



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, January 22, 2019 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.

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 January 8, 2019.

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

Motion by: _____; **Second by:** _____

5. Old Business: No old business for this meeting.

6. New Business:

a. **Workforce Connection (WFC) Business of Excellence and Employee Awards.** MCWD was selected for the WFC Business of Excellence Award and employee Marco Silvas was selected for the Employee Award for the 4th Quarter 2018. WFC will record a live interview of the awardees on 29 January at the District office for presentation at the award ceremony to be held in February. For information and discussion.

b. **Office Expansion.** The District has retained De Alba Architecture for the office expansion project. The total cost of the award is \$13,500 to be paid in three equal

increments of \$4,500. A copy of the Agreement is attached. For information and discussion.

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

8. Engineer Reports:

- a. District Engineer Report. Held a meeting with Rio Bravo to discuss a pilot study to reduce EC in cooling tower blowdown water to be grant funded.
- b. CDBG Engineer Report: Well 6 VFD work to begin in early April.

9. General Manager's Report:

- a. The state water board project manager for the meter project will inspect the project on 1 February.
- b. The soccer complex project (Jose Barraza) met with the City of Fresno development review committee to advise development requirements.
- c. SGMA report.
- d. Department reports.
- e. Other reports.

10. President's Report:

11. Vice President's Report:

12. Director's Reports:

13. Legal Counsel Report:

14. Communications:

- a. Written Communications:
 - 1. Kelley Hancock, District Clerk II to the Board of Supervisors, has sent notification e-mails regarding Form 700. Filing deadline is April 2, 2019.
- b. Public Comment:

15. Closed Session:

- a. **Potential litigation**

16. 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 Regular Meeting of the Board of Directors of January 22, 2019 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 01/18/2019.

Norma Melendez
Norma Melendez, District Clerk



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, January 08, 2019 at 6:00PM

item 4.a.

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.

- 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 December 11, 2018.
- 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 consent agenda as presented.

5. Old Business:

- a. **Standing Ad-Hoc Committees.** A list of the District's standing committees is submitted for action.

Recommended action: That the Board of Directors submit a list of preferences for standing committee appointments to be reviewed and approved at the next regular meeting. Only two members may serve on an ad hoc committee.

The board would like to revise ad-hoc committees. Item tabled until revisions have been made.

6. New Business:

- a. **FY 2018-19 Mid-Year Budget Review.** A review of the mid-year budget report for discussion.

Nothing to report.

- b. **Fresno Metropolitan Flood Control District (FMFCD) agreement to develop FMFCD Basin “CF” for groundwater recharge by Malaga County Water District (District).** The District provided FMFCD a draft agreement for groundwater recharge. FMFCD agrees to pursue the agreement and advises the District that two agreements will be required:

- Recharge agreement
- Construction agreement

It is anticipated that the recharge agreement will remain substantially the same as the draft agreement submitted to FMFCD. The construction agreement will be referenced in the recharge agreement but function as the agreement to make improvements to Basin CF for its use by MCWD for groundwater recharge. MCWD will be required to pay all costs of construction in the construction agreement. The total cost of construction will be required to be deposited to FMFCD prior to construction. FMFCD has provided an engineer’s estimate of the costs of construction totaling \$198,200. The total cost of the project is contained in the District’s facility plan. FMFCD requires that a \$10,000 deposit be paid to start the design of the project and to obtain a necessary easement acquisition. This action is only to approve the deposit. Both FMFCD and MCWD will have to approve the agreement/s once developed.

Recommended action: That a deposit of \$10,000 to FMFCD be approved to start the design of the project and easement acquisition.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve \$10,000 deposit to FMFCD to start the design of the project and easement acquisition.

7. **Recreation Reports:** None for this meeting.

8. Engineer Reports:

- a. District Engineer Report. Developing facility plan for a 5-year rate study.
- b. CDBG Engineer Report: CDBG 16451 Well 6 VFD upgrade to begin in January.

9. General Manager’s Report:

- a. Personnel: Frank Cruz on medical disability until 30 March 2019
- b. Department reports
Pump at the WWTF will need to be replaced.
- c. Facilities Plan report
For information. Any upgrades will be categorized by priority.
- d. Other reports.
1. **Roll off complaint.**
 2. **Pond gate templates have not come in yet.**

10. President's Report:

President Garabedian, Jr. met with an architect for office expansion design. He also expressed his frustration with City of Fresno's slow response on water shut off/ turn on.

11. Vice President's Report:

Vice President Cerrillo would like the people who donated to the recreation center to be recognized with a special detail. Potential ideas are updating the 'thank you' wall at the gym decal or sending a nice letter.

12. Director's Reports:

Director Castaneda announced she will be attending recreation meetings from now on.

Director Cerrillo, Jr. and Director Tovar, Jr. would like to thank staff, legal counsel and the General Manager for a successful year. They cannot wait to see what 2019 will bring to the District.

13. Legal Counsel Report:

Report for closed session.

