

Del Rey Community Services District

**Minutes of the
Board of Directors
Regular Board Meeting
November 19, 2020
7:00p.m.**

Vice President Garza called the Regular Board Meeting to Order at 7:09p.m.

Directors present: Stephanie Garza, Joaquin Nunez, Rumaldo Reyna, Daniel Ramirez
Directors absent: Leonel Diaz

A2 The Board leads in the Pledge of Allegiance.

A3 Approval of Agenda: LC Chaffin announced the Emergency Order issued by the Governor resulting in curfews being placed this Saturday, November 21, 2020, and recommended amending the agenda to add that item to be discussed. Garza made a motion to approve the agenda with the COVID related item. Reyna second the motion. All in favor; four ayes: Garza, Reyna, Nunez, Ramirez. All absent; one absent: Diaz.

B. Public Comment (limit of three minutes):

None Scheduled.

Unscheduled – Open to the public for discussion.

A member from the public questioned if the meetings were available to the public through ZOOM. Garza informed the public the ZOOM link is available on the agenda on the Del Rey website.

C. APPROVAL OF MINUTES:

C1 Approve Minutes of the September 24 Regular Board Meeting. Reyna made a motion to approve the minutes of the September 24 Regular Board Meeting. Ramirez second the motion. All in favor; four ayes: Garza, Reyna, Ramirez, Nunez. All absent; one absent: Diaz.

D. CONSENT CALENDAR:

D1 Approve payments for vendors for West America Bank – October 2020, a Total Amount of \$51,723.92. Reyna made a motion to approve payments for vendors for West America Bank – October 2020, a Total Amount of \$51,723.92. Ramirez second the motion. All in favor; four ayes: Garza, Reyna, Nunez, Ramirez. All absent; one absent: Diaz.

D2 Approve payments for vendors for West America Bank – November 13, 2020, a Total Amount of \$25,739.67. Reyna made a motion to Approve payments for vendors for West America Bank – November 13, 2020, a Total Amount of \$25,739.67. Ramirez second the motion. All in favor; four ayes: Garza, Reyna, Nunez, Ramirez. All absent; one absent: Diaz.

E. PUBLIC HEARINGS (DISCUSSION AND ACTION ITEMS):

E-8 LC Chaffin requests to move this item to be discussed first. Vice President Garza approved. LC Chaffin states earlier this afternoon, the Governor issued Order in response to spiking numbers of COVID-19 that imposed curfew 10:30PM-5:30AM starting this Saturday night, put cap on limit of 10 people at public gatherings. From a liability perspective and safest legal approach recommended all further meetings to be conducted through ZOOM until the curfew order is lifted. Discussion. Nunez stated his preference to utilize ZOOM. Reyna stated his preference to continue in-person meetings in order for DM Arias to have access to possible necessary information in the office. Chaffin referenced the Stay-At-Home Order and Fresno County's position in the purple tier and restated the liability and safety measures if in-person meetings continue. Discussion. No action taken. Accepted by consent.

E1. Discussion and Action Regarding Adoption of a Resolution of the Board of Directors of the Del Rey Community Services District Honoring the Life and Service of Leonel Diaz, Accepting Donations, and Directing Such Donations to Mr. Diaz's Family for use for Funeral and Associated Expenses. DM Arias states he believes Diaz deserves to be recognized for his service to the community. LC Chaffin elaborates on the Resolution that not only honors but provides a mechanism to help contribute to his family to meet his funeral and burial expenses, also guarantees giving the money to the right people at the

right point. The Board's approval will ensure the donations to the Diaz family. Approval means as soon as Carlos receives donations, will in turn give to Leonel's family to help with funeral expense. Reyna made a motion to approve the Resolution. Ramirez second the motion. All in favor; four ayes: Garza, Reyna, Nunez, Ramirez. All absent; one absent: Diaz. Motion passed.

