

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

REGULAR MEETING OF BOARD OF DIRECTORS

December 9, 2021

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.

- Members of the public may participate in the meeting remotely by calling 1-805-250-9182 and entering Passcode 906 089 231# at the prompt. They may also attend in person. Comments may also be submitted by email prior to the meeting at akirk@skfcsd.org
- Every effort will be made to read email comments into the record, but repetitive comments may not be read due to time constraints.

Thank you for taking all precautions to prevent the spreading of the COVID-19 virus.

1. CALL TO ORDER AND ROLL CALL

DIRECTORS

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

STAFF and CONSULTANTS

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

2. APPROVAL OF AGENDA

Additions, deletions, substitutions, and adoption of agenda

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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 November 11, 2021. *(p.4)*
- B. Warrant List Reports of November 10, 2021 and November 24, 2021. *(p.7)*
- C. Cash Activity Report of November 30, 2021. *(p.11)*
- D. The Board will consider adoption of Resolution No. 2021-11 Reauthorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. *(p.12) Staff Report Prepared By: General Manager*

5. UNFINISHED BUSINESS

- A. None.

6. NEW BUSINESS

- A. The Board will consider adopting Resolution No. 2021-10, A Resolution Adopting the Amended Section 125 Premium Only Plan for Calendar Year 2022. *(p.16) Staff Report Prepared By: Tricia Miller, Administration Services/HR Manager.*
- B. The Board will consider approving the District's participation in the Kings Water Alliance Nitrate Control Program by approving the Management Zone Agreement; and authorize General Manager Muñoz to execute the Agreements. *(p.19) Staff Report Prepared By: Ben Muñoz, Jr., General Manager/ Secretary.*
- C. The Board will consider accepting the proposal for the Groundwater Monitor Wells and minor work to an additional monitor well and consider awarding contract to Bradley & Sons, Inc. *(p.37) Staff Report Prepared By: Veronica Cazares, District Engineer*
- D. The Board will consider approving contract Change Order No. 1 for an additive amount from Municipal Maintenance Equipment, Inc. in the amount of \$6,000 and

authorize the General Manager to execute necessary agreements. The total contract amount including contract Change Order No. 1 is \$417,961.53. (p.40) *Staff Report Prepared By: Veronica Cazares, District Engineer*

- E. The Board will consider adoption of Resolution No. 2021-12, A Resolution Honoring Scott Anthony Aguiar, Plant Operations Supervisor upon his retirement after thirteen years of service to the Selma-Kingsburg-Fowler County Sanitation District. (p.43) *Staff Report Prepared By: Ben Muñoz, Jr., General Manager/ Secretary.*

7. BOARD MEMBER COMMUNICATION/AGENDA ITEMS

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

8. GENERAL MANAGER REPORTS

- A. 2022 CASA Winter Conference - January 19-22, 2022 at Hilton Palm Springs. Directors must notify Alicia Kirk, Executive Assistant to the General Manager, by December 20, 2021 of their intention to attend so reservations can be made.
- B. Scott Aguiar's retirement BBQ Wednesday, December 22, 2021 at 11:30 am.
- C. SKF Website Update

9. ADJOURNMENT

Motion to Adjourn
Next Regular Meeting: Thursday, January 13, 2022 at 4:00 p.m.
Next Ordinance: 2022-01
Next Resolution: 2022-01

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 BOARD
MEETING
NOVEMBER 11, 2021**

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 Chairwoman Roman via Zoom.

DIRECTORS

Nathan Magsig (P)
Sarah Guerra (P)
David Cárdenas (P) not on video
Buddy Mendes, Vice Chair (P)
Michelle Roman, Chairwoman (P)

STAFF and CONSULTANTS

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

Let the record reflect, that per General Counsel, since Director Cárdenas joined by phone and not by video, he must abstain from voting.

APPROVAL OF AGENDA

There being no comment from the public, a motion to approve the agenda of the Regular Board meeting of November 11, 2021 was made by Director Mendes, and seconded by Director Magsig, and approved by the following roll call vote:

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

NO:

ABSENT:

ABSTAIN: Director Cárdenas

PUBLIC FORUM

None

CONSENT CALENDAR

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

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

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

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

UNFINISHED BUSINESS

None

NEW BUSINESS

None

BOARDMEMBER COMMUNICATION/AGENDA ITEMS

Chairwoman Roman, General Manager Ben Muñoz, District Engineer Veronica Cazares, and Admin Services/HR Manager Tricia Miller attended the Valley ROP luncheon. General Manager Muñoz gave a presentation on SKF and his duties as GM.

GENERAL MANAGER REPORTS

One Grade III Operator returned to SKF from Fresno, and one other Grade III decided to stay with SKF. This was an informational item to update the Board from the October meeting.

GM Ben Muñoz and District Engineer Cazares attended the Selma Growth and Development Workshop on Friday, November 12, 2021 at 1:30 p.m. It was very informational, and Selma has some significant growth for the future. The District is supportive of all three member cities.

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 4:10 p.m.

Respectfully submitted,

Approved,

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

Michelle Roman
Chairwoman of the Board

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT
WARRANT LIST & SALARY AND FRINGE BENEFIT EXPENDITURE SUMMARY
FOR THE MONTH ENDED NOVEMBER 30, 2021

SERVICE AND SUPPLIES EXPENDITURES:

WARRANT LIST ENDING	11/10/2021	\$	196,471.46
WARRANT LIST ENDING	11/24/2021	\$	136,623.17
			333,094.63
SUBTOTAL SERVICE AND SUPPLIES EXPENDITURES			\$ 333,094.63

SALARIES, PERS AND HEALTH INSURANCE EXPENDITURES

TOTAL SALARIES ENDING	11/7/2021	\$	68,984.52
TOTAL SALARIES ENDING	11/21/2021	\$	72,363.38
			141,347.90
SUBTOTAL SALARIES			\$ 141,347.90
TOTAL PERS (EMPLOYERS PORTION)	11/7/2021		9,219.26
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	11/7/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	11/7/2021		16,267.98
TOTAL PERS (EMPLOYERS PORTION)	11/21/2021		9,308.20
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	11/21/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	11/21/2021		16,267.98
SUBTOTAL PERS AND HEALTH INSURANCE EXPENDITURES			\$ 51,063.42
GRAND TOTAL			\$ 525,505.95

