



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, August 22, 2017 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. 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 8, 2017.

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

Motion by: _____; **Second by:** _____

5. Old Business:

a. **Consultation with RSG.** Consultation with Jim Simon of RSG as the District's consultant for reorganization.

For discussion and potential action.

b. **CDBG 2018-2019.** The CDBG 2018-2019 project application for various improvements at Malaga Park requires designating authorization signatures by action of the Board of Directors.

Recommended action: That the General Manager be the authorized agent to sign applications and forms related to CDBG 2018-2019.

6. New Business:

- a. **Personnel Policies and Procedures.** Policies and procedures related to personnel have been under review and are ready for ad hoc committee input prior to consideration for approval. It is suggested that one Board member, the General Manager, Legal Counsel, and one staff employee comprise the ad hoc committee.

For discussion and potential action.

- b. **Resolution No. 08-22-2017.** A Resolution to approve an agreement with Fresno County for the collection of special charges related to adding delinquent account utility charges to property tax rolls.

Recommended action: To approve Resolution 08-22-2017, an agreement with Fresno County for the collection of special charges.

Motion by: _____; **Second by:** _____.

7. Recreation Reports: To be submitted at the meeting.

8. Engineer Reports:

- a. District Engineer Report.
- b. CDBG Engineer Report:

9. General Manager's Report:

- a. A report on the SWRCB LIRA program (Low Income Rate Assistance) public hearing held on 10 August.
- b. A report on a meeting 21 August with FID concerning groundwater recharge.
- c. Department reports.
 1. The SCADA computer at the WWTF has been successfully moved to the new operations control room. BCT will begin providing remote SCADA back-up. Further WWTF SCADA improvements are needed to upgrade the software so that SCADA can be installed on a new computer and recovered. There is no software to recover the current SCADA system in the event of major computer malfunction.
 2. Sylvester Perez has been designated Chief Plant Operator for the WWTF.
 3. Burt Siverling has been designated as Designated Operator in Charge.
- d. Other reports.
 1. A proposal is being developed to rebuild the main BBQ pit and re-roof the BBQ covered area.
 2. The Rec Center multi-media improvement project 75% funded by a USDA grant will begin construction soon.
 3. The mandatory sign for the Prop 1 funded water meter project will be constructed next week.
 4. A sign with an illustration of the new restroom facility will be added to the "to be constructed" sign at Malaga Park.
 5. ACWA JPIA published 2018 rates that are the same as 2017 rates for vision and dental insurance.

10. President's Report:

11. Vice President's Report:

12. Director's Reports:

13. Legal Counsel Report:

14. Communications:

a. Written Communications:

1. The Board of Directors are invited to Rio Bravo's 5th Annual National Bioenergy Day invitation on October 18, 2017. Must RSVP by October 4, 2017.
2. Draft EIR for the Tulare Lake Storage and Floodwater Project by Semitropic Water Storage District.
3. The Malaga Arriaga Community Center Roof and A/C project has been funded.

15. Closed Session:

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 August 22, 2017 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 08/18/2017.

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 8, 2017 at 6:00PM

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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.

Also Present: Jim Anderson, Neal Costanzo, Norma Melendez.

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

4. Old Business:

- a. **CDBG 2018-2019.** Review and discussion of the proposed Malaga Park improvements for CDBG 2018-2019 funding. For discussion and review.
Discussion was held. After reviewing the list of proposed projects, the General Manager will get together with CDBG Engineer, Gary Horn, to obtain the projected costs of park repairs and improvements.

5. New Business:

- a. **Water Slides at Malaga Park.** A discussion concerning the use of water slides at Malaga Park. For discussion and potential action.
Discussion was held. Board Members have agreed to not allow water slides in the park due to ground damage and liability. Customers with the old contract will be granted the use of waterslides. Park rental contract has been updated.
- b. **Resolution 08-08-2017.** A resolution adopting policies required by the California Department of Justice to submit and receive Live Scan information for the purpose of pre-employment screening.

Recommended action: To adopt resolution 08-08-2017 as presented or amended.

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve Resolution No. 08-08-2017 as presented.

- c. **Resolution 08-08-2017-A.** A resolution authorizing designated officials to sign the CHSRA acquisition agreement.

Recommended action: To adopt Resolution 08-08-2017-A as presented or amended.

