



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, March 27, 2018 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.

Late arrival of VP Cerrillo & Director Tovar, Jr.

Also present: Jim Anderson, Neal Costanzo, Norma Melendez

- 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 13, 2018.

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

Motion by Director Cerrillo, Jr.; Second by Director Castaneda and by a 4-0 vote to approve the Consent Agenda as presented.

5. Old Business:

- a. **Beyond Tech Security Proposal.**
Discussion was held. No reportable action.
- b. **Self-Help Credit Union (SHCU) Waiver of Security.** The SHCU deposit requires a Waiver of Security authorized by the Treasurer.

Recommended action: That the Board of Directors authorize the General Manager to sign the Waiver of Security form on behalf of the District in lieu of a Treasurer.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the General Manager to sign the waiver of security form on behalf of the District in lieu of a Treasurer upon further clarification of waiver by the legal counsel.

- c. **Sheriff Report.** Community Service Officer, Elaine Montoya, will give the 1st quarter crime report of the community of Malaga.
First quarter report was provided my Community Service Officer, Elaine Montoya. Very low criminal activity reported from 1/01/2018 to 03/25/2018.

6. New Business:

- a. **Resolution 3-27-2018: Fowler Packing Annexation.** A Resolution approving annexation of approximately 169.22 acres south of North Avenue and north of Central Avenue along Peach and Willow Avenues.

Recommended action: To adopt resolution 3-27-2018 as presented or amended.

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve Resolution 3-27-2018 as presented.

- b. **Consideration and Necessary Action of Resolution No. 03-27-2018-A amending the employment agreement between the District and the General Manager.** To be continued pending closed session contract negotiations. Upon completion of closed session that matter will be considered for approval in open session.

Recommended action: To approve Resolution 3-27-2018-A as presented or amended.

Item moved to closed session.

7. Recreation Reports: To be submitted at the meeting.

8. Engineer Reports:

- a. District Engineer Report. The District Engineer has prepared a memorandum for the District's consideration to retain Provost & Pritchard on a time and materials basis to complete tasks related to compliance with the SWRCB:
 - i. Local Limits: \$6,000.00
 - ii. Salinity Minimization: \$6,000.00
 - iii. Pollution Prevention: \$6,000.00
 - iv. Disposal Capacity: \$3,800.00

Recommended action: To authorize P&P to perform the tasks listed in the memo on a time and materials basis at the estimates provided.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. to authorize P&P to perform the tasks listed in the memo on a time and materials basis at the estimates provided.

- b. CDBG Engineer Report: No new report for this meeting.

9. General Manager's Report:

- a. A conversation with HSR has been initiated to exchange demolition and excavation of the 4335 E Malaga Avenue property into a groundwater recharge pond for the soil to be removed.
- b. Report on the status of the 4335 E Malaga Avenue property.
- c. Department reports.
- d. Other reports.
 1. **Spring cleanup scheduled for May 19, 2018.**
 2. **Malaga scholarship to be awarded to top 3 essays at \$500.00 each.**

10. President's Report:

President Garabedian, Jr. reported that he finally acquired the restroom plans for the park. Copies have been sent out for bids to begin construction.

11. Vice President's Report:

Vice President Cerrillo reported to have attended the father/daughter dance at Malaga Elementary and had a great time. He also believes there is a need for more creativity and activities when putting together a program at the park.

12. Director's Reports:

Director Cerrillo, Jr. requested porta-potties to be rented for the Easter weekend since there will be more traffic at the park.

13. Legal Counsel Report:

For closed session.

14. Communications:

- a. Written Communications:
None for this meeting.

15. Closed Session: 8:28 p.m.

- a. Personnel: Consultation with District representative; negotiation of personnel contract: position General Manager [exempt position] (Government Code Section 54957(b) and 54957.6.
- b. Potential litigation, consultation with legal counsel regarding continuation rights for R/O haulers.

16. Adjournment:

Motion by Director Cerrillo, Jr.; Second by Vice President Cerrillo and by a 5-0 vote to approve Resolution 03-27-2018-A as presented and adjourn the meeting at 9:25 p.m.