



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, May 14, 2019 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. **NKGSA Project Information Form; Basin CF.** Development of FMFCD Basin CF for groundwater recharge by Malaga County Water District will produce an expected annual benefit of 970 AF per year. The NKGSA has determined that the water balance for MCWD is 700 AF per year. Basin CF development will allow MCWD to achieve groundwater pumping-groundwater recharge balance for NKGSA compliance.

For information and discussion.

5. New Business:

- a. **CDBG 17451 Rec Center A/C; Payment Request #4.** Payment Request #4 in the amount of \$28,076.95 has been submitted to Fresno County for reimbursement.

Recommended action: To authorize payment of \$28,076.95 to Yamabe & Horn and Davis Moreno Construction for work to date on CDBG 17451.

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

- b. **DWR letter on behalf of the NKGSA.** The NKGSA has drafted a letter of support for all members and interested parties to adopt and submit to the SWRCB DWR. The letter requests that the petition by Semi-Tropic Water Storage District to revise the fully-appropriated stream (FAS) status of the Kings River be disapproved.

Recommended action: To adopt the letter and submit to the SWRCB DWR in order to save surface water in the Kings River for NKGSA sustainability.

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

- c. **Prop 68 Town Hall Meeting.** A Town Hall Meeting at the Arriaga Recreation Center is planned for 22 May. The meeting will be an opportunity for residents to provide direct input into proposed park improvements for the Prop 68 park grant application in an interactive format. The meeting will be catered with drinks and appetizers.

For information and discussion.

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

7. Engineer Reports:

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

8. General Manager's Report:

- a. Report on the status of metered water billing.
- b. Department reports.
- c. Other reports.

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 April 23, 2019.
- 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. AB 217 (E. Garcia): Safe Drinking Water Funding/Water Tax. A letter to oppose the water tax unless amended. For information.
 - 2. MCWD feature in Fresno Metropolitan Flood Control District newsletter.

b. Public Comment:

15. Closed Session:

a. Conference with real property negotiators (Gov't Code 54956.8): 4335 S. Maple Ave.

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 May 14, 2019 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 05/10/2019.

Norma Melendez

Norma Melendez, District Clerk



NKGSa Project Information

Submitted On Friday, April 19, 2019

Project Name	Basin CF - Stormwater Recharge and Flood Protection Project
GSA Party that Project will Benefit	Malaga County Water District
GSA Party Contact	Jim Anderson
GSA Party Email	laura.facciani@gmail.com
Agency Implementing	Fresno Metropolitan Flood Control District

Project Description

This project will construct an intertie (connection) between FMFCD's existing Basin "CF" with FID's Washington Colony Canal No. 15 to allow for the delivery of surface water for recharge into the basin. Basin improvements include a basin pump station, telemetry system, internal basin pipeline, basin relief pipeline, canal intertie structure and appurtenant facilities. An exhibit depicting the basin location and proposed improvements is attached. The basin is used for local urban stormwater capture to prevent localized flooding. Currently, there is no pipeline to convey water from the nearby canal to the basin. The project will construct the intertie and is estimated to provide approximately 1,000 acre-feet per year.

EXPECTED ANNUAL BENEFIT (354.44.b.5)

Acre-feet per year 970

Provide a detailed description of how annual benefit was quantified.

The estimate of recharge benefit is based on the basin size, multiplied by the anticipated recharge rate, multiplied by the number of days water is available for recharge. The 20 acre site will have an approximately 18 acre wetted basin area and is anticipated to have an infiltration/percolation rate of 0.45 feet per day based on actual infiltration rates observed at other nearby FMFCD basins. For estimating purposes, it has been assumed that water will be available an average of 120 days per year.

[FMFCD Basin CF.pdf](#)

LOCATION

Township 14

Range 21

Section 32

Latitude 36.675020

Longitude -119.715033

Description Southeast of Central and Peach Avenues

AFFECTED SUSTAINABILITY INDICATOR (354.44b)

Check all that apply:

- Chronic lowering of groundwater levels
- Seawater Intrusion Land Subsidence
- Reduction of groundwater storage
- Degraded water quality
- Depletions of interconnected surface water

Provide a narrative explanation of how the project addresses each Sustainability Indicator selected.

The additional water recharged at the basin will help replenish the local aquifer and reduce declining groundwater levels in the area of the project. Relatedly, the addition of water recharged at the basin site will directly help to increase the amount of groundwater storage available for pumping during dry periods.

Type of Project

- Increase Supply Demand Reduction

Explain:

The project will create a connection to an existing basin that will allow additional surface water supply to recharge the aquifer.

