

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

REGULAR MEETING OF BOARD OF DIRECTORS

MAY 12, 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 DIRECTORS AND MEMBERS OF THE PUBLIC.

The meeting will be open to the public. The meeting will also be available for public viewing and participation through Zoom.

Weblink: https://us06web.zoom.us/webinar/register/WN_B7LXc5JsRqi-iKIYJLUKmA

Telephone number: 1- 669- 900 -6833

Meeting ID: 890 0157 8835

Passcode: 028335

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

Shelline K. Bennett, Liebert Cassidy Whitmore

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 April 14, 2022. *(p.5)*
- B. Minutes of the Special Meeting March 2, 2022 *(p.10)*
- C. Warrant List Reports of April 12, 2022, April 13, 2022, and April 27, 2022. *(p. 12)*
- D. Cash Activity Report of April 30, 2022. *(p.15)*
- E. The Board will consider adoption of Resolution No. 2022-11 Reauthorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. *(p.17) Staff Report Prepared By: Interim General Manager Cazares*

5. PUBLIC HEARINGS

- A. Public Hearing on Capital Improvement Program: The Board will conduct the public hearing, receive staff report and public comments, and will consider adopting Resolution No. 2022-12 which accepts the Capital Improvement Program for Fiscal Year 2022-23. *(p.21) Staff Report prepared by Veronica Cazares, Interim General Manager*
- B. Public Hearing on FY 2022-23 Budget: The Board will conduct the public hearing, receive staff report and public comments, and will consider adopting Resolution No. 2022-13 which establishes the Budget for Fiscal Year 2022-23. *(p.23) Staff Report prepared by Veronica Cazares, Interim General Manager*

6. UNFINISHED BUSINESS

- A. None

7. NEW BUSINESS

- A. The Board will consider approving a continued partnership with the VROP and the School Districts within our Member Cities and authorize the Interim General Manager

to execute the necessary MOU. (p.25) *Staff Report Prepared By: Veronica Cazares, Interim General Manager*

- B. The Board will consider adoption of Resolution Authorizing Participation in the California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program and Authorizing the Purchase of ZeroNox Utility Carts Directly from the Manufacturer and Without Public Notice or Bid (p.31) *Staff Report Prepared By: Craig Perry, Operations Supervisor*

8. CLOSED SESSION

- A. Conference with Labor Negotiators pursuant to Government Code Section 54957.6
The Board will meet with Interim General Manager, Labor Relations Consultant and/or General Counsel regarding wages, hours and working conditions of employees represented by the International Union of Operating Engineers Stationary Local 39.

9. RECONVENE OPEN SESSION

- A. Provide Report from Closed Session if required.

10. BOARD MEMBER COMMUNICATION/AGENDA ITEMS

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

11.

GENERAL MANAGER REPORTS

- A. The District will have a Public Outreach booth and the Vac Con will be in the Parade at the Kingsburg Swedish Festival on Saturday, May 21, 2022. Time to be determined.
- B. In honor of Public Works Week, the District will be hosting the three cities' Public Works Departments on Wednesday, May 18, 2022. It will include a taco truck lunch and tours of the plant.
- C. Chairwoman's Barbeque scheduled for May 25th, 2022, at 11:30 a.m.

12. ADJOURNMENT

Motion to Adjourn

Next Regular Meeting: Thursday June, 9 2022, at 4:00 p.m.

Next Ordinance: 2022-01

Next Resolution: 2022-15

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 REGULAR BOARD MEETING OF DIRECTORS

APRIL 14, 2022

CALL TO ORDER AND ROLL CALL

The Board Meeting of the Selma-Kingsburg-Fowler County Sanitation District was called to order at 4:02 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
Hilda Cantú Montoy, General Counsel
Craig Perry, Plant 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 April 14, 2022, was made by Director Mendes and seconded by Director Magsig and approved by the following vote:

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

NO:

ABSENT:

ABSTAIN:

PUBLIC FORUM

SKF employee Paul Lopez spoke to the Board about wanting to form an Ad Hoc committee of the employees and Board Members to discuss matters of recruitment. On October 14, 2021, during a regular board meeting, previous General Manager, Ben Muñoz gave the board some information about the difficulty in retaining Operators at SKF. Paul read from the minutes of that meeting and asked if he and other employees could form this committee. General Counsel said that it could be done, and board members agreed that they could work with staff on this item. General Counsel said this could be put on a future agenda.

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 March 10, 2022. (p.5)
- B. Draft Minutes of the PAC Meeting March 23, 2022 (p.7)
- C. Approved Minutes of the PAC meeting April 21, 2021 (p.14)
- D. Warrant List Reports of March 2, 2022, March 16, 2022, and March 30, 2022. (p. 18)
- E. Cash Activity Report of March 31, 2022. (p.22)
- F. The Board will consider adoption of Resolution No. 2022-10 Reauthorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. (p.23) *Staff Report Prepared By: Interim General Manager 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 Parra, Guerra, Magsig, Vice Chair Mendes, Chairwoman Roman
NO:
ABSENT:
ABSTAIN:

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. The Board will receive the Updated Actuarial Study of Retiree Health Liabilities Under GASB 74/75 as of June 30, 2021, measurement date, and (1) consider suspending payment contributions to the District's qualifying OPEB plan; California Employers' Retiree Benefit Trust (CERBT) as of July 1, 2021, in the Fiscal Year 2021-22 budget and (2) consider beginning to request disbursements from the CERBT. (p.27) *Staff Report Prepared By: Tricia Miller, HR/Administrative Services*

An Actuarial Study of Retiree Health Liabilities with a measurement date of June 30, 2021, was given via power point prepared by Luis Murillo and certified by Total Compensation Systems, Inc. Interim General Manager Cazares recommended that the Board direct staff to suspend payment contributions to the District's qualifying OPEB plan; California Employers' Retiree Benefit Trust (CERBT) as of July 1, 2021, in the Fiscal Year 2021-22 budget. At present there is sufficient funding to cover employees without contributing to the fund. After discussion it was decided by the Board that that the District would continue to fund the Trust for the next two

years at \$105,104 annually, as the future can be uncertain and factors such as a recession could impact it monetarily. Therefore, the District is able to fund the trust. The District will continue to do so and build a reserve as protection for the employees and reassess this in the year 2024. As this was decided there was no need to discuss part two of this item.

