



SUMMARY ACTION MINUTES
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
TUESDAY, SEPTEMBER 22, 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, Michael Slater, William Washburn, and Veronica Calderon
3. **CERTIFICATION:** Certification was 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 09/08/09
(Recommended Action: Approve Meeting Minutes, as Submitted or Modified)

CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE MINUTES OF THE REGULAR BOARD MEETING OF 09/08/09, AS SUBMITTED
- 6B. **Bills Payable/Financial Statement:**
No Bills Payable/Financial Statement were presented at this Meeting
- 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. Are there any comments and/or revisions for the first section of the MCWD Policy & Procedures Manual?
(Recommend Action: Provide your comments and/or revisions during the meeting)
Board recommended that Item 6C be tabled until the next Regular Board Meeting on 10/13/09. MCWD Policy & Procedure Manual – Sections 1000 & 2000 will be reviewed at that time.

6. **REGULAR BUSINESS – CONTINUED:**

- 6D. **Fresno County Economic Opportunities Commission Board of Commissioners Nomination Authorization – Resolution No. 09-22-09:** A Resolution of the Board of Directors of the Malaga County Water District Authorizing Submission of Nomination of Charles Garabedian, Jr. to the Board of Commissioners of the Fresno County Economic Opportunities Commission (FCEEOC).
(Recommended Action: Adopt Resolution No. 09-22-09 Authorizing Submission of Nomination of Charles Garabedian, Jr. to the Board of Commissioners of the FCEEOC, as Submitted or Modified)

CCGSC MOTION BY DIRECTOR CERRILLO, SECONDED BY VICE PRESIDENT CERRILLO, AND BY A 5-0 VOTE, ADOPTED RESOLUTION NO. 09-22-09 AUTHORIZING SUBMISSION OF NOMINATION OF CHARLES GARABEDIAN, JR. TO THE FCEEOC BOARD OF COMMISSIONERS, AS SUBMITTED

7. **ENGINEER’S REPORT:**

7A. **Developments:**

Mark Graham Property: Staff has prepared the appropriate Resolution and Sewer Deferral Agreement necessary for submittal to LAFCO.

(Recommended Action: Adopt the Resolution and Sewer Deferral Agreement (contingent upon execution by Mr. Graham) as attached. Authorize completion of the necessary Legal Description and Operation Plan for submittal to LAFCO. The Board may also consider a minimum deposit amount from Mr. Graham, prior to proceeding.

CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, ADOPTED THE RESOLUTION AND SEWER DEFERRAL AGREEMENT, AND DIRECTED STAFF TO DETERMINE THE MINIMUM DEPOSIT AMOUNT, BASED ON THE LAFCO FEE STRUCTURE, AS SUBMITTED

- 7B. **Water:** The District has received communication from the Department of Public Health (DoPH) requesting that it submit a formal request to define Well #3 & Well #5 as inactive wells. The District received subsequent communication from the DoPH notifying the District that changing the status of the wells to “inactive” will require the completion of a plan for the ultimate destruction of the wells. The District also received communication from the DoPH stating that it could maintain the status of Well #3 and #5 as Standby, however, if the nitrate level in Well #3 increased again above 45mg/l, it would not be allowed for use. The Status of Well #4 is also something to consider. The use of the well is limited. The District may consider requesting that the status of the well be changed to Standby. There are restrictions as to the number of days a Standby Well may be operated.

(Recommended Action: It is recommended that the District request a formal change of operational status for Well #3 from Standby to Inactive. Dependent upon the ability to obtain compensation for the loss of Well #3, it is also recommended to prepare a plan for the ultimate destruction of Well #3.

It is recommended that the District request a formal change of operational status for Well #4 from Active to Standby. It is further recommended the District prepare to disinfect the media in one of the GAC vessels as soon as possible.

It is recommended that the District maintain Well #5 as a Standby source.

It is recommended that the potential for additional compensation for the loss of Well #3 & #5 be determined.