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve Resolution No. 08-08-2017-A as presented.

- d. **Resolution 08-08-2017-B.** A resolution authorizing an expenditure of \$12,358 from the groundwater sustainability fund for the 2017 Fiesta Day program.

Recommended action: To adopt Resolution 08-08-2017-B as presented or amended.

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve Resolution No. 08-08-2017-B as presented.

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

No new reports for this meeting.

7. **Engineer Reports:**

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

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

- a. A discussion to implement consolidated solid waste roll-off service in Malaga.
- b. Department reports
- c. Other reports

Inquiries for the Water Meter Project sign have been sent to numerous sign companies in the Fresno Area.

9. **President's Report:** President Garabedian encountered Fresno County's Supervisor, Nathan Magsig and held discussion about Malaga cityhood. He asked to have a closed session on potential litigation.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 5-0 vote to add closed session item.

10. **Vice President's Report:** No new report for this meeting.

11. **Director's Reports:**

Director Tovar, Jr. asks President Garabedian, Jr. how the submittal of the restroom project is moving along. The President responds that the submittal is in the process.

12. **Legal Counsel Report:** For closed session.

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 July 25, 2017.
- b. Financial report and accounts payable report.

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

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

14. Communications:

- a. Written Communications: No new written communications.

15. Closed Session: No closed session items for this meeting.

- a. **Closed session added as stated above. Start of Closed Session was 7:08p.m. Potential Litigation.**

16. Adjournment:

Motion by Vice President Salvador Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to adjourn the meeting at 7:50p.m.

Item 6.b.

RESOLUTION NO. 08-22-2017

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT AUTHORIZING THE PLACEMENT OF DELINQUENT CHARGES ON THE COUNTY TAX ROLLS

WHEREAS, there are delinquent and unpaid charges for water, sewer, solid waste collection, and other services provided by the Malaga County Water District due to the Malaga County Water District; and

WHEREAS, the charges for water and other services charged by the District are property related charges by the Malaga County Water District pursuant to its powers set forth in Water Code §30000 et. seq., Article 13D of the California Constitution, and any other applicable statutes; and

WHEREAS, Water Code §31701, et. seq. provides a procedure for the collection of unpaid charges for water and other services provided by the Malaga County Water District.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT AS FOLLOWS:

1. That the forgoing recitals are true and correct and incorporated by this reference herein as though fully set forth at this point.
2. That the District has unpaid charges for water and other services requested by the Owner of the property that remain delinquent and unpaid for sixty (60) or more days as of July 1, 2017, and the Board of Directors hereby gives notice to the County of Fresno of said unpaid charges outstanding pursuant to Water Code §31701(e). Those delinquent charges are set forth in Exhibit A to this Resolution and are hereby incorporated by this reference herein.
3. That all of the charges for APN 331-17-311 in the amount of \$1,584.40 were charged for water, sewer, solid waste, or other services provided by the District pursuant to the Water Code §30000 et. seq. and comply with all applicable statutes including Article 13D of the California Constitution.
4. Said charges are without regard to property valuation.
5. The Statement of Charges for APN 331-17-311 of \$1,584.40 shall be furnished to the Fresno County Board of Supervisors and the Fresno County Auditor to include said delinquencies on the Fresno County Property Tax Rolls pursuant to §§31701(e) and 31701.5 of the California Water Code, or any other applicable statute.

This Resolution is approved and adopted this 22nd day of August, 2017, at the regular meeting of the Malaga County Water District, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

Charles Garabedian, President of the
Malaga County Water District

ATTEST:

James D. Anderson, Secretary to the
Board of Directors of the
Malaga County Water District



RIO BRAVO FRESNO



Item 14.a.1

Dear Mr. Frank Cerrillo,

I am writing to invite you to attend Rio Bravo Fresno's celebration of the Fifth Annual National Bioenergy Day. We will be marking the occasion, along with dozens of other facilities across the country, with a barbeque lunch followed by a short presentation and a facility tour at 11:30am on Wednesday, October 18th. We would be honored if you would attend to celebrate bioenergy and the role it plays in reducing emissions in our area.

Rio Bravo Fresno is located in the heart of California's agricultural region in the community of Malaga. This Biomass-fired electrical generating facility is rated at 25MW net and operates continuously at full load. Rio Bravo Fresno makes enough renewable "green" power for 25,000 local homes.