There being no comment from the public, the motion to suspend payment contributions to the District's qualifying OPEB plan; California Employers' Retiree Benefit Trust (CERBT) as of July 1, 2021, in the Fiscal Year 2021-22 budget failed to pass and the District will continue to fund the plan on a vote made by Director Magsig, and seconded by Director Guerra and agreed upon by the following vote:

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

NO:

ABSENT:

ABSTAIN:

- B. The Board will Review the First Presentation of The Draft Capital Improvement Program for FY 2022-23 and Provide Direction to Staff. (p.29) *Staff Report Prepared By: Interim General Manager, Veronica Cazares*

Interim General Manager Cazares presented the draft Capital Improvement Program (CIP) to the Board. The CIP is a plan that identifies capital improvement needs and allocates available dollars over a ten-year period. Development of the ten-year CIP includes opportunities for input from the CIP Committee, District department heads, cities, and the Board of Directors to help ensure that the projects meet the District's needs. Currently, the District is within the amounts shown in this document. It was said some projects have been moved to different years to accommodate more crucial items and stay within the reserves. After meeting with the Policy Advisory Committee (PAC) in March 2022, Interim GM Cazares will be making a few additions and put them in the Final CIP for consideration of adoption at the May 2022 Board meeting.

- C. The Board will Review the Draft Budget for FY 2022-23 and Provide Direction to Staff. (p.30) *Staff Report Prepared By: Interim General Manager, Veronica Cazares*

The budget proposes to increase the rate from \$498.93 to \$515.95 per year for Selma, from \$466.93 to \$481.95 per year for Kingsburg and from \$482.93 to \$497.95 per year for Fowler for each equivalent single-family residence (ESFR), which was approved by the Board on July 11, 2019. The sewer rate increases are necessary due to increased costs of repair, refurbishment & replacement of facilities & equipment; services & supplies; salaries & benefits; labor costs; and a reduction in usage of the plant by industrial dischargers. The Budget is in line with year four of the rate increase. Revenues we are collecting are adequate for project funding. This will be brought to the May 2022 Board meeting for consideration of adoption.

- D. The Board will consider Rejection of all Bids regarding Equipment Procurement of Collection System Camera (p.32) Staff Report Prepared By: Veronica Cazares, Interim General Manager

The District issued a Request for Bids regarding a Collection System Camera. The bids for this project were received on March 31, 2022. A review reflects that there were inconsistencies in the bids to ensure the correct equipment was being supplied to the District. It was determined that the inconsistencies were based on the District lack of clarity in the bid specifications regarding the description of “camera system” and criteria. Staff wishes to initiate a new bid process with a clear description of the camera system and criteria.

There being no comment from the public, a motion to reject all bids regarding Equipment Procurement of Collection System Camera was made by Director Guerra and seconded by Director Parra and approved by the following vote:

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

- E. The Board will consider approving the Fourth Amendment to the Consulting Services Agreement with MKN and Associates Relating to Construction Management and Inspection for District Lift Station Refurbishment D4 and authorize the Interim General Manager to execute the agreement. (p.34) Staff Report Prepared By: Veronica Cazares, Interim General Manager.

The proposed Fourth Amendment to the current on-call consulting services agreement with MKN and Associates is related to a proposed increase in cost for construction management services specifically for construction management services for District Lift Station Refurbishment D4. Staff recommends amending the Agreement: (i) to allow for the cost increase for construction management services for the District Lift Station Refurbishment D4 in the amount of \$57,800 and (ii) to extend the Agreement through fiscal year 2023. This will bring the total cost for the Agreement including all amendments to \$153,842.20. The cost increase is to be funded from District R&R, 8155-203-02, District Expansion 8071-203-01. SKF has exhausted the budget with MKN, and so respectfully requested this of the Board.

There being no comment from the public, a motion to approve the Fourth Amendment to the Consulting Services Agreement with MKN and Associates Relating to Construction Management and Inspection for District Lift Station Refurbishment D4 and authorize the Interim General Manager to execute the agreement and with Staff recommendation was made by Director Magsig, seconded by Director Mendes and approved by the following vote:

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

ABSENT:
ABSTAIN:

BOARD MEMBER COMMUNICATION/AGENDA ITEMS

We would like to welcome Daniel Parra from the City of Fowler to the SKF Board of Directors

GENERAL MANAGER REPORTS

- A. SKF held a PAC meeting on March 23, 2022 and set quarterly meetings for the rest of 2022.
- B. SKF applied for the State Water Resources Control Board California Water and Wastewater Arrearages Payment Program. We are requesting \$6,946.82 for eligible customers in arrears on their bills during the eligible period.
- C. 18th Avenue Pump Station update. Work will commence on or about April 25, 2022.
- D. Selma/SKF VROP Summer 2022 Internships. The MOU will be brought the May Board meeting.

