



AGENDA ITEM: 2d

MEETING DATE: February 20, 2025

Biola Community Services District
Minutes of the
Board of Directors
Regular Board Meeting January 16, 2025
6:00p.m.

The Board of Directors of the Biola Community Services District met for its Regular Board Meeting on January 16, 2025 at the Biola Community Center, Biola, California.

Directors present: **Kinverly Suarez- President & Secretary**
Eugenio Gutierrez -Vice President
Carlos Rodriguez – Board Treasurer
Jennifer Duarte- Board Member
Vacancy- Board Member

Directors absent: **Jennifer Duarte- Board Member**
(1) Vacancy

Staff Present: **Present**

Public present: Phillip Cervantes, Juana Hernandez, Marcelina Lopez, Rosalba Gomez, Maria G. Carbajal, Lucrecia Soriana, Irma Placencia, Maria Soto, Amelia Soto, Raul Mendoza, Guillermo C., Candelario Raya S., Horacio Carbajal, Joel Matias, Imelda Zarate, Monica Leo, Mercedes Ramos, Monique Dolores, Daniel Rodriguez, Maria Guerrero, Joaquin Soto, Yvette Quiroga, Veronica Torres, Eduardo Antunez, and Martha Villafana.

Roll Call- Roll Call was called. The board clerk confirmed there was a quorum.

Call to Order- Director Kinverly Suarez called the meeting to order at 6:04 PM. Spanish Translation was provided for this meeting.

Director Kinverly Suarez led a moment of silence for the Biola residents who lost their lives in a traffic accident.

1. Public Comment

- **Mercedes Ramos** - has concerns regarding the bylaws, specifically highlighting the quorum section, Request to reinstate public comments after each agenda item.
- **Carmen Zamora-** asked the board to reinstate public comments after each agenda item and raised concerns about bylaw changes, particularly the Executive Assistant position. Previously hired by the board, the General Manager now seeks full control over this hiring. She urges the board to pay close attention to small changes that could shift power to the General Manager and recommends asking her questions, as she proposed these changes with counsel's advice.

- **Monique Dolores-** congratulated the new board members and reiterates Carmen and Mercedes' remarks. She urged reinstating public comments. She also pointed out that, per the GM, agendas are now emailed to the board. As a former board member, she finds digital formats challenging and encouraged a return to paper agendas for easier reference and note-taking.
- **Joaquin Soto-** requested that the board revisit the \$200,000 topic and provide a concrete answer, emphasizing that the community will not let this item be dismissed.
- **Amelia Ponce-** addressed the board members regarding the previous board meeting, where Brian Pacheco left the vacancy decision to the board. She inquired about the timeline for filling the vacancy and emphasized the importance of selecting a candidate who is committed to working for the community's best interests. She also suggested that, if necessary, texting during meetings should be limited to emergencies only, as it creates a negative impression and shows a lack of respect for the community to see the board texting or using their phones instead of focusing on the meeting.
- **Juana Hernandez-** thanked the board for the opportunity to speak. She asked how long a seat should remain vacant and suggested waiting to elect someone responsible, regardless of their educational background. She emphasized the importance of selecting a responsible individual over one with more education. She also requested more agendas in Spanish and that they be made available at least three days in advance for better preparation.

Director Kinverly Suarez noted that the Board Clerk wanted to point out a clerical error in the Minutes dated December 19, 2024, under item 3: Annual Reorganization of the Board of Directors. Kinverly Suarez had been nominated as Secretary, not Treasurer, as was incorrectly recorded in the Minutes. Kinverly Suarez serves as President and Secretary, while Carlos Rodriguez holds the position of Treasurer.

2. (a) APPROVAL OF REGULAR MEETING MINUTES DATED DECEMBER 19, 2024

Director Carlos Rodriguez disapproved of the minutes for the section involving Brian Pacheco, stating that the section needed to be revised. Staff will review the recording, identify the necessary revisions, and present the updated minutes in February.

A motion was made to table the minutes until information is provided and the recordings are reviewed.

Motion made by: Carlos Rodriguez

Motion seconded by: Kinverly Suarez

Voting:

Eugenio Gutierrez- Yes

Kinverly Suarez- Yes

Carlos Rodriguez- Yes

Jennifer Duarte- Absent

Vote Count 3-0. Motion passed.

(b) APPROVAL OF FINANCIALS ENDING DECEMBER 31, 2024

A motion was made to approve the financials.

