



# Board of Directors Regular Meeting Agenda

Thursday, July 21, 2022

OPEN MEETING – 6:00 PM

BIOLA COMMUNITY SERVICES DISTRICT

4925 N. Seventh Street – PO Box 57 Biola CA 93606 (559) 843-2657

Office Hours: Tuesday-Thursday 9am-4pm, Friday 8am-12pm



Masks and Social Distancing  
Recommended



## Mission Statement

*“The Board of Directors and District Employees are committed to the ever-growing needs of the community by providing high quality services, open lines of communications, promoting community participation and using its resources to build high quality standards for the people.”*

Carlos Rodriguez  
Board Member – President

Monique Dolores  
Board Member – Vice President

Martha Madera  
Board Member - Treasurer

Mercedes Ramos  
Board Member - Secretary

Reyes Lozano  
Board Member

Meggin Boranian  
General Counsel

Cruz Ramos  
District – General Manager

Marisol Camacho  
Board Clerk

A Regular meeting of the Board of Directors of Biola Community Services District is hereby called for Thursday, July 21, 2022 at the District’s office located 4925 N. Seventh Street, Biola CA 93606 at 6:00PM. Pursuant to the District’s Bylaws and Rules of Order, this Notice of Regular Meeting shall be delivered to each Director and not less than 72 hours in advance of the meeting, and posted in the locations specified and at the District Office.

# AMENDED

## REGULAR OPEN MEETING

### CALL TO ORDER

### ROLL CALL

Time: \_\_\_\_\_

**Board Members**

**Carlos Rodriguez**

**Monique Dolores**

**Martha Madera**

**Mercedes Ramos**

**Reyes Lozano**

**General Manager**

**Cruz Ramos**

**General Counsel**

**Meggin Boranian**

**Board Clerk**

**Marisol Camacho**

### PLEDGE OF ALLEGIANCE

#### **1. CERTIFICATION**

Certification that the agenda was posted at least 72 hours before the meeting at Shaw Market, Best Market, Biola Community Center, Biola Post Office and was signed by Board President and Board Clerk acknowledged as being correct.

#### **2. PUBLIC COMMENT**

This portion of the meeting is reserved for members of the public to address the Board on items of interest that *are not* on the agenda and are within the subject matter of the Board. Speakers will be limited to 3 minutes. Any documents needed to be presented to the Board of Directors as a handout will only be accepted if handed to the Board Clerk for disbursement.

- Rigoberto Gamboa- Alcoholics Anonymous Program

#### **3. CONSENT CALENDAR ITEMS**

A. Adoption of Agenda – Regular Meeting July 21, 2022

B. Approval of Regular Meeting Minutes – June 16, 2022

C. Approval of Special Meeting Minutes- July 6, 2022

D. Approval of financials ending June 30, 2022

E. Approval of 2022-2023 Budget

F. Approval of 2022-2023 Annual Board Meetings Calendar

G. Approval of RFP District Engineer

H. Approval to Publish Public Hearing to Announce Districts Intent to Apply for 2023 CDBG Grant Application

I. Approval of Resolution No. 2022-09 Of The Board Of Directors Of The Biola Community Services District Approving The General Manager To Accept And Execute The Storm Drain Improvements Project Funded Under The Fresno County State And Local Fiscal Recovery Funds (SLFRF) Program

#### **4. PUBLIC HEARING Intention to Levy and Collect the Annual Assessment for Landscaping and Lighting Maintenance District No.1**

A. Resolution 2022-08 A Resolution of the Board of the Directors of the Biola Community Services District Confirming Diagram and Assessment for the Annual Levy for 2022-2023 for Landscaping and Lighting District No. 1

B. Approval of Engineer's Report dated June 2022

**5. INFORMATIONAL / UPDATES**

- A. Survey Report
- B. Annual Consumer Water Report
- C. Forensic Audit
- D. Mid Valley Disposal
- E. Infectious Disease Policy
- F. Annual CSDA Conference
- G. ATP Cycle 5 Project: Street Lighting, County District Agreement, Water valve lines
- H. CDBG Advisory Committee
- I. 2023/2024 Community Improvement Budget Account (Board Chair)

**6. BOARD OF DIRECTORS / STAFF COMMENTS**

**7. CLOSED SESSION**

This time is reserved for members of the audience to address the Board of Directors on items listed on the Closed Session agenda only. It is recommended that speakers limit their comments to no more than 3 minutes each. Once the audience have all spoke, the Board of Directions along with General Manager and Board Clerk will resume in private.

