

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

REGULAR MEETING OF BOARD OF DIRECTORS

OCTOBER 13, 2022

4:00 P.M.

11301 E. Conejo Avenue, Kingsburg, CA 93631

THE BOARD OF DIRECTORS HAS RESUMED MEETINGS IN PERSON. PER PROVISIONS OF EXECUTIVE ORDERS N-25-20 AND N-29-20 ISSUED BY THE GOVERNOR'S OFFICE, THE MEETING WILL ALSO BE AVAILABLE REMOTELY FOR MEMBERS OF THE PUBLIC.

This meeting will be available for public viewing and participation through Zoom.

Weblink: <https://us06web.zoom.us/j/84624631989>

Telephone Number 1-669-900-6833

Meeting ID 846 2463 1989

Passcode 697215

Public comment will be accepted in person, via Zoom and by email at akirk@skfcsd.org

1. CALL TO ORDER AND ROLL CALL

DIRECTORS

Nathan Magsig

Sarah Guerra

Daniel Parra

Buddy Mendes, Vice Chair

Michelle Roman, Chairman

STAFF and CONSULTANTS

Veronica Cazares, Interim General Manager/ Secretary

Alicia Kirk, Executive Assistant to the G.M.

Tricia Miller, Administrative Services/HR Manager

Hilda Cantú Montoy, General Counsel

Craig Perry, 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 Special Board Meeting of, September 14, 2022 *(p.1)*
- B. Warrant List Reports of, September 14, 2022, September 28, 2022 *(p. 6)*
- C. Cash Activity Report of, September 30, 2022,*(p.9)*
- D. The Board will consider adoption of Resolution No. 2022-22 Reauthorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. *(p.10)*

5. UNFINISHED BUSINESS

- A. None

6. NEW BUSINESS

- A. Subject: General Manager Recruitment Update *(p.14)*
Recommendation:
Informational Report and for Direction.
- B. Subject: Board Ad Hoc Committee on Employee Retention *(p.18)*
Recommendation:
Informational Report.

7. BOARD MEMBER COMMUNICATION/AGENDA ITEMS

- A. Chairwoman Roman to give an informational update.

8. INTERIM GENERAL MANAGER REPORTS

- A. Withdrawal of grievance arbitration of International Union of Operating Engineers Stationary Local 39.
- B. Update on the 18th Street Pump Station Project.

C. The District participated in the Fowler Fall Festival on October 8, 2022.

11. ADJOURNMENT

Motion to Adjourn

Next Regular Meeting: Thursday November 10, 2022, at 4:00 p.m.

Next Ordinance: 2022-01

Next Resolution: 2022-23

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.

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 SPECIAL BOARD MEETING OF DIRECTORS
SEPTEMBER 14, 2022**

CALL TO ORDER AND ROLL CALL

The Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 3:33 p.m. by Chairwoman Roman.

DIRECTORS

Nathan Magsig(P)
Sarah Guerra(P)
Daniel Parra (P)
Buddy Mendes, Vice Chair(P)
Michelle Roman, Chairwoman(P)

STAFF and CONSULTANTS

Veronica Cazares, Interim General Manager/Secretary
Alicia Kirk, Executive Assistant to the G.M.
Tricia Miller, Administrative Services/HR Manager
Craig Perry, Plant Operations Supervisor
David Bacon, Information Systems Analyst
Hilda Cantu-Montoy, General Counsel

APPROVAL OF AGENDA

There being no comment from the public, a motion to approve the agenda of the Special Board meeting of September 14, 2022, was made by Director Mendes and seconded by Director Parra and approved by the following vote:

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

PUBLIC FORUM

SKF Operator Paul Lopez asked the Board for a status update on the Ad Hoc Committee meeting with Staff regarding the retention of employees at the District. Chairwoman Roman explained that during Public Forum, the Board cannot address back issues. She said that someone would follow-up with him.

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 July 14, 2022. (p.1)
- B. Minutes of Special Board Meeting July 8, 2022. (p.5)
- C. Draft Minutes of PAC Meeting July 21, 2022. (p.7)
- D. Warrant List Reports of July 6, 2022, July 20, 2022, July 25, 2022, August 3, 2022, August 17, 2022, August 31, 2022. (p. 10)
- E. Cash Activity Report of, July 31, 2022, August 31, 2022. (p.16)
- F. Adoption of Resolution No. 2022-21 Reauthorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. (p.20) *Staff Report Prepared By: Interim General Manager, Veronica Cazares*

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

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

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. Subject: Woods Family Farms Request to Extend Ground Five Ground Lease Agreements of District Properties (APN 393-330-11T, 393-211-04s, 393-211-07T, 393-211-09T, 393-211-15T). (p.24)

Recommendation:

- (1) Approval of extension of Ground Lease Agreements to 2042 and consolidation of five ground leases to one Ground Lease Agreement with new rental amounts commencing on 9/1/27 and other terms to remain the same; and
- (2) Authorization for Interim General Manager Cazares to execute the new Consolidated Ground Lease Agreement.