14. Communications:

- a. Written Communications: **none for this meeting.**
- b. Public Comment: **none for this meeting.**

15. Closed Session: 7:15PM

- a. Pending Litigation—Government Code Section 54956.9.
Malaga County Water District v. Central Valley Regional Water Quality Control Board
Nothing to report.
- b. Personnel: General Manager Evaluation
Nothing to report.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 7:50pm.

item 4.a.

8 January 2019

MINUTES

Malaga County Water District

Re: Supplement to the Agenda of the Board of Directors Regular Meeting
of 8 January 2019

The following supplement to the agenda of the regular meeting of the Board of Directors on 8 January 2019 is submitted for consideration:

Recommended action: To include the supplement to the agenda.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 4-0 vote to include the supplement to the agenda.

5. Old Business:

- a. **Oath of Office.** Members re-elected on 6 November 2018 to take Oath of Office. **Re-elected members: Salvador Cerrillo, Frank Cerrillo, Jr. And Carlos Tovar, Jr. Took the oath of office.**
- b. **FY 2018-19 Mid-Year Budget Review.**
- c. **Water Meter Project: Payment #3.** A payment request of \$123,973.71 (partial payment #3) has been prepared for Vulcan Construction for work completed to date on the water meter project.

Recommended action: To approve partial payment #3 in the amount of \$123,973.71 to Vulcan Construction.

Motion by Director Tovar, Jr.; Second by Vice President Cerrillo and a 5-0 vote to approve partial payment #3 in the amount of \$132, 973.71 to Vulcan Construction.



DE ALBA ARCHITECTURE

DE ALBA ARCHITECTURE

ARCHITECTURE - PLANNING - INTERIORS
 5129 N. FIRST STREET FRESNO, CALIFORNIA 93710
 PHONE: 559-225-2800 FAX: 559-225-1122 EMAIL: INFO@MIKEDEALBA.COM WWW: MIKEDEALBA.COM
 MIKE DE ALBA, JR. - ARCHITECT C-33144 MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS

Standard agreement between client and architect

This contract agreement is entered into this the 18th day of **January** in **2019** by and between Mike de Alba, hereinafter referred to as "architect", and **Charles E. Garabedian, Jr. (Malaga County Water District)** hereinafter referred to as "client". The architect's services consist of those services performed by the architect, architect's employees & architect's consultants as enumerated in this agreement.

Therefore, in consideration of the covenants and conditions to be kept by the parties, it is agreed as follows: Client retains the services of architect to prepare the drawings and/or calculations specified under **scope of work** below for a **architectural services for an office tenant improvement and office addition project located in Fresno California. To comply with current state and California building standards codes. Coordinate project with consultant engineers and prepare construction documents for submittal, review and approval by local jurisdiction. Project Address: 3580 S. Frank Street Fresno, Ca. 93725.**

PROJECT SCHEDULE

- Within **30** working days of approval of **preliminary drawings** specified under **scope of work** and timely payments by client as per **payment schedule**, **Schematic Design/ Design Development drawings** will be forward for review and approval by client. Client will sign and date approved **Schematic Design/ Design Development drawings** prior to commencement of consultant services.
- The **project schedule** shall include **allowances** for periods of time required for the client's review, for the performance of the client's and architect's consultants, and for approval of submissions by authorities having jurisdiction over the project. Progress of work shall be determined by consultant and local jurisdiction at time of rendered services and is subject to consultant and local jurisdiction availability. All **back check** services shall be performed as expeditiously as is consistent with professional skill and care and the orderly progress of the work.
- Architect's compensation for services herein stated in **scope of work** below shall be based upon a stipulated sum of **\$13,500.00** plus **reimbursable expenses**. Where the fee arrangement is to be on an hourly basis, the rates shall be those that prevail at the time services are rendered (principal **\$125.00** per hour, production personnel **\$95.00** per hour). Fees paid for securing approval of authorities having jurisdiction over the project; plan checking, development fee's, inspections, zoning and related property assessments, permits, bond premiums, title company charges and all other charges not specifically covered by the terms of this contract agreement are the Client's responsibility.
- An initial payment of **\$4,500.00** shall be made upon execution of this agreement. It shall be credited to the Client's account at final payment. Subsequent payments for services shall be made as per **payment schedule** below, and where applicable, shall be in proportion to services performed on the basis set forth in this agreement. The Client shall not withhold amounts from the architect's compensation to impose a penalty or liquidated damages on the architect, or to offset sums requested by or paid to contractors for the cost of changes in the work.

