to provide flood protection for Bombay Beach.

(Item introduced 11/19/2015)

Director Knight has a plan to hire a general contractor from Primo Construction that can redo the Isle of Palm drain at H street by installing a 10 to 12 in drain pipe. Because the District is a public entity, a scope of work and proposal need to be developed and bids need to be requested. Motion made by Director Hawkins to have Director Knight write up the proposal to be ready for bids. Motion seconded by Director Hollenbeck. Motion passed by unanimous vote of Board members present. (5-0-0)

- C. Film Commission – Results of developing a bilateral agreement with the Imperial County Film Commission. (Hawkins & Hollenbeck) Item first introduced as agenda item in March 2016.

Director Hollenbeck has tried to make contact with the Film Commission but has had no responses from them. She will attempt to work to Mr. Kelly to talk to Film commission. No action taken, item carried to next meeting.

- D. Update on Neighborhood Watch Program - Director Hollenbeck reported no blotter to report from but there were a couple of fires and a traffic accident.

The next Neighborhood Watch Meeting has not been scheduled.

- E. Street Lights – The Board will hear on the progress of improved street lighting on Bombay Beach. Particularly for lighting streets that are used by the school bus. (Item introduced February 15, 2018, Kattro).

Director Kattro briefed the Board on the need to take the street light issue to the voters in the next election. The current know cost for lighting is approximately \$26,000.00. In discussion, comments were heard from the public. Loren proposed that a town hall meeting be held to discuss how the Art Community could help with private installation of lighting that would be placed on private properties. She proposed the use of Solar Lighting would be feasible. Local property owners could sign up to be on a list of properties where lighting could be installed.

**A Town Hall meeting was planned for March 9, 2019 at 11:00 am at the Community Center. Main topics will be Street Lighting and Trash**

The Secretary was directed to continue this agenda item with emphasis on the District, and Art community working together to self-fund the projects

- F. Disposition of excess equipment – Discuss the disposition of the blue water pump that is owned by the District. (introduced January 2018, Hawkins). Item tabled December 20, 2018) Disposition of the water pump is on hold until the negotiations with IID to transfer the right to use the sump on 5<sup>th</sup> and Isle of Palm.

- G. It is recommended that the Board adopt CSDA Policies based on CSDA templates and Establish Policies based on CSDA guidelines, and establish procedures to

carry out the Board Policies.

Director Kattro completed his review of the CSDA policy templates. Director Hawkins now holds the policy book for his review.

- H. Imperial County Registrar of Voters – Election Services Bill and alternate election options –

The Secretary briefed the Board of failed attempts to get both Global Mobile and Martin and Chapman Election Services to provide election services to the District. Both companies have withdrawn service in California due to laws that were too prohibitive for them to operate in California.

- I. Update on how the District can utilize the Special District Risk Management Authority (SDRMA) services.

The District is working with SDRMA to provide work comp coverage for District employees. Required documents will be exchanged with SDRMA to get the Districts three employees covered for workers comp insurance by the beginning of 2019. The District is also required to pay for the Bombay Beach First Responder, communications are ongoing in transferring the work comp coverage from State Comp Insurance to SDRMA.

- J. Update on how the District can utilize CSDA Legal services

CSDA services have been made available to the District just for being a CSDA member.

Required Training: Ethics AB 1234 Compliance Training was provided free for the District. All Directors and the secretary completed ethics training on February 16, 2019. Sexual Harassment Prevention Training will be scheduled for all Directors and employees once full membership is completed with SDRMA. Brown Act Compliance Manual for Special Districts was presented to all directors at Special Meeting on February 16, 2019.

- K. Update on the process to correctly reclassify employees and realign payroll to be in compliance with state guidance. Job description have been developed, all required actions necessary for Automatic Data Processing (ADP) payroll services to provide the District with full payroll automation that includes paying State and Federal required Taxes.

Motion made by Director Knight to authorize Direct payments from District checking be made to State and Federal payroll taxes Through automated payment systems. Motion seconded by Director Hawkins. Motion passed by unanimous vote of Board members present. (5-0-0)

- L. Update on an offer from Sprint to plan a new wireless facility at 2193 2<sup>nd</sup> Street, Bombay Beach. Director Kattro reported that he had made contact with Sprint representative and the project is still viable. Motion made by Director Knight to remove the Sprint item from agenda. Motion seconded by Director Town. Motion passed by unanimous vote of Board members present. (5-0-0)
- M. The Board will consider hiring a General Manager (Kattro) – Motion made by Director Knight to remove the General Manager item from agenda. Motion seconded by Director Hollenbeck. Motion passed by unanimous vote of Board members present. (5-0-0)
- N. The Board will consider providing a letter of support for the Bombay Beach Art Festival. The letter will be addressed to the County Board of Supervisors to ask for a fee waiver for the festival (Kattro)

Motion made by Director Kattro to discuss the support letter for Bombay Beach Art Festival. Motion seconded by Director Hollenbeck. Motion passed by unanimous vote of Board members present. (5-0-0)

The Board opened public discussion on the issue:

- Tao, local homeowner – The Biannali promoters love Bombay Beach and are here to help the town. He apologized for not being at last Saturdays meeting.