The continued farming of the District owned parcels benefits the District in that staff hours and equipment are not devoted to maintaining the property. It was asked and answered that should the District need to use any of the leased land, it is in the contract that we may do so at our [SKF] discretion.

There being no comment from the public, a motion to approve the request to extend the Ground Lease of the five properties into the year 2042 to Woods Family Farms was made by Director Mendes, and seconded by Director Guerra and approved by the following vote:

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

NO:

ABSENT:

ABSTAIN:

B. Subject: Award of Contract for In-Plant On-Call General Engineering Services to Herwit Engineering (*p.27*)

Recommendation:

(1) Approve three-year agreement with Herwit Engineering for on call engineering services for a not to exceed amount of \$210,000; and

(2) Authorize Interim General Manager Cazares to execute the agreement

It was asked how we [SKF] advertised this Request for Proposal? (RFP) Chief Plant Operator Craig Perry let the Board know that it had been placed in Tulare County Builders Exchange and in Central Cal Building Exchange for five weeks. General Counsel approved the language of the RFP before publishing. No other firms than Herwit responded.

There being no comment from the public, a motion to award the Contract for In-Plant On -Call General Engineering Services to Herwit Engineering for services in the amount and not to exceed \$210,000, was made by Director Parra, and seconded by Director Mendes, and approved by the following vote:

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

NO:

ABSENT:

ABSTAIN:

CLOSED SESSION

A. Conference with Legal Counsel Determining whether to initiate litigation (Government Code Section 54956.9 (d) (4))

One Case (Four Board Members were present, 5th Member Daniel Parra recused himself)

B. Conference with Legal Counsel Existing Litigation (Government Code section 54956.9 subdivision (d)(1))

Grievance Arbitration Between International Union of Operating Engineers Stationary Local 39 and SKF Regarding Certification Pay. (All Board Members were present)

Closed Session began at 3:47 pm. Item B was discussed first, as Board Member Daniel Parra participated. Item A was then discussed, Board Member Daniel Parra recused himself, as it is a conflict of interest. Board Member Parra exited the Board Meeting.

RECONVENE OPEN SESSION

Open Session began at 4:21 pm. There was nothing to report out from Closed Session.

BOARD MEMBER COMMUNICATION/AGENDA ITEMS

Kingsburg will host their annual Crayfish Festival located in Downtown on Saturday September 17th, 2022.

INTERIM GENERAL MANAGER REPORTS

- A. SKF held a PAC meeting on July 21, 2022. Interim GM Veronica gave this as an information item. The next quarterly PAC meeting will be held on October 20th, 2022 at 10:00am.
- B. The VROP students will be giving a presentation at the Selma Unified School District Board of Trustees meeting on August 22, 2022, highlighting the summer program they attended. Chief Plant Operator Craig attended this. SKF was presented with a plaque that shares the years the District has collaborated with VROP.
- C. Interim GM Veronica Cazares let the Board and Public know that she [Veronica] and Chairwoman Roman would be scheduling a meeting regarding the Ad Hoc committee.

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 Magsig and approved by a unanimous voice vote at 4:23 pm.

