



**REGULAR BOARD MEETING MINUTES**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET**  
**FRESNO, CALIFORNIA 93725**  
**Tuesday, April 26th, 2016 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 CORRESPONDENCE FOR THE DISTRICT BOARD OF DIRECTORS MEETING PRIOR TO THE MEETING, WITH A COPY TO THE DISTRICT OFFICE, (DEADLINE: 12:00PM FRIDAY PRIOR TO NEXT MEETING).**

**1. Call to Order: 6:04 PM**

**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. 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 5 April 2016;
- b. Minutes of the Special Meeting on 13 April 2016;
- c. Financial Report for March 2016;
- d. Accounting Report for March 2016;
- e. Recreation Activities Schedule for May 2016;
- f. Sports Activities Schedule for May 2016;

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

**Motion by Vice President Cerrillo; Second by Director Carlos Tovar Jr. and by a 5-0 vote to approve the Consent agenda as presented.**

**5. Old Business:**

- a. **Well 7 Repairs.** The revised estimate from Gliem Crown to complete repairs to Well 7 has been updated and reviewed. The total cost for parts and labor is \$23,769.54.

Recommended action: To approve the cost for parts and labor to complete repairs on Well 7 for \$23,769.54 to be paid from the LAIF account.

**Motion by Director Cerrillo; Second by Vice President Cerrillo to approve the cost for parts and labor to complete repairs on Well 7.**

- b. **Malaga Scholarship.** The Malaga Scholarship Selection Committee accepted two applications for this year's scholarship. Maria De Jesus Garcia and Mia Espinoza were both equally awarded \$500 to share the scholarship award.  
For information.
- c. **Ad hoc committee.** The Request for Proposals have been submitted and an ad hoc committee will need to be created in order to review the proposals. Qualified contractors will provide residential solid waste collection, green waste collection and recycling services in the Malaga area. For consideration at the pleasure of the Board of Directors.  
**Vice President Cerrillo and Director Tovar will take part in the ad hoc committee along with General Manager Jim Anderson, and meet the week of 16-20 May. The ad hoc committee will make a recommendation at the scheduled Regular Board Meeting of May 24, 2016.**

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

- a. **SB 885 Letter of Opposition.** The CSDA requested special districts to submit a sample letter to the state legislature to oppose SB 885. SB 885 eliminates the ability of public agency to contract with engineers and architects, known as design professionals, for upfront legal defense costs against claims related to a project's design work. The attached letter is submitted for endorsement by the Board.

**Recommended Action:** To endorse and sign letter of opposition to SB 885.

**Motion by Vice President Cerrillo; Second by Director Tovar and by a 5-0 vote to endorse letter of opposition to SB 885.**

#### **7. Engineer Reports:**

- a. District Engineer Report. The Groundwater Monitoring Well Plan is near completion. The Local Limit Study Table of Contents has been developed and sampling is still underway.
- b. CDBG Engineer Report: The test well at the Well 5 location has been completed. The Well 3 test well drilling is now underway on the Well 3 site itself. Fresno Unified School District reversed their consent (at the last minute) to allow the drilling at the Konkel School property.
- c. Compliance Engineer Report: The salinity reduction plan and the nitrate/cyanide pollution prevention plan are under revision.

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

- a. Department Reports

Issues at Wells 6 and 8. **Discussion was held, no reportable action was taken.**

**9. President's Report:**

**President Garabedian met Congressman David Valadao and invited him to the community of Malaga.**

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

**Vice President Cerrillo attended the Southeast Fresno Regional Park and Soccer Complex Authority meeting and came back with a positive outlook on this project.**

**11. Director's Reports:**

**None for this meeting.**

**12. Legal Counsel Report:**

**In closed session.**

**13. Communications:**

a. **Written Communications:**

1. The President of Fowler Youth Football is requesting donations to help cover the cost of new equipment.  
**The members of the Board, legal counsel, and the GM made an out of pocket donation of \$220 to the program.**

- b. Public Comments. All Comments will be limited to three (3) minutes or less per individual per item, with a fifteen (15) minutes maximum per group per item.

**14. Closed Session: 8:23 PM**

- a. Pending Litigation (Government Code Section 54956.9) Conference with Legal Counsel, potential litigation.  
**Discussion was held, no reportable action was taken.**

**15. Adjournment: 9:19**

**Motion by: VP Sal Cerrillo, Second by: Director Carlos Tovar, Jr. Approved by unanimous vote.**