

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

MINUTES OF THE BOARD MEETING OF DIRECTORS

MAY 9, 2024

CALL TO ORDER AND ROLL CALL

The Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 4:00 p.m. by Chairman Mendes

DIRECTORS

Nathan Magsig (P)
Juan Mejia (P)
Vince Palomar (P)
Scott Robertson, Vice Chair (P)
Buddy Mendes, Chairman (P)

STAFF AND CONSULTANTS

Veronica Cazares, General Manager/Secretary
Alicia Kirk, Executive Assistant to the G.M.
Tricia Miller, Administrative Services/HR Manager
Hilda Cantú-Montoy, General Counsel
David Bacon, Information Systems Analyst
Will Kane, Total Compensation Systems

APPROVAL OF AGENDA

There being no comment from the public, a motion to approve the agenda of the Board meeting of May 9, 2024, was made by Director Palomar and seconded by Director Robertson and approved by a unanimous voice vote:

AYE: Director Magsig, Mejia, Palomar, Vice Chair Robertson, Chairman Mendes

NO:

ABSENT:

ABSTAIN:

PUBLIC FORUM

None

CONSENT CALENDAR

Items placed on the consent calendar are 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 April 4, 2024, Regular Board Meeting,

(p.1)

- B. Warrant List Reports of, April 11, 2024, April 24, 2024, April 25, 2024 (p.5)
- C. Cash Activity Report of, April 30, 2024 (p.9)
- D. Adoption of Resolution No. 2024-07, A Resolution of Recognition and Commendation to District Employees for earning the 2023 CWEA Collection System of the Year State Award (p.11)

There being no comment from the public, a motion to approve the consent calendar was made by Director Robertson and seconded by Director Mejia and approved by a unanimous voice vote:

AYE: Director Magsig, Mejia, Palomar, Vice Chair Roberston, Chairman Mendes
 NO:
 ABSENT:
 ABSTAIN:

NEW BUSINESS

- A. Subject: Sun Maid Request to Dispose of Hauled Wastewater from outside the District’s Service Area to its Kingsburg Facility. (p.12)

Recommendations:

- 1. That the Board deny Sun Maid’s request to haul wastewater from 15628 E. Nebraska to the Sun Maid facility at 13525 S. Bethel, Kingsburg.

OR

- 2. That the Board consider Sun-Maid’s request and authorize staff and General Counsel to prepare an agreement and facility permit to allow Sun Maid to haul wastewater from 15628 E. Nebraska to the facility at 13525 S. Bethel, Kingsburg, for the Board’s consideration at a future regular meeting.

Director Mejia recused himself due to a conflict of interest at 4:01 p.m.

General Manager Cazares gave the Board the background on the item that had been previously approved by the District Board in October of 2007. It was said that this request goes beyond the District’s Sphere of Influence (SOI) and would contain hauled waste not septic. GM Cazares referred to Ordinance 92 which sets uniform requirements for discharges into the wastewater collection pertaining to physical sewer connections. It was said that this would cause no charge to rate payers, only to the Industry, and the District does have the capacity to handle the flow and would cause no undue monetary hardship. If this is allowable General Counsel would add some additional requirements to Sun Maid’s discharge permit.

Public Comment: Vince Castle; Vice President of Operations, Sun Maid, and Stephanie Mejia; Director of Enterprise Services/Grower Advocate, Sun Maid. The Industry plans to close the Selma location and use the main Plantin Kingsburg as the point of discharge.

The Board would be amenable to this as long as rate payers will not be subsidizing Sun Maid's operations, as well as not opening the door for alternative uses by-passing the District. As there is time left on the Selma location permit, General Counsel said that terms, conditions, and any addendums could be added to that.

There being no comment from the public, a motion to approve Sun-Maid's request and authorize staff and General Counsel to prepare an agreement and facility permit to allow Sun Maid to haul wastewater from 15628 E. Nebraska to the facility at 13525 S. Bethel, Kingsburg, for the Board's consideration at a future regular meeting was made by Director Magsig and seconded by Director Mendes and approved by the following voice vote:

AYE: Director Magsig, Palomar, Vice Chair Robertson, Chairman Mendes

NO:

ABSENT: Director Mejia

ABSTAIN:

Director Mejia returned to the meeting.

- B. Subject: SKFCSD Actuarial Study of Retiree Health Liabilities with a measurement date of June 30, 2023. *(p.15)*

Recommendation: That the Board receive the Actuarial Study and direct staff to (1) suspend payment contributions to the District's qualifying OPEB plan, California Employers' Retiree Benefit Trust (CERBT) as of July 1, 2024, in the Fiscal Year 2024-25 budget; and (2) consider beginning to request disbursements from the CERBT until the next required updated actuarial study is brought back to the Board.

An OPEB Liability Actuarial Study performed with a measurement date of June 2019 was performed by Total Compensation. Projections were done to determine future benefit amount for employees. Subsequent Actuarial Studies have reported that the funded status has steadily increased over the last several years. A full valuation was done this year, as GASB requires that every two years. Director Magsig supported continual funding when this was brought to the Board last year but is okay with backing off for now based upon where the District presently is.

There being no comment from the public, a motion to receive the Actuarial Study and direct staff to (1) suspend payment contributions to the District's qualifying OPEB plan, California Employers' Retiree Benefit Trust (CERBT) as of July 1, 2024, in the Fiscal Year 2024-25 budget; and (2) consider beginning to request disbursements from the CERBT until the next required updated actuarial study is brought back to the Board was made by Director Magsig (with staff recommendation) and seconded by Director Palomar and approved by the following voice vote:

AYE: Director Magsig, Mejia, Palomar, Vice Chair Robertson, Chairman Mendes
NO:
ABSENT:
ABSTAIN:

C. Subject: Request for Rate Increase to Agreement for Legal Services with Montoy Law Corporation. *(p.17)*

Recommendation: Consider approval of Amendment No. 3 to Legal Services Agreement with Montoy Law Corporation adjusting rates for legal services.

The Board commented that General Counsel Montoy's advice and knowledge is appreciated and understand costs have gone up.

There being no comment from the public a motion to approve the Amendment No. 3 to Legal Services Agreement with Montoy Law Corporation adjusting rates for legal services was made by Director Mejia and seconded by Director Robertson and approved by the following voice vote:

AYE: Director Magsig, Mejia, Palomar, Vice Chair Robertson, Chairman Mendes
NO:
ABSENT:
ABSTAIN:

BOARD MEMBER COMMUNICATION/AGENDA ITEMS

None

GENERAL MANAGER REPORTS

Informational items: Chairman's BBQ held on May 1, 2024

64th Annual CASA Conference open for registration

Staff attended the Luncheon to accept the Collection System of the Year Award from the State Valley ROP's 6th year collaboration with the District will commence in June.

CLOSED SESSION

A. Conference with Labor Negotiators pursuant to Government Code Section 54957.6
Agency Designated Representatives: General Manager, Human Resources Administration Manager, Labor Relations Consultant and/or General Counsel

Employee Organization: The International Union of Operating Engineers Stationary Local 39

Closed session began at 4:42 p.m.

RECONVENNE OPEN SESSION

Open Session began at 4:48 p.m. There was no reportable action.

ADJOURNMENT

There being no further business to come before the Board, Chairman Mendes declared the meeting adjourned on a motion made by Director Robertson, and seconded by Director Palomar, and approved by a unanimous voice vote at 4:49 p.m.

Respectfully submitted,



Veronica Cazares, General Manager

Approved,



Buddy Mendes, Chairman of
the Board