

**SELMA-KINGSBURG-FOWLER  
COUNTY SANITATION DISTRICT**

**REGULAR MEETING OF BOARD OF DIRECTORS**

**November 11, 2021**

**4:00 P.M.**

**11301 E. Conejo Avenue, Kingsburg, CA 93631**

**THE BOARD OF DIRECTORS MEETING WILL BE CONDUCTED IN PERSON AND BY TELECONFERENCE.**

The District Office will be open to the public for this meeting. This meeting will also be available for remote public viewing and participation via Zoom. Public comment will be accepted in person or via videoconference. Comments may also be submitted by email prior to the meeting at [akirk@skfcsd.org](mailto:akirk@skfcsd.org) Every effort will be made to read email comments into the record, but repetitive comments may not be read due to time constraints.

Members of the public may participate in the meeting remotely by using:

Teleconference Phone Number **1- 669- 900-6833**

Zoom Webinar ID **972 9963 1026**

Passcode **068453**

Hyperlink <https://zoom.us/j/97299631026?pwd=MlFiazRJa0pIKzA3V11NMHd0bGxxdz09>

A live stream of this meeting can be found at:

<https://www.youtube.com/channel/UCzKSm5L5tfhzNfeEIUWScMw>

**1. CALL TO ORDER AND ROLL CALL**

DIRECTORS

Nathan Magsig

Sarah Guerra

David Cárdenas

Buddy Mendes, Vice Chair

Michelle Roman, Chairwoman

STAFF and CONSULTANTS

Ben Muñoz, Jr., General Manager/ Secretary

Alicia Kirk, Executive Assistant to the G.M.

Tricia Miller, Administrative Services/HR Manager

Hilda Cantú Montoy, General Counsel

Veronica Cazares, District Engineer

Scott Aguiar, Operations Supervisor

David Bacon, Information Systems Analyst

**2. APPROVAL OF AGENDA**

Additions, deletions, substitutions, and adoption of agenda

**3. PUBLIC FORUM**

At this time, any member of the public may address the Board regarding any item not on the agenda, over which the Board has jurisdiction. No action or discussion will be taken on any item not on the agenda, except to briefly respond to statements or questions by the public. Members of the public shall limit their remarks to three minutes.

**4. CONSENT CALENDAR**

Items placed on the consent calendar are considered routine in nature. They may be approved by one motion, second and majority vote. Any Board member or member of the public may request removal of any item from the consent calendar for independent consideration.

- A. Minutes of Regular Board Meeting October 14, 2021. *(p.4)*
- B. Warrant List Reports of October 13, 2021 and October 27, 2021. *(p.8)*
- C. Cash Activity Report of October 31, 2021. *(p.11)*
- D. The Board will consider adoption of Resolution No. 2021-09 Reauthorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. *(p.12) Staff Report Prepared By: General Manager*

**5. UNFINISHED BUSINESS**

- A. None.

**6. NEW BUSINESS**

- A. None

**7. BOARD MEMBER COMMUNICATION/AGENDA ITEMS**

- A. Board members may suggest future agenda items or may give reports.

**8. GENERAL MANAGER REPORTS**

- A. General Manager Muñoz will give a verbal report to the Board on the Operator Grade III positions.
- B. Selma Growth and Development Workshop on Friday, November 12, 2021 at 1:30 p.m.

**9. ADJOURNMENT**

Motion to Adjourn  
Next Regular Meeting: Thursday, December 9, 2021 at 4:00 p.m.  
Next Ordinance: 2021-01  
Next Resolution: 2021-10

**NOTICE OF AVAILABILITY OF AGENDA MATERIALS:** Any writings or documents provided to a majority of the Board of Directors regarding any item on this agenda will be made available for public inspection at the District Office located at 11301 E. Conejo Ave., Kingsburg, CA 93631 during normal business hours of 8:00 a.m. – 4:30 p.m., Mondays through Fridays. Such writings or documents will also be made available on the District website at [www.skfcsd.org](http://www.skfcsd.org).