CONFERENCE WITH BOARD OF DIRECTORS AS PER GOVERNMENT CODE SECTION 54957; PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
TITLE: EMPLOYER EVALUATION

- Time entered into closed session \_\_\_\_\_
- Time out of close session \_\_\_\_\_
- Reportable action \_\_\_\_\_

**8. ADJOURNMENT**

- A. The next regular meeting of the Board of Directors will be on August 18, 2022

Note: The agenda items may not be presented in the order they are listed. Persons wishing to discuss an item that was taken out of order will have the opportunity to do so. All agenda items listed are considered to be discussion and/or action items. Materials related to an item on this agenda that are public documents and are submitted after distribution and posting of the agenda are available for public inspection in the district's office at 4925 N. Seventh Street Biola, CA 93606, during normal business hours. Documents that are public documents provided by others during a meeting will be available at the same location during business hours after the meeting. The Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the district at (559) 843-2657. Notification 48 hours prior to the meeting will enable the district to make reasonable arrangements to ensure accessibility to this meeting.

Date 7/19/22



Carlos Rodriguez – Board President



Marisol Camacho – Board Clerk

**RESOLUTION NO. 2022-09**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE BIOLA COMMUNITY SERVICES DISTRICT APPROVING THE GENERAL MANAGER TO ACCEPT AND EXECUTE THE STORM DRAIN IMPROVEMENTS PROJECT FUNDED UNDER THE FRESNO COUNTY STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF) PROGRAM**

**WHEREAS**, on March 11, 2021, the President signed into law the American Rescue Plan Act of 2021 (“ARPA”) which established the Coronavirus State and Local Fiscal Recovery Funds (“SLFRF”) Program; and

**WHEREAS**, ARPA authorizes Fresno County (“County”) to expend SLFRF awarded to the County for eligible projects within the County; and

**WHEREAS**, on March 9, 2022, an application for funding under Fresno County SLFRF has been submitted by AM Consulting Engineers on behalf of Biola CSD; and

**WHEREAS**, on June 21, 2022, Biola CSD has been selected for funding to implement the Storm Drain Improvements Project under the SLFRF Program in the amount of \$649,000; and

**WHEREAS**, the Project includes construction to install 1,700 linear feet of storm drain pipelines and 11 inlets along the streets prone to flooding per the Storm Water Master Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Directors of the Biola Community Service District hereby resolves as follows:

1. The above recitals are true and correct findings of the Biola Community Services District.
2. That pursuant and subject to all of the terms and provisions of the American Rescue Plan Act of 2021, the General Manager is hereby authorized and directed to sign and accept the funding agreement on behalf of the Board of Directors of Biola and take such other actions as necessary or appropriate to implement the said Project.
3. The General Manager is hereby authorized and directed to execute the funding agreement with the County of Fresno and any amendments thereto.
4. The General Manager is hereby authorized and directed to submit any required documents, invoices, and reports required to successfully implement the Project.
5. This Resolution shall take effect from and after the date of its adoption.

Passed and adopted this 21<sup>st</sup> day of July 2022, by the following vote:

AYES:

NOES:

ABSENT:

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Carlos Rodriguez, Board President

ATTEST: Marisol Camacho

I, hereby certify that the foregoing resolution was regularly introduced, passed, and adopted at a Regular Meeting of the Board of Directors of the Biola Community Services District this 21<sup>st</sup> day of July 2022.