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

November 10, 2021

WARRANT LIST

ALERT O LITE, INC.	EQUIPMENT MAINTENANCE	71.86
ALICIA KIRK	TRAVEL & TRAINING REIMBURSEMENT	117.38
AMERICAN EXPRESS	TRAVEL & TRAINING	1,366.68
APPLIED INDUSTRIAL TECH CA-LLC	EQUIPMENT MAINTENANCE	1,907.93
AQUA SIERRA CONTROLS INC.	EQUIPMENT MAINTENANCE	981.13
ARAMARK	UNIFORMS, MATS, MOPS, TOWELS	1,115.41
ARMANDO BLANCAS	RETIREE HEALTH REIMBURSEMENT	168.56
ARNOLD, STEPHEN	RETIREE HEALTH REIMBURSEMENT	168.56
BILL'S AUTO OF KINGSBURG, INC.	AUTO MAINTENANCE	1,239.85
BSK ASSOCIATES	EXTERNAL LAB SERVICES	734.50
CALIFORNIA RURAL WATER ASSO	MEMBERSHIPS	1,367.00
CALIFORNIA WATER SERVICE	WATER UTILITIES	35.92
CALPERS	RETIREMENT	36,740.08
CASH	PETTY CASH REIMB:TRAVEL & TRAINING, POSTAGE,OFFICE SUPPLY,EQUIP. MAINT.LAB SUPPLY, NOTARY	346.11
CENTRAL VALLEY CULLIGAN, INC.	DRINKING WATER, LAB SUPPLIES	403.80
CENTRAL VALLEY LOCK & SAFE	BUILDING & GROUNDS MAINTENANCE	125.00
CENTRAL VALLEY SALINITY COALITION INC.	PERMITS	4,520.00
COMCAST	COMMUNICATIONS	109.95
CWEA	MEMBERSHIPS	768.00
DAVID MICHEL	RETIREE HEALTH REIMBURSEMENT	168.56
DKF SOLUTIONS GROUP, LLC	PROFESSIONAL SERVICES: MED. & SAFETY	350.00
DON BERRY CONSTRUCTION, INC.	MISC REPAIRS: FOWLER ADAMS AVE.	2,586.44
DONNA STUCKY	RETIREE HEALTH REIMBURSEMENT	181.48
FRESNO COUNTY ASSESSOR	BOOKS & PUBLICATIONS	12.00
G3 ENGINEERING	EQUIPMENT MAINTENANCE	4,589.27
GAR BENNETT LLC	EQUIPMENT MAINTENANCE	74.15
GARY HELM	RETIREE HEALTH REIMBURSEMENT	168.56
GISELA ROSALES	EQUIPMENT MAINTENANCE	80.00
GRAINGER	EQUIPMENT MAINTENANCE	495.50
HEALTH EQUITY INC.	PROFESSIONAL SERVICES: MGT & HUM REL	200.00
JAIME RUIZ	RETIREE HEALTH REIMBURSEMENT	168.56
JAMES HORNE	RETIREE HEALTH REIMBURSEMENT	168.56
JIM OLINGER	RETIREE HEALTH REIMBURSEMENT	168.56
JIMMY GARCIA	RETIREE HEALTH REIMBURSEMENT	424.87
KENNIES INDOOR COMFORT SPECIAL	EQUIPMENT MAINTENANCE	95.00
KINGSBURG, CITY OF	WATER UTILITIES	64.50
LOPEZ, PAUL	CERTIFICATION REIMBURSEMENT	91.00
LUCERO, JULIAN	RETIREE HEALTH REIMBURSEMENT	168.56
MICHAEL FONG	RETIREE HEALTH REIMBURSEMENT	206.97
MID VALLEY DISPOSAL	WASTE UTILITIES	1,195.05
MONTOY LAW CORPORATION	PROFESSIONAL SERVICES: LEGAL	1,029.00
MOORE TWINING ASSOC. INC.	EXTERNAL LAB SERVICES	181.00
MORGAN BROTHERS INC	PEST CONTROL	149.00
MUNICIPAL MAINT EQUIPMENT, INC	EQUIPMENT MAINTENANCE	3,227.25
N&S TRACTOR	EQUIPMENT MAINTENANCE	1,669.16
NAPA AUTO PARTS	AUTO & EQUIPMENT MAINTENANCE	463.92
NELSON'S ACE HARDWARE	BUILDING & GROUNDS, EQUIPMENT MAINT.	157.12
ORTIZ, GABBY	CERTIFICATION REIMBURSEMENT	101.00

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OVERHEAD DOOR CO. OF FRESNO INC.
 PG&E
 POWER BUSINESS TECHNOLOGY LLC
 PROCLEAN SUPPLY
 QUADIENT LEASING USA, INC.
 RAYMOND MIKE ALANIZ
 RESA POWER SOLUTIONS
 RGW EQUIPMENT SALES, LLC
 ROBERT CURRIE
 SALLY RODRIGUEZ
 SARA J. STAUNTON
 SILVAS OIL CO. INC.
 SONSRAY MACHINERY AG
 STAPLES CREDIT PLAN
 STEVE JENSEN
 SUNSHINE FILTERS OF PINELLAS INC.
 TARGET SPECIALTY
 TELETRAC NAVMAN US LTD.
 TELSTAR INSTRUMENTS, INC.
 THOMAS & ASSOCIATES
 TOSHIBA FINANCIAL SERVICES
 TRANSWESTERN INS ADMIN
 TURNUPSEED ELECTRIC, INC.
 UNWIRED BROADBAND, INC.
 VALLEY POWER SYSTEMS INC
 VAN CLEVE CONCRETE PRODUCTS INC.
 VERIZON WIRELESS

EQUIPMENT MAINTENANCE	3,538.00
ELECTRIC UTILITIES	81,846.29
OFFICE SUPPLIES	186.19
BUILDING & GROUNDS MAINTENANCE	46.71
RENT & LEASE EQUIPMENT	123.02
CERTIFICATION REIMBURSEMENT	91.00
EQUIPMENT MAINTENANCE	3,995.00
EQUIPMENT MAINTENANCE	2,540.91
RETIREE HEALTH REIMBURSEMENT	168.56
RETIREE HEALTH REIMBURSEMENT	168.56
RETIREE HEALTH REIMBURSEMENT	168.56
FUEL	6,654.41
EQUIPMENT MAINTENANCE	47.24
OFFICE SUPPLIES	390.48
RETIREE HEALTH REIMBURSEMENT	181.48
EQUIPMENT MAINTENANCE	1,422.96
CHEMICALS	1,425.78
COMMUNICATIONS	1,076.39
EQUIPMENT MAINTENANCE	3,328.03
EQUIPMENT MAINTENANCE	539.54
COPIER LEASES	658.33
DENTAL & VISION INSURANCE	1,609.22
EQUIPMENT MAINTENANCE	3,611.02
COMMUNICATIONS	749.99
EQUIPMENT MAINTENANCE	6,129.08
MANHOLE FRAMES & COVERS	3,825.02
COMMUNICATIONS	1,026.93

MAS 200 Total Checks **\$196,471.46**

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

November 24, 2021

WARRANT LIST

*CARDENAS, DAVID	DIRECTOR'S FEE	127.63
ALICIA KIRK	MILEAGE REIMBURSEMENT	4.08
AT&T/CALNET 3	COMMUNICATIONS	195.33
BOOT BARN HOLDINGS INC.	SAFETY SHOES	1,579.29
BSK ASSOCIATES	EXTERNAL LAB SERVICES	276.50
CALPERS HEALTH	HEALTH INSURANCE	38,108.20
CDW GOVERNMENT, INC.	INFORMATION SYSTEMS	221.37
CONSOLIDATED IRRIGATION DIST	PROPERTY ASSESSMENTS	5,825.38
CWEA CSJ SECTION	TRAVEL & TRAINING	385.00
DOPUDJA & WELLS CONSULTING INC.	PROFESSIONAL SERVICES - ENGINEERING	1,200.00
ENDUSTRA FILTER MANUFACTURERS	BUILDING & GROUNDS MAINTENANCE	4,562.59
ERNEST C MENDES	DIRECTOR'S FEE	127.63
FAMILY HEALTHCARE NETWORK	PROFESSIONAL SERVICES - MED & SAFETY	330.02
GIBBS TRUCK CENTERS	EQUIPMENT MAINTENANCE	3,272.37
GRAINGER	BUILDING & GROUNDS MAINTENANCE	140.54
HD FACILITIES MAINTENANCE	SAFETY SUPPLIES, CHEMICALS	1,084.59
HOME DEPOT CREDIT SERVICES	BUILDING & GROUNDS MAINTENANCE, OFFICE	1,677.77
JOSEPH BARELA	TRAVEL & TRAINING REIMBURSEMENT	61.20
J'S COMMUNICATIONS, INC	COMMUNICATIONS	66.29
MICHELLE ROMAN	DIRECTOR'S FEE	127.63
MKN	DISTRICT LIFT STATION REFURBISHMENT, SEWER REHAB PROJECT, CCTV INSPECTIONS CERTIFICATION FEE REIMBURSEMENT	42,681.20
MUÑOZ, BEN JR.	AUTO/EQUIPMENT MAINTENANCE	150.00
NAPA AUTO PARTS	DIRECTOR'S FEE	127.63
NATHAN MAGSIG	EQUIPMENT, BUILDING & GROUNDS MAINTENANCE	120.36
NELSON'S ACE HARDWARE	LIFE INSURANCE	436.96
NORTH AMERICAN BENEFITS CO	EQUIPMENT MAINTENANCE	195.00
OVERHEAD DOOR CO. OF FRESNO INC.	EQUIPMENT MAINTENANCE	4,789.17
PAPE KENWORTH	ELECTRIC UTILITIES	6,376.07
PG&E	COMMUNICATIONS	60.00
PROFESSIONAL COMMUNICATIONS NETWORK	CERTIFICATION FEE REIMBURSEMENT	91.00
RANDY CABALLERO	TRAVEL & TRAINING REIMBURSEMENT	133.90
RODRIGUEZ, ERNESTO	PROFESSIONAL SERVICES: ACCOUNTING	9,000.00
SAMPSON SAMPSON & PARTNERS LLC	PERMITS	283.80
SAN JOAQUIN VALLEY AIR	DIRECTOR'S FEE	127.63
SARAH GUERRA	EQUIPMENT MAINTENANCE	2,223.91
SONSRAY MACHINERY AG	GAS UTILITIES	289.59
THE GAS CO	DENTAL / VISION INSURANCE	184.08
TRANSWESTERN INS ADMIN	EQUIPMENT MAINTENANCE	8,932.50
VIDEO INSPECTION SPECIALISTS	SAFETY SUPPLIES	390.73
ZEE MEDICAL SERVICE		

