



SPECIAL BOARD MEETING AGENDA
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:

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 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.

Motion by: _____, **Second by:** _____

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: _____, **Second by:** _____

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.

Motion by: _____, **Second by:** _____

6. Communications:

- c. Written Communications:
- d. Public Comment:

7. Closed Session:

8. 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 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. On 07/26/2024.

Norma Melendez

Norma Melendez, District Clerk

RESOLUTION NO. 07/30/2024

**A RESOLUTION OF THE BOARD OF DIRECTORS OF
MALAGA COUNTY WATER DISTRICT ADOPTING
PROPOSED NEW WATER AND SEWER RATES**

WHEREAS, on June 11, 2024 the Board of Directors of the Malaga County Water District ("District") set the date and time for a public hearing on proposed new water and sewer rates for July 30, 2024, at 6:00 p.m. at the District office located at 3580 S. Frank Street, Fresno, California 93725, and directed staff to provide notice of said public hearing in accordance with provisions of Article XIII(D) of the California Constitution also known as Proposition 218; and

WHEREAS, the District Board finds that notice of the public hearing on the proposed new water and sewer rates was given, not less than 45 days prior to the public hearing, pursuant to the provisions of Article XIII(D) of the California Constitution also known as Proposition 218, a copy of that notice is attached to this Resolution and incorporated by this reference herein as Exhibit A; and

WHEREAS, the District Board finds that a public hearing was held regarding the proposed new water and sewer rates on July 30, 2024, at 6:00 p.m., or as soon thereafter as the matter could be heard in accordance with the aforementioned notice; and

WHEREAS, the District Board finds that the total number of protests to the proposed new water and sewer rates received by the District, including those received at the public hearing, was _____; and

WHEREAS, the District Board finds that the total number of protests needed to constitute a majority protest are 240; and

WHEREAS, the District Board finds that written protests to the proposed new water and sewer rates have not been received from a majority of the owners or occupants of identified parcels; and

WHEREAS, the District Board finds that the revenue received from the proposed new rates for water and sewer service as detailed in Exhibit A, will not exceed the funds required to provide those property-related services; and

WHEREAS, the District Board finds that the revenues derived from the proposed new rates for water and sewer service, as detailed in Exhibit A, will not be used for any purpose other than that for which they are imposed; and

WHEREAS, the District Board finds that the proposed new rates for water and sewer services does not exceed the proportional cost of the service attributable to any parcel or person as an incident of property ownership; and

WHEREAS, the District Board finds that the proposed new rates for water and sewer service do not constitute a fee or charge imposed for a service that is not actually used by or immediately available to the owner of the property in question; and

WHEREAS, the District Board finds that the proposed new rates for water and sewer service do not constitute a fee or charge imposed by the District for any general governmental service.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Malaga County Water District as follows:

1. That the above findings and facts are true and correct and incorporated by this reference as though fully set forth at this point.

2. That the Board of Directors of the Malaga County Water District hereby adopts the proposed new water and sewer rates as detailed in Exhibit A to this Resolution.

3. That the effective date of the new rates shall be as follows:

WATER

Meter Size	Base Allocation	Effective Date	Effective Date	Effective Date	Effective Date	Effective Date
		8/01/2024	7/01/2025	7/01/2026	7/01/2027	7/01/2028
¾"	700 cu ft.	\$8.03	\$8.67	\$9.36	\$10.02	\$10.72
1"	1,200 cu ft	\$13.38	\$14.45	\$15.61	\$16.70	\$17.87
1 ½"	2,300 cu ft	\$26.76	\$28.90	\$31.21	\$33.39	\$35.73
2'	3,700 cu ft	\$42.82	\$46.25	\$49.95	\$53.45	\$57.19
3"	7,000 cu ft	\$80.28	\$86.70	\$93.64	\$100.19	\$107.20
4"	11,700 cu ft	\$133.80	\$144.50	\$156.06	\$166.98	\$178.67
6"	23,000 cu ft	\$267.59	\$289.00	\$312.12	\$333.97	\$357.35
8"	37,300 cu ft	\$428.15	\$462.40	\$499.39	\$534.35	\$571.75
10"	53,700 cu ft	\$615.47	\$664.71	\$717.89	\$768.14	\$821.91

Quantity Charge Per Hundred Cubic Feet (HCF) (above the base rate allocation)

Tier	Effective Date:				
	8/01/2024	7/01/2025	7/01/2026	7/01/2027	7/01/2028

Tier 1 (Base Allocation)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Tier 2	\$1.74	\$1.88	\$2.03	\$2.17	\$2.32

Private Fireline Services- Base Rate

<u>Meter Size</u>	<u>Allowance</u> <u>(sq. ft.)</u>	<u>Effective Date:</u>				
		<u>8/01/2024</u>	<u>7/01/2025</u>	<u>7/01/2026</u>	<u>7/01/2027</u>	<u>7/01/2028</u>
2" Meter	8,000	\$25.17	\$27.18	\$29.35	\$31.40	\$33.60
3" Meter	15,000	\$47.20	\$50.98	\$55.06	\$58.91	\$63.03
4" Meter	25,000	\$78.66	\$84.95	\$91.75	\$98.17	\$105.04
6" Meter	40,000	\$157.31	\$169.89	\$183.48	\$196.32	\$210.06
8" Meter	64,000	\$251.69	\$271.83	\$293.58	\$314.13	\$336.12
10" Meter	92,000	\$361.81	\$390.75	\$422.01	\$451.55	\$483.16

