

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

**MINUTES OF THE REGULAR MEETING OF BOARD MEETING**

**May 9, 2019**

**CALL TO ORDER AND ROLL CALL**

The Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 4:01 p.m. by Chairwoman Roman.

**DIRECTORS**

Nathan Magsig(P)  
Jim Avalos(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.  
Tricia Miller, Administrative Services/HR Manager  
Hilda Cantú Montoy, General Counsel  
Veronica Cazares, District Engineer  
Scott Aguiar, Operations Supervisor  
David Bacon, Information Systems Analyst

**APPROVAL OF AGENDA**

Before approval, General Manager Muñoz let the Board know that Resolution 2019-09 should be Resolution 2019-14. Also, Memo 2019-14 was updated to reflect the change in the Resolution Number. A copy of both items was placed on the dais for the Board.

There being no comments from the public, a motion to approve the agenda of the Board meeting of May 9, 2019 was made by Director Cárdenas, and seconded by Director Mendes, and approved by the following vote:

AYE: Directors Magsig, Avalos, Cárdenas, Vice Chair Mendes and Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

**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 April 11, 2019. *(p.4)*
- B. Minutes of Special Joint Meeting, April 16, 2017 *(p.7)*
- C. Minutes of Special Board Meeting April 16, 2019. *(p.9)*
- D. Warrant List Reports of April 3, 2019, April 17, 2019, April 24, 2019 and April 25, 2019. *(p.11)*
- E. Cash Activity Report of April 30, 2019. *(p.16)*
- F. The Board will Consider approving Scott Aguiar's Out-of-State training request for the Tri State Seminar in Las Vegas, NV. *(p.17)*

Director Cárdenas asked for Item F to be pulled.

There being no comment from the public, a motion to approve Items A-E on the consent calendar was made by Director Magsig and seconded by Director Mendes and approved by the following vote:

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

Director Cárdenas inquired about Item F. What is the training regarding? General Manager Muñoz explained that this is the Cal Tri State Seminar in Las Vegas. It is to continue furthering the education of the waste water operator. Scott was commended for his interest in pursuing new knowledge in which to serve the District. It was mentioned that out of state training must be brought the Board for approval.

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

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

**UNFINISHED BUSINESS**

A. None.

**NEW BUSINESS**

A. Discussion and consideration of options for addressing delays in disbursements from State Resources Water Control Board for the McCall Project and action as follows:  
(p.18)

1. Adoption of Resolution No. 2019-14 of the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District Approving an Interfund Loan from the District Refurbishment and Replacement Fund as Interim Financing for Payments to Contractor on McCall Avenue Sewer Repair and Replacement –CWSRF Project No. C-06-8268-110 and Repayment Terms.

It was said the District needed Board approval for this as the State has only sent one reimbursement, but a total of five requests have been sent. Reimbursement requests two and three have been reviewed by the State but they have not sent payment. Funds are needed to pay the contractor, so they do not shut the job down. If the Board agrees, District Engineer Veronica Cazares will call the contractor immediately following this meeting to let them know the outcome. Unfortunately, the District is not the only Agency affected. The State’s reason for non-payment is that they are using a new accounting system and are having issues. Tricia and Ben also spoke with Selma’s City Manager and Finance Director to see if they had any available monetary resources to borrow from. They were going to check into that. It was asked if internal borrowing would have any legal repercussions, and it was answered by legal counsel that an emergency of significant amounts owed, has no legal consequences.

There being no comment from the public, a motion to adopt Resolution No. 2019-14 of the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District Approving an Interfund Loan from the District Refurbishment and Replacement Fund as Interim Financing for Payments to Contractor on McCall Avenue Sewer Repair and Replacement –CWSRF Project No. C-06-8268-110 and Repayment Terms was made by Director Mendes and seconded by Director Cárdenas, and approved by the following vote:

AYE: Directors Magsig, Avalos, Cárdenas, Vice Chair Mendes and Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

2. Adoption of Resolution No. 2019-10 of the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District Authorizing A Loan Application to Rural Community Assistance Corporation and Execution of Loan Agreement and Related Documents and Approving Use of Loan Proceeds for Payments to Contractor on McCall Avenue Sewer Repair and Replacement –CWSRF Project No. C-06-8268-110.

The District was given sample letters to submit for additional borrowing. The State has agreed to pay interest and fees associated with any loan the District procures. It was asked if we had breached contract with Floyd Johnston and the answer was not yet, but we are coming dangerously close. It was said the District owes \$1.25 million for April's bill which is due on May 24, 2019. It was said any amount over \$500,000 must be sent to the State's committee for approval. If approved today, items can be submitted, and we can expect a disbursement as early as the second week of June 2019. It was mentioned that borrowing this way may have a negative impact on the District for future Bonding Companies, when considering SKF. The State funding would go back into the District's R&R account. It was asked if the District needs approval from the Selma City Council to borrow funds and it was answered no.

