

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

REGULAR MEETING OF BOARD OF DIRECTORS

October 14, 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 385 499 349# 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. CEREMONIAL MATTERS

Welcome New Employees:

Joseph Barela, Sewerage System Maintenance Technician I – Hired 8/9/21

Kameya Coleman, Operator II – Hired 11/9/20

Martin Diaz, Environmental Technician – Hired 12/28/20

Joel Louangsrihotha, Operator-in-Training – Hired 9/7/21

Jeffrey Ransom, Sewerage System Maintenance Technician I – Hired 3/29/21

4. 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.

5. 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 September 9, 2021. *(p.4)*

B. Warrant List Reports of September 15, 2021 and September 29, 2021. *(p.8)*

C. Cash Activity Report of September 30, 2021. *(p.12)*

6. UNFINISHED BUSINESS

A. None.

7. NEW BUSINESS

A. The Board will receive the bid results for the Combination Sewer and Storm Drain Cleaner and will consider awarding the recommended contract or rejecting bids and re-bidding. *(p.13) Staff Report Prepared By: Veronica Cazares, District Engineer.*

B. The Board will consider adoption of Resolution No. 2021-08 Authorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill 361. *(p.16) Staff Report Prepared By: Hilda Cantú Montoy, General Counsel.*

8. BOARD MEMBER COMMUNICATION/AGENDA ITEMS

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

9. GENERAL MANAGER REPORTS

- A. General Manager Muñoz will give a verbal report to the Board on the challenges with hiring of employees and Certified Operators and retaining them.
- B. Fabrizio Lofaro with Valley ROP asked General Manager Muñoz to be the Keynote Speaker at the Valley ROP Fall Teachers In-Service day on Thursday, October 28, 2021.
- C. Discuss with the Board on cancelling the November Board meeting due to the Veterans Day Holiday and the lack of Agenda items.

10. ADJOURNMENT

Motion to Adjourn

Next Regular Meeting: Thursday, November 11, 2021 at 4:00 p.m.

Next Ordinance: 2021-01

Next Resolution: 2021-09

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
SEPTEMBER 9, 2021**

CALL TO ORDER AND ROLL CALL

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

DIRECTORS

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

STAFF and CONSULTANTS

Ben Muñoz, Jr., General Manager/Secretary
Alicia Kirk, Executive Assistant to the G.M.
Hilda Cantú Montoy, General Counsel
Veronica Cazares, District Engineer
Scott Aguiar, 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 September 9, 2021 was made by Director Mendes, and seconded by Director Cárdenas, and approved by the following vote:

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

NO:

ABSENT:

ABSTAIN:

PUBLIC FORUM

None

CONSENT CALENDAR

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

- A. Minutes of Regular Board Meeting August 19, 2021. (p.4)
- B. Warrant List Reports of August 4, 2021, August 18, 2021, and August 27, 2021. (p.8)
- C. Cash Activity Report of August 31, 2021. (p.12)

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

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

UNFINISHED BUSINESS

None

NEW BUSINESS

- A. The Board will consider the approval of the Secondary Clarifier and Mixed Liquor Line Improvements Project Change Order No. 2 and Notice of Completion (p.13) Staff Report Prepared By: Veronica Cazares, District Engineer.

The proposed contract change order number 2 is for painting of existing hose racks/bibs, demolition of clarifier drain line valve riser, installation of bollards at scum pit, handrail on clarifier stairs, check valves at RAS pump station air release valves, and additional asphalt areas. The change order number 2 additive amount is \$19,263.00. The total cost of the project is including the first change order approved by the Board in the amount of \$195,817.00, is \$7,827,750.00. It was asked when the project was completed, and it was answered early July 2021. At this time there are no liens and District Engineer Cazares diligently checks with the County for thirty (30) days following project completion. The life expectancy of this project was said to be thirty (30) years, and the Plant has definitely become more efficient since inception, and it will be very low maintenance. A tour is a possibility in the near future collaborating with CWEA (California Water Environment Association).