PAYMENT SCHEDULE

- Payments are due and payable upon receipt of the architect's invoice according to the **payment schedule** below. Amounts unpaid **30** days after the due date shall bear the interest rate prevailing from time to time at the principal place of business of the architect (**18%** per annum). Miscellaneous reimbursable charges such as blueprinting, other printing, photos, mileage, etc. are not included in quotes and are added expense.
 - Payment number two due by: **preliminary drawings** approval to proceed to construction documents, for **\$4,500.**
 - Payment number three due by: **plan check** submittal to local jurisdiction, for **\$4,500.00.**
- Either party may terminate this agreement upon not less than **7** days' written notice should the other party fail substantially to perform in accordance with the terms of this agreement through no fault of the party initiating the termination.
- **Additional services** may be provided after execution of this agreement, without invalidating the agreement. **Additional services** provided not stated in **scope of work** below shall entitle the architect to compensation. Upon recognizing the need to perform the following **additional services**, the architect shall notify the Client with reasonable promptness and explain the facts and circumstances giving rise to the need. The architect shall not proceed to provide the following services until the architect receives the Client's written authorization:

SCOPE OF WORK

1. Provide Architectural services during the Schematic Design, and Design Development phase consisting of the following;

- **Construction Document** package to include site survey, site plan, floor plan, finish floor plan, building elevations, interior elevations, demolition plan, architectural details, energy documentation, green code checklist, foundation plan, shear wall plan, ceiling joist plan, roof framing plan, building sections, structural details, mechanical plan, plumbing plan, lighting plan, and power plan. Assist the client with submission of final Construction Documents to local jurisdiction. Design-build sub-contractors, identified by client, shall provide mechanical, electrical, plumbing and fire protection design/drawings, calculations or other documentation or services required to obtain jurisdictional approvals and permits

2. Provide Architectural/ Engineering services during the Plan Check/ Bidding phase consisting of the following;

Submit plans to the applicable agencies having jurisdiction for approval of the project. Address plan check correction lists.

Mike de Alba, Jr. C-33144
 5129 N. First Street
 Fresno, Ca. 93710
 559-225-2800

Charles E. Garabedian, Jr. P.E.
 5100 N. Sixth Street Suite 112
 Fresno, CA. 93712
 559-355-0507

architect signature and date

client signature and date

This agreement represents the entire and integrated agreement listed in scope of work above between the Client and the architect and supersedes all prior negotiations, representations or agreements, either written or oral. Acceptance of this service constitutes a contract between the Client and architect whereby the Client will pay this invoice at time of completion by architect from date noted. Past due invoices will be subjected to maximum interest allowable by law. If either party to this contract is required to bring an action to entail this contract, the prevailing party shall be entitled to an award of its costs and attorneys fees incurred therein.

Norma Melendez

From: Hancock, Kelley <khancock@fresnocountyca.gov>
Sent: Thursday, January 17, 2019 9:58 AM
To: Hancock, Kelley
Subject: Survey - Change of Board Members

Good morning,

As you are aware, we are now in the 2019 Annual Form 700 filing period. The eDisclosure system has been updated per the information provided by each agency on the Agency Contact Information forms in December. As a reminder, the Annual Form 700 filing deadline this year is April 2, 2019. I believe that this will be our best annual filing period yet!

Although we do have a few late annual Form 700 filers each year, many of our late Form 700 filers are due to our office not being properly notified of members assuming/leaving positions by the agencies. It has been our request that we receive notification within 5 business days any time a Form 700 filer has assumed or left a position with your agency.

I will be happy to send reminders to assist in this process, but only if the reminders will be helpful for you as the contact person(s) for your agency. Would it be help your agency if you were to receive reminder emails from me regarding the assuming/leaving members? If so, would monthly or quarterly reminders work best? Other suggestions?

Please respond to this emailing by **February 24, 2019** providing your preference to the email reminders. I will take all responses into consideration. I appreciate you taking the time to consider this request as we continue to work together regarding Form 700s.

Thank you,

Kelley Hancock | Deputy Clerk II

Board of Supervisors

2281 Tulare St., Room 301, Fresno, CA 93721

Direct Line: (559) 600-1604

Main Office: (559) 600-3529, Option 4

khancock@fresnocountyca.gov

The County of Fresno is an Equal Opportunity Employer



NOTICE: THIS EMAIL, INCLUDING ANY ATTACHMENTS HERETO, MAY CONTAIN INFORMATION THAT IS PRIVILEGED AND/OR CONFIDENTIAL. THIS EMAIL IS SOLELY FOR THE USE OF ITS ORIGINAL INTENDED RECIPIENT. IF THIS EMAIL HAS BEEN FORWARDED TO YOU, OR IF THIS EMAIL HAS BEEN SENT OR DELIVERED TO YOU IN ERROR, PLEASE BE ADVISED THAT ANY REVIEW, USE, DISSEMINATION, DISTRIBUTION, PRINTING OR COPYING OF THIS EMAIL, OR ANY ATTACHMENTS HERETO, IS STRICTLY PROHIBITED. IF YOU ARE NOT THE ORIGINAL INTENDED RECIPIENT OF THIS EMAIL, PLEASE NOTIFY THE ORIGINAL SENDER IMMEDIATELY BY RETURNING EMAIL. THEREAFTER, PLEASE DELETE THIS MESSAGE, INCLUDING ANY ATTACHMENTS HERETO, FROM YOUR SYSTEM; PLEASE ALSO DESTROY ALL PRINTOUTS THAT MAY HAVE BEEN MADE OF THIS EMAIL OR ANY ATTACHMENTS THERETO. THANK YOU IN ADVANCE FOR YOUR CONSIDERATION.