Private Fireline Services-Charge per Thousand sq.ft. of Building over Allowance

<u>Effective Date:</u>	<u>8/01/2024</u>	<u>7/01/2025</u>	<u>7/01/2026</u>	<u>7/01/2027</u>	<u>7/01/2028</u>
	\$3.05	\$3.29	\$3.55	\$3.80	\$4.07

Non-Residential User Surcharge-Meter Debt Service

<u>Meter Size</u>	<u>Effective August 1, 2024</u>
¾"Meter	\$1.19
1" Meter	\$1.98
1½"Meter	\$3.95
2"Meter	\$6.33
3"Meter	\$11.86
4"Meter	\$19.77
6"Meter	\$39.55
8"Meter	\$63.27
10"Meter	\$90.96

Sewer Rates

Effective Date:	8/1/2024	7/1/2025	7/1/2026	7/1/2027	7/1/2028
Sewer Service Charge per ESU*					
Residential User	\$65.60	\$78.72	\$84.23	\$90.13	\$94.64
Industrial User	\$65.60	\$78.72	\$84.23	\$90.13	\$94.64
Pretreatment Surcharge per ESU					
Residential User	\$0.15	\$0.18	\$0.19	\$0.20	\$0.21
Industrial User	\$0.97	\$1.16	\$1.24	\$1.33	\$1.40
Expansion Surcharge per ESU					
Industrial User	\$5.96	\$7.15	\$7.65	\$8.19	\$8.60
Total Charge per ESU					
Residential User	\$65.75	\$78.90	\$84.42	\$90.33	\$94.85
Industrial User	\$72.53	\$87.03	\$93.12	\$99.65	\$104.64

* Equivalent Service Unit

PASSED AND ADOPTED by the Board of Directors of the Malaga County Water District, State of California, this 30th day of July 2024, by the following vote:

AYES:

NOES:

ABSENT:

Charles Garabedian, President

ATTEST:

Norma Melendez Acting Secretary
to the Board

EXHIBIT A

item 5.a.1.

Malaga County Water District Monthly Water Rate Schedule

Metered Fixed Charges

Meter Size	Base Allocation	Current	2024/25	2025/26	Proposed		
					2026/27	2027/28	2028/29
3/4" Meter	700 cu.ft.	\$7.71	\$8.03	\$8.67	\$9.36	\$10.02	\$10.72
1" Meter	1,200 cu.ft.	\$12.85	\$13.38	\$14.45	\$15.61	\$16.70	\$17.87
1 1/2" Meter	2,300 cu.ft.	\$25.70	\$26.76	\$28.90	\$31.21	\$33.39	\$35.73
2" Meter	3,700 cu.ft.	\$41.13	\$42.82	\$46.25	\$49.95	\$53.45	\$57.19
3" Meter	7,000 cu.ft.	\$77.11	\$80.28	\$86.70	\$93.64	\$100.19	\$107.20
4" Meter	11,700 cu.ft.	\$128.52	\$133.80	\$144.50	\$156.06	\$166.98	\$178.67
6" Meter	23,300 cu.ft.	N/A	\$267.59	\$289.00	\$312.12	\$333.97	\$357.35
8" Meter	37,300 cu.ft.	\$128.52	\$428.15	\$462.40	\$499.39	\$534.35	\$571.75
10" Meter	53,700 cu.ft.	N/A	\$615.47	\$664.71	\$717.89	\$768.14	\$821.91

Quantity Charge per HCF (for metered customers above the base rate allocation)

User	Tier	Current	2024/25	2025/26	Proposed		
					2026/27	2027/28	2028/29
Metered Users	Tier 1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Metered Users	Tier 2	\$1.11	\$1.74	\$1.88	\$2.03	\$2.17	\$2.32
Metered Users	Tier 3	\$1.70	N/A	N/A	N/A	N/A	N/A

Supplemental Groundwater Sustainability Surcharge per HCF

This surcharge only applies to water customers that do not return a minimum of 58% of the water the customer receives to the wastewater system for groundwater recharge. The surcharge will be calculated per HCF based on actual or estimated wastewater discharged by user, amount of water received by the user, overall total not returned to WWTF and the estimated costs of groundwater recharge as authorized by the District ordinance code.

Private Fireline Services - Base Rate

Meter Size	Allowance (sq. ft.)	Current	2024/25	2025/26	Proposed		
					2026/27	2027/28	2028/29
2" Meter	8,000	\$23.31	\$25.17	\$27.18	\$29.35	\$31.40	\$33.60
3" Meter	15,000	\$43.70	\$47.20	\$50.98	\$55.06	\$58.91	\$63.03
4" Meter	25,000	\$72.83	\$78.66	\$84.95	\$91.75	\$98.17	\$105.04
6" Meter	40,000	\$145.66	\$157.31	\$169.89	\$183.48	\$196.32	\$210.06
8" Meter	64,000	\$233.05	\$251.69	\$271.83	\$293.58	\$314.13	\$336.12
10" Meter	92,000	\$335.01	\$361.81	\$390.75	\$422.01	\$451.55	\$483.16

Private Fireline Services - Charge per Thousand sq. ft. of Building Over Allowance

	Current	2024/25	2025/26	Proposed	2027/28	2028/29
	\$2.82	\$3.05	\$3.29	\$3.55	\$3.80	\$4.07

