



## REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING  
MALAGA COUNTY WATER DISTRICT  
3580 SOUTH FRANK AVENUE  
FRESNO, CALIFORNIA 93725  
Tuesday, January 09, 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: President Garabedian, Jr.**

**Also present: Norma Melendez 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 December 12, 2023.
- b. Bills payable report.

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

**Motion by Director Tovar, Jr; Seconded by Director Cerrillo, Jr. and by a 4-0 vote to approve the minutes of December 12, 2023.**

**Motion by Director Castaneda, Seconded by Director Cerrillo, Jr. and by a 4-0 vote to approve bills payable report as presented. Vice President Cerrillo and Michael Slater will discuss with staff the process for bill payments.**

### 5. Old Business:

- a. **Fresno County 2023/ 2024 RMRA Overlay.** The County of Fresno has notified MCWD that an overlay project is planned within MCWD. The streets include Chestnut Avenue, Bagley Avenue and Recreation Avenue. The County has requested information associated with water and sewer utilities within the planned overlay area.

Recommended Action: Direct staff to proceed with submitting the information regarding water and sewer facilities in the project limits. Prepare a draft letter for MCWD to review

requesting that the cost of protecting and raising manholes and water valves is included in the cost of the project. The letter would request that the cost of work associated with the existing manholes and water valves is separated to distinct bid items in the event that MCWD would be responsible for the costs.

**Board consensus to direct Micheal Taylor to prepare and submit letter to the County of Fresno.**

- b. **Development on Central near Peach; Site Plan Review 8357 – 4001 E Central Avenue.** The County of Fresno forwarded a Site Plan Review to MCWD for review and comment. The County requested comments by January 12, 2024. A draft response is attached for review and comment.

Recommended Action: Review the draft response and direct staff to submit a final response to the County of Fresno prior to January 12, 2024.

**The attachment for item 5.a. was labeled as 6.a. by mistake.  
Consensus of the board is to submit a final response to the County of Fresno.**

## **6. New Business:**

- a. **Baseball Field Use.** Don Munoz visited the MCWD office to inquire about the use of the baseball field Friday's and Sundays for 2 hours beginning this January. The Fowler Redcat Baseball Team is comprised of Fowler and Malaga students.

Recommended action: Board's pleasure.

**Board consensus was to move forward with the contract with Don Munoz. The board needs clarification on the times of baseball field use and if there is going to be any maintenance needed before the team begins practice.**

- b. **SPR 8357, 4001 E. Central Avenue.** Fresno County Public Works has submitted the Site Plan Review for comments; due by January 12, 2024.

Recommended action: For review by the board and potential addition of comments for submittal to Fresno County Public Works.

**Repeat item. No discussion held.**

- c. **Security Cameras.** Security cameras have been installed at the district office, park and water shop on a trial basis. This trial will expire on January 12, 2024. Two quotes from Monarch and two quotes from Howard Technology Solutions have been provided for security camera and professional monitoring services with the option to finance at 0% interest. Please note that the Monarch includes an end-of-year discount, which is extended until January 31, 2024.

Recommended action: for review and potential action.

**Board discussion was held and it was suggested that the District look into other more economical options. Consensus not to proceed. No motion to approve was made.**

- d. **Director Compensation.** Discussion and potential action regarding compensation for Directors performing specified duties as directed by the board.

Recommended action: for review and potential action.

**Board discussion was held and Vice President Cerrillo expressed that he does not feel there is a need to increase director compensation at this time. Board consensus was to not take any action at this time.**

- e. **Resolution 01-09-2024.** A Resolution authorizing the President and Vice President of the Board of Directors to represent the district on the Well 3A Project.

Recommended action: To approve Resolution 01-09-2024 as presented.

**Motion by Director Tovar, Jr.; Second by Director Cerrillo, Jr. and by a 4-0 vote to approve Resolution 01-09-2024 as presented.**

- f. **Resolution 01-09-2024A.** A resolution authorizing the Vice President of the Board of Directors to represent the District on Well 3A Project RCAC loan.

Recommended action: To approve Resolution 01-09-2024A.

**Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 4-0 vote to approve Resolution 01-09-2024A as presented.**

- g. **Resolution 01-09-2024B.** A resolution authorizing the Vice President of the Board of Directors to represent the District on the Solar Project RCAC loan.

Recommended action: To approve Resolution 01-09-2024B.

**Motion by Director Tovar, Jr.; Second by Director Cerrillo, Jr. and by a 4-0 vote to approve Resolution 01-09-2024B as presented.**

- h. **Well 5A and the Tank at the Well 5A site.** The two projects are funded by ARPA and administered by the County of Fresno. The two projects are intended to be constructed together and a bid opening was conducted on January 4, 2024. The construction bid for the well portion exceeds the grant awarded to MCWD. MCWD had requested additional funds from the County of Fresno in the past, with the expectation that the current construction costs would exceed the existing grant. A draft letter is attached for MCWD Board review and edits. The draft letter would be submitted to the County of Fresno to request additional grant funds, which would allow for award of the projects. The construction bid for the tank portion was within the available grant funds.

Recommended Action: Review the draft letter and direct staff to submit to the County of Fresno with any appropriate edits.

**Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 4-0 vote to submit the draft letter to the County of Fresno.**

- i. **Assembly Bill 2523 Biennial Report.** The Biennial Water Management Report should be prepared and submitted to the MCWD for review on the second Tuesday of February. A notice of receipt of the report and of a public hearing to be held in March would then be published in a local newspaper. A public hearing would then be conducted by MCWD and the final report adopted.

**Recommended Action:** Direct staff to prepare the Biennial Report for MCWD review.

**Board consensus to direct staff to begin preparations for the Biennial Report.**

- j. **Motion by Director Castaneda; Second by Vice President Cerrillo and by a 4-0 vote to add item 'j' for Resolution 01-09-2024C, authorizing signors for district bank accounts.**

**After review and discussion of the resolution, Motion by Director Castaneda; Second by Director Cerrillo, Jr. and by a 4-0 vote to approve Resolution 01-09-2024C as presented.**

**7. Incorporation Reports: None for this meeting.**

**8. Recreation Reports:**

**Director Castaneda reported a low-turnout for the recreation bingo of 1/3/24 probably due to having the program right after the New Years Day holiday. She also informed the board that the next recreation meeting will be on 1/10/24. In this meeting they will create the event calendar for the 2024 year.**

**9. Engineer Reports:**

a. District Engineer Report.

- i. **WWTF Nitrogen Reduction Project.** The project is funded through the CDBG program. The project is now advertised for construction. The bid opening is scheduled for February 7, 2024.

- ii. **Well 3A and Tank.** The project is funded with a Grant from DWR. Construction activities are proceeding. It is expected that completion of the project will be near the end of 2024.

A bridge loan from RCAC is in place for interim financing of the construction activities.

b. CDBG Engineer Report: **None for this meeting.**

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

- a. Well 3A meeting. **President Garabedian, Jr. and Vice President Cerrillo met with the district's Lead Water Operator, Gabino Gomez, and the District Engineer at the Well 3A site and went over details of the project.**
- b. December re-reads. **There was a high number of re-reads for businesses and residential in the month of December. Kathy Richards from Badger informed staff this was due to a malfunctioning transmitters that are still under warrantee. A shipment of transmitters has been delivered to the District Office. The Lead Water Operator will begin the replacement process.**

**11. President's Report: None for this meeting.**

**12. Vice President's Report:**  
**Happy New Year to everyone!**

**13. Director's Reports: Nothing to report.**

**14. Legal Counsel Report: Nothing to report.**

**15. Communications: None for this meeting.**

a. Written Communications:

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: 6:52pm**

- a. Public employment pursuant to Government Code Section 54957. All positions and all departments.
- b. Potential Litigation (Government Code Section 54956.9).

**No reportable action. The board came out of closed session at the time of 7:55pm.**

**17. Adjournment:**

**Motion by Director Castaneda, Second by Director Tovar, Jr. and by a4-0 vote to adjourn the meeting at 8:01pm.**

#### **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 January 9, 2024, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 01/26/2024.

*Norma Melendez*, District Clerk