



Biola Community Services District
Minutes of the
Board of Directors
Regular Board Meeting April 17, 2025
6:00p.m.

The Board of Directors of the Biola Community Services District met for its Regular Board Meeting on April 17, 2025 at the Biola Community Center, Biola, California.

Directors present: Eugenio Gutierrez -Vice President
Carlos Rodriguez – Board Treasurer
Jennifer Duarte- Board Member via teleconference
Monique Dolores- Board Member

Directors absent: Kinverly Suarez

Staff Present: Present along with legal counsel and Spanish translators.

Public present: Juana Hernandez, Soledad Lopez V., Natalio Vasquez, *Illegible*, Francisco Rodriguez, Eugenio Gutierrez, Amelia Ponce, Bernardo Q., Mercedes Ramos, *Illegible*, Joel Matias, Monica Leon, Rosalia Tello, Fabian Reyes, Veronica Reyes, Matiana Veneros, Irma Placencia, Maria Carbajal, Horacio Carbajal, Manuel Aguilar Negrete, Marcelina Lopez, Maria Guerrero, Maria D. Soto, Angea Islas, Manuel Villarreal, Rosalba Gomez, Antonio Camacho, Manuel Diaz, Maria M. Barrera, Carmen Zamora, Maximo Pozos, *Illegible*, Susana Barrios, Martha Villafana, Adela Lozano B., and Maria Diaz

Roll Call- Roll Call was called. At 6:13 PM, Treasurer Carlos Rodriguez called the meeting to order. The board clerk confirmed there was a quorum.

1. PUBLIC COMMENT

- a) Mercedes Ramos- commented on the need to review the volume of water allotted to each resident.
- b) Carmen Zamora-expressed concern over the District’s financial and operational issues and called for the president to step down due to a lack of communication and frequent absence. She emphasized the need for a leader who is responsive, available, and dedicated to effectively leading the District.
- c) Juana Hernandez- noticed an error by the lawyer regarding Monique’s selection as the new board member
- d) Amelia Ponce-emphasized the importance of working together as a team to serve the best interests of the community, highlighting that many of them are farm workers and residents who share the same goals. She suggested exploring the possibility of allowing each household an allotted amount of at least 10,000 gallons of water per month. She also recalled that in previous

meetings, it was mentioned that while some residents pay their water bills, others do not.

2. CONSENT CALENDAR

- a) **Approval of Special Meeting Minutes**
Dated February 18, 2025
- b) **Approval of Regular Meeting Minutes**
Dated February 20, 2025
- c) **Approval of Regular Meeting Minutes**
Dated March 20, 2025
- d) **Approval of Special Meeting Minutes**
Dated April 2, 2025

A motion was made to approve the minutes dated above.

Motion made by: Eugenio Gutierrez

Motion seconded by: Jennifer Duarte

Voting:

Eugenio Gutierrez- Yes
Carlos Rodriguez- Yes
Jennifer Duarte- Yes
Monique Dolores- Yes
Kinverly Suarez- Absent

Vote Count 4 ayes- 0 nays-1 absent. Motion passed

NEW BUSINESS

- 3. **Approval of Financials Ending December 31, 2024 Through March 31, 2024**
Ending December 31, 2024
Ending January 31, 2025
Ending February 28, 2025
Ending March 31, 2025

Presenter: Marisol Camacho, Interim General Manager, BCSD stated this was brought to the board as the board has not approved the financials Ending December 31, 2024 Through March 31, 2024

Public Comments: None

Director Comments: Board Treasurer Carlos Rodriguez requested direct access to the District's online checking account. Board Member Monique Dolores recommended that the process for accessing financial documents by the board treasurer be documented to guide future actions. She also suggested that board

members follow up with staff when specific documents are needed. Vice President Eugenio Gutierrez agreed.

A motion was made to approve the financials.

Motion made by: Jennifer Duarte

Motion seconded by: Monique Dolores

Voting:

Eugenio Gutierrez- Yes

Carlos Rodriguez- No

Jennifer Duarte- Yes

Monique Dolores- Yes

Kinverly Suarez- Absent

Vote Count 3 ayes- 1 nays-1 absent. Motion passed. Director Monique Dolores requested an agenda item at the next meeting to discuss Board Treasurer Carlos Rodriguez request for online access. Legal Counsels suggested developing a duties/rules, and responsibilities for the Board Treasurer. Board Treasurer Carlos Rodriguez mentioned the bank can provide an outline of what they can provide to explore options.