Non-Residential User Surcharge - Meter Debt Service

Meter Size	Current	Proposed
3/4" Meter	N/A	\$1.19
1" Meter	N/A	\$1.98
1 1/2" Meter	N/A	\$3.95
2" Meter	N/A	\$6.33
3" Meter	N/A	\$11.86
4" Meter	N/A	\$19.77
6" Meter	N/A	\$39.55
8" Meter	N/A	\$63.27
10" Meter	N/A	\$90.96

**Malaga County Water District
Monthly Sewer Rate Schedule**

	<u>Current Rates</u>	<u>8/1/2024</u>	<u>7/1/2025</u>	<u>Proposed</u> <u>7/1/2026</u>	<u>7/1/2027</u>	<u>7/1/2028</u>
Sewer Service Charge per ESU						
Residential User	\$44.41	\$65.60	\$78.72	\$84.23	\$90.13	\$94.64
Industrial User	\$44.41	\$65.60	\$78.72	\$84.23	\$90.13	\$94.64
Pretreatment Surcharge						
Residential User	\$0.18	\$0.15	\$0.18	\$0.19	\$0.20	\$0.21
Industrial User	\$7.73	\$0.97	\$1.16	\$1.24	\$1.33	\$1.40
Expansion Surcharge						
Industrial User	\$7.05	\$5.96	\$7.15	\$7.65	\$8.19	\$8.60
Total Charge						
Residential User	\$44.59	\$65.75	\$78.90	\$84.42	\$90.33	\$94.85
Industrial User	\$59.19	\$72.53	\$87.03	\$93.12	\$99.65	\$104.64

The proposed rates will be effective August 1, 2024.

RESOLUTION NO. 07-30-2024A

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MALAGA COUNTY WATER DISTRICT ADOPTING AND AMENDED MALAGA
COUNTY WATER DISTRICT MASTER SCHEDULE OF FEES, CHARGES,
PENALTIES AND RECOVERED COSTS**

WHEREAS, the Malaga County Water District ("District") has adopted and amends, from time to time, a Master Schedule of Fees, Charges, Penalties and Recovered Costs which lists various fees and charges for services provided by the District; and

WHEREAS, the Board of Directors of the District now desires to amend the Master Schedule of Fees, Charges, Penalties and Recovered Costs to amend water and sewer rates and annual discharge permit fees; and

WHEREAS, the Board of Directors of the District has considered the staff report, testimony given at the public meeting, and all other information available to the Board and determined that the amended fees as set forth in the Master Schedule of Fees, Charges, Penalties and Recovered Costs attached hereto and incorporated by this reference herein as Attachment A, and finds that the fees, charges and recovered costs as set forth in Attachment A are reasonable and do not exceed the costs to the District for providing the service or services related to said fees, charges and recovered costs.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT AS FOLLOWS:

1. That the foregoing recitals are true and correct and are incorporated by this reference as fully set forth at this point.

2. That the Board of Director of the Malaga County Water District hereby adopts the amended Master Schedule of Fees, Charges, Penalties and Recovered Costs as attached hereto as Attachment A, effective August 1, 2024.

* * * * *

Passed and adopted by the Board of Directors of the Malaga County Water District at their meeting held on this 30th day of July, 2024 by the following vote:

AYES:

NOES:

ABSENT:

Charles Garabedian, President of the
Malaga County Water District

ATTEST:

Norma Melendez, Acting Secretary to the Board
of Directors of the Malaga County Water District

MALAGA COUNTY WATER DISTRICT

MASTER SCHEDULE OF FEES, CHARGES, PENALTIES AND RECOVERED COSTS

TABLE OF CONTENTS

<u>Chapter One – Sewer</u>		<u>Page</u>
1.	Sewer Rates	1
2.	Permits	2
3.	Loading Surcharges	4
4.	Sanitary Sewer Overflow	4
5.	Sewer Collection System	4
6.	Pipeline Replacement and Repair	5
7.	Collection System Installation	5
<u>Chapter Two – Water</u>		
1.	Residential: Unmetered	6
2.	Base Rate: Metered	6
3.	Tier 1 Quantity Charge	6
4.	Tier 2 Quantity Charge	6
5.	Private Fire line Services	7
6.	Connection Fee: Water Service	7
7.	Connection Fee-Fire Service	7
8.	Water Meter Fee	8
9.	Miscellaneous Fees, Permits, and Deposits	8
10.	Meter Test Deposit	8
11.	Water Service Reconnection Fee	8
12.	Late Penalty Fee	8
13.	Private Fire Protection Installation	8
14.	Pipeline Installation	8
15.	Temporary Water Service Fees	9
<u>Chapter Three – Parks and Recreation Facilities, Fees, Rentals and Deposits</u>		
1.	Multi-Purpose Room	10
2.	Annex Room	10
3.	Kitchen	10
4.	La Cantina	10
5.	Meeting Room	10
6.	Picnic Area and BBQ	10
7.	Unsheltered Picnic Area	10
8.	Gazebo	10

9.	Park Table #1	10
10.	Park Table #2	10
11.	Park Table #3	10
12.	Park Table #4	10
13.	Park Table #5	10
14.	Park Table #6	10
15.	Park Table #7	10
16.	Playground Area	10
17.	Pool	11
18.	General Field Area and Baseball Fields	11
19.	Multi-Purpose Room or Other Facilities for Memorial Services	11