At 7:17 PM the Board President declared a short recess.

At 7:22 PM the Board reconvened.

- Unknown Speaker – Part of the resistance to the Art Festival is because only a very few individuals know what is going on with the Biannali Festival. They need to communicate with the locals so there is a local voice in what is going on.
- Loren is a local homeowner and Art Festival coordinator, she provide her phone number for anyone to call her for information.
- Melba, local resident – Feels that Biannali promoters are pushing their agenda on to the town. Why is the festival date a secrete and not know to others.
- Kim a local resident – What would make those making complaints more comfortable with having the Art Festival in town. Everyone needs to have respect for others
- Loren, local homeowner – We do not want a spectator event. We want a community Artist Celebration. She explained the wristband process.
- Steve, local resident – Many visitors come for the event.
- Uber, local homeowner – Has covered many of the Biannali festivals. He is a writer for a German Magazine. This event brings artist and visitors from all over the World.
- Louie, local resident – We need to know who is part of the Biannali Festival so we can respond to negative reports.
- Stefan, local homeowner – Recommended marking all artist in residents with

flags.

- Larry, local resident – Wanted to address the vendor permits needed for Biannali vendors. Time frame to request permits has passed and now there is a \$75.00 late fee for permit application.
- Mark, local resident - The complaints about the noise, loud music, and general complaints sound more like selective outrage depending on your support of resistance to the Art Festival. Everyone needs to sit down and discuss the issues and work out problems. Instead of taking sides like most people at this meeting. The Board needs to be attentive and respectful to peoples comments.
- Comment from unidentified H. Street resident – Noise and loud music last year was not part of Biannali group.
- Steve, local resident – The Board needs to address concerns of the complaints heard and pass the resolution.
- Sonia, local resident – Try to appease all complaintants.
- Unidentified – Too much noise last year. Noise just going to church. Please respect the neighborhood.
- Loren, local homeowner – If resolution is passed, funds saved could be used to create good for the town. Solar power lighting could save a lot of expense for the District.

Director Knight wanted know what guarantees could the Biannali promoters give on control issues. Director Knight pointed out that he was in charge of the Fire Department and did not want to see some problems from last year such as: power cords crossing streets, open fires, illegal parking, Sound needs to be shut down at midnight. The idea of flags for in-resident artists sounded like a good idea.

- Stephen, local homeowner – an attempt was made to minimize music nuisance by putting up hay bales and taking decibel tests, however the high winds made them move the music to another venue.
- Jack, local resident – The Biannali has value - if you don't like the music, put on ear plugs.

Motion made by Director Knight to approve adoption of a resolution to support the 2019 Binnale and provide a letter to the County to waive fees for the festival. Motion seconded by Director Hollenbeck.

In a roll call vote:

Director Kattro	Aye
Director Hollenbeck	Aye
Director Knight	Aye
Director Town	Abstain
Director Hawkins	Abstain

Motion passed by majority vote of Board members present. (3-0-2)

- O. Process to put an Ordinance on the next Ballot to pay for street lighting (Hawkins)  
In opening discussion the issue of getting legal assistance in developing the

Ordinance.

Motion made by Director Knight to table the Ordinance issue. Motion seconded by Director Kattro. Motion passed by unanimous vote of Board members present. (5-0-0)

7. NEW BUSINESS – DISCUSSION/ACTION ON THE FOLLOWING:

- A. Resolution to Change District Election of Directors from odd to even years elections of governing body members to be held on the same day as the statewide general election.

Motion made by Director Knight to approve adoption of the Resolution to Change District Election of Directors from odd to even years elections of governing body members to be held on the same day as the statewide general election. Motion seconded by Director Hawkins.

In a roll call vote:

Director Kattro	Nay
Director Hollenbeck	Nay
Director Knight	Nay
Director Town	Nay
Director Hawkins	Nay

Motion failed by unanimous vote of Board members present. (0-5-0)

- B. The Board will consider entering into a Joint Powers Agreement (JPA) with The California Special District Risk Management Authority (SDRMA) to provide Insurances services for the District.

