



**ACTION SUMMARY MINUTES
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
THURSDAY, APRIL 12, 2007, 7:00 P.M.**

1. **CALL TO ORDER:** Meeting was called to order by President Garabedian at 7:00 p.m.

2. **ROLL CALL:**
 - 2A. **Directors Present:** President Charles Garabedian, Jr., Vice President John Leyva, Director Irma Castaneda, Director Salvador Cerrillo, Director Frank Soto

 - 2B. **Others Present:** Russ Holcomb, James M. Donabed, Sally Medina, Michael Taylor, & Clara Miranda

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 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.

Attorney, James Donabed: Representing Mike Kochergen, owner of Greenvalley Recycling, at North & Maple Avenues. Currently processing a Conditional Use Permit with the County of Fresno, to extend an existing greenwaste and wood processing facility to increase the existing permitted incoming material from 200 to 500 tons per day and increase the operational site by 2.08 acres. The subject site is currently located within the Malaga County Water District's Sphere of Influence with utility services unavailable. Discussion followed on the request on the District's position to allow utility services to be provided by the City of Fresno, for the subject parcel. **Michael Taylor** stated a notice was received a long time ago; and our response then, was that it was in that area that is in our sphere, but is also that the city of Fresno has served that area in the past. The City of Fresno should be able to serve this site; and, recommended it should be resolved with LAFCO and the city. County contacted **Michael Taylor** stating the County needed a letter from the District saying it is okay for the property to connect to City of Fresno utility services. This needs to be resolved with the City of Fresno. **President Garabedian** gave a brief report and stated, if any action would be taken, this item would have to be placed on the agenda as an emergency item. Lengthy discussion followed.

4. **PUBLIC COMMUNICATIONS – CONTINUED:**

LCGCS **MOTION BY VICE PRESIDENT LEYVA, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THIS ITEM AS AN EMERGENCY ITEM TO ADDED TO THE AGENDA, AS ITEM 7D, KOCHERGEN FARMS COMPOSTING RECYCLING AT 2365 E. NORTH REQUESTING A LETTER FROM THE DISTRICT ALLOWING THE CITY OF FRESNO TO PROVIDE WATER AND SEWER SERVICES TO THE SUBJECT SITE, AS THE CITY HAS EXISTING FACILITIES AVAILABLE AND MCWD DOES NOT** .

LSGCC **MOTION BY VICE PRESIDENT LEYVA, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, AUTHORIZED THE ENGINEER TO SEND A LETTER TO THE COUNTY OF FRESNO, THAT THE SUBJECT SITE CAN BE SERVED BY THE CITY OF FRESNO, AND WANTS THE COUNTY OF FRESNO TO PROVIDE DOCUMENTATION INDICATING THEY RESOLVED THE CONCERNS THE DISTRICT HAS ON THIS PROJECT; AS WELL AS, PREVIOUS PROVISION WITH THE COLD STORAGE FACILITY, WITH A COPY TO LAFCO**

5. **CORRESPONDENCE:**

No Correspondence for this meeting

6. **REGULAR BUSINESS:**

6A. **MINUTES:**

Minutes of the Regular Board Meeting of March 27, 2007. Recommended Action was to approve the Board Minutes, as presented or modified.

CSGLC **MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO. AND BY A 5-0 VOTE, APPROVED THE MINUTES OF MARCH 27TH, AS PRESENTED**

6B. **BILLS PAYABLE/FINANCIAL STATEMENT:**

Period of March 1 to March 31, 2007. Recommended Action was to approve the Bills Payable/Financial Statement, as presented or modified.

CSGLC **MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE BILLS PAYABLE/FINANCIAL STATEMENT, AS PRESENTED**

6C. **CHANGE BI-MONTHLY BOARD OF DIRECTORS MEETING DAYS:** Approve the change in the bi-monthly Board of Directors meetings days from the 2nd & 4th Tuesdays each month to the 2nd & 4th Thursdays each month. Recommended Action was to approve the requested Board Meeting day changes, as presented or modified.

CSGLC **MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE CHANGE OF BOARD MEETING DAYS, AS PRESENTED UNTIL FURTHER NOTICE**

6. **REGULAR BUSINESS – CONTINUED:**

- 6D. **POOL DECK SHADES – Creative Recreational Systems:** Authorize the purchase of (2) shade structures for the pool deck. Discussion followed on the illustration presented. Recommended Action was to authorize the purchase, as presented or modified.

CLGCS **MOTION BY DIRECTOR CERRILLO, SECONDED BY VICE PRESIDENT LEYVA, AND BY A 5-0 VOTE, APPROVED THE PURCHASE OF THE (2) SHADE STRUCTURES, AS PRESENTED**

Vice President Leyva left the meeting at the hour of 8:03 pm

7. **ENGINEER’S REPORT:**

7A. **2006 ANNUAL DRINKING WATER REPORTS**

1. **Annual Report to the Drinking Water Program:** The 2006 Annual Report was submitted to the Department of Health Services on March 30, 2007. Brief discussion followed on the report. This was an informational item; therefore, no action was required.
2. **2006 Consumer Confidence Report:** The 2006 Consumer Confidence Report has been prepared and was submitted for review. **Michael Taylor** stated there were no concerns on the report and the report will be sent to all the District customers. Recommend Action was to authorize distribution of the CCR.