Chapter Four – Solid Waste

1.	Solid Waste - Residential	12
----	---------------------------	----

Chapter Five – Penalties and Citations

1.	General Penalties	13
2.	Administrative Citations	13

Chapter Six – Charges for Administrative, Legal and Engineering Services

1.	Water Service	14
2.	Sewer Service	14
3.	Annexation	14
4.	Construction Review	14
5.	Additional Costs	15
6.	Deposits	15

MALAGA COUNTY WATER DISTRICT

MASTER SCHEDULE OF FEES, CHARGES AND RECOVERED COSTS

CHAPTER ONE

SEWER

1. **SEWER RATES**

- A. **Residential Equivalent Sewer Unit (“ESU”)** \$ 65.60

An ESU is equivalent to sewer service to a residential unit (single family dwelling)

The basic formula* used to calculate an ESU:

$$\text{ESU} = \frac{\text{Flow (gpd)}}{150} \times \left[0.4 + \frac{0.3(\text{BOD mg/1})}{175} + \frac{0.3(\text{TSS mg/1})}{185} \right]$$

*The formula is subject to change as deemed necessary by the District based on user classification or otherwise and does not apply to users who have requested and/or been assigned a minimum ESU based on connection size, capacity requirement, or reservation, or to accommodate special situations and for commercial and industrial sewer use calculations.

- B. **ccIndustrial User Equivalent Sewer Unit (“ESU”)** \$ 65.60

Commercial/industrial users are assigned ESUs by the District based on water use, wastewater flow, and characterization.

The Industrial User ESUs assigned may be reviewed and recalculated at any time by the District or at the request of the applicant and the approval of the General Manager.

- C. **Residential Pretreatment Surcharge** \$ 0.15/ESU

A surcharge for pretreatment costs of residential sewer service.

- D. **Industrial User Pretreatment Surcharge** \$.97/ESU

A surcharge for pretreatment costs of commercial and industrial sewer service.

- E. **Industrial User Capacity Expansion Surcharge** \$ 5.96/ESU

A surcharge for capacity expansion costs of commercial and industrial sewer service.

F.	<u>Total Residential Sewer Rate per ESU</u>	\$ 65.75/ESU
G.	<u>Total Industrial/Commercial Sewer Rate per ESU</u>	\$ 72.53/ESU
H.	<u>New sewer connection fee</u>	\$ 1,918.65/ESU

Connection fee for new sewer service per ESU.

2. PERMITS

A. Sewer Permit Fee (All users) \$ 46.51 per connection
 (Applications are made with an application for water service.
 Separate fee required.)

B. Non-Residential: Industrial User Wastewater Discharge Permit (new user)

Class 1 - SIU (MC §3.06.010 (A).)	\$1,923.20
Class 2 - Categorical User (MC §3.06.010 (B).)	\$2,394.93
Class 3 - Potential Discharging Categorical User (MC §3.06.010 (C).)	\$1,161.32
Class 4 – FSE (MC §3.06.010 (D).)	\$ 636.31
Class 5 – Industrial User (MC §3.06.010 (E).)	\$ 204.50

¹ New User shall include a permit issued to an existing customer who is required to change Permit Classification as determined by the District

² Fee does not include costs of sampling and testing, review of pretreatment plan, review of SLUG control plan, review of FOG control plan, compliance/enforcement inspections, compliance orders, enforcement actions, or any other costs to the District not directly related to the issuance of a permit, all of which are billed at actual costs to the District.

C. Permit Renewal / Annual Permit Fee ³.

1) Class 1 - SIU	\$2,791.64
2) Class 2 - Categorical User Permit	\$2,791.64
3) Class 3 - Potential Discharging Categorical User	\$ 270.16
4) Class 4 - FSE	\$ 918.54
5) Class 5 - Industrial User Permit	\$ 297.17

³ Fee does not include costs of sampling and testing, review of pretreatment plan, review of SLUG control plan, review of FOG control plan, compliance/enforcement inspections, compliance orders, enforcement actions, or any other costs to the District not directly related to the issuance of a permit, all of which are billed at actual costs to the District.

D. Additional Charges:

- 1) Class 1 through 3 Permit
 - a. Required Permit Inspection(s) ⁴
 \$ No Charge

b. Compliance Schedule/Order Inspection ⁵	\$ 144.17
c. Compliance Schedule/Order Inspection, Requiring Sampling and Testing (plus actual costs of sampling, monitoring and testing.)	\$ 144.17
d. Enforcement Inspection ⁶	\$ 144.17
e. Enforcement Inspection, Requiring Sampling and Testing (plus actual costs of sampling, monitoring and testing.)	\$ 144.17
2) Class 4 Permit	
a. Requires Permit Inspection(s) ⁴	\$ No Charge
b. Compliance Schedule / Order Inspection ⁵	\$ 98.94
c. Compliance Schedule / Order Inspection, Requiring Sampling and Testing (plus actual costs of sampling, monitoring and testing.)	\$ 98.94
d. Enforcement Inspection ⁶	\$ 98.94
e. Enforcement Inspection Requiring Sampling and Testing (plus actual costs of sampling, monitoring and testing.)	\$ 98.94
3) Class 5 Permit	
a. Required Permit Inspection(s) ⁴	\$ No Charge
b. Compliance Schedule / Order Inspection ⁵	\$ 50.88
c. Compliance Schedule / Order Inspection, Requiring Sampling and Testing (plus actual costs of sampling, monitoring and testing.)	\$ 50.88 (plus actual costs of sampling, monitoring and testing.)
d. Enforcement Inspection ⁶	\$ 50.88
e. Enforcement Inspection, Requiring Sampling and Testing (plus actual costs of sampling, monitoring and testing.)	\$ 50.88 (plus actual costs of sampling, monitoring and testing.)
4) Class 1 through 5 Permits	
a. Review of Pretreatment Plan	actual cost*
b. Review of Slug Control Plan	actual cost*
c. Review of Fog Control Plan	actual cost**
d. Compliance Order/Schedule	actual cost**
*Requires \$2,500.00 Deposit	
**Requires \$1,500.00 Deposit	

4. Required Permit Inspection(s) are those inspections required by the permit which includes 1 inspection for class 1,2,3, and 5 permits and 3 inspections for a class 4 permit.

