



Biola Community Services District
Minutes of the
Board of Directors
Regular Board Meeting October 17, 2024
6:00p.m.

The Board of Directors of the Biola Community Services District met for its Regular Board Meeting on October 17, 2024 at the Biola Community Center, Biola, California.

Directors present: Jennifer Duarte, President
Carlos Rodriguez, Vice President
Martha Madera, Treasurer
Reyes Lozano, Board Member

Directors absent: None, (1) Vacancy

Staff Present: Present

Public present: Present **No sign in sheet moving forward.*

Roll Call- Roll Call was called.

Call to Order- Director Jennifer Duarte called the meeting to order at 6:01 PM. Spanish translation was provided for this meeting.

Director Jennifer Duarte stated that future meetings would begin promptly at 6:00 PM, regardless if the public is ready with translation pieces or not, so please arrive early to be ready.

She read a message from the BCSD Board of Directors regarding the water and sewer rates that went into effect in July. The Board has decided not to revise the rates due to the high costs of conducting a new rate study, estimated at \$25,000. With the exception of one member, the Board reached a consensus to maintain the original decision. Given the District's deficit and current financial situation, the rate increase was necessary, especially since it had been 10 years since the last adjustment. Staff remains committed to seeking assistance and resources, but they will not proceed with reducing the rates.

Responses to previously asked questions:

- **Brown Act Violations:** The District has not violated any provisions of the Brown Act. The board reserves the right to determine when public comments take place—whether at the beginning, during, or at the end of the meeting. Currently, all public comments and comments on agenda items are scheduled at the beginning of the meeting.
- **Engagement During Public Comments:** The board and staff are unable to respond to or engage with speakers during the public comment period, in accordance with protocol.

- **Empathy for the Community:** The board acknowledges and empathizes with the concerns of the community and has consistently acted in the community’s best interest.
- **Board and Staff Capabilities:** The board and staff are fully equipped to manage the District’s affairs. While some decisions may be unpopular, they are made with careful consideration of the community’s needs.
- **Racial Comments:** The board addressed these comments as unfounded and encourages individuals making such remarks to cease, as they negatively affect the community.
- **Budget Ad Hoc Committee Feedback-** Only three (3) community members applied to participate. The board encourages more community involvement in the future.
- **Missing Funds-** The mention of \$200,000 dating back to 2021 is unrelated to the current board and staff. Any concerns regarding these funds should have been addressed by the past board and general manager. Current evidence suggests these funds were used to pay overdue bills.
- **Board Member Expense Reimbursement Policy-** Clarification was provided at the September 19, 2024 meeting. For further clarification on any items, please schedule an appointment to discuss concerns.

AGENDA ITEM

1. PUBLIC COMMENT

The following people made a public comment: Mercedes Ramos, Karla Gutierrez, Anonymous, Abel Vargas, Juana Hernandez, Joaquin Soto, Maria, Martha Villafana, Amelia Ponce, and Eugenio Gutierrez.

2. CONSENT CALENDAR

a. APPROVAL OF REGULAR MEETING MINUTES DATED SEPTEMBER 19, 2024

b. APPROVAL OF FINANCIALS ENDING SEPTEMBER 30, 2024

Director Carlos Rodriuez commented on the financials, noting that three payments made to Mountain Valley Environmental Services were for repairs related to aging infrastructure. He mentioned that additional repairs are still pending, with eight more to be completed. He clarified that this statement was for his own understanding.

A motion was made to approve.

Motion made by: Reyes Lozano

Motion seconded by: Martha Madera

Voting:

Jennifer Duarte- Yes

Carlos Rodriguez- Yes

Martha Madera- Yes

Reyes Lozano- Yes

Motion passed.

NEW BUSINESS-

3. FRESNO COG'S SURVEY ON IDENTIFYING BIOLA COMMUNITY NEEDS (BUS STOPS, SPEED BUMPS, SIDEWALKS, ETC.)

Presenter: John Hernandez, Director of Vet Net, reported on the organization's efforts to support veterans and their families by providing access to food, employment, dental care, mental health services, and other essential programs. Simran Jhutti, representing the Fresno Council of Governments, delivered a PowerPoint presentation regarding a community survey aimed at gathering feedback on improvements that residents believe are necessary to enhance the quality of life in Biola. The deadline for survey submissions is October 31, 2024. They can be submitted online or through text, voicemail, or email.

Director Comments: No comments.

Informational Item only.