MAS 200 Total Checks

\$136,623.17

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

Cash Account Description	End of Month Cash Balance as of June 30, 2021	End of Month Cash Balance 11/30/2021
Cash in Treasury: Operations & Maintenance	\$ 4,849,753.43	\$ 3,592,735.26
Cash in Bank: Operations & Maintenance	\$ 29,164.97	\$ 33,437.72
Cash in Bank: Payroll	\$ 202.85	\$ 202.99
Petty Cash	\$ 700.00	\$ 700.00
Total Operations & Maintenance	\$ 4,879,821.25	\$ 3,627,075.97
Cash in County Treasury:Expansion	\$ 3,355,773.82	\$ 3,988,593.67
Cash in County Treasury: R&R	\$ 2,916,929.82	\$ 2,468,183.37
Cash in County Treasury:Selma	\$ 2,086,379.20	\$ 2,012,317.41
Cash in County Treasury:Kingsburg	\$ 2,948,693.41	\$ 2,918,497.80
Cash in County Treasury:Fowler	\$ 1,614,363.12	\$ 1,546,810.87
Total Cash Balance	\$ 17,801,960.62	\$ 16,561,479.09

RESOLUTION NO. 2021-11

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 November 11, 2021, 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 9th day of December 2021.

Chairwoman
Michelle Roman

ATTEST

Ben Muñoz, Jr., Secretary to Board

MEMORANDUM

(December 10, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Date Prepared: November 16, 2021
Staff Report prepared by Tricia Miller, Administration Services/HR Manager

Agenda Item: 6-A
Action: Resolution No. 2021-10

SUBJECT: Resolution No. 2021-10, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Adopting the Amended Section 125 Premium Only Plan for Calendar Year 2022

DIRECTORS' SUMMARY

The Board will consider adopting Resolution No. 2021-10, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Adopting the Amended Section 125 Premium Only Plan for Calendar Year 2022.

STAFF RECOMMENDATION

General Manager Muñoz recommends that the Board adopt Resolution No. 2021-10, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Adopting the Amended Section 125 Premium Only Plan for Calendar Year 2022.

ACTION

Motion to adopt Resolution No. 2021-10, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Adopting the Amended Section 125 Premium Only Plan for Calendar Year 2022.

BACKGROUND

The District has had a Section 125 Premium Only Plan since April 15, 2001. The POP was set up as an easy and cost-effective way to enhance employee benefits and decrease employer liability. It is written in the current MOU under Article XII (3), as follows:

3. *District Employee Cafeteria Plan Accounts*

The District will maintain a Section 125 qualifying Cafeteria Plan which shall provide for the following menu of benefits:

- *Balance of premiums for the District's sponsored CalPERS health plan*
- *Dental insurance*
- *Vision insurance*

A benefit under the Cafeteria Plan is contingent upon an understanding that the benefit qualifies as a pre-tax benefit pursuant to State and Federal tax laws. If for any reason State or Federal law precludes one or more of the above listed benefits from the protection of a Section 125 Cafeteria Plan, the District may remove that benefit from the Plan in order to maintain the District's Cafeteria Plan as a Section 125 qualifying plan.

Without a POP, an employee's pay is taxed and then insurance premiums are deducted from after-tax dollars. With a POP, an employee pays for premiums with pre-tax dollars, i.e., insurance premiums are taken out of the employee's pay before taxes. As a result, an employee's taxable income is less. When taxable income is less, federal and state income taxes are reduced and that means more take-home pay for the employee. Employers also save on the matching Medicare taxes.

Resolution No. 2021-10 authorizes the General Manager to execute and deliver to the Plan Administrator all required plan documents. The Plan Administrator will take such actions that are deemed necessary and proper in order to implement the amended Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan. Tricia Miller reviewed the plan documents and recommends that the Board adopt Resolution No. 2021-10, A Resolution of the Selma-Kingsburg-Fowler County Sanitation District Board of Directors Adopting the Amended Section 125 Premium Only Plan for Calendar Year 2022.

The General Manager will notify the employees of the adoption of the amended Plan by showing an educational video on the plan, handing out a copy of the Summary Plan Description, and asking them to fill out election forms.

Attachments: (1) Resolution No. 2021-10

RESOLUTION NO. 2021-10

RESOLUTION OF THE SELMA-KINGSBURG-FOWLER COUNTY
SANITATION DISTRICT BOARD OF DIRECTORS ADOPTING THE
AMENDED SECTION 125 PREMIUM ONLY PLAN FOR CALENDAR
YEAR 2022

WHEREAS, the Section 125 Premium Only Plan (POP) was originally effective on April 15, 2001 and has been updated in compliance with Internal Revenue Service regulations and the Affordable Care Act.

WHEREAS, WageWorks, Inc. is the POP Plan Administrator for Selma-Kingsburg-Fowler County Sanitation District.

WHEREAS, the POP was set up so employees can save taxes on health premiums paid through payroll deductions.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District as follows:

SECTION 1. The Board hereby adopts the Amended Section 125 Premium Only Plan effective January 1, 2022. Attached hereto as Exhibit A are the Plan Document, Summary Plan Description and Adoption Agreement.

SECTION 2. The Board authorizes the General Manager to execute and deliver to the Plan Administrator all required plan documents.

SECTION 3. The Board directs Plan Administrator to take such actions that are deemed necessary and proper in order to implement the amended Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan.

SECTION 4. The General Manager will notify the employees of the adoption of the amended Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented in this meeting, which is hereby approved.

CERTIFICATION

The foregoing Resolution No. 2021-10 was adopted on roll call on a regular meeting held on December 9, 2021 by the following vote:

AYES:	_____
NOES:	_____
ABSTENTIONS:	_____
ABSENCES:	_____

WHEREUPON, the Chairwoman declared the foregoing Resolution No. 2021-10 adopted.

