



## REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING  
MALAGA COUNTY WATER DISTRICT  
3580 SOUTH FRANK STREET  
FRESNO, CALIFORNIA 93725  
Tuesday, April 25, 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: 6:01pm

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 April 13, 2023.

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:** none for this meeting.

### 6. New Business:

- a. **Public Hearing.** To consider an ordinance adding Chapter 5.02 to Title V of the Malaga County Water District Code ("Malaga Code") pertaining to sanitation and recycling services to comply with the requirements of SB 1383. The proposed Amendment will allow the District to better regulate sanitation and recycling service within the District and comply with the diversion requirements of SB 1383.

Recommended action: To hold a public hearing to adopt the proposed ordinance 2023-1.

**Public Hearing opened at 6:06pm for public comment. No public comment received.  
Public Hearing closed at 6:07pm.**

**Item tabled to the next board meeting for continued discussion.**

- b. **Resolution 4-25-2023.** A resolution approving a third amendment to the solid waste and recycling franchise agreement between the Malaga County Water District and Industrial Waste and Salvage for solid waste collection, green waste collection, recycling services.

Recommended action: to approve resolution 4-25-2023 as presented or amended.

**Item tabled to the next board meeting for continued discussion.**

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

**8. Recreation Reports:**

**Director Castaneda informed the board that the next recreation bingo is scheduled for May 3.**

**Vice President Cerrillo announced his Cruising for Jesus Community Outreach program that he will host with his car club. At this event, cars will be blessed. An outdoor yard sale will take place during the event which will be free of charge to those who want to sell. A special recreation meeting has been scheduled for April 26. The VP also stated that no district staff will be needed for this event.**

**9. Engineer Reports:**

- a. District Engineer Report. None.
- b. CDBG Engineer Report: None.

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

- a. Solar Project: Funded!
- b. District Development Charges: Updated.

**11. President's Report:**

**President Garabedian, Jr. suggests increasing bereavement leave for out-of-town funeral services. He also suggested doing a quarterly newsletter instead of the current monthly.**

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

**Vice President Cerrillo reiterated the recreation committee meeting of April 26 to discuss the outreach program he is hosting.**

**13. Director's Reports:**

**Director Cerrillo, Jr. informed of the Malaga mural at the carwash on Central and Chestnut was tagged. Mr. Blue, owner of the carwash, tried his best to remove the graffiti without damaging the paint.**

**14. Legal Counsel Report: reserved for closed session.**

## 15. Communications:

### a. Written Communications:

1. Fresno County Planning Commission public hearing on unclassified conditional use permit application No. 3748 and Initial Study No. 8274 filed by Malaga BESS, LLC Thursday, April 27 at 8:15a.m.

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: 6:38 pm

- a. Potential Litigation (Gov't Code 54956.9(d)(2).) One case.

## 17. Adjournment:

**Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 7:03pm.**

### 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 April 25, 2023 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 05/17/2023.

*Norma Melendez*

Norma Melendez, District Clerk