



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, August 13, 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: 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: 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. Old Business: None for this meeting.

5. New Business:

- a. **CDBG 2025-2026; Public Comments.** To hear any public comments or suggestions to be considered for the CDBG 2025-2026 funding application. The Community Development Block Grant (CDBG) is a federal grant program administered by Fresno County to address housing and community development needs of low- and moderate-income persons. Types of eligible projects include public works improvements such as water, sewer, streets and drainage, fire protection facilities and equipment, solid waste facilities, libraries, and community centers.

For public discussion and potential action.

Public comment Open: 6:01pm Public Comment Close: 6:02pm
No proposals from the public were presented.

- b. **CDBG 2025-2026; Project Proposal.** Project applications for CDBG Projects in FY 2025-26 are due to Fresno County Planning by August 30, 2024. Staff recommends that the District submit a project proposal to make improvements at the Wastewater Treatment Facility (WWTF) in order to maintain critical operations. The improvements will include the rehabilitation of one or more of the wastewater disposal ponds to maintain percolation rates in conformance to the District's Waste Discharge Requirements.

The scope of work includes draining of the pond(s), sampling and testing the soil material to determine its makeup and disposal requirements, excavation and removal of approximately 6-10" of soil material that is estimated to be inhibiting percolation, off-haul and disposal of the excavated material, and clean-up grading of the pond(s) prior to

returning to service. The estimated cost of the project is \$300,000, which is the maximum grant amount.

Recommended action: To approve the submission of an application for the WWTF Disposal Pond Rehabilitation Project for CDBG 2025-26 funding and designate the Board President as signing authority for the project.

Motion by Director Castaneda; Second by Director Tovar, Jr. and by a 5-0 vote to approve the submission of the application for the WWTF Disposal Pond Rehabilitation Project for CDBG 2025-2026 and to designate the Board President as signing authority for the project.

- c. **Resolution No. 08-13-2024.** The County of Fresno approved the Malaga Wastewater Treatment Plant Screw Pump Replacement Project from the back-up project list, awarding the district \$300,000 Community Development Block Grant (CDBG) to replace one new screw pump at the WWTP. The district's portion of the project is estimated between \$11,000 and \$41,000.

Recommended action: to approve Resolution 08-13-2024 and to authorize the Board President to sign the project agreement with the County of Fresno.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Resolution No. 08-13-2024 and to authorize the Board President to sign the project agreement with the County of Fresno to replace one screw pump at the WWTP.

- d. **Well 5A County of Fresno Agreement A-24-186.** Bids for Well 5A were received August 7, 2024. A canvass of bids had been sent to the County of Fresno and MCWD previously. A draft recommendation relative to award of the project and reallocation of budget between line items of the Contract is attached for review and comment.

Recommended Action: Review and Approve submittal of the recommendation for award and reallocation of budget between line items of the Contract to the County of Fresno.

Motion by Vice President Cerrillo; Second by Director Castaneda and a 5-0 vote to approve submittal of the recommendation for award to the County of Fresno.

- e. **Payroll Signatures.** An updated e-signature is needed to be used on payroll checks. One signature is needed, but if the board wishes to have two signatures printed on the check, it is possible to do so. The Check Signature Authorization form will be submitted to the district's payroll office, Gordon Saito & Company CPA.

Recommended action: to have President Charles Garabedian, Jr. and/or Vice President Cerrillo update the e-signatures for payroll use and to direct staff to submit updated form to Gordon Saito & Company CPA.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 5-0 vote to authorize two signatures on the paychecks and to direct staff to submit updated form to the district's accountant office.

- f. **Site Plan Review 8400 - 3746 S Calvin Ave.** The County requested review comments on this proposed addition of a dwelling on a residential lot. The 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. Comment letters can be submitted to County.

- g. **Development at North and Peach Avenues, CUP 3682, Agroplanta.** The applicant has requested authorization to expand the facilities. MCWD provides a fire line to the property north of North Avenue. The 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. Comment letters can be submitted to County.

- h. **Consumer Confidence Report for 2023.** Assistance has been requested by district staff for Water System Reporting to the State. A Task Order is submitted for review and action to assist MCWD prepare the Consumer Confidence Report (CCR) for 2023. The report is delinquent.

Recommended Action: Authorize the work to assist MCWD prepare the CCR for 2023.

Motion by Director Tovar, Jr.; Second by Director Castaneda and by a 5-0 vote to authorize work to assist MCWD prepare the 2023 CCR.

- i. **Well Destruction Plan.** A Task Order is submitted for review and action to assist MCWD prepare a Well Destruction Plan for Wells 1 and 4, as required by the Division of Drinking Water

Recommended Action: Authorize the work to assist MCWD prepare a Well Destruction Plan for Wells 1 and 4.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the work to assist MCWD prepare a Well Destruction Plan for Wells 1 and 4.

- j. **Lead Service Inventory.** The Division of Drinking Water requires all water systems submit a Lead Service Inventory no later than October 16, 2024.

Recommended Action: Provide direction to Provost & Pritchard if a Task Order is requested to assist with the preparation of the Lead Service Inventory.

