



**SPECIAL BOARD MEETING AGENDA**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK AVENUE**  
**FRESNO, CALIFORNIA 93725**  
**Thursday, April 3, 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:**

**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 24 hours in advance of the meeting.

**4. Old Business:**

- a. **RCAC Solar Bridge loan extension.** At it's March 11, 2025, meeting, the Board approved an application for an extension to the bridge loan agreement with RCAC requesting a six month extension. However, after review by the RCAC management, it has been requested that the extension application be for a period of 9 months to expire on December 31, 2025.

Recommended action: authorize the Acting General Manager, Vice President Cerrillo to submit a request to extend the RCAC bridge loan for a period of 9 months.

**Motion by:** \_\_\_\_\_, **Second by:** \_\_\_\_\_

**5. New Business:**

- a. **Approval to enter into an agreement with Blue Ocean Safety for Safety Training/OSHA compliance.** The District received two bids to provide training for all employees and is recommending that the District enter into an Agreement with Blue Ocean Safety for in person training including: OSHA 30 Certification (3 Employees), Osha 10 Certification (8 Employees), Tractor/Backhoe Certification (5 Employees), Scissor Lift (5 Employees), PIT (Golf Cart/Electric Maintenance Cart) Certification (6 Employees), Confined Space (6 Employees), Open Trench (6 Employees), Lock-out/Tag-out (6 Employees), Drug/Alcohol Reasonable Suspicion/Impairment (2 Employees), PPE (10 Employees) and Evacuation/Emergency Response (10 Employees) for a cost of \$7,450.00. It is anticipated that renewal training will be completed in the future via online training courses. Additionally, Blue Ocean will perform annual Blood Borne Pathogens, Heat Stress, Ca Workplace Violence, Spill Prevention, Control and Counter Measures/Spill Kit Training for \$1,700. annually. Staff is also requesting authorization from

the Board to have Blue Ocean review District safety manuals/procedures for OSHA compliance. This work will be as needed at \$165.00 per hour for a maximum of 15 hours. Lifeguard certification, First aid/CPR, and AED training will continue to be provided by the Red Cross or other vendors annually when lifeguards are certified.

Recommended action: authorize the acting General Manager, Vice President Cerrillo to enter into an agreement with Blue Ocean Safety for in person training, required annual workplace training, and to review District Safety procedures and manuals as necessary not to exceed 15 hours in a form approved by the District General Counsel.

**Motion by:** \_\_\_\_\_, **Second by:** \_\_\_\_\_

**6. Recreation Reports:**

**7. Engineer Reports:**

a. **District Engineer Report.** It has come to the attention of the District that a building at 3386 S. Maple is connected to the district's water services, but have not connected to the district's sewer line, and are currently using a septic system. Malaga Code states all accounts receiving water services from the district must connect to the sewer system and destroy any existing septic in the property. Correspondence was sent to Fresno County in August, 2024 stating that any onsite water or wastewater facilities would need to be destroyed in accordance with Fresno County Environmental Health requirements. The District engineer recommends the issuance of a corrective notice by the Acting General Manager.

b. CDBG Engineer Report:

**8. General Manager's Report:**

**9. President's Report:**

**10. Vice President's Report:**

**11. Director's Reports:**

**12. Legal Counsel Report:**

**13. Communications:**

a. Written Communications:

1. A response letter from Sitelogiq regarding the Energy Services Master Agreement.

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 25, 2025.
- b. Accounts Payable Report.

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

**Motion by:** \_\_\_\_\_; **Second by:** \_\_\_\_\_

**15. Closed Session:**

**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 Special Meeting of the Board of Directors of April 3, 2025 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 04/02/2025.

