



REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, July 13, 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: 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: Neal Costanzo, Norma Melendez and Moises Ortiz

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

4. Old Business:

- a. **FY 2019-2020 Audit Report.** A continued discussion from the previous board meeting. Jaribu W. Nelson, CPA has completed the FY 19/20 audit report. The audit report indicates that the district performs its fiduciary duties in accordance with accounting principles generally accepted in the United States.

Recommended action: to approve the FY 2019/2020 audit report as presented or amended.

Motion by: Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve the FY 2019-2020 Audit Report.

- b. **Resolution No. 7-13-2021.** A resolution establishing separate bank accounts for solid waste and recreation enterprises.

Recommended action: to approve resolution No. 07-13-2021 as presented or amended.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Resolution No. 07-13-2021 as presented.

5. New Business:

- a. **Non-profit status.** Gordon Saito, CPA, recommends the dissolution of the non-profit status.

Recommended action: for discussion and potential action.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to dissolve the non-profit status for recreation. Legal Counsel will begin the dissolution process.

- b. **General Manager, Moises Ortiz, asked the board to add item 5.b.: Resolution No. 07-13-2021A, an item in which was brought to the General Manager's attention after the posting of the agenda. Due to its time sensitive nature, it must be added for approval.**

Motion by Vice President Cerrillo, Second by Director Tovar, jr. and by a 5-0 vote to add Resolution 07-13-2021A to the agenda.

Resolution 07-13-2021A. A resolution approving an agreement with the Kings Water Alliance, Inc related to compliance with the State Water Resources Control Board CV-salts and Nitrate Control Program

Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution No. 07-13-2021A as presented.

6. Recreation Reports:

- a. **Recreational Health Inspection Report.** Report shows various violation/not in compliance items. Inspector suggests continuing to correct all violations, including violations from previous inspection report form 11/6/2020.

New Image will determine what they need to do to make the corrections regarding the lights in the pool.

- b. **The district is in search for lifeguards. Currently there is a lifeguard shortage which makes the search difficult.**

7. Incorporation Report: No new developments at this time.

8. Engineer Reports:

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

9. General Manager's Report:

- a. IWS charges. **Previous solid waste financial reports showed incorrect balances due to formulas in the excel worksheet not calculating properly.**

10. President's Report:

President Garabedian, Jr. met with Steve Brandau and Leigh Ann Eager and they have expressed their desire to come to a district's board meetings to have a presentation regarding the proposed industrial park. The President also spoke to Henry Murrietta who mentioned that Fowler High School won State Championships in softball and basketball.

11. Vice President's Report:

Vice President Cerrillo said Mr. Murrietti called him to let him know about the high school championship wins. The VP also spoke about the loss the community experienced on June the 9th. He feels like we need to discuss ideas on how we can protect our people. This is a big issue, not being able to go outside our homes without being shot. He wishes to hold a town hall meeting to discuss crime in the community.

12. Director's Reports:

Director Castaneda mentioned the upcoming recreation committee meeting of July 14 to discuss possible events.

Director Tovar, Jr. reported soccer people leaving too late, peeling out as they leave and urinating outside. The General Manager needs to speak to the soccer coordinator.

13. Legal Counsel Report:

Comments reserved for closed session.

14. Communications:

a. Written Communications:

1. Notice of public drafts of City of Fresno 2020 Urban Water Management Plan, 2020 Water Shortage Contingency Plan and addendum to 2015 Urban water Management Plan.
2. FID meeting proposed for Thursday, August 5, 2021 from 9:30am to 11:00am to discuss potential agreement. All those interested in attending please inform the District Clerk.

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 June 22, 2021.
- b. Accounts Payable and Financial Reports.

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 to approve the consent agenda as amended.

16. Closed Session: 8:01pm

- a. Pending Litigation (Government code section 54956.8.) Two cases.
- b. Personnel Government Code Section 54957(b)(1).

No reportable actions.

17. Adjournment:

Motion by Director Cerrillo, Jr., Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 8:32p.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 July 13, 2021, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 07/28/2021.

Norma Melendez

Norma Melendez, District Clerk