REGULATORY/PERMITTING (354.33.b.3)

Permits

	Permitting Agency	Permit Type
	State Water Resources Control Board	NPDES General Permit for Storm Water Discharge
	San Joaquin Valley Air Pollution Control District	Dust Control Permit
	County of Fresno	Grading Permit

Is CEQA Complete?

- Yes No

If complete, please explain.

The project was included in the District's Subsequent Environmental Impact Report (SEIR) completed on 12/13/17 for the 2016 District Service Plan.

PROJECT STATUS

- Conceptual (no feasibility or study work initiated)
- Planning (feasibility study and analysis work initiated)
- Preliminary Design (feasibility study completed)
- Ready for Construction/Implementation

SCHEDULE (354.44.b.4)

Construction/Implementation Start Year 2021

Construction/Implementation Finish Year 2021

Timeframe to Accrue Benefits From 2021

Timeframe to Accrue Benefits To 2071

WATER SUPPLY (354.44.b.6)

If the project relies on surface water, provide an explanation of the source reliability of the water supply for the project.

The project will recharge surface water delivered by Fresno Irrigation District. Malaga County Water District is currently working with Fresno Irrigation District to determine an agreement for delivery of surface water.

LEGAL AUTHORITY (354.44.b.7)

Describe the Agencies legal authority to implement this project.

FMFCD owns and operates the existing Basin CF and will manage the design and construction of the project. Malaga County Water District is currently discussing with FMFCD the terms of agreement for construction. FMFCD will maintain ownership and operation of the basin. FMFCD will coordinate surface water deliveries for recharge with FID.

COST & FUNDING SOURCE (354.44.b.7)

Project Capital \$1,072,036

Describe the funding source or how these costs will be met.

The project is pursuing grant funding through the IRWM Implementation Grant program. If grant funding cannot be secured, the FMFCD and Malaga will need to determine a different funding source for the project.

Project O&M/On-going \$10,000

Source(s)

The annual operational costs are anticipated to be minimal. FID and FMFCD operational crews will coordinate delivery of water to the basin in accordance with the existing operations for delivery of

water to numerous other basins. FMFCD will include maintenance activities and costs in its annual budget for operations and maintenance, subject to existing agreements for reimbursement of basin desiltation and weed control.



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

May 1, 2019

Financial Services Manager
Financial Services Division
Department of Public Works and Planning
County of Fresno
2220 Tulare Street, 6th Floor
Fresno, CA 93721

RE: Request of Payment No.4, CDBG Project No. 17451
Malaga County Water District
Arriaga Center Roof & A/C Project

Dear Madame or Sir,

In accordance with the executed Agreement for the above referenced project, the Malaga County Water District requests payment issued in the name of both the District and the approved payees in the amounts listed below.

The District certifies that this request for payment is consistent with the amount of work that has been completed to date, performed in accordance with the construction contract documents and the executed Agreement, and as evidenced by the enclosed invoices and supporting documents.

<u>Payee</u>	<u>Invoice No.</u>	<u>Amount</u>
Yamabe & Horn Engineering, Inc.	42145	\$2,430.00
Davis Moreno Construction, Inc.	19041	<u>\$25,646.95</u>
Total		\$28,076.95

Sincerely,

James D. Anderson
General Manager
Malaga County Water District

YAMABE & HORN ENGINEERING, INC.
PROGRESS PAYMENT REPORT

MALAGA COUNTY WATER DISTRICT

PROJECT: Arriaga Roof & AC Project - CDBG 17451

INVOICE NO.: 19041

DATE: 4/24/2019

CONTRACTOR: DAVIS MORENO CONSTRUCTION, Inc.

PAYMENT NO.: 1

ITEM NO.	DESCRIPTION	CONTRACT QUANTITY	UN	UNIT PRICE	CONTRACT AMOUNT	PERCENT COMPLETE	AMOUNT EARNED
1	Mobilization (Not to Exceed \$17,000)	1	LS	\$17,000.00	\$17,000.00	10.0%	\$1,700.00
2	Provide & Install New Air Conditioning & Heating Equipment	5	EA	\$50,319.60	\$251,598.00	5.0%	\$12,579.90
3	Provide & install new Electrical Service to A/C Units	1	LS	\$116,718.90	\$116,718.90	10.0%	\$11,671.89
4	Provide & Install New Foam Roofing	6,200	SF	\$7.60	\$47,120.00		\$0.00
5	Provide & Install Concrete Pads for A/C Units	5	EA	\$3,799.16	\$18,995.80		\$0.00
6	Fresno County Building Permit	1	EA	\$1,045.00	\$1,045.00	100.0%	\$1,045.00
TOTAL					\$452,477.70		

