



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

1. **CALL TO ORDER:** Meeting called to order by President Garabedian at 7:00 p.m.
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, Randy Risner, Jon Brothers, Tom Mirue, Elaine Montoya, Estaban Orozco, Patricia Padilla, Michael Taylor, Elizabeth Tovar and 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.

 - 4A. **Vice President Cerrillo** congratulated all the incumbents for being re-elected back to the Board.
 - 4B. **CSO Elaine Montoya** gave the Stats Report for the period of October 8, 2007 to November 11, 2007 for the Malaga area.
 - 4C. **Jon Brothers – CDF Battalion Chief:** Reported on the recent pile-up on Highway 99 as the Fire Department responded very professionally. In addition, reported on the Annual Christmas Program. as this year their fire station was selected to run the program; therefore, they have targeted the Malaga area for distribution. Has already contacted the Malaga School and will be for about 3-4 families and the nominations received will be reviewed. Report followed on a possible 2nd Fire Station with 3 staff members. Smoke detection program is continuing in other areas. A new fire truck with an aerial ladder was purchased for the Fire Station; and, on December 14th there will be an Open House at Station 87 from 11:30-2:30 p.m. All Board members and others present were invited to attend the Open House. Brief discussion followed. President Garabedian asked regarding the fire sprinkler system ordinance that Henry Perea is proposing? Chief Brothers stated it would be for all of Fresno County; but, he had no further information on the specifics of the Ordinance. Brief discussion followed on the need for the fire sprinkler system. President Garabedian asked if they had any information to be placed in the Newsletter for December. Chief Brothers will check and submit it before the Thanksgiving Day weekend. Brief discussion held.

5. **CORRESPONDENCE:**

- 5A. **Costanzo & Associates – Ordinance Draft:** Ordinance Establishing Charges for Administrative, Legal and Engineering Costs. Brief discussion followed on the proposed Ordinance.

SCGCC **MOTION BY DIRECTOR SOTO, SECONDED BY VICE PRESIDENT CERRILLO, AND BY A 5-0 VOTE APPROVED TO INTRODUCE THE ORDINANCE BY TITLE ONLY. COPY WOULD BE MADE AVAILABLE FOR PUBLIC REVIEW WITH A PUBLIC HEARING BEING HELD AT THE 11/27/07 BOARD MEETING**

- 5B. **Cemex, Inc. – Air Pollution/Dust Control Complaints:** District Received (4) Written Complaints Regarding Gray Dust from Cemex which were presented to the Board. Brief discussion followed. Manager will forward Complaints to Air Pollution Control District.

6. **REGULAR BUSINESS:**

6A **MINUTES:**

Minutes of the Regular Board Meeting of October 23, 2007

CSGCC **MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE MINUTES OF OCTOBER 23, 2007 AS PRESENTED**

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

Period of October 1-31, 2007.

CCGCS **MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR CERRILLO JR., AND BY A 5-0 VOTE, APPROVED THE BILLS PAYABLE / FINANCIAL STATEMENT AS PRESENTED**

- 6C. **CANCELLATION OF 12/25/07 BOARD OF DIRECTORS MEETING:** Consider Canceling the 12/25/07 Board of Directors Meeting – Christmas Day.

CSGCC **MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE CANCELLATION OF THE DECEMBER 25, 2007 BOARD OF DIRECTORS MEETING**

7. **ENGINEER’S REPORT:**

- 7A. **WWTP RWQCB Update:** The RWQCB will be forwarding new Tentative Requirements for review and comment in the near future. Indications are that additional limits will be imposed and specified deadlines for improvements to be constructed. Brief discussion followed. This was an informational item; therefore, 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 making 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. Mr. Taylor reported on another change order as additional repairs had to be made on the existing grout floor. Discussion followed. Mr. Taylor reported there was an additional change order that was not presented for approval because the work was completed without prior approval by the engineer. Discussion followed.

SCGCC **MOTION BY DIRECTOR SOTO, SECONDED BY VICE PRESIDENT CERRILLO, AND BY A 5-0 VOTE, APPROVED THE RECOMMENDATION MADE BY THE DISTRICT ENGINEER**

Engineer reserves the right to come back after the project is complete to see if the District will want to pay the additional \$5,098 work to the sub-contractor for work that was not approved by the Engineer.

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. Brief discussion followed. Mr. Taylor stated the project should be accepted as complete and the "Notice of Completion" recorded with the County and also approve Progress Payment #2 and forward to the County of Fresno for reimbursement.

CCGCS **MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR CERRILLO JR., AND BY A 5-0 VOTE, APPROVED THE NOTICE OF COMPLETION AND PROGRESS PAYMENT #2 IN THE AMOUNT OF \$15,917.40**

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. Mr. Taylor reported on the Well #7 standby power. Brief discussion held.