*Norma Melendez*, District Clerk



# MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET, FRESNO, CALIFORNIA 93725

PHONE: 559-485-7353

## BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR.  
PRESIDENT

SALVADOR CERRILLO  
VICE-PRESIDENT

IRMA CASTANEDA  
DIRECTOR

FRANK CERRILLO JR.  
DIRECTOR

CARLOS TOVAR JR.  
DIRECTOR

## **item 7.a.**

March 27, 2025

Raul Godinez, Jr.  
3386 S. Maple Ave  
Fresno, CA 93725

Kevin Tsuda  
Fresno County Environmental Health Department  
[ktsuda@fresnocountyca.gov](mailto:ktsuda@fresnocountyca.gov)

Subject: Notice of Corrective Action - 3386 S. Maple Ave

It has come to the attention of the Malaga County Water District (MCWD or District) that the customer at 3386 S. Maple connected to the MCWD water line, but has not connected to the MCWD sewer line. It is understood that there is an existing septic system onsite.

There is an existing MCWD sewer line available in Maple Avenue, fronting the subject property. Correspondence was sent to Fresno County on August 1, 2024, stating that no onsite water or wastewater facilities are allowed. Any onsite water or wastewater facilities would need to be destroyed in accordance with Fresno County Environmental Health requirements. Onsite water and wastewater systems pose a risk to groundwater quality.

It was also noted that MCWD needs to be involved in any review of the proposed development and the property is subject to all MCWD requirements.

MCWD has not received evidence of the destruction of the onsite domestic well or the onsite septic system. The MCWD Code requires connection to the MCWD sewer system, since there is a sewer line available for the property.

Malaga Code

### **3.01.050 Sewer required.**

The owner of any building situated within the District and abutting on any street in which there is now located or may in the future be located a public sewer of the District or within 100 feet thereof is hereby required at owner's expense to connect

said building directly with the proper public sewer in accordance with the provisions of this code, within 90 days after date of official notice to do so, when such connection is deemed necessary by the District.

### **3.02.050 Abandonment of facilities.**

At such time as a public sewer becomes available to a property serviced by a private sewer as provided for herein, a direct connection shall be made to the public sewer in compliance with this Malaga Code and the rules and regulations of the District, and any septic tanks, cesspools, and similar private sewers shall be abandoned and filled with suitable material as determined by the District.

## Fresno County Code

- **14.12.020 - Definitions.**

A. "Unit" means any dwelling unit, apartment unit, guest room, residential trailer coach, each one thousand square feet of gross floor area or fraction thereof of a commercial building or building for similar use, and ten thousand square feet of net land area or fraction thereof devoted to an industrial, institutional or similar use.

B. "Premises" means all contiguous property under one ownership at the time of the last equalized assessment roll or thereafter becomes under one ownership at the time of application for a permit, as hereinafter provided in Section [14.12.040](#), any part of which is developed to be used as an occupancy, business, public gathering or meeting place.

C. "Availability of a public sewer" means a public sewer which has been constructed and is available for use in any public street, alley or right-of-way within one hundred feet of the first unit, plus fifty feet for each additional unit, to be measured along such public street, alley or right-of-way from the nearest point on the premises to the sewer. For the purposes of this chapter, the number of units computed shall include all units developed on contiguous property held under one ownership.

A public sewer shall also be deemed available where it is located within one hundred feet of a block or contiguous blocks and when each block has on-site unit improvements upon premises comprised of more than fifty percent of the street frontage measured along either side of any one block.

A public sewer shall also be deemed available when more than four dwelling units are built upon a premises subsequent to May 8, 1969, and the distance in feet from the public sewer to the premises is equal to or less than the measurement determined as follows:  $(50)(N-5)^{1.15} + 300$ , where N equals the number of dwelling units or apartment units upon the premises.

D. "Block" means property facing on both sides of any street between the next intersecting streets or between the terminus of a street and an intersecting street.

(Ord. 470-A-39, § 2, 1974)

- **14.12.030 - Mandatory sewer connections.**

A. Every building or structure in which plumbing fixtures are to be initially installed and every premises having existing piping installed thereon which conveys sewage or other liquid waste to an approved point of disposal shall be connected to the public sewer, if it is available.