TOTAL CONTRACT COMPLETED TO DATE

\$26,996.79

CHANGE ORDERS

1

\$0.00

TOTAL EARNED TO DATE

\$26,996.79

LESS 5% RETENTION

\$1,349.84

TOTAL AMOUNT DUE

\$25,646.95

LESS PREVIOUS PAYMENTS

NO. 1

0.00

NO. 2

0.00

NO. 3

0.00

TOTAL PREVIOUS PAYMENTS

\$0.00

APPROVED FOR PAYMENT

TOTAL AMOUNT DUE THIS PAYMENT

\$25,646.95


 GARY D. HORN, CITY ENGINEER

Job No.

18-169

REQUEST FOR PAYMENT

From: Davis Moreno Construction, Inc. To: Malaga County Water District Invoice: 19041
 4720 N. Blythe Avenue Invoice date: 4/24/2019
 Fresno, CA 93722 Period ending date: 4/30/2019
 Project: 1-904 Malaga Arriaca HVAC/Roof Contract date:

Request for payment:
 Original contract amount \$452,477.70
 Approved changes \$0.00
 Revised contract amount \$452,477.70
 Contract completed to date \$26,996.79
 Add-ons to date \$0.00
 Taxes to date \$0.00
 Less retainage \$1,349.84
 Total completed less retainage \$25,646.95
 Less previous requests \$25,646.95
 Current request for payment \$26,996.79
 Current billing
 Current additional charges \$0.00
 Current tax \$0.00
 Less current retainage \$1,349.84
 Current amount due \$25,646.95
 Remaining contract to bill \$426,830.75

I hereby certify that the work performed and the materials supplied to date, as shown on the above represent the actual value of the accomplishment under the terms of the Contract (and all authorized changes thereof) between the undersigned and the Malaga County Water District relating to the above referenced project. I also certify that the contractor has paid all amounts previously billed and

CONTRACTOR: Davis Moreno Construction Inc.
 By: [Signature]
 Date: 4/24/19

ARCHITECT'S CERTIFICATE FOR PAYMENT :
 In accordance with the Contract Documents, based on the on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architects knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED\$ _____

(Attached explanations if amount certified differs from the amount applied for. Initial all figures on this Application and on the Continuation Sheet that are changed to conform to the amount certified.)

ARCHITECT: _____ Date: _____
 By: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of the payment are without prejudice to any rights of the Owner or Contractor under this Contract

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Changes approved in previous months by Owner		
Total approved this Month		
TOTALS		
NET CHANGES by Change Order		

REQUEST FOR PAYMENT DETAIL

Project: 1-904 / Malaga Arriaga HVAC/Roof Invoice: 19041 Period Ending Date: 4/30/2019 Detail Page 2 of 2 Pages

Item ID	Description	Total Contract Amount	Previously Completed Work	Work Completed This Period	Presently Stored Materials	Completed And Stored To Date	% Comp	Balance To Finish	Retainage Balance
904-001	Mobilization	17,000.00		1,700.00		1,700.00	10.00	15,300.00	85.00
904-002	HVAC	251,598.00		12,579.90		12,579.90	5.00	239,018.10	629.00
904-003	Electrical	116,718.90		11,671.89		11,671.89	10.00	105,047.01	583.59
904-004	Roofing	47,120.00						47,120.00	
904-005	Concrete	18,995.80						18,995.80	
904-006	Permit	1,045.00		1,045.00		1,045.00	100.00		52.25
Totals		452,477.70		26,996.79		26,996.79	5.97	425,480.91	1,349.84



2985 NORTH BURL AVE SUITE 101
 FRESNO, CA 93727
 559-244-3123

MALAGA COUNTY WATER DISTRICT
 3580 S FRANK ST
 FRESNO, CA 93725

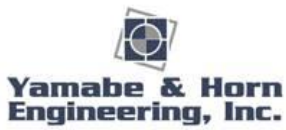
Invoice number 42145
 Date 05/01/2019

Project **18-169 ARRIAGA COMMUNITY CENTER
 ROOF & AC PROJECT**

Description	Contract Amount	Percent Complete	Prior Billed	Total Billed	Current Billed
Design Engineering	28,000.00	101.71	28,479.42	28,479.42	0.00
Construction Engineering	25,000.00	9.72	0.00	2,430.00	2,430.00
Total	53,000.00	58.32	28,479.42	30,909.42	2,430.00

Invoice total **2,430.00**

 Please remit bottom portion with payment * Thank you for your business.



