



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, December 12, 2023 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 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 November 14, 2023.
- b. Minutes of the Special Board Meeting of November 21, 2023.
- c. Minutes of the Special Board Meeting of December 4, 2023.

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

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

5. Old Business:

6. New Business:

- a. **ACWA Membership Dues.** The 2024 Annual Agency dues of \$18,210.00 are due on January 31, 2023. ACWA 's dues are based on the operations and maintenance expenses for individual public agency members, which vary from year to year.

Recommended action: to approve payment of \$18,210.00 for ACWA membership dues.

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

- b. **Annual Permit Fees.** The State Water Resources Control Board has submitted two invoices for the annual fees for Waste Discharge Requirement and a Pretreatment Surcharge. Total amount totals to \$40,531.00.

Recommended action: for review and potential action.

7. Incorporation Reports:

8. Recreation Reports:

9. Engineer Reports:

- a. District Engineer Report.
- b. CDBG Engineer Report:
 - i. The Department of Public Works and Planning has determined that the Wastewater Treatment Plant Nitrogen Reduction Project No. 21451 may now be advertised. Revisions must be made to the plans before advertisement.

10. General Manager's Report:

- a. Drought Report has been submitted to the CA Water Resources Control Board.
- b. IRS refund of \$59,921.99 was received. A portion of this will go to pay Gordon Saito & Co. for their services related to Employee Retention credit computation for 2020 and 2021.
- c. Well 3A and storage tank update.

11. President's Report:

12. Vice President's Report:

13. Director's Reports:

14. Legal Counsel Report:

15. Communications:

- a. Written Communications:
- 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. Personnel (Government Code Section 54957 (b)(1).) Employee evaluation; General Manager

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 December 12, 2023, 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 12/08/2023.

Norma Melendez, District Clerk



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, November 14, 2023 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.

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: 6:01 p.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.

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

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 26, 2023.

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

President Garabedian asked if there were any comments on the consent agenda, there being none, President Garabedian requested a motion to approve the consent agenda.

Motion by: Vice President Cerrillo; Second by: Director Cerrillo Approved by unanimous vote.

5. Old Business: None for this meeting.

6. New Business:

- a. **Healthcare Plan Renewal.** It is time to renew the United Health Care Plan. A plan increase of 3.9% will take effect January 1, 2024. Open enrollment will be in December. Diane Tarrell has reached out to staff to cover any questions staff may have.

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

President Garabedian asked if there were any comments on the item. GM Ortiz stated that the renewal would be at a 3.9% increase. Further discussion was held and GM Ortiz and

the District health insurance advisor Dianne Tarrell, answered questions from the board members relating to deductibles, co-pays and coverage. It was noted that the high annual deductible for certain coverages was implemented several years ago due to a significant increase in premium and that the board had discuss implementing a reimbursement or savings plan to assist employees with the high deductible but due to budgetary concerns such policy had not yet been implemented.

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

- b. **Initial Study Application No. 8489.** The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application proposing to allow for a Solid Waste Processing Facility along with a (buy right) Ready-Mix Concrete Plant on an existing 12.01-acre Parcel. The subject property is located within the M-3 (Heavy Industrial) Zone District.

Recommended action: To review and comment.

The board was provided with draft comments from the District's engineer. A discussion was held and there was a consensus of the board that the District Engineer's comments should be forwarded to the County of Fresno and that the District GM should remind the County that water and sewer service by the District at that location is required by both County and District ordinance. President Garabedian added that the Board could provide additional comments as the project progressed.

7. Incorporation Reports:

None for this meeting.

8. Recreation Reports:

- a. **Thanksgiving Basket Raffle.** Winners will be selected at random to win a basket of items to use for Thanksgiving dinner.

Discussion held regarding holiday programs. Motion to authorize up to \$1500 for Holiday Decorating prizes, up to \$500 for Holiday Parade prizes, and \$1,000 for Recreation Service Awards made by President Garabedian, Second by Director Tovar. Approved by unanimous vote.

9. Engineer Reports:

- a. District Engineer Report.
- b. CDBG Engineer Report:

10. General Manager's Report:

11. President's Report:

12. Vice President's Report:

13. Director's Reports:

14. Legal Counsel Report:

None for this meeting.

15. Communications:

a. Written Communications:

1. The Fresno County Department of Environmental Health Division sent a request for review and comment on a New Ag Well permit that will serve property within Census Tract 15.00, pertaining to 4531 S. Maple Avenue. A response from the City of Fresno, stating that they are in the sphere of influence, but the city does not have existing water infrastructure along its frontage road.
2. BAART Programs reached out to the district offering their services to the community. They are located at 3103 E. Cartwright Avenue and offer services that have proven to be the most effective treatment for opioid addiction.

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: 7:29 p.m.

a. Potential Litigation (Government Code Section 54956.9) One Case.

Reconvened in open session at 8:02 p.m. Attorney Slater reported that confidential resolution 2023-01 opting the district out of 3M and DuPont PFAS lawsuits was approved by unanimous vote. Motion by Vice President Cerrillo Second by Director Cerrillo.

17. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 8:03pm.

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 November 14, 2023, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 12/13/2023.

Norma Melendez, District Clerk



**SPECIAL BOARD MEETING MINUTES
BUDGET WORKSHOP**

**BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, November 21, 2023 at 6:00PM**

item 4.b.