SCGCC MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THE DISTRICT TO REQUEST FORMAL CHANGE OF OPERATIONAL STATUS FOR WELL #3 FROM STANDBY TO INACTIVE, AS SUBMITTED

7. **ENGINEER'S REPORT – CONTINUED:**

7C. **Wastewater – Notice of Violation:** The District received a Notice of Violation from the RWQCB based on an inspection of the facilities conducted in March. A response and plan of action is being prepared for submittal to the RWQCB by the required deadline of September 21, 2009. The plan of action may have impacts on the District budget. (The Response & Action Plan copies will be delivered at the Board Meeting)

(Recommended Action: Informational – No Action Required)

7D. **Wastewater Treatment Facilities – UV Project:** The UV Disinfection Project has been placed into operation at the WWTP. The remaining facilities are expected to be completed in October, 2009. The District received an Approval to Award letter from the State Water Resources Control Board. The terms of the letter have been approved by the District. SWRCB is proceeding with the preparation of the Construction Grant Agreement in the amount of \$376,983.

(Recommended Action: Information – No Action Required)

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

8A. **Events Coordinator Report:**

1. **Recreation Committee Bingo & Dinner:** The Recreation Committee decided not to have a Bingo & Dinner for the months of September & October

2. **Movie Night:** Held the 2nd Wednesday at 5:30 PM – 7:30 PM. Popcorn, Sodas, and Ice Cream Cones are sold

3. **Up-Coming Events:**

a. **Bingo and Dinner:** Wednesday, November 4, 2009 at 5:30 PM – Center

b. **Haunted House:** October 20-22, 2009 – Malaga Park/Center

c. **Halloween Dance:** October 24, 2009 – Center

d. **Pumpkin Patch:** October 28, 2009 – Malaga Park/Center

4. **Other Activities:**

a. **Senior Bingo:** Wednesdays at 10:00 AM – Center

b. **Food Commodities:** 3rd Wednesday at 9:00 AM – 2:00 PM – Center

c. **Adult Ceramics:** Wednesdays & Thursdays at 9:00 AM – Center

d. **Recreation Committee Meetings:** 1st Wednesday at 5:30 PM – Center

e. **Center Rentals:** Friday – Set-Up; Saturday – Rental; Sunday – Clean-Up

f. **Fiesta Days:** We had a great turn out the food was good. Even though we didn't have a lot of vendors, the crowd was pleased with the food that was here. The Car Show was awesome, especially the car hopping contest. Music was great! The kids loved the games as well as the rock climbing wall. Some of our employees had fun on the rock wall. I think we had a great event, thanks to everyone working together, as a team.

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

1. **Soccer – Players/Teams/Coaches:** We have a total of (102) players signed up in our Youth Soccer League. There are (3) teams in our (4-7) age group, the coaches are: Israel Gutierrez, Aleesia Morelos, & Allie Morelos. There are (2) teams in our (8-11) age group, and their coaches are: Nathan Rodriguez & Vanessa Morelos. We also have two teams in our (12-17) age group, and their coaches are: John Morelos & Stephanie Morelos.

2. **Soccer – Practice:** Practices are Monday, Wednesdays, Thursdays, & Fridays. The practices start at 5:30 pm – 8:00 pm. I am present and available at all practices to assist coaches and parents with training or questions.

3. **Soccer – Games:** Our first game is this Saturday, and we will start with the (4-7) age group, at 10:30 am; they will have two games. The (8-11) age group will start at approximately 11:30 am, and the (12-17) age groups in turn will begin at approximately at approximately 12:30 pm.

4. **Soccer – Snack Stand:** A snack stand is operating during games. Parents have been asked to volunteer to run the snack stand. Sodas, water and snacks are sold, with items mostly donated by the Parents. Proceeds go towards the end of season party for all teams. I provide the table and shade for the snack stand.

