



SUMMARY ACTION MINUTES
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
TUESDAY, AUGUST 25, 2009, 7:00 PM

1. **CALL TO ORDER:** President Garabedian called the meeting to order at 7:00 PM
2. **ROLL CALL:**
 - 2B. **Directors Present:** President Charles Garabedian, Jr., Vice President Salvador Cerrillo, Director Irma Castaneda, Director Frank Cerrillo, Jr., Director Frank Soto
 - 2C. **Others Present:** Russ Holcomb, Neal Costanzo, Michael Taylor, William Washburn and Veronica Calderon
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 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 for this Meeting
5. **CORRESPONDENCE:**
No Correspondence for this Meeting
6. **REGULAR BUSINESS:**
 - 6A. **Minutes:**
Minutes of the Regular Board Meeting of August 11, 2009; and, the Approved with Corrections on 08/11/09 (Corrected Copy) of the Regular Board Meeting Minutes of July 28, 2009, are included as an FYI Item.
(Recommended Action: Approve Meeting Minutes, as Submitted or Modified)

CCGSC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THE MINUTES OF THE REGULAR BOARD MEETING OF AUGUST 11, 2009, AND THE APPROVED (CORRECTED) MINUTES OF THE REGULAR BOARD MEETING OF JULY 28, 2009, AS SUBMITTED

 - 6B. **Bills Payable/Financial Statement:**
The, Approved with Corrections on 08/11/09, (Corrected Copy) of the Bills Payable/Financial Statement for the period of 07/01/09-07/31/09 is included as an FYI Item.
(Recommended Action: Informational – No Action Required)

6. **REGULAR BUSINESS – CONTINUED:**

- 6C. **2009/2010 (Revised) 2009/2010 Annual District Budget:** The (Revised) 2009/2010 Annual District Budget is submitted for your review and approval.
(Recommended Action: Approve the (Revised) 2009/2010 Annual District Budget, as Submitted or Modified)

CSGCC **MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE (REVISED) 2009/2010 ANNUAL DISTRICT BUDGET, AS SUBMITTED**

- 6D. **2009/2010 (Revised) MCWD Fees:** The Malaga County Water District Fees were reviewed and recommended adjustments were made at the Budget Workshop held on August 5, 2009. The (Revised) MCWD Fees are submitted for your review/approval.
(Recommended Action: Approved the (Revised) MCWD Fees as Submitted or Modified)

SCGCC **MOTION BY DIRECTOR SOTO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THE REVISED MCWD FEES, (EFFECTIVE 09/01/09); EXISTING CONTRACTS WILL BE HONORED OR REVISED BEGINNING 01/01/10**

- 6E. **Extension Agreement – Kaweah Construction:** The Extension Agreement between the MCWD & Kaweah Construction is submitted for your review/approval.
(Recommended Action: Approved the Extension Agreement between MCWD & Kaweah Construction as Submitted or Modified) (Presented at the Board Meeting)

CSGCC **MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE EXTENSION AGREEMENT BETWEEN MCWD & KAWEAH CONSTRUCTION, AS SUBMITTED**

- 6F. **MCWD Policy & Procedures Manual – Updated & Revised:** The District Policy and Procedure Manual is being updated & revised. A draft of the updated & revised material is included for your review and comments. Upon receipt of your comments, a completely (Revised) District Policy & Procedures Manual will be presented for Board Approval.
(Recommend Action: Informational – No Action Required)

7. **ENGINEER'S REPORT:**

- 7A. **Community Development Block Grant 2010/2011 Applications:** Staff is preparing the 2010/2011 Community Development Block Grant Applications. Complete Applications. Projects, in order of priority, are as follows:

Project No. 1:

- Equipment and joint sealing for Clarifier No. 1
- Installation of a new Groundwater Monitoring Well
- Installation of Nitrification/Denitrification equipment at the WWTP

Project No. 2:

- Installation of water meters for residential connections

(Recommended Action: Informational – No Action Required)