4. DISCUSSION ON MURAL PROPOSAL BY JAKARA MOVEMENT AND VALLEY SEED'S AND APPROVAL OF BIOLA LOCATION FOR PROPOSED MURAL

Presenter: Domenica Lopez - Assistant Coordinator, and MaiKa Yang, Program Director for UC Merced, stated the mural project, funded by the University of Merced Community and Labor Center, Jakara Movement, and Valley Forward, will celebrate the contributions of local workers in Fresno. Designed by artist Martin Townsend, the 5x25 ft acrylic mural on a brick wall at the Biola Community Center will highlight diverse roles such as farmworkers, healthcare workers, community organizers, and forklift drivers. Key symbols representing Biola may also be incorporated into the mural. Key dates include community approval on October 18, wall preparation on October 27, painting on October 28, and completion by December 1, followed by a community celebration on December 7 or 8. This initiative aims to beautify Biola, strengthen community ties, and inspire future generations.

Director comments: Director Carlos Rodriguez inquired about the involvement of community members for public input. However, Director Jennifer Duarte expressed concerns regarding the timeline for the project. No further comments on the proposed mural.

Public Comment: Eugenio Gutierrez- expressed his strong disagreement with the images proposed for the mural, emphasizing that they should accurately represent our community.

A motion was made to approve.

Motion made by: Carlos Rodriguez

Motion seconded by: Reyes Lozano

Voting:

Jennifer Duarte- Yes

Carlos Rodriguez- Yes

Martha Madera- Yes

Reyes Lozano- Yes

Motion passed.

5. APPROVAL OF BIDS FOR THE BIOLA WASTEWATER TREATMENT PLANT UPGRADE PROJECT AND AUTHORIZATION TO SUBMIT FINAL BUDGET APPROVAL TO STATE

Presenter: Alfonso Manrique from AM Consulting Engineers recommended approving bids and submitting the project for final state approval, with no fiscal impact on the District. Initiated in 2015 with a \$325,000 grant, the project addresses upgrades required under a new nitrate contamination law, which mandates proof of nitrate removal in permit applications. In 2018, the project secured \$5.6 million in state funding, but recent bids, ranging from \$18–\$21 million, require an additional \$15 million, awaiting FDA confirmation. The \$20 million project includes system upgrades, pond enhancements, and groundwater monitoring, with a \$5 million cost reduction needed. The design minimizes power and labor costs, using a single blower and limited chemicals for sludge drying in a designated cement area.

Director comments: Director Carlos Rodriguez asked about the costs and whether additional solar panels would be required to run the system. Director Reyes Lozano inquired about the manpower needed to operate the upgraded system. Director Martha Madera raised questions about the use of chemicals and the SCADA system.

Public comment: Randy Johnson, the water operator, stated that his biggest concern was related to labor.

A motion was made to move forward with this.

Motion made by: Carlos Rodriguez

Motion seconded by: Reyes Lozano

Voting:

Jennifer Duarte- Yes

Carlos Rodriguez- Yes

Martha Madera- Yes

Reyes Lozano- Yes

Motion passed.

6. UPDATES ON THE BIOLA COMMUNITY PLAN

This item has been pulled (removed) from the agenda.

7. REPORT ON STATUS OF VACANT TWO-YEAR SEAT ON THE BOARD OF DIRECTORS AND APPOINTMENT PROCESS

Presenter: Elaine Cervantes, General Manager, reported that there are two seats on the election ballot due to a lack of candidates for the short two-year term. Interested applicants for the short two-year term must submit an application, which will be reviewed and appointed by the Fresno County Board of Supervisors. The application window opens on November 8th, and legal counsel adds any candidates not elected can still apply. All applicants, regardless of the election outcome, are eligible for appointment.

Director comments: Director Carlos Rodriguez inquired on how soon the 2-year term can be filled.

Information item only; no direction.

8. Approval of HHC, Inc.'s Audit Proposal for the BCSD Independent Auditor's Report and Financial Statements for the Fiscal Year Ending June 30, 2024

Presenter: Elaine Cervantes, General Manager, stated that Hudson & Company Inc conducted the audit for 2022/2023, and it's now time to proceed with the annual audit for 2023/2024. To initiate the audit, the firm simply needs approval to move forward.

Director comments: Director Carlos Rodriguez inquired about the costs, to which the General Manager responded that they were previously around \$11,000 but will now be \$2,000 higher.

A motion was made to approve.

Motion made by: Martha Madera

Motion seconded by: Reyes Lozano

Voting:

Jennifer Duarte- Yes

Carlos Rodriguez- Yes

Martha Madera- Yes

Reyes Lozano- Yes

Motion passed.