MALAGA COUNTY WATER DISTRICT
 Project 18-169 ARRIAGA COMMUNITY CENTER ROOF & AC PROJECT

Invoice number 42145
 Date 05/01/2019

Invoice Supporting Detail

18-169 ARRIAGA COMMUNITY CENTER ROOF & AC PROJECT

CE Construction Engineering

Phase Status: Active

	Contract		Previously Billed			To Bill		
	Units	Amount	Units	%	Amount	Units	%	Amount
Labor		25,000.00	17.00	9	2,230.00	9		2,230.00
Consultant					200.00			200.00
Subtotal		25,000.00	17.00	10	2,430.00	0.00	10	2,430.00

Billing Cutoff: 04/24/2019

Date	Units	Rate	Amount
------	-------	------	--------

Labor WIP Status: Billable

Inspector

RAY MARTINEZ JR

801 - Project - Construction Inspection	04/23/2019	1.00		
Subtotal		1.00		0.00

Construction Manager I

RUBEN L. DOMINGUEZ

601 - Meeting - Pre-Construction	04/16/2019	2.00	100.00	200.00
803 - Project - Contract Administration	04/23/2019	0.50	100.00	50.00
Subtotal		2.50		250.00

Construction Manager II

RAY MARTINEZ JR

816 - Project - Inspection Coordination	04/22/2019	1.50	120.00	180.00
Subtotal		1.50		180.00

Principal

GARY HORN

601 - Meeting - Pre-Construction	04/16/2019	2.00	150.00	300.00
763 - Review - Submittals	04/01/2019	1.00	150.00	150.00
763 - Review - Submittals	04/15/2019	1.50	150.00	225.00
763 - Review - Submittals	04/17/2019	2.00	150.00	300.00
812 - Project - Funding Admin.	04/02/2019	1.00	150.00	150.00
<i>Peperare CDBG reimbursement request</i>				
817 - Project - Engineering Coordination	04/16/2019	1.00	150.00	150.00
<i>Prepare for Pre-con Meeting</i>				
817 - Project - Engineering Coordination	04/17/2019	2.00	150.00	300.00
817 - Project - Engineering Coordination	04/24/2019	1.50	150.00	225.00
Subtotal		12.00		1,800.00
Labor total		17.00		2,230.00

Consultant WIP Status: Billable

BORRELLI AND ASSOCIATES INC

BORRELLI & ASSOCIATES INC	03/22/2019			200.00
Subtotal				200.00
Consultant total				200.00



Invoice Supporting Detail

18-169 ARRIAGA COMMUNITY CENTER ROOF & AC PROJECT

Invoice Summary

	Contract	Billed	%	Remaining	%
Labor	53,000.00	30,230.00	57	22,770.00	43
Expense		479.42		-479.42	
Consultant		200.00		-200.00	
Total	53,000.00	30,909.42	58	22,090.58	42



item 5.b.

MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 FAX: 559-485-7319

BOARD OF DIRECTORS

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James D. Anderson, General Manager

State Water Resources Control Board Division of Water Rights
Attn: Mitchell Moody
P.O. Box 2000
Sacramento, CA 95812-2000
mitchell.moody@waterboards.ca.gov

Dear Chairman Esquivel and Honorable Board Members:

On behalf of Malaga County Water District, we write in opposition to Semitropic Water Storage District's (Semitropic) Petition to Revise the Fully Appropriated Stream Status of the Kings River (FAS).

Malaga County Water District is a small community surrounded by commerce and industry. MCWD provides all of the water and sewer service for the residents and businesses. As well, Malaga County Water District is a Disadvantaged Community (DAC). California law recognizes the need to address water supply and quality issues for DACs, and it is in this context that Malaga County Water District submits the following comments on the Semitropic FAS petition.

Semitropic's FAS petition is submitted in an attempt to secure a right to divert Kings River waters for use in Kern County – outside the watershed of origin. The Kings River is the primary surface water source to the communities within the three counties that comprise the watershed of origin: Fresno, Kings, and Tulare Counties. Groundwater Sustainability Agencies (GSAs) throughout those counties are now engaged in the process of addressing groundwater sustainability and use of Kings River high water flows is a crucial element of those sustainability efforts.

Public comments submitted on the Semitropic Project establish that historic Kings River flood flows are less than the anticipated groundwater overdraft in Fresno, Kings, and Tulare Counties. We are aware that planning efforts at various levels of regional and local government are underway to fully utilize Kings River flood flows for addressing SGMA impacts and anticipated growth. It only makes sense that Kings River water should be available to meet these needs within the watershed of origin.