Also, Public Works Week begins on May 15th, 2022, and ends on May 21st, 2022. Interim GM Veronica Cazares would like to have a lunch and tour of the District with the Public Works and City Managers of Selma, Kingsburg, and Fowler. Date TBD.

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 4:44 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**

MINUTES OF SPECIAL BOARD MEETING

MARCH 2, 2022

CALL TO ORDER AND ROLL CALL

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

DIRECTORS

Nathan Magsig (P)
Sarah Guerra (P)
David Cárdenas (A)
Buddy Mendes, Vice Chair (A)
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
David Bacon, Information Systems Analyst

NOTICE IS HEREBY GIVEN that the Board of Directors has called a Special Meeting.

Members of the public will have an opportunity to address the Board on matters on this agenda.

The meeting will be open to the public. The meeting will also be available for public viewing and participation through Zoom.

Weblink: <https://zoom.us/j/93495121531>

Telephone number: 1- 669- 900- 6833

Meeting ID: 934 9512 1531

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

The business discussed was as follows:

APPROVAL OF AGENDA

There being no comment from the public, a motion to approve the agenda of the Special Board meeting of March 2, 2022, was made by Director Guerra, and seconded by Director Magsig, and approved by the following vote:

AYE: Directors Magsig, Guerra, Chairwoman Roman

NO:

ABSENT: Directors Cárdenas Vice Chair Mendes

ABSTAIN:

CLOSED SESSION

- A. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(2) SW Construction Inc. v. Selma-Kingsburg-Fowler County Sanitation District.

Closed session began at 4:02 p.m.

RECONVENE OPEN SESSION

Open session began at 4:29 p.m. Three of the five Board Members were present: Directors Magsig, Guerra, and Chairwoman Roman. There was no reportable action.

ADJOURNMENT

There being no further business to come before the Board, Chairwoman Roman declared the meeting adjourned on a motion made by Director Guerra and seconded by Director Magsig, and approved by a unanimous voice vote at 4:29 p.m.

Respectfully submitted,

Approved

Veronica Cazares Interim General Manager/
Secretary of the Board

Michelle Roman
Chairwoman of the Board

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

**April 12, 2022
WARRANT LIST**

WESTAMERICA BANK	OFFICE SUPPLIES, PRINTED FORMS	140.21
MAS 200 Total Checks		\$140.21

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

**April 13, 2022
WARRANT LIST**

ALLIED WEED CONTROL	SPECIAL SERVICES - AERIAL & GROUND	550.00
ALVARO VILLA	CERTIFICATION REIMBURSEMENT	180.00
AMERICAN EXPRESS	EMPLOYEE RECOGNITION, OFFICE SUPPLIES, TRAVEL & TRAINING, MEMBERSHIPS, COMMUNICATIONS, OFFICE EQUIPMENT	8,539.77
ARAMARK	UNIFORMS, MATS, MOPS, TOWELS	1,242.52
ARMANDO BLANCAS	RETIREE HEALTH REIMBURSEMENT	145.65
ARNOLD, STEPHEN	RETIREE HEALTH REIMBURSEMENT	145.65
BASE CONSULTING GROUP INC.	PROFESSIONAL SERVICES - ENG & TECH	1,600.00
BSK ASSOCIATES	EXTERNAL LAB SERVICES	961.00
CALIFORNIA DEPARTMENT OF TAX & FEE ADMIN	USE TAX	741.00
CALPERS	RETIREMENT	36,844.03
CENTRAL VALLEY CULLIGAN, INC.	DRINKING WATER	194.00
COMCAST	COMMUNICATIONS	109.95
CWEA	MEMBERSHIPS	384.00
DATCO	PROFESSIONAL SERVICES - MED & SAFETY	234.00
DAVID MICHEL	RETIREE HEALTH REIMBURSEMENT	145.65
DKF SOLUTIONS GROUP, LLC	PROFESSIONAL SERVICES - MED & SAFETY	350.00
DONNA STUCKY	RETIREE HEALTH REIMBURSEMENT	153.53
DOPUDJA & WELLS CONSULTING INC.	PROFESSIONAL SERVICES - ENG & TECH	600.00
ENDUSTRA FILTER MANUFACTURERS	EQUIPMENT MAINTENANCE	2,094.11
FERGUSON FIRE & FAB #724	EQUIPMENT MAINTENANCE	1,673.75
FISHER SCIENTIFIC	LABORATORY SUPPLIES	60.12
FRESNO COUNTY ASSESSOR	BOOKS & PUBLICATIONS	15.00
GARY HELM	RETIREE HEALTH REIMBURSEMENT	145.65
GISELA ROSALES	AUTO MAINTENANCE	70.00
GRAINGER	SAFETY SUPPLIES	323.41
HARRINGTON INDUSTRIAL PLASTICS LLC	EQUIPMENT MAINTENANCE	6,694.32
HOME DEPOT CREDIT SERVICES	EQUIPMENT MAINTENANCE, BLDG & GROUNDS MAINT.	235.85
JAIME RUIZ	RETIREE HEALTH REIMBURSEMENT	145.65
JAMES HORNE	RETIREE HEALTH REIMBURSEMENT	145.65
JAYMOR ENTERPRISES INC.	EQUIPMENT MAINTENANCE	110.52
JIM OLINGER	RETIREE HEALTH REIMBURSEMENT	145.65
JIMMY GARCIA	RETIREE HEALTH REIMBURSEMENT	418.87
JOE SAUBERT INC.	BACKFLOW TESTING	220.00
KENNETH D. SCHMIDT	PROFESSIONAL SERVICES - ENG & TECH	1,821.45
KINGSBURG, CITY OF	WATER UTILITIES	64.50
LUCERO, JULIAN	RETIREE HEALTH REIMBURSEMENT	145.65
MICHAEL FONG	RETIREE HEALTH REIMBURSEMENT	232.94
MID VALLEY DISPOSAL	WASTE UTILITIES	1,169.81
MKN	CCTV INSPECTION SELMA-KINGSBURG-FOLWER	1,524.40
NAPA AUTO PARTS	EQUIPMENT MAINTENANCE, AUTO MAINT.	1,880.44
NELSON'S ACE HARDWARE	BLDG & GROUNDS MAINT, SAFETY SUPPLIES	194.64
PG&E	ELECTRIC UTILITIES	35,516.85
POLYDYNE, INC	CHEMICALS	11,181.37
QUADIENT FINANCE USA, INC.	POSTAGE	500.00
RICHARD WESTERLING	CERTIFICATION REIMBURSEMENT	187.00
ROBERT CURRIE	RETIREE HEALTH REIMBURSEMENT	145.65
RODRIGUEZ, ERNESTO	CERTIFICATION REIMBURSEMENT	210.00
SAFEGUARD BUSINESS SYSTEMS	PRINTING FORMS	698.23
SALLY RODRIGUEZ	RETIREE HEALTH REIMBURSEMENT	145.65
SARA J. STAUNTON	RETIREE HEALTH REIMBURSEMENT	145.65
SELMA DIST.CHAMBER OF COMMERCE	MEMBERSHIPS	350.00
SILVAS OIL CO. INC.	FUEL	3,457.98
STEVE JENSEN	RETIREE HEALTH REIMBURSEMENT	153.53
STREAMLINE	INFORMATION SYSTEMS	400.00
SYNCB/AMAZON	COMMUNICATIONS, INFO SYSTEMS	21.00
TELSTAR INSTRUMENTS, INC.	EQUIPMENT MAINTENANCE	6,621.87
TOSHIBA FINANCIAL SERVICES	COPIER LEASES	658.33
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	3,270.10
UNDERGROUND SERVICE ALERT	COLLECTIONS DIG-UPS TICKET FEES	882.24
UNWIRED BROADBAND, INC.	COMMUNICATIONS	749.99
VALLEY SECURITY ALARM	COMMUNICATIONS	657.00
VERIZON WIRELESS	COMMUNICATIONS	939.85