5. Compliance Schedule /Order Inspection(s) are inspections required to confirm compliance with a compliance schedule or compliance order issued by the District.

6. Enforcement inspections are inspections deemed necessary by the District to ensure compliance with the users permit

3. LOADING SURCHARGES

- 1) Biochemical Oxygen Demand (BOD) in excess of 300 milligrams per liter (mg/L) shall be charged a loading surcharge of \$6.56 per 100 pounds of BOD in excess of 300 mg/L. Loading surcharges are not a monetary exchange to dilute or pollute. Loading surcharges pay the cost to treat excess loading. Industrial Users are subject to penalties to be charged by the District or incurred by the District as a result of excessive BOD loadings or violation of the Malaga Code.
- 2) Total Suspended Solids (TSS) in excess of 300 milligrams per liter (mg/L) shall be charged a loading surcharge of \$ 7.81 per 100 pounds of TSS in excess of 300 mg/L. Loading surcharges are not a monetary exchange to dilute or pollute. Loading surcharges pay the cost to treat excess loading. Industrial Users are subject to penalties to be charged by the District or incurred by the District as a result of excessive TSS loadings or violation of the Malaga Code.
- 3) Electrical Conductivity (EC) in excess of 800 micro-ohms per centimeter at 25 C (u-ohm/cm @ 25 C) shall be charged a loading surcharge of the cost of water at current rates required to maintain 800 u-ohm/cm @ 25 C. The EC surcharge is not a monetary exchange to dilute or pollute. Loading surcharges pay the cost to treat excess loading. Industrial Users are subject to penalties to be charged by the District or incurred by the District as a result of excessive EC loadings or violation of the Malaga Code.

4. SANITARY SEWER OVERFLOW.

Sanitary Sewer Overflow (SSO) clean-up costs and penalties due to an SSO caused by any sewer user (residential, commercial, or industrial) shall be charged to the responsible party, and are also subject to additional citations, penalties, and other enforcement actions in accordance with the District's Sewer System Management Plan and the Malaga Code.

5. SEWER COLLECTION SYSTEM.

Sewer collection system cleaning or maintenance costs caused by any sewer user (residential, commercial, or industrial) shall be charged to the responsible party, and are also subject to additional citations, penalties, and other enforcement actions in accordance with the District's Sewer System Management Plan and the Malaga Code.

6. SEWER PIPELINE REPLACEMENT AND REPAIR.

Any sewer user or any other person who causes damage to the District's sewer collection system that requires replacement or repair of any infrastructure shall be charged all costs, plus 30% for administration and overhead if replacement or repairs are done by the District. Additional citations, fines, or penalties may also apply in accordance with state and county laws, and the Malaga Code.

7. COLLECTION SYSTEM INSTALLATION- DISTRICT

Installation cost if by District, plus 30% (administration and overhead).

MALAGA COUNTY WATER DISTRICT

MASTER SCHEDULE OF FEES, CHARGES, PENALTIES AND RECOVERED COSTS

CHAPTER TWO

WATER

1. **RESIDENTIAL (METERED)**

TIER 1 BASE RATE

CF = cubic foot = 7.48 gallons; HCF = hundred cubic feet = 748 gallons

<u>Meter Size</u>	<u>Allocation CF</u>	<u>Allocation HCF</u>	<u>Monthly Cost</u>
1”- 1 ¼ “	1200 =	12.0	\$13.38

TIER 2 QUANTITY CHARGE

The monthly charge (in addition to the Tier 1 Base Rate above) per HCF water usage greater than the base rate allocation.

<u>Meter Size</u>	<u>Allocation HCF</u>	<u>Cost per HCF</u>
1”- 1 ¼ “	12.1- 33.0	\$1.74

TIER 3 QUANTITY CHARGE

The monthly charge (in addition to the Base Rate and the Tier 2 Rate) per HCF water usage greater than the Tier 1 allocation.

The Tier 2 charge equals the Tier 1 charge plus the Groundwater Sustainability Surcharge as defined in the Malaga Code. The Groundwater Sustainability Surcharge is\$ 0.59/HCF.

<u>Meter Size</u>	<u>Allocation HCF</u>	<u>Cost per HCF</u>
1”- 1 ¼ “	> 33.0	\$1.70

2. **TIER 1 BASE RATE (METERED)**

The monthly cost of water service based on meter size.

CF = cubic foot = 7.48 gallons; HCF = hundred cubic feet = 748 gallons

<u>Meter Size</u>	<u>Allocation CF</u>	<u>Allocation HCF</u>	<u>Monthly Cost</u>
¾”	700 =	7.0	\$ 8.03
1” – 1 ¼”	1200 =	12.0	\$13.38

1 ½"	2300	=	23.0	\$ 26.76
2"	3700	=	37.0	\$ 42.82
3"	7000	=	70.0	\$ 80.20
4"	11,700	=	117.0	\$133.80
6"	23,300	=	233.0	\$267.59
8"	37,300	=	373.0	\$428.15
10"	53,700	=	537.0	\$615.47

3. **TIER 2 QUANTITY CHARGE**

The monthly charge (in addition to the Tier 1 Base Rate above) per HCF water usage greater than the base rate allocation.