Respectfully submitted,

Approved,

Veronica Cazares Interim General Manager/
Secretary of the Board

Michelle Roman
Chairwoman of the Board

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

September 14, 2022

WARRANT LIST

ALLIED ELECTRIC MOTOR INC.	EQUIPMENT MAINTENANCE	340.83
AMERICAN EXPRESS	COMMUNICATIONS	108.98
AQUA SIERRA CONTROLS INC.	DOCKERY SCADA PROJECT	35,894.52
ARAMARK	UNIFORMS,MATS,MOPS,TOWELS	1,242.24
ARMANDO BLANCAS	RETIREE HEALTH REIMBURSEMENT	145.65
ARNOLD, STEPHEN	RETIREE HEALTH REIMBURSEMENT	145.65
BACON, DAVID	WELLNESS PROGRAM REIMBURSEMENT	40.00
BILL'S AUTO OF KINGSBURG, INC.	VEHICLE MAINTENANCE	2,089.01
BSK ASSOCIATES	EXTERNAL LAB SERVICES	725.50
CALIFORNIA INDUSTRIAL RUBBER	BUILDING & GROUNDS MAINTENANCE	956.12
CALPERS	RETIREMENT	42,057.33
CDW GOVERNMENT, INC.	INFORMATION SYSTEMS	1,970.00
CENTRAL VALLEY CULLIGAN, INC.	LABORATORY SUPPLIES, DRINKING WATER	714.40
COMCAST	COMMUNICATIONS	109.95
CRAIG PERRY	TRAVEL & TRAINING REIMBURSEMENT	231.29
CREATIVE SAFETY SUPPLY LLC	BUILDING & GROUNDS MAINTENANCE	495.55
DAVID MICHEL	RETIREE HEALTH REIMBURSEMENT	145.65
DKF SOLUTIONS GROUP, LLC	PROFESSIONAL SERVICES: MED & SAFETY	350.00
DONNA STUCKY	RETIREE HEALTH REIMBURSEMENT	153.53
DSD BUSINESS SYSTEMS	INFORMATION SYSTEMS	146.25
ECS HOUSE INDUSTRIES, INC.	EQUIPMENT MAINTENANCE	9,488.86
GARY HELM	RETIREE HEALTH REIMBURSEMENT	145.65
GISELA ROSALES	AUTO / EQUIPMENT MAINTENANCE	105.00
HOME DEPOT CREDIT SERVICES	EQUIPMENT MAINTENANCE	96.30
JAIME RUIZ	RETIREE HEALTH REIMBURSEMENT	145.65
JAMES HORNE	RETIREE HEALTH REIMBURSEMENT	145.65
JIM OLINGER	RETIREE HEALTH REIMBURSEMENT	145.65
JIMENEZ, GABRIEL	WELLNESS PROGRAM REIMBURSEMENT	40.00
JIMMY GARCIA	RETIREE HEALTH REIMBURSEMENT	418.87
JOSEPH BARELA	EXAM FEE REIMBURSEMENT	180.00
J'S COMMUNICATIONS, INC	COMMUNICATIONS	1,296.00
LUCERO, JULIAN	RETIREE HEALTH REIMBURSEMENT	145.65
MICHAEL FONG	RETIREE HEALTH REIMBURSEMENT	232.94
MID VALLEY DISPOSAL	WASTE UTILITIES	892.47
MOORE TWINING ASSOC. INC.	EXTERNAL LAB SERVICES	183.00
MORGAN BROTHERS INC	PEST CONTROL	155.00
NAPA AUTO PARTS	AUTO / BLDG & GROUNDS MAINTENANCE	66.98
NELSON'S ACE HARDWARE	AUTO / BLDG & GROUNDS MAINTENANCE	287.50
PAPE KENWORTH	EQUIPMENT MAINTENANCE	19.44
PG&E	ELECTRIC UTILITIES	1,217.65
ROBERT CURRIE	RETIREE HEALTH REIMBURSEMENT	145.65
SAGE SOFTWARE INC	INFORMATION SYSTEMS	7,585.00
SALLY RODRIGUEZ	RETIREE HEALTH REIMBURSEMENT	145.65
SARA J. STAUNTON	RETIREE HEALTH REIMBURSEMENT	145.65
SCOUT SPECIALTIES INC.	EQUIPMENT MAINTENANCE	380.16
SILVAS OIL CO. INC.	FUEL	3,238.18
STAPLES BUSINESS CREDIT	OFFICE SUPPLIES	274.06
STEVE JENSEN	RETIREE HEALTH REIMBURSEMENT	153.53
STREAMLINE	INFORMATION SYSTEMS	400.00
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	1,648.47
UNWIRED BROADBAND, INC.	COMMUNICATIONS	749.99
VERIZON WIRELESS	COMMUNICATIONS	1,361.01

