



**REGULAR BOARD MEETING AGENDA**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET**  
**FRESNO, CALIFORNIA 93725**  
**Tuesday, September 11, 2018 at 6:00PM**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in a District Board Meeting, please contact the District Office at 559-485-7353 at least 48 hours prior to the meeting, to ensure that reasonable arrangements can be made to provide accessibility to the meeting.

- ❖ Please submit all written correspondence for the Board of Directors by 12:00 pm the Friday prior to the meeting. Please deliver or mail to the District Clerk.
- ❖ Public comments are limited to three (3) minutes or less per individual per item, with a fifteen (15) minute maximum per group per item and will be heard during the communication portion of the agenda.

**1. Call to Order:**

**2. Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

**3. Certification:** Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

**4. Old Business:**

- a. An offer to sell the surplus property located at 4335 S. Maple Avenue was sent to public agencies as required by section 54220 et seq of the government code on July 11, 2018. No notice was received from any entity desiring to purchase or lease the property within the 60-day notice period. Therefore, the District may dispose of the property in accordance with the districts procedures as directed by the Board of Directors.

Recommended action: That the Board of Directors direct staff to dispose of the property as directed and bring the item back to the Board for final approval.

**Motion by:** \_\_\_\_\_; **Second by:** \_\_\_\_\_.

**5. New Business:**

- a. **Nayamin Martinez, Director of the Central California Environmental Justice Network.** Nayamin Martinez will make a presentation to the Board of Directors concerning AB617 which includes the Malaga community in a state-wide air quality monitoring project.

For information and discussion.

**6. Recreation Reports:** To be submitted at the meeting.

**7. Engineer Reports:**

- a. District Engineer Report.
  - i. Preparing USDA funding applications
  - ii. Updating District maps
- b. CDBG Engineer Report:
  - i. Updating estimates for the Rec Center A/C project

**8. General Manager's Report:**

- a. Department reports
- b. USDA funding opportunities
- c. Update on road repairs at water main breakage

**9. President's Report:**

**10. Vice President's Report:**

**11. Director's Reports:**

**12. Legal Counsel Report:**

**13. Consent Agenda.** The items listed below in the Consent Agenda are routine in nature and are usually approved by a single vote. Prior to any action by the Board of Directors, any Board member may remove an item from the consent agenda for further discussion. Items removed from the Consent Agenda may be heard immediately following approval of the Consent Agenda or set aside for discussion and action after Regular Business.

- a. Minutes of the Regular Board Meeting of August 28, 2018.
- b. Financial Statements and Account Payable reports.

Recommended action: To approve the Consent Agenda as presented or amended.

**Motion by:** \_\_\_\_\_; **Second by:** \_\_\_\_\_

**14. Communications:**

- a. Written Communications:
  - 1. ACWA letter of support to veto SB 998: State water shut-off policy
- b. Public Comment:

**15. Closed Session:**

- a. Conference with real property negotiators (Govt Code 54956.8.)
- b. Pending Litigation Malaga v CVRWQCB Fresno County Case No 16CECG03036 (Govt Code 54956.9.)

**16. Adjournment:**

**Motion by:** \_\_\_\_\_, **Second by:** \_\_\_\_\_

### **Certification of Posting**

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing agenda for the Regular Meeting of the Board of Directors of September 11, 2018 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, at 5:00P.M. On 09/07/2018.

**Norma Melendez**

Norma Melendez, District Clerk



## REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING  
MALAGA COUNTY WATER DISTRICT  
3580 SOUTH FRANK STREET  
FRESNO, CALIFORNIA 93725  
Tuesday, August 28, 2018 at 6:00PM

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2. **Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

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4. **Consent Agenda.** The items listed below in the Consent Agenda are routine in nature and are usually approved by a single vote. Prior to any action by the Board of Directors, any Board member may remove an item from the consent agenda for further discussion. Items removed from the Consent Agenda may be heard immediately following approval of the Consent Agenda or set aside for discussion and action after Regular Business.

- a. Minutes of the Regular Board Meeting of August 14, 2018.

Recommended action: To approve the Consent Agenda as presented or amended.

**Motion by Director Cerrillo, Jr., Second by Vice President Cerrillo, and by a 5-0 vote to approve the Consent Agenda as presented.**

### 5. Old Business:

- a. **Assemi Project.** Jeff Roberts will give a presentation to the Board of Directors concerning the proposed development project to be annexed into Malaga County Water District.

For information, discussion, and potential action.