"Bioenergy" refers to an industry whose companies produce electricity and heat generated from wood and other organic materials. In addition to serving as a domestic energy source, these industries work closely together to keep American forests healthy and put organic byproducts like tree trimmings, construction and demolition byproducts and agricultural residuals to good use.

Bioenergy is a **sustainable, renewable, and carbon-friendly** energy source for many reasons.

- First, the wood used to produce electricity at a biomass facility has no other use. If not used to produce bioenergy, this wood might be open burned, which releases criteria pollutants (methane, PM, CO, and NOx) into the air. Or, it might be left to decompose – a process that also releases methane.
- Second, the use of organic materials to produce energy does not introduce new carbon into the atmosphere, unlike the use of fossil fuels for energy.
- Third, bioenergy is a key part of sustainably managed forests and farms. It is necessary to remove organic residues and non-merchantable wood in order to keep a forest healthy and growing. Rather than discarding or open burning the removed wood products, bioenergy provides a good, productive use for them.
- Fourth, bioenergy diverts tons of used wood from urban sources away from landfills thus increasing landfill capacity and preventing that wood from decomposing—a process which produces methane.

We hope you will be able to join us on October 18th 2017, to learn more about bioenergy and see our facility, which employs 27 local residents and produces enough power for 25,000 local homes and businesses. Our facility is located at 3350 S. Willow Ave. Fresno, CA 93725. Please contact me at aluna@rbfresno.com for more information and please RSVP by October 4th.

Regards,

Andrew Luna
O&M Manager-Compliance
Rio Bravo Fresno
p. 559-264-4575 ex.15
aluna@rbfresno.com





1101 Central Avenue, P.O. Box 8043, Wasco, California 93280-0877

Telephone: (661) 758-5113 Bakersfield: (661) 327-7144
Facsimile: (661) 758-3219 Email: mail@semitropic.com
Website: www.semitropic.com

Date: August 14, 2017

To: Responsible and Trustee Agencies, Organizations and Interested Parties

Subject: Notice of Availability of an Environmental Impact Report for the Tulare Lake Storage and Floodwater Project

NOTICE IS HEREBY GIVEN by the Semitropic Improvement District of the Semitropic Water Storage District (Semitropic), as the lead agency pursuant to the California Environmental Quality Act (CEQA), that the Draft Environmental Impact Report (DEIR) for the Tulare Lake Storage and Floodwater Project is available for public review and comment.

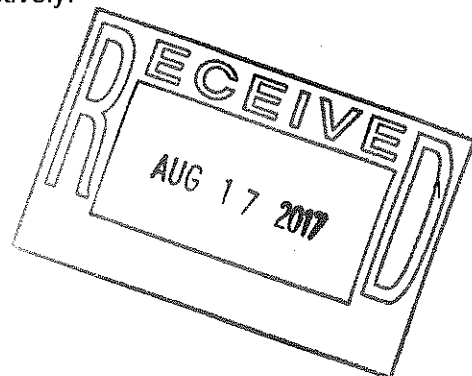
Project Title: Tulare Lake Storage and Floodwater Protection Project (Project)

State Clearing House Number: 2016121060

Project Location: The Project site is located east of Interstate 5 and State Highway 41, near Kettleman City, in Kings County, California, north of the Kings-Kern County line, and generally within the area of the Tulare Lake bed on reclaimed lands currently used for dry grazing and cultivated agriculture (primarily almond orchards and alfalfa). The Tulare Lake bed is the low elevation point in the Tulare Lake Basin and the receiving area for the drainages from the Kings, Kaweah, Tule, and Kern Rivers. The Project site is located to the north of Semitropic's existing service area and upstream from Semitropic's three existing turnouts in Reach 10A of the California Aqueduct.

Project Description: The purpose of the proposed DEIR is to analyze potential environmental impacts associated with the construction and operation of the proposed Tulare Lake Storage and Floodwater Protection Project (Project).