9. Discussion and Approval of Contract Renewal with Cuttone and Mastro CPA's for Services Through June 30, 2025

Presenter: Elaine Cervantes informed the board that the District received the yearly notification from the current CPA firm, Cuttone and Mastro. She noted that this renewal should have been approved in July. Additionally, she mentioned a rate increase of \$200, bringing the monthly fee to \$1,500

Director comments: Director Reyes Lozano asked whether the District was required to issue an RFP every 3 years for an accountant. The General Manager clarified that the District did so two years ago. Director Carlos Rodriguez suggested going shopping to see what else is out their next time.

A motion was made to approve and to look around next year.

Motion made by: Carlos Rodriguez

Motion seconded by: Reyes Lozano

Voting:

Jennifer Duarte- Yes

Carlos Rodriguez- Yes

Martha Madera- Yes

Reyes Lozano- Yes

Motion passed.

10. APPROVAL OF AMENDMENTS TO THE BCSD BOARD OF DIRECTORS BYLAWS

Presenter: Elaine Cervantes, General Manager, clarified that this item is informational only and not up for approval at this time. The wording needs correction and updates, and suggested revisions have been made with assistance from legal counsel. There is still time for questions or concerns to be addressed, and the board can consider approval next month.

Director comments: Director Jennifer Duarte stated to provide it to legal counsel for further review.

Informational item only.

11. APPROVAL OF HOURLY WAGE INCREASE TO \$18.00 FOR MAINTENANCE AND CUSTOMER SERVICE REPRESENTATIVES

Presenter: General Manager Elaine Cervantes referenced the staff report for this item, noting that the proposed salary includes a \$2.00 per hour increase for customer service and maintenance personnel, effective October 18, 2024.

Director comments: Director Carlos Rodriguez mentioned that employees at McDonald's are earning higher wages despite not having college degrees or being bilingual. He also noted that Biola CSD staff work only 30 hours per week and do not receive insurance or benefits.

President Jennifer Duarte called a 2-minute recess due to a public disruption. The meeting resumed at 7:51 PM.

A motion was made to approve.

Motion made by: Martha Madera

Motion seconded by: Carlos Rodriguez

Voting:

Jennifer Duarte- Yes
Carlos Rodriguez- Yes
Martha Madera- Yes
Reyes Lozano- Abstain

Motion passed.

12. Discussion and Approval of Board Member Training for the 2025 CSDA's Special District Leadership Academy (SDLA) Conference

Presenter: No presentation given.

Director comments: Director Carlos Rodriguez proposed postponing the matter until the new board members are in place.

The item has been tabled until the new board members are in office.

13. Approval of Amendments to BCSD Policy No. 2505: Holidays

Presenter: Elaine Cervantes, General Manager, mentioned that a few federal holidays, including Juneteenth, have been added to the proposed BCSD holiday schedule. In previous years, the board decided that staff would observe the federal holiday calendar, which is why this topic is being revisited.

Director comments: Director Carlos Rodriguez expressed strong opposition to adding more holidays. He recommended tabling the item for further discussion. Director Jennifer Duarte stated this can be revisited. Director Reyes Lozano makes a comment on his experience.

This item has been tabled.

14. BOARD MEMBER COMMUNICATIONS

- Director Carlos Rodriguez- informed that the NKGSA board meeting was canceled due to a lack of agenda items. There have been no meetings for the past three months. The General Manager mentioned the need to elect an alternate representative, as he is currently the sole one.
- Director Martha Madera reported that Biola CSD secured funding for the groundwater recharge project at the county meeting. The CDBG board also discussed redoing the housing census between February and April to accurately assess our community. The current census led to our grant applications being disqualified for not meeting the threshold.

15. STAFF REPORTS

General Manager Elaine Cervantes presented the staff report.

16. ADJOURNMENT

Meeting adjourned at **8:05PM**

The next regular meeting of the Board of Directors is Thursday, November 21, 2024.

At 8:05 p.m. on October 17, 2024 the Meeting of the Board of Directors was adjourned.

I, Marisol Camacho, Board Clerk to the Board for the Community of Biola, do hereby declare under penalty of perjury that the above Minutes are a true report of all action minutes taken at the Regular Board of Directors meeting held on October 17, 2024 at the Biola Community Services District, 4925 N. Seventh Street, Biola, CA 93606.

Approved:

Date

Marisol Camacho, Board Clerk

NEXT MEETING OF THE BOARD OF DIRECTORS

October 17, 2024 – Regular Meeting, Biola, CA at 6:00PM