



**SUMMARY ACTION MINUTES**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET**  
**FRESNO, CALIFORNIA 93725**  
**TUESDAY, DECEMBER 9, 2008, 7:00 PM**

1. **CALL TO ORDER:** President Garabedian called the meeting to order 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, Neal Costanzo, Michael Taylor, Ana Diaz, and Veronica Calderon
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 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.  
  
**Ana Diaz:** Asked if her property taxes could be looked at. A special assessment was added to her property tax by the District for an outstanding balance due on her water/garbage sewer account. General Manager will look into this request. Brief Discussion followed.
5. **CORRESPONDENCE:**  
**Paul Everts RV Center – Thank You Letter:** Thanking the District for cutting back trees on District property that were blocking the view of his business property.
6. **REGULAR BUSINESS:**
- 6A. **Minutes:**  
**Minutes of the Regular Board Meeting of November 25, 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 NOVEMBER 25, 2008, AS SUBMITTED**

6. **REGULAR BUSINESS – CONTINUED:**

6B. **Bills Payable/Financial Statement:**

Bills Payable/Financial Statement for the period: 11/01/08 – 11/30/08.

**(Recommended Action:** Approve Bills Payable/Financial Statement for the period: 11/01/08 – 11/30/08, as Submitted or Modified)

Bills Payable/Financial Statement will be available for review at the next Board Meeting 01/13/09

6C. **Election of Board Officers for 2009:**

**(Recommended Action:** Nominate and Elect New Board Officers for 2009)

SCGCC      **Nomination for President: Charles Garabedian, Jr.**  
**Motion by: Director Soto, Seconded by: Director Castaneda**  
**VOICE VOTE**

SCGCC      **Nomination for Vice President: Salvador Cerrillo**  
**Motion by: Director Soto, Seconded by: Director Castaneda**  
**VOICE VOTE**

7. **ENGINEER’S REPORT:**

**Wastewater - SSO Update:** The District is required to comply with Sanitary Sewer Overflow requirements mandated by the SWRCB. The SWRCB mandates that public agencies that own or operate a sanitary sewer system develop and implement a sewer system management plan. A letter was sent to the District with an attached outline of the required elements of the Sewer System Management Plan that included a schedule for completion of the various tasks. An SSMP Development Plan and Schedule was completed as required by the SWRCB and sent to the District under separate cover for approval. Provost & Pritchard is proceeding with the preparation of the Sewer System Management Plan for the District. Chapters 1, 2, 3 and 6 of the Plan have been completed and were sent to the District under separate cover for approval. **(Recommended Action:** Approve SSMP Development Plan and Schedule and Chapters 1, 2, 3 and 6 of the SSMP.

SCGCC      **MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THE SSMP DEVELOP PLAN AND SCHEDULE AND CHAPTERS 1, 2, 3 AND 6 OF THE SSMP, AS SUBMITTED.**

8. **RECREATION REPORT:**

Included in General Manager’s Report

9. **GENERAL MANAGER’S REPORT:**

9A. **Water:**

1. **Special Assessments:** Now Finalizing Assessments with Property Owners.

2. **Delinquent Accounts:** Letters & Disconnections – December & January.

9B. **Sewer:**

1. **Pond Rehab:** Construction Started Tuesday, 12/09/08.

2. **Administrative Civil Liability Complaint:** Please see Letter & Attachments from California Regional Quality Control Board listing options available – Action to be Determined. **(Recommendation:** Authorize Manager to Sign Waiver of 90-Day Hearing Requirement for Administrative Civil Liability Complaint. Select Item 5 – Listing Suitable WWTP Construction of a Compliance Project to Rectify within Five (5) Years Conditions that led to the Violations in lieu of paying the \$9,000 penalty.)

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

9B. **Sewer – Continued:**

3. **Coca-Cola Enterprises – Sewer Back-Up Expenses:** Coca-Cola has submitted expenses associated with a sewer back-up that resulted in out-of-pocket costs. Manuel Vargas indicated that the sewer was blocked on our side of the line.