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact Alicia Kirk at (559) 897-6500 ext. 213. Notification of at least 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to the meeting

**SELMA-KINGSBURG-FOWLER  
COUNTY SANITATION DISTRICT**

**MINUTES OF THE REGULAR BOARD MEETING OF BOARD  
MEETING  
OCTOBER 14, 2021**

**CALL TO ORDER AND ROLL CALL**

The Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 4:03 p.m. by Chairwoman Roman.

**DIRECTORS**

Nathan Magsig (P)  
Sarah Guerra (P)  
David Cárdenas (P)  
Buddy Mendes, Vice Chair (P)  
Michelle Roman, Chairwoman (P)

**STAFF and CONSULTANTS**

Ben Muñoz, Jr., General Manager/Secretary  
Alicia Kirk, Executive Assistant to the G.M.  
Hilda Cantú Montoy, General Counsel  
Veronica Cazares, District Engineer  
Scott Aguiar, Operations Supervisor  
David Bacon, Information Systems Analyst

**APPROVAL OF AGENDA**

There being no comment from the public, a motion to approve the agenda of the Regular Board meeting of October 14, 2021 was made by Director Mendes, and seconded by Director Magsig, and approved by the following vote:

AYE: Directors Magsig, Guerra, Cárdenas, Vice Chair Mendes, Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

**CEREMONIAL MATTERS**

Welcome New Employees:

Joseph Barela, Sewerage System Maintenance Technician I – Hired 8/9/21  
Kameya Coleman, Operator II – Hired 11/9/20  
Martin Diaz, Environmental Technician – Hired 12/28/20  
Joel Louangsrihotha, Operator-in-Training – Hired 9/7/21  
Jeffrey Ransom, Sewerage System Maintenance Technician I – Hired 3/29/21

**PUBLIC FORUM**

None

**CONSENT CALENDAR**

Items placed on the consent calendar are considered routine in nature. They may be approved by one motion, second and majority vote. Any Board member or member of the public may request removal of any item from the consent calendar for independent consideration.

- A. Minutes of Regular Board Meeting September 9, 2021. (p.4)
- B. Warrant List Reports of September 15, 2021 and September 29, 2021. (p.8)
- C. Cash Activity Report of September 30, 2021. (p.12)

There being no comment from the public, a motion to approve the consent calendar was made by Director Cárdenas, seconded by Director Mendes, and approved by the following vote:

AYE: Directors Magsig, Guerra, Cárdenas, Vice Chair Mendes, Chairwoman Roman  
 NO:  
 ABSENT:  
 ABSTAIN:

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

- A. The Board will receive the bid results for the Combination Sewer and Storm Drain Cleaner and will consider awarding the recommended contract or rejecting bids and re-bidding. (p.13) *Staff Report Prepared By: Veronica Cazares, District Engineer.*

Staff recommended awarding the New 2021 or 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle contract to Municipal Maintenance Equipment, Inc. of Sacramento, CA to the Board. The District currently has the same vendor equipment in the inventory and has worked with Municipal Maintenance Equipment, Inc for many years. The signed non-collusion affidavit without a notary acknowledgement is a minor irregularity, the Board waived the minor irregularity, and awarded the contract to Municipal Maintenance Equipment, Inc. of Sacramento, CA for a total cost of \$411,961.53 on a motion made by Director Mendes, and seconded by Director Magsig, and approved by the following vote:



AYE: Directors Magsig, Guerra, Cárdenas, Vice Chair Mendes, Chairwoman Roman  
NO:  
ABSENT:  
ABSTAIN:

- B. The Board will consider adoption of Resolution No. 2021-08 Authorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. (p.16) Staff Report Prepared By: Hilda Cantú Montoy, General Counsel.

The Board received a report on AB 361 and adopted the Resolution Authorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in accordance with the Assembly Bill. This resolution will need to be brought to the Board every 30 days. The November 11, 2021 Regular Board Meeting will need to be held via live video for the public to be able to observe the Board members. The motion was made by Director Magsig, and seconded by Director Mendes and approved by the following vote:

AYE: Directors Magsig, Guerra, Cárdenas, Vice Chair Mendes, Chairwoman Roman  
NO:  
ABSENT:  
ABSTAIN:

### **BOARD MEMBER COMMUNICATION/AGENDA ITEMS**

The Board would like an update on the District's Solar production at a future meeting.