E2. Discussion and Action Regarding Adoption of a Resolution of the Board of Directors of the Del Rey Community Services District Accepting a Donation of \$5,000 from the Law Firm of Baradat & Paboojian, Inc., and Directing use of the Donation Funds to Charitable Needs During the Holiday Season; Authorization and Direction Regarding the Same. DM Arias explains donation with LC Chaffin referral. Reyna asked to use \$2,000 for lights, poles, and materials to add to the park in the district. Ramirez asked what kind of lights were going to be installed. Reyna informed the lights would be solar and the details of their lifespan. Discussion. Ramirez asked if money could be apportioned to provide meals to those in need in the community during the holidays. The board thanks LC Chaffin for directing the donation to the district. Discussion. Public member asks is the donator gets a tax write-off for donation. LC Chaffin explains that the donator does get a tax write-off, but at the end of the day, the donation only serves as a benefit to the district. Reyna made a motion to approve the donation of \$5,000. Nunez second the motion. All in favor; four ayes: Garza, Reyna, Nunez, Ramirez. All absent; one absent: Diaz. Motion passed. Consensus to allow Reyna the use of \$2,000 for lights, poles, other materials needed, and a bench dedicated to Leonel Diaz to add to the park.

E3. Discussion and Action Regarding Replacement of 11 Dead Trees at the Park. Reyna informs the board the park needs to be fixed up in order to invite the community to that area, and to give back to community. Nunez asks who will be replacing and replanting the trees and the cost of this process. Discussion. Reitz asks for clarification on which park was being discussed. Reyna states the basin park and the dead trees at the top of the basin are being discussed. Discussion. No public comment. Consensus to replace the 11 dead trees at the park.

E4. Discussion and Action Regarding an Increase to the Amount Authorized to Allow for the Repair Lights at the Wells. DM Arias explains he was directed to look into the repair of the lights, and found out labor cost would be \$500 alone, without material costs, so would like direction on the increase. Discussion. No public comment. Consensus to increase the amount authorized to \$1,000.

E5. Discussion and Authorization of District Manager to enter into a Contract to Replace the Variable Frequency Drive at the Domestic Wastewater Treatment Facility. DM Arias states it has been over four months he has been asking the board for action on this item. Arias explains to the board he provided quotes for the board to look over. Discussion. Arias informs the board money has been spent on repairs, but the district would benefit from a replacement. Discussion. Public member Rolando Sanchez states in his opinion it would be best to replace it and the reasoning why. Discussion. Reyna asked where the funds would come from. DM Arias states the General Fund. Reyna states the use of the General Fund is fine as long as the account is reimbursed from the (WestAmerica) restricted account, if not the budget to the General Fund is increased which he disagrees with. Reitz states the VFD was received as part of a CDBG Grant, and he can look into who installed it to see if it can be repaired. Reyna made a motion to authorize a contract with ICAD for the bid of \$9,333.48 to replace the Variable Frequency Drive at the Domestic Wastewater Treatment Facility. Ramirez second the motion. All in favor; four ayes: Garza, Reyna, Nunez, Ramirez. All absent; one absent: Diaz. Motion passed.

E6. Discussion and Update Regarding Filling of Vacancies on District Board. Chaffin updates the board of the vacancies due to Leonel's passing. Vacancies filled by Board of Supervisors. Reyna asks if the board does not pick a new member in 30 days, then the Board of Supervisors takes over. LC Chaffin explains the Special District laws state the Board of Supervisors has to appoint the board members. He has gone through the steps necessary to contact them and appoint the new member, hasn't heard back, and it has been difficult to get in contact with them. Councilmember Leonel Diaz's term was due to expire in four weeks. Recommends not appointing someone to take over his position in the meantime and should wait until his term expires. Public member Rolando Sanchez states he applied for the position. LC Chaffin states if the Board of Supervisors has formally appointed him, the board would need the agenda minutes in order to be sworn in to be seated as board member just as soon as the position is up. Sanchez states it is still in the process and waiting for the email. LC Chaffin advises forwarding the email to DM Arias in order to start the process and place it on the agenda to get him sworn in at the next meeting.