<u>Meter Size</u>	<u>Allocation HCF</u>	<u>Cost per HCF</u>
¾"	7.1 – 20.0	\$ 1.74
1" – 1 ¼"	12.1 – 33.0	1.74
1 ½"	23.1 – 67.0	1.74
2"	37.1 – 107.0	1.74
3"	70.1 – 200.0	1.74
4"	117.1 – 333.0	1.74

4. **TIER 3 QUANTITY CHARGE**

The monthly charge (in addition to the Base Rate and the Tier 2 Rate) per HCF water usage greater than the Tier 1 allocation.

The Tier 2 charge equals the Tier 1 charge plus the Groundwater Sustainability Surcharge as defined in the Malaga Code. The Groundwater Sustainability Surcharge is \$ 0.59/HCF.

<u>Meter Size</u>	<u>Allocation HCF</u>	<u>Cost per HCF</u>
¾"	> 20.0	\$ 1.70
1" – 1 ¼"	> 33.0	1.70
<u>Meter Size</u>	<u>Allocation HCF</u>	<u>Cost per HCF</u>
1 ½"	> 67.0	\$ 1.70
2"	> 107.0	1.70
3"	> 200.0	1.70
4"	> 333.0	1.70

5. **PRIVATE FIRELINE SERVICES - Base Rate**

The monthly rate per area in square feet of the building being serviced.

<u>Meter Size</u>	<u>Area Allocation (sq ft)</u>	<u>Monthly Cost</u>
2" Meter	8,000	\$ 25.17
3" Meter	15,000	47.20
4" Meter	25,000	78.66
6" Meter	40,000	157.31

8" Meter	64,000	251.69
10" Meter	92,000	361.81

Additional charge per thousand square feet of building over allowance: \$ 3.05

6. NON-RESIDENTIAL USER SURCHARGE- METER DEBIT SERVICE

<u>Meter Size</u>		<u>Fee</u>
¾"	\$	1.19
1"	\$	1.98
1 ½ "	\$	3.95
2"	\$	6.33
3"	\$	11.86
4"	\$	19.77
6"	\$	39.55
8"	\$	63.27
10"	\$	90.96

7. CONNECTION FEE: WATER SERVICE

The fee to install a new water service connection.

<u>Meter Size</u>		<u>Fee</u>
Single Family Dwelling	\$	1,307.75 each
¾"	\$	1,867.45 each
1"	\$	3,175.20 each
1 ¼"	\$	4,482.96 each
1 ½"	\$	6,165.88 each
2"	\$	9,902.35 each
3"	\$	18,681.85 each
4"	\$	31,199.74 each
6" and greater		Determined at time of application

8. CONNECTION FEE: FIRE SERVICE

The fee to install a new water connection for fire suppression service.

<u>Size</u>		<u>Fee</u>
2"	\$	742.61 each
3"	\$	1,111.02 each
4"	\$	1,460.20 each
6"	\$	2,547.48 each
8"	\$	3,822.82 each
10"	\$	4,159.06 each
12"	\$	4,390.86 each

9. WATER METER FEE

The cost of a water meter supplied by the District. Only approved water meters are permitted. If the District provides the water meter, the cost is the same as the District's cost.

10. MISCELLANEOUS WATER FEES, PERMITS, AND DEPOSITS

The cost of miscellaneous fees, permits, and deposits. All new water service accounts require a water use permit fee and a deposit in addition to the rates and fees listed above in items 1, 2, 5, 6, and 7.

Temporary hydrant use requires the use of a District approved backflow prevention device (BPD) and meter. A deposit is required for a District supplied meter with BPD.

<u>Item</u>	<u>Cost</u>
Water Permit	\$ 33.90 each
Deposit: New Residential Account	\$ 19.50 each
Deposit: New Commercial Account	\$ one month's base rate per meter size
Connection Inspection	\$ 33.90 each
Temporary Hydrant Use	\$ 173.30 each
Deposit: District hydrant meter with BPD	\$ 1,637.60 each
Temporary Hydrant Minimum Charge	\$ 235.90 each

11. METER TEST DEPOSIT

Upon a customer's request, the fee to test a water meter. The deposit shall be refunded if the meter registers more than two percent (2.0%) higher than it should. The deposit for the meter test is \$133.50 per meter tested.

12. WATER SERVICE RECONNECTION FEE

The fee to resume water service that has been terminated. Water service can be terminated for failure to pay the water bill, or misuse of water as described in the Malaga Code. Other penalties and fines related to misuse of water contained in the Malaga Code may also apply. The water service reconnection penalty is \$ 66.75.

13. LATE PENALTY FEE

The fee for paying the District water/sewer/trash utility bill after the due date is \$10.

14. PRIVATE FIRE PROTECTION INSTALLATION CHARGE- DISTRICT

Installation cost if by District , plus 30% (administration and overhead).

15. PIPELINE INSTALLATION CHARGE - DISTRICT

Installation cost if by District, plus 30% (administration and overhead).

16. TEMPORARY WATER SERVICE FEES

Temporary water service may be provided at the discretion of the General Manager for water service that has been terminated or for other reasons. For water service that has been terminated, the following fees are in addition to the water service reconnection fee in item 11 above.

