



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, April 13, 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.

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

4. Old Business:

- a. **Bathroom Partitions.** A continuation from the last meeting: District staff received bathroom partition quotes for the new park bathroom. The first quote came from Central Coast Specialty for the purchase of bathroom partitions and installation for \$3,500.00. The second quote from Grainger lists prices for each individual part that will have to be purchased to create the partitions. Adding the total comes out to approximately \$8,000.00, not including installation. The third quote comes from Fry Specialty Inc. This quote in particular offers 5 different options, with different materials and warranties, and installation is excluded.

Recommended action: to approve a quote and give direction to the General Manager.

Motion by: _____; **Second by:** _____

- b. **Well 3A.** The design of Well 3A is 95% complete. The plans have been routed to District staff for review. The work has been funded through a Grant obtained through an IRWM Project by the County of Tulare.

The District is in the position to accept the plans and specifications describing the proposed improvements. Since the work is to replace Well 3 within the same property utilized for a well site, the recommended CEQA action is a Categorical Exemption.

If approved, the District would submit the plans and specifications to the Division of Drinking Water for review and comment.

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

It is recommended that the District submit the plans and specifications to the Division of Drinking Water for review and comment that the District finalize a means to fund the construction of the replacement well.

Recommended Action: That the District approve the project plans and specifications and District adopt the Categorical Exemption.

Motion by: _____; **Second by:** _____

5. New Business:

- a. **Resolution 04-13-2021.** A resolution to approve application(s) for per capita grant program funds application.

Recommended action: to approve resolution 04-13-2021 as presented or amended.

Motion by: _____; **Second by:** _____

6. Recreation Reports:

- a. Pool Improvement Update.

7. Engineer Reports:

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

8. General Manager's Report:

- a. Donations from District Businesses.
- b. Water Theft Ordinance.
- c. New District Vehicle.

9. President's Report:

10. Vice President's Report:

11. Director's Reports:

12. Legal Counsel Report: *Reserved for closed session.*

13. Communications:

- a. Written Communications:
 1. **Notice of Public Workshop.** The San Joaquin Valley Air Pollution Control District will be hosting a virtual public workshop to present BARCT Rule Evaluation Update. Zoom meeting is scheduled for Tuesday, April 20 at 1:30p.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.*

14. 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 March 23, 2021.
- b. Financial Statements and Financial Reports.

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

Motion by: _____; **Second by:** _____

15. Closed Session:

- a. Pending Litigation (Government Code Section 54956.9): One Case Malaga v FUSD

16. Adjournment:

Motion by: _____, **Second by:** _____

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing agenda for the Regular Meeting of the Board of Directors of April 13, 2021 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, at 5:00P.M. On 04/09/2021.

Norma Melendez

Norma Melendez, District Clerk

Quote #17015954-1

item 4.a.

Date: 03/26/2021

- ✓ Standard Freight Included: 93725 Zip Code ✓ All Hardware and Anchors Included ✓ Doors, Dividers, Pilasters Included



Powder Coat

3 year warranty

Delivered in 3-6 business days (Quick Ship colors only);
Standard colors in 12-18 business days

\$3,184.96

Price includes materials and hardware

[Product Info](#) | [Color Chart](#)



Plastic Laminate

2 year warranty

Delivered in 5-10 business days

\$4,679.93

Price includes materials and hardware

[Product Info](#) | [Color Chart](#)



Solid Plastic

25 year warranty

Delivered in 5-10 business days

\$6,383.91

Price includes materials and hardware

[Product Info](#) | [Color Chart](#)



Stainless Steel

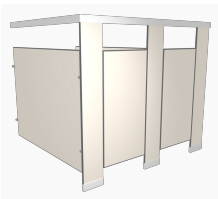
5 year warranty

Delivered in 3-6 business days

\$6,541.90

Price includes materials and hardware

[Product Info](#) | [Color Chart](#)



