



SUMMARY ACTION MINUTES
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
TUESDAY, SEPTEMBER 08, 2009, 7:00 PM

1. **CALL TO ORDER:** President Garabedian call 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, Michael Slyter, Michael Taylor, William Washburn, Demetrio Aguilar, Jesus Alvarez, 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.

Demetrio Aguilar – Assistance Request: Asked the Board if he could receive assistance communicating his concerns regarding the missing funds from the Christo Rey Catholic Church building fund. Brief Discussion Followed.

5. **CORRESPONDENCE:**
No Correspondence for this Meeting.

6. **REGULAR BUSINESS:**

6A. **Minutes:**

Minutes of the Regular Board Meeting of August 25, 2009

(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 25, 2009, AS SUBMITTED

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

Bills Payable/Financial Statement for the period of 08/01/09-08/31/09

(Recommended Action: Approve Bills Payable/Financial Statement for the period of 08/01/09-08/31/09, as Submitted or Modified)

CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE BILLS PAYABLE/FINANCIAL STATEMENT FOR THE PERIOD OF 08/01/09-08/31/09, AS SUBMITTED

6. **REGULAR BUSINESS – CONTINUED:**

- 6C. **MCWD Policy & Procedures Manual – Updated & Revised:** The District Policy and Procedure Manual is being updated & revised. A draft of the updated & revised material was presented at the last regular Board Meeting of 08/11/09 for comments and changes. Upon receipt of your comments and/or changes, a completely (Revised) District Policy & Procedures Manual will be presented for Board approval. Are there any additional comments and/or changes for the revision materials given? (**Recommend Action:** Provide your comments and/or revision for updating purposes)

The Board requested more time to review the (Revised) MCWD Policy & Procedure Manual. It was decided that the first section of the (Revised) MCWD Policy & Procedures Manual will be reviewed at the next Regular Board Meeting, held on 09/22/09.

7. **ENGINEER’S REPORT:**

- 7A. **CDBG Applications:** A condition of receiving funding from CDBG sources is a formal Operation and Maintenance Manual for the facilities. A brief O&M Manual for the water distribution system has been prepared and submitted to the District for review and approval. If approved, the information will be forwarded to the County of Fresno.
(**Recommended Action:** Approve the O&M Manual for the Water Distribution System)

CSGCC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, APPROVED THE O&M MANUAL FOR THE WATER DISTRIBUTION SYSTEM, AS SUBMITTED

7B. **Developments:**

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)

- 7C. **Water:** The District has received communication from the Department of Public Health requesting that the District submit a formal request to define Well #3 and Well #5 as inactive wells. The required monitoring for the wells is reduced with this status. Implications of placing the wells in an Inactive Status include a determination of whether to destroy the well(s) entirely. The status of Well #4 is also something to consider. The use of the well is limited. The District may consider requesting that the status of the well be changed to Standby. There are restrictions as to the number of days a Standby Well may be operated. A follow up memorandum will be presented to the District to assist with the determination.
(**Recommended Action:** It is recommended that the District consider requesting a formal change of operational status to Well #'s 3, 4, & 5. It is recommended that this issue be an action item for the second meeting in September, 09/22/09. It is further recommended that the potential for additional compensation for the loss of Well #3 & #5 be determined prior to the second meeting in September, 09/22/09. It is also recommended that DBCP monitoring of Well #1 be renewed quarterly)

7. **ENGINEER'S REPORT – CONTINUED:**

7D. **Wastewater – Notice of Violation:** District received a Notice of Violation from the RWQCB based on an inspection of the facilities conducted in March. The Response & 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: Authorize Staff to complete the Response & Plan of Action for submittal to the RWQCB by September 21, 2009. (Copies of the submitted Response & Action Plan will be presented for your review at the September 22, 2009 Board Meeting)

CSGCC MOTION BY DIRECTOR CERRILLO, SECONDED BY DIRECTOR SOTO, AND BY A 5-0 VOTE, AUTHORIZED STAFF TO COMPLETE THE RESPONSE & PLAN OF ACTION FOR SUBMITTAL TO THE RWQCB BY SEPTEMBER 21, 2009, AS RECOMMENDED

7E. **Wastewater Treatment Facilities – UV Project:** The UV disinfection project is proceeding. The monthly progress payment through the end of August is \$209,560.40 less retention in the amount of \$20,956.04. Progress Payment Request #7 is in the amount of \$188,604.363.

(Recommended Action: Consider for approval the Progress Payment Request #7 in the amount of \$188,604.36)

CCGSC MOTION BY VICE PRESIDENT CERRILLO, SECONDED BY DIRECTOR CERRILLO, AND BY A 5-0 VOTE, APPROVED THE PROGRESS PAYMENT REQUEST #7, IN THE AMOUNT OF \$188, 604.36, AS MODIFIED

7F. **Wastewater Treatment Facilities – Clarifier Project:** Clarifier equipment has been delivered to the WWTP site. As a point of information, the value of the work and materials to date is \$56,152.80.

(Recommended Action: Informational – No Action Required)

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

8A. **Events Coordinator Report:**

1. **Recreation Committee Bingo & Dinner:** The Recreation Committee decided not to have a Bingo & Dinner for the months of September & October.

2. **Recreation Movie Night:** Held the 2nd Wednesday at 5:30 pm – 7:30 pm – Center Popcorn, Sodas, and Ice Cream Cones are sold.