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Marisol Camacho, Board Clerk

**RESOLUTION NO. 2022-08**  
**A RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE BIOLA COMMUNITY SERVICES DISTRICT  
CONFIRMING DIAGRAM AND ASSESSMENT FOR THE ANNUAL LEVY  
FOR 2022-2023 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 1**

WHEREAS, on June 16, 2022 pursuant to Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, the Board of Directors of the Biola Community Services District did adopt a Resolution of Intention to Levy and Collect the Annual Assessment for Landscaping and Lighting District No. 1 of the Biola Community Services District (herein "LLD No. 1"); and

WHEREAS, the Board did declare in said Resolution of Intention its intention to levy and collect the annual assessment for the maintenance and operation of the landscaping and lighting facilities in LLD No. 1; and

WHEREAS, said Resolution of Intention was duly published and notice given of the hearing as provided by law.

NOW, THEREFORE, IT IS RESOLVED AND ORDERED, as follows:

1. The Board hereby determines that the territory within the LLD No. 1, whose boundaries are set forth in the Engineer's Report of the Biola Community Services District LLD No. 1 dated June 2022, and on file with the Manager of the Biola Community Services District will be the territory benefited by the maintenance and servicing of the improvements described in said Engineer's Report.
2. The hearing on said annual levy of assessment was held in accordance with law, all persons filing protests or requesting to speak and who appeared were heard.
3. The Engineer's Report, the diagram for the assessment district, and the assessment of the estimated costs of the improvements contained therein and each and every part of said report, is adopted and approved; and the assessment upon the land in LLD No. 1 being found to be in proportion to the benefits to be received from the improvements, are finally approved and confirmed as the assessment to pay the costs of said improvements and the expenses incidental thereto.
4. The Board hereby orders the levy of the assessments described in said Resolution of Intention and the Engineer's Report.
5. The assessment diagram showing the assessment district referred to in said Resolution of Intention and also the subdivisions of land within the District, as contained in said Engineer's Report, is the diagram of the properties that are to be assessed to pay the District costs.
6. The Manager shall file the diagram and assessment, as confirmed, or a certified copy thereof, with the Recorder of the County of Fresno no later than August 10, 2022 and all assessment information required by the County Auditor to the Auditor's office no later than August 10, 2022.

7. The Agreement for the Collection of Direct Charges with the County of Fresno, in the substantial form provided by the County, is hereby approved and the District Manager is authorized to sign the agreement on behalf of the District.

BE IT FURTHER RESOLVED THEREFORE that the Board of Directors of the Biola Community Services District finds as follows:

1. That the assessment imposed hereby is an assessment imposed exclusively to finance the capital costs of maintenance and operation expenses for street lights and drainage facilities and integral portions of each of the above-described facilities;

2. That the assessment imposed is hereby imposed at the assessment rate according to the methodology adopted pursuant to a petition signed by the persons owning all of the parcels subject to the assessment initially imposed, or that the assessment imposed hereby is imposed at the assessment rate and according to the methodology adopted pursuant to majority voter approval from the voters voting in an election on the issue of such assessment.

BE IT FURTHER RESOLVED that the Board of Directors of the Biola Community Services District determines, upon the basis of the foregoing findings, that the assessment adopted hereby is imposed pursuant to the provisions of Proposition 218, California Constitution Article XIII D, and pursuant to exemptions contained therein.

BE IT FURTHER RESOLVED that the Board of Directors of the Biola Community Services District will indemnify, defend and hold harmless the County of Fresno, the Board of Supervisors and the Auditor-Controller/Treasurer-Tax Collector, their agents and employees against payment of any and all costs and expenses, claims, suits, losses, damages and liability arising from or arising out of any negligent or wrongful acts or omissions of the District, including its Board members, officers, agents and employee's in levying and collecting the assessment.

