



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, April 13, 2023 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. **Parking lot project.** A discussion and review of Community Center Parking Lot Project.

Recommended action: for consideration of alternatives and direct staff.

5. New Business:

a. **Public Hearing.** A notice has been prepared to hold a public hearing on April 25, 2023. The purpose of the public hearing will be to consider an ordinance adding Chapter 5.02 to Title V of the Malaga County Water District Code ("Malaga Code") pertaining to sanitation and recycling services to comply with the requirements of SB 1383. The proposed Amendment will allow the District to better regulate sanitation and recycling service within the District and comply with the diversion requirements of SB 1383.

Recommended action: To authorize publication of the public hearing notice.

Motion by: _____; **Second by:** _____

6. Sheriff Report. Community Service Officer, Elaine Montoya, to present crime report in the community of Malaga and surrounding areas.

7. Incorporation Reports:

8. Recreation Reports:

9. Engineer Reports:

- a. District Engineer Report. None.
- b. CDBG Engineer Report: None.

10. General Manager's Report:

- a. SDRMA 2023-24 Workers' Compensation Experience Modification Factor.
- b. FID meeting.

11. President's Report:

12. Vice President's Report:

13. Director's Reports:

14. Legal Counsel Report:

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. 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 March 28, 2023.
- b. Financial statements and accounts payable reports.

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

Motion by: _____; **Second by:** _____

17. Closed Session:

18. 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 April 13, 2023, 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 04/10/2023.

Norma Melendez, District Clerk

**MALAGA COUNTY WATER DISTRICT
NOTICE OF PUBLIC HEARING**

item 5.a.

NOTICE IS HEREBY GIVEN that the Board of Directors of the Malaga County Water District ("District") will conduct a public hearing on Tuesday, April 25, at 6:00 p.m., or as soon thereafter as the matter may be heard, in the Malaga County Water District Board Room located at 3580 South Frank Street, Fresno, California.

The purpose of the public hearing will be to consider an ordinance adding Chapter 5.02 to Title V of the Malaga County Water District Code ("Malaga Code") pertaining to sanitation and recycling services to comply with the requirements of SB 1383. The proposed Amendment will allow the District to better regulate sanitation and recycling service within the District and comply with the diversion requirements of SB 1383.

A certified copy of the full text of the proposed ordinance, Ordinance 2023-1, is posted in the District office located at 3580 S. Frank Street, Fresno, California 93725 and available online at www.malagacwd.org.

All interested persons are invited to attend and provide testimony at the time and place noted above.

Dated: _____, 2023 By: Moises Ortiz, M.P.A., Secretary to the Board

**THIRD AMENDMENT TO THE SOLID WASTE AND RECYCLING FRANCHISE
AGREEMENT BETWEEN THE MALAGA COUNTY WATER DISTRICT AND
INDUSTRIAL WASTE AND SALVAGE FOR SOLID WASTE COLLECTION, GREEN
WASTE COLLECTION, AND RECYCLING SERVICES EFFECTIVE AUGUST 1, 2016.**

This Third Amendment to Solid Waste Collection, Transportation, and Franchise Agreement For Disposal Services (“Third Amendment”) is made and entered on _____, 2023, by and between the Malaga County Water District (“District”) and Orange Avenue Disposal dba Industrial Waste and Salvage (Contractor) and collectively “Parties.”

WHEREAS, the Malaga County Water District (“District”) and Orange Avenue Disposal Company, a California Corporation, dba Industrial Waste and Salvage (the “Contractor”) (the “Parties”) entered into a Franchise Agreement for solid waste collection, green waste collection and recycling services on or about the 23rd day of August, 2016, with an effective date of August 1, 2016 (the “Agreement”); and

WHEREAS, in 2016, Governor Brown signed into law SB1383 that establishes regulatory requirements for Cities, Generators, Solid Waste facilities, and other entities to support achievement of State-wide reduction in short lived climate pollutants; and

WHEREAS, District has requested and Contractor has agreed to implement new programs and services related to SB1383 requirements.

WHEREAS, modifications to the Agreement are necessary as a result of the State’s passage of SB 1383.

NOW, THEREFOR, THE PARTIES AGREE as follows:

1. That the forgoing recitals are true and correct are true and correct and incorporated herein by this reference as though fully set forth at this point.
2. The Agreement is amended to add Section 1.73 to read as follows:

“1.73. “SB 1383” means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which establishes methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants as amended, supplemented, superseded, and replaced from time to time.”

