



REGULAR BOARD MEETING MINUTES

**BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, November 12, 2024 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.

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.

Not present at roll call: Vice President Cerrillo.

Also present: 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: None for this meeting.

5. New Business:

Vice President Cerrillo arrived at 6:02pm, at the beginning of item 5.a. discussions.

- a. **Well Destruction Plan.** Provost and Pritchard submitted a Well Destruction Plan for review.

Recommended action: to approve the Well Destruction Plan and authorize Provost and Pritchard to submit to DWR for approval to seek grant funding.

Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve the Well Destruction Plan and authorize Provost and Pritchard to submit to DWR for approval to seek grant funding.

- b. **Resolution 11-12-2024.** A Resolution approving an agreement with Fresno County related to the Wastewater Treatment Facility Nitrogen Reduction Project.

Recommended action: to approve Resolution 11-12-2024 as presented.

Motion by Director Castaneda, Second by Vice President Cerrillo, and by a 5-0 vote to approve Resolution 11-12-2024 as presented.

- c. **President Garabedian requested to add agenda item 5.c. as its urgency cannot wait until the next scheduled regular board meeting. Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 to add agenda item 5.c. to the agenda.**

President Garabedian reported to the board that a blower at the wastewater plant went out over the weekend and will need to be repaired immediately. The acting General Manager's seek up to \$30,000 to spend in repairs for the blower.

Recommended action: To authorize the Acting General Manager's to spend up to \$30,000 on the WWTP Blower.

Discussion included questions from the other board members in regards to the state of other blowers at the plant and what would the steps to repair entail. The President stressed the need to repair this blower as it is essential for the efficiency of the plant as the other blowers are not in working order and will potentially need to seek funding to repair the others. Motion by Director Cerrillo, Jr., Second by Director Tovar, Jr. and by a 5-0 vote to authorize the acting GM's to spend up to \$30,000 to repair the blower to bring it back in working order.

6. Incorporation Reports: None for this meeting.

7. Recreation Reports:

Director Castaneda reported that the recreation committee will meet on Wednesday, 11/13/2024 for their monthly meeting to discuss future programs such as the Thanksgiving Luncheon, Christmas Tree Lighting, and the Christmas Program. She also reported that Rec. Bingo's date had to be changed due to Fresno County's Voting equipment was still at the center and would interfere with bingo.

During the recreation report, 15 winners were selected at random to win a Thanksgiving basket.

8. Engineer Reports:

a. District Engineer Report. None for this meeting.

b. CDBG Engineer Report: None for this meeting.

9. General Manager's Report:

President Garabedian, Jr. reported he had a meeting with Steve Brandau to discuss a potential development within the District. He will also be meeting Vern to get projected numbers of what it would cost to make necessary repairs to the pool. By obtaining this number the district will have the ability to seek out grants to help with the repairs.

Vice President Cerrillo informed the board that the community clean-up is scheduled for November 16. He also mentioned he received the contaminated soil flyer that is also added under correspondence to this agenda. Lastly, he announced that Luis Chavez has won the Fresno County Supervisor seat for District 3 which is the district Malaga belongs to.

10. President's Report: under GM report.

11. Vice President's Report: under GM report.

12. Director's Reports: None for this meeting.

13. Legal Counsel Report: None for this meeting.

14. 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 October 22, 2024.
- b. Accounts Payable Report.

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

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve the consent agenda as presented.

15. Communications:

a. Written Communications:

1. **Notice.** A letter from the Department of Toxic Substances Control notifying the District of an environmental clean-up at 3720 S. Golden State Blvd. Investigations in 2023 and 2024 indicated that about 11,000 cubic yards of soils are impacted with concentrations substances that exceeded levels considered safe. Work will begin November 11 and it is estimated that work will continue for up to three months. **The District Engineer provided feedback on the next steps the district should take, such as requesting information during and post-construction as the project is within the District and groundwater protection is our concern.**
2. **PG&E.** The District Facility located at 3749 S. Maple Avenue (WWTP) has been randomly selected to participate in a study to determine the costs customers experience from power interruptions. Survey will take 15-20 minutes with the incentive of receiving a \$50 electronic gift card or check for taking the time to complete the survey. **Direction was given for the WWTF CPO complete and submit this survey.**
3. **Water Round Table.** An invitation from Fresno County Economic Development Corporation to participate in a round table discussion on water management, workforce development and conservation challenges. The round table is scheduled for November 13 at Fresno State from 2:00pm to 3:30pm. **President Garabedian, Jr. will attend this meeting.**

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.*

- i. **Johnathon Sepeda formally requested to receive benefits in lieu while awaiting a final decision on the matter. He seeks clarification or resolution as soon as possible to ensure alignment with the organization's policies.**
- ii. **Miguel Alvarez inquired about the process for receiving benefits in lieu. President Garabedian, Jr. clarified that there has been a misunderstanding which led to employees to receive in-lieu of health benefits, but initially this policy was intended only for board members.**

As discussions progressed, the board has decided to include a potential litigation item to closed session, along with another item pertaining to personnel public employment.

Motion by Director Tovar, Jr., Second by Director Tovar, Jr. and by a 5-0 vote to add two closed session items to the agenda.

16. Closed Session:

- a. Potential Litigation. (Government Code 54956.9(d)(1).).
- b. Public Employment Pursuant to Government Code section 54957
All Positions and Departments

Board went into closed session at the time of 7:31pm and came out of closed session at 8:30pm. No reportable action.

17. Adjournment:

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 8:30pm.

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 November 12, 2024, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 11/21/2024.

Norma Melendez, District Clerk