MAS 200 Total Checks

\$119,698.06

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

September 28, 2022

WARRANT LIST

ARAMARK	UNIFORMS, MATS, MOPS, TOWELS	1,238.74
AT&T/CALNET 3	COMMUNICATIONS	214.05
BSK ASSOCIATES	EXTERNAL LAB SERVICES	774.50
CALIFORNIA WATER SERVICE	WATER UTILITIES	39.47
CALPERS EDUCATION FORUM 2022	TRAVEL & TRAINING	898.00
CALPERS HEALTH	HEALTH INSURANCE	38,239.18
CAL WATER SERVICE	WATER UTILITIES	15.80
CDW GOVERNMENT, INC.	INFORMATION SYSTEMS	2,304.00
CRAIG PERRY	SMALL TOOLS REIMBURSEMENT	311.91
CWEA	MEMBERSHIPS	202.00
CWEA CSJ SECTION	TRAVEL & TRAINING	280.00
DANIEL PARRA	DIRECTOR'S FEE	127.63
ERNEST C MENDES	DIRECTOR'S FEE	127.63
GAR BENNETT LLC	BUILDING & GROUNDS, EQUIPMENT MAINT.	63.87
GISELA ROSALES	EQUIPMENT REPAIRS & MAINTENANCE	7,585.00
HOME DEPOT CREDIT SERVICES	BUILDING & GROUNDS, NUISANCE ABTMNT	248.90
KENNIES INDOOR COMFORT SPECIAL	EQUIPMENT REPAIRS & MAINTENANCE	345.00
KINGS INDUSTRIAL OCC. MED. CTR, INC	PROF. SERVICES - MED & SAFETY	95.00
KINGSBURG INSURANCE AGENCY	HONESTY BOND	194.00
LAURA VOSS	CERTIFICATION REIMBURSEMENT	95.00
MICHELLE ROMAN	DIRECTOR'S FEE	127.63
MKN	DIST. LIFT STATION REFURB D-4	1,170.00
MUNICIPAL MAINT EQUIPMENT, INC	EQUIPMENT REPAIRS & MAINTENANCE	745.42
NAPA AUTO PARTS	EQUIPMENT REPAIRS & MAINTENANCE	278.27
NATHAN MAGSIG	DIRECTOR'S FEE	127.63
NELSON'S ACE HARDWARE	EQUIPMENT REPAIRS & MAINTENANCE	63.01
NORTH AMERICAN BENEFITS CO	LIFE INSURANCE	423.16
PG&E	ELECTRIC UTILITIES	30,411.37
PROFESSIONAL COMMUNICATIONS NETWORK	COMMUNICATIONS	60.00
QUADIANT LEASING USA, INC.	POSTAGE LEASING	717.42
QUINN CO	EQUIPMENT REPAIRS & MAINTENANCE	3,739.09
RAYMOND MIKE ALANIZ	CERTIFICATION REIMBURSEMENT	95.00
SARAH GUERRA	DIRECTOR'S FEE	127.63
SILVAS OIL CO. INC.	FUEL	5,420.77
SONSRAY MACHINERY LLC.	EQUIPMENT REPAIRS & MAINTENANCE	307.05
SW CONSTRUCTION INC.	D4 LIFT STATION IMPROVEMENT PROJECT	26,285.37
TELSTAR INSTRUMENTS, INC.	EQUIPMENT REPAIRS & MAINTENANCE	7,141.95
THE GAS CO	GAS UTILITIES	70.76
TOSHIBA FINANCIAL SERVICES	COPIER LEASES	676.56
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	1,397.77
VALLEY SECURITY ALARM	ALARM SERVICE	657.00
VERONICA CAZARES	MEMBERSHIP REIMBURSEMENT	180.00
YRC, INC.	EQUIPMENT REPAIRS & MAINTENANCE	401.40
MAS 200 Total Checks		\$134,023.94

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT
WARRANT LIST & SALARY AND FRINGE BENEFIT EXPENDITURE SUMMARY
FOR THE MONTH ENDED SEPTEMBER 30, 2022

SERVICE AND SUPPLIES EXPENDITURES:

WARRANT LIST ENDING	9/14/2022	\$	119,698.06
WARRANT LIST ENDING	9/28/2022	\$	134,023.94
			253,722.00
TOTAL SERVICE AND SUPPLIES EXPENDITURES			\$ 253,722.00

SALARIES, PERS, TAXES, & HEALTH INSURANCE EXPENDITURES

TOTAL SALARIES PERIOD ENDING:

SALARIES	8/28/2022	\$	95,400.52
EMPLOYER CONTRIBUTIONS (PERS)	8/28/2022	\$	8,828.88
EMPLOYER TAXES	8/28/2022	\$	1,256.88
HEALTH INSURANCE	8/28/2022	\$	14,445.40
			\$ 119,931.68

TOTAL SALARIES PERIOD ENDING:

SALARIES	9/11/2022	\$	94,354.08
EMPLOYER CONTRIBUTIONS (PERS)	9/11/2022	\$	8,741.83
EMPLOYER TAXES	9/11/2022	\$	1,242.08
HEALTH INSURANCE	9/11/2022	\$	14,445.40
			\$ 118,783.39