Phenolic

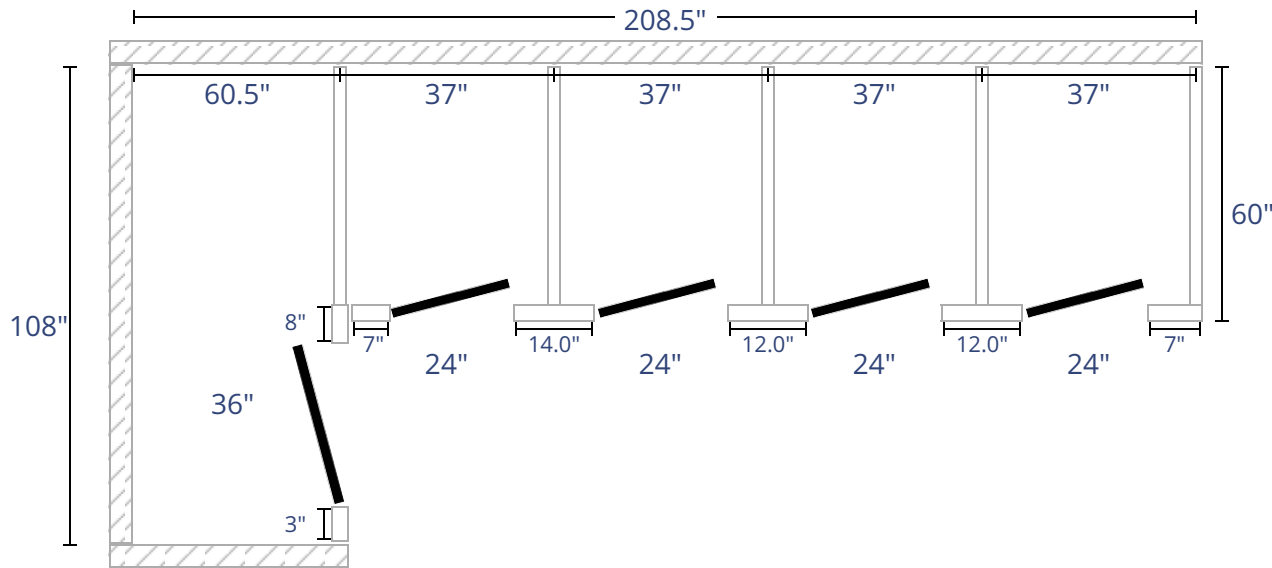
25 year warranty

Delivered in 10-15 business days

\$7,374.56

Price includes materials and hardware

[Product Info](#) | [Color Chart](#)



- *Widths are measured to center line of panels
- *Overall Depth is measured to front face of doors
- *Small Adjustment gaps provided between walls and parts

* If you don't like what you see, email us your changes and we will take care of it right away.

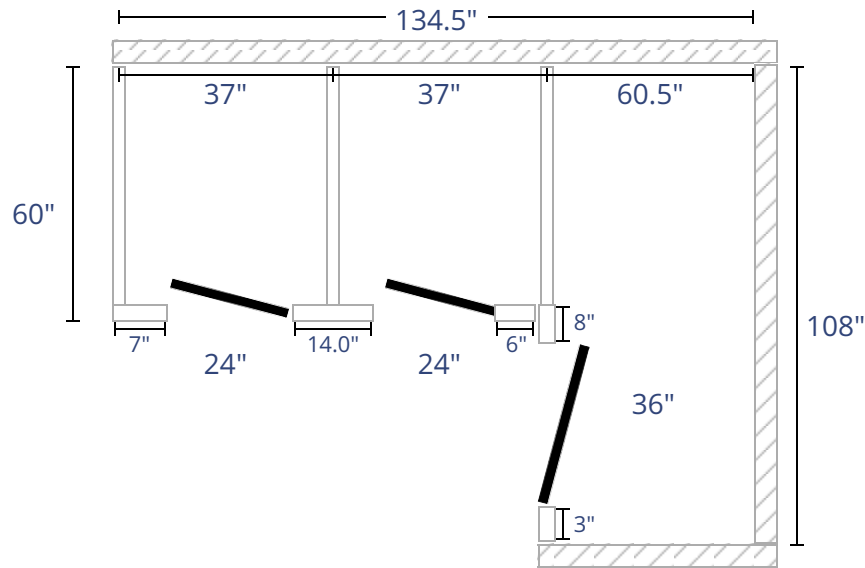
Quote Number:
17015954-1

Room Name:
WOMENS

Stalls / Toilets:
5

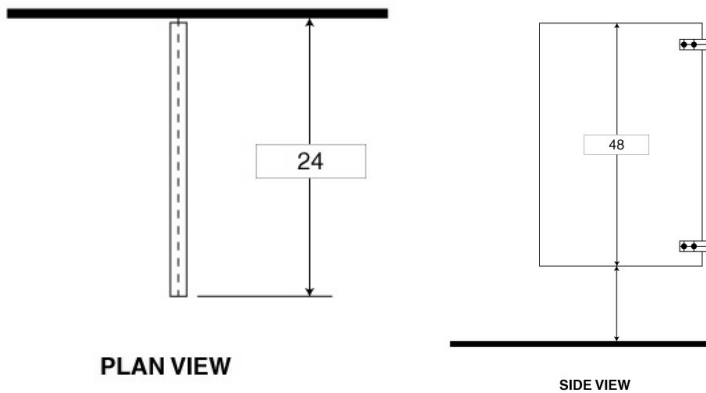
Screens: 0

Phone: 6195628446



- *Widths are measured to center line of panels
- *Overall Depth is measured to front face of doors
- *Small Adjustment gaps provided between walls and parts