3. Section 4.10 is hereby added to read as follows:

“4.10 SB1383 COMPLIANCE PROGRAMS

To support the District in complying with regulations under SB1383, Contractor shall implement the programs identified in this Section. These programs are designed to meet the implementation

and education requirements of SB1383 and help the District achieve annual diversion requirements set by CalRecycle. The District's actual annual diversion rate depends on participation of businesses and residents, their respective adherence to program requirements and local code, the District's enforcement of applicable codes, and the District's implementation of other programs. Accordingly, District shall, as necessary, amend or update the District code to incorporate requirements necessary for the implementation of these programs. This Section is intended to supplement, not supplant, all other regulatory requirements of the Agreement.

A. Collection Requirements and Container Labeling

Contractor shall provide a 3-container collection program for Solid Waste, Recyclable Materials, and Organic Waste. Collection containers shall be Grey (Solid Waste), Blue (Recyclable Materials), and Green (Organic Waste). Hardware such as hinges and wheels may be different colors.

New containers or lids placed by Contractor shall meet the requirements of 14 CCR Section 18984.8 and include language or graphic images, or both, that indicate the primary materials accepted and the primary materials prohibited in that container. Labels shall clearly indicate items that are Prohibited Container Contaminants for each container.

B. Education and Outreach

To promote public education about recycling requirements, Contractor shall create public education materials and conduct education programs and activities described in this Section.

Annual Notice: Contractor shall prepare and distribute to each Generator in the District a mailer that includes information specified in 14 CCR Section 18985.1(a). Such mailer shall be distributed by Contractor to all Residential and Commercial mailing addresses including individual Multi-Family Dwelling Units for the accounts it services. Contractor shall also make this notice available in an electronic format through the Contractor's website.

Instructional Service Guide: Contractor shall prepare a service guide that describes available services, including how to place Containers for Collection, which materials should be placed in each Container and prohibited materials, and provides Collection holidays.

Property Owners and Businesses: Contractor shall annually provide Property Owners and Commercial Business owners with public education materials in electronic format for their distribution to all employees, Contractors, tenants, and Customers of the properties and businesses that Contractor services. The Contractor's public education materials shall include, at a minimum, information about Organic Waste recovery requirements and proper sorting of Discarded Materials. A Commercial Business or Multi-Family Property Owner may request these materials more frequently than the standard annual provision if needed to comply with the requirement of 14 CCR Section 18984.10 for Commercial

Businesses and Multi-Family Property Owners to provide educational information to new tenants and employees before or within fourteen (14) days of occupation of the Premises. In this case, the Commercial Business or Multi-Family Property Owner may request delivery of materials by contacting the Contractor's customer service department not later than two (2) weeks in advance of the date that the materials are needed.

Technical Assistance Program: Contractor shall provide ongoing technical assistance for Commercial and Multi-family generators in its service area that are required to participate in source separated recycling under applicable laws including AB 341, AB 1826, and SB 1383 and corresponding regulations. Technical assistance may include on-site training, instructional guides, printed or electronic materials and other resources that satisfy regulation requirements.

C. Waste Evaluations

Contamination Monitoring: Contractor shall perform contamination inspections by utilizing on-board monitoring systems or physical container inspections. For physical container inspections, Contractor's personnel shall lift the Container lid and observe the contents. For Collection vehicles equipped with a video camera and monitoring system, Contractor's personnel shall observe, via the hopper video camera and monitoring system, the contents of the Containers as the materials are emptied into the vehicle. Upon finding Prohibited Container Contaminants in a Container, Contractor shall follow the contamination noticing procedures set forth below.

Waste Characterizations: Contractor shall, at its sole expense, conduct waste evaluations that meet the requirements of 14 CCR Section 18984.5(c). The Contractor shall conduct waste evaluations for contaminants at least twice per year and the studies shall occur in two distinct seasons of the year. Contractor shall provide adequate notice to District of when waste evaluations will occur, and District reserves the right to observe waste evaluations.

Contamination Notifications: If the sampled weight of Prohibited Container Contaminants exceeds twenty-five percent (25%) of the measured sample for any material stream, the Contractor shall notify District within fifteen (15) working days. Contractor may perform targeted waste audits to determine the source of contaminants and provide technical assistance to those generators, or notify all generators of their obligation to properly source separate materials. The Contractor may provide this information by placing a written notice on the Generators' Containers or the gate or door of the Premises; and/or by mail, e-mail, or electronic message to the applicable Generators.

Contractor will coordinate with District to develop procedures regarding alleged violations of these recycling programs.