The Semitropic Project seeks to divert Kings River flood flows out of the watershed. By exporting water from critically overdrafted groundwater basins, the Semitropic project would significantly impair the ability of the regional GSAs to comply with SGMA without resorting to removing significant lands from production and limiting urban growth. The Semitropic Project would negatively impact the lives and livelihoods of many people in Fresno, Kings, and Tulare

Counties who depend on Kings River waters.

California is the first state in the nation to enact a law recognizing that “every human being has the right to safe, clean, affordable and accessible water” – also known as “the human right to water.” The Kings River service area includes 51 “Disadvantaged Communities” – areas which most suffer from a combination of economic, health, and environmental burdens – with a population of 646,236. In addition, the area includes 59 “Severely Disadvantaged Communities” with a population of 84,510. In all, 69 percent of the population that relies upon Kings and Tulare groundwater basins lives in a Disadvantaged Community or Severely Disadvantaged Community.

The Semitropic Project has the potential to deprive DACs access to water and jeopardize long-term regional/local sustainability. DACs already disproportionately suffer from poverty, high unemployment, asthma and heart disease, as well as air and water pollution, and the Semitropic Project will only make already-difficult circumstances worse and threaten “the human right to water.”

Further, contrary to Semitropic’s claims, the Project neither reduces nor eliminate flood risk. Rather, it increases the potential for flooding on the South Fork Kings River.

For these stated reasons and more, Malaga County Water District respectfully requests that the State Water Resources Control Board deny Semitropic’s FAS petition. The Semitropic FAS petition and Project are not in the public interest. Instead, the Project would only harm groundwater sustainability efforts, and threaten access to safe, clean, affordable and accessible water.

Sincerely,

Charles E. Garabedian, Jr.
President

Salvador Cerrillo
Vice President

Irma Castaneda
Director

Frank Cerrillo, Jr.
Director

Carlos Tovar, Jr.
Director



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, April 23, 2019 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.

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 April 9, 2019.

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

Motion by: Vice-President Cerrillo; Second by: Director Castaneda and adopted by a vote of 5-0.

4.a. Supplement to the agenda: A supplement to the agenda is submitted to add to the agenda.

Recommended action: To include the supplement agenda items 5c (Old Business) and 6.f (New Business) to the agenda for tonight's meeting.

Motion by: Vice-President Cerrillo; Second by: Director Castaneda to include the supplement to the agenda and adopted by a vote of 5-0.

5. Old Business:

- a. **Prop 68 Application Development.** A meeting is scheduled for 30 April at MCWD with Parks Now and Building Healthy Communities to develop a plan to submit a Prop 68 park grant application to make improvements at Malaga Park for up to \$8.5 Million.

For information.

Discussion was held, no reportable action taken.

- b. **IRWM Tulare-Kern Funding Area DAC Grant.** Continued from the previous meeting. In consultation with the District Engineer, the District intends to submit multiple applications for DAC grant funding to include design of a water storage tank, design of a new groundwater production well, and a pilot study to reduce Ec in wastewater.

For information and discussion.

Discussion was held, no reportable action taken.

6. New Business:

- a. **Prop 68 Per Capita Grant Program.** A park grant program to distribute grant funds to eligible park and recreation districts based upon eligibility and population. The District has submitted its application. Total Per Capita grant funding is \$185 Million, per capita funding to be determined. The Prop 68 park grant application for \$8.5 Million is a separate application.

For information.

Discussion was held, no reportable action taken.

- b. **Ordinance 2019-1; Water Billing.** An Ordinance to change billing due dates to eliminate late fees due to inconvenience. Changing the billing due date to the last day of the month will prevent late fees due to inconvenience for residents that receive monthly income near the end of the month.

Recommended action: To adopt Ordinance 2019-1.

Motion by: Director Cerrillo; Second by: Vice-President Cerrillo and adopted by a vote of 5-0.

- c. **Resolution 4-23-2019; SJVAPCD Electric Vehicle Grant.** A Resolution authorizing the General Manager to submit an application to the San Joaquin Valley Air Pollution Control District Public Benefit Grants Program for two new electric utility carts.

Motion by: Vice-President Cerrillo; Second by: Director Tovar and adopted by a vote of 5-0.

- d. **Malaga Spring Clean-Up.** The community spring clean-up has been scheduled for Saturday, May 25, 2019.

For information.

- e. **SitelogIQ; Letter of Agreement.** SitelogIQ is a company that provides comprehensive solutions to energy efficiency and builds solar power facilities. SitelogIQ desires to develop a proposal for a solar power system for MCWD. SitelogIQ has prepared a Letter

of Agreement allowing them access to District facilities and PG&E billing data to make determinations for a solar power proposal.