 Ben Muñoz, Jr., General Manager
 Secretary of the Board of Directors
 SELMA-KINGSBURG-FOWLER
 COUNTY SANITATION DISTRICT

18

MEMORANDUM

(December 9, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Date Memo Prepared: December 1, 2021
Staff Report prepared by Ben Muñoz, Jr., General Manager

Agenda Item: 6-B
Action: Motion

SUBJECT: Participation Agreement- Kings Water Alliance Nitrate Control Program

DIRECTORS' SUMMARY

On June 5, 2020 the District received a Nitrate Control Program Notice to Comply (NTC) requiring the District to choose one of two nitrate compliance options. On October 18, 2021 the District received another NTC providing directions on how to comply and the dates when to submit required documents. The District is located in the Kings Basin which is considered a priority 1 basin and therefore must follow the dates established in May 2018 by the Central Valley Water Board to address salt and nitrates in the drinking water. The NTC requires effluent dischargers to choose one of two pathways to comply with the Salt and Nitrate control programs.

Pathway A includes new individual permitting options. The State Board will set more stringent nitrate requirements in the operating permits to ensure that nitrate impacts will not cause a problem for drinking water users. This pathway will require significant upgrades, extensive monitoring, and rigorous technical justification that wastewater will not result in any exceedances of the nitrate standard over a 20-year planning horizon.

Pathway B requires dischargers to form or join a Local Management Zone with other permittees. A management zone is an association of permittees that work together to reduce nitrate loading and to provide replacement water to communities and individuals whose wells are impacted by nitrates. The District staff recommends Pathway B for the District's Wastewater Treatment Plants. Currently the District's treatment facilities do not comply with the newly established nitrate standards. This pathway will allow the District to work towards compliance over a long period while also working with other dischargers to provide safe clean drinking water to those impacted by high nitrates in their current drinking water. The Local Management Zone will be made up of multiple dischargers who will then share the costs associated with compliance to the Water Board's Salt and Nitrate Control Programs.

Based on the current dischargers in Category ID 3 that have committed to the Local Management Zone, the District's estimated fees for the 2020 – 2021 and 2021 – 2022 plus a 15% late enrollment fee are \$94,503. Costs for ID 3 will be based on facility design flow in Million Gallons per Day (MGD). With current participation, the discharger will pay approximately \$10,025 per MGD plus a \$2,000 administrative fee; discharger participation fees could decrease with additional participants in the management zone agreement.

STAFF RECOMMENDATION

General Manager Muñoz recommends that the Board consider Approving the District's participation in the Kings Water Alliance Nitrate Control Program by approving the Management Zone Agreement; and authorize General Manager Muñoz to execute the Agreement.

ACTION

Motion to Approve the District's participation in the Kings Water Alliance Nitrate Control Program by approving the Management Zone Agreement; and authorize General Manager Muñoz to execute the Agreements.

BACKGROUND

In May 2018, the Central Valley Water Board approved new Salt and Nitrate Control Programs. The Nitrate Control Program was developed to address widespread nitrate pollution in the Central Valley. Nitrate in drinking water can reduce the blood's ability to carry oxygen, which can result in brain damage and death. Infants and pregnant women are most at risk of nitrate toxicity. Nitrate is a risk when it is above 10 parts per million (ppm) of nitrate nitrogen, which is the Primary Maximum Contaminant Level (MCL), also known as the nitrate drinking water standard.

The State Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under which permittees, such as the District, are required to implement Nitrate Control Program requirements. The District received a NTC because the District is located in a Priority I basin for the Nitrate Control Program.

Attachments:

- 1) Management Zone Agreement
- 2) KWA Fee Schedule and Budget Flyer
- 3) Notices to Comply

**MANAGEMENT ZONE AGREEMENT FOR PERMITTEES IN THE KINGS WATER ALLIANCE
BOUNDARIES SUBJECT TO THE NITRATE CONTROL PROGRAM IN THE WATER QUALITY
CONTROL PLAN FOR THE TULARE LAKE BASIN**

This Agreement is entered into by and between the KINGS WATER ALLIANCE, a California nonprofit public benefit corporation (hereafter "KWA") and the _____, (hereafter "Participant" as described in Attachment A) (referred to individually or collectively as Party or Parties). The effective date of this Agreement is _____, 2021.

RECITALS

1. On May 31, 2018, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) adopted Amendments to the Water Quality Control Plans for the Sacramento River and San Joaquin River Basins and the Tulare Lake Basin to Incorporate A Central Valley-Wide Salt and Nitrate Control Program (Basin Plan Amendments). The Basin Plan Amendments were approved by the State Water Resources Control Board (State Water Board) on October 16, 2019, and the Office of Administrative Law on January 15, 2020. Parts of the Basin Plan Amendments became effective upon Office of Administrative Law approval. Other parts become effective after receiving approval from the United States Environmental Protection Agency.
2. The Basin Plan Amendments include the Program to Control and Permit Nitrate Discharges to Groundwater (Nitrate Control Program). The Nitrate Control Program became effective on or about January 15, 2020.
3. The Nitrate Control Program applies to all discharges of nitrate to groundwater basins that are designated with the municipal and domestic supply (MUN) beneficial use. Application of the Nitrate Control Program to discharges that are subject to Central Valley Water Board authority is being implemented based on priorities set forth in the Basin Plan Amendments.
4. The Nitrate Control Program identifies the following six groundwater basins/sub-basins as Priority 1 basins/sub-basins: Kaweah, Turlock, Chowchilla, Tule, Modesto and Kings. Priority 2 basins include: Yolo, Merced, Kern County (Westside South); Tulare Lake; Kern County (Poso); Delta Mendota; Eastern San Joaquin; and Madera. Compliance with the Nitrate Control Program is triggered when the Central Valley Water Board issues a Notice to Comply to permittees that discharge nitrate to groundwater in the identified Priority basins. Upon receipt of the Notice to Comply, permittees need to select one of two pathways for complying with the Nitrate Control Program.
5. On or about May 30, 2020, the Central Valley Water Board sent Notices to Comply to dischargers and irrigated agricultural lands coalition groups that are within the boundaries of the six identified Priority 1 basins. The Notice to Comply requires dischargers to either

meet the new requirements through an individual permitting action or participate in a Management Zone. For those permittees that choose to participate in a Management Zone, a preliminary Management Zone Proposal and Early Action Plan must be submitted to the Central Valley Water Board no later than March 8, 2021. Permittees working together as a Management Zone must then develop and submit a Final Management Zone Proposal within 180 days after Central Valley Water Board review of the preliminary proposal. Six months after the Central Valley Water Board's Executive Officer accepts the Final Management Zone Proposal, the permittees working collaboratively in the Management Zone must develop and submit a Management Zone Implementation Plan.

6. The Nitrate Control Program requires the Central Valley Water Board to send Notices to Comply to dischargers and irrigated agricultural lands coalition groups that are within the boundaries of the identified Priority 2 basins within two (2) to four (4) years after the effective date of the Nitrate Control Program. In anticipation of Notices to Comply being sent in the future to dischargers in Priority 2 basins, KWA has established Management Zone boundaries that will accommodate dischargers in adjacent and related Priority 2 basins. Dischargers in the Priority 2 basins that are within the KWA boundaries have the option of participating in the Management Zone now or waiting until they receive a Notice to Comply from the Central Valley Water Board in the future.
7. The primary purpose of a Management Zone is to develop plans for addressing nitrate in groundwater and help in providing access to safe drinking water for residents impacted by nitrate contamination in groundwater.
8. KWA finds that serving as a coordinating entity for permittees within the KWA boundary area that select the Management Zone pathway, and possibly other basins in the future, is consistent with KWA's specific purposes, which is to maintain and improve the quality of life in central and southern San Joaquin Valley by implementing programs that provide access to safe drinking water for residents, and by engaging in groundwater nitrate reduction activities with the goal of protecting or enhancing the quality of groundwater drinking water supplies for residents.