E7. Discussion and Direction Regarding Rate Study for Water and Solid Waste. LC Chaffin explains they were directed to do an upgraded study in regards to trash and water rates. The board was able to successfully renew and go out for bid on IWS contract for trash services. As a result, the district will be coming in a little lower on trash rate compared to current rate structure in place. Under current rate structure, should have kicked in rate increase about six months ago- in \$33 range. Based on study, the rate increase will be a little less for first one. Might be a shock since the rate increase did not take place six

months ago as planned. Water service will be more of a jump. Reyna mentions current 5-year rate study from 2018-2023. Discussion. Reitz clarifies, if the board goes with the proposed study, the rate would be lower than the current rate study. LC Chaffin explains current rate study the board agreed to phase in throughout the years. With regards to trash, slowly increase rates in order to keep the lights on and the district running. Discussion. LC Chaffin explains 2018 study that is two years in and the need to update water rate to address the industrial and POM Wonderful meter readings. LC Chaffin states the district is at a position to readjust, and the staff want the board's direction on rate adjustment transition process. Discussion. LC Chaffin clarifies board decision to address the actual cost and discusses the plan moving forward- he states they will setup a study with actual cost that will be presented to the board in December along with the resolutions to get it formally done; then, the voting period will take place in January, with the plan that the rates will go into effect in March. President Garza opens the item to the public for comments. No public comment. Reitz gives presentation on water. Discussion. Reyna mentions paying off sewer bond with litigation money. Dictos suggests using the interest made in TCP fund to pay off the sewer bond. He also states it would not be good business to lower the trash rate as suggested. LC Chaffin asked for a hand raise for all in favor of moving forward with the rates to cover the actual costs now. All in favor; three ayes: Ramirez, Garza, Nunez. All abstain; one abstain: Reyna. Motion passed.

F. DIRECTOR COMMUNICATIONS / AGENDA ITEMS:

G. DISTRICT ADMINISTRATOR REPORTS:

- G-1 Report of District Engineer (Report by AECOM) Reitz gives his report and asks board to follow along on the provided tables/guide as he reviews and summarizes. He states continuing work on Wells 4 and 5 rehab. Maintenance done on Wells. Wells tested and pumped to check levels and gathered a target amount for Wells. States the district will be relying on Wells 6 and 7, which is fine since water demands are down during the winter. Elaborates on State Funding for the TCP Well Head Treatment- still waiting to receive letter from the State; received a verbal approval, waiting for the written approval. Mentions the water and solid waste rate study again. Explains the County Housing Project- waiting on whether they are serious about moving forward.
- G-2 Report of District Manager (Report by Carlos Arias) DM Arias discusses the County Housing Project area and explains it is not in the district, but they are working with LAIFCO to adjust the boundary. The developer pays for the boundary adjustment. Will speak to the Supervisor for the area, Buddy Mendez, to help speed up the process.
- G-3 Report of District Counsel (Report by Shannon Chaffin) LC Chaffin asked to sit on a panel for Tuesday presentations for the AEP (Association of Environmental Professionals) State Conference, and he also played a small role in \$5,000 donation to the district.
- G-4 Report of District Accountant (Report by Paul Dictos) Dictos states the board has the packet for the accountant report covering the three-month period ending October 31, 2020. He asks the board if there are any questions. He goes into detail on the last page- the budget. Dictos clarifies his correction of a misclassification pointed out by Reyna. Continues reviewing the budget. Dictos advises the allocations of the numbers may be misclassified at times, but the budget total will remain the same.

H. UNSCHEDULED COMMUNICATIONS:

Dictos questions the status of the Staff having to go out past curfew to do maintenance in the District. LC Chaffin advises DM Arias to issue a letter for the Staff stating they work for the District and are essential workers, so not to break the curfew.

I. ADJOURNMENT:

With no further business the meeting was adjourned at 9:24p.m.

Respectfully Submitted,

Eileen Hernandez

Eileen Hernandez
Del Rey Community Services District