



SUMMARY ACTION MINUTES
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
WEDNESDAY, SEPTEMBER 24, 2008, 7:00 PM

1. **CALL TO ORDER:** Meeting called to order by President Garabedian 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, Michael Taylor, Helen Arriaga, Counsuelo Barron, Micaela Casares, Juanita Estrada, Delores Guillen, Angel Macias, Santos Macias, Rodolfo Martinez, Elodia Perez, Isabel Ramirez, and Veronica Calderon
 3. **CERTIFICATION:** Certification is made that the agenda was posted 72 hours before the meeting
 4. **PUBLIC HEARING – RATE INCREASE:** The Malaga County Water District will receive comments regarding the District’s intent to increase rates for Sewer Service from \$24.80 to \$28.34 per month, an increase of \$3.54 per month. Solid Waste Service from \$22.04 to \$24.00 per month, an increase of \$1.96 per month, for an increase of \$5.50 per month. Total monthly utility bills would increase from \$59.50 to \$65.00 per month. The rate increase is effective immediately upon Board approval of Ordinance No. 09/24/2008.
(Recommended Action: Approve Ordinance No. 09/24/2008 as Submitted or Modified)
 - 4A. **Sally Medina:** Asked how much the rate increase would be. **President Charles Garabedian** explained the reasons for the rate increase and the amount of the monthly increase. Other inquiries were made and appropriate responses were provided.
 - 4B. **Vice President Cerrillo:** Translated in Spanish for those present the reasons for the rate increase and the amount of the monthly increase. Brief discussion held.
- CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED ORDINANCE NO. 09/24/2008, AS SUBMITTED**

5. **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 time.

6. **CORRESPONDENCE:**

- 6A. **California Regional Water Quality Control Board:** Letter from the Control Board regarding Malaga County Water District Notice of Violation Administrative Civil Liability Complaint
- 6B. **Bingham McCutchen LLP:** Letter from Alan Schneider Senior Paralegal requesting Public Records in possession or in control of relating to site 3281 S. Maple Ave, commonly known as Purity Oil.
- 6C. **Abel Altamirano:** E-mail from Russ Holcomb to Abel Altamirano acknowledging receipt of his 30-day notice to terminate The Red Caboose rental contract.

7. **REGULAR BUSINESS:**

7A **Minutes:**

Minutes of the Regular Board Meeting of September 09, 2008

(Recommended Action: Approve Board Minutes as Submitted or Modified)

CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE BOARD MINUTES OF SEPTEMBER 09, 2008, AS SUBMITTED

7B. **Bills Payable/Financial Statement:**

No Bills Payable/Financial Statement for this Meeting

8. **ENGINEER'S REPORT:**

8A. **Development Update:**

1. **Community Development Block Grant 2009-2010 Applications:** The District prepared and submitted two (2) applications for improvements at the wastewater treatment plant. The engineer met with County staff at the wastewater treatment plant to review the scope of the new applications to determine eligibility.
(Recommended Action: Informational – No Action Required)
2. **Community Development Block Grant 2008-2009 Applications:** The County of Fresno is expected to provide the contract for property acquisition and construction of the test well for Well #8 by November.
(Recommended Action: Information – No Action Required.)

8B. **Wastewater:**

1. **SSO Update:** The District is required to comply with Sanitary Sewer Overflow requirements mandated by the SWRCB. Initial steps were identified in previous correspondence and the District is proceeding with the compliance actions. The primary item of work remaining is an outline of the Management Plan and a schedule for completion of the various tasks.
(Recommended Action: Informational – No Action Required)
2. **Wastewater Treatment Facilities – Electroconductivity Compliance:** As directed, language is being prepared for the District to consider as a revision to the Sewer Ordinance with the following provisions:
 - Restriction of the use of automatic regenerating water softeners, and
 - Reducing the Electroconductivity limit for dischargers from 1,000 to 950 micromhos/cm.**(Recommended Action: Adopt the recommended revisions to the Sewer Ordinance, as submitted or modified)**

CSGCC MOTION BY DIRECTOR CASTANEDA, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, ADOPTED THE RECOMMENDED REVISIONS TO THE SEWER ORDINANCE, AS SUBMITTED

8. **ENGINEER'S REPORT – CONTINUED:**

8B. **Wastewater – Continued:**

3. **Wastewater Treatment Facilities:** UV disinfection and influent flowmetering facilities. The plans for the project are complete and have been sent to the State for approval. As authorized previously, the District has advertised for construction of the project. The bid opening is scheduled for October 23, 2008.