4. Discussion and Approval of Biola Pershing Elementary PTA Request to Utilize Community Center Parking Lot for May 17, 2025, Yard Sale

Presenter: Marisol Camacho, Interim General Manager, BCSD stated The Biola tPershing Elementary PTA is requesting to use Biola’s parking lot annually for a yard sale for May 17, 2025 to support school activities and raise funds for the school. Although the District has approved similar requests in the past based on availability and community benefit, there is currently no formal approval process in place. Staff is working on developing such a process. Therefore, this request is being brought to the board for review and approval. Jessica Elorza, PTA President, was present to answer any questions.

Public Comments: Carmen Zamora opposed the use of the parking lot for Biola PTA and asked the board to deny the request or ask questions to ensure there are processes and documents in place that protect the District.

Director Comments: Director Jennifer Duarte shared her experience as the former president of the Biola PTA, noting that a liability waiver was typically signed for events. Legal counsel confirmed that the District may require such a waiver and recommended that the District be listed as an additional insured for third-party events.

Director Carlos Rodriguez inquired about insurance coverage for the various annual events held at the Biola Community Center. Legal counsel clarified that events sponsored by the District are covered under the District’s general liability policy, including coverage for employees. However, for events not operated by the District,

third-party organizers must list the District as an additional insured and provide a signed liability waiver.

Board Member Monique Dolores supported the idea of a waiver and requested clarification on the required insurance coverage amount. Jessica Elorza then explained why the PTA is unable to host the event at the school.

Director Jennifer Duarte motioned to approve this item. Motion failed.

Director Monique Dolores expressed her support for approving the request, contingent upon the following requirements: submission of release waivers, naming the District as an additional insured on the insurance policy, and verifying the coverage amount. Given that this event is expected to occur annually, she recommended establishing a policy to address similar future requests consistently. Director Dolores also requested that a discussion item be added to the next agenda to outline the process for handling these types of facility use requests.

Director Carlos Rodriguez inquired about who would be responsible for opening and closing the facility and whether security services would be necessary. The Interim General Manager noted that, typically, maintenance personnel would handle opening and closing, but due to a current vacancy, that responsibility would fall to her. She explained that there is a policy in place allowing compensation for on-call or standby duties. If desired by the Board, security guards could be arranged at an additional cost.

Jessica Elorza confirmed that the PTA would clean up after the event, and only the outdoor gates would need to be opened.

Director Eugenio Gutierrez stated his willingness to support the school but expressed concern about potential legal liability. He aims to protect the District's best interests while also being helpful. He was unsure if the waiver alone would fully protect the District.

Legal counsel has advised that, in addition to the waiver, an indemnification agreement should be required, as waivers can be legally challenged. They also recommended that the District be named as an additional insured on the policy and that complete contact information be obtained from the party leasing the facility.

Director Dolores further recommended creating a designated area for the yard sale and closing off access to prevent vehicles from entering that section.

A motion was made to approve Item 4, contingent upon signing a written waiver and release, adding the District as an additional insured, and entering into an indemnification agreement. Additionally, the Board requested that a formal

process for handling similar facility use requests from organizations be documented in writing.

Motion made by: Monique Dolores

Motion seconded by: Jennifer Duarte

Voting:

Eugenio Gutierrez- Yes
Carlos Rodriguez- Yes
Jennifer Duarte- Yes
Monique Dolores- Yes
Kinverly Suarez- Absent

Vote Count 4 ayes-0 nays-1 absent. Motion passed.

The Biola PTA president will be responsible for presenting this documents to the interim general manager. They are not permitted to use the parking lot on May 17, 2025 unless the three are presented.

5. Initiating Proceedings For The Annual Levy Of Assessment For Landscape And Lighting Maintenance District No. 1 (Resolution 2025-03)

Presenter: Faisal Sweileh, Associate Engineer, AM Consulting Engineers, stated This is the first of three actions by the Board required by State law for the levy of the 2025-26 annual assessments. They will prepare a report that will be submitted to the Board for review and approval. The second action required by the Board will be the approval of the resolution of intention to levy and collect the annual assessments, which will set the date for the public hearing required prior to the confirmation of assessments. The third and final step in the process is for the Board to conduct the required public hearing, receive any testimony, and confirm the annual assessments. The assessment roll is then submitted to the Fresno County Assessor for inclusion on the property owner's tax bill. No new annexations have taken place this past year.