There being no comment from the public, a motion to approve the Secondary Clarifier and Mixed Liquor Line Improvements Project Change Order No. 2 and Notice of Completion was

made by Director Mendes, and seconded by Director Magsig and approved by the following vote:

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

- B. The Board will consider approving the Request from Montoy Law Corporation for Adjustment in rates and approval of Second Amendment to Legal Services Agreement. (p.15) Staff Report Prepared By: Ben Muñoz, Jr., General Manager/ Secretary

General Counsel Montoy has been with the District since 2007. In that time, she has been thorough, timely, and ethical in her work for the District. Presently she has requested an increase as follows: (i) advisory services hourly rate to \$235; (ii) litigation hourly rate to \$285; (iii) paralegal hourly rates to \$100. Her request is based on her level of expertise and ability to provide full-scale legal services to SKF in a responsive and efficient manner.

There being no comment from the public, a motion to approve the Request from Montoy Law Corporation for Adjustment in rates and approval of Second Amendment to Legal Services Agreement was made by Director Mendes and seconded by Director Guerra, and approved by the following vote:

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

BOARD MEMBER COMMUNICATION/AGENDA ITEMS

The Fowler Fall Festival will be held on Saturday, October 2, 2021. Interested participants can find information here: <http://fowlercivty.org/recreation-events/>

Fowler City Band Review will be on Saturday, October 16, 2021.

Kingsburg will have their annual Crayfish Festival on Saturday, September 18, 2021 from 5:00pm to 10:00pm.

Selma has completed their Selma-Kingsburg rehab project. They wish to thank their collaboration with cities of Selma, Kingsburg, Fresno COG, and Caltrans on this 1.5 yearlong project.

GENERAL MANAGER REPORTS

Information Systems Analyst David Bacon has been in contact with the firm that designed the City of Selma's website. An invitation will be extended to our Chairwoman to attend a meeting with SKF staff to design the new Website.

General Manager Muñoz and District Engineer Cazares met with Selma's Engineering staff to discuss Selma's future growth plans. SKF staff has been invited to a workshop with Selma.

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 4:37 p.m.

Respectfully submitted,

Approved,

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

Michelle Roman
Chairwoman of the

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

SERVICE AND SUPPLIES EXPENDITURES:

WARRANT LIST ENDING	9/15/2021	\$	298,392.21
WARRANT LIST ENDING	9/29/2021	\$	95,920.68
			\$ 394,312.89

SALARIES, PERS AND HEALTH INSURANCE EXPENDITURES

TOTAL SALARIES ENDING	8/29/2021	\$	69,302.38
TOTAL SALARIES ENDING	9/12/2021	\$	72,005.22
TOTAL SALARIES ENDING	9/26/2021	\$	70,053.26
			\$ 211,360.86

TOTAL PERS (EMPLOYERS PORTION)	8/29/2021		8,861.80
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	8/29/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	8/29/2021		10,622.06
TOTAL PERS (EMPLOYERS PORTION)	9/12/2021		8,947.18
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	9/12/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	9/12/2021		10,622.06
TOTAL PERS (EMPLOYERS PORTION)	9/26/2021		9,113.04
TOTAL PERS (EMPLOYEES PORTION PAID BY EMPLOYER)	9/26/2021		-
TOTAL HEALTH INSURANCE EXPENDITURES	9/26/2021		10,622.06
			\$ 58,788.21