D. Procurement

At District's option, Contractor will make available up to 1,000 tons of compost or mulch for District to purchase to help meet its procurement requirements. Contractor also agrees to provide District with any available procurement credits from renewable fuel purchases used by vehicles within District.

E. Waivers

The District shall be responsible for granting waivers to commercial or multi-family generators that meet the de minimis requirements subject to the requirements under SB1383, pursuant to 14 CCR Section 1898411, or other requirements that may be specified by District. This includes physical space waivers where services may be impacted.

Contractor shall provide District with required generator information on services and activity that is needed as part of the waiver application. Contractor may also assist generators with waiver applications or submit on their behalf.

F. Edible Food Recovery

Contractor shall provide District with necessary data and reporting to determine Tier 1 and Tier 2 commercial edible food generators within the District.

At least annually, the Contractor shall ensure Commercial Edible Food Generators receive the following information:

- Information about the District's Edible Food Recovery program;
- Information about the Commercial Edible Food Generator requirements under 14 CCR, Division 7, Chapter 12, Article 10;
- Information about Food Recovery Organizations and Food Recovery Services operating within the District, and where a list of those Food Recovery Organizations and Food Recovery Services can be found; and,
- Information about actions that Commercial Edible Food Generators can take to prevent the creation of Food Waste.

G. Reporting

Contractor will provide the data or prepare reports required to meet quarterly and annual SB1383 requirements which includes:

- i. The number of generators that receive organic waste collection service.
- ii. The number of route reviews conducted for prohibited container contaminants.
- iii. The number of times notices, violations, or targeted education materials were issued to generators for prohibited container contaminants.
- iv. The results of waste evaluations performed to meet the container contamination minimization requirements and the number of resulting targeted route reviews.
- v. The number of commercial edible food generators located within the jurisdiction.

H. Terms and Definitions

Definitions of terms and phrases set forth in this section shall have the same meaning as those set forth in the Agreement, Chapter 5.02 of the Malaga Ordinance Code or applicable state or federal statute as currently defined or as may be changed or amended in the future.

I. Jurisdiction

The Parties hereto agree and understand that performance of this Agreement is limited to those areas where Malaga has jurisdiction which currently includes residential service and roll-off service as defined in Section 1.69 of this Agreement. Any areas or services within the boundaries of the District where the District does not exercise jurisdiction, implementation of the requirements of SB1383 shall be under the jurisdiction of the County of Fresno, City of Fresno, or any other agency having such jurisdiction.”

4. Except as amended by this Third Amendment, all terms and conditions of the Agreement continue in full force and effect.
5. This Amendment shall be effective on the date of its adoption by the Malaga County Water District Board of Directors.
6. Authority to execute. The signatories to this Third Amendment represent that they have the proper authority to execute this Agreement on behalf of the party they represent.

IN WITNESS WHEREOF, the Parties have executed this Third Amendment to the Solid Waste and Recycling Franchise Agreement between the Malaga County Water District and Orange Avenue Disposal dba Industrial Waste and Salvage for solid waste collection, green waste collection, and recycling services.

Date:

Charles Garabedian, President of the
Malaga County Water District

Date:

Orange Avenue Disposal dba Industrial
Waste and Salvage



1112 I Street, Suite 300
Sacramento, California 95814-2865
T 916.231.4141 or 800.537.7790 • F 916.231.4111

item 10.a.

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January 26, 2023

Malaga County Water District
Mrs. Laurie Cortez
Office Manager/Accounting
3580 South Frank Street
Fresno, California 93725-2594



Re: 2023-24 Property/Liability Estimates

Dear Mrs. Cortez,

In preparation for the 2023-24 Property/Liability Program renewal on July 1, 2023, we are providing our program members with a preliminary renewal contribution estimate to help with budget planning for the 2023-24 fiscal year. We will continue to provide updates as we obtain renewal cost information from our program excess/reinsurers over the next few months. **Final contribution amounts will not be confirmed until we issue the 2023-24 renewal invoices in early June.**

Your agency's Property/Liability 2023-24 estimated contribution is **\$85,484 to \$87,833** based on the following assumptions:

- A 8% increase in operating budget from the 2023-24 program year
- Your agency's current exposures and losses currently on record with SDRMA, which include a 7.5% increase to the value of scheduled buildings and 7.5% increase to the value of scheduled contents*
- Pool reinsurance rate increases of 15% to 20% based on early estimates from our reinsurance brokers
- Credit Incentive Program (CIP) points for 2022-23 that your agency may have earned are not yet calculated and, therefore, not considered in this estimate

*Per board policy, SDRMA trends property values based on trending factors published by Marshall & Swift. Marshall & Swift trending factors can represent increases or decreases to property values to reflect inflation of construction, building materials and other costs associated with replacement or repair of damaged property. Trending factors apply to both buildings/structures and contents. Properties added to your policy during the current policy year or appraised within the last year will not be impacted by the trending factors until the next renewal for 2024-25.



