



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, November 14, 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.

1. **Call to Order: 6:01 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.
3. **Certification:** Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting. **Manager certified posting of the agenda.**
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 October 26, 2023.

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

President Garabedian asked if there were any comments on the consent agenda, there being none, President Garabedian requested a motion to approve the consent agenda.

Motion by: Vice President Cerrillo; Second by: Director Cerrillo Approved by unanimous vote.

5. **Old Business:** None for this meeting.
6. **New Business:**
 - a. **Healthcare Plan Renewal.** It is time to renew the United Health Care Plan. A plan increase of 3.9% will take effect January 1, 2024. Open enrollment will be in December. Diane Tarrell has reached out to staff to cover any questions staff may have.

Recommended action: To accept and approve renewal of health care plan under United Health Care.

President Garabedian asked if there were any comments on the item. GM Ortiz stated that the renewal would be at a 3.9% increase. Further discussion was held and GM Ortiz and

the District health insurance advisor Dianne Tarrell, answered questions from the board members relating to deductibles, co-pays and coverage. It was noted that the high annual deductible for certain coverages was implemented several years ago due to a significant increase in premium and that the board had discuss implementing a reimbursement or savings plan to assist employees with the high deductible but due to budgetary concerns such policy had not yet been implemented.

Motion by Director Tovar; Second by Vice President Cerrillo and by a 5-0 vote to approve the renewal of the health care plan under United Health Care.

- b. **Initial Study Application No. 8489.** The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow for a Solid Waste Processing Facility along with a (buy right) Ready-Mix Concrete Plant on an existing 12.01-acre Parcel. The subject property is located within the M-3 (Heavy Industrial) Zone District.

Recommended action: To review and comment.

The board was provided with draft comments from the District's engineer. A discussion was held and there was a consensus of the board that the District Engineer's comments should be forwarded to the County of Fresno and that the District GM should remind the County that water and sewer service by the District at that location is required by both County and District ordinance. President Garabedian added that the Board could provide additional comments as the project progressed.

7. Incorporation Reports:

None for this meeting.

8. Recreation Reports:

- a. **Thanksgiving Basket Raffle.** Winners will be selected at random to win a basket of items to use for Thanksgiving dinner.

Discussion held regarding holiday programs. Motion to authorize up to \$1500 for Holiday Decorating prizes, up to \$500 for Holiday Parade prizes, and \$1,000 for Recreation Service Awards made by President Garabedian, Second by Director Tovar. Approved by unanimous vote.

9. Engineer Reports:

- a. District Engineer Report.
- b. CDBG Engineer Report:

10. General Manager's Report:

11. President's Report:

12. Vice President's Report:

13. Director's Reports:

14. Legal Counsel Report:

None for this meeting.

15. Communications:

a. Written Communications:

1. The Fresno County Department of Environmental Health Division sent a request for review and comment on a New Ag Well permit that will serve property within Census Tract 15.00, pertaining to 4531 S. Maple Avenue. A response from the City of Fresno, stating that they are in the sphere of influence, but the city does not have existing water infrastructure along its frontage road.
2. BAART Programs reached out to the district offering their services to the community. They are located at 3103 E. Cartwright Avenue and offer services that have proven to be the most effective treatment for opioid addiction.

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: 7:29 p.m.

a. Potential Litigation (Government Code Section 54956.9) One Case.

Reconvened in open session at 8:02 p.m. Attorney Slater reported that confidential resolution 2023-01 opting the district out of 3M and DuPont PFAS lawsuits was approved by unanimous vote. Motion by Vice President Cerrillo Second by Director Cerrillo.

17. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 8:03pm.

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 November 14, 2023, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 12/13/2023.

Norma Melendez, District Clerk