Privacy Screens:
(2) 24" W x 48" H



*** If you don't like what you see, email us your changes and we will take care of it right away.**

Quote Number:
17015954-1

Room Name:
MENS

Stalls / Toilets:
3

Screens: 2
Screen Size: 24" W x 48" H

Phone: 6195628446

Bathroom partitions Grainger

Baked Enamel Steel Bathroom Partition Material36 in82 in60 inNoAlmond7YP86	Regular Price\$664.11 / each
36 in82 in60 inYesCharcoal7AW57	Regular Price\$738.79 / each
36 in82 in60 inYesWhite7AW58	Regular Price\$738.79 / each
36 in82 in60 inYesKhaki7AW59	Regular Price\$738.79 / each
36 in82 in60 inYesDark Khaki7AW60	Regular Price\$738.79 / each
36 in82 in60 inYesBlack7AW61	Regular Price\$738.79 / each
36 in82 in60 inYesSandy Beach7AW62	Regular Price\$738.79 / each
36 in82 in60 inYesPepper Dust7AW63	Regular Price\$738.79 / each
36 in82 in60 inYesBlue7AW64	Regular Price\$738.79 / each
36 in82 in60 inNoGray7YP78	Regular Price\$664.11 / each
Stainless Steel Bathroom Partition Material36 in82 in60 inYesSatin7A0A1	Regular Price\$1,894.40 / each

Total approximately \$8,000.00 parts only.

item 4.a.

From: [Mike Sagely](#)
To: [Gabino Gomez](#)
Subject: First Bathroom partitions
Date: Wednesday, March 17, 2021 2:28:30 PM

Add to agenda

Get Outlook for iCS

From: Gabino Gomez <GGomez@malagacwd.org>
Sent: Wednesday, March 17, 2021 2:26:44 PM
To: Mike Sagely <mortiz@malagacwd.org>
Subject: FW: Bathrooms partitions

From: michael sagely <mike0070@sbcglobal.net>

Sent: Tuesday, March 16, 2021 3:38 PM

To: Gabino Gomez <GGomez@malagacwd.org>

Cc: CCSpec <mike0070@sbcglobal.net>

Subject: Re: Bathrooms partitions

Gabino,

Solid Plastic HDPE Toilet Partitions

8 Floor Mounted Headrail Braced

Compartments 2 Wall Hung Urinal

Screens

Standard Non Fire Rated Material

Alum Continuous Brackets and Hinges

Alum Hardware and St Stl Shoes

9559.00 Tax and Freight Included

If needed, Add to Install by C & S

Construction 1 3500.00

Thanks,

[Mike Sagely](#)