Recommended action: To approve and authorize the General Manager to sign the Letter of Agreement with SitelogIQ.

Motion by: Vice-President Cerrillo; Second by: Director Cerrillo and adopted by a vote of 5-0.

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. CDBG 17451 Rec Center A/C project construction began 22 April. Completion scheduled for mid-August.
- b. CDBG 16451 Well 6 VFD update.
- c. Two new covered sewer manholes found at Central Ave/Golden State Blvd, to be raised to grade.
- d. Location of water main on S Chestnut Ave determined. Two covered water valves located.
- e. Grizzlies baseball game selected for 1 June (NASA Night/Parker Bobblehead)

Discussion was held, no reportable action taken.

10. President's Report: President Garabedian discussed the importance of evaluating new water meter data with the upcoming budget review process. He also indicated that Cresco is having a 50% off sale and this would be a good time to evaluate the District's kitchen supply inventory.

11. Vice President's Report: Vice-president Cerrillo gave a summary of the Fowler Unified School District meeting held at Malaga School.

12. Director's Reports: Director Castaneda gave a summary of upcoming recreation center activities and District sponsored events.

13. Legal Counsel Report: No new report for this meeting.

14. Communications:

- a. Written Communications:
 - 1. **Kings Sub-Basin Watershed Tour.** An invitation to tour the Kings Sub-basin watershed in light of SGMA. The tour will take place Friday, April 26 from 8:30 a.m. to 4:30p.m., departing from Kings River Conservation District. RSVP required.
 - 2. **Caglia Environmental National Publication.** Caglia Environmental are on the cover of Waste Advantage Magazine and are featured in an article titled In the Spotlight: Caglia Environmental-Rooted in the Community

b. Public Comment: **None.**

15. Closed Session: None

16. Adjournment:

Motion by: Director Castaneda, Second by: Director Cerrillo and approved by a vote of 5-0 to adjourn the meeting at 7:12 P.M.



April 30, 2019

The Honorable Lorena Gonzalez
Chair, Assembly Appropriations Committee
State Capitol, Room 2114
Sacramento, CA 95814

Re: AB 217 (E.Garcia): Safe Drinking Water Funding/Water Tax

Position: OPPOSE UNLESS AMENDED

Dear Chair Gonzalez,

AB 217 is intended to address a gap in safe drinking water funding. The lack of access to safe drinking water in certain disadvantaged communities is a public health issue that the State needs to address. As explained in this letter, the below-listed organizations agree with the intent behind the bill but are **OPPOSED UNLESS AMENDED** because the bill proposes a water tax as a funding mechanism. This problem can be solved without a water tax.

Amador Water Agency
Association of California Water Agencies
Bella Vista Water District
Building Owners and Managers Association of California
Calaveras County Water District
CalDesal
California Business Properties Association
California Municipal Utilities Association
California Special Districts Association
Calleguas Municipal Water District
Carmichael Water District
Citrus Heights Water District
City of Corona
City of Fairfield
City of Fresno
City of Lakewood
City of Newport Beach
City of Oceanside
City of Riverside
City of Santa Rosa
City of Shasta Lake
City of Torrance
Coastside County Water District

Contra Costa Water District
Cucamonga Valley Water District
Desert Water Agency
Dublin San Ramon Services District
Eastern Municipal Water District
El Dorado County Joint Chamber Commission
El Dorado Irrigation District
El Toro Water District
Elk Grove Chamber of Commerce
Elsinore Valley Municipal Water District
Fallbrook Public Utility District
Folsom Chamber of Commerce
Georgetown Divide Public Utilities District
Glenn-Colusa Irrigation District
Helix Water District
Hidden Valley Lake Community Services District
Humboldt Bay Municipal Water District
Humboldt Community Services District
Indian Wells Valley Water District
International Council of Shopping Centers
Jarupa Community Services District
Kern County Water Agency
Kinneloa Irrigation District
Lake Hemet Municipal Water District
Las Virgenes Municipal Water District
League of California Cities
Malaga County Water District
Mammoth Community Water District
McKinleyville Community Services District
Mesa Water District
Mid-Peninsula Water District
Mojave Water Agency
National Association of Industrial and Office Properties – California Chapters
National Federation of Independent Business
North Tahoe Public Utility District
Northern California Water Association
Oakdale Irrigation District
Olivenhain Municipal Water District
Orange County Water District
Orchard Dale Water District
Otay Water District
Palm Ranch Irrigation District
Palmdale Water District
Palmdale Water District
Placer County Water Agency
Rainbow Municipal Water District