Motion made by: Carlos Rodriguez

Motion seconded by: Kinverly Suarez

Voting:

Kinverly Suarez- No

Eugenio Gutierrez- No

Carlos Rodriguez- No

Jennifer Duarte- Absent

Vote Count 0-3. Motion does not pass.

The board reached a consensus to take more time to review the financials, analyze the numbers, and determine exactly where the money is coming from, how it is allocated, and what it is spent on. At the next meeting, they will provide more information to the community to address questions and concerns.

3. UPDATE ON LEAD AND COPPER RULE REVISIONS (LCRR): SUBMISSION OF LEAD SERVICE LINE (LSL) INVENTORY TO THE STATE

Presenter: Randy Johnson, Biola Water Operator at MVES, reported no new updates on this matter. At a previous board meeting, he was asked to bring pipe samples, which he has provided. The most common types found in the field are galvanized and PVC pipes. Additionally, he brought samples of copper, brass, and stainless steel.

When asked about the cost responsibility, Johnson stated that property owners are responsible for covering the expenses. However, there are discussions about potential grants for those in need. The costs will vary depending on the length of the pipe installation. Property owners are expected to dig at the point where the pipe enters the house.

Director Comments: Director Eugenio Gutierrez reiterated the discussion from a previous meeting regarding the 10-year deadline to confirm the absence of lead lines and mentioned the potential grants available. He asked whether the replacement includes pipes inside buildings. Randy responded that it is not currently a priority for state or federal authorities. Eugenio then sought clarification on whether the requirement applies only from the meter to the first wall of the house, to which Randy confirmed.

4. REVIEW OF GENERAL PLAN EXECUTED BY FRESNO COUNTY DEPARTMENT OF PUBLIC WORKS AND PLANNING

Presenter: Yvette Quiroga, Principal Planner for the Fresno County Department of Public Works and Planning, stated that they are present to inform the BCSD about proposed updates. Tonight's presentation will focus only on the updates relevant to the board. A community meeting is scheduled for January 23, 2025, at 6:00 PM, with a 15-day comment period from January 13 to January 28, 2025.

Anton Kremer, Planner, explained that a general plan serves as a blueprint for the county's future, guiding land use, infrastructure, public services, resource conservation, and other key aspects. It may also include area plans, known as community plans, which serve the same purpose but at a community level. The Biola Community Plan was

originally created in 1976 and last updated in 1990. Work on the latest update began on December 6, and six community meetings have been held so far.

Director Comments: Director Eugenio Gutierrez inquired whether interpreters would be available at the community meeting, to which Yvette confirmed they would be. He then asked about other related matters, and Yvette provided clarification.

Director Carlos Rodriguez asked about the future supply and demand concerning potential new developments, to which Randy Johnson responded. Director Eugenio Gutierrez asked how many homes the water system could accommodate. Randy believes the system could handle 10-15% more single-family homes but recommends consulting with the engineer. As for multi-residential developments, they would consume water capacity quickly. Regarding the sewer system, Randy is unsure and needs to discuss it further with the engineer. Director Carlos Rodriguez inquired if a new water well would be necessary. Randy responded that a water storage tank is required instead, as the current lack of storage means that if one well goes down, it could cause significant issues.

5. APPROVAL OF RESOLUTION 2025-01 2025 SIGNERS FOR DISTRICT'S CENTRAL VALLEY COMMUNITY BANK ACCOUNT

Presenter: Elaine Cervantes, General Manager of Biola CSD, explained that this resolution updates the authorized signers on the bank account to reflect the new authorized board members and remove the previous signers.

She noted that, in 2024, she has been an authorized signer to ensure continuity in case one of the two designated board members is unavailable to sign checks. Elaine also mentioned that the requirement for two signatures on every check was implemented following past embezzlement issues. Additionally, she noted she handles all payment requests and checks are signed biweekly on Tuesdays.

Director Comments: Director Carlos Rodriguez questioned why the bylaws do not automatically designate newly sworn-in members as signers, avoiding a two-month delay. He asked if this language could be added to the bylaws. Legal counsel confirmed it could be included but clarified that banks might still require meeting minutes and an agenda item to authorize new signers. Legal advised that while the bylaws could be updated, the board would still need to take action for official record-keeping. Director Rodriguez suggested adding this immediately after the annual reorganization of board positions, which legal confirmed was possible.

Director Eugenio Gutierrez noted that the former board president signed the latest checks after the new positions were assumed.