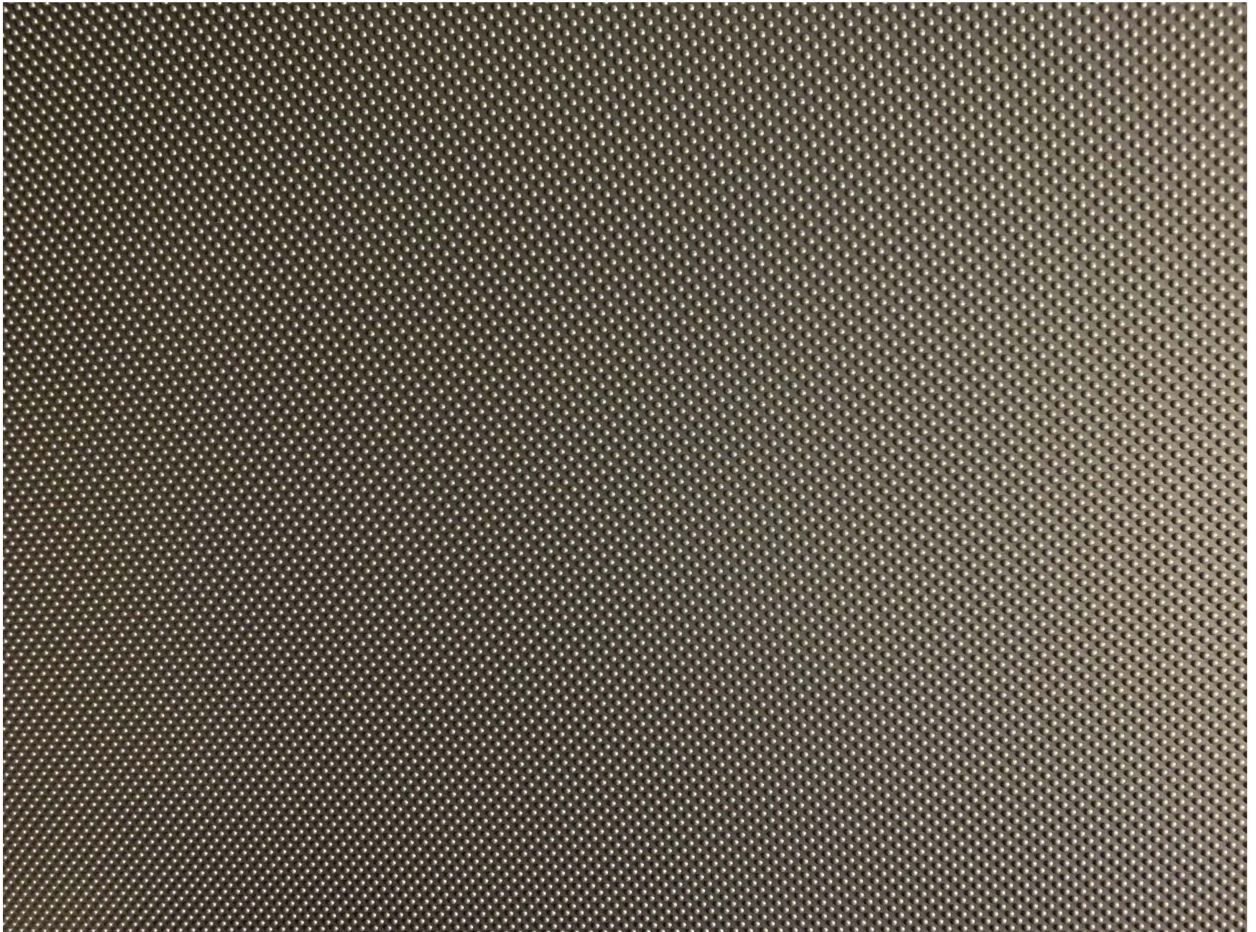
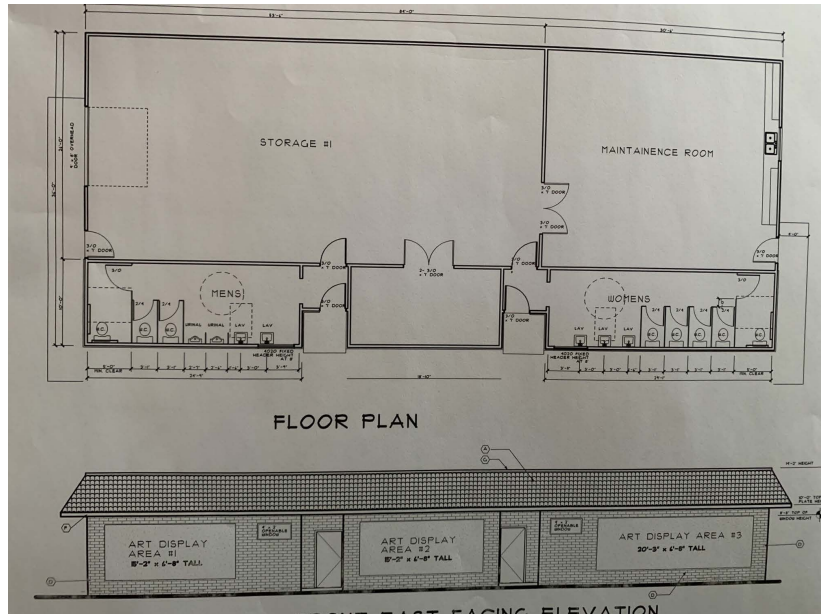
[Central Coast Specialty](#)

[P.O. Box 14237](#)

[San Luis Obispo, Ca 93406](#)

[805-434-0070ph/fx](#)

[805-709-1152cell](#)



item 4.b.

Project Name

Well 3A

Project Applicant

Malaga County Water District (MCWD)

Project Location

Fresno County Assessor's Parcel No. 331-130-25T, located on the north side of Central Avenue between Willow and Ward Avenues.

Project Description

The Malaga County Water District (MCWD; Water System No. CA1010042) proposes to remove and replace Well 3 and its accessory structures and other site improvements, which is currently inactive due to its inability to meet drinking water quality standards, with a new well (named Well 3A), as well as accessory structures and site improvements, on the same property as Well 3. The current water system requires all active wells working continuously, and this Project will serve to provide redundancy and allow other wells to go offline to allow for maintenance activities.

The Project would include a well, pump, discharge piping, valves, and appurtenances; power and electrical cabinet for controls and switchgear; chlorination equipment; electrical service and transformer; connection to the storm drain system for site drainage and well pump-waste discharges.

