



**REGULAR BOARD MEETING AGENDA**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET**  
**FRESNO, CALIFORNIA 93725**  
**Thursday, September 16, 2021 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. **Industrial Park Presentation.** A presentation by Steve Brandau and Leigh Ann Eager regarding the Southeast Fresno Industrial Park.

Recommended action: for discussion.

b. **Master Plan.** Draft Master Plan for review and comment. Initial comments include the potential to expand the ultimate service area and to prepare proposals for a wastewater treatment plant master plan for the existing facilities.

Recommended action: to review Master Plan draft and approve as presented or amended.

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

**5. New Business:**

a. **Resolution 09-14-2021.** A resolution authorizing the grant application acceptance and execution for the Well 3A Project. This project would include the construction of a replacement well (Well 3A) for Well 3. The project would include destruction of Well 3, construction of the new Well 3A, site work, a standby generator and connection to the existing water distribution system.

Recommended action: to approve Resolution 09-14-2021 as amended or presented, and to designate General Manager, Moises Ortiz, as the authorized person.

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

- b. **Resolution 09-14-2021A.** A resolution authorizing the grant application, acceptance, and execution for the Storage Tank 1 project. This project would include the construction of a new water storage tank at the Well 3 site. The tank would be approximately 1 million gallons and would include a booster pump system.

Recommended action: to approve resolution 09-14-2021A as presented or amended, and to designate General Manager, Moises Ortiz, as the authorized person.

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

- c. **Resolution 09-14-2021B.** A resolution authorizing the grant application, acceptance, and execution for the Water Mail Loop American Avenue project. This project would provide for a 12-inch main from Well 8 south in Maple Avenue to American Avenue, then east in American Avenue to Chestnut Avenue, then north in Chestnut Avenue to the existing dead-end water main in Chestnut Avenue.

Recommended action: to approve resolution 09-14-2021B as amended or presented, and to designate General Manager, Moises Ortiz, as the authorized person.

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

**6. Incorporation Reports:**

**7. Recreation Reports:**

**8. Engineer Reports:**

- a. District Engineer Report.
- b. CDBG Engineer Report: none for this meeting.

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

**10. President's Report:**

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

**12. Director's Reports:**

**13. Legal Counsel Report:**

**14. Communications:**

- a. Written Communications:
  - 1. **ACWA Candidate Nominations.** A call to fill the Chair, Vice Chair and board members positions for the 2022-2023 term. Nominations must be received in the ACWA office by Thursday, September 30, 2021.
  - 2. **ACWA Conference.** Registrations are now open. Conference will take place on November 30 to December 2 in Pasadena.

b. Public Comment: *The Public may address the Malaga County Water District Board on item(s) of interest within the jurisdiction of the Board, not appearing on the agenda. The Board will listen to comments presented; however, in compliance with the Brown Act, the Board cannot take action on items that are not on the agenda. The public should address the Board on agenda items at the time they are addressed by the Board. All speakers are requested to wait until recognized by the Board President. All Comments will be limited to three (3) minutes or less per individual/group per item per meeting, with a fifteen (15) minutes maximum.*

**15. 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 24, 2021.
- b. Financial Statements and Accounts Payable reports.

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

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

**16. Closed Session:**

**17. 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 14, 2021, 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 09/10/2021.

**Norma Melendez**

Norma Melendez, District Clerk

Attachment 1, Part I – Application Cover Sheet

Application for Small Community Drought Relief Grant Program pursuant to Budget Act of 2021

The Malaga County Water District
(Exact legal name of local entity applying for the grant)

Of 3580 S. Frank St.
(Mailing address of local entity)

Fresno CA 93725

Of the County of Fresno, State of California, does hereby apply to the California Department of Water Resources for a grant in the amount of \$1,679,000.

For the following project under the Small Community Drought Relief Program:

Well 3A Project
(Specify project title)

By Moises Ortiz Date General Manager
(Print or type name of authorized representative) (Title)

Telephone (559) 485-7353 E-mail mortiz@malagacwd.org

Brief Proposal Description:

Construct Well 3A to replace Well 3, which has been designated as inactive due to water quality issues. The Malaga County Water District does not have sufficient water supply to meet maximum day demands as required by Title 22, Chapter 16, Article 2, Statute 64554(c) when the largest well is out of service. The Malaga County Water District has no resiliency in a drought condition if one well is out of service. The project would also include the construction of a standby power generator for the well.