MAS 200 Total Checks

\$139,545.42 ¹³

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

**April 27, 2022
WARRANT LIST**

ALLIED WEED CONTROL	SPECIAL SERVICES: AERIAL & GROUND	7,600.00
ANDERSON & BALLOU INC.	SEWER LATERAL REPAIRS	24,000.00
AQUA SIERRA CONTROLS INC.	EQUIPMENT REPAIRS & MAINTENANCE	740.00
ARAMARK	UNIFORMS,MATS,MOPS,TOWELS	1,223.02
AT&T/CALNET 3	COMMUNICATIONS	171.70
BSK ASSOCIATES	EXTERNAL LAB SERVICES	2,703.14
CALIFORNIA WATER SERVICE	WATER UTILITIES	48.35
CALPERS - CERBT	CERBT OPEB CONTRIBUTION	105,104.00
CALPERS HEALTH	HEALTH INSURANCE	38,977.46
CINTAS CORPORATION NO.2	SAFETY SUPPLIES	24.26
CREATIVE SAFETY SUPPLY LLC	BUILDING & GROUNDS MAINTENANCE	2,212.92
DANIEL PARRA	DIRECTOR'S FEE	127.63
DSD BUSINESS SYSTEMS	INFORMATION SYSTEMS	97.50
ERNEST C MENDES	DIRECTOR'S FEE	127.63
GRAINGER	BUILDING & GROUNDS MAINTENANCE	142.67
HOME DEPOT CREDIT SERVICES	BUILDING & GROUNDS MAINTENANCE	232.10
JIMENEZ, GABRIEL	WELLNESS PROGRAM REIMBURSEMENT	40.00
KINGS INDUSTRIAL OCC. MED. CTR, INC.	PROFESSIONAL SERVICES: MED. & SAFETY	95.00
KINGSBURG, CITY OF	PHARMA KIOSK OUTREACH	173.75
MICHELLE ROMAN	DIRECTOR'S FEE	127.63
MKN	CCTV, D-4 IMPROVEMENTS	10,377.03
MOORE TWINING ASSOC. INC.	EXTERNAL LAB SERVICES	181.00
MORGAN BROTHERS INC	PEST CONTROL	310.00
NAPA AUTO PARTS	AUTO & EQUIPMENT MAINTENANCE	1,198.15
NATHAN MAGSIG	DIRECTOR'S FEE	127.63
NELSON'S ACE HARDWARE	EQUIPMENT REPAIRS & MAINTENANCE	310.30
NORTH AMERICAN BENEFITS CO	LIFE INSURANCE	423.16
PG&E	ELECTRIC UTILITIES	35,772.84
POLYDYNE, INC	CHEMICALS	26,217.52
PROCLEAN SUPPLY	BUILDING & GROUNDS MAINTENANCE, OFFICE SUPPLIES	1,382.59
PROFESSIONAL COMMUNICATIONS NETWORK	COMMUNICATIONS	60.00
PROFESSIONAL PRINT & MAIL, INC	OFFICES SUPPLIES	558.12
RAIN FOR RENT/WESTSIDE PUMP	MISCELLANEOUS REPAIRS: SELMA SSO BYPASS	15,061.50
ROBERT V JENSEN, INC.	LUBRICANTS	4,586.22
SARAH GUERRA	DIRECTOR'S FEE	127.63
STAPLES CREDIT PLAN	OFFICE SUPPLIES	254.39
SW CONSTRUCTION INC.	D4 LIFT STATION REFURBISHMENT	96,963.26
SYNCB/AMAZON	OFFICE SUPPLIES, INFORMATION SYSTEMS	632.24
TELSTAR INSTRUMENTS, INC.	EQUIPMENT REPAIRS & MAINTENANCE	2,356.00
THE GAS CO	GAS UTILITIES	434.31
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	451.63
MAS 200 Total Checks		\$381,754.28