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

9A. **Water:**

1. **Billing:** Still working with Laurie on all accounts with the new delinquent rate fees. Response continues to be good! Currently working on ten (10) Special Assessment Accounts and Resolution on six (6) other Special Assessments Accounts.
2. **District Water Infrastructure Loan – Well #8:** I-Bank Preliminary Loan Application is being processed. All Additional info requested has been submitted. (See attached chronological message stream). Discussion Held.
3. **Grants/District Water Projects:** Attached is the updated report for the Grants/District Water Projects progress and disbursements. (See Attached Report)

9B. **Sewer:**

1. **Notice of Violation – Response & Plan of Action:** Response & Action Plan was submitted to RWQCB on 09/21/09. (Copies of the submitted report were received at the 09/22/09 Board Meeting, as Item 7C. Discussion Held.
2. **District WWTP Infrastructure Loan – UV & DAF:** The I-Bank Preliminary Loan Application is being processed. Additional info requested was submitted on 09/08/09. (See attached chronological message stream). Discussion Held.
3. **Grants/District WWTP Projects:** Attached is the updated report for the Grants/District WWTP Projects progress and disbursements. (See Attached Report)

9C. **Solid Waste:** Fall Community Clean-Up is scheduled for Saturday, 11/21/09 rather than the 1st or 2nd Saturday in November, as previously stated. (See attached message stream). Brief Discussion Followed.

9D. **Other:**

1. **California Consulting – Revised Contract:** Revised contract not received. (See attached message stream). Brief Discussion Held – Schedule Meeting with Steve Samuelian.
2. **Sale of District Equipment – Water Truck:** The Water Truck was sold for \$500 as previously authorized to Dave Leonard. (See attached Bill of Sale).
3. **Public Notice – Notice of Statement of Qualifications:** Attached is a copy of the Public Notice that will be placed in the Fresno Bee, with or without adjustments.
4. **Public Hearing Notice – Moratorium Resolution:** Attached is a copy of the Public Hearing Notice that will be place in the Fresno Bee, with or without adjustments.

10. **PRESIDENT'S REPORT:**

- 10A. **Board of Supervisors:** Approved Special District's new requirements presented by Alan Weaver. Brief Discussion Held.
- 10B. **Bill Awaiting Signature:** SDA opposes proposed new requirements to reduce project retention from 10% to 5%. Brief Discussion Held.
- 10C. **City of Fresno:** Reported that the City of Fresno distributed a flyer announcing the installation of water meters. Brief Discussion Held.

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

11A. **Vice President Cerrillo:**

1. **Recreation Liaison Committee Meeting:** Reported that he met with the Recreation Liaison Committee earlier today. Brief Discussion Followed.
2. **Halloween Dance – DJ Services:** Stated that he wanted to say thank you ahead of time to Director Cerrillo for providing the DJ Service for the up coming Halloween Dance. Brief Discussion Followed.
3. **R & D Security:** Reported that he wanted to acknowledge the Security Company for the great work that they have been providing for our District Events through out the year. Brief Discussion Followed.
4. **Fiesta Days:** Reported that we had a good turn-out for Fiesta Days. Also reported that he has received a great response for the Mariachi, Grupo Kastigo, Low Riders and the great food! Brief Discussion Followed.

11. **DIRECTOR'S REPORT(S) – CONTINUED:**

11A. **Vice President Cerrillo – Continued:**

5. **Youth Soccer:** Reported that there was a good response for the Youth Soccer League. Reported that there are 102 kids signed up for the league. Wanted to thank the Sports Youth Coordinator for her work and participation. Brief Discussion Followed.

11B. **Director Cerrillo:**

1. **Fiesta Days:** Reported that there was a good response for Fiesta Days. Brief Discussion Followed.
2. **Pop Warner Football:** Reported that he was still receiving compliments and a good response from the community from the Pop Warner Football game held on 09/05/09. Brief Discussion Followed.

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

- 12A. **Pinedale District:** Reported that the Pinedale Water District approved sharing the cost to send Legal Counsel to the ACWA Conferences. Brief Discussion Followed.

- 12B. **City of Clovis:** Reported that the City of Clovis was raising there utilities rates. Brief Discussion Followed.

13. **CLOSED SESSION:**

Board went into Closed Session at 8:18 PM

Board returned from Closed Session at 8:31 PM

President Garabedian reported that a discussion was held. No decision was made.

14. **ADJOURNMENT:**

The Board Meeting Adjourned at 8:32 PM