REGULAR
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
TUESDAY, NOVEMBER 13, 2007, 7:00 P.M.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a District Board meeting, please contact the District Office (559) 485-7353 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

PLEASE SUBMIT ALL CORRESPONDENCE FOR THE DISTRICT BOARD OF DIRECTORS MEETING *PRIOR* TO THE MEETING WITH A COPY TO THE DISTRICT OFFICE

1. **CALL TO ORDER:**

2. **ROLL CALL:**
President Charles Garabedian, Jr., Vice President Salvador Cerrillo, Director Irma Castaneda, Director Frank Cerrillo, Jr., Director Frank Soto

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 any 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.

5. **CORRESPONDENCE:**

5A. **Costanzo & Associates – Ordinance Draft:** Ordinance Establishing Charges for Administrative, Legal and Engineering Costs
(Recommended Action: First Reading – Review/Discuss/Modify**)**

5B. **Cemex, Inc. – Air Pollution/Dust Control Complaints:** District Received (4) Written Complaints Regarding Gray Dust from Cemex. (See Attached Copies)
(Recommended Action: Review/Discuss – Forward Complaints to Air Pollution Control District**)**

6. **REGULAR BUSINESS:**

6A **MINUTES:**
Minutes of the Regular Board Meeting of October 23, 2007
(Recommended Action: Approve Minutes as Presented or Modified**)**

Motion by_____, Seconded by_____

6B. **BILLS PAYABLE/FINANCIAL STATEMENT:**
Period of October 1-31, 2007.
(**Recommended Action:** Approve Bills Payable/Financial Statement as presented)

Motion by_____, seconded by_____

6C. **CANCELLATION OF 12/25/07 BOARD OF DIRECTORS MEETING:**
Consider Canceling the 12/25/07 Board of Directors Meeting – Christmas Day.
(**Recommended Action:** Approve Cancellation of the 12/25/07 Board of Directors Meeting)

Motion by_____, seconded by_____

7. **ENGINEER'S REPORT:**

7A. **WWTP RWQCB Update:** The RWQCB will be forwarding new Tentative Requirements for review and comment in October 2007. Indications are that additional limits will be imposed and specified deadlines for improvements to be constructed.
(**Recommended Action:** Informational Item – No Action Required)

7B. **CAPITAL IMPROVEMENT PROJECTS:**

1. **DAF Clarifier and Sludge Bed Improvements Projects:** Construction has been initiated. There are new conditions to the existing facilities that may require a Contract Change Order. Staff has received a proposal from the Contractor and is reviewing prior to a recommendation to the District. A Contract Change Order (CCO) has been prepared for review and action by the Board. The CCO addresses the new conditions at the existing facilities. CCO to follow after confirmation from Contractor and the final dollar amount to be presented at the Board meeting.

(Recommended Action: Recommend Approval of Change Order)

Motion by_____, seconded by_____

2. **Well #1 & #6 Improvements:** Construction is complete; staff has prepared the "Notice of Completion." The final retention held for the contract is $2,568.60. The District will be in a position to release the retention in December, 2007. Progress Payment Estimate #2 has been submitted for review and approval in the amount of $15,917.40. The total construction contract is $25,686.00.

(**Recommended Action:** The project should be accepted as complete and the "Notice of Completion" recorded with the County. Approve Progress Payment #2 and forward to the County of Fresno for reimbursement)

Motion by_____, seconded by_____

7B. **CAPITAL IMPROVEMENT PROJECTS CONTINUED:**

3. **Well #7 Standby Power:** Progress Payment Estimate #2 is submitted for review and approval. The total construction contract is $99,567.00. Progress Payment #2 is for $54,688.50. Construction is nearly complete. The Contractor received Authorization to Construct from the Air Board. Start up and final review by the Air Board is scheduled for 11/16/07.

(**Recommended Action:** Approve Progress Payment #2 and forward to the County of Fresno for reimbursement)

Motion by_____, seconded by_____

7C. **MISCELLANEOUS DEVELOPMENTS:**

APN NO. 331-19-026: The District has been asked to comment on a site plan for a proposed repair shop for Gardner Trucking. The property is located within the District, water and sewer lines are adjacent to the property.
(**Recommended Action:** Board's Pleasure)

Motion by_____, seconded by_____

8. **RECREATION REPORT:**
Liz Tovar & Lupe Rios

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

10. **PRESIDENT'S REPORT:**

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

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

13. **CLOSED SESSION:**
Personnel

14. **ADJOURNMENT:**