The Project would provide local, regional, and statewide public benefits to meet California's water storage and supply challenges by improving the management of floodwaters from the South Fork of the Kings River. The Project would also allow for possible management or regulation of other waters, including flood flows from streams tributary to the Tulare Lake region (which principally include the Kaweah and Tule Rivers) and regional and statewide water supplies, including high flows from the Sacramento-San Joaquin Delta (Delta). The Project would manage available waters by developing new surface water storage and conveyance facilities and utilizing existing facilities and groundwater conjunctive use capacity south of the Delta to provide for storage of floodwaters and surplus surface waters for beneficial uses. Water storage would be created by the construction of a leveed impoundment on approximately 19,700 gross acres within the dry Tulare Lake bed. Of the approximately 19,700 gross acres, approximately 12,000 net acres would be developed into a single surface storage reservoir with multiple interior storage cells with levees six to eight feet in height, resulting in a total storage capacity of approximately 15,000 to 30,000 acre-feet, respectively.

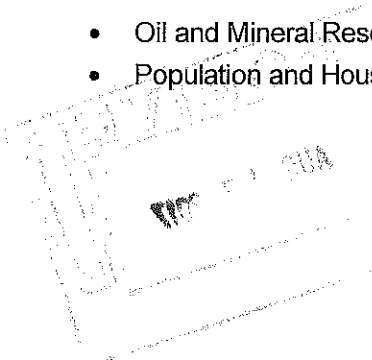


Available waters, including floodwaters having the potential to damage nearby prime agricultural lands and local communities, would be re-routed and diverted and conveyed to and through the proposed Project storage reservoir (Kettleman Reservoir), constructed in the dry Tulare Lake bed, through a combination of new and existing channels and canals; however, some improvements to existing conveyance facilities may be necessary. Depending on the location, canal-side pumping plants may be required to pump water from the conveyance canals into the reservoir. The proposed Project would include a new conveyance facility (the Kettleman Canal) and pumping plant (Kettleman Pumping Plant #1) to convey water from the existing South Fork Canal to the Kettleman Reservoir and/or the California Aqueduct (Aqueduct). The proposed Project would also include a second new conveyance facility, referred to as the Aqueduct Intertie, to convey water in both directions between the storage reservoir and the Aqueduct. The Aqueduct Intertie would have a capacity of up to approximately 2,100 cubic feet per second and would consist of a pumping plant (Kettleman Pumping Plant #2), up to three 144-inch inside-diameter pipelines between the pumping plant and the Aqueduct, and turn-in/turn-out structures on the east side of the Aqueduct.

Water stored in and conveyed through the Project reservoir would ultimately be transported, as capacity is available, into the California Aqueduct, principally for delivery to the Semitropic service area to meet water needs of existing irrigated lands. Water diverted from the Aqueduct would be delivered to meet direct demands or stored underground by use of existing groundwater storage facilities and, to a lesser extent, surface storage facilities accessible from the Aqueduct, including in-lieu and direct recharge facilities of the Semitropic Groundwater Bank in Kern County. Stored (banked) water would be recovered through extraction and/or by way of exchange, and delivered to primarily meet the demands of existing irrigated lands in Kings and Kern Counties. The Kings River floodwaters proposed to be diverted by the Project have generally historically escaped from, and have not been stored or beneficially used within, the Kings River service area.

Environmental Topics Evaluated: The Draft EIR examines the potential impacts generated by the proposed projects in relation to the following environmental topics:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, and Seismicity
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Oil and Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Energy



In addition, the Draft EIR evaluates four project alternatives that include: a No Project Alternative, Alternative 1 - 1,200 cfs Project, Alternative 2 – No Storage Project, and the proposed 2,100 cfs Project Alternative.

The potential for the Project to generate significant unavoidable impacts, growth-inducing impacts, and significant irreversible environmental changes was also analyzed. The DEIR concluded that the Project would have potentially significant impacts on the environment pertaining to aesthetics (from construction activity and Project design); agriculture (from conversion of important farmland); biological resources (associated with impacts to special status plants and wildlife and associated habitat); cultural and paleontological resources (from land disturbing activities); geologic hazards (due to seismic activity, expansive soils and soil salinity); hazardous materials (associated with construction activity); hydrology and water quality (related to construction activity); noise (from construction activity); transportation (from construction activity); and utilities (due to construction activity). However, the DEIR presents mitigation measures that would mitigate all of these impacts to a level of less than significant.