(Recommended Action: Informational – No Action Required)

4. **Wastewater Treatment Facilities – Civil Liability Complaint No. R5-2005-0510:** The RWQCB notified the District that pursuant to the terms of the civil liability order, the State was preparing to issue fines against the District in excess of \$100,000 for not being able to complete the ultraviolet light disinfection system prior to October 1, 2008. It is noted that the District has proceeded with the intent to construct the facilities through the assistance of a Small Community Grant from the SWRCB and that delays to complete the construction are not due to the lack of effort by the District. It is recommended that the District submit a request that the fines be deferred and that a new deadline for completion of the UV facilities is requested. A draft request has been submitted for review by the Manager and Legal Counsel.

(Recommended Action: Authorize submittal of letter requesting deferral of the impending fine in light of the pending construction of the required facilities.

The Engineer and Manager were directed to complete the letter requesting deferral and submit it to RWQCB without delay.

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

9A. **Water:**

1. **Delinquent Accounts:** Continuing Follow-Up. 15-Day Notice next week.
2. **Special Assessments:** Adjustments made when accounts are current.

9B. **Sewer: Public Hearing – Rate Increase Review:** Tonight – Results Above.

9C. **Solid Waste: Public Hearing – Rate Increase Review:** Tonight – Results Above.

9D. **Recreation:**

1. **Jogging Track Repairs/Additions:** Track repairs were completed prior to the Fiesta Days event. New curbs & steel ramp worked perfectly during the 2-day event.
2. **Recreation Report:** Updates from Liz Tovar – Highlights listed below:
- **Fiesta Days & Car Show:** Saturday & Sunday, 9/13 & 14/08; Great Car Shows, Entertainment, Fun & Game, and Good Food & Drinks were had by all attendees.
 - **Back to School Teen Dance:** Friday, 09/19/08; 45+ Attended. Thanks to Sal, Gloria, Carmela, Lupe C, and Margret for the tasty food. A Special Thanks to D.J. Frank Cerrillo with Midnite Sounds and Roberta with R&N Security for donating their services and time for our kids.
3. **Up-Coming Events:**
- **Haunted House:** Monday – Wednesday, 10/20 – 10/22/08; Community Center
 - **Halloween Dance;** Saturday, 10/25/08; Community Center
 - **Seniors Thanksgiving Luncheon:** Saturday, 11/22/08; Community Center
 - **Christmas Tree Lighting:** Monday, 12/01/08; Community Center

9E. **Office:**

SYNLAWN – Poly Turf: Samples and quote for review. Referred by Director Soto. Board directed Manager to move forward on SYNAugistine PREMIUM SA230.

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

9F. **Other:**

1. **District Property – 3410 S. Chestnut:** Board Demo Pictures taken prior to Board Meeting. Official Demolition to begin tomorrow, Thursday, 09/25/08. An Article & Pictures will be in the October District Newsletter.
2. **Dust Control Flyers – Air Board Brochures:** Distribution will begin this Friday.

10. **PRESIDENT'S REPORT:**

- 10A. **President Garabedian:** Mentioned the meeting with Brian Yengoyan and property owners on Monday, 10/06/08, at 11:00 am, at the District Office.
- 10B. **President Garabedian:** Also mentioned that the LAFCO project needs to start moving forward ASAP!

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

- 11A. **Christmas Tree Lighting: Vice President Cerrillo** asked the Christmas Tree Lighting was scheduled for December 1, 2008? Manager stated that it is now scheduled for Monday, December 1, 2008, starting at 6:00 pm.
- 11B. **Malaga/Fowler Pop Warner Football: Vice President Cerrillo** stated that Malaga/Fowler Pop Warner Football will be at Malaga Park for practice on Tuesday & Wednesday, 10/07/08 & 10/08/08, starting at 6:30 pm.
- 11C. **Acknowledgement: Vice President Cerrillo** stated he wanted to Acknowledge Russ Holcomb, General Manager, for all his hard work and Coordination for the Fiesta Days events.

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

No Legal Counsel's Report for this Meeting

13. **CLOSED SESSION:**

No Closed Session for this Meeting

14. **ADJOURNMENT:**

Meeting Adjourned at 8:42 pm