Public Comment: Director Eugenio Gutierrez inquired about the public hearing date, which will be in July.

A motion was made to approve.

Motion made by: Eugenio Gutierrez

Motion seconded by: Monique Dolores

Voting:

Eugenio Gutierrez- Yes
Carlos Rodriguez- Yes
Jennifer Duarte- Yes
Monique Dolores- Yes
Kinverly Suarez- Absent

Vote Count 4 ayes-0 nays-1 absent. Motion passed.

6. Accept 2024 Annual Solar Production Report

Presenter: Marisol Camacho, Interim General Manager of BCSD, stated that the District has an existing contract with SitelogIQ for solar panel installations. The contract requires an annual report on solar production, along with formal acknowledgment of the report's receipt. Jessica Ritter and Ralph Hudson, representatives from SitelogIQ, were present to answer any questions regarding the project's performance.

The report outlines that in 2019, the Board approved the solar project for Well Sites #3 and #4, the Wastewater Treatment Plant (WWTP), and the rooftop of the Community Center. Since then, the system has been maintained under an operations and maintenance agreement. Each year, SitelogIQ provides an annual performance report, which includes a 90% production guarantee. This report is intended to ensure that the Board and the community are informed about how the solar system is performing in relation to its expected capacity.

Public Comments:

- Carmen Zamora expressed concerns with SitelogIQ and its impacts on the districts financials urges legal review for action.
- Mercedes Ramos stated she was a board member that approved this 1% loan but did not realize there would be 4 true ups, one for each pump.

Director Comments: Director Eugenio Gutierrez expressed concern about the loan amount and the lack of solar power production. Legal counsel redirected the discussion to the appropriate agenda item—the Solar Production Report. Director Carlos Rodriguez, drawing from his background as an electrician, noted that the system is not producing the amount that was guaranteed. Director Jennifer Duarte emphasized that the board had approved the project at the time and must now take accountability.

Director Jennifer Duarte motioned to approve this item. Motion failed.

Director Monique Dolores requested that the representatives return next month to address the District's financial concerns. She recommended that Jessica provide more detailed and comprehensive information when speaking to the community or the Board.

Jessica Ritter stated that the District is fully capable of exiting the operations and maintenance agreement at any time, as clearly outlined in the contract. She proposed a meeting before the next regular Board meeting that would include legal counsel, general management, and a special Board committee. The purpose of this meeting would be to review data from the engineers, specifically regarding increased energy costs and kilowatt-hour production from the solar systems.

Jessica emphasized that if there is ever a shortfall in energy production, the contract guarantees the District the right to receive a check for the difference. She stated they are willing to investigate and provide any documentation the District may need. A follow-up Board meeting could include a PowerPoint presentation to further explain the project details. She reassured the Board of the performance guarantee and reiterated that any production deficit would be reimbursed.

Directors Monique Dolores, Carlos Rodriguez, and Jennifer Duarte expressed interest in participating in the subcommittee meeting. Given the interest from multiple Board members, Jessica suggested holding two separate meetings to remain in compliance with Brown Act requirements.

A motion was made to approve the report.

Motion made by: Monique Dolores

Motion seconded by: Carlos Rodriguez

Voting:

Eugenio Gutierrez- Yes

Carlos Rodriguez- Yes

Jennifer Duarte- Yes

Monique Dolores- Yes

Kinverly Suarez- Absent

Vote Count 4 ayes-0 nays-1 absent. Motion passed.

7. Review Costs Associated with Remote Deposit Services For Community West Bank Account

Presenter: Marisol Camacho, Interim General Manager, BCSD stated the District is currently being charged \$75.00 per month for Remote Deposit Capture (RDC) services, which includes the use of the scanner. In addition, there is a fee of \$0.15 per deposit made through RDC. In-branch deposits incur a higher cost of \$1.40 per deposit. Unfortunately, the bank does not offer courier services at this time. The round-trip mileage to Community West Bank, located at 5180 N Palm Ave #105, Fresno, CA 93704, is approximately 23.6 miles. At the current reimbursement rate of \$0.655 per mile, this amounts to \$15.46 per trip. With four trips per month, the total mileage reimbursement is approximately \$61.83.

Public Comments: None

Director Comments: Director Monique Dolores expressed agreement with remote deposits as well as Director Eugenio Rodriguez and Carlos Rodriguez.

A motion was made to continue with the Remote Deposit.