TERMS OF AGREEMENT

1. Participant has either received a Notice to Comply, has members that have received a Notice to Comply, with the Nitrate Control Program, or anticipates receiving a Notice to Comply with the Nitrate Control Program in the future. After reviewing and considering the options available for complying with the Nitrate Control Program, Participant agrees to comply by participating in KWA's Management Zone. Participation in KWA's Management Zone includes contributing to and cooperating with KWA and other participants.
2. Each Party agrees to work in good faith, along with other participants, to develop timely deliverables as required by the Nitrate Control Program and to comply with the Nitrate Control Program provisions in the Basin Plan Amendments.

3. Participant agrees that costs of the KWA Management Zone program will be shared with other participants based on an equitable cost allocation mechanism that is developed and approved by the KWA Board of Directors.
4. KWA agrees that contributions provided by Participant are for the sole purpose of developing proposals, reports and plans to comply with the Management Zone provisions within the Basin Plan, including reasonable administrative costs, consultant costs and other agreed upon costs incurred by KWA in furtherance of developing and implementing Management Zone proposals and plans.
5. The KWA and the Participant agree to seek alternative funding sources for development and implementation of all or parts of the Early Action Plan, Preliminary Management Zone Proposal, Final Management Zone Proposal, and Management Zone Implementation Plan, if determined appropriate. However, the Participant understands that the permittee participants in the Management Zone are ultimately responsible for the development and implementation of all or parts of the Early Action Plan, Preliminary Management Zone Proposal, Final Management Zone Proposal, and Management Zone Implementation Plan.
6. The Participant understands that compliance with the terms of the Nitrate Control Program is ultimately determined by the Central Valley Water Board and not KWA or other participants to this Agreement.
7. The Participant is free to withdraw from this Agreement at any time upon giving a minimum of 30 days express written notification to the KWA. Any contributions to KWA by a withdrawing Participant prior to giving notice of withdrawal shall not be reimbursable by KWA to the withdrawing Participant. Participant shall continue to be responsible for its fair share of required contributions during the 30-day notice period unless otherwise agreed to by KWA.
8. Prior to withdrawing from this Agreement, the Participant should consult with the Central Valley Water Board regarding its options for complying with the Nitrate Control Program.
9. In the event that the Participant does not fulfill its obligations under this Agreement, the KWA is obligated to notify the Central Valley Water Board of the Participants failure to meet its obligation for continued participation in the Management Zone.
10. Participant understands that the KWA reserves the right to terminate this Agreement with a Participant after providing written notice at least sixty (60) days in advance of such termination and after providing the Participant with a reasonable period of time to cure any issues that may be the cause for such termination. Any action by the KWA to terminate the Agreement with respect to a single Participant (or group of permittees represented by one Participant) shall include a reason(s) for such termination in writing. The Participant may request that KWA provide Participant an opportunity to appear before the KWA Board of

Directors to oppose such termination prior to the termination becoming effective. The KWA Board of Directors maintains the discretion to grant the request for appearance before the KWA Board of Directors prior to the termination becoming effective. The KWA Board of Directors reserves the ultimate authority to determine if a termination shall become effective.

11. KWA intends to remain the entity for administering the Management Zone. However, in the unlikely event that the KWA finds it necessary to withdraw from administering the Management Zone, KWA agrees to all of the following:
 - a. Provide at least six (6) months' notice in advance of such withdrawal so that participants, in cooperation with the Central Valley Water Board, have the opportunity to identify or create a new successor entity for administering the Management Zone.
 - b. Provide all data, reports, and information to any successor entity identified by the participants and/or the Central Valley Water Board.
 - c. Transfer all remaining funds, after addressing all outstanding liabilities, to any identified successor entity, to the extent allowed by KWA's Bylaws and applicable state and federal law.
 - d. Agree to work cooperatively with the Central Valley Water Board, participants, and any successor entity for an orderly transfer of data, information, reports, and remaining funds, as applicable.
12. The KWA agrees to maintain an accounting system that clearly documents funds provided to the KWA for the Management Zone and funds paid out from KWA for purposes of administering and implementing the Management Zone.
13. Participation in a KWA Management Zone, and being a Party to this Agreement, shall not constitute an admission of liability or fault with respect to nitrate contamination in groundwater that may exist within the Management Zone boundaries, or beyond.
14. The Agreement is not intended for the benefit of any person or entity not a Party and shall not be enforceable by any person or entity who is not a Party.
15. KWA and Participant, along with other participants, agree to work cooperatively to develop and implement all Management Zone related documents and programs and shall not use information obtained through the development and implementation of the Management Zone to materially and legally harm KWA or other participants in the Management Zone.
16. The Agreement shall be interpreted and enforced pursuant to the laws of the State of California. It is agreed that in the event of any litigation arising hereunder, the Parties hereto shall submit to the jurisdiction of any court of competent jurisdiction within the State of California, County of Fresno.

17. If any provision of the Agreement is found invalid or unenforceable, the balance of the Agreement shall remain in full force and effect.
18. The Agreement may be executed in counterparts with the same force and effect as if executed in one complete document by all Parties.
19. This Agreement may only be amended or modified by a written instrument executed by the KWA. The Participant will be given prior notice of any amendment or modification.

[Signatures on next page]

IN WITNESS WHEREOF, the Parties have executed this Agreement effective on the date set forth above.

Date: _____

KINGS WATER ALLIANCE

By: _____

Signature of KWA Board Chair
(or authorized designee)

Print name of KWA Board Chair
(or authorized designee)

PARTICIPANT ENTITY

Date: _____

By: _____

Signature of Participant entity
authorized representative

Print name of Participant entity
authorized representative

Attachment A

Participant Contact Information

Entity Name: _____

Physical Address: _____

Mailing Address: _____

CV-SALTS ID: _____

Board Resolution Number
(if applicable) _____

(Please provide a copy of the signed Board Resolution.)

Authorized Representative

Name: _____

Phone number: _____

Email address: _____

Technical Representative

Name: _____

Phone number: _____

Email address: _____

Billing Representative

Name: _____

Phone number: _____

Email address: _____

Kings Water Alliance Revised Fee Schedule and Budget

The Kings Water Alliance has developed a revised budget and expenditure plan for 2020 through June 2022 totaling approximately \$1.6 million. The budget revision considers the most recent estimates for implementation of the Early Action plan, administrative costs, and updated timelines for required regulatory submittals to comply with the Nitrate Control Program.

FEE SCHEDULE

Discharger Category	% Split	2020-21	2021-22	Total
Irrigated Agriculture	55%	\$212,700	\$660,000	\$872,700
Dairy	15%	\$58,000	\$180,000	\$238,000
ID 3	15%	\$58,000	\$180,000	\$238,000
ID 2	8%	\$30,900	\$96,000	\$126,900
ID 1	6%	\$23,200	\$72,000	\$95,200
Poultry	1%	\$3,900	\$12,000	\$15,900
Total				\$1,586,700

Individual Discharger Category (ID1)

Includes animal rendering facilities, food processing, wineries, compost.

Total 23 committed to Kings Water Alliance

Total 47 in Management Zone Boundary

Total 24 not committed (15 Priority 1; 9 Priority 2)

Individual Discharger Category (ID2)

Includes beef packers, packing facilities, industrial and manufacturing.

Total 19 committed to Kings Water Alliance

Total 33 in Management Zone Boundary

Total 14 not committed (13 Priority 1; 1 Priority 2)

Individual Discharger Category (ID3)

Includes treatment facilities, recycled water, landfills, and water treatment facilities.

Total 21 committed to Kings Water Alliance

Total 37 in Management Zone Boundary

Total 16 not committed (5 Priority 1; 11 Priority 2)

Fees in this category will be based on design flow in MGD.