7. **ENGINEER'S REPORT – CONTINUED:**

7B. **Developments:**

1. **Mark Graham Property:** Staff is preparing the appropriate Resolution, Sewer Deferral Agreement, Operation Plan and other documents necessary for submittal to LAFCO. The documents will be presented to the Board for action prior to submittal to LAFCO.
(Recommended Action: Informational – No Action Required)

2. **San Mac Property 3717 South Bagley Avenue:** The project consists of an addition of a metal building to an existing building and office. Staff is preparing a response letter to the County. The property is located within the District and is currently receiving service. The additional building area is proposed as an existing maintenance area and should not increase usage of the District's facilities.
(Recommended Action: Informational – No Action Required)

3. **Estes Express Lines Property 4355 South Chestnut Avenue:** The project consists of a site expansion for an existing truck terminal transfer station. Staff is preparing a response letter to the County. The property is located within District's sphere of influence, but is not annexed. Sewer and water lines are located along frontage of property, but applicant is not requesting connection to the existing facilities. It is recommended to notify the owner that annexation and connection to the community water and sewer systems will be required upon failure of either on-site system, or any expansion to the existing water and sewer facilities.
(Recommended Action: Staff requests direction as to whether or not to require annexation and connection to the community water and sewer systems at this time or to allow a deferral)

SCGCC MOTION BY DIRECTOR SOTO, SECONDED BY VICE PRESIDENT CERRILLO, AND BY A 5-0 VOTE, APPROVED STAFF TO DEFFER ANNEXATION AND CONNECTION TO THE COMMUNITY WATER AND SEWER SYSTEMS, WITH CERTAIN REQUIREMENTS, AS RECOMMENDED)

- 7C. **Wastewater:** The District received a Notice of Violation from the RWQCB based on an inspection of the facilities conducted in March. A response and plan of action is being prepared for submittal to the RWQCB by the required deadline of September 21, 2009. The plan of action may have impacts on the District budget
(Recommended Action: No action required immediately. Review the plan action for approval prior to submittal to the RWQCB in September, 2009. Note that it is anticipated that the budget modifications will be necessary for compliance.)

8. **RECREATION REPORT(S):**

- 8A. **Events Coordinator's Report:** No Report for this Meeting
8B. **Youth Sports Coordinator's Report:** No Report for this Meeting

9. **GENERAL MANAGER'S REPORT:** General Manager reported on the following:

- 9A. **I-Bank:** Preliminary Loan Application Status – Brief Discussion Followed.
9B. **FYI:** CA Department of Public Health – Enforcement Letter – Discussion Followed.
9C. **FYI's:** 2 Fresno Bee Articles – Brief Discussions Followed
9D. **Fiesta Days:** President Garabedian asked the number of Food Vendors? Response: 9.

10. **PRESIDENT'S REPORT:**
No Report for this Meeting
11. **DIRECTOR'S REPORT(S):**
- 11A. **Director Cerrillo:** Reported that he attended the Awards Banquet Ceremony for the Swim Team. Reported that there was a good turn out along with good food. Brief Discussion Followed.
- 11B. **Vice President Cerrillo:**
1. **Recreation Liaison Committee Meeting:** Reported that the Recreation Liaison Committee met today. He reported that they discussed the upcoming Fiesta Days Event. Brief Discussion Followed.
 2. **Pop Warner Football:** Asked the Manager if we could ask Calpine if we could use their parking lot for the upcoming Pop Warner Football games on Saturday, September 5, 2009? Manager will follow up on this request.
- 11C. **Director Castaneda:**
Reported that she attended the Saturday Fresno Grizzlies Baseball Game. Brief Discussion Followed.
12. **LEGAL COUNSEL'S REPORT:**
A District Moratorium Resolution & Letter were presented at the Board Meeting – Revisions are needed prior to publication.
13. **CLOSED SESSION:**
Board Went into Closed Session at 8:25 PM
Board Returned from Closed Session at 9:29 PM
President Garabedian reported that the Board directed the General Manager to utilize Recreation Staff, Contractors, and Other Staff, as needed/necessary, to accomplish the work requirements at the WWTP.
14. **ADJOURNMENT:**
Board Meeting Adjourned at 9:30 PM