Motion made by Director Hawkins to approve the District entering into JPA with The California Special District Risk Management Authority (SDRMA) to provide Insurances services for the District. Motion seconded by Director Hollenbeck.

In a roll call vote:

Director Kattro	Aye
Director Hollenbeck	Aye
Director Knight	Aye
Director Town	Aye
Director Hawkins	Aye

Motion passed by unanimous vote of Board members present. (5-0-0)

- C. The Board will act on approving the 2018-2019 revised budget by resolution. The revision is required as a result in employee status and pay.

Motion made by Director Hawkins to approve adoption of resolution the revised 2018-2019 budget. Motion seconded by Director Knight.



In a roll call vote:

Director Kattro	Aye
Director Hollenbeck	Aye
Director Knight	Aye
Director Town	Aye
Director Hawkins	Aye

Motion passed by unanimous vote of Board members present. (5-0-0)

- D. The Board will consider approving Special Districts Leadership Academy (SDLA) - Education for Board Members that is being offered April 7-10, 2019 in San Diego.

No Directors volunteered. No action taken.

- E. The Board will consider approving the use of Automatic Data Processing (ADP) payroll services to provide the District with full payroll automation that includes paying State and Federal required Taxes through Bank Electronic Transfers.

Motion made by Director Hawkins to authorize Direct payments be made to State and Federal payroll taxes Through the EFTPA and the ADP processes. Motion seconded by Director Hollenbeck. Motion passed by unanimous vote of Board members present. (5-0-0)

- F. County Roads Department - The Board will hear the results of the request to the County Roads Department on the repair of the public streets on Bombay Beach. Director Knight reported that he has contacted the County and was told that when the weather clears up and the ground dries in a few weeks. The County will come out and work on the rough street problem.

8. COMMUNITY REPORTS:

- A. Fire Department – Director Knight reported that the fire department is doing well. The vehicle and station are in good shape. He also announced that he was still looking for volunteers to help the fire department. He wanted to explain that pumping water to avert flooding is done entirely by volunteers.

Director Hawkins commented that the County Fire Department was the agency tasked to run the pumps at Bombay Beach. In response Director Knight stated that the County normally can not respond to pump water because they are usually blocked from reaching the District due to flooded highway 111.

- B. Women's Club – Director Town reported that the breakfast last month was great and that they will be selling baked goods at the American Legion Fish Fry on March 2, 2019 starting at noon. The next Breakfast will be on March 2, 2019

C. Local Activities –

- a. The American Legion will have a Fish Fry on March 9, 2019
- b. The annual Testicle Festival will be held on February 23, 2019 at the Ski Inn.

9. DISCUSSION/APPROVAL TO ISSUE DEMANDS: It is recommended that the Board approve payment of accounts payable in the form of demands. Copy of list of demands is available upon request.

Motion made by Director Knight to approve accounts payable totaling \$ 2,579.75, and to authorize the transfer of \$ 4,000.00 from checking to the County account to cover February accounts payable. Motion seconded by Director Kattro. Motion passed by unanimous vote of Board members present. (5-0-0)

10. BOARD DISCUSSION/DIRECTIVES:


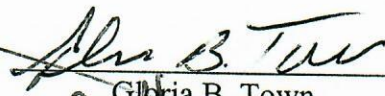
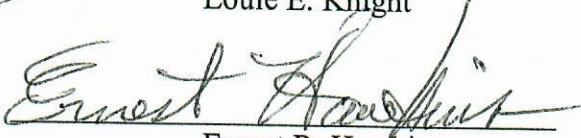
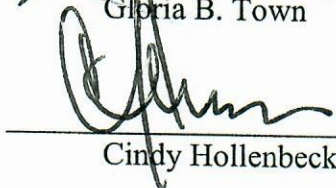
Director Knight reported that he has talked to representatives from Republic Waste Management and may have way to get roll-off trash containers available for Bombay Beach. Secretary directed to put Trash pick-up on the next agenda.

11. DIRECTOR REPORT


**NEXT REGULAR MEETING: The next regular meeting is scheduled for March 21 , 2019**

12. ADJOURNMENT: Motion made by Director Kattro to adjourn. Motion seconded by Director town. Motion passed by unanimous vote of Board members present. (5-0-0)

Meeting adjourned at 9:03 p.m.

 _____ Louie E. Knight	 _____ Gloria B. Town
 _____ Ernest R. Hawkins	 _____ Cindy Hollenbeck

\_\_\_\_\_  
Loyd Kattro

Attested to:   
Augustine Sadorra, Secretary