



**REGULAR BOARD MEETING MINUTES**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET**  
**FRESNO, CALIFORNIA 93725**  
**Tuesday, December 12, 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: 6:00p.m.**

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

**All Present. Late Arrival of Vice President Cerrillo at 6:04p.m.**

**Also Present: Jim Anderson, Romana Campos, Neal Costanzo, and 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. **Sewer Repairs at 3146 S Olney.** Continued from the previous meeting. A discussion with the property owner to make a determination of fault regarding sewer repairs required at 3146 S Olney Ave. The Malaga Code requires that sewer repairs caused by the property owner shall be paid for by the property owner. The final cost of sewer repairs was \$ 1,575.49.

**For discussion and potential action.**

**Motion by Vice President Cerrillo, Second by Director Castaneda and by a unanimous vote to have MCWD pay the sewer repairs.**

- b. **FY 2016 Annual Audit Report.** Continued from the previous meeting. Approval of the FY 2016 Annual Audit Report was continued from the last meeting to allow the members of the Board of Directors more time to review the report.

Recommended action: To approve the FY 2016 Annual Audit Report.

**Item was moved towards the end of the meeting to ensure arrival of Max Sanborn. Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. to approve the FY 2016 Annual Audit Report.**

- c. **CDBG 17451: Arriaga Community Center Roof and A/C project.** The District has been awarded \$250,000 in CDBG funds through Fresno County to install air conditioning units

and apply foam to the community center roof. An Agreement is required with the County to secure the funds. The District has pledged \$10,000 in matching funds.

Recommended action: To approve Resolution 12-12-2017 approving the Agreement with Fresno County and authorizing the General Manager to sign the Agreement and submit reimbursement requests to the County.

**Motion by Director Castaneda; Second by Director Cerrillo, Jr. and by a 4-0 vote to approve Resolution 12-12-2017 and the agreement with Fresno County.**

- d. **Public Safety.** Continued from the previous meeting. A discussion to schedule a Town Hall Meeting concerning public safety.

Recommended action: To schedule a Town Hall Meeting at the Arriaga Community Center to present information to the community concerning "Shot Spotter" technology and discuss matters of public safety.

**For discussion and potential action.**

**Discussion was held. The Board of Directors made the decision to schedule a Town Hall Meeting at the Arriaga Community Center on January 16, 2018.**

- e. **Security Surveillance.** Continued from the previous meeting. The District has received three proposals for a security surveillance system at Malaga Park and the District Office.

Recommended action: To review the proposals under consideration for approval and authorize the General Manager to execute a contract agreement.

**For discussion and potential action.**

**A recommendation was made by the General Manager to consider Beyond Tech Solutions.**

**Motion by Director Castaneda, Second by Director Tovar and by a 4-0 vote to award the security system contract to Beyond Tech Solutions and authorize the GM to execute the contract agreement.**

## **5. New Business:**

- a. **Prop 218 Public Hearing on Proposed Rates for Consolidated Roll-Off Solid Waste Disposal Service and Notice of Exclusive Roll-Off Solid Waste Collection Provider.** A public hearing to adopt rates for roll-off service in the District to be provided by the District's exclusive solid waste service provider.

Recommended action: To hold a public hearing to adopt the proposed roll-off service rate as published in the Prop 218 notice.

**Public hearing opened for public comment at 6:42p.m. No correspondence opposing the Proposed Rates was received before the public hearing. No public comment made during the public hearing. Public comment closed at 6:42p.m.**

**Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. to hold public hearing.**

- b. **Ordinance 2017-2 Solid Waste.** A proposed amendment to the Malaga Code to repeal and re-enact Chapter 5.01 related to sanitation service.

Recommended action: To approve Ordinance 2017-2 as presented or amended.

**Motion by Director Cerrillo, Jr.; Second by Director Castaneda and by 4-0 vote to approve Ordinance 2017-2 as presented.**

- c. **Amendment of the Agreement with IWS as the District's Exclusive Solid Waste Service Provider.** The Agreement with IWS as the District's solid waste service provider has been amended to contain language authorizing them as the exclusive roll-off solid waste service provider.

Recommended action: To approve amendments made to the IWS Agreement.

**Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. to approve Ordinance 2017-2 as presented. 3-0 vote, President Garabedian abstained his vote.**

- d. **Resolution 12-12-2017A.** A resolution drafted by SDRMA to declare board members and volunteers as "employees for worker's compensation purposes".

Recommended action: To adopt Resolution 12-12-2017A declaring board members and volunteers as "employees for worker's compensation purposes".

**Motion by Director Cerrillo, Jr.; Second by Director Tovar Jr. and by a 4-0 vote to adopt Resolution 12-12-2017A declaring board members and volunteers as "employees for worker's compensation purposes".**

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

**RCD, Romana Campos, reported a total of 69 toys were donated during the Car Club Toy Drive which was held on December 9, 2017. A total of 20 bicycles were donated. Director Irma Castaneda will be donating 2 scooters for the Christmas Program.**

7. **Engineer Reports:**

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

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

- a. An offer has been made to an experienced G-4 Environmental Compliance Inspector to fill the open position pending availability and relocation.  
**The offer has been withdrawn due to commitment uncertainty.**  
b. Department reports.  
c. Other reports.

9. **President's Report:**

**The President reported his attendance to the grand opening of a new credit union bank in Bakersfield. He is also waiting for the permits to finally start construction for the new restrooms at the park. A suggestion was made to remove the speed bump in the driveway area of the park.**

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

None for this meeting. VP Cerrillo made an emergency exit at 6:24p.m.

**11. Director's Reports:**

Director Cerrillo attended the ACWA conference, but was unable to attend the ACWA award show. VP Cerrillo was able to replace him.

Director Irma Castaneda made an emergency exit at 7:00p.m.

**12. Legal Counsel Report:**

A request was made by the Legal Counsel for the addition of a closed session item; pending litigation.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. to approve addition of closed session item.

**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 November 21, 2017.
- b. Financial Statements and Account Payable reports.

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

**Motion by Director Cerrillo, Jr.; Second by President Garabedian, Jr. to approve the Minutes of November 21, 2017.**

**President Garabedian, Jr. suggests a detailed report for Provost and Pritchard. Director Tovar, Jr. has returned a check given to him for the ACWA Conference due to not attending the conference.**

**Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. to approve the Financial Statements and Account Payable reports as amended.**

**14. Communications:**

- a. Written Communications:
  1. CVWRCB approval of the MCWD pollution prevention plan that will require WWTF modifications to achieve nitrogen reduction.

**15. Closed Session:** No closed session item for this meeting.

**Closed session start: 7:40p.m. No reportable action.**

**16. Adjournment:**

**Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 3-0 vote to adjourn the meeting at 7:50p.m.**