This budget estimate is specifically provided to assist you with preliminary budgeting and is NOT a renewal indication, renewal quote, or a “not-to-exceed” contribution. The final renewal contribution amount may be in excess of this estimate depending on the changing conditions of the insurance market over the next few months. Since we do not have the 2023-24 renewal rates from the program excess/reinsurers, we recommend you budget towards the upper end of the range, plus any differences in exposure or losses which have not yet been reported to SDRMA.

Once we receive your agency’s 2023-24 Renewal Questionnaire in February, with updated exposure information, we will distribute an updated renewal estimate in late March. If you make any substantial changes to your policy over the next few months, please contact us memberplus@sdrma.org or 800-537-7790.

If your agency would like to consider other liability limits for the 2023-24 program year, you must notify SDRMA in writing no later than June 1, 2023. We are unable to accommodate changes received after June 1 due to our excess carrier requirements and deadlines. Please email memberplus@sdrma.org for liability limit options.

Members considering withdrawal from coverage with SDRMA for the 2023-24 program year are required to submit a **“Notice of Intent to Withdraw” by April 1, 2023**, in accordance with SDRMA Bylaws and must have completed the initial three full program year commitment period. If you have any questions about withdrawing from our program, please contact Ellen Doughty at edoughty@sdrma.org or 800-537-7790. *Withdrawal notices received after April 1, 2023, cannot be accepted based on the SDRMA Bylaws and Joint Powers Agreement.*

On behalf of the SDRMA Board of Directors and our entire risk management team, we thank you for your continued participation in our programs.

Sincerely,
Special District Risk Management Authority

A handwritten signature in blue ink that reads "Edoughty".

Ellen Doughty, ARM,
Chief Member Services Officer



1112 I Street, Suite 300
Sacramento, California 95814-2865
T 916.231.4141 or 800.537.7790 • F 916.231.4111

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March 27, 2023

Malaga County Water District
Mrs. Laurie Cortez
Office Manager/Accounting
3580 South Frank Street
Fresno, California 93725-2594



Re: 2023-24 Property/Liability Renewal Estimate

Dear Mrs. Cortez,

In preparation for the 2023-24 Property/Liability Program renewal on July 1, 2023, we sent our program members preliminary renewal contribution estimates in January 2023. This was to help with budget planning for the 2023-24 fiscal year.

Since January, we have received your 2023-24 Renewal Questionnaire and updated information from our insurance brokers. We will continue to provide updates as we obtain renewal cost information from our program excess/reinsurers over the next few months. **Final contribution amounts will not be confirmed until we issue the 2023-24 renewal invoices in June.**

Your agency's Property/Liability 2023-24 updated estimated contribution is **\$87,560 to \$89,964** based on the following assumptions:

- Pool reinsurance rate increases of 15% to 20% based on early estimates from our reinsurance brokers
- Estimated **0** Credit Incentive Program (CIP) points for 2022-23. CIP credits will not be verified until after the 4/1/2023 deadline.

This budget estimate is specifically provided to assist you with preliminary budgeting and is NOT a renewal indication, renewal quote, or a "not-to-exceed" contribution. The final renewal contribution amount may be in excess of this estimate depending on the changing conditions of the insurance market over the next few months. Since we do not have the 2023-24 renewal rates from the program excess/reinsurers, we recommend you budget towards the upper end of the range, plus any differences in exposure or losses which have not yet been reported to SDRMA.

Members considering withdrawal from coverage with SDRMA for the 2023-24 program year are required to submit a **"Notice of Intent to Withdraw" by April 1, 2023**, in accordance with SDRMA Bylaws and must have completed the initial three full program year commitment period. If you have any questions about withdrawing from our program, please contact Ellen Doughty at edoughty@sdрма.org or 800-537-7790. **Withdrawal notices received after April 1, 2023, cannot be accepted based on the SDRMA Bylaws and Joint Powers Agreement.**



On behalf of the SDRMA Board of Directors and our entire risk management team, we thank you for your continued participation in our program. If you have any questions, please contact us at memberplus@sdrma.org or 800-537-7790.

Sincerely,
Special District Risk Management Authority

A handwritten signature in black ink that reads "Brian Kelley". The signature is written in a cursive, flowing style.