The foregoing resolution was introduced and adopted at a regular meeting of the Board of Directors of the Biola Community Services District held on the 21<sup>st</sup> day of July, 2022, by the following vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

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Carlos Rodriguez, Board President

ATTEST:

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Marisol Camacho, Board Secretary



## MEMORANDUM

TO: Biola Community Services District Board of Directors  
FROM: Jerry Jones  
DATE: July 21, 2022  
RE: Public Hearing and Approval of Resolution Confirming Diagram and Assessments for the Annual Levy, 2022-2023, for Landscaping and Lighting District No. 1

### BACKGROUND

The Landscape and Lighting Act of 1972 requires that certain actions be completed by the Board prior to levying assessments upon properties within the Biola CSD Landscaping and Lighting District No. 1 (LLD). The Board has previously adopted resolutions for initiation of proceedings and intention to levy and collect assessments. The final action required of the Board is to conduct a public hearing to consider protests to the proposed assessments and to confirm the diagram and assessments. The Engineer's Report, dated June 2022, for the LLD is on file with the District Manager and contains a detailed description of the improvements being maintained, the boundaries of the LLD, and the proposed assessment for each property within the LLD. There have been no annexations to the LLD this past year.

### SITUATION

The assessments are unchanged from the previous years. The LLD maintains street lights within the District and some public landscaping. There is currently one sub-area of 33 lots in Tract No. 3681, within the Landscape and Lighting District No. 1, which pays for additional landscaping and lighting as well. The total cost for the LLD are estimated to be \$10,255 for street lighting and landscape maintenance. The total assessments are \$7,295.10.

Increases in the assessments would require Board action following a Proposition 218 notice, public hearing and ballot of the property owners. The additional cost above the assessments will come from the District's general fund.

### RECOMMENDATION

District Board conduct a Public Hearing to receive public testimony and following that, by motion adopt the attached Resolution Confirming the Diagram and Assessments for the annual levy of the Landscape and Lighting District No. 1.

**BIOLA COMMUNITY SERVICES DISTRICT**

**LANDSCAPING AND LIGHTING DISTRICT NO. 1**

**ENGINEER'S REPORT**

**JUNE 2022**

Prepared By:

Yamabe & Horn Engineering, Inc.  
2985 N. Burl Avenue, Suite 101  
Fresno, CA 93727



## ENGINEER'S REPORT

### BIOLA LANDSCAPING AND LIGHTING DISTRICT NO. 1

BIOLA COMMUNITY SERVICES DISTRICT

STATE OF CALIFORNIA

WHEREAS, the Board of Directors of the Biola Community Services District, California, pursuant to the provisions of the Landscaping and Lighting Act of 1972, California Streets and Highways Code Section 22500 et seq., adopted a Resolution Initiating Proceedings for the purpose of collecting assessments to defray the cost of maintaining the street lighting and public landscaping in designated areas in the Biola Community Services District, more particularly therein described;

WHEREAS, said Resolution Initiating Proceedings directed the Engineer of Work to prepare and file a report in accordance with Article 4 Chapter 1 of the Streets and Highways Code of the State of California, pursuant to Section 22585, including the estimate of costs of improvements and of the incidental expenses in connection therewith, a diagram of the assessment district, and a proposed assessment of the costs of the improvements to which Resolution Initiating Proceedings reference is hereby made for further particulars. The improvements shall consist of the maintenance of all of the street lighting facilities, and public landscaping located in designated areas of the Biola Community Services District.

NOW, THEREFORE, I, Jerry Jones, Engineer of Work of said Biola Landscaping and Lighting District No. 1 by virtue of the power vested in me under said Act and the order of the Board of Directors of the Biola Community Services District, hereby make the following annual levy of assessment in accordance with Article 4, Chapter 3 of Streets & Highway Code of the State of California to cover the portion of the estimated cost of said work and improvements pursuant to the plans and specifications presently on file with the Clerk of the Biola Community Services District and in the District Office of the Biola Community

Services District and incorporated herein by reference and the costs and expenses incidental thereto to be paid by the assessment district set forth in this Report.

As required by said Act, Assessment Diagram of Biola Landscaping and Lighting District No. 1 shows the assessment district and the boundaries of land within said district as they existed at the time of the passage of the Resolution Initiating Proceedings, each subdivision of land having been given a separate number by reference to County of Fresno Tax Assessor's Parcel Number.