SCGCC **MOTION BY DIRECTOR SOTO, SECONDED BY VICE PRESIDENT CERRILLO, AND BY A 5-0 VOTE, APPROVED PROGRESS PAYMENT #2. COPIES WILL BE FORWARDED TO THE COUNTY OF FRESNO FOR REIMBURSEMENT**

7C. **MISCELLANEOUS DEVELOPMENTS:**

1. **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. Brief discussion followed. No action required on this at this time.
2. **Solar Power Panels:** Discussion followed on the possibility of having solar power panels in the District's buildings. Mr. Taylor will check on this which may be beneficial to the District.
3. **Vice President Cerrillo** asked regarding the water meters that need to be replaced. Mr. Taylor stated this is very important. Manager stated a schedule will be started on this as soon as possible.

8. **RECREATION REPORT:**

- 8A. **Liz Tovar** reported on the following programs; computer lab; December 14th deadline for the Toys for Tots program; December 8th Winter Wonderland Dance for grades 5-12th from 7:00-11:00 p.m. Ms. Tovar stated the recreation committee decided not to have a parade entry in MPAC's parade and decided on the dance instead. Children's Christmas party will be held on December 15th. New Year's Eve Dance will be held on December 31st. Christmas Tree Lighting will be on November 30th at 6:00 p.m. with Christmas caroling, movie and raffle. Basketball tryouts will again be on November 19th. Brief discussion followed.
- 8B. **President Garabedian** reported the Board members, recreation staff and recreation committee should get together and have a master calendar for the recreation department for all the year on all the activities. He would also like to have a picture calendar for the year listing all the activities.
- 8C. **Ms. Pat Padilla** reported the Manager and Vice President Cerrillo attended MPAC's meeting on Monday and was suppose to ask the Board if the district could block the streets. Vice President Cerrillo stated this would be covered under the Manager's report, and then gave a brief report on the meeting he and the Manager attended with MPAC's. A written request was needed by the Manager on any help that MPAC would need.

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

- 9A. **Pre-Construction Meeting – WWTP Improvements:** Met with John Rex of Provost & Pritchard; Kaweah Construction; and other representatives present at the WWTP on 10/12/07. Review of contract and other items prior to construction.
- 9B. **Michael Taylor – Provost & Pritchard:** Met with Michael Taylor on 10/15/07 to review items and issues to be presented to the Board at the next Board of Directors meeting.
- 9C. **Dennis Janzen, Athletic Director – Fresno Pacific University:** Met with Dennis Janzen, Alex Morelos, Dave Ruiz on 11/16/07 at District Softball Field regarding use of softball fields by the FPU Softball team for practice & home games during FSU's first official softball season in 2009 – 2010. Brief discussion followed.
- 9D. **Farid Castaneda – Flag Football Issues:** Met with Farid Castaneda on 10/18/07 at the District Office regarding Flag Football issues.

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

- 9E. **MCWD BOD – Volunteer Community Clean-Up:** Work with Board members and community volunteers on 11/03/07 to help clean-up several blighted locations in Malaga. All participants worked hard and were pleased with the results on their clean-up efforts. Thanks to all that helped!
- 9F. **Bob Mitchell – Mitchell Landscape:** Site Review for Automated Sprinkler Improvements in the Malaga Community Park on 11/05/07. (CDBG)
- 9G. **Dennie Ho – Fresno County Grants Analyst (CDBG):** Site review meeting was held on 11/06/07 for (3) grant applications submitted: Water Improvements; WWTP Improvements; and, Parks & Recreation Improvements. The (3) grant applications submitted total more than \$700,000. Grant Ratings: Water Improvements – High; WWTP Improvements – Medium; and Parks & Recreation Improvements – Low.
- 9H. **Ad-Hoc Scholarship Committee:** Second meeting was held on 11/07/07 at the District Office. Members present: Chair Eric Bomgardner; Co Chair Danell Stepp; Maria Castaneda; Sally Medina; and, Patricia Padilla. Also present: Russ Holcomb & Clara Miranda. Items discussed/reviewed: Application, Goals & Objectives. Next meeting: 12/05/07 at 5:30 pm at the District Office.
- 9I. **The Red Caboose – Ready for Rental:** Improvements have been completed and the facility is now ready for rental. Ads will be placed in the Message Board and the District Newsletter. Brief discussion held on renting the caboose on a seasonal basis or having the recreation committee run it during the summer.

10. **PRESIDENT'S REPORT:**

President Garabedian stated his item was previously covered under the recreation report.

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

Vice President Cerrillo thanked everyone that came out to help with the clean-up and would like to have another one to finish the area. Brief discussion followed.

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

No Legal Counsel's Report for this meeting

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

Personnel – No Reportable Action was taken by the Board in Closed Session

14. **ADJOURNMENT:** Meeting Adjourned at 9:48 p.m.