



REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK AVENUE

FRESNO, CALIFORNIA 93725

Tuesday, March 11, 2025 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: 6:00pm

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: Norma Melendez and Michael Slater.

3. **Certification:** Certification was made that the Board Meeting Agenda was posted 72 hours in advance of the meeting.

4. Old Business:

a. **Solar Bridge Loan.** Project update and authorizing the board President or Vice-President to submit a request for an extension and related documents.

Recommended action: board's pleasure.

Following discussion, the Board authorized, by unanimous vote, the President or Vice-president to apply for a 6-month extension to the RCAC solar project bridge loan. Motion by Vice President Cerrillo, Seconded by Director Tovar and a 5-0 vote.

b. **SPR 8257 – Trillium 4642 S. Chestnut Ave.** An Agreement for new water, sewer, and fire service for change of use is attached. Final plans are provided. The County of Fresno is requiring MCWD signature on the final plans.

Recommended Action: Approve execution of service agreement and approval of final plans. Provide direction regarding who will sign the plans on behalf of MCWD.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve execution of the service agreement and approval of final plans. Provost and Pritchard will sign the plans on behalf of MCWD.

c. **Groundwater Sustainability Charges.** A summary of recommended groundwater sustainability charges for 2025 was prepared. The information is based on actual water use from the commercial/industrial accounts in 2024. The Board approved the methodology for calculating sewer use charges at the February 11, 2025 meeting. The fees are dependent on the status of Rio Bravo (see SGMA Groundwater Sustainability Charges memo). The information received from Rio Bravo indicates that the facility is closed, with the exception of minor maintenance. It is recommended that the Board

approve the recommended groundwater sustainability charges for 2025 scenario that does not include an operating Rio Bravo facility.

Recommended Action: Approval of recommended groundwater sustainability charges for 2025.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 5-0 vote to approve the recommended groundwater sustainability charges for 2025. This 31% increase will cover the FID charges.

- d. **Sewer Use Charges.** At the January 28, 2025 meeting, the Board approved sewer charge procedure memos, which were subsequently sent to the users. Documents have been signed by several of the commercial/industrial users.

Recommended Action: Consent to execution of the sewer charge procedure memos.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve the execution of the sewer charge procedure memos. It is recommended that a spreadsheet be submitted to the board reflecting the current number of units per account and the proposed number.

5. New Business:

- a. **Amendment Application 3875 – Proposed Rezone of 3185 S Minnewawa Ave.** Amendment Application Review requested by Fresno County. This project includes a proposed rezone from Limited Agricultural to Heavy Industrial Zone District. A draft response is attached.

Recommended Action: Provide any edits to the comment letter. Direct staff to either send the comment letter to the County or transfer the comments to MCWD letterhead and send to the County.

Discussion was held. Director Tovar, Jr. is against the proposed zoning change as the district needs more housing than industrial buildings. Legal Counsel suggested to take the opportunity to include information about the tax-share agreement the district has with the County of Fresno. Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 4-1 vote, with Director Tovar Jr. voting no, to approve the letter and add the recreation tax share in the comments.

- b. **Comunidad Nuevo Lago (formerly Shady Lakes MHP) Sewer Consolidation.** A preliminary engineering report was prepared and submitted to Self-Help Enterprises for distribution to Malaga CWD and Comunidad Nuevo Lago. Self-Help has requested that P&P move forward with preliminary design and CEQA for the recommended sewer consolidation project. The proposed project includes a new lift station at the MHP (to be owned by the MHP), sewer force main to the MCWD boundary, and gravity sewer main to the WWTF. The project also includes improvements at the MCWD WWTF. Self-Help Enterprises is preparing a construction funding application. MCWD would be the applicant. It is requested that the following funding application documents are reviewed and signed by MCWD:

- T2a – General Plan Compliance Certification
- T2b – Certification for Compliance with Water Metering
- T6 – Certification for Water Conservation and Management

Recommended Action: Review and approve execution of funding application documents.

Motion by Director Castaneda; Second by Vice President Cerrillo and by a 5-0 vote to approve execution of funding application documents.

- c. **PC Solutions Firewall Protection.** The district's three XG135 Firewalls will reach end-of-life on March 31, 2025. Firewall protection monitors and controls network traffic, acting as a barrier to prevent unauthorized access to a computer or network, essentially protecting it from malicious threats like hackers and malware by analyzing and blocking anything that may be considered suspicious or dangerous. The cost to replace the current system is \$4,004.34. The typical lifecycle of the new series is of 6-7 years, depending on firmware updates and evolving security advancements as well as performance demands.