CV-111-5-V-111-10
orig



GAVIN NEWSOM
GOVERNOR

JARED BLUMENFELD
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

May 29, 2020

Certified Mail: 7019 2280 0001 9170 3457

Ben Munoz Jr.
Selma Kingsburg Fowler CSD
PO Box 158
Kingsburg, CA 93631

Non-15 2292

CV-111-5-V-111-10
2020 05 29
10:00 AM

NITRATE CONTROL PROGRAM NOTICE TO COMPLY

PERMITTEES IN PRIORITY 1 BASINS

This letter contains legal requirements that must be followed. Failure to respond may result in enforcement action(s) being taken against you. Please note that you may also receive a separate Notice to Comply for the new Salt Control Program that will also require your response.

You are receiving this Notice to Comply because you operate the following one or more facilities:

SKF CSD WWTF

11301 Conejo
Kingsburg, CA 93631

Facility/Place ID: 273187
Order Number: 5-01-255
Priority 1 Basin: KINGS
CV-SALTS ID: 2727

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

Nitrate Control Program

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Nitrate Control Program

This Notice to Comply (NTC) requires that you choose one of two nitrate compliance options, or "pathways," established by new regulations. Regardless of which compliance option you choose, **your permit requirements will change**. If the address or ownership information on the first page is incorrect, please contact the Board so that we may correct our records. If you have questions or believe that you should be exempt from this NTC, please contact us by telephone, email, or mail. Our contact information is at the end of the letter.

Background

In May 2018, the Central Valley Water Board approved new Salt and Nitrate Control Programs. The Nitrate Control Program was developed to address widespread nitrate pollution in the Central Valley. Nitrate in drinking water can reduce the blood's ability to carry oxygen, which can result in brain damage and death. Infants and pregnant women are most at risk of nitrate toxicity. Nitrate is a risk when it is above 10 parts per million (ppm) of nitrate nitrogen, which is the Primary Maximum Contaminant Level (MCL), also known as the nitrate drinking water standard.

The Board identified areas, referred to as Priority 1 and Priority 2 basins, where nitrates in groundwater are more prevalent and therefore pose a higher risk to persons who rely on groundwater as a source of drinking water. Priority 1 and Priority 2 basins have timelines under which permittees, such as you, are required to implement Nitrate Control Program requirements. **You are receiving this NTC because you are located in a Priority 1 basin for the Nitrate Control Program.** See Attachment 1 for a map of priority groundwater basins/sub-basins.

This Nitrate Control Program NTC requires that you choose between two compliance pathways:

Pathway A: New individual permitting options. The Board will set more stringent nitrate requirements in your permit to ensure that nitrate impacts will not cause a problem for drinking water users.

Pathway B: Form or Join a Local Management Zone with other Permittees. A Management Zone is an association of permittees that work together to reduce nitrate loading and to provide replacement water to communities and individuals whose wells are impacted by nitrates.

Pathway A offers several individual permitting options, all of which set stringent nitrate requirements on all dischargers that have nitrates in their wastewater. The Board expects that, for many permittees, Pathway A will require significant upgrades, extensive monitoring, and a rigorous technical justification that wastewater will not result in any exceedances of the nitrate standard over a 20-year planning horizon. Pathway B is a new permitting approach that allows multiple permittees to form or join in a Management Zone in order to comply with the Nitrate Control Program. Pathway B

Nitrate Control Program

provides a collaborative, locally managed, cost-effective and flexible approach to program compliance.

In order to make an informed decision and meet critical program deadlines, it is important that you take action now.

Step 1 – Before You Decide on a Pathway

Before you decide on a permitting pathway, the Board recommends that you visit the website cvsalts.info for more information on the Nitrate Control Program, including:

1. Nitrate Control Program requirements and timelines
2. Conducting an initial assessment (individually or collectively with other permittees) of your discharges and nearby groundwater conditions
3. Forming or participating in a Management Zone in your area
4. Requirements and templates for deliverables (e.g. Early Action Plans, Management Zone Proposals and Alternative Compliance Project proposals)
5. Answers to Frequently Asked Questions

The cvsalts.info website will be updated regularly, so be sure to check back frequently for the latest information. You can also check the website for upcoming webinars that will provide guidance information. Questions and information requests can also be made by sending an email to: cvsalts@waterboards.ca.gov.

A full copy of the Salt and Nitrate Control Program Basin Plan language (Attachment 1 of Resolution R5-2018-0034), can be found at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/resolutions/r5-2018-0034_res.pdf.

Step 2 – Make a Pathway Choice and Begin Meeting Program Requirements

IF YOU CHOOSE PATHWAY A

General Requirements for Pathway A (Individual Approach) are as follows:

1. Assess your nitrate impacts to shallow groundwater.
2. Prepare a Nitrate Assessment Report that categorizes the impact of your discharge over a 20-year horizon. There are five categories for permittees choosing to comply under Pathway A.
3. Complete the Notice of Intent (NOI) that indicates your election of Pathway A.

An electronic fillable PDF version of the NOI is available at:

Nitrate Control Program

http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_templates_guide/#notice_of_intent. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

4. Prepare an Early Action Plan (EAP) that will provide affected residents interim drinking water solutions where drinking water exceeds nitrate water quality objectives.
5. If a discharger is in Category 4 or 5, develop a proposed Alternative Compliance Project (ACP) as an additional condition. Any proposed Alternative Compliance Project must be in addition to activities that a permittee would implement to achieve their individual discharges full compliance with the nitrate water quality objective. An example ACP could include connecting septic systems to a wastewater treatment plant.
6. Submit your NOI and Nitrate Assessment Report to the Central Valley Water Board no later than **May 7, 2021**. Permittees that are required to complete an EAP and/or ACP proposal must also submit these documents with the NOI.
7. Obtain Central Valley Water Board evaluation and approval.
8. Initiate EAP (if applicable) within **60 days** following submittal of the plan, unless otherwise directed by the Central Valley Water Board.

IF YOU CHOOSE PATHWAY B

General Requirements for Pathway B (Management Zones) are as follows:

1. Permittees in a Management Zone work collectively to develop a Preliminary Management Zone Proposal and Early Action Plan (if applicable). The Early Action Plan must describe how the Management Zone entity will provide affected residents interim drinking water solutions where drinking water exceeds nitrate water quality objectives. Management Zone submits these documents to the Central Valley Water Board no later than **March 8, 2021**.
2. Management Zone initiates EAP within **60 days** following submittal of the plan, unless otherwise directed by the Central Valley Water Board.
3. Permittees submit an individual NOI that indicates their selection of Pathway B to the Central Valley Water Board no later than **May 7, 2021**. **Permittees who are named as a Management Zone member in the Preliminary Management Zone Proposal do not need to submit an NOI.**

Nitrate Control Program

An electronic fillable PDF version of the NOI is available at: http://www.waterboards.ca.gov/centralvalley/water_issues/salinity/forms_templates_guide/#notice_of_intent. A hardcopy can be sent to you by sending a request to cvsalts@waterboards.ca.gov.

4. Permittees working together as a Management Zone develop and submit a Final Management Zone Proposal, **180 days** after Central Valley Water Board's review of the preliminary proposal.
5. Permittees working together as a Management Zone develop and submit a Management Zone Implementation Plan, **6 months** after the Final Management Zone Proposal is accepted by the Executive Officer of the Central Valley Water Board.

Document submissions can be sent via email to cvsalts@waterboards.ca.gov or by mail to:

Central Valley Water Board
CV-SALTS Program
11020 Sun Center Drive, Suite 200
Rancho Cordova, CA 95670

The Central Valley Water Board recommends that the documentation be submitted in electronic format to the email or as a CD mailed to the address above. If you choose to submit documentation as a CD or hardcopy, USPS Certified Mail is the preferred mailing method to ensure receipt of delivery by the Central Valley Water Board.