I do hereby assess and apportion said total amount of the cost and expenses of the proposed improvement upon the several subdivisions of land liable therefore and benefited thereby all as is more particularly set forth in the assessment roll attached hereto and incorporated herein; and that the numbers of said assessment roll correspond with the numbers upon the referenced County of Fresno Assessor's Parcel Maps. Said assessment is made upon the several subdivisions of land in the district in proportion to the estimated benefits to be received by each subdivision respectively from the improvement. For a more particular description of said property, reference is made to the assessment roll and the deeds and maps on file and of record in the office of the County Recorder of Fresno County and to the notes of said Boundary Description as set forth in the map of Proposed Boundaries of Biola Community Services District Landscaping and Lighting District No. 1, contained in this assessment report.

Dated: \_\_\_\_\_, 2022.

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Jerry Jones, Engineer of Work of the Biola Community Services District

I, Marisol Camacho, Clerk of the Board of Directors for the Biola Community Services District, do hereby certify that the foregoing assessment, together with the assessment diagram of the Biola Community Services District Landscaping and Lighting District No. 1, attached thereto, was filed with me on the 21st day of July, 2022.

CLERK OF THE BOARD OF DIRECTORS FOR BIOLA COMMUNITY SERVICES DISTRICT

By \_\_\_\_\_  
Marisol Camacho

I, Oscar J. Garcia, C.P.A., Auditor-Controller/Treasurer-Tax Collector of the County of Fresno, do hereby certify that the foregoing assessment, together with the assessment diagram, was filed in my office on the day of \_\_\_\_\_, 2022.

By \_\_\_\_\_  
Oscar J. Garcia, CPA  
Auditor-Controller/Treasurer-Tax Collector

BIOLA COMMUNITY SERVICES DISTRICT  
BIOLA LANDSCAPING AND LIGHTING DISTRICT NO. 1

**I. ASSESSMENT DISTRICT BOUNDARIES**

The boundaries of the Assessment District are shown in Exhibit A attached, and generally described as:

All of the parcel encompassed by the Biola Community Services District boundary, excepting therefrom Lots 1 through 59 of Tract No. 5322, according to the map thereof recorded in Vol. 76 of Plats at Pages 6 through 8.

**II. DESCRIPTION OF WORK**

AREA 1

Maintenance and operation of all street lights in the community including payment to Pacific Gas & Electric Co. for maintenance and electricity. Maintenance of the drainage basin located on a portion of and south of the former Southern Pacific Railroad right of way lying west of the Fourth Street alignment.

AREA 2

Area 2 covers Tract No. 3681 and is a sub-area within Area 1. In addition to the Area 1 assessments for street lighting, Area 2 is assessed additional costs for landscaping.

**III. ASSESSMENT PROCEDURE**

The assessment district boundaries coincide with the boundaries of development projects within the limits of the Biola Community Services District. The projects are designated as Area 1 and Area 2. The total costs for the areas are as follows:

Area 1	\$6,955.22
Area 2	<u>\$3,300.00</u>
Total	\$10,255.22

The total number of parcels assessed is 285. The assessments are limited to those initial assessments when the district was formed. Therefore the total costs are greater than the total assessments. Each parcel is assessed the same amount within each area.

**IV. COST SUMMARY**

AREA 1 - Street Lighting and maintenance

Maintenance Cost	
Street Light Maintenance & Operation	\$4,451.86
Incidental Costs	
County Processing & Filing Fees	\$50.88
Engineering Fees	\$1,577.00
Publishing Costs	\$360.00

Number of Parcels	285
Assessment Per Parcel	\$23.86

AREA 2 - Landscape Maintenance

Maintenance Cost	
Landscape maintenance	\$3,300.00

Number of Parcels	33
Assessment Per Parcel	\$15.00

**V. ASSESSMENT ROLL**

The total of all assessments to be levied is \$7,295.10. The assessments for individual parcels are shown in Attached Exhibit B.

EXHIBIT A

## **ASSESSMENT DIAGRAMS**

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