Motion made by: Monique Dolores

Motion seconded by: Eugenio Gutierrez

Voting:

Eugenio Gutierrez- Yes
Carlos Rodriguez- Yes
Jennifer Duarte- Yes
Monique Dolores- Yes
Kinverly Suarez- Absent

Vote Count 4 ayes-0 nays-1 absent. Motion passed.

8. Discussion and Approval of Recruitment Process for General Manager and Job Description

Presenter: Marisol Camacho, Interim General Manager, BCSD shared During the special meeting held on April 2, 2025, the Board discussed incorporating grant writing responsibilities into the new job posting and mentioned reviewing potential salary adjustments to attract a broader pool of candidates. Staff was directed to bring back relevant information, including previous BCSD job descriptions. For comparison, Del Rey CSD’s general manager posting was attached. Information on posting on the newspaper and indeed was shared. Legal counsel added she was not aware of any legal requirement as a services district to publish.

Public Comments: Carmen Zamora shared that Del Rey CSD salary is for full-time employees and shared qualifications ideal candidate should possess.

Director Comments: Director Monique Dolores emphasized the importance of including the following in the job description: The position is on-call and requires availability on evenings, weekends, and holidays. A bachelor’s degree and 5–10 years of relevant experience are required. Grant writing or management experience is preferred. The position does not offer benefits.

Director Carlos Rodriguez inquired about whether the position is considered “exempt.” Legal counsel advised that it is exempt under the Fair Labor Standards Act (FLSA), and that minimum or maximum hours should not be set, as exempt employees may be required to work beyond a standard 40-hour workweek.

Legal recommended establishing a minimum base salary of \$36,000 annually. The previous general manager’s salary ranged from approximately \$45,000 to \$48,000. Legal also indicated that offering an hourly wage could cost the District more than a salaried arrangement.

Legal counsel will look into healthcare coverage requirements for salaried employees, particularly those working over 40 hours per week, as eligibility depends on the number of employees and hours worked. They will report back with further guidance.

Directors Monique Dolores and Carlos Rodriguez agreed with offering a salary-based position. Monique suggested using the former general manager's salary as a reference and incorporating the additional requirements mentioned above. She volunteered to review the job posting prior to publication.

Once legal confirms the final salary, the position will be posted on Indeed, Facebook, and the District's website.

The Board agreed that if there are at least three applicants by the next board meeting, interviews may be conducted in closed session. The tentative closing date for the job posting is May 8. The Board reviewing applications at the May 15th meeting and extend the posting if needed.

A motion was made to approve.

Motion made by: Monique Dolores

Motion seconded by: Eugenio Gutierrez

Voting:

Eugenio Gutierrez- Yes

Carlos Rodriguez- Yes

Jennifer Duarte- Yes

Monique Dolores- Yes

Kinverly Suarez- Absent

Vote Count 4 ayes-0 nays-1 absent. Motion passed.

9. Board Member Communications Information

This is an opportunity for any Board member to make an announcement or report briefly on their activities as Board Members of the District or request future agenda items.

- Director Monique Dolores proposed establishing a formal process for board comments, similar to roll call, and expressed interest in revisiting the holiday policy and reviewing the VFW contract.
- Director Carlos Rodriguez has expressed interest in reviewing the current hall rental policy and expanding community engagement efforts. He would like to explore partnerships with organizations such as the Boys and Girls Club and the Sheriff's Department, and is also interested in initiating a reorganization of the Board.

10. Staff Reports

Information

- The interim general manager presented the Staff report.

11. CLOSED SESSION-

NOTICE TO THE PUBLIC

As provided in the Ralph M. Brown Act, Government Code., the Governing Board may meet in closed session with members of its staff and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Board will meet on in closed session are identified appropriately in open sessions as requiring immediate attention and arising after the posting of the agenda. Any public reports of action taken in closed session will be made in accordance with Government Code.

Public Comment on Closed Session Items

Conference with Labor Negotiators – Government Code, § 59457.6

Agency designated representatives: Marisol Camacho, Interim General Manager
Employee Organization: Interim General Manager and Customer Service Representative

Agency designated representative: Board President
Employee organization: Interim General Manager

Reconvene in Open Session and Report Reportable Action Taken During Closed Session

No reportable action

12. ADJOURNMENT

Meeting adjourned at **10:03-PM**

The next regular meeting of the Board of Directors is Thursday, May 15, 2025.

At 10:03 p.m. on April 17, 2025 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 April 7, 2025 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
May 15, 2025 – Regular Meeting, Biola, CA at 6:00PM**