Fowler will have their Annual Band Review on October 23, 2021

Selma will have their 8<sup>th</sup> Annual Country and Tejano Music Bash on October 16, 2021

The Board would like an update on the SKF Website and the how the process is coming along

The 2022 Winter CASA Conference will be held January 19-21<sup>st</sup> in Palm Springs, CA.  
Information on registration will be available the first week of November 2021.

### **GENERAL MANAGER REPORTS**

General Manager Muñoz gave the Board a look at the last five years of staffing here at the District. SKF has had difficulty retaining employees such as Certified operators, and other Staff even after compensation of trainings and/or education by the District. It was said that the District has lost seven employees to other Agencies in the last five years. General Manager Muñoz let the Board know that Union negotiations are coming up in 2022 and if they have some

ideas of how the District can retain employees once they have been hired would be appreciated. It was said that in the past, hiring certified operators was less challenging than now, as we are mostly getting OIT's applying. SKF does aid employees financially in getting their Grade I, II, III, IV, and V. In order to qualify as a stand-by operator you must hold at least a Grade III. HR/Admin Services Tricia Miller contacted the State Water Resources Board to get a list of certified Grade III and IV operators and will direct mail them our flyer to see if there is interest. Also, another avenue suggested was contacting the Central Valley Training Center in Selma. Also, possible incentive ideas were mentioned to maintain retention. The Board would like to hear ideas from SKF employees as well. It was asked if an Ad Hoc Committee could be formed to spearhead this, and General Counsel said that yes it could.

Fabrizio Lofaro with Valley ROP asked General Manager Muñoz to be the Keynote Speaker at the Valley ROP Fall Teachers In-Service day on Thursday, October 28, 2021. Also in attendance from SKF will be District Engineer Veronica Cazares, HR Manager/Admin Services Tricia Miller, and Chairwoman Michelle Roman.

The Board and SKF staff discussed the matter of cancelling the November 11, 2021 meeting, but due to the adoption of the Resolution 2021-08, the resolution of authorizing remote teleconference public meetings, it was decided that a Teams Video conference will be held to bring the resolution back for another adoption as it is only valid for thirty [30] days.

#### ADJOURNMENT

There being no further business to come before the Board, Chairwoman Roman declared the meeting adjourned on a motion made by Director Mendes, and seconded by Director Cárdenas, and approved by a unanimous voice vote at 5:06p.m.

Respectfully submitted,

Approved,

\_\_\_\_\_  
Ben Muñoz, Jr. General Manager/  
Secretary of the Board

\_\_\_\_\_  
Michelle Roman  
Chairwoman of the Board

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT  
WARRANT LIST & SALARY AND FRINGE BENEFIT EXPENDITURE SUMMARY  
FOR THE MONTH ENDED OCTOBER 31, 2021

SERVICE AND SUPPLIES EXPENDITURES:

WARRANT LIST ENDING	10/13/2021	\$	73,445.51
WARRANT LIST ENDING	10/27/2021	\$	122,618.81
			196,064.32
SUBTOTAL SERVICE AND SUPPLIES EXPENDITURES			\$ 196,064.32

SALARIES, PERS AND HEALTH INSURANCE EXPENDITURES

TOTAL SALARIES ENDING	10/10/2021	\$	68,605.70
TOTAL SALARIES ENDING	10/24/2021	\$	67,809.74
			136,415.44
SUBTOTAL SALARIES			\$ 136,415.44
TOTAL PERS (EMPLOYERS PORTION)	10/10/2021		9,162.40
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	10/10/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	10/10/2021		17,607.52
TOTAL PERS (EMPLOYERS PORTION)	10/24/2021		8,908.65
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	10/24/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	10/24/2021		17,607.52
SUBTOTAL PERS AND HEALTH INSURANCE EXPENDITURES			\$ 53,286.09
GRAND TOTAL			\$ 385,765.85

