



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, October. 25, 2016 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 CORRESPONDENCE FOR THE DISTRICT BOARD OF DIRECTORS MEETING PRIOR TO THE MEETING, WITH A COPY TO THE DISTRICT OFFICE, (DEADLINE: 12:00PM FRIDAY PRIOR TO NEXT MEETING).

1. Call to Order: 6:00 p.m.

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 11 October 2016.

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

Motion by Director Tovar, Jr.; Second by Director Cerrillo, Jr. to approve Consent Agenda as presented.

5. Old Business:

a. **Public Hearing for Solid Waste Service Rates.** The mandatory 45 day review period for the Prop 218 public notice concerning proposed solid waste service rates that was published on 16 August 2016 has ended and no negative responses to the proposed rate increase have been received. The Prop 218 notice is attached.

Recommended action: To hold a public hearing on the proposed solid waste service rate increase and adopt the new rates effective 1 November 2016.

After receiving no negative feedback from the community regarding the new solid waste service rates a Motion by Vice President Cerrillo; Second by Director Carlos Tovar to adopt new rates effective 1 November 2016.

- b. **2013 WWTF Improvement Project Notice of Completion and retention payment.** The 2013 WWTF improvement project is completed. The total cost of the project was \$291,690 of which all has been paid except for \$14,750.35 the amount held in retention. Payment of the retention was withheld pending completion, certification, and calibration of the EFF-002 flow meters which are now completed. The NOC will be reported to the SWRQCB in the next e-SMR.

Recommended action: To authorize payment to Hobbs Construction the retention amount of \$14,750.35. The retention funds are to be paid from the WWTF loan fund with a balance of \$192,428.17.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. to accept completion of the project and to authorize payment to Hobbs Construction the retention amount of \$14,750.35.

- c. **CDBG 16451 Agreement.** The CDBG 16451 project is the Well #6 rehab and SCADA upgrade for all three wells that the District was recently told is now funded. Fresno County requires that the District enter into an agreement (attached) with the county to begin the funding process. The project cost is \$414,000 of which \$250,000 is to be funded by grant funds and \$164,000 from District funds. The District share is contained in the budget.

Recommended action: To approve the agreement for CDBG 16451 with Fresno County.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. to approve the agreement for CDBG 16451 with Fresno County.

- d. **CDBG Engineer RFQ.** Fresno County approved the CDBG engineer RFQ for publication. The RFQ will be published in the Fresno Business Journal and mailed to individual engineering firms. For information and discussion.
No reportable action taken.

6. New Business:

- a. **Town Hall Meeting.** A Town Hall meeting to discuss public safety has been scheduled for 15 November 2016 at 6:00 PM at the District office. The Fresno County Sheriff's office will be represented and District legal counsel will provide a presentation concerning property owner liability for renters. A flyer will be distributed the week before the meeting. For information and discussion.

The Town Hall Meeting will be at the Arriaga Community Center in the Malaga Park.

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

It was reported that there was a good turnout for the Halloween dance. Approximately there was 175 guests. There was also a great turn out for the Pumpkin Patch and Trunk-o-Treat. The children enjoyed crafts, popcorn, candy and the train ride. A few families were unable to purchase pumpkins due to limited quantities.

8. Engineer Reports:

- a. District Engineer Report. No new reports for this meeting.
b. CDBG Engineer Report: No new reports for this meeting.

9. General Manager's Report:

- a. Updated delinquent accounts report.
- b. A report on the meeting with Fresno Irrigation District concerning water service assessments and the WWTF tertiary effluent discharge line to Central Canal.
- c. Department reports.

Items A and B have been postponed for the next meeting on November 3, 2016. No new department reports.

10. President's Report:

President Garabedian, Jr. made the board members that the ACWA conference is coming up soon in November.

11. Vice President's Report:

Vice President Cerrillo has advised that preparations for the Christmas Tree Lighting should be underway.

12. Director's Reports:

Director Cerrillo, Jr. is concerned about the potholes in the streets of Malaga. Action should be taken soon.

13. Legal Counsel Report:

For closed session.

14. Communications:

a. Written Communications:

1. **Community Forum Dinner.** Fowler USD has invited the Board of Directors to the annual Community Forum Dinner on Wednesday, November 2, 2016 at 6:00pm. This forum will showcase presentations of community service projects in Fowler and Malaga.

No reportable action taken.

- b. Public Comments. All public comments will be limited to three (3) minutes or less per individual per item, with a fifteen (15) minutes maximum per group per item.

15. Closed Session: 6:54 p.m.

- a. Conference with legal counsel [Pending Litigation Government Code Section 54956.9] Malaga v. CVRWQCB et al. MCV071280.

No reportable action taken.

16. Adjournment:

Motion by Director Tovar, Jr.; Second by Vice President Cerrillo, and by 5-0 vote to adjourn the meeting at 7:25 p.m.