A. Application

A non-refundable application fee is required at the time the application is submitted. The application for temporary water service will not be processed without payment of the application fee. The application fee for processing an application for temporary water service is twenty-five dollars (\$25.00).

B. Deposit

A deposit of four hundred dollars (\$400) or an amount determined by the Manager must be paid before a permit for temporary water service may be issued.

C. Rate

The rate for temporary water service is \$16.58 for the first HCF and \$ 1.15 per HCF > 1.0 HCF.

MALAGA COUNTY WATER DISTRICT

MASTER SCHEDULE OF FEES, CHARGES, PENALTIES AND RECOVERED COSTS

CHAPTER THREE

PARK AND RECREATION FACILITIES: FEES, RENTALS, AND DEPOSITS

Approved 8/12/2021 | Effective September 1, 2021

<u>FACILITY</u>	<u>RATE</u>	<u>DEPOSIT</u>
1. Multi-Purpose Room	\$97.50/Hr (4 hour minimum) \$65/Hr set-up/cleaning (2 hour min/max per day) \$162.50/Hr after 8 hours and Holidays	\$ 520
2. Annex Room	\$32.50/Hr with #1, \$65/Hr alone (4 hour minimum) \$65/Hr set-up/clean-up (2 hours min/max per day) \$130/Hr after 8 hours and Holidays	\$260 \$130 w/#1
3. Kitchen	\$32.50/Hr with #1 or #2, \$65/Hr alone (4 hour minimum)	\$130
4. La Cantina	\$32.50/Hr with #1 or #2, \$65/Hr alone (4 hour minimum)	\$65
5. Meeting Room	\$32.50/Hr with #1 or #2, \$65/Hr alone (2 hour minimum)	\$65
6. Picnic Area and BBQ	\$130.00 daily rate	\$65
7. Unsheltered Picnic Area	\$130.00 daily rate	\$65
8. Gazebo	\$130.00 daily rate	\$65
9. Park Table #1	\$32.50 daily rate	\$32.50
10. Park Table #2	\$32.50 daily rate	\$32.50
11. Park Table #3	\$65 daily rate	\$65
12. Park Table #4	\$65 daily rate	\$65
13. Park Table #5	\$130 daily rate	\$65
14. Park Table #6	\$130 daily rate (Picnic Shelter)	\$65
15. Park Table #7	\$32.50 daily rate	\$32.50
16. Playground Area	\$32.50/Hr (4 hour minimum)	\$32.50

<u>FACILITY</u>	<u>RATE</u> <u>DEPOSIT</u>	
17. Pool	\$65/Hr (2 hour minimum) *Lifeguards additional cost	\$65
18. General Field Area And Baseball Fields (each)	\$32.50/Hr no lights \$52/Hr with lights (2 hour minimum)	\$32.50
19. <u>Multi-Purpose Room or Other Facilities for Memorial Services</u>		

Subject to the approval of the General Manager, a resident of Malaga, or a deceased resident's immediate family, may use the Multi-Purpose Room or other facilities without charge for memorial or similar services for a deceased grandparent, parent, child, spouse or domestic partner, or sibling.

MALAGA COUNTY WATER DISTRICT

SCHEDULE OF FEES, CHARGES, PENALTIES, AND RECOVERED COSTS

CHAPTER FOUR

SOLID WASTE

1. RESIDENTIAL \$ 29.46 PER MONTH

2. COMMERCIAL

<u>Service</u>	<u>Fee*</u>
Hauling	\$218.59
Municipal Solid Waste	\$ 69.00
Commingles (Plastic/ Recycle)	\$ 44.76
Old Corrugated Cardboard (OCC)	\$ 34.25

* *Fee includes a 10% franchise fee on certain solid waste services.*

<u>Service</u>	<u>Fee</u>
Delivery Fee	\$141.95
Daily Fee	\$ 6.53

**MALAGA COUNTY WATER DISTRICT
MASTER SCHEDULE OF FEES, CHARGES, PENALTIES AND RECOVERED COSTS**

CHAPTER FIVE

PENALTIES AND CITATIONS

1. General Penalties. The penalties for violating any provision of the Malaga Ordinance Code are set forth in Chapter 7 of Title One of the Malaga Code. Nothing set forth in this Master Schedule of Fees, Charges, Penalties and Recovered Costs shall limit or restrict the District's authority or ability to utilize any other penalty or remedy available to it at law.

2. Administrative Citations. The violation of any provision of the Malaga Code is subject to an Administrative Citation and administrative fine. The administrative fines for violating the Malaga Code are as follows:
 - a. Every violation of the Malaga Code, unless otherwise defined, is punishable by:
 - (1) a fine not exceeding \$100 for a first violation;
 - (2) a fine not exceeding \$200 for a second violation of the same ordinance within one (1) year; and
 - (3) a fine not exceeding \$500 for each additional violation of the same ordinance within one (1) year;

 - b. Notwithstanding the foregoing, any violation of an Individual Wastewater Discharge Permit, Pretreatment Standard, compliance order, or any other order is subject to the following penalties:
 - (1) a fine of \$1,000 per day, per violation. Each day a violation exists shall constitute a separate violation and in the case of a monthly or a long-term average violation of a Discharge limit, fines shall accrue for each day during the period of the violation.