			\$ 664,461.96
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**SELMA-KINGSBURG-FOWLER
COUNTY SANITATION DISTRICT**

September 15, 2021

WARRANT LIST

*CARDENAS, DAVID	DIRECTOR'S FEE	127.63
ACCOUNTING SYSTEMS, INC.	INFORMATION SYSTEMS	43.75
ALLIED ELECTRIC MOTOR INC.	EQUIPMENT REPAIRS & MAINTENANCE	8,261.83
AMERICAN EXPRESS	TRAVEL & TRAINING, BOOKS & PUBLICATIONS	3,739.48
ARAMARK	UNIFORMS, MATS, MOPS, TOWELS	1,140.01
ARMANDO BLANCAS	RETIREE HEALTH RIEIMBURSEMENT	168.56
ARNOLD, STEPHEN	RETIREE HEALTH RIEIMBURSEMENT	168.56
AVILA TRAFFIC SAFETY	SAFETY SUPPLIES	135.94
BSK ASSOCIATES	EXTERNAL LAB SERVICES	771.00
CALIFORNIA INDUSTRIAL RUBBER	SMALL TOOLS	258.17
CALIFORNIA WATER SERVICE	WATER UTILITIES	35.92
CALPERS	RETIREMENT	36,740.08
CENTRAL VALLEY CULLIGAN, INC.	DRINKING WATER	425.20
COMCAST	COMMUNICATIONS	109.95
CWEA	MEMBERSHIPS	192.00
DAVID MICHEL	RETIREE HEALTH RIEIMBURSEMENT	168.56
DKF SOLUTIONS GROUP, LLC	PROFESSIONAL SERVICES: MED & SAFETY	350.00
DONNA STUCKY	RETIREE HEALTH RIEIMBURSEMENT	181.48
ERNEST C MENDES	DIRECTOR'S FEE	127.63
FISHER SCIENTIFIC	LABORATORY SUPPLIES	116.84
FRESNO COUNTY ASSESSOR	BOOKS & PUBLICATIONS	30.00
GAR BENNETT LLC	EQUIPMENT REPAIRS & MAINTENANCE	7.11
GARY HELM	RETIREE HEALTH RIEIMBURSEMENT	168.56
GOLDEN STATE MECHANICAL	EQUIPMENT REPAIRS & MAINTENANCE	613.27
GONZALES, MARK	WELLNESS PROGRAM REIMBURSEMENT	40.00
HERWIT ENGINEERING	PROFESSIONAL SERVICES: ENGINEERING, MLSS/CLARIFER PROJECT	11,713.00
HOME DEPOT CREDIT SERVICES	EQUIPMENT REPAIRS & MAINTENANCE	869.72
JAIME RUIZ	RETIREE HEALTH RIEIMBURSEMENT	168.56
JAMES HORNE	RETIREE HEALTH RIEIMBURSEMENT	168.56
JIM OLINGER	RETIREE HEALTH RIEIMBURSEMENT	168.56
JIMMY GARCIA	RETIREE HEALTH RIEIMBURSEMENT	424.87
J'S COMMUNICATIONS, INC	COMMUNICATIONS	1,296.00
KENNETH D. SCHMIDT	PROFESSIONAL SERVICES: ENGINEERING & TECH	2,366.18
KENNIES INDOOR COMFORT SPECIAL	EQUIPMENT REPAIRS & MAINTENANCE	160.00
KINGSBURG, CITY OF	WATER UTILITIES	64.50
LUCERO, JULIAN	RETIREE HEALTH RIEIMBURSEMENT	168.56
MICHAEL FONG	RETIREE HEALTH RIEIMBURSEMENT	206.97
MICHELLE ROMAN	DIRECTOR'S FEE	127.63
MID VALLEY DISPOSAL	WASTE UTILITIES	877.51
MKN	SEWER REHAB PROJECT, CCTV, D-4 IMPROVEMENTS	119,127.77
MOORE TWINING ASSOC. INC.	EXTERNAL LAB SERVICES	181.00
MORGAN BROTHERS INC	PEST CONTROL	149.00
N&S TRACTOR	EQUIPMENT REPAIRS & MAINTENANCE	510.68
NAPA AUTO PARTS	EQUIPMENT REPAIRS & MAINTENANCE	383.68