TOTAL SALARIES PERIOD ENDING:

SALARIES	9/25/2022	\$	93,614.21
EMPLOYER CONTRIBUTIONS (PERS)	9/25/2022	\$	1,232.98
EMPLOYER TAXES	9/25/2022	\$	8,765.91
HEALTH INSURANCE	9/25/2022	\$	14,445.40
			\$ 118,058.50

TOTAL SALARIES, PERS, TAXES, & HEALTH INSURANCE EXPENDITURES			\$ 356,773.57
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	GRAND TOTAL	\$	610,495.57
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SKF COUNTY SANITATION DISTRICT
 CASH ACTIVITY REPORT
 Month: SEPTEMBER
 Fiscal Year: 2022-23

Cash Account Description	End of Month Cash Balance as of June 30, 2022	End of Month Cash Balance 9/30/2022
Cash in Treasury: Operations & Maintenance	\$ 3,741,651.06	\$ 2,663,668.03
Cash in Bank: Operations & Maintenance	\$ 26,389.33	\$ 59,161.93
Cash in Bank: Payroll	\$ 203.30	\$ 203.36
Petty Cash	\$ 700.00	\$ 700.00
Total Operations & Maintenance	\$ 3,768,943.69	\$ 2,723,733.32
Cash in County Treasury:Expansion	\$ 4,783,224.81	\$ 5,058,983.20
Cash in County Treasury: R&R	\$ 5,476,484.62	\$ 5,483,884.60
Cash in County Treasury:Selma	\$ 1,997,552.53	\$ 1,968,583.44
Cash in County Treasury: Selma SWRCB Reserve	\$ 263,843.57	\$ 263,843.57
Total Selma	\$ 2,261,396.10	\$ 2,232,427.01
Cash in County Treasury:Kingsburg	\$ 3,131,019.54	\$ 3,156,602.62
Cash in County Treasury:Fowler	\$ 1,670,783.38	\$ 1,699,407.67
Total Cash Balance	\$ 21,091,852.14	\$ 20,355,038.42

RESOLUTION NO. 2022-22

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, on August 18, 2022, the Board approved a Reauthorizing Resolution for an additional thirty days; and

WHEREAS, the Board wishes to reaffirm 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 13th day of October 2022.

Chairwoman
Michelle Roman

ATTEST

Veronica Cazares Interim General Manager/ Secretary to Board

STAFF REPORT
(October 13, 2022 Board Meeting)

To: S-K-F CSD Board of Directors
From: Hilda Cantu Montoy, General Counsel

Agenda Item: 6-A

SUBJECT:

General Manager Recruitment Update

RECOMMENDATION:

Informational Report and Direction from Board.

EXECUTIVE SUMMARY:

This office checked in with Board Ad Hoc Committee (Chairwoman Roman and Director Guerra) to ascertain status of recruitment. No information had been garnered. I contacted the recruitment firm, CPS HR, and they admittedly acknowledged they had not followed up on this recruitment when the employee assigned this recruitment resigned abruptly. This was followed up by another call from Ms. Asher, the firm's Executive Recruitment Manager. I requested they submit a letter addressing what happened and how they propose to proceed.

Based on this, CPS HR has submitted the attached email and letter regarding the firm's proposed solution. Per the firm's letter, they have assigned a new recruiter, are re-commencing work immediately, and will discount \$10,000 from their \$25,000 fee. A firm representative will be at the Board meeting via Zoom or in person.

Attachments:

- Email of 10/5 from CPS HR
- Letter of 10/5 from CPS HR

From: [Melissa Asher](#)
To: [Hilda Montoy](#); [Dimple Patel](#)
Cc: [Alicia Kirk](#); ["Sarah Guerra"](#); ["Michelle Roman"](#); [Shelly Vargas](#); [Pamela Derby](#); [David Niemeyer](#)
Subject: RE: SKF General Manager Recruitment - Non performance on Agreement
Date: Wednesday, October 5, 2022 5:58:42 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[SKF Sanitation District Memo 10-22.doc](#)

Hello Ms. Montoy,

Thank you for talking with me this afternoon. In follow-up to our conversation, please find attached a letter regarding this situation and our proposed solution.

We are working with our team's schedule for the Oct. 13 Board meeting and researching our files for the brochure information.

I'll be able to get back to you tomorrow with who will be attending the Board meeting either in-person or via Zoom.