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**SELMA-KINGSBURG-FOWLER  
COUNTY SANITATION DISTRICT**

October 13, 2021

**WARRANT LIST**

AMERICAN EXPRESS	TRAVEL & TRAINING, COMMUNICATIONS, INFO SYSTEMS	1,694.74
AQUA SIERRA CONTROLS INC.	INFORMATION SYSTEMS	2,754.75
ARAMARK	UNIFORMS, MATS, MOPS, TOWELS	1,089.29
ARMANDO BLANCAS	RETIREE HEALTH REIMBURSEMENT	168.56
ARNOLD, STEPHEN	RETIREE HEALTH REIMBURSEMENT	168.56
BOOT BARN HOLDINGS INC.	SAFETY SUPPLIES	327.03
BOOTH MACHINERY LLC	EQUIPMENT MAINTENANCE	1,902.92
BSK ASSOCIATES	EXTERNAL LAB SERVICES	404.00
CALIFORNIA DEPARTMENT OF TAX & FEE ADMIN	SALES USE TAX	523.59
CALPERS	RETIREMENT	36,740.08
CDW GOVERNMENT, INC.	INFORMATION SYSTEMS	1,978.00
CENTRAL VALLEY CULLIGAN, INC.	OFFICE SUPPLIES, LAB SUPPLIES	203.60
COMCAST	COMMUNICATIONS	109.95
CWEA	MEMBERSHIPS	576.00
CWEA CSJ SECTION	TRAVEL & TRAINING	240.00
DANIEL MURRIETA	EMPLOYEE RECOGNITION, SAFETY AWARDS SUPPLY	833.70
DATCO	PROFESSIONAL SERVICES: MEDICAL & SAFETY	312.00
DAVID MICHEL	RETIREE HEALTH REIMBURSEMENT	168.56
DKF SOLUTIONS GROUP, LLC	PROFESSIONAL SERVICES: MEDICAL & SAFETY	350.00
DONNA STUCKY	RETIREE HEALTH REIMBURSEMENT	181.48
ELIDIO SILVA	AUTO MAINTENANCE	165.60
ERNEST PACKAGING SOLUTIONS	MAINTENANCE BUILDING & GROUNDS	330.83
FRESNO COUNTY ASSESSOR	BOOKS & PUBLICATIONS	15.00
GARY HELM	RETIREE HEALTH REIMBURSEMENT	168.56
HD FACILITIES MAINTENANCE	MAINTENANCE BUILD	295.85
HEALTH METRICS, INC.	PROFESSIONAL SERVICES: MEDICAL & SAFETY	700.00
JAIME RUIZ	RETIREE HEALTH REIMBURSEMENT	168.56
JAMES HORNE	RETIREE HEALTH REIMBURSEMENT	168.56
JIM OLINGER	RETIREE HEALTH REIMBURSEMENT	168.56
JIMMY GARCIA	RETIREE HEALTH REIMBURSEMENT	424.87
KINGSBURG CHAMBER OF COMMERCE	MEMBERSHIPS	350.00
KINGSBURG, CITY OF	PHARMA KIOSK OUTREACH, WATER UTILITIES	514.50
LUCERO, JULIAN	RETIREE HEALTH REIMBURSEMENT	168.56
MEDALLION SUPPLY INC.	EQUIPMENT MAINTENANCE	11.66
MICHAEL FONG	RETIREE HEALTH REIMBURSEMENT	206.97
MID VALLEY DISPOSAL	WASTE UTILITIES	1,021.22
MORGAN BROTHERS INC	PEST CONTROL	149.00
NAPA AUTO PARTS	SMALL TOOLS, EQUIPMENT MAINTENANCE, AUTO MAINT.	390.41
NELSON'S ACE HARDWARE	SMALL TOOLS, BUILDING & GROUNDS MAINTENANCE	102.35
PG&E	ELECTRIC UTILITIES	958.33
PROCLEAN SUPPLY	MAINTENANCE BUILDING & GROUNDS, SAFETY SUPPLY	2,005.53
ROBERT CURRIE	RETIREE HEALTH REIMBURSEMENT	168.56
SALLY RODRIGUEZ	RETIREE HEALTH REIMBURSEMENT	168.56
SARA J. STAUNTON	RETIREE HEALTH REIMBURSEMENT	168.56
STEVE JENSEN	RETIREE HEALTH REIMBURSEMENT	181.48
SYNCB/AMAZON	INFORMATION SYSTEMS	140.87
TELSTAR INSTRUMENTS, INC.	EQUIPMENT MAINTENANCE	9,457.97
THE GAS CO	GAS UTILITIES	66.74
THE SENTINEL	LEGAL NOTICES	179.56
TOSHIBA FINANCIAL SERVICES	COPIER LEASES	658.33
TRANSWESTERN INS ADMIN	DENTAL & VISION INSURANCE	1,266.24
UNWIRED BROADBAND, INC.	COMMUNICATIONS	749.99
VERIZON WIRELESS	COMMUNICATIONS	1,026.92