Rancho Cordova Chamber of Commerce
Regional Water Authority
Rincon del Diablo Municipal Water District
Roseville Area Chamber of Commerce
Rowland Water District
Sacramento Suburban Water District
San Bernardino Valley Municipal Water District
San Diego County Water Authority
San Diego Regional Chamber of Commerce
San Gabriel Valley Economic Partnership
San Juan Water District
Santa Margarita Water District
Scotts Valley Water District
South Tahoe Public Utility District
Southern California Water Coalition
Stockton East Water District
Three Valleys Municipal Water District
Tuolumne Utilities District
Twaine Harte Community Services District
United Chamber Advocacy Network
Valley Center Municipal Water District
Walnut Valley Water District
West Hollywood Chamber of Commerce
Western Canal Water District
Western Municipal Water District
Westlands Water District
Yorba Linda Water District
Yuba Water Agency
Zone 7 Water Agency

AB 217 would require public water systems to send a water tax to the State Water Resources Control Board based on a system's number of connections. California households and businesses that purchase water from a public water agency would be paying for this state tax. Following are examples of concerns with this approach:

- While well-intended, AB 217 proposes a ***tax on water – a resource that is essential to life***.
 - The proposed “fee” based on the public water system’s number of connections would be a tax under Article XIII A of the California Constitution.
- AB 217 would set the ***precedent*** for a statewide water tax.
 - There are state agencies and other entities with documented interest in using a water tax to fund various programs. AB 217 would be the first in the line.



- There is a human right to both safe and **affordable water**. Taxing water would work against keeping water affordable.
- The proposed tax would be **regressive** – with the lowest-income customers paying the same amount as high-income customers.
- AB 217 does propose a trust, but the **trust in SB 669 (Caballero)** was intended to **replace** proposals for a water tax – not add to them.
- The fund can address the problem - the proposed **regional distribution split (up to 20 percent back to somewhere in the region from which it was sent) is unnecessary - and has been rejected in the past.**
- AB 217 **would include funding for capital costs when there are existing federal and state funding sources for capital costs** (the Safe Drinking Water State Revolving Fund and General Obligation bonds).

The above-listed organizations urge your “No” vote on AB 217 unless the bill is amended to delete the proposed water tax and replace it with one or more acceptable funding sources.

If you have any questions, please contact Ms. Cindy Tuck, Deputy Executive Director for Government Relations, Association of California Water Agencies at (916) 441-4545 or at cindy@acwa.com.

cc: The Honorable Eduardo Garcia
Honorable Members, Assembly Appropriations Committee
Ms. Jennifer Galehouse, Deputy Chief Consultant, Assembly Appropriations Committee
Ms. Suzanne Sutton, Consultant, Assembly Republican Caucuses
Mr. Carlos Gonzalez, Chief of Staff, Assembly Member Eduardo Garcia’s Office

Flood Line

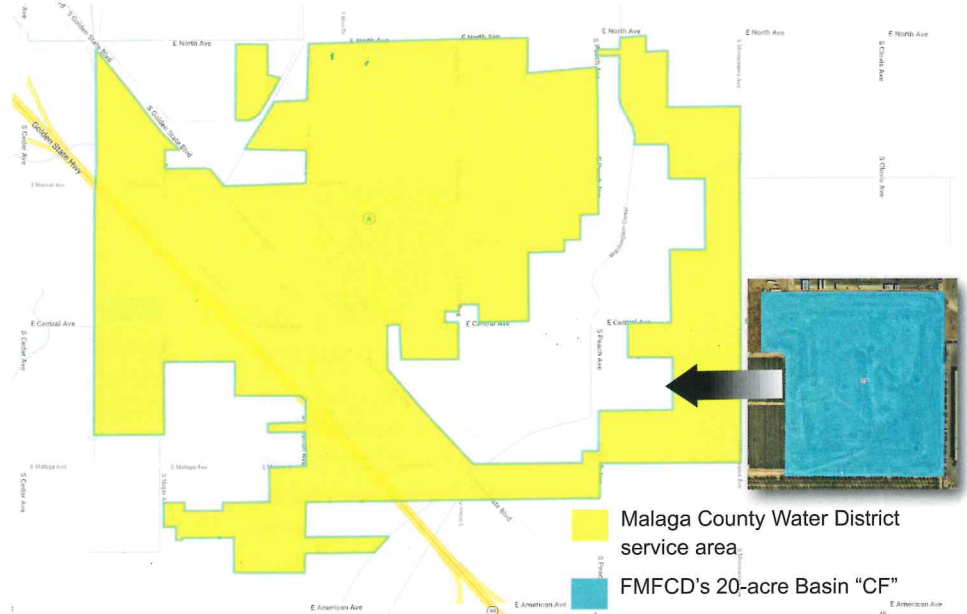
A NEWSLETTER OF THE FRESNO METROPOLITAN FLOOD CONTROL DISTRICT

Capturing Stormwater since 1956

Partnership with Malaga County Water District

Groundwater recharge is a critical tool to achieve balance between groundwater supply and demand. Though California has officially been declared as drought-free for the first time since 2011 ([U.S. Drought Monitor](#)), most of the Central San Joaquin Valley is still in a condition of critical groundwater overdraft, and has a lot of work to do to comply with California’s 2014 Sustainable Groundwater Management Act (SGMA).