Thank you!

Melissa



Melissa Asher, PMP, SPHR (she, her, hers)

Senior Leader

CPS HR Consulting

2450 Del Paso Road, Ste. 220

Sacramento, CA 95834

Phone: (916) 471-3358

masher@cpsr.us

***Helping public agencies
acquire, retain & develop
the best employees***

From: Hilda Montoy <hildac@montoylaw.com>

Sent: Wednesday, October 5, 2022 8:37 AM

To: Melissa Asher <masher@cpsr.us>; Dimple Patel <dpatel@cpsr.us>

Cc: 'Alicia Kirk' <akirk@skfcsd.org>; 'Sarah Guerra' <SarahG@cityofselma.com>; 'Michelle Roman' <mroman@cityofkingsburg-ca.gov>; Shelly Vargas <svargas@montoylaw.com>

Subject: SKF General Manager Recruitment - Non performance on Agreement

I had left a message for Ms. Asher regarding the non-performance on this recruitment. Yesterday I received a call from Pam Derby (didn't get her # or email). She explained that Paula Adam (sp?) had been handling this recruitment and had "left

unexpectedly.”

The Board is very concerned about this. Ms. Derby stated she would get back to me.

Please send a letter asap explaining what happened and how you can expedite the process. The agenda for Board meeting goes out Friday morning.

Thank you. My office # is (559) 579-1924 and cell # is (559) 579-8358 in case you have questions.

Hilda



TO: Hilda Cantu Montoy, District Counsel
Selma-Kingsburg-Fowler County Sanitation District

FROM: Melissa Asher, Director, Executive Recruitment
Pam Derby, Manager, Executive Recruitment

Cc: David Niemeyer, Project Consultant

DATE: October 5, 2022

SUBJECT: General Manager Recruitment

It has come to our attention that, unfortunately, there was a misunderstanding regarding the recruitment for the General Manager with the Selma-Kingsburg-Fowler County Sanitation District.

As mentioned during the telephone conversation on October 4, 2022, with Pam Derby, this recruitment was assigned to an executive recruiter who left the organization unexpectedly. In the transition of projects, it was relayed that your recruitment was on hold and we were waiting for the organization to get back to us regarding brochure text to move the recruitment forward. We erroneously relied on this information instead of proactively confirming the status and introducing your new executive recruiter to the District. We take full responsibility for this oversight on our part and have taken steps to remedy this immediately.

Please be assured that this is a complete anomaly and not a pattern of our practices here at CPS HR. In order to rectify this situation as best as possible, Mr. David Niemeyer is ready to begin work immediately on your recruitment, and we will devote all resources necessary to have a candidate identified by the District's Board of Directors prior to the Christmas holidays. In addition, we will discount our fee by \$10,000.

It is our understanding that an initial meeting was held and further work needs to be done to complete the brochure. We are confirming who will be able to attend the Board meeting on Thursday, October 13.

STAFF REPORT

(October 13, 2022 Board Meeting)

To: S-K-F CSD Board of Directors
From: Veronica Cazares, Interim General Manager

Agenda Item: 6-B
Action: Informational

SUBJECT:

Board Ad Hoc Committee on Employee Retention

RECOMMENDATION:

Informational Report.

EXECUTIVE SUMMARY:

Chairwoman Roman, Interim General Manager Veronica Cazares, Executive Assistant to the GM Alicia Kirk, Joe Gaxiola, Operator III and Alvaro Villa, Operator III met on October 4, 2022, to discuss retention of employees at the District. Topics brought up by staff present were wages, responsibility, certification pay, standby duty and weekend shifts. Note that wages, hours and working conditions are addressed under the collective bargaining agreement.

Wages:

Staff remarked that a wage increase would assist in retaining staff. The District wage for Operators was compared to City of Fresno. It was acknowledged that the District cannot compete with said wages.

Responsibility:

It was discussed that Operators believe they have more responsibility at SKF due to Standby duty and weekend shifts. In the City of Fresno, it was stated that if there is an issue with equipment/operations on the weekend that it could wait until Monday. Also, an optimum rotation for standby would be six weeks. Currently, the Standby duty rotation is four weeks.

Positive takeaways are, less conflicts with others, good working relationships with Maintenance, work environment, flexibility in scheduling time off, and Supervisor feedback was positive. City of Fresno requests for time off were difficult to attain. There are no swing and/or graveyards shifts at the District.

It was asked if there were ideas on improving website to attract potential staff. Also, it was suggested to use Indeed.