 - c. Watering/Water Wasting Violations:
 - (1) penalties for violating the District's Water Waste Ordinance Section 2.07.070 shall be as follows:
 - (a) first violation, warning;
 - (b) second violation within a one (1) year period - \$25 fine;
 - (c) third violation within one (1) year - \$50 fine;
 - (d) fourth violation within one (1) year - \$100 fine;
 - (e) fifth violation within one (1) year - \$200 fine;
 - (f) for the sixth and each additional violation within one (1) year - \$500 fine.

MALAGA COUNTY WATER DISTRICT

MASTER SCHEDULE OF FEES, CHARGES, PENALTIES AND RECOVERED COSTS

CHAPTER SIX

CHARGES FOR ADMINISTRATIVE, LEGAL AND ENGINEERING SERVICES

The following charges for administrative, legal and engineering costs incurred by the District in processing requests/applications for services by private individuals/developers, unless otherwise indicated, are as follows:

1. Water Service. The following fees shall apply to applications or requests by individuals/developers related to water service:
 - a. Review contracts, plans or miscellaneous research/reviews:
 - i. Application/initial review fee. \$1,000.
 - ii. Legal fees- actual fees incurred plus 10% administrative fee, \$500 deposit.
 - iii. Engineering fees- actual fees incurred plus 10% administrative fee, \$500 deposit.
 - iv. staff fees- actual cost plus 10% administrative fee.
2. Sewer Service. The following fees shall apply to all requests by individuals/developers for services related to sewer service:
 - a. Review/draft contracts/agreements:
 - i. legal fees – actual fees incurred. \$500 deposit;
 - ii. engineering fees – actual fees incurred. \$500 deposit;
 - iii. staff fees \$100/hour.
 - b. Review plans:
 - i. legal fees – actual fees incurred. \$500 deposit;
 - ii. engineering fees – actual fees incurred. \$500 deposit;
 - iii. staff fees \$100/hour.
 - c. Miscellaneous research/reviews:
 - i. legal fees – actual fees incurred. \$500 deposit;
 - ii. engineering fees – actual fees incurred. \$500 deposit;
 - iii. staff fees \$100/hour.
3. Annexation. Fees related to annexations shall be as follows:
 - a. District annexation application fee \$200 per acre to be annexed.
 - b. \$ 10.85 per frontage foot existing water main; construction cost of new water main.
 - c. \$ 13.15 per frontage foot existing sewer main; construction cost of new sewer main.
 - d. Administrative, engineer, and legal review costs per items 1, 2, and 4.
 - e. LAFCo annexation fees at District cost

4. Construction Review. Fees for review of construction shall be based on the District Engineer's approved estimate of construction costs as follows:

Estimated Construction Costs As Approved by District Engineer	Estimated Construction Review Fee
\$0 - \$5,000	10% of cost
\$5,000 - \$25,000	\$600 + 6% of amount over \$5,000
\$25,000 - \$100,000	\$2,000 + 6% of amount Over \$25,000
\$100,000 - \$250,000	\$6,000 + 6% of amount Over \$100,000
Over \$250,000	\$15,000 + 5% of amount Over \$250,000

NOTE:

The Schedule of Construction Review Fees is provided as reference only. Construction activities are not directed by the District and are not under the control of the District. The District is due the fees incurred during the course of review of construction activities.

5. Additional Costs.

- a. Any meeting or conference held between the District and requesting party or his or her representative(s) and District staff shall be reimbursed by the individual requesting the service. The District staff, engineer and legal counsel will be reimbursed at the rates set forth above.
- b. Other Items. Costs incurred by the District related to requests for services not covered herein shall be determined, by the Board, at the time of the request.

6. Deposits. The District may require deposits for the processing of requests for services as set forth in this Chapter at an amount determined by the District. If, in the course of the project it is determined that the costs for the services requested will be in excess of the amount deposited, the requesting party shall be notified and will be required to make an additional deposit in an amount requested before any further work on the request proceeds. Failure of the requesting party or property Owner to make or maintain a deposit as required by the District shall result in the cessation of work on the request/project.



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 FAX: 559-485-7319

BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR. PRESIDENT SALVADOR CERRILLO VICE-PRESIDENT IRMA CASTANEDA DIRECTOR FRANK CERRILLO JR. DIRECTOR CARLOS TOVAR JR. DIRECTOR

July 26, 2024

Jonathan Avedian
Fresno County Department of Public Works and Planning
Community Development Division
2220 Tulare Street, Eighth Floor
Fresno, CA 93721

**SUBJECT: Project Completion Extension Request
CDBG Project No. 21451 – Malaga County Water District
WWTP Nitrogen Reduction Project**

Dear Mr. Avedian,

The Malaga County Water District would like to request an extension for the date of completion of the WWTP Nitrogen Reduction Project - CDBG Project No. 21451. The deadline for filing the notice of completion for the project needs to be extended due to several delays in the project primarily related to multiple re-bids of the project for budgetary reasons. Due to these delays, the District requests an extension of the dates of completion per the following table:

Milestone	Current Date	Proposed Date
Begin Advertising for Bids	March 11, 2023	August 2, 2024
Award Construction Contract	May 23, 2023	September 17, 2024
File NOC	April 12, 2024	July 15, 2025
Project Closeout	June 12, 2024	September 15, 2025

The entire revised project schedule is attached and thank you for your attention to this request. If you need any additional information, or have any questions, please contact the District CDBG Engineer, Joshua Rogers at (559) 244-3123 x 150.

Sincerely,

Charles E. Garabedian, Jr.
President of the Board of Malaga County Water District