There being no comment from the public, a motion to adopt Resolution No. 2019-10 of the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District Authorizing A Loan Application to Rural Community Assistance Corporation and Execution of Loan Agreement and Related Documents and Approving Use of Loan Proceeds for Payments to Contractor on McCall Avenue Sewer Repair and Replacement –CWSRF Project No. C-06-8268-110 was made by Director Cárdenas, and seconded by Director Mendes and approved by the following vote:

AYE: Directors Magsig, Avalos, Cárdenas, Vice Chair Mendes and Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

3. Other direction from Board as deemed necessary.

None

- B. The Board will consider adopting Resolution No. 2019-11, A Resolution Authorizing the Purchase of Vaughan Self Primer Chopper Pumps from the Manufacturer and Without Public Notice or Bid. (p.24)

After reviewing with General Counsel, there was no legal reason to issue a public notice or bid. It was said the purchase of these pumps would keep the plant running consistently by replacing older pumps that are undersized with newer ones.

There being no comment from the public, a motion to adopt Resolution 2019-11, A Resolution Authorizing the Purchase of Vaughan Self Primer Chopper Pumps from the Manufacturer and Without Public Notice or Bid was made by Director Magsig, and seconded by Director Cárdenas, and approved by the following vote:

AYE: Directors Magsig, Avalos, Cárdenas, Vice Chair Mendes and Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

C. Consider request to transfer the existing capacity entitlement of the Ninth Street cheese plant to new property owner and operator of the facility. (p.27)

1. Adoption of Resolution No. 2019-12 of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Approving Reassignment of the Existing Baseline Discharge for 128 9th Street, Fowler, California to the New Owner and Operator of the Real Property and Facility in Accordance with Resolution No. 42

This is just a request to transfer a title to the new owner from the previous. It was mentioned that this industry is small and would only send about 1000 gallons a day to the District.

There being no comment from the public, a motion to adopt Resolution No. 2019-12 of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Approving Reassignment of the Existing Baseline Discharge for 128 9th Street, Fowler, California to the New Owner and Operator of the Real Property and Facility in Accordance with Resolution No. 42, was made by Director Avalos, and seconded by Director Magsig, and approved by the following vote:

AYE: Directors Magsig, Avalos, Cárdenas, Vice Chair Mendes and Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

- D. The Board will consider adopting Resolution No 2019-13, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Establishing a Reserve Policy for Fiscal Years 2020 to 2024. (p.31)

Raftelis Financial, Inc. gave the Board and PAC a presentation during a joint session on April 16, 2019. PAC recommended the Board approve a possible Prop 218 in accordance with building the Districts' Reserves. Director Cárdenas has spoken with some of his residents in Fowler and said they understood the need for small increases over the years to take care of existing projects and any future projects. He said we must be proactive. It was said that one written protest regarding the Prop 218 had been received and that General Manager Muñoz had spoken with her and she understood the need for increases.

There being no comment from the public, a motion to adopt Resolution No 2019-13, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Establishing a Reserve Policy for Fiscal Years 2020 to 2024 was made by Director Mendes and seconded by Director Magsig, and approved by the following vote:

AYE: Directors Magsig, Avalos, Cárdenas, Vice Chair Mendes and Chairwoman Roman

NO:

ABSENT:

ABSTAIN:

- E. The Board will consider approving a continued partnership with the VROP and the School Districts within our Member Cities and authorize the General Manager to execute the necessary MOU. The Board may also consider appointing another Board Member to the Ad Hoc Public Outreach and Educational Opportunities Committee. (p.38)

General Manager Muñoz let the Board know that this will be the third year the District has implemented this program with Selma Unified. SKF is excited to partner with the Students and look forward to another successful Summer. It was said that Kingsburg High School would be adding Manufacturing to their ROP program.

There being no comment from the public, a motion to approve a continued partnership with the VROP and the School Districts within our Member Cities and authorize the General Manager to execute the necessary MOU as well as The Board may also consider appointing another Board Member to the Ad Hoc Public Outreach and Educational Opportunities Committee was made by Director Magsig and seconded by Director Mendes and approved by the following vote:

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

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

Director Cárdenas mentioned that on May 10, 2019 at 6:00 a.m. the City and Superintendent would address the schools, and breakfast will be available at Jocy's (Fowler) for a small fee.

### **GENERAL MANAGR REPORTS**

- A. On Friday, April 26, 2019 around 9:00 a.m. the District assisted City of Kingsburg with the irrigation/ponding basin overflow, which flooded two cul-de-sacs on 23rd and 24th Court.

This was a mutual aid assistance. General Manager Muñoz suggested bringing an agreement between the City and the District to the PAC for direction to the Board sometime in the near future. There was no damage to report. Michelle Roman who is the Kingsburg Mayor and Chairwoman of the Board was aware of the situation.

- B. Prop 218 Notices were mailed on Friday, April 26, 2019.

This was just general information for the Board.

- C. The District will have Public Outreach booth at 2019 the Selma Raisin Festival on Saturday, May 4, 2019 at 12:00 pm.

SKF staff to attend and handout educational materials

- D. The District will have Public Outreach booth and the Vac Con will be in the Parade in the Kingsburg Swedish Festival on Saturday, May 18, 2019. Time to be determined.


SKF staff to attend and handout educational materials


**ADJOURNMENT**

There being no further business to come before the Board, Chairwoman Roman declared the meeting adjourned on a motion made by Director Magsig, and seconded by Director Avalos, and approved by a unanimous voice vote at 4:43 p.m.

Respectfully submitted,

Approved,

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

  
Michelle Roman  
Chairwoman of the Board