



## REGULAR BOARD MEETING MINUTES

### BOARD OF DIRECTORS MEETING MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET  
FRESNO, CALIFORNIA 93725

Tuesday, January 10, 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: 6:06 p.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, Moises Ortiz.**

3. **Certification:** Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

#### 4. Old Business:

- a. **Selection of Director Positions.** Continued discussion of the tabled item from the last board meeting in December for the selection of the President and Vice-President positions.

Recommended action: board's pleasure.

**Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 5-0 vote to continue with Charles Garabedian, Jr. as President of the board and Salvador Cerrillo as Vice President of the board.**

- b. **KYA Services.** Resuming conversation from the November 22 board meeting. The unfinished work has now been completed. An invoice of \$60,398.47 was submitted for the completion of the walking path at the park.

Recommended action: approve payment of \$60,398.47 to KYA Services, LLC.

**Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve payment to KYA Services, LLC.**

- c. **Per Diem.** Adjustment to directors per diem.

Recommended action: boards pleasure.

**Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to adjust board meeting compensation to \$175.00.**

**5. New Business:**

- a. **ARPA.** The County of Fresno has awarded to the MCWD funds for the construction of a replacement well (Well 5A) at the Well 5 site. In addition, the County of Fresno has awarded to the MCWD funds for the construction of a water storage tank at the Well 5 site. Design is proceeding on both projects. An environmental document is submitted for Board consideration and adoption.

Recommended Action: Adopt the Notice of Exemption attached. Direct staff to record the Notice of Exemption with the County and send it to the State Clearinghouse.

**Motion by Vice President Cerrillo; Second by Director Castaneda and by 5-0 vote to adopt the NOE.**

**6. Incorporation Reports:**

**The General Manager will reach out to Ivette from Fresno Housing Authority and interested parties to set a meeting date for discussion of the Konkel property plans.**

**7. Recreation Reports:**

**Rec. Committee will be holding their meeting on January 11.**

**8. Engineer Reports:**

- a. District Engineer Report.
  - i. **Drought Relief Grant Applications to the Department of Water Resources.**  
The Department of Water Resources has awarded to the MCWD funds for a replacement well (Well 3A) and a storage tank at the Well 3 site. Design is being finalized. The project is ready to advertise for construction as soon as a Rule 16 is received from PG&E. No action is required at this time.  
**Nothing to report..**
- b. CDBG Engineer Report: None for this meeting.

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

- a. Increasing Visibility of Homeless Population in Malaga.
- b. Will Serve Letter for Malaga Power, 2611 E. North Ave, CUP 3748
- c. **Pretreatment permits are being revised.**
- d. **Office Manager position will be reclassified.**
- e. **Slow percolation at the WWTF ponds.**
- f. **Reviewing accounts on septic.**
- g. **Penski development- connection fees.**

**Director Cerrillo, Jr. asked the GM if there were any new reports on the property in the corner of Chestnut Avenue and North Avenue. No new information at this time.**

**Director Tovar, Jr. informed the GM that there could potentially be an addition to the building at Primos Market. The GM will keep an eye out for any new construction.**

**Director Garabedian, Jr. suggested that the GM reach out to Fresno County regarding the well construction permits that are being approved without the district's consent.**

**10. President's Report:**

**Community Workshop meeting to discuss the North Avenue/Highway 99 interchange will be held January 12 at 5pm.**

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

**Will begin \$50 deduction to go towards the recreation fund. The VP also would like to see more structure in the preparation of rec. events.**

**12. Director's Reports:**

**None for this meeting.**

**13. Legal Counsel Report:**

**Would like to remove the closed session item as there is no need for discussion.**

**14. Communications:**

a. Written Communications:

1. Fresno Flood Control winter 2022 newsletter.
2. Fresno County has funding available to serve residents of the unincorporated areas in the county to address housing needs of residents experiencing or facing homelessness. Those who wish to provide comments may attend a meeting on January 11 at 6:00pm.

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.*

**15. 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 13, 2022.
- b. Financial Statements and Account Payable Reports.

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

**Motion by Vice President Cerrillo; Second by Director Tovar Jr. and by a 5-0 vote to approve the consent agenda as presented.**

**16. Closed Session:**

- a. Pending Litigation (Gov't Code Section 54956.9) **No closed session.**

**17. Adjournment:**

**Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 7:27p.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 January 10, 2023 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 01/25/2023.

**Norma Melendez**

Norma Melendez, District Clerk