



**MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
BIOLA COMMUNITY SERVICES DISTRICT
December 21, 2023**

The Board of Directors of the Biola Community Services District met for its Board Meeting on December 21, 2023 at the Biola Community Center, Biola, California.

The following were present:

Board of Directors:

Jennifer Duarte, Board President
Kirk Ramos, Vice President
Martha Madera, Board Treasurer
Carlos Rodriguez, Board Secretary

The following were absent:

Board of Directors:

Reyes Lozano, Board Member

Staff - Present.

Public:

Phillip Cervantes, Natalia Meza, Jose Meza, and Pete Cerna

Roll Call

Roll Call was called.

Call to Order

Board Chair calls the meeting together at 6:01 p.m.

Item 1.0 –Public Comment

Phillip Cervantes- Updates on Biola Chamber Toy Giveaway Event, thanks resident Natalia Meza for recent courageous actions.

Item 2.0 – Consent Calendar

2a. Approval of Regular Meeting Minutes dated November 16, 2023

A motion is made to approve Minutes dated November 16, 2023.

MSC Rodriguez/Madera Roll Call Vote 4 ayes 1 absent

2b. Approval of Financials ending November 30, 2023

Board Treasurer Madera inquiry and financial concern to costs for legal counsel review of items.

The Board gives direction to staff to add an agenda item in the January or February 2024 meeting to put parameters in regard to expectations for legal counsel.

A motion is made to approve financials ending November 30, 2023 and give staff direction

MSC Madera/Rodriguez Roll Call Vote 4 ayes 1 absent

AGENDA ITEM

NEW BUSINESS-

Item 3.0 – Annual Reorganization of the Board of Directors: Election of Board Officers

Jennifer Duarte, Board President, opens the nominations.

Election of Board President

Jennifer Duarte is nominated for Board President. Board Member Duarte accepts.

MSC Ramos/Madera Roll Call Vote 4 ayes 1 absent

Election of Vice President

Carlos Rodriguez is nominated for Vice President. Board Member Rodriguez accepts.

MSC Madera/Rodriguez Roll Call Vote 4 ayes 1 absent

Election of Treasurer

Martha Madera is nominated for Treasurer. Board Member Madera accepts.

MSC Duarte/Ramos Roll Call Vote 4 ayes 1 absent

Election of Secretary

Kirk Ramos is nominated for Treasurer. Board Member Ramos accepts.

MSC Duarte/Madera Roll Call Vote 4 ayes 1 absent

The Board President closes the nominations. A Roll Call Vote is called to accept nominations.

Roll Call Vote 4 ayes 1 absent

Item 4.0 - Follow-Up Discussion of California Energy Commission (CEC) Loan - SitelogIQ Solar

Elaine Cervantes, the General Manager, had a meeting with Jessica Ritter from SitelogIQ regarding our 1% loan with CEC. Jessica stated original plan was for the District to open a second savings account and deposit all solar savings to then cover quarterly True Up bills. The first loan payment of \$28,000 is due of December 2023. Board member Rodriguez inquires about generating revenue and increasing savings, suggesting exploring Synergy's Solar Batteries proposal. Rodriguez expresses interest in pursuing the Synergy proposal, but the Board President recommends waiting until all caught up with current commitments before entering into another contract. Elaine mentions a scheduled meeting with PG&E, and SitelogIQ proposing holding a meeting in January/February 2024.

The Board instructs the staff to proceed with the PG&E meeting and report back with the relevant information. Additionally, they are tasked with placing SiteLogIQ on the agenda for the February 2024 board meeting. The consideration of agenda items related to opening a second bank account to hold PG&E savings has been tabled for the March 2024 board meeting.

Item 5.0- Adoption of 2024 Board Meetings Calendar

Elaine Cervantes, the General Manager, asserts that the calendar presented outlines the scheduled Board of Directors meetings for 2024. Legal Counsel suggests amending the current Bylaws to incorporate language that offers flexibility, to ensure continuous compliance with the District's regulations, particularly in the event of changes due to holidays.

The following people made a public comment: Natalia Meza

The Board gives direction to staff to bring back the draft Bylaw with the proposed amendment for review and approval.