**RESOLUTION NO. 09-14-2021**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUNTY  
WATER DISTRICT  
AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION  
FOR THE WELL 3A PROJECT**

WHEREAS, Malaga County Water District proposes to implement The Well 3A Project;

WHEREAS, the Well 3A Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or, (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies;

WHEREAS, Malaga County Water District has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, Malaga County Water District intends to apply for grant funding from the California Department of Water Resources for the Well 3A Project;

THEREFORE, BE IT RESOLVED by the Board of Directors of the Malaga County Water District as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 69, § 112), the Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources and take such other actions as necessary or appropriate to obtain grant funding.
2. The Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The Malaga County Water District General Manager, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

\* \* \* \* \*

CERTIFICATION I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Malaga County Water District at the meeting held on September 14, 2021, passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Charles E. Garabedian, Jr., President  
Malaga County Water District

ATTEST:

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Moises Ortiz, Secretary  
Board of Directors, Malaga County Water District

# item 5.b.

## Attachment 1, Part I – Application Cover Sheet

Application for Small Community Drought Relief Grant Program pursuant to Budget Act of 2021

The Malaga County Water District  
(Exact legal name of local entity applying for the grant)

Of 3580 S. Frank St.  
(Mailing address of local entity)

Fresno CA 93725

Of the County of Fresno, State of California, does hereby apply to the California Department of Water Resources for a grant in the amount of \$ 2,488,821.

For the following project under the Small Community Drought Relief Program:

Storage Tank 1 Project

(Specify project title)

By \_\_\_\_\_ Date \_\_\_\_\_  
(Signature of authorized representative)

Moises Ortiz

General Manager

(Print or type name of authorized representative)

(Title)

Telephone (559) 485-7353 E-mail mortiz@malagacwd.org

### **Brief Proposal Description:**

Construct Storage Tank 1 at the existing Well 3 site. The storage tank is planned as an at grade

tank with booster pumps. The tank will be filled by either the new Well 3A or from the distribution

system. The tank will be intended to provide a portion of the maximum day demand as recommended

by Title 22. The Malaga County Water District has no resiliency in a drought condition if wells are out of

service. This project would allow for water to be available for distribution directly from the storage tank.

This project also provides the ability to reduce power costs by allowing the wells to operate at night (non

peak periods) and then the smaller booster pumps can operate during peak power periods.

**RESOLUTION NO. 09-14-2021A**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION FOR THE STORAGE TANK 1 PROJECT**

WHEREAS, Malaga County Water District proposes to implement the Storage Tank 1 Project;

WHEREAS, the Storage Tank 1 Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or, (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies;

WHEREAS, Malaga County Water District has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, Malaga County Water District intends to apply for grant funding from the California Department of Water Resources for the Storage Tank 1 Project;

THEREFORE, BE IT RESOLVED by the Board of Directors of the Malaga County Water District as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 69, § 112), the Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources and take such other actions as necessary or appropriate to obtain grant funding.
2. The Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

\* \* \* \* \*



CERTIFICATION I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Malaga County Water District at the meeting held on September 14, 2021, passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Charles E. Garabedian, Jr., President  
Malaga County Water District

ATTEST:

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Moises Ortiz, Secretary  
Board of Directors  
Malaga County Water District

**Attachment 1, Part I – Application Cover Sheet**

Application for Small Community Drought Relief Grant Program pursuant to Budget Act of 2021

The Malaga County Water District  
*(Exact legal name of local entity applying for the grant)*

Of 3580 S. Frank St.  
*(Mailing address of local entity)*

Fresno CA 93725

Of the County of Fresno, State of California, does hereby apply to the California Department of Water Resources for a grant in the amount of \$ 2,201,549.

For the following project under the Small Community Drought Relief Program:

Water Main Loop American Avenue Project

*(Specify project title)*

By \_\_\_\_\_ Date \_\_\_\_\_  
*(Signature of authorized representative)*

Moises Ortiz

General Manager

*(Print or type name of authorized representative)*

*(Title)*

Telephone (559) 485-7353 E-mail mortiz@malagacwd.org

**Brief Proposal Description:**

Construct a 12 inch diameter water main loop from Maple Avenue south to American Avenue, east to Chestnut Avenue and north to the dead end water main in Chestnut Avenue. This loop will eliminate two dead end water lines and provide for resiliency of the water system to be able to deliver water to customers in the southwest portion of Malaga County Water District in the event that either dead end water main is temporarily out of service.

