



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, October 26, 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. 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 October 12, 2021.

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

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

5. Old Business:

a. **Shady Lakes Mobile Home Park Task Order 21-01.** The Regional Water Quality Control Board has approached the MCWD regarding the potential sanitary sewer system consolidation of the Shady Lakes Mobile Home Park. The MCWD would need to construct wastewater collection and treatment and disposal facility improvements to be able to accommodate the consolidation. The State may be able to provide grant funds to perform the design and environmental work necessary to define the project sufficiently to be ready for construction.

The process to be performed includes the preparation of a Planning Grant Application to be submitted to the State. The cost to prepare the Planning Grant Application is estimated to range between \$25,000 and \$30,000. The fees associated with preparation and submittal of the Planning Grant Application are reimbursable to the MCWD if a Planning Grant is awarded to the MCWD.

Recommended action: To authorize District Engineer to prepare the Planning Grant Application.

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

6. New Business:

- a. **Rain Gutters** at the recreation center need to be replaced. The district received a quote from Advanced Roofing & Raingutters for \$6,850.00 for the replacement of rain gutters in the north wall of the building and roof repair. This quote includes supplies, material, and labor. All workmanship and material are warranted for five years.

Recommended action: to approve quote from Advanced Roofing & Raingutters for \$6,850.00.

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

7. Incorporation Reports:

8. Recreation Reports:

9. Engineer Reports:

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

10. General Manager's Report:

- a. Fall Community Clean up scheduled for November 20.
- b. Discussion of potentially moving board meeting location to a room in the new building at the park.
- c. Recreation income/loss

11. President's Report:

12. Vice President's Report:

13. Director's Reports:

14. Legal Counsel Report:

15. Communications:

- a. Written Communications:

1.

b. Public Comment: *The Public may address the Malaga County Water District Board on item(s) of interest within the jurisdiction of the Board, not appearing on the agenda. The Board will listen to comments presented; however, in compliance with the Brown Act, the Board cannot take action on items that are not on the agenda. The public should address the Board on agenda items at the time they are addressed by the Board. All speakers are requested to wait until recognized by the Board President. All Comments will be limited to three (3) minutes or less per individual/group per item per meeting, with a fifteen (15) minutes maximum.*

16. Closed Session:

- a. Conference with real property negotiators (Government Code Section 54956.8)
- b. Pending Litigation: Malaga v Fresno Unified School District (Government Code Section 54956.9(d)(1).)
- c. Potential Litigation: One Case (Government Code Section 54956.9(d)(2).)

17. 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 October 26, 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 10/22/2021.

Norma Melendez

Norma Melendez, District Clerk



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, October 12, 2021 at 6:00PM

item 4.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.

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- ❖ 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: 6:05PM

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, Norma Melendez and Moises Ortiz

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. **Healthcare Plan Renewal.** Diane Terrell will provide information regarding the renewal of the United Health Care Plan.

Recommended action: To accept and approve renewal of health care plan under United Health Care.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve the renewal of health care plan under United Health Care.

- b. **Travel Expense Policy No. 4095; Amendment.** An amendment of the MCWD policy for per diem meal expenses during travel for official District business. The last update to this policy was on 04-23-2019 which allows for per diem meal allowances as:

Breakfast	\$20.00 per day
Lunch	\$25.00 per day
Dinner	\$40.00 per day
Total:	\$85.00 per day

The proposed new per diem meal allowance is:

Breakfast	\$25.00 per day
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Lunch	\$30.00 per day
Dinner	\$45.00 per day
Total:	\$100.00 per day

Recommended action: To amend Travel Expense Policy No. 4095 as proposed.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to amend Travel Expense Policy No. 4095 as proposed.

- c. **Resolution 10-12-2021.** A resolution authorizing submission of nomination for Daniel Parra to the Board of Commissioners of the Fresno County Economic Opportunities Commission.

President Garabedian, Jr. clarified that 'County' is to be removed from the resolution title as it has been removed from the organization's name.

Motion by Director Castaneda, Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Resolution 10-12-2021 as amended.

6. Incorporation Reports: none for this meeting.

7. Recreation Reports:

Director Castaneda wishes to take inventory of all items that will be used for the Halloween event.

Vice President Cerrillo was able to get 2 bins of pumpkins for the Halloween event and worked on the kids train with Johnny.

President Garabedian, Jr. suggests that the recreation committee begin discussing the Thanksgiving baskets and the Christmas program.

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. Red Caboose rental contract.