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

Cash Account Description	End of Month Cash Balance as of June 30, 2021	End of Month Cash Balance 4/30/2022
Cash in Treasury: Operations & Maintenance	\$ 4,849,753.43	\$ 6,953,426.38
Cash in Bank: Operations & Maintenance	\$ 29,164.97	\$ 26,894.59
Cash in Bank: Payroll	\$ 202.85	\$ 203.28
Petty Cash	\$ 700.00	\$ 700.00
Total Operations & Maintenance	\$ 4,879,821.25	\$ 6,981,224.25
Cash in County Treasury:Expansion	\$ 3,355,773.82	\$ 4,857,223.13
Cash in County Treasury: R&R	\$ 2,916,929.82	\$ 2,355,303.18
Cash in County Treasury:Selma	\$ 2,086,379.20	\$ 1,989,946.66
Cash in County Treasury: Selma SWRCB Reserve	\$ -	\$ 263,843.57
Total Selma	\$ 2,086,379.20	\$ 2,253,790.23
Cash in County Treasury:Kingsburg	\$ 2,948,693.41	\$ 3,101,783.36
Cash in County Treasury:Fowler	\$ 1,614,363.12	\$ 1,675,883.98
Total Cash Balance	\$ 17,801,960.62	\$ 21,225,208.13

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

SERVICE AND SUPPLIES EXPENDITURES:

WARRANT LIST ENDING	4/12/2022	\$ 140.21
WARRANT LIST ENDING	4/13/2022	\$ 139,545.42
WARRANT LIST ENDING	4/27/2022	\$ 381,754.28
TOTAL SERVICE AND SUPPLIES EXPENDITURES		\$ 521,439.91

SALARIES, PERS, TAXES, & HEALTH INSURANCE EXPENDITURES

TOTAL SALARIES PERIOD ENDING:

SALARIES	4/10/2022	\$ 89,965.64
EMPLOYER CONTRIBUTIONS (PERS)	4/10/2022	\$ 8,486.30
EMPLOYER TAXES	4/10/2022	\$ 1,183.88
HEALTH INSURANCE	4/10/2022	\$ 14,770.50
		\$ 114,406.32

TOTAL SALARIES PERIOD ENDING:

SALARIES	4/24/2022	\$ 90,646.21
EMPLOYER CONTRIBUTIONS (PERS)	4/24/2022	\$ 8,449.99
EMPLOYER TAXES	4/24/2022	\$ 1,185.53
HEALTH INSURANCE	4/24/2022	\$ 14,770.50
		\$ 115,052.23

TOTAL SALARIES, PERS, TAXES, & HEALTH INSURANCE EXPENDITURES	\$ 229,458.54
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GRAND TOTAL	\$ 750,898.45
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RESOLUTION NO. 2022-14

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 April 14, 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 12th day of May 2022.

Chairwoman
Michelle Roman

ATTEST

Veronica Cazares Interim General Manager/ Secretary to Board

MEMORANDUM

(May 12, 2022)

To: S-K-F CSD Board of Directors

Agenda Item: 5-A

From: Veronica Cazares, Interim General Manager

Action: Motion

Date Prepared: April 28, 2022

SUBJECT: Public Hearing on Capital Improvement Program: The Board will conduct the public hearing, receive staff report and public comments, and will consider adopting Resolution No. 2022-12 which accepts the Capital Improvement Program for Fiscal Year 2022-23.

DIRECTORS' SUMMARY

The Board will conduct the public hearing and will consider adopting Resolution No. 2022-12 which accepts the Capital Improvement Program (CIP) for the Fiscal Year 2022-23.

The CIP was first presented to the Board on the April 14, 2022 Board meeting followed by a second presentation on the May 12, 2022 Board meeting for further review, public comment and adoption

STAFF RECOMMENDATION

Interim General Manager Cazares recommends that the Board adopt Resolution No. 2022-12, A Resolution accepting the Capital Improvement Program for Fiscal Year 2022-23.

ACTION

Motion to adopt Resolution No. 2022-12, A Resolution Accepting the Capital Improvement Program for Fiscal Year 2022-23.

BACKGROUND

Board members may bring their copies with them or refer to the digital copy sent separately from the agenda packet. **Hard copies will be available at the Board Meeting.**

Capital improvements are major construction projects requiring an expenditure of public funds over and above routine annual operating expenses. Expenditures occur for the purchase, construction, or replacement of the District's infrastructure with a useful life of at least five years. CIP infrastructure includes such items as the collection system, wastewater treatment plant, disposal facilities and lift stations. The District's funding sources include sewer service charges, capacity charges, and plan check and inspection fees. These revenues are projected annually, taking into account current and potential development activity and rate adjustments.

The CIP is a plan that identifies capital improvement needs and allocates available dollars over a ten-year period. Development of the ten-year CIP includes opportunities for input from the CIP Committee, District department heads, cities, and the Board of Directors to help ensure that the projects meet the District's needs.