Brian Kelley
Chief Executive Officer



1112 I Street, Suite 300
Sacramento, California 95814-2865
T 916.231.4141 or 800.537.7790 • F 916.231.4111

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January 23, 2023

Malaga County Water District
Mrs. Laurie Cortez
Office Manager/Accounting
3580 South Frank Street
Fresno, California 93725-2594



Re: 2023-24 Workers' Compensation Experience Modification Factor

Dear Mrs. Cortez,

In preparation for the 2023-24 Workers' Compensation Program renewal on July 1, 2023, we are providing your agency's 2023-24 Experience Modification Factor (EMOD) to help with budget planning. SDRMA follows the Workers' Compensation Insurance Rating Bureau (WCIRB) methodology for calculating EMODs. A detailed EMOD Calculation Form and claims detail to help you understand your EMOD can be found on the SDRMA Memberplus Portal under Notifications in the Member Letters section. If you would like a printed copy, please send your request to memberplus@sdrma.org or 800-537-7790.

Your agency's 2023-24 EMOD is 77%

If you have questions regarding your agency's EMOD, please contact us at memberplus@sdrma.org or 800-537-7790.

The market for Workers' Compensation coverage continues to remain stable. We anticipate only medical inflation to cause minor rate increases for excess/reinsurance coverage for the 2023-24 program year. Thus, we anticipate minimal rate changes for the 2023-24 program year.

The SDRMA Board of Directors will also discuss a potential Longevity Distribution in the coming months. Should the board approve a distribution, every member that has completed its initial commitment of three full program years and has an EMOD of 150% or lower is eligible to receive a longevity distribution credit when they renew coverage. More information regarding a potential longevity distribution will be shared in March.

Members considering withdrawal from coverage with SDRMA for the 2023-24 program year are required to submit a **"Notice of Intent to Withdraw" by April 1, 2023** in accordance with SDRMA Bylaws and must have completed the initial three full program year commitment period. If you have any questions about withdrawing from our program, please contact Ellen Doughty at edoughty@sdrma.org or 800-537-7790.



On behalf of the SDRMA Board of Directors and our entire risk management team, we thank you for your continued participation in our programs.

Sincerely,
Special District Risk Management Authority

Ellen Doughty, ARM
Chief Member Services Officer



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, March 28, 2023 at 6:00PM

item 16.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: 6:03p.m.

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. 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 March 14, 2023.

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.

5. Old Business:

- a. **Parking Lot Project.** As discussed in the previous meeting, the General Manager received a proposal has been submitted from Asphalt Technologies, Inc. in the amount of \$194,150 for the parking lot renovation. The first quote the district received is of \$288,464.38 from The KYA Group.

Recommended action: for discussion and potential action.

Motion by Director Castaneda; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve proposal submitted by Asphalt Technologies, Inc. in the amount of \$194,150.00.

6. **New Business:** *none for this meeting.*

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

8. **Recreation Reports:**

Preparations for the Easter Program continue. Over 100 baskets will be prepared for the children that attend. Additional gift cards will be available in the case the rec. committee run out of baskets.

The General Manager asked if the Recreation Aide position would have to be reposted for hire. The President suggests no such thing needs to be done as there is already someone in that position.

9. **Engineer Reports:**

a. District Engineer Report. *None for this meeting.*

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

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

- a. P&P Reimbursable Charges.
- b. Recreation Summer Positions.
- c. Solar Project Update.

11. **President's Report:**

President Garabedian reported he had a good time on his vacation to Kawaii. He also would like to hold a special, closed session, board meeting with Gordon Saito to get a district financial overview to date. The GM will reach out to Gordon to see what date is best for him to hold the meeting.

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

Vice President Cerrillo asks the General Manager for suggestions on what the district can do to clean the curbs as residents are not taking care of it themselves. The Vice President suggests to have an emergency plan in case of a hazard derailment as the district is surrounded by train tracks.

13. **Director's Reports:**

None for this meeting.

14. **Legal Counsel Report:**

Reserved for closed session.

15. **Communications:**

a. Written Communications: **None for 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.*

16. Closed Session: 6:56pm.

- a. Existing Litigation (Government Code Section 54956.9(d)(1).); Malaga v. Fresno Unified School District; Fresno County Cases No. 21CECG02198
Nothing to report.

17. Adjournment:

Motion by Vice President Cerrillo, Second by Director Castaneda and by 5-0 vote to adjourn the meeting at 8:03p.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 March 28, 2023, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 04/14/2023.

Norma Melendez

Norma Melendez, District Clerk