NATHAN MAGSIG	DIRECTOR'S FEE	127.63
NELSON'S ACE HARDWARE	EQUIPMENT REPAIRS & MAINTENANCE	33.43
PG&E	ELECTRIC UTILITIES	979.77
PROCLEAN SUPPLY	BUILDING & GROUNDS MAINT., OFFICE SUPPLY	518.20
QUADIENT FINANCE USA, INC.	POSTAGE	500.00
QUINN CO	EQUIPMENT REPAIRS & MAINTENANCE	6,686.29
RAIN FOR RENT/WESTSIDE PUMP	EMERGENCY BYPASS PUMPING	31,501.03
RGW EQUIPMENT SALES, LLC	EQUIPMENT REPAIRS & MAINTENANCE	2,657.83
ROBERT CURRIE	RETIREE HEALTH RIEIMBURSEMENT	168.56
SALLY RODRIGUEZ	RETIREE HEALTH RIEIMBURSEMENT	168.56
SARA J. STAUNTON	RETIREE HEALTH RIEIMBURSEMENT	168.56
SARAH GUERRA	DIRECTOR'S FEE	127.63
SHAPE INC	EQUIPMENT REPAIRS & MAINTENANCE	9,283.58
SIEMENS INDUSTRY INC.	EQUIPMENT REPAIRS & MAINTENANCE	1,341.05
SILVAS OIL CO. INC.	FUEL	2,034.09
STEVE JENSEN	RETIREE HEALTH RIEIMBURSEMENT	181.48
STATE WATER RESOUCE BOARD	CERTIFICATION FEES	250.00
SYNCB/AMAZON	INFORMATION SYSTEMS, OFFICE SUPPLIES, BOOKS & PUBLICATIONS	210.29
TELSTAR INSTRUMENTS, INC.	EQUIPMENT REPAIRS & MAINTENANCE	36,061.47
THE GAS CO	GAS UTILITIES	57.68
TRANSWESTERN INS ADMIN	DENTAL / VISION INSURANCE	1,293.17
UNWIRED BROADBAND, INC.	COMMUNICATIONS	749.99
VERIZON WIRELESS	COMMUNICATIONS	1,037.64
VIDEO INSPECTION SPECIALISTS	EQUIPMENT REPAIRS & MAINTENANCE	9,000.00
MAS 200 Total Checks		\$298,392.21