Attachment: Resolution No. 2022-12

RESOLUTION NO. 2022-12

A RESOLUTION ACCEPTING THE CAPITAL IMPROVEMENT PROGRAM
FOR THE FISCAL YEAR 2022-23

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT

RESOLVED, by the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District, Fresno County, California, that the Capital Improvement Program for the fiscal year 2022-23, as presented to said Board and filed in the office of the District Secretary, is hereby accepted.

The foregoing Resolution No. 2022-12 was introduced by Director _____, who moved its adoption, seconded by Director _____, and adopted on roll call on the 12th day of May 2022 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

WHEREUPON, the Chairwoman declared the foregoing Resolution No. 2022-12 adopted and SO ORDERED.

Veronica Cazares,
Secretary of the Board of Directors
SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT

MEMORANDUM

(May12, 2022)

To: S-K-F CSD Board of Directors

Agenda Item: 5-B

From: Veronica Cazares, Interim General Manager

Action: Motion

Date Prepared: April 28, 2022

SUBJECT: Public Hearing on FY 2022-23 Budget: The Board will conduct the public hearing, receive staff report and public comments, and will consider adopting Resolution No. 2022-13 which establishes the budget for fiscal year 2022-23

DIRECTORS' SUMMARY

The Board will conduct the public hearing and will consider adopting Resolution No. 2022-13, which establishes the District Budget for Fiscal Year 2022-23

The Budget was first presented to the Board on the April 14, 2022 Board meeting followed by a second presentation on the May 12, 2022 Board meeting for further review, public comment and adoption

STAFF RECOMMENDATION

Interim General Manager Cazares recommends that the Board adopt Resolution No. 2022-13, A Resolution Approving and Adopting the Budget for Fiscal Year 2022-23.

ACTION

Motion to adopt Resolution No. 2022-13, A Resolution Approving and Adopting the Budget for Fiscal Year 2022-23.

BACKGROUND

Board members may refer to the digital copy sent separately from the agenda packet.

Enclosed is the draft budget for fiscal year (FY) 2022-23, version 4-14-22. In 2019, the District conducted a rate study and pursuant to the Proposition 218 process and public hearing adopted rates on July 11, 2019. The budget implements increased rates in accordance with that action as follows: from \$498.93 to \$515.95 per year for Selma, from \$466.93 to \$481.95 per year for Kingsburg and from \$482.93 to \$497.95 per year for Fowler for each equivalent single family residence (ESFR). Implementation of the sewer rate increases is necessary due to increased costs of repair, refurbishment & replacement of facilities & equipment; services & supplies; salaries & benefits; labor costs; and a reduction in usage of the plant by industrial dischargers.

Attachment: Resolution No. 2022-13

RESOLUTION NO. 2022-13

A RESOLUTION APPROVING AND ADOPTING THE BUDGET
FOR THE FISCAL YEAR 2022-23

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT

RESOLVED, by the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District, Fresno County, California, that the Budget for the fiscal year 2022-23, as presented to said Board and filed in the office of the District Secretary, is hereby approved and adopted.

The foregoing Resolution No. 2022-13 was introduced by Director _____, who moved its adoption, seconded by Director ____, and adopted on roll call on the 12th day of May 2022 by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

WHEREUPON, the Chairman declared the foregoing Resolution No. 2022-13 adopted and SO ORDERED.

Veronica Cazares,
Secretary of the Board of Directors
SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT

MEMORANDUM

(May 12, 2022)

To: S-K-F CSD Board of Directors
From: Veronica Cazares, Interim General Manager
Date Memo Prepared: April 28, 2022
SUBJECT: Valley Regional Occupational Program – District’s Job Shadowing Training Program

Agenda Item: 7-A
Action: Motion

DIRECTORS’ SUMMARY

The District is entering the 4th year of educational opportunities with Valley Regional Occupational Program (VROP) and Selma Unified School District (SUSD) to train students from middle school, high school, and adult school in manufacturing jobs. As a wastewater facility, the District can offer students learning opportunities in the form of tours, lectures, coaching, job shadowing, training and apprenticeship in various tasks and equipment in the areas of operations, maintenance, and engineering. The District firmly believes in training young people in the wastewater industry in order to help our communities grow and develop.

The VROP and District’s Job Shadowing Training Program will begin in June 2022.

STAFF RECOMMENDATION

Interim General Manager Cazares recommends that the Board approve the District to continue to be a partner with the VROP and the School Districts within our Member cities and authorize Interim General Manager Cazares to execute the necessary MOU agreement.

ACTION

Motion to approve the District to continue to be a partner with the VROP and the School Districts within our Member cities and authorize Interim General Manager Cazares to execute the necessary MOU agreement.

BACKGROUND

VROP Community Classroom (work site learning) is an instructional methodology that supplements classroom instruction in a real-time, real-work environment. Students are placed at local businesses, hospitals, schools, and other facilities (S-K-F CSD Wastewater Facility).

Cooperative Career Technical Education allows students to practice their classroom experience in a paid on-the-job environment. Valley ROP classes offer these opportunities on an individual basis.

Attachments: 1) Memorandum of Understanding between Selma Unified School District and Industry Partner for School Partner Program.



**MEMORANDUM OF UNDERSTANDING
BETWEEN SELMA UNIFIED SCHOOL DISTRICT AND SELMA-KINGSBURG COUNTY SANITATION
DISTRICT REGARDING INDUSTRY PARTNER FOR SCHOOL PARTNER PROGRAM**

This Memorandum of Understanding (“MOU”) provides for a cooperative agreement between **Selma Unified School District (“SUSD”)** and **Selma-Kingsburg-Fowler County Sanitation District (“Industry Partner”)** to collaborate on the School Partner Program.