MAS 200 Total Checks

9

573,445.51

**SELMA-KINGSBURG-FOWLER  
COUNTY SANITATION DISTRICT**

**October 27, 2021  
WARRANT LIST**

*CARDENAS, DAVID	DIRECTOR'S FEE	127.63
4 CREEKS INC.	18TH AVE LIFT STATION REFURB.	2,683.31
APPLIED INDUSTRIAL TECH CA-LLC	EQUIPMENT MAINTENANCE	1,497.76
ARAMARK	UNIFORMS, MATS, MOPS, TOWELS	1,060.96
AT&T/CALNET 3	COMMUNICATIONS	317.75
BSK ASSOCIATES	EXTERNAL LAB SERVICES	2,864.00
CALIFORNIA WATER SERVICE	WATER UTILITIES	48.21
CALPERS HEALTH	HEALTH INSURANCE	36,755.45
CDW GOVERNMENT, INC.	INFORMATION SYSTEMS	180.00
CELAN TV RECYCLERS	INFORMATION SYSTEMS	593.40
CWEA	MEMBERSHIPS	192.00
DSD BUSINESS SYSTEMS	INFORMATION SYSTEMS	97.50
ERNEST C MENDES	DIRECTOR'S FEE	127.63
FISHER SCIENTIFIC	LABORATORY & SAFETY SUPPLIES	400.17
MEDALLION SUPPLY INC.	EQUIPMENT MAINTENANCE	1,379.56
MICHELLE ROMAN	DIRECTOR'S FEE	127.63
MID-VALLEY DISTRIBUTORS, INC	EQUIPMENT MAINTENANCE	19.22
MKN	SEWER REHAB PROJECT, CCTV, 18TH AVE LIFT STATION REFURB.	9,775.90
MOORE TWINING ASSOC. INC.	EXTERNAL LAB SERVICES	181.00
MUÑOZ, BEN JR.	TRAVEL & TRAINING REIMBURSEMENT	339.64
NAPA AUTO PARTS	AUTO MAINTENANCE	341.81
NATHAN MAGSIG	DIRECTOR'S FEE	127.63
NELSON'S POWER CENTER	BUILDING & GROUNDS MAINTENANCE	54.22
NELSON'S ACE HARDWARE	LAB SUPPLIES, EQUIPMENT MAINTENANCE	165.16
NORTH AMERICAN BENEFITS CO	LIFE INSURANCE	423.16
O'REILLY AUTO PARTS	EQUIPMENT MAINTENANCE	14.16
PG&E	ELECTRIC UTILITIES	6,806.49
POLYDYNE, INC	CHEMICALS	22,425.03
PROCLEAN SUPPLY	SAFETY SUPPLIES, BUILD & GROUNDS MAINT.	503.52
PROFESSIONAL COMMUNICATIONS NETWORK	COMMUNICATIONS	60.00
QUADIANT FINANCE USA, INC.	POSTAGE	500.00
RESA POWER SOLUTIONS	EQUIPMENT MAINTENANCE	3,160.00
SAMPSON SAMPSON & PARTNERS LLC	PROFESSIONAL SERVICES - ACCOUNTING	4,000.00
SARAH GUERRA	DIRECTOR'S FEE	127.63
SYNCB/AMAZON	INFORMATION SYSTEMS	201.60
TELSTAR INSTRUMENTS, INC.	EQUIPMENT MAINTENANCE	2,312.83
TOTAL FILTRATION SERVICES, INC	EQUIPMENT MAINTENANCE	823.29
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	2,540.56
W.M. LYLES CO.	MLSS LINE REFURB, RAS, CLARIFIER PROJECT	19,263.00
<b>MAS 200 Total Checks</b>		<b>\$122,618.81</b>