A motion is made to approve the 2024 Board Meeting calendar.

MSC Madera/Ramos Roll Call Vote 4 ayes 1 absent

Item 6.0- Follow-Up Board Discussion and Decision on the District's 5-Acre (Howard Ave.)

Elaine Cervantes, the General Manager, informs the Board of Actagro's interest in temporarily subleasing to a farmer. Elaine also suggests exploring alternative options, such as leasing for a trucking parking station or leasing to other farmers. Fresno County has indicated that the Fresno Housing Authority (FHA) is interested in purchasing 2 out of our 5 acres. Additionally, another viable option is to consider selling the entire 5-acre property to ensure sufficient funds in our account for advancing the pending Water Upgrade Project. Board member Madera proposes applying for a Bridge/Construction Loan and using the 5-acre property as collateral for the loan.

The following people made a public comment: Phillip Cervantes

The Board has instructed that this be included in the agenda for in-depth discussion. The focus will be on exploring two considerations instead of pursuing a loan. Additionally, the directive includes returning with pertinent details and information pertaining to a potential sale.

Item 7.0- Discussion and Consideration to Adopt Policy Regarding Agenda Posting Procedures

Elaine Cervantes, the General Manager, explains that this policy pertains to the preparation of agendas for the timely distribution to all participants, specifying the timeframe and schedule for dissemination. The emphasis is on fairness, ensuring that both the Board President, who is required to sign it, and the Legal Counsel receive the necessary information promptly. Elaine clarifies that this policy exclusively applies to Regular Board Meetings, with a separate policy to be introduced for Special and Emergency Meetings. Vice President Rodriguez suggests receiving hard copied agendas instead of emailed agendas and requests physical copy for himself. Elaine assures him that arrangements can be made to ensure he receives a hard copy.

A motion is made to accept the Final Draft of the Policy Regarding Agenda Posting Procedures.

MSC Madera/Rodriguez Roll Call Vote 4 ayes 1 absent

Item 8.0- Follow-Up Discussion of the January 2020 Missed Utility Billing

Elaine Cervantes, the General Manager, expresses uncertainty about the next steps after finding out there was no missed billing for January 2020. Documentation obtained showed all residents received their bills. According to our software representative, no bill was generated or posted on the software for January 2020. Bills had been photocopied and sent out. The auditors identified a \$37,000 discrepancy, attributing it to a supposed missed billing. This discrepancy arose from relying on software reports. Legal counsel suggests a thorough investigation, and when asked by the Board President, she recommends either sending a formal letter to the bank to request information on the closed account or opting for a forensic audit.

The following people made a public comment: Natalia Meza

The directive to the General Manager from the Board is to persist in the investigation to locate the missing \$37,000 and work with legal counsel. Subsequently, the findings will be presented, and collaborative efforts with legal counsel will ensue for further action. For the record, this item will no longer be referred to as a missed billing and will be a pending investigation.

Item 9.0- Board Member Communications Information

Any Board member may make an announcement, report briefly on their activities, or ask a question for clarification:

- Board Treasurer Madera- inquiry on Mid Valley Account billing
- President Duarte- shares experience at the Miracle on Seventh Street Event
- Board Secretary Ramos- extends gratitude for his time as Vice Chair

Item 10.0- Staff Reports

General Manager, Elaine Cervantes, presents her staff report and verbally includes the following to her staff report:

- Memorandum of Understanding (MOU) with Fresno City College will be put on the January 2024 agenda for action
- Gas Station at Shaw Market to break ground January 2024.
- LIHWAP Water Assistance Program- Biola is now on the list to receive assistance if they qualify.

CLOSED SESSION

- None

Item 10.0- ADJOURNMENT 7:23PM

The next regular meeting of the Board of Directors is Thursday, December 14, 2023.

At 7:23p.m. on December 21, 2023 the Meeting of the Board of Directors was adjourned.

I, Kirk Ramos, Board Secretary 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 November 16, 2023 at the Biola Community Services District, 4925 N. 7th Street, Biola, CA 93606.

Approved:

Date

Kirk Ramos, Board Secretary

**NEXT MEETING OF THE BOARD OF DIRECTORS
January 18, 2023 – Regular Meeting, Biola, CA**