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

September 29, 2021

WARRANT LIST

ARAMARK	UNIFORMS,MATS,MOPS,TOWELS	1,127.86
AT&T/CALNET 3	COMMUNICATIONS	85.97
BSK ASSOCIATES	EXTERNAL LAB SERVICES	1,207.50
CALIFORNIA DEPARTMENT OF TAX & FEE ADMIN	STATE EQUALIZATION BOARD TAXES	1,436.34
CALIFORNIA WATER SERVICE	WATER UTILITIES	12.29
CALPERS HEALTH	HEALTH INSURANCE	39,441.23
CWEA	MEMBERSHIPS	192.00
DELLAVALLE LABORATORY INC.	OUTREACH	110.00
DSD BUSINESS SYSTEMS	INFORMATION SYSTEMS	97.50
FAMILY HEALTHCARE NETWORK	PROFESSIONAL SERVICES: MED & SAFETY	25.01
FISHER SCIENTIFIC	LABORATORY SUPPLIES	88.86
FRANK A. OLSEN COMPANY	EQUIPMENT MAINTENANCE	3,799.21
GAR BENNETT LLC	EQUIPMENT MAINTENANCE	159.50
GISELA ROSALES	AUTO & EQUIPMENT MAINTENANCE	1,265.00
HD FACILITIES MAINTENANCE	SAFETY SUPPLIES	139.89
HERNANDEZ, FRANK	WELLNESS PROGRAM REIMB, OFFICE EQUIP. REIMBURSEMENT	148.34
HOME DEPOT CREDIT SERVICES	BUILDNG & GROUNDS MAINT., OFFICE SUPPLIES,	121.59
KINGSBURG INSURANCE AGENCY	HONESTY BOND	194.00
LIEBERT CASSIDY WHITMORE	TRAVEL & TRAINING, PROFESSIONAL SERVICES: LEGAL	465.00
MONTOY LAW CORPORATION	PROFESSIONAL SERVICES: LEGAL	2,885.50
NAPA AUTO PARTS	AUTO & EQUIPMENT MAINTENANCE	561.92
NELSON'S ACE HARDWARE	EQUIPMENT MAINTENANCE, BUILDING & GROUNDS MAINTENANCE, SMALL TOOLS	159.06
NORTH AMERICAN BENEFITS CO	LIFE INSURANCE	423.16
NORTH CENTRAL LABS, INC	LABORATORY SUPPLIES	110.13
PG&E	ELECTRIC UTILITIES	31,218.56
PRE-EMPLOYMENT INVESTIGATIONS	PROFESSIONAL SERVICES: MGT & HUM RELATIONS	72.00
PROFESSIONAL COMMUNICATIONS NETWORK	COMMUNICATIONS	60.00
QUADJENT LEASING USA, INC.	RENT & LEASE EQUIPMENT	717.42
SALINAS, JOSE LUIS	TRAVEL & TRAINING EXPENSE REIMBURSEMENT	227.55
SANGER FENCE CO.	BUILDNG & GROUNDS MAINTENANCE	3,467.00
SERENA COATES	TRAVEL & TRAINING EXPENSE REIMBURSEMENT	119.23
SILVAS OIL CO. INC.	FUEL	2,706.71
STAPLES CREDIT PLAN	OFFICE SUPPLIES	564.93
TOSHIBA FINANCIAL SERVICES	RENT & LEASE EQUIPMENT	658.33
TRANSWESTERN INS ADMIN	DENTAL & VISION INSURANCE	1,113.96
VALLEY SECURITY ALARM	COMMUNICATIONS	657.00
VERONICA CAZARES	TRAVEL & TRAINING EXPENSE REIMBURSEMENT	81.13
MAS 200 Total Checks		\$95,920.68

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

Cash Account Description	End of Month Cash Balance as of June 30, 2021	End of Month Cash Balance 9/30/2021
Cash in Treasury: Operations & Maintenance	\$ 4,849,753.43	\$ 3,625,779.06
Cash in Bank: Operations & Maintenance	\$ 29,164.97	\$ 28,468.07
Cash in Bank: Payroll	\$ 202.85	\$ 202.95
Petty Cash	\$ 700.00	\$ 700.00
Total Operations & Maintenance	\$ 4,879,821.25	\$ 3,655,150.08
Cash in County Treasury:Expansion	\$ 3,355,773.82	\$ 3,772,765.86
Cash in County Treasury: R&R	\$ 2,916,929.82	\$ 2,488,360.02
Cash in County Treasury:Selma	\$ 2,086,379.20	\$ 2,025,633.04
Cash in County Treasury:Kingsburg	\$ 2,948,693.41	\$ 2,918,190.01
Cash in County Treasury:Fowler	\$ 1,614,363.12	\$ 1,552,185.70
Total Cash Balance	\$ 17,801,960.62	\$ 16,412,284.71

MEMORANDUM

(October 14, 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: October 1, 2021

Agenda Item: 7-A
Action: Motion

SUBJECT: Bid Results – New 2021 or 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle

DIRECTORS' SUMMARY

An invitation for bids process was initiated by staff for the New 2021 or 2022 Kenworth T880 Combination Single Engine Jet/Vacuum Sewer Cleaner Vehicle. Two sealed bids were received. Staff recommends accepting the bid from Municipal Maintenance Equipment, Inc. of Sacramento, CA for a total cost of \$411,961.53, to be funded from FY 21-22 Capital R&R Budget item 8171-203-02. The budgeted amount was \$600,000.