B. Notwithstanding any provision to the contrary, buildings or structures connected to a septic tank or cesspool, at the time a public sewer becomes available, shall be connected to the public sewer within three years after the sewer becomes available and written notice thereof given by the county provided that if the health officer determines the continued use of the septic tank or cesspool will create a health menace, the property shall be connected within the time specified by the health officer.

C. No person shall cause, suffer or permit the disposal of sewage, or other liquid wastes, into any drainage system on any lot which is not connected to a public sewer when such connection is required by this section.

D. Mandatory sewer connection shall not apply to wastewater from fruit processing operations to be reused for beneficial purposes through land application as a supplement to agricultural water supplies, providing the California Regional Water Quality Control Board has issued waste discharge permit on such land application.

(Ord. 96-015 § 1, 1996; Ord. 470-A-39, § 2, 1974)

The property owner shall be required to provide a detailed plan for connection to the sewer system in accordance with MCWD Standards, within 30 days from the date of this letter. Improvements shall be constructed within 60 days from the date of this letter.

Proof of proper demolition of the onsite water and wastewater systems, in accordance with Fresno County requirements, must also be provided within 60 days.

Failure to comply may result in the water service being disconnected.

Please contact MCWD if you have any questions or if you need additional information.

Sincerely,

Charles E. Garabedian, Jr., President  
Malaga County Water District

Cc: Maija Madec, Provost & Pritchard  
Michael Slater, Costanzo & Associates  
Rayna Rodriguez, Fresno County

April 1, 2025

Costanzo & Associates  
Michael G. Slater, Esq.  
575 E. Locust Avenue, Suite 115  
Fresno, CA 93720-2928

Subject: Malaga County Water District 4217 Energy Services Master Agreement

Dear Mr. Slater,

Regarding your letter to my attention dated March 26, 2025, I have had the chance to review much of the subject matter with my project team. First and foremost, I want to acknowledge the District's grave concerns regarding project progress and assure you that I have committed to mobilizing every available resource necessary to meet all remaining project milestones in a timely and professional manner. It is apparent that a much-improved communication protocol between SitelogIQ's project manager, Calvin Olsen, and the key leaders within the County is necessary; consider this forthcoming for the remainder of the project.

Per your request on behalf of the District, SitelogIQ looks forward to meeting with you and key District personnel to provide all requested updates, relevant background information, current project status and, most importantly, our plan/schedule to achieve completion. In addition to our project team, I will plan on being present and accountable to address any questions the District may have. If you have suggested dates for this meeting, please feel free to email me directly. Alternatively, I can have Mr. Olsen coordinate this on SitelogIQ's behalf with our project contacts. It would be beneficial if key District personnel, potentially including board President Charles Garabedian and board Vice President Salvador Cerrillo were present.

Your letter has drawn attention to the fact that the District and its representatives are not pleased with the progress and communication status of key elements of this project. I am committed to ensuring we improve this performance and deliver an excellent project.

Sincerely,

*John Gajan*

**John Gajan, P.E.**  
President, West Business  
925.307.4461

**SITELOGIQ.COM**



*We Make Buildings Better.*

1651 Response Road, Suite 300, Sacramento, CA 95815





**REGULAR BOARD MEETING MINUTES**  
**BOARD OF DIRECTORS MEETING**  
**MALAGA COUNTY WATER DISTRICT**  
**3580 SOUTH FRANK AVENUE**  
**FRESNO, CALIFORNIA 93725**  
**Tuesday, March 25, 2025 at 6:00PM**

**item 14.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.*

**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. **WWTP Screw Pump Replacement Project- CDBG No. 24451.** The project engineering team are preparing plans, specifications and estimate (PS&E) for bidding and construction of the pump replacement but has determined in preliminary discussions with the supplier of the pump (which must match the other existing influent screw pumps for proper function) that the fabrication and delivery lead time may be on the order of 8 months. Staff seeks direction on how to proceed with the project equipment procurement.