WHEREAS, SUSD and this Industry Partner wish to collaborate to provide youth with a meaningful work-based learning experience for program participants.

NOW THEREFORE, SUSD and this Industry Partner enter into this MOU for the period of June 13, 2022 to July 30, 2022.

SUSD agrees to:

- Provide work-readiness training to support skill building and professionalism.
- Inform high school students of all rules, regulations, of SUSD and training site.
- Correlate the job-related classroom instruction with the learning experiences of the training site.
- Assist in the resolution of the student’s school or site-related problems that are affecting the site-related performance of the student.
- Provide the site with a training plan.
- Verify training plan, class relationship, and community site activities.
- Accept the responsibility and status as the legal employer of all students placed in job sites on a non-paid status.
- Provide and maintain Workers Compensation coverage for the high school and/or adult students’ instructional program. Under no circumstances shall the Industry Partner be considered the employer of high school and/or adult students participating in the School Partner Program.

Industry Partner agrees to:

- Provide a meaningful work-based learning experience for youth, including the acquisition of work readiness and job skills as appropriate.

- Provide specific training before allowing student to embark on any task. Continually supervise student.
- Have shift mentor or supervisor complete a skills assessment during and at the end of each student's job shadow or internship or the equivalent.
- Adhere to all applicable federal, state and local laws concerning interns as well as state and federal child labor laws.
- Treat youth at all times as interns as opposed to employees and not allow student to take the place of an employee.

SUSD further agrees that all students will:

- Be 16 years of age or older and enrolled in a career technical education class.
- Conform to the program rules and regulations established by the school and training site.
- Maintain regular attendance and punctuality in school and on-the-site training.
- Regularly attend the site-related classroom instruction.
- Report to site properly groomed and dressed appropriately for the site.
- Report any conflicts, problems or anticipated schedule changes to the SUSD instructor.
- Be informed that there is no guarantee of a job at the completion of this training.
- Report immediately any unsafe conditions or injuries to the SUSD instructor and Industry Partner.

Class: *Manufacturing and Construction*

Students participating in the Manufacturing Program may engage in the following activities:

- Demonstrate honesty, punctuality, courtesy, a cooperative attitude, proper dress and grooming habits, and a willingness to learn
- Participate in Job Shadow activities in five different departments
- Learn about the laws & regulations with-in the sanitation district
- Learn and Identify Tools and equipment used
- Light duty work in different divisions within the organizations

Release, Hold Harmless and Indemnification

(A) SUSD shall defend, indemnify, and hold harmless Industry Partner, its elected and appointed officers, officials, agents, contractors, consultants, employees and volunteers from and against any and all claims, damages, demands, liability, costs, losses and expenses, including without limitation court costs and reasonable attorneys’ fees, arising out of or in connection with the School Partner Program or its negligent failure to comply with any of its obligations contained in this MOU (collectively “Claims”), except such loss or damage which was caused by the sole negligence, or willful misconduct of the Industry Partner. Acceptance by the Industry Partner of insurance certificates and endorsements required under this Agreement does not relieve SUSD from liability under this indemnification and hold harmless clause. This indemnification and hold harmless clause shall apply to any Claims whether or not such insurance policies shall have been determined to apply.

(B) SUSD releases the Industry Partner, its officers, officials, agents, and employees of any and all claims, damages, demands, liability, costs, losses and expenses, including without limitation court costs and reasonable attorney’s fees, arising out of or in connection with the School Partner Program.

SUSD acknowledges and expressly waives the benefit of California Civil Code Section 1542, which is set forth below, and specifically agrees that the release contained in this MOU shall extend to all claims arising out of transactions which the parties do not know or expect to exist in their favor at this time, and which rise out of or are connected the School Partner Program. California Civil Code Section 1542 provides:

A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS THAT THE CREDITOR OR RELEASING PARTY DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE AND THAT, IF KNOWN BY HIM OR HER, WOULD HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR OR RELEASED PARTY.

Industry Partner’s Initials

SUSD’s Initials

SUSD acknowledges that the facts and law in relation to this matter and the claims released by the terms of this MOU may turn out to be different from or in addition to the facts or law as now known to each party or its counsel. SUSD therefore expressly agrees that the release so given shall be and remain in effect as a full and complete release of the persons and entities released thereby notwithstanding any possibility of new or different facts or law.

(C) By execution of this MOU, SUSD acknowledges and agrees to the provisions of this Section and that it is a material element of consideration.

Insurance

During the term of this MOU, SUSD shall, at its sole costs and expense, carry, maintain, and keep in full force and effect insurance of the types and in the amounts as set forth below:

General Liability

SUSD shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage, including without limitation, blanket contractual liability. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit. SUSD's general liability policies shall be primary and shall not seek contribution from the Industry Partner's coverage, and be endorsed using Insurance Services Office form CG 20 10 (or equivalent) to provide that Industry Partner and its officers, officials, employees, and agents shall be additional insureds under such policies.

Waiver

All School Partner Program participants shall execute the waiver attached hereto as Exhibit A, and incorporated herein by reference, prior to participating in the Program. Said waiver shall be provided to the Industry Partner, with a copy to SUSD.

Termination

This MOU may be terminated at any time in writing by any party for any reason with three days' notice. This MOU also may be terminated immediately by any party if there is a failure to comply with the terms and conditions outlined in this MOU.

Miscellaneous

This MOU constitutes the entire MOU and understanding between the parties, and supersedes all offers, negotiations and other MOUs concerning the subject matter contained herein. There are no representations or understandings of any kind not set forth herein. Any amendments to this MOU must be in writing and executed by all parties.