The Project will be required to comply with all applicable regulatory requirements related to stormwater and wastewater discharges, all applicable San Joaquin Air Pollution Control District applicable rules and regulations, all applicable County of Fresno Well destruction requirements, and other applicable regulatory requirements.

Exempt Status:

Sec. 21084(a); 15302(c)

Sec. 21080.21; 15282(k)

Why Project is Exempt

The Project is statutorily and categorically exempt from CEQA pursuant to:

1. PRC § 21080.21, Guidelines § 15282(k), which exempts the installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code, as long as the project does not exceed one mile in length.
2. PRC § 21084(a), Guidelines § 15302(c), which exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the

same purpose and capacity as the structure replaced, including the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The Project proposes to replace Well 3 with Well 3A to meet drinking water quality standards and to provide redundancy to the water system.

Due to the redundancy nature of the Project, no cumulative impacts will occur from successive projects in the same area. There is no reasonable possibility that the Project will have a significant effect on the environment due to unusual circumstances. The Project will not damage scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. The Project site is not on any list compiled pursuant to Section 65962.5 of the Government Code. The Project will not cause a substantial adverse change in the significance of a historical resource.

Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: _____

From: (Public Agency): _____

(Address)

item 4.b.

Project Title: _____

Project Applicant: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: _____

Lead Agency

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

RESOLUTION NO. 04-13-2021

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MALAGA COUTY
WATER DISTRICT APPROVING APPLICATION(S) FOR PER CAPITA
GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application(s); and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

WHEREAS, the grantee will enter into a contract(s) with the State of California to complete project(s);

**NOW, THEREFORE THE BOARD OF DIRECTORS OF THE MALAGA
COUNTY WATER DISTRICT HEREBY RESOLVES** as follows:

1. Approves the filing of project application(s) for Per Capita program grant project(s); and
2. Certifies that said grantee has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project(s); and
3. Certifies that the grantee has or will have sufficient funds to operate and maintain the project(s), and
4. Certifies that all projects proposed will be consistent with the park and recreation element of the County for Fresno general or recreation plan (PRC §80063(a)), and
5. Certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)), and
6. Certifies that it will comply with the provisions of §1771.5 of the State Labor Code, and

7. (PRC §80001(b)(8)(A-G)) To the extent practicable, as identified in the “Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters,” dated January 12, 2017, the Malaga County Water District will consider a range of actions that include, but are not limited to, the following:
 8.
 - (A) Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
 - (B) Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
 - (C) Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
 - (D) Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
 - (E) Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
 - (F) Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
 - (G) Identifying possible staff liaisons to diverse populations.
9. Agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).
10. Certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient’s annual expenditures. (PRC §80062(d)).
11. Certifies that the grantee has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide; and

12. Delegates the authority to the Moises Ortiz, or designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope(s); and
13. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Passed and adopted by the Board of Directors of the Malaga County Water District at their meeting held on this 13 day of April, 2021 by the following vote:

AYES:

NOES:

ABSENT:

Charles Garabedian, Jr., President
Malaga County Water District

ATTEST:

Moises Ortiz, Secretary
Board of Directors
Malaga County Water District

CERTIFICATION

I do hereby certify that the forgoing is full, true, and correct copy of a Resolution duly and regularly adopted ay a meeting of the Malaga County Water District Board of Directors held on _____

Moises Ortiz, General Manager/ Secretary of
Board of Directors
Malaga County Water District

item 8.b.

ORDINANCE NO. 2021-01

AN ORDINANCE OF THE MALAGA COUTY WATER DISTRICT RELATED TO THE DISTRICT WATERING SCHEDULE; THEFT, TAMPERING, OR UNAUTHORIZED USE OF WATER/UTILITIES; AND INDUSTRIAL SEWER DISCHARGE PERMITS

WHEREAS, the state of California, the Central Valley and in particular Fresno County are in a state of moderate to severe drought for the 2020-2021 rain season; and

WHEREAS, the U.S Bureau of Reclamation has lowered its December allocation of water to customers south of the San Joaquin Delta from 10% to 5%; and

WHEREAS, the Malaga County Water District, in an effort to do its part to conserve water has, several times in the last decade, implemented emergency water restrictions including reducing outdoor watering from three days a week to two days a week during the summer: and

WHEREAS, the Board of Directors of the Malaga County Water District desires to permanently change its summer outdoor watering schedule to two days per week; and

WHEREAS, the District has recently observed an increase in companies or individuals taking water from fire hydrants or customers without authorization; and

WHEREAS, the District desires to amend its Ordinance to make the theft or unauthorized use of water an automatic penalty of a fine of one Thousand dollars (\$1000.00); and

WHEREAS, the District desires to clarify the District's Server Use Ordinance by codifying the necessity for a commercial / industrial discharger to obtain a wastewater discharge permit.