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SKF COUNTY SANITATION DISTRICT  
 CASH ACTIVITY REPORT  
 Month: OCTOBER  
 Fiscal Year: 2021-22

Cash Account Description	End of Month Cash Balance as of June 30, 2021	End of Month Cash Balance 10/31/2021
Cash in Treasury: Operations & Maintenance	\$ 4,849,753.43	\$ 3,747,418.20
Cash in Bank: Operations & Maintenance	\$ 29,164.97	\$ 110,479.40
Cash in Bank: Payroll	\$ 202.85	\$ 202.97
Petty Cash	\$ 700.00	\$ 700.00
Total Operations & Maintenance	\$ 4,879,821.25	\$ 3,858,800.57
Cash in County Treasury:Expansion	\$ 3,355,773.82	\$ 3,861,374.33
Cash in County Treasury: R&R	\$ 2,916,929.82	\$ 2,471,713.87
Cash in County Treasury:Selma	\$ 2,086,379.20	\$ 2,025,245.39
Cash in County Treasury:Kingsburg	\$ 2,948,693.41	\$ 2,925,001.83
Cash in County Treasury:Fowler	\$ 1,614,363.12	\$ 1,553,027.28
<b>Total Cash Balance</b>	<b>\$ 17,801,960.62</b>	<b>\$ 16,695,163.27</b>

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**RESOLUTION NO. 2021-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SELMA KINGSBURG FOWLER COUNTY SANITATION DISTRICT REAUTHORIZING REMOTE TELECONFERENCE MEETINGS BY THE BOARD OF DIRECTORS AND STANDING COMMITTEES OF THE DISTRICT IN ACCORDANCE WITH ASSEMBLY BILL 361**

**WHEREAS**, COVID-19 (also known as the “Coronavirus Disease”) is a respiratory disease which was first detected in China and has now spread across the globe, with multiple confirmed cases in California, including the Selma Kingsburg Fowler County Sanitation District; and

**WHEREAS**, on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency based on the threat caused by COVID-19, and the President of the United States issued a Proclamation Declaring a National Emergency Concerning COVID-19 beginning March 1, 2020; and

**WHEREAS**, in response to COVID-19, the Governor of the State of California issued a Proclamation of a State of Emergency in response to COVID-19 on March 4, 2020; and

**WHEREAS**, the Cities of Selma, Kingsburg, and Fowler and the County of Fresno adopted a proclamation of a local emergency related to the COVID-19 virus; and

**WHEREAS**, the District is committed to preserving and fostering public access, transparency, observation, and participation in meetings of the Board of Directors and Standing Committees; and

**WHEREAS**, all meetings of the Board of Directors and standing committees are open and public as required by the Ralph M. Brown Act, Government Code sections 54950 – 54963, so that any member of the public may attend, observe, and participate in a meaningful way; and

**WHEREAS**, Government Section 54953 (b) (3) of the Brown Act allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met:

1. Each teleconference location from which a member is participating is noticed on the agenda;
2. Each teleconference location is accessible to the public;
3. Members of the public must be able to address the body at each teleconference location;
4. At least one member of the legislative body must be physically present at the location specified in the meeting agenda; and
5. During teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body’s territorial jurisdiction; and

**WHEREAS**, the Brown Act, as amended by AB 361 (2021), at Government Code section 54953(e) *et seq.*, allows for remote observation and participation in meetings by members of a legislative body and members of the public without compliance with the requirements of Government Code section 54953(b)(3), subject to certain conditions; and