3. **Up-Coming Events:**

a. **Bingo & Dinner:** Wednesday, November 4, 2009 at 5:30 pm – Center

b. **Pop Warner Football:** September 5, 2009 – Malaga Park

c. **Fiesta Days:** Saturday & Sunday, September 12 and 13, 2009 – Malaga Park

4. **Other Activities:**

a. **Senior Bingo:** Wednesdays at 10:00 am – Center

b. **Food Commodities:** 3rd Wednesday at 9:00 am – 2:00 pm – Center

c. **Adult Ceramics:** Wednesdays & Thursdays at 9:00 am – 3:00 pm – Center

d. **Recreation Committee Meetings:** 1st Wednesday at 5:30 pm – Center

e. **Center Rentals:** Friday – Set-Up; Saturday – Rental; Sunday – Clean Up

- **Recreation Committee Potluck:** The Recreation Committee Potluck was cancelled. It will be rescheduled.

- **Wild Water Adventure Trip:**

We had a great turn out! We enjoyed fun in the sun, swimming and don't forget the rides, they were awesome! We had a bar-b-q. We made hot dogs with chips, sodas and watermelon. Participation was around 68 people. I would like to thank everyone who participated and the ones who helped cook. Thanks!

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

8B. **Youth Sports Coordinator's Report:**

1. **Soccer:** Soccer is off to a great start! We have three teams for age's 4-7 group, 2 teams in the age's 8-11 group, and 2 teams in the age's 12-17 group. We have a good group of volunteer coaches, they are: John Morelos, Stephanie Morelos, Israel Del Castillo, Alicia Morelos, Allie Morelos, Vanessa Morelos, and Nathan Rodriguez. Practices are Monday, Wednesday, and Friday starting at 5:30 pm until 8:30pm. Games will be on Saturdays starting with the 4-7's at 10:30 am and the 8-11's at 11:30 am; and then, the 12-17's immediately following the other age group. T-shirts will be ordered through M & M Screen Printing. I have asked the parent to pay for their child's shirts. If parents cannot afford to pay for their child's shirt they will still get a shirt, (fund raiser). I am hoping that most parents will want to pay and support the program. We also are in need of soccer balls for practices size 4 and size 5's. I was able to get an ongoing sponsor for our youth sports programs. McDonalds on Clovis and Kings Canyon has agreed to hold a family night out for us one Friday per Month and from 5:00 pm to 8:00 pm 20% of the proceeds will go directly to our program, starting this month. In turn, we agree to advertise their support in our community. This will be a year round sponsorship. And, as soon as I get exact dates, I will get the flyers ready to go, as well as place in the District Newsletter.

2. **Aquatics:** The pool is about to close for the season, immediately after Fiesta Days. I would like to use the back room to store sports equipment, as it is easily accessible during sports events and practices. This season has been a great season with minimal accidents or injuries. I have had the pleasure of working with a great crew. Most of this crew will not be returning next year due to relocating for school so our staff for next year should be at 10. One comment that has been made to me was that the bathrooms were cleaner this year than any other and that is due to the increased amount of times that the lifeguards clean and restock bathrooms. Also patrons have been much more considerate of the facility this year.

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

9A. **Water:**

1. **Billing:** Still working with Laurie on all accounts with the new delinquent rate fees. Response continues to be good!
2. **District Water Infrastructure Loan – Well #8:** I-Bank Preliminary Loan Application is being processed. Additional info requested was submitted on 09/08/09. (See attached messages).
3. **Grants/District Water Projects:** Attached is the updated report for the Grants/District Water Projects progress and disbursements. (See Attached Report)

9B. **Sewer:**

1. **Notice of Violation – Response & Plan of Action:** Working with Tony Morales, Frank Cruz and Michael Taylor on the Response & Action Plan to be submitted to RWQCB by 09/21/09. Met with all three on 09/03/09 to map out activities – Their response due Friday, 09/11/09 for review and updating prior to submission.
2. **District WWTP Infrastructure Loan – UV & DAF:** The I-Bank Preliminary Loan Application is being processed. Additional info requested was submitted on 09/08/09. (See attached messages).
3. **Grants/District WWTP Projects:** Attached is the updated report for the Grants/District WWTP Projects progress and disbursements. (See Attached Report)

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

9D. **Other:**

California Consulting – Revised Contract: Revised contract not received. (See attached message).

10. **PRESIDENT'S REPORT:**
President Garabedian: Reported that there is a new bill that is allowing cities and special districts to file for bankruptcy. Brief Discussion Followed.
11. **DIRECTOR'S REPORT(S):**
- 11A. **Director Cerrillo:** Reported that the Pop Warner Football game held on Saturday September 5, 2009 went well and there was a good response from the community. Brief Discussion Followed.
- 11B. **Vice President Cerrillo:**
1. **Pop Warner:** Reported that the Pop Warner Foot ball game held on Saturday September 5, 2009 had a great turn out. Brief Discussion Followed.
 2. **Curbside Pick-Up:** Asked the General Manager if the Malaga Community was still scheduled for a Curbside pick up this fall. General Manager reported that we are scheduled for the first or second week after Halloween. Brief Discussion Followed.
12. **LEGAL COUNSEL'S REPORT:**
(Revised) Moratorium Resolution & Letter was presented for review and discussion. Brief Discussion Followed.
13. **CLOSED SESSION:**
No Closed Session for this Meeting
14. **ADJOURNMENT:**
Board Meeting Adjourned at 8:15 PM