SGMA requires water purveyors to increase their groundwater recharge efforts. One such local water purveyor is Malaga County Water District (MCWD), which serves a 2.5 square-mile portion of southeast Fresno, in the



'Malaga partnership' continued on page 7

New basins added to Fresno recharge inventory

In the Fresno/Clovis area, there is no such thing as too much groundwater recharge. Annual performance of approximately 45,000* acre-feet of groundwater recharge is a figure the District continually seeks to increase. To that end, a new basin has been added to the list of those able to do dry season recharge.

The addition of Basins "AI" and "EO" to the recharge list brings the total to 92 basins throughout Fresno and Clovis. Basin "AI" (all 150+ basins in the system have alpha-numeric names), is a 12.92-acre site near Hayes

and Gettysburg Avenues in northwest Fresno. The project approved by the District Board will construct a pipeline intertie between the Herndon Canal and the basin.

Basin "AI" will provide storm drainage service to the 503-acre watershed to the north. Basin "EO", just under a mile away, is a 17-acre site that serves a 741-acre watershed southwest of drainage area "AI". A pipeline to connect Basin "AI" to the Herndon Canal will be funded by the City

'New recharge basin' continued on page 7

Inside This Issue

Message from the General Manager	2	Environmental field trip opportunities for schools	4
Climate and transportation infrastructure - Fresno COG wants your input	2	Integrated Pest Management basics	5
FMFCD team's surprise bowling upset	3	New faces in Environmental Resources	5
New reminder of why not to feed wildlife	3	Guest story: California Dept of Fish and Wildlife	6
Improved online ordering of classroom materials	4	Close Up: Zeidy Kidd	8

Malaga partnership

Continued from cover

vicinity of Freeway 99 and Central Avenue. Earlier this year, MCWD's Board President Charles Garabedian and General Manager Jim Anderson spoke with the District Board about implementing a recharge program in District basins within its service area to comply with SGMA.

Local partnership for public benefit

MCWD proposed a partnership project to the District Board, to connect the District's 20-acre stormwater basin at Central and Peach Avenues, to the Fresno Irrigation District's (FID) nearby Washington Colony Canal. Water from the canal could be diverted into the basin and allowed to soak through the soil and recharge the groundwater aquifer. The sandy soils underlying the basin should make it a particularly

good recharge site, and it is estimated to produce 1,400 acre-feet of recharge annually. As explained by Mr. Garabedian, this would allow MCWD to meet its SGMA-mandated groundwater recharge responsibility.

The District's Board approved MCWD's request, which will include an ongoing groundwater recharge agreement. The District currently has recharge agreements with the City of Fresno, City of Clovis, Fresno Irrigation District, and Bakman Water Company.

The District is pursuing grant funds to construct the necessary pipeline and pump station to allow both groundwater recharge and improved flood routing during the rainy season, in addition to the basin's primary urban storm drainage function. If the project does receive the requested grant funds, that will relieve MCWD of most of its project costs.

New recharge basins

Continued from cover

of Fresno. Water will be moved from Basin "AI" to Basin "EO", using an existing pipeline. The ability to move water will free up capacity during heavy storms, and allow more flexibility to take water from the Herndon Canal to relieve pressure during big storm years. It also enables the District to make the most of groundwater recharge capability. Both have sandy underlying soils, which makes them great choices for groundwater recharge because water moves through sandy soils quickly. Excavation at both sites was done by a High Speed Rail contractor who needed large amounts of soil for their project.

The water that will be diverted from the Fresno Irrigation District's (FID) Herndon Canal will come from the Kings River and is part of the City of Fresno's surface water entitlement. The Fresno Metropolitan Flood Control District and FID have operated a groundwater recharge program in District basins since 1964. The City of Fresno and the District have worked together on groundwater recharge since 1981, and continue to work on projects to increase the use of District basins for groundwater recharge.

**Figure is a 5-year average and includes stormwater recharge and dry season recharge.*