This NTC requires your response under Water Code section 13260. If you do not respond to this request with the materials specified above by May 7, 2021, you may be subject to enforcement actions, including actions under Water Code section 13261, which authorizes the Board to impose liability of up to \$1,000 per day for failure to submit a report. **After May 7, 2021, discharges of nitrate are prohibited unless the permittee is implementing the Nitrate Control Program through either Pathway A (Individual Approach) or Pathway B (Management Zone Approach).**

For general information about the Central Valley Water Board's Salt and Nitrate Control Program, please visit: <https://www.waterboards.ca.gov/cvsalts/>.

Nitrate Control Program

If you have any further questions about what is required of you, please email cvsalts@waterboards.ca.gov or call (916) 464-4675.



Patrick Pulupa
Executive Officer

Enclosure: Attachment 1: Priority Groundwater Basins/Sub-basins

Para obtener una versión traducida de este documento, envíe un correo electrónico a cvsalts@waterboards.ca.gov. (Spanish)

如需本文档翻译版，请发送邮件至 cvsalts@waterboards.ca.gov. (Chinese)

Để nhận phiên bản dịch của tài liệu này, vui lòng gửi email đến cvsalts@waterboards.ca.gov. (Vietnamese)

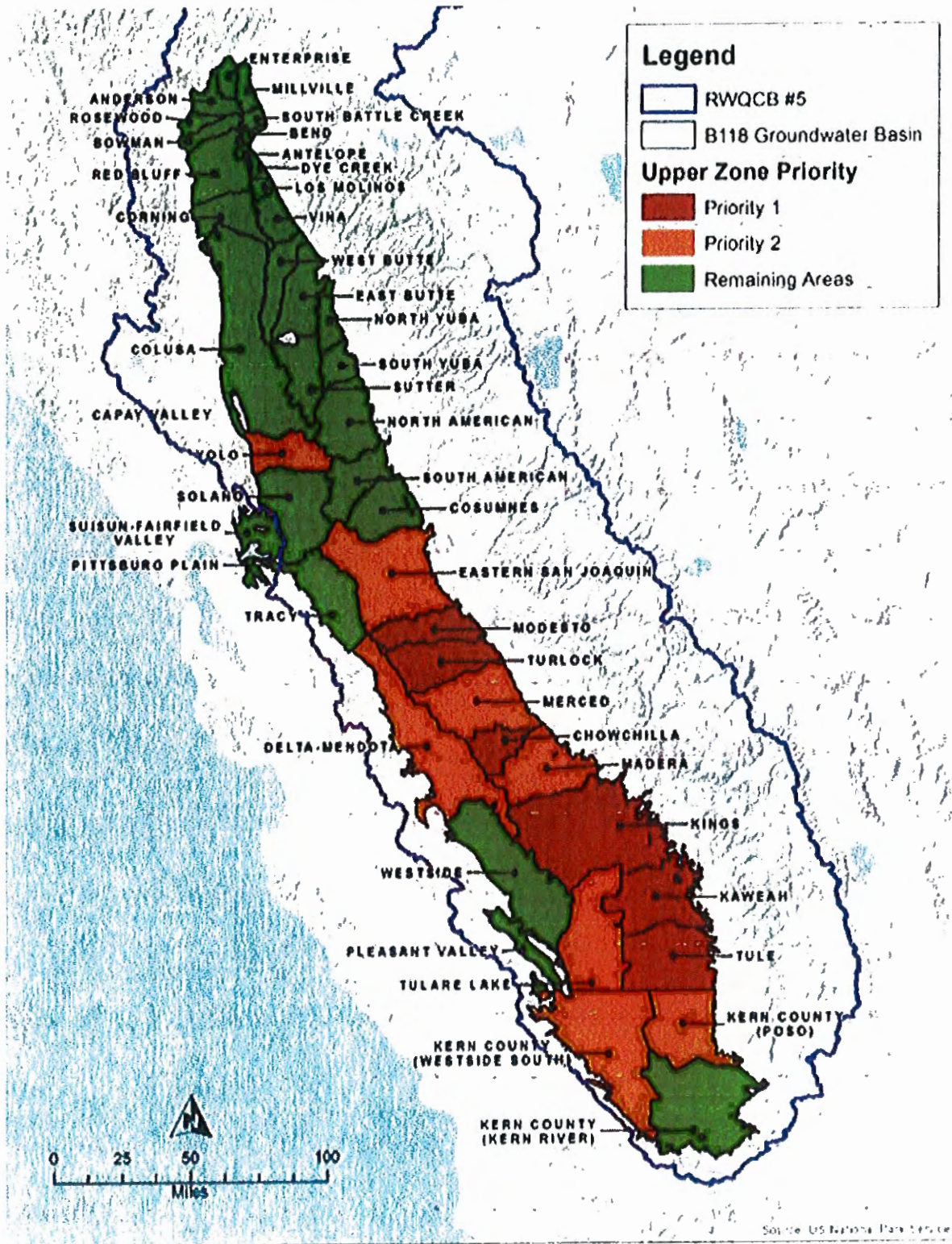
Yog koj xav tau daim ntaub ntawv no txhais ua lus Hmoob, thov xa email rau cvsalts@waterboards.ca.gov. (Hmong)

ਇਸ ਦਸਤਾਵੇਜ਼ ਦੇ ਪੰਜਾਬੀ ਅਨੁਵਾਦ ਲਈ, ਕ੍ਰਿਪਾ ਕਰਕੇ ਸਾਨੂੰ ਇਸ ਪਤੇ ਉਪਰ ਈ – ਮੇਲ ਭੇਜੋ cvsalts@waterboards.ca.gov. (Punjabi)

To obtain a translated version of this document in a language other than what is provided above, please email cvsalts@waterboards.ca.gov.

Nitrate Control Program

Attachment 1: Priority Groundwater Basins/Sub-basins



MEMORANDUM

(December 9, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Staff Report prepared by Veronica Cazares, District Engineer
Date Prepared: December 1, 2021
SUBJECT: Bid Results-Groundwater Monitor Wells – 2022

Agenda Item: 6-C
Action: Motion

DIRECTORS' SUMMARY

The District received bids on December 1, 2021 for the installation of three wells and minor work on a fourth well.

The bid results are as follows:

Bradley & Sons, Inc.	Del Rey, CA	\$62,950.00
ABC Liovin	Signal Hill, CA	\$165,975.00
Nor-Cal Pump & Well Drilling, Inc.	Yuba City, CA	\$292,896.00

District staff has extensive work experience with Bradley & Sons, Inc. Bradley & Sons, Inc. is also familiar with the installation of groundwater monitoring wells and has worked with Kenneth D. Schmidt and Associates (KDSA). As part of the groundwater monitoring well installation the contractor will coordinate the drilling schedule and observation with KDSA. The project is funded out of services and supplies in line-item repair and maintenance. The project is in FY22 budget in the amount of \$115,000.

STAFF RECOMMENDATION

General Manager Muñoz recommends that the Board accept the bid from Bradley & Sons, Inc. Del Rey, CA in the amount of \$62,950.00 and a contingency of \$15,000 for a total amount of \$77,950.00 and authorize the General Manager Muñoz to execute the necessary agreements.

ACTION

Motion to accept the bid from Bradley & Sons, Inc. Del Rey, CA in the amount of \$62,950.00 and a contingency of \$15,000 for a total amount of \$77,950.00 and authorize the General Manager Muñoz to execute the necessary agreements.

BACKGROUND

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff reviewed the 2020 Self-Monitoring Reports (SMRs) for the WWTF. The reports indicate that all of the groundwater monitoring wells at the WWTF were dry or contained insufficient water to sample during 2020. Central Valley Water Board staff has determined that the existing groundwater monitoring well network is insufficient to perform groundwater monitoring and determine compliance with the Groundwater Limitations in the Order.

A workplan needs to be submitted that evaluates current groundwater conditions and proposes a sufficient number of wells to determine compliance with the Groundwater Limitations in the Order. The workplan should accommodate multiple iterations of investigation, as necessary, to determine compliance.

