



**REGULAR BOARD MEETING MINUTES**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK STREET**  
**FRESNO, CALIFORNIA 93725**  
**Tuesday, February 23, 2021 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.

**All present.**

**Also present: Neal Costanzo, Norma Melendez and Moises Ortiz**

- 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 February 9, 2021.

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

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

**5. Old Business:**

- a. **MCWD Organizational Chart.** A follow up from the last meeting. An update on the organizational chart.

Recommended action: to approve MCWD organizational chart as presented or amended.

**Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve the MCWD Organizational Chart as amended.**

- b. **Resolution No. 2-23-2021.** A resolution to amend the District's policy manual by amending policy no. 2020 relating to paid time off. As presented at the last board meeting,

a revised paid time off accrual chart is provided, which includes California Law sick time hours and monthly accrual.

Recommended action: to approve Resolution No. 2-23-2021 as presented or amended.

**Item moved to closed session. Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote.**

**Open session: motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution No. 2-23-2021 as presented.**

- c. **Resolution No. 2-23-2021A.** A resolution to adopt an amended salary schedule.

**Recommended action: to approve resolution 2-23-2021A as presented or Amended.**

**Item moved to closed session for further discussion.**

**Open Session: motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve resolution 2-23-2021A as presented.**

## **6. New Business:**

- a. **CV SALTS Notice to Comply letter.** The RWQCB is requiring a determination by the District as to how it intends to comply with new CV SALTS requirements associated with Nitrate reduction at the WWTP. It is recommended that the District proceed with improvements at the WWTP to reduce effluent Nitrate to below 10 mg/l. A draft response will be routed to the District for review next week for consideration.

Alternatives are to construct improvements to reduce effluent Nitrate, or to Join a Management Zone with other permittees. Information is being gathered to potentially join the Kings Water Alliance Management Zone prior to the nitrate reduction improvements being completed.

The existing Waste Discharge Requirements also mandate a workplan to achieve Nitrate reduction. The deadline for said submittal is February 22, 2021.

The District has submitted CDBG applications for improvements at the WWTP, however, if the grant is not received, it is recommended that the District obtain loan funding to construct the improvements as soon as possible.

Recommended Action: Authorize the submittal of the Nitrate reduction workplan to the RWQCB.

**Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the submittal of the Nitrate reduction workplan to RWQCB and to recommend joining management zone.**

- b. **CV SALTS Notice to Comply letter.** the RWQCB is requiring a determination by the District as to how it intends to comply with a salt control program. The alternatives are to construct facilities to generate an effluent of less than 700 micromhos/cm or to provide support for a Prioritization and Optimization Study (P&O Study). It is not feasible for the WWTP to meet the strict effluent discharge limit; therefore, it will be recommended that the District pursue the participation with the P&O Study. A specific recommendation, with the expected annual charges will be provided next week for consideration.

Recommended Action: Authorize the preparation of the Notice of Intent for salt limits through participation with the P&O Study. The annual cost to the District will be \$1,125.

**Nothing to report.**

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

**8. Engineer Reports:**

a. District Engineer Report.

- i. The design of Well 3A is 90% complete. The plans have been routed to District staff for review. The work is funded through a Grant obtained through an IRWM Project through Tulare County.

The 100% plans and specifications will be completed in the next few weeks. The District will then be in a position to consider CEQA documents in March 2021. The recommended action is to determine a Categorical Exemption for the project.

Subsequent actions will involve finalizing a means to fund the construction of the new well.

Recommended Action: Board's Pleasure

- ii. **Wastewater Treatment Plant Ponds.** Design of the removal of the embankment between Ponds 1 and 2 is proceeding. The design would be complete in February and submitted to the RWQCB for authorization to construct.

Recommended Action: Board's Pleasure

- iii. **Amendment Application No. 3815.** District Engineer, Michael Taylor, submitted comments concerning the application.

b. CDBG Engineer Report: *None for this meeting.*

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

- a. Bathroom Update
- b. WWTF
- c. Utility Worker. **Topic moved to closed session for salary discussion. Board would like a job description of every position in the WWTF.**
- d. Prop 68. **In need of letter of intent for Konkel.**
- e. SJVAPCD Electric Vehicle Grant
- f. Vendors at District property on Muscat and Chestnut. **No vendors allowed on property due to safety concerns.**

**10. President's Report:**

**Vice President Garadebian, Jr. reported that Fresno EOC staff submitted an application for Prop 68. He believes this was not a good use of funds as they should have asked for permission to move forward with the application. He also reported that Fresno County is considering adding rent control taxes to mobile homes. This is why Malaga needs incorporation so any new taxes that Fresno County enforces would "end at the door".**

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

Vice President Cerrillo would like to remind his fellow board members to submit the form 700 to Fresno County. He also commented on how the new a/c covers at the park look good. The VP also recommended to hold a recreation committee meeting in May to discuss pool opening, and other summer events.

**12. Director's Reports:**

Director Tovar, Jr. asked the GM for an update on the old outdoor bathroom at the park. The GM replied that the new locks have been broken and that there is someone sleeping at night inside these bathrooms. The Director suggests hiring security to keep an eye out at the park at night to prevent people jumping the fence.

**13. Legal Counsel Report:**

Legal Counsel reported that he may not be available for a long period of time as he will undergo hip replacement surgery.

**14. Communications:**

a. Written Communications: **None for this meeting.**

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. Closed Session: 8:09pm**

a. **Personnel. Govt Code 54957. Nothing to report.**

**Open session at 8:40pm.**

**16. Adjournment:**

**Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to adjourn the meeting at 8:50pm.**

**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 February 23, 2021 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 03/10/2021.

**Norma Melendez**

Norma Melendez, District Clerk