NOW, THEREFORE, BE IT ORDAINED by the Board of District of the Malaga County Water District as follows:

SECTION 1.

Section 2.11.040 of the District's Ordinance Code pertaining to outdoor watering regulations is hereby amended to read as follows:

"2.11.040 Water conservation – Outdoor water regulations.

A. Prevention of Water Waste. No customer shall knowingly permit leaks or waste of water. Where water is wastefully or negligently used on a customer's premises, the District may discontinue the service if such conditions are not corrected within five days after giving the customer written notice to correct such wasteful or negligent use.

B. Outdoor Water Use Restrictions. In the use of water supplied by the District, no customer shall do or permit any of the following:

1. Water any lawn except by the use of a hose held in the person's hand with a shut-off nozzle or a sprinkling device; or
2. Keep, maintain, operate, or use any water connection, hose, faucet, hydrant, pipe, outlet, or plumbing fixture which is not tight and free of leakage; or
3. Willfully or negligently waste water; or
4. Flood any part of the premises of another; or
5. Sprinkle the premises of another so as to prevent the normal use thereof or unreasonably wet objects thereon which should not be subjected to a spray of water except as naturally caused by the elements or by action of the owner of the object; or
6. Sprinkle or irrigate any yard, ground, premises or vegetation outside the prescribed water schedule which is as follows:
 - a. Summer Schedule (March to October).
 - i. Odd-numbered addresses' (ending in 1, 3, 5, 7, 9) watering days are Tuesday, and Saturday.

item 8.b.

ii. Even-numbered addresses' (ending in 0, 2, 4, 6, 8) watering days are Friday and Sunday.

iii. No watering on Monday, Wednesday or Thursday.

iv. Outdoor watering is only permitted on the designated days between 7:00 p.m. and 6:00 a.m.

b. Winter Schedule (November to February).

i. Odd-numbered addresses' (ending in 1, 3, 5, 7, 9) watering day is Saturday.

ii. Even-numbered addresses' (ending in 0, 2, 4, 6, 8) watering day is Sunday.

iii. No watering on Monday, Tuesday, Wednesday, Thursday or Friday.

iv. Outdoor watering is permitted at any time on the designated days; or

7. Wash any privately owned motor vehicle, trailer, or boat except from a bucket or in a commercial car wash. A hose may be used for a quick rinse only if equipped with a shut-off nozzle; or

8. Wash or rinse with a hose or watering device any vehicle, sidewalk, driveway, parking area, tennis court, patio, or any other exterior paved area, except in a manner which prevents the bulk of the water runoff from entering the street and instead diverts such water to other productive purposes such as landscape irrigation."

SECTION 2.

Section 1.07.050 Related to the theft/unauthorized use of water/utilities is hereby added to the Malaga County Water District Ordinance Code to read as follows:

"1.07.050 Unauthorized Use/Theft of Water

A. It is unlawful for any Person to Tamper, Divert, Reconnect, (the terms "Person, Utility, Customer, Utility Service, Divert, Temper, or Reconnection as used in this Ordinance Code shall have the same meaning as those words as defined in Penal

Code §498(a).) or otherwise obtain for himself, herself or theirselves Utility Services without paying the full lawful charge therefor, or with the intent to enable another Person to do so, or with the intent to deprive the District of any part of the full lawful charge for Utility Services it provides, commits, authorizes, solicits, aids or abets, in any of the following shall be guilty of a misdemeanor:

1. Diverts or causes to be diverted Utilities Services, by any means.
2. Prevents any utility meter, or other device used in determining the charge for Utility Services from accurately performing its measuring function by tampering or by any other means.
3. Tamper with any property owned by or used by the District to provide Utility Services.
4. Makes or causes to be made any connection with or reconnection with property owned or used by the District to provide Utility Services without the authorization or consent of the District.
5. Uses or receives the direct benefit of all or any portion of Utility Services with knowledge or reason to believe that the diversion, tampering, or unauthorized connection exists at the time of that use, or that the use or receipt was otherwise without authorization or consent of the District.
6. Or commits any other violation as described in Penal Code §498.

B. Any violation of any other Section of the Malaga Code pertaining to the unauthorized use of Utility Service including, but not limited to, Chapter 2.10 pertaining to temporary service or service from a fire hydrant.

C. Non-Exclusive. The penalties and remedies described in this section shall be non-exclusive and cumulative.”

SECTION 3.

Section 3.05.015 Pertaining to the requirement for a waste water discharge permit for industrial/commercial users is hereby added to the Malaga County Water District Ordinance Code to read as follows:

item 8.b.

“3.05.015 PERMIT REQUIRED.