Public Comment Period: Written comments on the DEIR will be received for a 60-day period, commencing on **August 14, 2017** and ending at **5:00 p.m. on October 13, 2017**, after which a Final EIR (FEIR) would be prepared containing comments and responses to comments that, together with the DEIR, will form the FEIR. The FEIR will be used by the Semitropic Board of Directors in its consideration of approval of the Tulare Lake Storage and Floodwater Protection Project (Project). Mailed comments must be post-marked by **October 13, 2017**.

Purpose of Review: The purpose of this review is to allow responsible and trustee agencies, organizations and interested members of the public the opportunity to make comments, share expertise, disclose agency analysis, check for accuracy, detect omissions, discover public concerns and solicit counter proposals pursuant to CEQA Guideline Sections 15087 (Public Review of Draft EIR) and 15105 (Public Review Period for a Draft EIR or a Proposed Negative Declaration or Mitigated Negative Declaration).

Reviewing Locations: Copies of the Draft EIR are available for review at the following location(s):

Semitropic Water Storage District
1101 Central Avenue
PO Box 8043
Wasco, CA 93280

Kettleman City Branch of the Kings County Library
104 Becky Please Street
Kettleman City, CA 93239

August 10, 2017

The Draft EIR can also be accessed on the Semitropic website at www.semitropic.com. CDs may be purchased for \$3.00 upon request at the Semitropic's office. Documents referenced in the DEIR will be available upon request to Semitropic.

Where to Send Comments: Submit all written comments to:

Isela Medina, PE
Semitropic Water Storage District
P.O. Box 8043,
1101 Central Avenue,
Wasco, CA 93280
Email: imedina@semitropic.com
Phone: 661-758-5113

Please include a return address and contact name with your written comments. Comments can also be sent via email.

Public Hearings Scheduled: A public hearing date is scheduled to occur during the 60-day public review period to receive comments on the DEIR. The hearing will be held at the following time and place:

September 12, 2017 from 4:00 to 6:00 p.m.
Semitropic Water Storage District Offices
1101 Central Avenue,
Wasco, CA 93280

The meeting facilities will be accessible to people with disabilities. If special translation, signing services or other special accommodations are needed, please contact Isela Medina by phone at 661-758-5113, or via email at imedina@semitropic.com, at least 72 hours before the hearing.

Following the close of the public review period for the Draft EIR, Semitropic will prepare a Final EIR, incorporating all comments received during the public comment period and appropriate responses to comments, for consideration by the Semitropic's Board of Directors. As required by CEQA, proposed written responses to public agency comments submitted will be available to commenting public agencies at least 10 days prior to certification.



item 14.a.3
County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

August 14, 2017

James Anderson
Malaga County Water District
3580 S. Frank Street
Fresno, CA 93725

Dear Mr. Anderson:

Subject: 2017-2018 Community Development Block Grant (CDBG) Public Facility and Infrastructure Improvement Projects Back-Up List

We are pleased to inform you that resources have recently become available and we are now able to fund the Malaga Arriaga Community Center Roof and A/C, CDBG Project Number 17451, from the 2017-2018 back-up list. Projects on the back-up list are funded, in order, as resources become available.

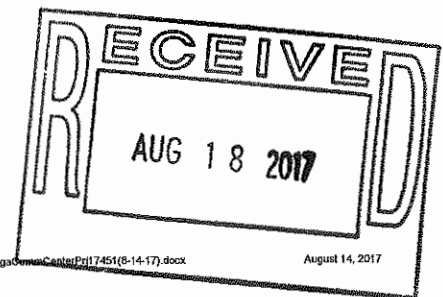
Activity on this CDBG project may not commence until an Agreement between the Malaga County Water District and the County is fully executed. We are starting the CEQA/NEPA environmental review of the project, and will begin preparing the project Agreement shortly. We will request a revised timeline for the project, based on the expected date the Agreement will be executed.

Consultant engineer contracts for CDBG projects may not exceed a term of three years. Our records indicated the District last conducted a Request for Qualifications (RFQ) in 2016. Therefore, the current contract is still valid for this project.

We look forward to working together in the successful completion of your project. If you have any questions or require additional information, please contact Jonathan Avedian, the Project Representative, or me at (559) 600-4292.

Sincerely,

Kristi Johnson, Principal Analyst
Community Development Division



KJ:Jap

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August 14, 2017

c: Gary Horn, Yamabe & Horn Engineering Inc.