**RESOLUTION NO. 09-14-2021B**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION FOR THE WATER MAIN LOOP AMERICAN AVENUE PROJECT**

WHEREAS, Malaga County Water District proposes to implement the Water Main Loop American Avenue Project;

WHEREAS, the Water Main Loop American Avenue Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to: (1) address immediate impacts on human health and safety; (2) address immediate impacts on fish and wildlife resources; or, (3) provide water to persons or communities that lose or are threatened with the loss or contamination of water supplies;

WHEREAS, Malaga County Water District has the legal authority and is authorized to enter into a funding agreement with the State of California; and

WHEREAS, Malaga County Water District intends to apply for grant funding from the California Department of Water Resources for the Water Main Loop American Avenue Project;

THEREFORE, BE IT RESOLVED by the Board of Directors of the Malaga County Water District as follows:

1. That pursuant and subject to all of the terms and provisions of Budget Act of 2021 (Stats. 2021, ch. 69, § 112), the Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources and take such other actions as necessary or appropriate to obtain grant funding.
2. The Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The Malaga County Water District Board President or General Manager, or designee is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

\* \* \* \* \*

CERTIFICATION I hereby certify that the foregoing Resolution was duly and regularly adopted by the Board of Directors of the Malaga County Water District at the meeting held on September 14, 2021, passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

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Charles E. Garabedian, Jr., President  
Malaga County Water District

ATTEST:

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Moises Ortiz, Secretary  
Board of Directors  
Malaga County Water District

# item 14.a.1



**Please return completed ballot by Sept. 30, 2021**

E-mail: [regionelections@acwa.com](mailto:regionelections@acwa.com)  
Mail: ACWA  
980 9th Street, Suite 1000  
Sacramento, CA 95814

### General Voting Instructions:

- 1 You may either vote for the slate recommended by the Region 6 Nominating Committee or vote for individual region board members. Please mark the appropriate box to indicate your decision.
- 2 Complete your agency information. The authorized representative is determined by your agency in accordance with your agency's policies and procedures.

**1**

**Nominating Committee's Recommended Slate**

I concur with the Region 6 Nominating Committee's recommended slate below.

**CHAIR:**

- **Deanna Jackson**, Executive Director, Tri-County Water District

**VICE CHAIR:**

- **Ryan Ferguson**, Director, Westlands Water District

**BOARD MEMBERS:**

- **Brian Davis**, Director, Madera Irrigation District
- **Bill Diedrich**, Chair, San Luis Water District
- **Charlotte Gallock**, Director of Water Resources, Kings River Conservation District
- **Darcy Villere**, Director, Firebaugh Canal Water District

**OR**

**Individual Board Candidate Nominations**

I do not concur with the Region 6 Nominating Committee's recommended slate. I will vote for individual candidates below as indicated.

**CANDIDATES FOR CHAIR: (CHOOSE ONE)**

- Deanna Jackson**, Executive Director, Tri-County Water Authority

**CANDIDATES FOR VICE CHAIR: (CHOOSE ONE)**

- Ryan Ferguson**, Director, Westlands Water District
- Deanna Jackson**, Executive Director, Tri-County Water Authority

**CANDIDATES FOR BOARD MEMBERS: (MAX OF 5 CHOICES)**

- Brian Davis**, Director, Madera Irrigation District
- Bill Diedrich**, Chair, San Luis Water District
- Ryan Ferguson**, Director, Westlands Water District
- Charlotte Gallock**, Director of Water Resources, Kings River Conservation District
- Deanna Jackson**, Executive Director, Tri-County Water Authority
- Darcy Villere**, Director, Firebaugh Canal Water District

**2**

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AGENCY NAME

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AUTHORIZED REPRESENTATIVE DATE



**REGULAR BOARD MEETING MINUTES**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET FRESNO,**  
**CALIFORNIA 93725**  
**Tuesday, August 24, 2021 at 6:00PM**

**item 15.a.**

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: 6:00pm**

- 2. Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.  
**All present.**  
**Also present: Norma Melendez, Moises Ortiz and Michael Slater.**

- 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 12, 2021.

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

**Motion by Director Castaneda; Second by Director Cerrillo and a 5-0 vote to approve the consent agenda as presented.**

**5. Old Business:**

- a. **Rental Contracts.** Updated funeral reception contract.

For review and comment.

**Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve the funeral reception rental contract as presented.**

- b. **Security Cameras.** A quote from our current security camera company, Beyond Tech Solutions, was submitted for the installation of additional cameras at the district office.

The additional cameras would be installed facing the driveway and the parking lot at the back of the office. Pricing is of \$5,500.00 which includes parts, labor, and tax.