Party Signatures to MOU

I have read all of the provisions outlined in this MOU, and agree to comply with every provision listed herein. I certify that I am authorized to sign agreements on behalf of my business/agency/organization.

Any changes to this contract must be made in writing and be signed by representatives of both SUSD and Industry Partner.

“Industry Partner”
Selma-Kingsburg-Fowler County Sanitation District

“SUSD”
Selma Unified School District

Veronica Cazares, Interim General Manager

Marilyn Shepherd, Ed.D. Superintendent

MEMORANDUM

(April 28, 2022)

To: S-K-F CSD Board of Directors
From: Veronica Cazares, Interim General Manager
Staff Report prepared by: Craig Perry, Operations Supervisor
Date Prepared: April 29, 2022
SUBJECT: ZeroNox Utility Carts California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program

Agenda Item: 7-B
Action: Motion

DIRECTORS' SUMMARY

The District plans to replace the existing diesel-powered utility carts with a similar style utility cart in fiscal year 2022-2023. An enclosed utility cart costs an average of \$30,000 each. The District was contacted to participate in a California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program which offers a \$20,000 reimbursement for each battery powered utility cart purchased through ZeroNox out of Porterville, CA.

ZeroNox offers two styles of utility cart that fit the in-plant needs. The District plans to replace all diesel-powered utility carts with battery powered vehicles. The total cost is \$146,376.21 for five carts out of pocket in FY 22/23 with a \$100,000 reimbursement from the SJVAPD program upon delivery of the vehicles.

After grant reimbursement the net cost to the District will be \$46,376.21 for five (5) new in plant utility carts. The payback will be 3.5-years between fuel savings and using existing infrastructure to recharge the battery powered utility carts. ZeroNox Porterville is the only manufacturer that is participating in the SJVAPCD program for our region, this reimbursement is not available from other vendors. The procurement process takes about 12-18 months.

STAFF RECOMMENDATION

Interim General Manager Cazares recommends that the Board adopt Resolution Authorizing Participation in the California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program and Authorizing the Purchase of ZeroNox Utility Carts Directly from the Manufacturer and Without Public Notice or Bid, and authorize Interim general Manager Cazares to execute necessary agreements after review and approval as to form by General Counsel Montoy.

ACTION

Motion to approve participation in the SJVAPD Public Benefit Grant Program for Renewable Energy Vehicle Replacement for at total cost of \$146,376.21 and reimbursement of \$100,000.00 for a total net cost to the District of \$46,376.20, approve sole source resolution, and authorize Interim General Manager Cazares to execute necessary agreements after review and approval to form by General Counsel Montoy.

BACKGROUND

Operations and Utility Worker positions require use of in plant transportation for daily work duties. Currently, Operations use two golf carts that were purchased in 2008 and are scheduled to be replaced. Utility Worker positions use two diesel-powered utility carts. Carts need to tow trailers, carry landscaping materials or equipment to all corners of the wastewater treatment plant.

RESOLUTION NO. 2022-14

RESOLUTION OF THE SELMA-KINGSBURG FOWLER BOARD OF DIRECTORS AUTHORIZING PARTICIPATION IN THE CALIFORNIA AIR BOARD SAN JOAQUIN VALLEY AIR POLLUTION CONTROL DISTRICT (SJVAPCD) SECTION 5 GRANT PROGRAM AND AUTHORIZING THE PURCHASE OF ZERONOX UTILITY CARTS DIRECTLY FROM THE MANUFACTURER AND WITHOUT PUBLIC NOTICE OR BID

WHEREAS, the Board of Directors has, by Resolution No. 2014-02, adopted policies procedures and bidding regulations governing the purchase of supplies, equipment, and contractual services; and

WHEREAS, said Resolution provides that said policies, procedures and regulations may be modified; and

WHEREAS, the Interim General Manager has requested special authorization to waive the bidding regulations for the purchase of ZeroNox Utility Carts; and

WHEREAS, the California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program offers \$20,000.00 reimbursement per utility cart; and

WHEREAS, the ZeroNox Utility Carts, Porterville, CA is the only vendor approved by California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program in the Districts region; and

WHEREAS, the District wishes to purchase five (5) utility carts at the cost of \$146,376.21; and

WHEARAS, the net cost to the District would be \$46,376.21; and

WHEREAS, the District would benefit from fuel savings and the use of existing infrastructure to charge utility carts; and

WHEREAS, the program promotes clean air alternative-fuel technologies and the use of low-or zero-emission vehicles in public fleets; and

WHEREAS, the Board of Directors has determined that competitive bidding is not in the public interest.

NOW THEREFORE the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District resolves as follows:

1. The foregoing recitals are incorporated by reference and deemed findings for this resolution.
2. The Board authorizes participation in the California Air Board San Joaquin Valley Air Pollution Control District (SJVAPCD) Section 5 Grant Program and Authorizes the Purchase of ZeroNox Utility Carts Directly from the Manufacturer and Without Public Notice or Bid.
3. The requirements for public notification and competitive bidding are hereby waived and the Interim General Manager is hereby authorized to purchase ZeroNox Utility Carts directly from the manufacturer, ZeroNox, Porterville CA, in the amount of \$146,376.21.

CERTIFICATION

The foregoing Resolution No. 2022-14 was introduced by _____, seconded by _____, and adopted on roll call on May 14, 2022 by the following vote:

AYES: _____
 NOES: _____
 ABSTAIN: _____
 ABSENT: _____

WHEREUPON, the Chairperson declared the foregoing resolution adopted.

 Veronica Cazares,
 Secretary of the Board of Directors
 SELMA-KINGSBURG-FOWLER
 COUNTY SANITATION DISTRICT