



REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, April 23, 2024 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:

- 2. Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.
Present at roll call: President Garabedian, Jr., Director Cerrillo, Jr. and Director Castaneda.
Vice President Cerrillo arrived after roll call. 6:02pm.
Director Tovar, Jr. arrived after the consent agenda. 6:04pm.
Also present: Neal Costanzo and Norma Melendez.

- 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 11, 2024.

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

Motion by Director Castaneda; Second by Director Cerrillo, Jr. and by a 3-0 vote to approve the consent agenda as presented.

Before carrying out the rest of the agenda, discussion was held to add an action item pertaining to the authorization of a new bank account for the Well 5A project. This item needs consideration and immediate action that cannot wait until the next board meeting. The board also discussed adding a potential litigation item to closed session.

Motion by Director Castaneda, Seconded by Director Cerrillo, Jr. and by a 4-0 vote to add item 6.e.8 to authorize a new bank account for Well 5A project, and a closed session item for potential litigation to the agenda.

- 5. Old Business: None for this meeting.**

6. New Business:

- a. **Resolution 04-23-2024.** The district is required to adopt a Resolution to hold an election in November 2024 for two seats on the Board of Directors. The Resolution must be submitted to the Fresno County Clerk no later than July 3, 2024.

Recommended action: To adopt Resolution 04-23-2024 to hold the election in November.

Motion by Vice President Cerrillo; Second by Director Castaneda, and by a 5-0 vote to approve the adoption of Resolution 04-23-2024 to hold the election in November for two seats on the Board of Directors.

- b. **Resolution 04-23-2024A.** A resolution to authorize the opening of a separate checking account at Wells Fargo to be used only for DWR funds related to the Well 3A Project. The Department of Water Resources (“DWR”) requires the district to have a separate bank account for all funds associated with the Project. This resolution will also designate Charles Garabedian, Jr., President, Salvado Cerrillo, Vice-President, and Maria Lopez, Accounting Clerk as signors on the Wells Fargo Account.

Recommended action: To approve Resolution No. 04-23.2024A as presented or amended.

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve the adoption of Resolution 04-23-2024A to authorize opening of a separate Wells Fargo account to only be used for DWR funds related to the Well 3A Project. This resolution also designates President Charles Garabedian, Jr., Vice President Salvador Cerrillo and Accounting Clerk, Maria Lopez, as signors on the Wells Fargo account.

- c. **Resolution 04-23-2024B.** A resolution to authorize the opening of a separate checking account at Wells Fargo Bank to be used only for monies received from RCAC as Bridge Funding on Grant Projects. This resolution will also designate Charles Garabedian, Jr., President, Salvado Cerrillo, Vice-President, and Maria Lopez, Accounting Clerk as signors on the Wells Fargo Account.

Recommended action: To approve Resolution No. 04-23-2024B as presented or amended.

Motion by Director Cerrillo, Jr.; Second by: Director Castaneda and by a 5-0 vote to approve adoption of Resolution No. 04-23-2024B authorizing opening of a separate checking account at Wells Fargo Bank to only be used for RCAC Bridge funds on Grant Projects. This resolution also designates President Charles Garabedian, Jr., Vice President Salvador Cerrillo and Accounting Clerk, Maria Lopez, as signors on the Wells Fargo account.

- d. **NKGSA Interested Parties Contribution.** The North Kings Groundwater Sustainability Agency kindly requests the district’s contribution to continue to support the success of the NKGSA. This voluntary contribution can be used towards the overall budget allocated to a variety of regulatory activities. The suggested contribution is \$4,028.40, with a minimum contribution of \$250.00.

Recommended action: For discussion and potential action.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 4-1 vote to approve the NKGSA Interested Parties contribution of \$250.00.

- e. **Resolution 04-23-2024C.** A resolution to authorize the opening of a separate checking account at Wells Fargo to be used only for monies related to the Well 5A Project. The agreement with the County of Fresno requires the district to have a separate bank account for all funds associated with the Project. This resolution will also designate Charles Garabedian, Jr., President, Salvado Cerrillo, Vice-President, and Maria Lopez, Accounting Clerk as signors on the Wells Fargo Account.

Recommended action: To approve Resolution No. 04-23-2024C as presented or amended.

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to approve adoption of Resolution No. 04-23-2024C authorizing opening of a separate checking account at Wells Fargo Bank to only be used for Well 5A Project funds. This resolution also designates President Charles Garabedian, Jr., Vice President Salvador Cerrillo and Accounting Clerk, Maria Lopez, as signors on the Wells Fargo account.

7. Incorporation Reports: None for this meeting.

8. Recreation Reports:

Director Castaneda asked the Treasurer of the Recreation Committee to provide a list of items that will be needed for the program of May 18. Once the list is provided, President Garabedian has offered to go shop for those items so recreation staff can focus on other tasks. The Treasurer also requests a cash box with \$35 to be used during the program as they will be having the 50/50 raffle.

9. Engineer Reports:

- a. District Engineer Report. **None for this meeting.**
- b. CDBG Engineer Report: **None for this meeting.**

10. General Manager's Report: Under President's and Vice President's Report.

11. President's Report:

President Garabedian, Jr. reported he continues to work on the district's pension plan. He has attempted multiple times to reach a representative at Newport, the District's previous pension company. He also reported that the organization chart is still under review.

12. Vice President's Report:

Vice President Cerrillo reported to the board that potential employees have been enrolled in a class for lifeguard certification. In regard to repairs at the pool, the lifeguard break room has been repaired and the VP asked for direction on the purchase of a lift for the pool. The pool lift is about \$4,500. Board consensus is to purchase the pool lift as it's an ADA requirement as the district must make that available before the opening of the pool. Finally, he reported there will be a school board meeting for Fowler Unified at 6:00pm on 4/24/24 at Malaga Elementary School.

13. Director's Reports: None for this meeting.

14. Legal Counsel Report: None for this meeting.

15. Communications:

a. Written Communications:

1. **Public Notice.** The San Joaquin Valley Air Pollution Control District will be conducting a public hearing on May 16, 2024 at 9:00am for the exclusive purpose of reviewing its 2024-2025 budget, and providing the public with the opportunity to comment. The public hearing will also be available via webcast.

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:

- a. Potential Litigation (Government Code Section 54956.9).

17. Adjournment:

Motion by: _____, Second by: _____ to adjourn the meeting at 7:40pm.

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 23, 2024 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 05/15/2024.

Norma Melendez, District Clerk