Angela Landin presented her interest in renting the Red Caboose at the park. She would find it beneficial if the first month's rent was low to "get the ball rolling" and wants to provide an affordable combo meal for families in the Community of Malaga.

It was suggested that she speak to the General Manager about the details of the contract.

10. President's Report: None for this meeting.

11. Vice President's Report:

VP Cerrillo reported a fire that sparked at SA Recycling over the weekend. There will be a mural painted at the park in memorial of Javier Hernandez. Further discussion about the mural will be at the recreation committee.

12. Director's Reports:

Director Cerrillo, Jr. reported an area on Golden State Blvd. has been taped off. He is curious to see if this is a homeless encampment that the district has reported beforehand.

13. Legal Counsel Report: Reserved for Closed Session.

14. Communications:

a. Written Communications: none for this meeting.

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.*

Elaine Montoya gave a report on criminal activity that occurred in the past 2 months.

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- a. Minutes of the Regular Board Meeting of September 16, 2021.
- b. Minutes of the Special Board Meeting of September 27, 2021.
- c. Financial statement and accounts payable reports.

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 as presented.

16. Closed Session: 7:50pm

- a. Potential Litigation (Government Code Section 54956.9(d)(4).).
 - b. Malaga County Water District v Fresno Unified School District
- No reportable actions.**

17. Adjournment:

Motion by Director Tovar, Jr., Second by Vice President Cerrillo and by a 5-0 vote to adjourn the meeting at 8:52pm.

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 October 12, 2021 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 10/27/2021.

Norma Melendez

Norma Melendez, District Clerk

MALAGA COUNTY WATER DISTRICT

Between Malaga County Water District (District) and Provost & Pritchard Consulting Group (Consultant).

SCOPE OF WORK

The Regional Water Quality Control Board has approached the MCWD regarding the potential sanitary sewer system consolidation of the Shady Lakes Mobile Home Park. The MCWD would need to construct wastewater collection and treatment and disposal facility improvements to be able to accommodate the consolidation. The State may be able to provide grant funds to perform the design and environmental work necessary to define the project sufficiently to be ready for construction.

The process to be performed includes the preparation of a Planning Grant Application to be submitted to the State. The cost to prepare the Planning Grant Application is estimated to range between \$25,000 and \$30,000. The fees associated with preparation and submittal of the Planning Grant Application are reimbursable to the MCWD if a Planning Grant is awarded to the MCWD.

The Planning Grant request is expected to be approximately \$500,000.

The Planning Grant Application components are summarized as follows:

1. Prepare a Plan of Study in accordance with State of California guidelines
2. Certification of compliance with water metering
3. Identification of existing debt
4. Preparing an estimate of engineering, planning, legal, and administrative services
5. Description of the existing Shady Lakes MHP wastewater facilities and MCWD wastewater facilities

It is understood that an Income Survey of the residents of the Shady Lakes Mobile Home Park will be performed concurrently by an independent party.

It is noted that if the MCWD receives a Planning Grant, then sufficient design and environmental planning would be performed to prepare a Construction Grant Application for the capital improvements. A Construction Grant Application is required to be submitted to the State before the end of December 2022. The combination of the Planning Grant and Construction Grant may be up to \$10 M.

SCHEDULE

The work will proceed as quickly as possible. It is anticipated that a draft application will be presented to the District by the end of December 2021.

It is anticipated that the final Planning Grant Application will be submitted for approval prior to the end of January 2022.

FEES

Pursuant to the action taken by the Malaga County Water District Board of Directors on October 26, 2021 the work was authorized to proceed. Estimated fees to prepare the Planning Grant Application is \$25,000 to \$30,000.

Malaga County Water District

Provost & Pritchard Consulting Group

By: Moises Ortiz
Title: District Manager

By: Michael Taylor
Title: Corporate Secretary

Date: _____

Date: _____



Advanced Roofing & Rain Gutters
559-441-7800

4131 E Therese Ave.
Fresno, California
93725
United States

item 6.a.

Prepared For	Proposal Date	Proposal Number
Anthony Anaya Malaga County Water District 3582 S. Winery Ave Fresno, California 93725 United States	10/20/2021	0000410

Warranty

Supplies, material, and labor will be provided as listed below. All work shall meet industry standards. All workmanship an material is warrantied for 5 years.