Discussion was held. Board consensus to authorize Provost and Pritchard to assist in the preparation of the Lead Service Inventory

- k. **Sewer System Management Plan.** The Regional Water Quality Control Board requires all sewer systems to update the Sewer System Management Plans (SSMPs) pursuant to the new General Order.

Recommended Action: Provide direction to Provost & Pritchard if a Task Order is requested to assist with the preparation of the Sewer System Management Plan update.

Discussion was held. Board consensus to authorize Provost and Pritchard to assist in the preparation of the Sewer System Management Plan to be compliant with the New General Order.

6. Recreation Reports:

Director Castaneda reported that the Recreation Committee hosted the August Rec Bingo and the 50's dance. There was a good turn-out for both events. There will be a recreation meeting on Wednesday, August 14 at the recreation center where the main focus will be Fiesta Day.

7. Engineer Reports:

a. District Engineer Report (For information purposes)

- i. **Well 3A and Tank 1.** The project is funded with a Grant from DWR. Construction activities are proceeding. It is expected that completion of the project will be mid-year 2025. Construction of the water storage tank has been initiated. A bridge loan from RCAC is in place for interim financing of the construction activities.
- ii. **Comunidad Nuevo Lago (formerly Shady Lakes) Mobile Home Park Consolidation Project.** P&P is currently preparing a Preliminary Engineering Report for the Comunidad Nuevo Lago MHP Consolidation Project. Comunidad Nuevo Lago MHP is a small mobile home community with sewer system compliance issues. The MHP meets requirements for sewer consolidation. The MCWD WWTF also needs updates before being able to consolidate with the MHP.

The goal of the project is to submit a CWSRF construction application that will lead to improvements for the District's WWTF (part 1) and to consolidation between the CWD and the MHP (part 2). SHE, P&P, and CCCD met for a site visit at the MHP in June. The team took a tour of the wastewater facilities and gathered information and details to begin work on the PER. At present, the mobile home park would be an out-of-district service, which would require approval from LAFCo.

Director Tovar Jr concern is that the district and everyone that is involved in this project needs to research the impact this project can have on the district wells. The district needs to make sure that by servicing the mobile home park it does not overhaul our current wells. He foresees the need for an additional well site closer to the MHP.

Public Comment: Miguel Alvarez agrees with Director Tovar, Jr. If it affects the community in a negative way, the district should not move forward with the project.

b. CDBG Engineer Report: *presented during new business.*

8. General Manager's Report:

Vice President Cerrillo reported that there was criminal activity in the early hours of July 30. Cocktail bombs were thrown at a residence, and a car was stolen. In other news, the Maple/Golden State Project has been completed, the pool is closed on the weekdays and will only be open on the weekends until Labor Day. The VP also reached out to Jorgensen to get an updated quote for the Hydrostatic testing that needs to be done in the kitchen of the community center. The updated quote decreased after removing the prevailing

wage. The testing did not fall under prevailing wage. Jorgensen is now waiting for the parts needed to begin testing.

President Garabedian, Jr. reported having a meeting with Vern to receive feedback on how much it would cost to upgrade the pool system at the pool. Staff are spending a large portion of their workday tending to the pool so the district may need to look at other options. On August 22nd the President will be attending a fundraiser which Assemblymember Esmeralda Soria will be in attendance. The President hopes that Assemblymember Joaquin Arambula is in attendance to converse about the community of Malaga. Finally, he received a phone call from Brian Yengoyan who wants to rezone his land. He also wants to bring other parcels together to create an industrial park within the district's boundaries. At this time, no application has been submitted to the county.

9. **President's Report:** under GM report.

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

11. **Director's Reports:**

Director Cerrillo, Jr. stated that the President and Vice President are doing a great job as acting GM's.

12. **Legal Counsel Report:** Neal Costanzo announced to the board that President Garabedian and Director Castaneda have automatically been re-elected to the board of directors as there were no other running mates. Legal Counsel asked the board to consider sending a resolution to the Count Elections Office notifying them that the district will not hold elections this year. This will save the district having to pay election fees.

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 July 23, 2024.
- b. Minutes of the Special Board Meeting of July 30, 2024.
- c. Accounts Payable and Financial Statement Reports.

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

The accounts payable report was not available at this meeting. Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve the consent agenda as presented.

14. **Communications:**

a. **Written Communications:**

1. **Uniform Service Provider.** Due to continued inflation impacting labor, raw materials, and energy costs, Unifirst has implemented price increase beginning August 6, 2024. This price increase will be reflected on the upcoming invoice. **The price increase will be 3%. This is the second price increase within a year from Unifirst.**

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: 7:03pm

- a. Pending Litigation: One Case: Malaga v CSJ Construction Fresno County Superior Court Case No.: 23CECG03436 (Government Code 54956.9(d)(1).)
- b. Potential Litigation: One Case:(Government Code 54956.9(d)(1).)
- c. Personnel Evaluation: All Positions (Government Code 54957(b).)
No reportable action.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 7:45pm.

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 August 13, 2024 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 08/09/2024.

Norma Melendez, District Clerk