Director Kinverly Suarez proposed removing the general manager as a signer and adding Director Eugenio Gutierrez as one of the three authorized signers. Legal counsel stated that the resolution could be revised to specify the designated signers. She added it is not uncommon for an executive, such as a general manager, to serve as a signer. It is more uncommon to have board members as signers.

The board deliberated amongst the three before making a final decision.

A motion was made to remove Elaine Cervantes and replace with Eugenio Gutierrez.

Motion made by: Kinverly Suarez

Motion seconded by: Eugenio Gutierrez

Voting:

Kinverly Suarez- Yes

Eugenio Gutierrez- Yes

Carlos Rodriguez- Yes

Jennifer Duarte- Absent

Vote Count 3-0. Motion passes.

Elaine Cervantes mentioned that once the personal information from the new authorized signers is received and these minutes are submitted to the bank, Jennifer Duarte and Martha Madera will be removed.

Director Carlos Rodriguez would like to revisit this in two months to assess if it does not work out, so the matter can be addressed again.

6. DISCUSSION OF PROPOSED AMENDED BCSD BOARD OF DIRECTORS BYLAWS

Presenter: Elaine Cervantes, General Manager of Biola CSD, stated that the Bylaws from February 2024 contained outdated language that, upon legal counsel's recommendation, needed to be updated. Legal counsel assisted by marking the necessary revisions in blue on the attached document. The existing verbiage was incorrect, and the proposed changes were presented to the board last year. All blue text represents legal input. This item is for discussion only, with the goal of making corrections and adjustments in preparation for approval at the next board meeting.

Director Comments: Director Carlos Rodriguez requested to have a meeting or training for this with legal counsel. Director Kinverly Suarez agreed. After requesting a workshop on this matter, legal counsel advised that if more than three board members attend, it must be properly agendaized and open to the public.

Director Eugenio Gutierrez asked for the date of this workshop.

The board reached a consensus to work together to determine which date worked best.

7. STATUS UPDATE ON BOARD OF DIRECTORS VACANCY

Presenter: Elaine Cervantes, General Manager of Biola CSD, stated that after the board meeting, Brian Pacheco indicated he would send a letter to legal counsel regarding his follow-up and two-year vacancy. However, the letter, addressed to Kinverly Suarez, was not received until January 10th.

Legal counsel advised that a decision must be made no later than the March regular meeting. She suggested that the bylaw workshop meeting include a discussion on the process, with the board establishing a timeline. All deliberations, interviews, and

discussions must occur in an open session, as this concerns the appointment of a public official. If three board members will conduct interviews, the matter must be placed on the agenda before a decision is made. The only instance for a closed session would be if the discussion involved an employee or hiring.

Director Comments: Director Carlos Rodriguez asked if applications could start being collected. Legal counsel advised that the board must properly agendaize the item to determine the process unless they delegate it to the general manager.

Director Eugenio Gutierrez asked about the dates of the next two regular board meetings.

Director Kinverly Suarez inquired whether an applicant(s) already in mind could submit their application without a special meeting. Legal counsel clarified that without an existing application, submission was not possible, and since this was an informational item, no action could be taken.

Director Carlos Rodriguez suggested addressing this matter in a special meeting alongside the bylaws workshop.

The board agreed to schedule this matter for the Special Meeting on Tuesday, February 18, 2025.

8. BOARD MEMBER COMMUNICATIONS

- Director Kinverly Suarez addressed an email.
- Director Eugenio Gutierrez expressed concerns regarding a maintenance employee: driving at night without lights, checking meters at night, questioning work hours, and working with his spouse. The General Manager will follow up with an email.
- Director Kinverly Suarez extended her condolences to those who passed away and will share the GoFundMe link on the website.

9. STAFF REPORTS

- Elaine Cervantes verbally updated her staff report, stating that the trash at the abandoned house on Third Street has been cleared. Mid Valley Disposal generously donated two 40-yard bins, and the District's maintenance employee, along with staff and volunteers, worked with the homeless individuals living there to help dispose of the trash. She will continue to try contacting code enforcement to have the property abandoned. Director Eugenio Gutierrez thanked everyone involved in the effort. Director Kimberly Suarez expressed appreciation for all those who helped and participated, noting that she has received positive feedback.

10. ADJOURNMENT

Meeting adjourned at **8:27PM**

The next regular meeting of the Board of Directors is Thursday, February 20, 2025.

At 8:27 p.m. on January 16, 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 January 16, 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
February 16, 2025 – Regular Meeting, Biola, CA at 6:00PM**