



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, July 27, 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:

- 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: Norma Melendez, Moises Ortiz 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 July 13, 2021.

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. **Park Rental Contracts.** Rental contracts for recreation center rentals and pool rentals have been updated.

Recommended action: to review and approve rental contracts as presented or amended.

Due to potential litigation, this matter was continued until after closed session.

After closed session the board returned to open session. A motion was made by Vice President Cerrillo; Seconded by Director Tovar, Jr. and by a 5-0 vote to approve, as amended, the proposed community center rental application and to approve the memorial service application as amended to exclude prohibition of

alcohol consumption at memorial services and to clarify that the maximum time allowed for memorial services is four hours.

- b. **Resolution No. 07-27-2021.** Proposed rate increase for park area rentals and center rentals.

Recommended action: to approve proposed rates and Resolution No. 07-27-2021 as presented or amended.

Board's recommendation is to include administrative fees for whole park rentals that go past 8 hours of usage. Item continued to the next board meeting of 08-12-2021.

- c. **Resolution No. 07-27-2021A.** Due to the passage of time, the bank has requested the reauthorization of account signors.

Recommended action: to approve Resolution No. 07-27-2021A as presented or amended.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 07-27-2021A as presented.

- d. **Resolution No. 07-27-2021B.** A resolution finding that the Malaga Park Project is exempt from the California Environmental Quality Act.

Recommended action: to approve Resolution 07-27-2021B as presented or amended.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 07-27-2021B as presented.

- e. **Resolution No. 07-27-2021C.** A resolution approving the Malaga Park Project.

Recommended action: to approve resolution 07-27-2021C as presented or amended.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Resolution 07-27-2021C as presented.

6. New Business: None for this meeting.

7. Recreation Reports:

The bathroom partitions will be complete by Friday the 30th. Bathrooms will have to be repainted due to paint inconsistencies. The recreation committee will be hosting dinner and bingo on August 4 and is planning a Kids Day event for August 28 alongside "Cruising for Jesus".

8. Incorporation Updates:

- a. Bartles & Wells rate study. **Received checklist from them and documents needed to begin rate study has been submitted to Bartles & Wells.**

9. Engineer Reports:

- a. District Engineer Report. None for this meeting.
- b. CDBG Engineer Report: Public hearing for CDBG 2022-2023 Application is scheduled for the board meeting of August 10th.

10. General Manager's Report:

- a. WWTF- Ponds ripped.
- b. Water: CCR complete. EAR complete.
- c. Pre-treatment: Nothing to report.

Other reports included the calibration of mechanical instruments at the WWTF. A second opinion was brought it to calibrate the instruments and he found that the first company did not calibrate all instruments.

11. President's Report:

President Garabedian, Jr. received a message from the office of Steve Brandau & Leigh Ann Eager requesting if the presentation could be moved to the first meeting in September.

The President requests changing the first meeting in August from the 10th to Thursday the 12th. The board sees no issue in changing the meeting date for August 12.

12. Vice President's Report:

Vice President Cerrillo reminded the board members of the town hall meeting scheduled for July 28. He wants to make sure drinks and snacks are provided for the meeting.

13. Director's Reports:

None for this meeting.

14. Legal Counsel Report:

Comments 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: 7:02p.m.

- a. Pending Litigation (Government code section 54956.8.) Two cases.
 - b. Personnel: Employee Evaluations; All Positions (Government Code Section 54957(b).)
 - c. Malaga v. FUSD case No. 20CECG02666 (Govt Code 54956.9.)
 - d. Malaga v CVRWQCB case number MCV071279 (Govt Code 54956.9.)
 - e. Malaga v CVRWQCB case number MCV071280 (Govt Code 54956.9.)
- Nothing to report.**

17. Adjournment:

Motion by Director Cerrillo, Jr., Second by Vice President Cerrillo and by a 5-0 vote to adjourn the meeting at 8:05pm.

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 27, 2021 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 08/13/2021.

Norma Melendez

Norma Melendez, District Clerk