Both bids included a signed non-collusion affidavit as required by the Public Contract Code. However, neither bid included a notarized non-collusion affidavit. Although the bid form included text as to a notary acknowledgement, the bid documents did not specify that the non-collusion affidavit required a notarized signature with bid submission. Since then, MME has submitted a notarized non-collusion affidavit. The Haaker Equipment Company bid submission did not include a confirming statement that there is no litigation, warranty statement, and time frame for delivery of equipment exceeds time specified. The time specified for delivery is 240 days and is deemed nonresponsive.

STAFF RECOMMENDATION

General Manager Muñoz recommends that the Board accept the bid from Municipal Maintenance Equipment, Inc. of Sacramento, CA and adopt a Motion that the Board finds the discrepancy in the non-collusion affidavit as a minor irregularity, waives the irregularity, and awards the contract for a total cost of \$411,961.53 to Municipal Maintenance Equipment, Inc. and authorizes General Manager Muñoz to execute the necessary agreements.

ACTION

Motion finding that the signed non-collusion affidavit without a notary acknowledgement is a minor irregularity, that the Board waives the minor irregularity, awards the contract to Municipal Maintenance Equipment, Inc. of Sacramento, CA for a total cost of \$411,961.53, and authorizes General Manager Muñoz to execute the necessary agreements.

Alternatively, the Board may move to reject all bids and re-bid the project

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 Attached is the Capital Improvement Project Request, Form B, detailing the replacement of the 2001 International Hydro flush Vacuum Cleaner unit.

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:	\$ 600,000											
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:	3											
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:	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031	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	600,000	0	0	0	0	0	0	0	0	0	600,000	
Total	600,000	0	0	0	0	0	0	0	0	0	0 \$ 600,000	
9. Funding:	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	2029-2030	2030-2031	Total	
O&M	0	0	0	0	0	0	0	0	0	0	0	
R&R	600,000	0	0	0	0	0	0	0	0	0	600,000	
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	600,000	0	0	0	0	0	0	0	0	0	0 \$ 600,000	
10. Comments:	I.D. # V-14-BFFI-1991 Ford Hydroflush Vacuum Sewer Cleaner Unit (Diesel).											
											Submitted By:	
											CIP Committee	
											Signature:	
											R. Gonzales	
											Date:	
											3/9/16 rev 4/20/21	
											Approved By:	

MEMORANDUM

(October 14, 2021)

To: S-K-F CSD Board of Directors
From: Ben Muñoz, Jr., General Manager
Date Memo Prepared: October 4, 2021
Staff Report Prepared By: Hilda Cantú Montoy, General Counsel

Agenda Item: 7-B
Action: Informational

SUBJECT: Remote District Board Meetings Under New Brown Act Requirements (AB 361)

The Board will receive a report on AB 361 and consider adoption of Resolution Authorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill.

DIRECTORS' SUMMARY

On September 16, 2021, Governor Gavin Newsom signed AB 361 into law. AB 361 amends the Brown Act to allow for remote public meetings without having to comply with standard provisions and restrictions for remote meetings under the Brown. AB 361 temporarily writes into the Brown Act some remote meeting requirements the District has already met and implemented under the Governor's prior Executive Orders issued during the COVID-19 pandemic.

AB 361 includes additional requirements in the form of an initial authorizing resolution (effective for up to 30 days) and subsequent resolutions to extend the use of remote meetings for additional periods of 30 days thereafter. The bill included an urgency provision making the law immediately effective upon signature by the Governor.

On September 20, 2021, Governor Newsom issued Executive Order N-15-21 suspending the provisions of AB 361 until October 1, 2021, to allow for the expiration of Executive Order N-8-21 by its own terms on September 30, 2021. Executive Order N-8-21 extended the expiration date of Executive Orders N-29-20 and N-25-20, which originally implemented suspension of the remote meeting compliance obligations under the Brown Act throughout the COVID-19 pandemic.