The District completed a workplan and submitted to the Central Valley Water Board. The workplan was approved and the District proceeded with soliciting cost proposals to install groundwater monitor wells.

Attachment: CIP Form B

FORM B

SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT CAPITAL IMPROVEMENT PROJECT REQUEST



1. Project Title: Ground Water Monitoring Wells Replacement

2. Project Cost: \$ 215,000

3. Purpose of Project:
 Add a new item to the program
 Delete an item in a year already a part of the program
 Modify a project already in the adopted program

4. Priority: 1

5. Location: Ponds and North of Conejo

6. Description: This is a project that is required as part of a order that came from the Central Valley Regional Water Quality Control Board. It is requiring us to come up with a work plan to replace our Monitoring wells that have become dry or contain insufficient water in them. We have 15 monitoring wells and only 1 has water in it.

7. Justification & Useful Life: WDR Requirement

	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031	Total
8. Costs:											
Planning/Design	0	0	0	0	0	0	0	0	0	0	0
Land Acquisition	0	0	0	0	0	0	0	0	0	0	0
Construction	115,000	100,000	0	0	0	0	0	0	0	0	215,000
Equipment	0	0	0	0	0	0	0	0	0	0	0
Total	115,000	100,000	0	0	0	0	0	0	0	0	\$ 215,000
9. Funding:											
O&M	115,000	100,000	0	0	0	0	0	0	0	0	Total 215,000
R&R	0	0	0	0	0	0	0	0	0	0	0
Expansion	0	0	0	0	0	0	0	0	0	0	0
Selma R&R	0	0	0	0	0	0	0	0	0	0	0
Kingsburg R&R	0	0	0	0	0	0	0	0	0	0	0
Fowler R&R	0	0	0	0	0	0	0	0	0	0	0
Debt	0	0	0	0	0	0	0	0	0	0	0
Total	115,000	100,000	0	0	0	0	0	0	0	0	\$ 215,000
10. Comments:											

Submitted By: Scott Aguiar
 Signature: _____
 Date: 2/9/2021
 Approved By: _____

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MEMORANDUM
(December 9, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Staff Report prepared by Veronica Cazares, District Engineer
Date Prepared: December 1, 2021

Agenda Item: 6-D
Action: Motion

SUBJECT: Equipment Contract Change Order No 1-2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle

DIRECTORS' SUMMARY

On October 14, 2021, the Board approved the bid for the 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle from Municipal Maintenance Equipment, Inc. of Sacramento, CA for a total cost of \$411,961.53.

This contract change order is for an Owner requested upgrade to the front hose reel of the 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle. The upgrade comprises of an articulating reel. The articulating reel is used to maneuver equipment into tight areas and assists in staff safety in traffic areas. The change order is in the amount of \$6,000.00 and the total equipment total including contract change order no. 1 is \$417,961.53. The equipment is funded from FY 21-22 Capital R&R Budget item 8171-203-02. The budgeted amount was \$600,000.

STAFF RECOMMENDATION

General Manager Muñoz recommends that the Board approve contract change order no. 1 for an additive amount of \$6,000 and authorize the General Manager to execute necessary agreements. The total contract amount including contract change order no. 1 is \$417,961.53.

ACTION

Motion to approve Municipal Maintenance Equipment, Inc. contract change order no. 1 for an additive amount of \$6,000 and authorize the General Manager to execute necessary agreements. The total contract amount including contract change order no. 1 is \$417,961.53.

BACKGROUND

The District received bids for the New 2021 or 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle on September 21, 2021. The equipment has a standard one-year warranty. The Bid Results are as follows:

Vendor	Base Price	
Municipal Maintenance Equipment, Inc. (Sacramento, CA)	\$411,961.53	
Haaker Equipment Company (La Verne, CA)	\$441,013.09	Nonresponsive Bid

The District currently has the same vendor equipment in the inventory and have worked with Municipal Maintenance Equipment, Inc for many years.

Staff recommends awarding the New 2021 or 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle contract to Municipal Maintenance Equipment, Inc. of Sacramento, CA

Attachment: CIP Form B

FORM B

**SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT
CAPITAL IMPROVEMENT PROJECT REQUEST**



1. Project Title: Fleet Replacement Program - V24 2001 International Vac-Con												
2. Project Cost: \$ 500,000												
3. Purpose of Project: <input type="checkbox"/> Add a new item to the program <input checked="" type="checkbox"/> Delete an item in a year already a part of the program <input type="checkbox"/> Modify a project already in the adopted program												
4. Priority: 6												
5. Location: WWTP												
6. Description: Replace 2001 International Vacuum Sewer Cleaner Unit that meets all new emissions laws. Replace the 2001 Vacuum Sewer Cleaner Unit due to age, hours, usage and maintenance records. Ongoing replacement program to reduce the fleet inventory and improve efficiency through the use of technology and business process refinement.												
7. Justification & Useful Life: The Ford Hydroflush Vacuum Sewer Cleaner Unit has served the District well and has been used beyond its useful life. The new Hydroflush Vacuum Sewer Cleaner Unit would give us increased reliability and efficiency with the latest in new technology. The new Hydroflush Vacuum Sewer Cleaner Unit will have fewer unscheduled maintenance work orders and downtime for repairs and parts. Useful Life: 10 years.												
8. Costs:	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	Total	
Planning/Design	0	0	0	0	0	0	0	0	0	0	0	
Land Acquisition	0	0	0	0	0	0	0	0	0	0	0	
Construction	0	0	0	0	0	0	0	0	0	0	0	
Equipment	0	500,000	0	0	0	0	0	0	0	0	500,000	
Total	0	500,000	0	0	0	0	0	0	0	0	\$ 500,000	
9. Funding:	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	Total	
O&M	0	0	0	0	0	0	0	0	0	0	0	
R&R	0	500,000	0	0	0	0	0	0	0	0	500,000	
Expansion	0	0	0	0	0	0	0	0	0	0	0	
Selma R&R	0	0	0	0	0	0	0	0	0	0	0	
Kingsburg R&R	0	0	0	0	0	0	0	0	0	0	0	
Fowler R&R	0	0	0	0	0	0	0	0	0	0	0	
Debt	0	0	0	0	0	0	0	0	0	0	0	
Total	0	500,000	0	0	0	0	0	0	0	0	\$ 500,000	
10. Comments: I.D. # V-14-BFI-1991 Ford Hydroflush Vacuum Sewer Cleaner Unit (Diesel).												
Submitted By: CIP Committee												
Signature: R. Gonzales												
Date: 3/9/16 REV 12/30/19												
Approved By:												

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RESOLUTION NO. 2021-12

A RESOLUTION HONORING
SCOTT ANTHONY AGUIAR
UPON HIS RETIREMENT AFTER
THIRTEEN YEARS OF SERVICE TO THE
SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT

RESOLVED, by the Board of Directors of the Selma-Kingsburg-Fowler County Sanitation District that;

WHEREAS, Scott Anthony Aguiar has served as Plant Operations Supervisor for the Selma-Kingsburg-Fowler County Sanitation District since July 2, 2008; and

WHEREAS, he will retire on December 22, 2021.

NOW, THEREFORE, the Board of Directors hereby thanks and honors Scott Anthony Aguiar for thirteen years of excellent public service.

The foregoing resolution was unanimously adopted on December 9, 2021, on a motion duly made and seconded.

DIRECTOR MAGSIG	_____
DIRECTOR CÁRDENAS	_____
DIRECTOR GUERRA	_____
VICE CHAIRMAN MENDES	_____
CHAIRWOMAN ROMAN	_____

WHEREUPON, the Chairwoman declared the foregoing resolution adopted, and SO ORDERED.

Ben Muñoz, Jr., General Manager
Secretary of the Board of Directors
SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT