



SUMMARY ACTION MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
TUESDAY, NOVEMBER 10, 2009, 7:00 PM

1. **CALL TO ORDER:** President Garabedian called the Meeting to Order at 7:00 PM
2. **ROLL CALL:**
 - 2A. **Directors Present:** President Charles Garabedian, Jr., Vice President Salvador Cerrillo, Director Irma Castaneda, Director Frank Cerrillo, Jr., & Director Frank Soto
 - 2B. **Others Present:** Russ Holcomb, Neal Costanzo, William Washburn, & Veronica Calderon.
3. **CERTIFICATION:** Certification is made that the agenda was posted 72 hours before the meeting.
4. **PUBLIC COMMUNICATIONS:** Any member of the public may address the Malaga County Water District Board on item(s) of interest within the jurisdiction of the Board, not appearing on the agenda. The Board will listen to all communications; however, in compliance with the Brown Act, the Board cannot take action on items that are not on the agenda. Public may also address the Board on agenda items at the time they are addressed by the Board. -Anyone wishing to speak is requested to wait until recognized by the Board President.
Public Speaker Limitations: Public speakers will be limited to five (5) minutes or less per individual/group per item per meeting.
No Public Communications were made at this Meeting
5. **CORRESPONDENCE:**
No Correspondence was presented at this Meeting.
6. **REGULAR BUSINESS:**
 - 6A. **Minutes:**
Minutes of the Regular Board Meeting of October 27, 2009
(Recommended Action: Approve Meeting Minutes, as Submitted or Modified)

CSGCC MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE APPROVED THE MINUTES OF THE REGULAR BOARD MEETING OF OCTOBER 27, 2009, AS SUBMITTED.

 - 6B. **Bills Payable/Financial Statement:**
Bills Payable/Financial Statement for the period of 10/01/09 – 10/31/09
(Recommended Action: Approve the Bills Payable/Financial Statement for the period of 10/01/09 – 10/31/09, as Submitted or Modified)

CCGSC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE APPROVED THE BILLS PAYABLE/FINANCIAL STATEMENT FOR THE PERIOD OF 10/01/09-10/31/09 AS SUBMITTED.

6. **REGULAR BUSINESS – CONTINUED:**

- 6C. **MCWD Policy & Procedures Manual – Updated & Revised:** The District Policy and Procedure Manual is being updated & revised. A draft of the updated & revised material was delivered at the 08/11/09 Regular Board Meeting for comments and changes. Upon receipt of all comments and/or changes, a completely (Revised) District Policy & Procedures Manual will be presented for Board approval.
(**Recommended Action:** Provide comments and/or revisions for the last two sections of the MCWD Policy & Procedures Manual, Sections 5000 & 6000, during the 11/10/09 Regular Board Meeting)

Legal Counsel will make all necessary changes and a draft of the final approved and revised MCWD Policy and Procedure Manual will be presented at the next board meeting of November 24, 2009.

- 6D. **Kaweah Construction – WWTP DAF & Clarifier Project:** This WWTP DAF & Clarifier Project was placed on a 90-day delayed work commencement by mutual agreement between MCWD & Kaweah Construction. The delayed work commencement date of 11/18/09 is quickly approaching. Kaweah Construction has asked for directions from MCWD.
(**Recommended Action:** Authorize Kaweah Construct to commence work on 09/18/09 on this delayed WWTP DAF & Clarifier Project or identify a new commence date)
President Garabedian suggested moving item for further review to closed session.

- 6E. **California Consulting – Agreements:** Enclosed for your review and consideration are two California Consulting Agreements for Consulting & Grant Writing Services.
1. Consulting Services for a meeting with the RWQCB in Sacramento
 2. Prop 84 Grant – Grant application completion, submission & follow-up

(**Recommended Action:** Approve the California Consulting Agreements for Consulting & Grant Writing Services, as submitted or modified)

No Action taken on item. It was suggested that the board research other Grant Writing Services

7. **ENGINEER’S REPORT:**

7A. **Developments:**

1. **3363 S. Golden State Blvd. – Mark Graham Property:** Staff has prepared the appropriate Resolution and Sewer Deferral Agreement necessary for submittal to LAFCO. Staff is awaiting submittal of deposit to prepare necessary Legal Description and Operational Plan for submittal to LAFCO.
(**Recommended Action:** Informational – No Action Required)
2. **Site Plan Review – Bruno’s Iron & Metal:** The District has received a site plan review regarding site improvements that do not impact water and sewer. A response has been forwarded to the county.
(**Recommended Action:** Informational – No Action Required)

7B. **CDBG Projects:**

1. **Water System – Test Well #8:** The District has received authorization to advertise the project for construction. Bid opening is scheduled for November 10, 2009. Results of the bid opening will be compiled and submitted to the Board for consideration at the Board Meeting.

(**Recommended Action:** Direct staff to review the specific bid documents, and if acceptable, forward to the County of Fresno for review and approval of the apparent low bidder)

SCGCC MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE DIRECTED STAFF TO REVIEW THE SPECIFIC BID DOCUMENTS, AND FORWARD TO THE COUNTY OF FRESNO FOR REVIEW AND APPROVAL OF THE APPARENT LOW BIDDER, AS SUBMITTED.

2. **WWTP – Sludge Drying Bed & Monitoring Project:** Design of the project is proceeding. It is anticipated to be submitted to the County for approval in November, 2009.

(**Recommended Action:** Informational – No Action Required)

7C. **Wastewater:**

1. **WWTP – RWQCB Special Study Requirement:** The District received a letter regarding Special Studies required of the District. Staff is preparing the response to the State. It is noted that the RWQCB is concerned about the condition of the plant and that the District is not demonstrating the dedication of resources to adequately operate and maintain the WWTP. The District is being directed to perform an analysis for continued operations that needs to include the alternative of consolidation with the Fresno – Clovis WWTP.

It is understood that the Board authorized the Manager & Engineer to submit the updates to the Evaluation of Groundwater Monitoring and the Work Plan for Best Practicable Treatment or Control Study to the RWQCB.

Specific Task Orders will be submitted for Board approval regarding any additional efforts toward preparing the studies required by the RWQCB.

(**Recommended Action:** Direct staff regarding efforts on the Special Studies required by the RWQCB)

Item was tabled.

2. **WWTP – UV Project:** The UV Disinfection project has placed the UV facilities into operation. A punch list to finalize the improvements is in the process of being prepared. The remaining facilities are expected to be complete in October, 2009. Final items are associated with electrical, instrumentation, and controls.

The monthly progress payment through the end of August is \$13,455.89 less retention in the amount of \$1,345.59. Progress Payment Request No. 8 is in the amount of \$12,110.30.

The District has received a request to update the Revenue program for the SWRCB, staff has requested clarification from the State. It is anticipated that a Construction Agreement will be routed to the District soon in the amount of \$376,983.

(Recommended Action: Authorize the initial evaluation as described in the memorandum to determine if an energy efficiency project is viable)

Motion by _____, Seconded by _____

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7. **ENGINEER'S REPORT – CONTINUED:**

7C. **Wastewater – Continued:**

3. **Fresno Truck Wash:** Due to continued failures to comply with waste discharge limits for pH, electroconductivity, and oils & greases, Fresno Truck Wash was sent a Notice of Violation on May 5, 2009, which stipulated a 45 day time limit to come into compliance and construct a monitoring manhole for Malaga staff's use. Although there have been several attempts by Malaga staff to assist Fresno Truck Wash to complete their construction requirements, no progress has been made towards construction of the monitoring manhole. Since no changes have been made to the discharge infrastructure, Fresno Truck Wash continues to be in violation of Malaga County Water District Non Residential Discharge requirements.

(Recommended Action: Direct Staff to take action as outlined in Notice of Violation dated May 5, 2009, which could include fines or stoppage of service to the site per Enforcement Actions of the Sewer Ordinance)

Motion by _____, Seconded by _____

8. **RECREATION REPORT(S):**

8A. **Events Coordinator's Report:**

8B. **Youth Sports Coordinator's Report:**

| 9. **GENERAL MANAGER'S REPORT:**

| 10. **PRESIDENT'S REPORT:**

| 11. **DIRECTOR'S REPORT(S):**

| 12. **LEGAL COUNSEL'S REPORT:**

13. **CLOSED SESSION:**

| 14. **ADJOURNMENT:**