**Recommended action:** to approve quote from Beyond Tech Solutions for \$5,500.00 for the installation of additional cameras as presented or amended.

**Item tabled to give the General Manager time to seek additional security camera quotes.**

## 6. New Business:

- a. **CDBG 2022-2023; Public Comments.** To hear any public comments or suggestions to be considered for the CDBG 2022-2023 funding application. The Community Development Block Grant (CDBG) is a Federal grant program administered by Fresno County to address housing and community development needs of low- and moderate-income persons. Types of eligible projects include public works improvements such as water, sewer, streets and drainage, fire protection facilities and equipment, solid waste facilities, libraries, and community centers.

For public discussion and potential action.

**Public comment open: 6:10p.m. No public comments. Public comment closed 6:10p.m.**

- b. **CDBG 2022-2023; Project Proposal.** Project applications for CDBG Projects in FY 2022-23 are due to Fresno County Planning by August 31, 2021. Staff recommends that the district submit a project proposal to make improvements at the WWTF to meet permit compliance. The improvements will include modifications to the aeration system to improve reduction of nitrogen in the effluent and therefore improve groundwater quality.

The Project will include:

- Modification to the air system to allow for improvements that would reduce the nitrogen concentration.
- Modification to two aeration basins and the dissolved air flotation basin that will allow the treatment facilities to incorporate nitrification and denitrification processes to reduce the effluent nitrogen.
- Instrumentation to monitor sludge recirculation flowrates to improve facility performance.
- Construction of an automatic overflow from an aerobic digester tank, to prevent overflow of untreated wastewater.

The project is nearly shovel-ready. The estimated cost of the project is \$250,000, which is the maximum grant amount.

Recommended action: To approve the submission of an application for the WWTF Nitrogen Reduction Project for CDBG 2022-23 funding and designate the Interim General Manager as signing authority for the project.

**Motion by Director Cerrillo, Jr.; Second by Vice President Cerrillo and by a 5-0 vote to approve submission of the application for WWTF Nitrogen Reduction Project for CDBG 2022-23 funding and to designate General Manager as signing authority for the project.**

- c. **Municipal Service Review Draft.** District Engineer, Michael Taylor, provides the administrative draft of the background section of the MSR. Using the information contained in the background section, Fresno LAFCo will prepare the determinations component of the MSR.

For review and comment.

**Legal Counsel, Michael Slater, suggests meeting with Jeff O'neal to discuss county plans to include in the MSR.**

**7. Incorporation Reports:**

- a. Incorporation timeline
- b. Incorporation cost

**President Garabedian reported on an article that appeared on The Fresno Bee regarding the proposed Southeast Industrial Park stating that the MCWD would be able to provide water and sewer services. Speaking to Steve Brandau, suggestions are made that Malaga's sphere of influence should reach Fowler Avenue.**

**8. Recreation Reports:**

- a. Monthly expense

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

**9. Engineer Reports:**

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

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

- a. Retirement Purchase Plan/ 401k
- b. Job descriptions need to be updated
- c. HSR update **Legal counsel is preparing extension to the agreement.**
- d. Restroom cost update

**11. President's Report:**

**Report mentioned under item 7.**

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

**Vice President Cerrillo mentioned that the recreation committee will be holding a meeting to finalize details for the outreach event of August 28.**

**13. Director's Reports: None for this meeting.**

**14. Legal Counsel Report: reserved for closed session.**

**15. Communications:**

- a. Written Communications: **None.**

b. Public Comment: *The Public may address the Malaga County Water District Board on item(s) of interest within the jurisdiction of the Board, not appearing on the agenda. The Board will listen to comments presented; however, in compliance with the Brown Act, the Board cannot take action on items that are not on the agenda. The public should address the Board on agenda items at the time they are addressed by the Board. All speakers are requested to*



*wait until recognized by the Board President. All Comments will be limited to three **(3)** minutes or less per individual/group per item per meeting, with a fifteen **(15)** minutes maximum.*

**16. Closed Session: 7:28p.m.**

- a. Pending Litigation (Government code section 54956.8.).  
**Nothing to report.**

**17. Adjournment:**

**Motion by Director Castaneda, Second by Vice President Cerrillo and by a 5-0 vote to adjourn the meeting at 7:52p.m.**

**Certification of Posting**

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing minutes for the Regular Meeting of the Board of Directors of August 24, 2021, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, at on 09/17/2021.

**Norma Melendez**

Norma Melendez, District Clerk