Recommended action: To approve quote of \$4,004.34 to update to the firewall system.

Motion by Director Castaneda; Second by Vice President Cerrillo, and by a 5-0 vote to approve quote of \$4,004.34 to update the districts firewall system.

6. Recreation Reports:

Director Castaneda reported that the recreation committee held their rec bingo on March 6. The committee noticed changing rec bingo to different date affects the public's turnout to the event, as well as the food that will be sold. There will be a recreation meeting on 3/12 where they will discuss the easter program, along with a review of the bingo event of 3/6.

7. Engineer Reports:

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

8. General Manager's Report:

- a. **Safety Training Request for Proposals.** The District has, in the past, contracted with a third party to provide workplace and equipment safety training and certification. This includes, but is not limited to: OSHA 10 cards, tractor and backhoe certification, proper use of PPE, emergency response plan implementation, confined space training, lock-out tag-out procedures, and other applicable workplace/work site training. The District would now like to request proposals to conduct such training for District employees.

Recommended Action: to authorize the acting GM to solicit proposals to provide ongoing workplace safety training and certification.

Motion by Director Castaneda; Seconded by Director Cerrillo, Jr. and by a 5-0 vote to authorize the acting GM to solicit proposals to provide ongoing workplace safety training and certification.

- b. **Teen Room Computer Review.** The GM is requesting approval to have the District IT provider conduct a review of the computers at the Teen Room to make sure all of the computers are working properly, the computers and WiFi network have filters appropriate

for use by school age children, and that the printer other equipment at the Teen Center are functioning properly.

Recommended Action: To authorize the acting GM to have PC Solutions review the Teen Center computers, software and related equipment and provide a proposal for any needed upgrades.

Motion by Director Castaneda; Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the acting GM to have PC Solutions review the Teen Center's computers, software and related equipment and provide a proposal for any needed upgrades.

- c. **Preschool Meeting.** President Garabedian, Jr. and Vice President Cerrillo met with representatives of a preschool program that can potentially use a room at the park for preschool services. This preschool program is currently at a location at Malaga Elementary School. Fowler Unified has notified them that they will need to end the state-funded preschool program by June. Their program would provide services to children ages 2 and older between two classes (morning and afternoon).
- d. **Vice President Cerrillo also reported that they are still working on pool repairs.** District staff just learned that the pool pump is under warrantee until June, 2026. Any repairs needed will be covered under the warrantee. The VP also reported that an accident on Central and Chestnut Avenue damaged a fire hydrant. The hydrant has been repaired and is back online.

9. President's Report: under GM Report.

10. Vice President's Report: under GM Report.

11. Director's Reports:

Director Tovar, Jr. announced he will be selling food items on March 29 at the park to raise funds for the Easter Program.

12. Legal Counsel Report: None for this meeting.

13. 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 25, 2025.
- b. Accounts Payable Report.

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

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve the consent agenda, also including payment to the Kings Water Alliance in the amount of \$8,866.00 who assist the district in the CV Salts reporting.

14. Communications:

- a. Written Communications:

1. The district office received notification from PG&E that the gas meter requires protection due to the proximity of the driveway. PG&E's MPP will install 4-inch-wide posts at no cost to the district. Installation may take place within a month. **Nothing to report.**

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.*

Malaga Resident, Lucia Rojas, attended the meeting to request a donation from the district to help the preschool in Malaga raise funds to hold a carnival for the children before the school year ends. Vice President Cerrillo said he will personally donate, and if any other director wishes to donate directly to the program, they are more than welcomed to. The board decided to further discuss the topic in closed session.

15. Closed Session: 7:51

- a. Pending Litigation: Two Cases: Malaga v CSJ Construction Fresno County Superior Court Case No.: 23CECG03436 (Government Code 54956.9(d)(1).); Malaga v. CVRWQCB Madera Superior Court Case MCV071280
- b. Potential Litigation: One Case (Government Code §54957(d)(2).)
- c. Personnel Evaluation: All Positions (Government Code 54957(b).)

No reportable action.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 8:19p.m.

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 March 11, 2025 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 03/26/2025.

Norma Melendez, District Clerk