Pursuant to the authority set forth in the MCWDC 3.01.030 the District may require any or all commercial/industrial User(s), as its primary control mechanism pursuant to 40CFR §403.8(f) to have an individual wastewater discharge permit issued pursuant to this Ordinance Code or the District's Pretreatment Program and the failure or refusal by any User to obtain such permit or to operate without a permit when required shall be deemed a violation of this Ordinance Code”

SECTION 4. California Environmental Quality Act: The Directors having considered the Staff Report and all public comments, has determined that the amendment is not a project under the California Environmental Quality Act because the amendment has no potential for resulting in a physical change in the environment. Since the amendment is not a project, no environmental documentation is required.

SECTION 5. Severability: If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Ordinance. The Directors hereby declare that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases have been declared invalid or unconstitutional.

SECTION 6. Effective Date and Posting of Ordinance: This Ordinance shall be effective immediately upon adoption. The District's Secretary shall publish a summary of the Ordinance within fifteen (15) days after adoption with the names of the Directors voting for and against this Ordinance. Additionally, the Secretary shall post a certified copy of the full text of this Ordinance with the names of the Directors voting for and against this Ordinance in the office of the District. (Water Code Sections 31027, 31105, and 31141.)

WHEREFORE, this Ordinance was passed and adopted by the Board of Directors of the Malaga County Water District this _____ day of 2021, by the following vote:

AYES:

NOES:

ABSENT:

CERTIFICATION

I, Moises Ortiz, duly qualified, appointed, and acting Secretary of the Malaga County Water District do hereby certify that the foregoing is a true statement of the action taken by the Board of Directors of the District at a regular meeting of the Board held on _____, 2021.

MALAGA COUNTY WATER DISTRICT

Dated: _____, 2021

By: _____
Moises Ortiz, Secretary of the
Malaga County Water District

item 13.a.1.

From: [Moises Ortiz](#)
To: [Norma Melendez](#)
Subject: Fwd: Notice of Public Workshop - Update on BARCT Rule Evaluation
Date: Thursday, April 1, 2021 5:01:19 PM
Attachments: [ATT00001.txt](#)

BM

Get [Outlook for iOS](#)

From: ab617-south_central_fresno@lists.valleyair.org <ab617-south_central_fresno@lists.valleyair.org>
Sent: Thursday, April 1, 2021 3:37:04 PM
To: Moises Ortiz <mortiz@malagacwd.org>
Subject: Notice of Public Workshop - Update on BARCT Rule Evaluation



NOTICE OF PUBLIC WORKSHOP

BARCT RULE EVALUATION UPDATE

The San Joaquin Valley Air Pollution Control District (District) invites you to attend a public workshop to present the Best Available Control Technology (BARCT) analysis of District rules that have been evaluated to date as required under AB 617 and the District's Expedited BARCT Implementation Schedule. The workshop will provide an update on the progress to date and will discuss the next steps associated with further evaluating District Rules for satisfying BARCT requirements.

Given the international COVID-19 pandemic, and consistent with the California Department of Public Health's recommendations and Governor Newsom's Executive Order N-29-20, the meeting will be held via video teleconference **at 1:30 PM on Tuesday April 20, 2021**, with **NO PHYSICAL LOCATION FOR PUBLIC ATTENDANCE**. Please follow the instructions below to join the meeting remotely.

Register in advance for this webinar:

https://zoom.us/webinar/register/WN_M3L0ri1xQwKq-B3-jO-rKA

Webinar ID: 963 4437 1294

Password: 825741

Teleconference Dial In:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Public comment will be allowed via telephone or Zoom connection during the appropriate commenting periods.

Documents for this workshop and additional information will be made available at <http://www.valleyair.org/workshops>. If you are unable to review the documents online, a paper copy can be obtained by calling (559) 230-6000 or by faxing your request to (559) 230-6064.

To request special accommodations for those persons with disabilities or to request Spanish interpreting services, please contact the Clerk of the Boards at (559) 230-6000 at least 3 business days prior to the workshop date.

AVISO DE TALLER PÚBLICO

ACTUALIZACIÓN DE LA EVALUACIÓN DE LA REGLA DE BARCT

El Distrito de Control de la Contaminación del Aire del Valle de San Joaquín (Distrito) lo invita a asistir a un taller público para presentar el análisis de la Mejor Tecnología de Control Disponible (BARCT, por sus siglas en inglés) de las reglas del Distrito que han sido evaluadas hasta la fecha como lo requiere AB 617 y el Programa de Implementación Acelerada de BARCT del Distrito. El taller proporcionará una actualización sobre el progreso hasta la fecha y discutirá los próximos pasos asociados con la evaluación adicional de las Reglas del Distrito para satisfacer los requisitos de BARCT.