**WHEREAS**, the initial required condition is a declaration of a state of emergency by the Governor pursuant to the California Emergency Services Act at Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state and within the boundaries of the District caused by conditions as described in Government Code section 8558; and

**WHEREAS**, the Governor's Proclamation of a State of Emergency includes area within the jurisdictional boundaries of the District; and

**WHEREAS**, Government Code Section 54953(e)(3)(A-B) added by AB 361 provides an alternative to having public meetings in accordance with Government Code Section 54953(b)(3) when Board of Directors has reconsidered the circumstances of the COVID-19 state of emergency and that the following circumstances exist:

1. The state of emergency as a result of COVID-19 continues to directly impact the ability of the members of Board of Directors and the members of the Standing Committees to meet safely in person; and
2. The State of California and the County of Fresno continue to recommend measures to promote social distancing.

**WHEREAS**, Government Code Section 54953(e) *et seq.* further requires that state or local officials have imposed or recommended measures to promote social distancing or the legislative body finds that meeting in person would present an imminent risk to the health or safety of attendees; and

**WHEREAS**, such conditions now exist in the District in that (i) State and Local officials recommend social distancing measures and (ii) emergency conditions evidenced by COVID-19 and its variants create ongoing COVID-19 cases, hospitalizations, and deaths and meeting in person would present imminent risk to health or safety of attendees; and

**WHEREAS**, the Board of Directors affirms that it will allow for observation and participation by Directors as well as Standing Committee Members and the public via teleconferencing as authorized under AB 361 in an effort to protect the constitutional and statutory rights of all attendees; and

**WHEREAS**, on October 14, 2021, the Board adopted Resolution No. 2021-08 **Authorizing Remote Teleconference Meetings by the Board of Directors and all Boards, Commissions, and Standing Committees of the City in Accordance With Assembly Bill 361; and**



**WHEREAS, Government Code Section 54953(e)(3) requires that the Board review the need and make findings for continuing the teleconferencing as authorized by AB 361 at least once every thirty days until the Governor terminates the state of emergency; and**

**WHEREAS, the Council wishes to affirm the need and findings necessary for continuing the teleconferencing as authorized by AB 361.**

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SELMA KINGSBURG FOWLER COUNTY SANITATION DISTRICT HEREBY RESOLVES AS FOLLOWS:**

**Section 1.** The above recitals are true and correct and are incorporated herein by this reference.

**Section 2.** The Board of Directors finds that the state of emergency conditions related to COVID-19 as set forth of Proclamations of Emergency by the Governor, County of Fresno, and Cities of Selma, Kingsburg, and Fowler are on-going.

**Section 3.** The Board of Directors further finds that state and county official recommend social distancing conditions causing imminent risk to attendees as described above exist.

**Section 4.** The Board of Directors hereby recognize and affirm that the Cities of Selma, Kingsburg, and Fowler and the County of Fresno have adopted a proclamation of a local emergency related to the COVID-19 virus regarding the existence and conditions of a state of emergency as proclaimed by the Governor.

**Section 5.** The Board of Directors finds that the state of emergency as a result of COVID-19 continues to directly impact the ability of members of the Board of Directors and the members of standing committees to meet safely in person and such fact creates an imminent health risk to such members.

**Section 6.** The Board of Directors and Standing Committees of District are authorized to conduct their meetings without compliance with Government Code section 54953(b)(3), and to instead comply with the remote meeting requirements as authorized by Government Code section 54953(e) *et seq.*

**Section 7.** The General Manager is authorized and directed to take all actions reasonably necessary to carry out the intent and purpose of this Resolution, including, conducting open and public meetings remotely in accordance with Government Code section 54953(e) *et seq.*, and other applicable provisions of the Brown Act, for all Board of Directors meetings, and all Boards, Commissions, and standing committee meetings of the City.

**Section 8.** This Resolution shall take effect immediately upon its adoption and shall be effective for thirty days.

\* \* \* \* \*

**Approved and adopted this eleventh day of November 2021.**

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Chairwoman  
Michelle Roman

ATTEST

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Ben Munoz, Secretary to Board