SCGC(L) **MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 4-0 VOTE, AUTHORIZED DISTRIBUTION OF THE CCR**

7B. **CAPITAL IMPROVEMENT PROJECTS:**

1. **Well 7 Standby Power (WFH):** The Canvass of Bids has been completed. It is recommended that the Construction Contract be awarded to A-C Electric, pending County approval. Brief discussion followed. Recommended Action was to award the contract, pending County approval, to A-C Electric.

SCGC(L) **MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 4-0 VOTE, APPROVED AWARD OF THE CONTRACT TO A-C ELECTRIC FOR \$99,567.00, PENDING COUNTY APPROVAL**

2. **Well 1 & 6 Improvements (WFH):** Plans and Specs have been submitted to the County for review and approval. Brief discussion held. Anticipated advertisement in May 2007. This was an informational item; therefore, no action was required.
3. **Wastewater Treatment Plant DAF (WFH):** The Bid Opening was conducted on April 4, 2007, no bid were received. Staff is consulting with the County on how to proceed. Brief discussion held. This was an informational item, therefore, no action was required.
4. **Wastewater Treatment Plant DAF (WFH):** The Bid Opening was conducted on April 4, 2007, no bid were received. Staff is consulting with the County on how to proceed. Brief discussion held. This was an informational item, therefore, no action was required.

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

5. **North Avenue Water Line:** Partial Payment Estimate No. 1, in the amount of \$41,678, has been submitted for review and approval. Recommendation was to authorize payment no. 1, in the amount of \$41,678.00, to Bill Nelson Construction.

SCGC(L) MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO AND BY A 4-0 VOTE AUTHORIZE PAYMENT NO. 1, IN THE AMOUNT OF \$41,678, TO BILL NELSON CONSTRUCTION

7C. **MISCELLANEOUS DEVELOPMENTS:**

APN 330-050-05 (Chamren Touch) (4.23 acres): The District has been asked to be the proponent of annexation for the proposed development. LAFCo requires the District to adopt a resolution requesting the annexation. Michael Taylor asked for this item to be tabled as the legal description and boundary are not current. Lengthy discussion followed on this item. This item was tabled.

- 7D. **Kochergen Farms Composting – Greenvalley Recycling:** Located at 2365 E. North Avenue. This item was discussed under **Item 4. PUBLIC COMMUNICATIONS.**

8. **RECREATION REPORT:**

Liz Tovar & Lupe Rios: Presented the Recreation Report. **Liz Tovar** presented the flyers for the **Cinco de Mayo Dance** and **Mother’s Day Luncheon & Mother of the Year Award**. Brief discussion followed on the current recreation programs including the seniors program held on Wednesdays and coordinated by **Sally Medina**. Discussion followed on the proposed field trips for the Malaga residents and various locations. **President Garabedian** stated we could have **District Bar-B-Q**. **Director Soto** stated we could do this the weekend (**Sunday**) **before the 4th of July**. The Bar-B-Q could include a water slide and a horse shoe tournament. Lengthy discussion continued.

9. **GENERAL MANAGER’S REPORT:**

9A. **District Updates:**

1. **Playground Equipment:** Soft Tiles & Shade Completed on 04/05/07
2. **Additional Coated Park Benches:** Installations Completed on 04/05/07
3. **Pool Improvements:** Deep Water Line & In-Pool Lights Completed on 04/11/07
4. **Non-Working Street Lights:** Shannon Koontz/PG&E – Numbers faxed 04/11/07
5. **Meeting with CYVF:** Meeting held on 04/12/07 at District Office. Discussion followed.
6. **Spring Community Clean-Up/IWS:** Scheduled for Saturday 04/28-07

9B. **Other:**

1. **Recreation/Committee Meeting:** Next regular meeting is 05/03/07 – Center.
2. **Recreation/Mother’s Day Program:** Scheduled for 05/02/07 – Center. This item was presented and discussed by **Liz Tovar** during the Recreation Report.
3. **Recreation/Cinco De Mayo Dance:** Scheduled for 05/05/07 – Center. This item was presented and discussed by **Liz Tovar** during the Recreation Report.
4. **Recreation/Horse Shoe Pits:** Nearing Completion – South Side of Park
5. **Recreation/Softball Leagues:** Registrations Extended 04/27/07. A copy for the flyer was presented.

10. **PRESIDENT'S REPORT:**
No President's Report for this meeting

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

Director Cerrillo reported that he is working with **Dave Ruiz** on the sprinklers at the softball fields. Brief discussion followed on the cost for this project.

12. **LEGAL COUNSEL'S REPORT:**
No Legal Counsel Report for this meeting

13. **CLOSED SESSION:** Board went into Closed Session at 9:30 p.m.

No reportable action taken by the Board in Closed Session.
Personnel & Employee Benefits were discussed.

14. **ADJOURNMENT:** Meeting was adjourned at the hour of 10:30 p.m.