The decision to utilize remote meetings under AB 361 is a policy matter solely within the Board's discretion. If the Board does wish to have the ability to meet remotely per AB 361, the District will have to meet compliance requirements including adoption of the attached Resolution. Alternatively, the District may comply with the standard remote teleconference meeting requirements under the Brown Act for Directors who wish to teleconference.

ACTION

If the Board wishes to proceed with remote meetings per AB 361, it may adopt by motion the Resolution Authorizing Remote Teleconference Public Meetings by the Board of Directors and subsidiary standing committees in Accordance with Assembly Bill.

BACKGROUND

The District must comply with the provisions of the Brown Act implemented by AB 361 for remote meetings, or it must comply with the pre-COVID-19 requirements for remote meetings set forth in Government Code section 54953(b)(3).

If the District chooses to utilize the option for remote meetings under AB 361, it can continue using the remote meeting procedures it has been using throughout the COVID-19 pandemic, subject to certain requirements that must be considered as part of the initial determination (by resolution) to adopt remote meeting protocols. Once adopted, the initial authorizing resolution is effective for not more than 30 days.

The District may extend the authorization for an additional thirty (30) days via another resolution that makes specific findings in support of continuing remote meetings. The District may continue to extend the authorization in additional thirty (30) increments for the duration of the declared emergency, or until the District Council decides to return to in-person meetings, or otherwise complies with the regular remote meeting requirements of the Brown Act.

The following are the differences between standard Brown Act remote teleconferencing and AB 361 teleconferencing:

Brown Act Requirement	Requirement Under AB 361
If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.	<ul style="list-style-type: none">• Agendas not required to be posted at all teleconference locations.• Meeting must still be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency.

Important Note: Local agencies must still provide advance notice of public meetings and must still post meeting agendas consistent with the provisions of the Brown Act. AB 361 does nothing to change the fact that meetings must still be noticed and agendized in advance.

If the legislative body of a local agency elects to use teleconferencing, each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public.	<ul style="list-style-type: none">• Agendas are not required to identify each teleconference location in the meeting notice/agenda.• Local agencies are not required to make each teleconference location accessible to the public.
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<p>If the legislative body of a local agency elects to use teleconferencing during the teleconferenced meeting, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction.</p>	<ul style="list-style-type: none"> • No requirement to have a quorum of board members participate from within the territorial bounds of the local agency's jurisdiction.
<p>If the legislative body of a local agency elects to use teleconferencing, the agenda shall provide an opportunity for members of the public to address the legislative body directly at each teleconference location.</p>	<ul style="list-style-type: none"> • In each instance in which notice of the time of the teleconferenced meeting is given or the agenda for the meeting is posted, the legislative body shall also give notice of the manner by which members of the public may access the meeting and offer public comment. • The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. • The legislative body shall allow members of the public to access the meeting, and the agenda shall include an opportunity for members of the public to address the legislative body directly. • In the event of a disruption which prevents the local agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. • Written/remote public comment must be accepted until the point at which the public comment period is formally closed; registration/sign-up to provide/be recognized to provide public comment can only be closed when the public comment period is formally closed.

Attachments: (1) Resolution No. 2021-008

RESOLUTION NO. 2021-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SELMA KINGSBURG FOWLER COUNTY SANITATION DISTRICT AUTHORIZING 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, Government Code Section 54953 (e)(3) requires that the Board of Directors 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.

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 until either (i) November 4, 2021 or (ii) such time as the Board of Directors adopts a Subsequent Resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Board of Directors and standing committees may continue to meet remotely, without compliance with Government Code section 54953(b)(3), but otherwise as permitted by Government Code section 54953(e) *et seq.*

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Approved and adopted this _____ day of _____, 2021.

Chairwoman
Michelle Roman

ATTEST

Ben Munoz, Secretary to Board