9C. **Solid Waste:** Nothing New to Report.

9D. **Recreation Updates – Events/Activities:**

1. **Christmas Tree Lighting:** Held 12/01/08; Huge Success; 100+ in Attendance
2. **Board, Staff & Contractors Christmas Dinner:** Held 12/06/08 at Fermins in Sanger. A Good Time was had by the 19 in Attendance.
3. **Malaga Community Christmas Parade:** Saturday, 12/13/08; 12:00 Noon; Starts at Malaga School – Ends at Malaga Community Park; Refreshments will be Served.
4. **Recreation Committee Christmas Dinner:** Saturday, 12/13/08; 6:00 pm; at Brooks Ranch Rest. in Malaga.
5. **Home Decorating Contest:** Judging on Wednesday, 12/17/08 – Awards on Saturday, 12/20/08 between 12:00 Noon – 3:00 pm. Prizes \$400, \$300, \$200, & \$100.
6. **Children's Christmas Program & Toys for Tots:** Saturday, 12/20/08; 12:00 Noon – 3:00 pm.

9E. **Office:**

1. **Fence Masters – Wrought Iron Frontage Fence:** Fence Installation to begin Wednesday, 12/10/08. Please select fence caps – see attached.
2. **SYNLAWN – Poly Turf:** Turf Installation to begin Friday, 12/26/08.

9F. **Other:**

1. **Holidays:** District Office will Close at 12:00 Noon on Wednesday, Christmas Eve & New Years Eve and All Day Christmas Day & New Years Day.
2. **Hi-Tech Unlimited – Arcade Games Contract:** Owner asked that a list of contract revisions/changes be sent to him for consideration. Do we want to pursue?

10. **PRESIDENT'S REPORT:**

**Budget Crisis:** Reported that Sacramento is getting ready to take Property taxes. Brief Discussion followed.

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

11A. **Director Frank Cerrillo:**

1. Asked if the district could look into forming an adult flag football league. Manager to follow up with request.
2. Asked if Manager could look into the water that collects on the corner of Calvin and Harding Street. Manager to follow up with request.

11B. **Director Irma Castaneda:** Asked if we ever found anyone to come in and remove and clean the tumble weeds on the overpass. Manager is still trying to find someone. Will follow up with the request. Brief Discussion followed

11C. **Vice President Cerrillo:**

1. Reported that the Christmas Parade will be held on Saturday December 13, 2008 at 12:00 noon. It will start at the Malaga School and end at the Malaga Park.
2. Asked if the District could inquire about the cost of a foozeball table or pool table for the center. Manager will follow up with request.
3. Asked if he could get some volunteers to help pass out 500 boxes of food to the community after the Christmas Parade. Brief discussion followed.

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

12A. **Pension Plan Adoption:** Plan Administrator is asking for the Board to Adopt a Resolution to Re-instate the MCWD Pension Plan and to execute and sign previous documents adopted by the Plan.

Therefore, I am requesting this item be added to the agenda for adoption of the Resolution to Re-instate the MCWD Pension Plan and to execute and sign previous documents adopted by the Plan.

**CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE ADDITION OF THE ADOPTION RESOLUTION, FOR THE MCWD PENSION PLAN, TO THIS AGENDA.**

**SCGCC MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THE ADOPTION RESOLUTION FOR RE-INSTATEMENT OF THE MCWD PENSION PLAN AND TO EXECUTE AND SIGN PREVIOUS DOCUMENTS ADOPTED BY THE PLAN.**

12B. **Konkel School Site:** Nothing new to report on the Konke School Site.

13. **CLOSED SESSION:**

Board went into Closed Session at 8:55 P.M.

Board Returned from Closed Session at 9:22 P.M.

President Garabedian reported that no reportable action was taken by the Board during Closed Session.

14. **ADJOURNMENT:**

Meeting Adjourned at 9:23 P.M.