Dada la pandemia internacional de COVID-19, y de acuerdo con las recomendaciones del Departamento de Salud Pública de California y la Orden Ejecutiva N-29-20 del Gobernador Newsom, la reunión se llevará a cabo por videoconferencia a la **1:30 p.m. el martes 20 de abril de 2021, NO HAY UBICACIÓN FÍSICA PARA ASISTENCIA PÚBLICA**. Siga las instrucciones a continuación para unirse a la reunión de forma remota.

Regístrese con anticipación para este seminario web:

https://zoom.us/webinar/register/WN_M3L0ri1xQwKq-B3-jO-rKA

ID de Seminario Web: 963 4437 1294

Contraseña: 825741

Teleconferencia por teléfono:

Marque(para mejor calidad, marque un número basado en su ubicación actual):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799 or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free)

Se permitirán comentarios públicos a través del teléfono o la conexión de Zoom durante los períodos de comentarios apropiados.

Los documentos para este taller e información adicional estarán disponibles en <http://www.valleyair.org/workshops>. Si no puede revisar los documentos en línea, puede obtener una copia en papel llamando al (559) 230-6000 o enviando su solicitud por fax al (559) 230-6064.

Para solicitar adaptaciones especiales para aquellas personas con discapacidades o para solicitar servicios de interpretación en español, comuníquese con el Secretario de la Junta al (559) 230-6000 al menos 3 días hábiles antes de la fecha del taller.



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, March 23, 2021 at 6:00PM

item14.a.

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: 6:00p.m.

- 2. Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.
All present. Late Arrival of Vice President Cerrillo at 6:05p.m.
Also present: Norma Melendez, Moises Ortiz and Michael Slater.

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

Legal Counsel asked to place a closed session item, which was brought to his attention after the agenda was posted regarding Konkel School property.

Motion by Director Cerrillo, Jr., Second by Director Tovar, Jr. and by a 4-0 vote to add closed session item.

- 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 March 09, 2021.

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

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve the Consent Agenda as presented.

5. Old Business:

- a. **Fowler HS Scholarship.** Mike McColm, Learning Director from Fowler HS, is asking for donations for a scholarship that will benefit the high school seniors graduating this year. Scholarships which will be distributed on May 27 at 7:00p.m. at Fowler High School.

For discussion and potential action.

Scholarship amount will be of \$1,000 which is the amount that is given every year.

- b. **Park Salaries.** An update on the park salaries and positions in the recreation department.

For discussion and potential action. **Nothing to report.**

- c. **Bathroom Partitions.** District staff received a quote from Central Coast Specialty for the purchase of bathroom partitions and installation. The quote is for \$3,500.00.

Recommended action: to approve quote from Central Coast Specialty for \$3,500.00.

Item tabled until more quotes are received.

6. New Business: *None for this meeting.*

7. Recreation Reports:

- a. **Malaga Park Pool Donations.** The General Manager has prepared a donation letter to be mailed to the District's business customers to seek donations for pool operation.

For Information. **Nothing to report.**

8. Engineer Reports:

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

9. General Manager's Report:

- a. Park Improvements.
- b. 2021 Facility Plan.
- c. Water department update: Well 7 sanding
- d. WWTF: ZeroNox Cart

10. President's Report:

President Garabedian, Jr. suggests that radios be added to MCWD water meters. New codes should be created regarding water theft from using unauthorized meter at fire hydrants. The President reported of recycling company on Chestnut and Annadelle is in trouble for soil contamination. He hopes this does not affect the District's water supply as they are in close proximity to the District. Finally, he said the District needs to consider this year to be a drought year and the Board should adopt a resolution instituting the drought.

11. Vice President's Report:

Vice President Cerrillo wants to congratulate the park landscapers. The park is looking clean. He would also like approval on a blessing of bikes and cars event for July 3rd when the District opens the park full time. Cost to the District is very minimal to nothing at all. The board of directors approved event for July 3rd. The VP also announced the next recreation committee meeting is scheduled for May 6.

12. Director's Reports:

Director Cerrillo, Jr. asked the General Manager if the park was going to be open for Easter. The General Manager said it would be board's pleasure if they wanted to open the park up starting Easter weekend. Board pleasure was to allow the park to be open starting Easter weekend and to provide port-a-potties for Easter Day.

13. Legal Counsel Report: for closed session.

14. Communications:

a. Written Communications:

1. **Letter from City of Fresno.** Notice of preparation for City of Fresno 2020 Urban Water Management Plan and Water Shortage Contingency Plan.
Discussion was held. 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.*

15. Closed Session: 7:25p.m.

- a. Pending Litigation (Government Code Section 54956.9): One Case Malaga v FUSD
Nothing to report.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 7:47p.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 23, 2021 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 04/14/2021.

Norma Melendez

Norma Melendez, District Clerk