Scope of Work

Malaga Center North Wall Raingutter Replacement / Roof Repair

- Remove and dispose of existing raingutter along the North wall at Malaga center approx. 63lf
- Re-use existing downspouts (2pcs)
- Once existing raingutter is removed, remove any loose debris, dirt, spray foam, fasteners from corrugated metal roof overhang
- Fasten any overhang sheet metal or corrugated panels together
- Add PBR style foam closure inserts to all corrugated overhang openings along complete North wall
- Seal transition area with Polyurethane sealant
- Fabricate and install a new 26GA pre painted raingutter to match existing
- Re-install existing downspouts

Pricing

Description	Rate	Qty	Line Total
Raingutter replacement and Roof repair 5 year labor and material warranty	\$6,850.00	1	\$6,850.00

Subtotal	6,850.00
Tax	0.00
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Proposal Total (USD)	\$6,850.00

Notice

Under the Mechanic's Lien Law (California Code of Civil Procedure, Section 1181 ET Seg.) any Contractor, Subcontractor, Laborer, Supplier or other person who helps to improve your property but is not paid for his work or supplies Has a right to enforce a claim against your property. This means that after a court hearing, your property could be sold by a County officer and the proceeds of sales used to satisfy the indebtedness. This can happen even if you have paid your own Contractor in full, if the Subcontractor, Laborer, or Supplier remains unpaid. Contractors are required by law to be licensed and regulated by the Contractor's State License Board. Any questions concerning a contractor may be referred to the registrar of the board whose address is: Contractors State License Board. P. O. Box 26000, Sacramento, CA 95827 or 9835 Goethe, Sacramento, CA 95827.

Exclusions

- Electrical and plumbing
- Attic insulation

Notes

- Proposal is valid for 15 days from the above date.
- Replacement plywood in excess of sheets included in contract will be billed separately at the rate of \$60/ 4'x8' sheet, only if needed.
- Any plan modifications are subject to an additional charge.
- Material deposit of 50% required prior to project commencement.
- Final payment is due upon completion.
- There will be a 3% convenience fee for any credit card transactions
- Any surplus of material is property of Advanced Roofing & Raingutters.
- Any shortage of material is the responsibility of Advanced Roofing & Raingutters.
- Payment is due upon project completion.

Terms

A) Payment: Payment terms are at the sole discretion of Advanced Roofing & Raingutters. Advanced Roofing & Raingutters reserves the right to require a partial payment prior to ordering materials for the proposed project. All billed invoices are to be paid upon project completion unless otherwise written and signed by both associating parties. Advanced Roofing & Raingutters reserves the right to pre-lien all projects we deem appropriate to protect our rights for payment.

B) Returns/ Cancellations: Custom fabricated items are not returnable. Standard manufactured items may be returned for restocking. All unused items must be in new and unused condition. All returned items are subject

to a 30 % restocking fee. Custom fabricated items may only be cancelled prior to fabrication and are subject to a cancellation fee for any incurred costs associated with the fabrication of the item.

C) Warranty: Advanced Roofing & Raingutters warrants all workmanship related to the installed product(s). Any defects in workmanship must be addressed immediately for appropriate repairs to be made and to avoid possible injuries. Any defects in materials must be addressed immediately and will be handled by the manufacturer. Each product has its own individual warranty. In order for the warranty to be honored, all items must remain unaltered in any way. We follow precise manufacturer installation instructions to meet warranty guidelines. A certificate of warranty will be issued upon completion of project. Warranty is not provided for pre-existing materials should they fail. Including and not limited to skylights, chimneys, AC units or swamp coolers. If these fail and the findings determine it was a pre-existing matter Advanced Roofing and Raingutters is not liable and shall not be held as such.

D) Delays: We will make every effort to complete each project in a timely manner. However; conditions beyond reasonable control of either party shall not be the liability of either party. Termination of this project prior to completion can only be done with the agreement of both parties including responsibility of any costs already incurred.

E) Limitation of Liability: Under no circumstances is Advanced Roofing & Raingutters responsible for any tampered installation or repairs done by a secondary company. We are licensed and bonded and are only responsible for our employees. We are not liable for any injuries, incidents, or consequential damages caused by the workmanship of anyone not employed by Advanced Roofing & Raingutters.

F) Claims: Any suits arising from the performance or non- performance of this agreement whether based upon contract, negligence, or strict liability or otherwise shall be brought within 1 year of which the claim arose.

G) Supersede, Assignment, Modifications: This agreement contains the complete and exclusive statement of the agreement between the parties and supersedes all previous and contemporaneous, oral or written statements. Customer may assign this agreement only with Advanced Roofing & Raingutters prior written consent. No modifications shall be binding unless in writing and signed by both parties.

Authorized Client Signature: _____

Date: _____

Project Manager Signature: _____

Date: _____