Recommended action: Staff recommends that the District authorize the direct procurement of the influent screw pump for the subject project and authorize the Board President to sign the applicable contract documents on behalf of the District.

**Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the direct procurement of the influent screw pump and to approve proposal with Yamabe and Horn Engineering.**

**5. New Business:**

- a. **3511, 3517, 3521 S. Maple Ave.** It has come to the attention of the District that the water service for the above referenced building was not constructed in a manner consistent with MCWD Standards. A draft letter is prepared notifying the property owner that the deficiencies need to be corrected.

**Recommended Action:** Authorize issuance of letter to the property owner requiring corrective actions to the water service.

**Motion by Director Castaneda, Second by Vice President Cerrillo and by a 5-0 vote to approve amended comment letter to include inquiry for permits, and that they pay the estimated plan review, inspection and engineering costs.**

**6. Recreation Reports:**

- a. **Rental.** Fresno Building Healthy Communities is interested in renting the community center once a month for their monthly meetings, for the rest of the year. These community meetings aim to connect the residents of Malaga with a variety of organizations that offer services and resources which could improve their lives. These meetings will allow community members to meet with representatives from these organizations, ask questions, and learn about the available resources that can support their needs. FBHC is a non-profit organization, but a fee can be included to help cover operational costs.

Recommended action: for discussion and potential action.

**Discussion was held for the potential use of the space at the recreation center. Fresno BHC expressed they could hold their meetings on a Thursday instead of Fridays to avoid conflict with weekend center rentals. The fee that would apply to the rental would be the current fee on the master fee schedule. An agreement may be needed to outline blackout dates and agreement terms.**

**Other recreation reports included discussion of the March 13 rec. committee meeting. No agenda or minutes were available for this meeting due to a broken printer at the center. In this meeting they discussed details for the Easter program. Contributions from the recreation committee and others have been received to help with the Easter programs food and activities. They also discussed ideas of programs they can provide during spring break for the children and potentially having a Teen Bazaar during that week.**

**7. Engineer Reports:**

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

**8. General Manager's Report:**

**Vice President Cerrillo reported that there were other break-ins at one of the well sites. This time, no items were stolen, but a police report was still created. Park staff continue to help with pool repairs and added that the outside bathrooms will be available for use during scheduled rental periods only due to ongoing maintenance and sanitation concerns during non-rental hours.**

**President Garabedian, Jr. mentioned that the solar project completion is being extended until 2026, which is not the promised date in the agreement. The district has made efforts to facilitate an efficient construction timeline, but it is unknown what is prolonging the project. The board requests that an in-person meeting be scheduled to get clarity of the timeline as the delays could potentially effect connection to PG&E.**

**9. President's Report: Presented during GM Report.**

**10. Vice President's Report: Presented during GM Report.**

#### 11. Director's Reports:

Director Tovar, Jr. reminded the board he will be hosting a Easter Program fundraiser on Saturday, March 29.

#### 12. Legal Counsel Report:

**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 March 11, 2025.

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

**Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve the consent agenda as presented.**

#### 14. Communications:

- a. Written Communications:

1. **Fowler HS Scholarship Updates.** Scholarship applications are available for pick-up beginning Monday, March 24. A timeline of important dates is provided.
2. **Form 700** due date is April 1, 2025.

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: 6:49pm

- a. Pending Litigation: Three 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; Betty Roman v. Malaga Fresno Sup. Court 23CECG04516.
- b. Personnel Evaluation: All Positions (Government Code 54957(b).)

**The board began closed session at the time of 6:49pm and ended at 7:07pm. No reportable action.**

#### 16. Adjournment:

**Motion by Vice President Cerrillo, Seconded by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 7:07pm.**

## **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 25, 2025 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, On 04/04/2025.

*Norma Melendez*, District Clerk