



SPECIAL BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
PROP 218 PUBLIC HEARING
3580 S FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, July 30, 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.

- ❖ 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.

Also present: Neal Costanzo, Norma Melendez and Michael Slater

3. Certification: Certification was made that the Board Meeting Agenda was posted 24 hours in advance of the meeting.

4. Old Business: *None for this meeting.*

5. New Business:

a. Public Hearing on Proposed New Water Rates and Consideration and Necessary Action on Resolution No. 7/30/2024, Approving the Proposed New Rates.

Pursuant to the requirements of Proposition 218 (California Constitution Article XIII(D)), notice of this public hearing was given by mail on or about June 14, 2024, in English and Spanish. A copy of the Notice and the rate study are included in the agenda packet. Resolution No. 7/30/2024 would approve the proposed water and sewer rates as set forth in the public notice effective August 1, 2024.

Recommended action: to hold public hearing and approve resolution 07-30-2024.

Public comment opened at 6:01pm.

1. Nelam from Fresno Truck Wash is against the rate increase as she feels this rate increase could make or break her business. Their rates will have to go up, and their customers may not want to pay those higher rates.

Margaret, from Fresno Truck Wash, added that the majority of the businesses in the district are small, and if rates go up as high as it's listed on the notice, these businesses will leave Malaga, and that revenue would be gone. She wouldn't be opposed to a rate increase if it was a small increase, with small yearly increments, but the increase the district requesting is too high.

As this protest falls under the same parcel, it will count as 1 protest.

2. **Salvador Cerrillo, Jr., a resident of Malaga, is unopposed to the rate increase and would like to thank the board for everything they do for the district.**
3. **Adriana Castaneda, a resident of Malaga, is unopposed to the rate increase as she understands that the increase will be a benefit for Malaga's water infrastructure, water quality and a benefit for the future of the community.**
4. **Miguel Alvarez, a concerned citizen, understands the district has no choice but to move forward with the rate increase, but moving forward there needs to be some awareness of how money is spent and where it's being spent.**
5. **Estela Garcia, a resident of Malaga, is against the rate increase since she is on a fixed income. Her water bill is already high and cannot afford a higher bill.**

Public hearing comments closed at 6:12p.m.

The Vice President noted that there hadn't been a rate increase since 2017 due to the fact they were led to believe there was no need for the rate increase. This rate increase is not something the board wishes to do, but it is necessary in order to maintain the district in its existence. The President agrees with the Vice President and added that the district can start looking into a collaboration with the businesses within the district in regards to water saving, conservation methods.

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Resolution 07-30-2024, approving the proposed rate which will come to effect August 1, 2024. No written protests, and a total of two (2) protests received during the public hearing.

- b. **Resolution No. 07-30-2024A.** A resolution adopting and amending the District's Master Fee Schedule of Fees, Charges, Penalties and Recovered Costs.

Recommended action: To approve resolution 07-30-2024A as presented or amended.

Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 07-30-2024A, adopting and amending the District's Master Fee Schedule Fees, Charges, Penalties and Recovered Costs.

- c. **WWTP Nitrogen Reduction CDBG Project.** Consideration and necessary action to authorize the President to sign a letter to Fresno County requesting a time extension on the WWTP Nitrogen Reduction CDBG Project. The District received a CDBG grant to fund certain projects at the WWTP to meet new nitrogen standards. The project has been delayed due to having to re-bid the Project to meet budget requirements.

Recommended Action: to approve authorizing the President to sign the letter included in the agenda packet requesting an extension of time to complete the CDBG Nitrogen Reduction Project.

Public Comment: Miguel Alvarez asked what percentage the district is delinquent and how is the nitrogen measured as he is not familiar. Legal counsel is not familiar with the numbers of measurement and clarified that the district is not delinquent and added that the California Water Board, thought their CV Salts program set the

limits that will be enforced in the future. This CDBG grant helps the district make the necessary adjustments to be ready for when the new limits are enforced.

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 to authorize the President to sign the letter to request an extension of time to complete the CDBG Nitrogen Reduction Project.

6. Communications:

c. Written Communications:

1. **Correspondence received after the posting of the meeting. CDBG Engineer requests that the district holds a public hearing on August 13 to select a project to submit for the 2025-2026 CDBG application. The President recommends adding this item to the next agenda.**

d. Public Comment:

1. **Miguel Alvarez asked why it takes so long to complete the CDBG projects and if at any point these grants can be taken away. President Garabedian, Jr. clarified that the CDBG application process takes time as you must go through the motions with the County of Fresno and the grants can be taken away only if the entity does not follow the rules and regulations set in place after signing the agreement with Fresno County.**

7. Closed Session: none for this meeting

8. Adjournment:

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to adjourn the meeting at 6:23pm.

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing minutes for the Special Board Meeting of the Board of Directors of July 30, 2024, 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. 8/14/2024.

Norma Melendez

Norma Melendez, District Clerk