**Jeff Roberts informed the Board of Directors his plan to notify Fresno County that MCWD will voluntarily start the process of the Environmental Impact Report. It was also suggested that MCWD should request an amendment to extend the Sphere of Influence on the East.**

- b. **WWTF Pond Gates.** Grizzly Construction has provided a proposal to replace the twelve incorrect gates and replace four other gates that were not previously changed. The proposal is to change the erroneous gates at a cost of \$22,461.00 which includes a credit of \$11,454.00 for the incorrect gates. The proposal also includes \$16,060.00 to replace four gates that were not previously replaced. The total cost of the proposal is \$38,521.00.

Recommended action: To consider and approve the proposal.

**Item was tabled until Grizzly Construction provides a breakdown of labor and cost.**

#### **6. New Business:**

- a. **Walnut Trees at 4335 S Maple Ave.** A private citizen has inquired for permission to remove 2-6 walnut trees from the property for personal use (landscaping).

For discussion and potential action.

**Discussion was held. No reportable action.**

#### **7. Recreation Reports:** None for this meeting.

#### **8. Engineer Reports:**

- a. District Engineer Report. No new report for this meeting.
- b. CDBG Engineer Report: No new report for this meeting.

#### **9. General Manager's Report:**

- a. Department Reports
- b. Report on the water line breakage on 18 August.
- c. Report on the Fresno County Board of Supervisors meeting on 21 August.

#### **10. President's Report:**

- a. **President Garabedian, Jr. expressed wanting meet with Fresno County Board of Supervisors regarding Malaga's disadvantages of not receiving the full benefits from County. Would like more concrete evidence to present to the Supervisors.**
- b. **Wants to submit comments to the Kings Basin Water Authority on the updated 2018 Regional Integrated Water Plan. Comments are to be submitted 14 September.**

#### **11. Vice President's Report:**

- a. **Nothing to report.**

#### **12. Director's Reports:**

- a. **Director Castaneda asked when the hole from the water main incident will be covered. The General Manager replied that it would be covered by 8/30/2018.**

#### **13. Legal Counsel Report:**

- a. **Report for Closed Session.**

#### **14. Communications:**

- a. Written Communications:
  1. Letter of support for Rio Bravo contract extension.

b. Public Comment:

**15. Closed Session: 7:29p.m.**

- a. Conference with Legal Counsel re: potential litigation; two cases (Government Code Sections 5495639(d)(2) and 54956.9(e)(1).)

**16. Adjournment:**

**Motion by Vice President Cerrillo, Second by Director Castaneda, and by a 5-0 vote to adjourn the meeting at 8:48p.m.**



## **MALAGA COUNTY WATER DISTRICT**

3580 SOUTH FRANK STREET FRESNO, CALIFORNIA 93725

PHONE: 559-485-7353 FAX: 559-485-7319

### BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR.  
PRESIDENT

SALVADOR CERRILLO  
VICE-PRESIDENT

IRMA CASTANEDA  
DIRECTOR

FRANK CERRILLO JR.  
DIRECTOR

CARLOS TOVAR JR.  
DIRECTOR

James D. Anderson, General Manager

11 September 2018

The Honorable Jerry Brown  
Governor  
State Capitol, Suite 1173  
Sacramento, CA 95814

RE: Request for VETO of SB 998 (Dodd)

Dear Governor Brown:

On behalf of the Malaga County Water District, we are writing to urge your VETO of SB 998 by Sen. Bill Dodd (D-Napa), which would unnecessarily create a new statewide program for water service shut-offs.

California's public water agencies deliver safe, reliable, high-quality and affordable water to customers in a dependable and responsible manner. This new one-size-fits-all statewide program would, among other things, trigger Prop. 218 concerns for public water agencies, and expand authority to both the State Water Resources Control Board and the Attorney General to enforce provisions of the bill.

Malaga County Water District is overseen by a locally elected Board of Directors that makes decisions based on what is in the best interest of the agency's constituents. Water agencies are in the business of delivering water – they don't disconnect delinquent customers without prior substantial engagement. Our District Ordinance contains adequate water shut-off procedures with humanitarian considerations that fits the needs of our disadvantaged community.

This bill is unnecessary and appears to be a solution in search of a problem that does not currently exist in California. For these reasons, the Malaga County Water District respectfully urges you to veto SB 998.

Sincerely,

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Charles Garabedian, Jr.  
President

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Salvador Cerrillo  
Vice-President

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Irma Castaneda  
Director

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Carlos Tovar, Jr.  
Director

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Frank Cerrillo, Jr.  
Director

cc: The Honorable Bill Dodd  
Wendy Ridderbusch, ACWA Director of State Legislative Relations