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.

- ❖ 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: 6:00pm

- 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: Maria Lopez, Norma Melendez, Moises Ortiz (via telephone) and Michael Slater.

- 3. Certification:** Certification was made that the Board Meeting Agenda was posted 24 hours in advance of the meeting.

- 4. Closed Session item 6.b. moved to 4.a. to accommodate the District Engineer. Motion by Vice President Cerrillo, Second by Director Cerrillo, jr. an by a 5-0 vote to move the closed session item 6.b. to 4.a.**

- a. **Closed Session.** Potential Litigation (Government Code Section 54956.9) one case. **Went into closed session at the time of 6:05pm. The board came out of closed session at 6:47pm with nothing to report.**

- b. Budget Workshop.

Discussion was held. As the year comes to an end, the numbers will be more accurate.

The District Clerk asked for clarification regarding the Christmas Parade prize amounts and the House Decorating contest as the amounts did not match what the recreation department had provided. Motion to Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to authorize an increase for the Holiday House Decorating Contest to \$1600 and the Holiday Parade to \$650.

Staff member Gabino Gomez asked the board of directors to consider the water department when adjusting the budget as there are machinery that needs to be replaced and new sampling stations that the district is in need of. President Garabedian, Jr. suggested that Gabino compile a list prioritizing water department needs and also to provide an inventory list. Gabino also

expressed his concern with staff not receiving a raise since before 2020. Vice President Cerrillo responded to Gabino by saying that he does not even think the district has a dollar to give staff for raises.

The board went into closed session at 7:39pm.

5. Closed Session:

a. Personnel (Government Code Section 54957 (b)(1).) Employee evaluation; General Manager

No reportable action.

c. Adjournment:

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

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing minutes for the Special Board Meeting of the Board of Directors of November 21, 2023, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 12/13/2023.

Norma Melendez

Norma Melendez, District Clerk



SPECIAL BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Monday, December 4, 2023, at 6:00PM

item 4.c.

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: 6:03pm

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

3. Closed Session: 6:03pm

- a. Personnel (Government Code Section 54957 (b)(1).) Employee evaluation; General Manager.

The board of directors came out of closed session at 7:41pm. No reportable action taken.

4. Adjournment:

Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to adjourn the meeting at 7:42pm.

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing minutes for the Special Meeting of the Board of Directors of December 4, 2023, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 12/13/2023.

Norma Melendez, District Clerk



item 6.a.

Bringing
Water
Together

Date: October 4, 2023

Malaga County Water District
3580 South Frank Street
Fresno, CA 93725



2024 Annual Agency Dues	\$18,210.00
Total Amount Due	<hr/> \$18,210.00

Thank you for your continued support with ACWA. Please remit payment by **January 31, 2024**.

ACH Payment Information: Wells Fargo Bank

Routing #: 121042882

Checking Acct #: 6071344052

*****MEMBERSHIP DUES*****MEMBERSHIP DUES*****

Association of California Water Agencies
2024 Member Dues Calculation

Date: October 4, 2023

Name: Malaga County Water District

(1) Operating Expenses	\$3,311,617.00
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(2) All Other Expenses	
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(3) Total Expenses	\$3,311,617.00
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<<< LESS >>>

(4) Purchased Power	
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(5) Water Purchases	
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(6) Groundwater Replenishment	
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(7) Depreciation	\$365,650.00
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(8) Fixed Assets	
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(9) Total Adjusted Expenses	\$2,945,967.00
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<<< LESS >>>

(10) Pumping	
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(11) Total Expenses Adjusted For Pumping	\$2,945,967.00
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(12) Line 11 times 2	\$5,891,934.00
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(13) Dues O&M (lessor of line 9 or 12)	\$2,945,967.00
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DUES AMOUNT	\$18,210.00
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*** THIS IS NOT A BILL – PLEASE DO NOT PAY FROM THIS WORKSHEET ***

MEMORANDUM

TO: ACWA Public Water Agency Members

FROM: Dave Eggerton, Executive Director

DATE: October 3, 2023

SUBJECT: ACWA's 2024 Membership Dues

At its meeting in September of 2021, the ACWA Board of Directors approved a two-year budget for 2023 and 2024 that protects the financial and operational well-being of the Association while strengthening the long-term health of the organization by paying down ACWA's unfunded pension liability. As we enter the second year of the current two-year budget, I am happy to share that no additional increase is necessary above the 3% that was already approved for 2024.

With the Board's leadership, ACWA is resourced to continue to deliver high-level, effective services for our members, including strong advocacy in Sacramento and Washington D.C., first-class conferences, timely information and communication tools, as well as many other important services. ACWA's financial strategy is guided by our 2020-'24 Five-Year Strategic Plan. The general approach of this strategy is to maintain modest dues increases each year to pay down unfunded liabilities and reduce the need for dramatic increases in membership dues in the future. This budget keeps us on course to strengthen ACWA's long-term financial health.

ACWA's dues are based on the operations and maintenance (O&M) expenses for individual public agency members, which vary from year to year. If there was an increase or decrease in your agency's O&M expenses, your dues may be adjusted based on that change. **If you have questions related to your agency's dues calculation, please contact ACWA Accountant Steven Carr at (916) 669-2443 or steven@acwa.com.**

To view ACWA's full 2024 dues schedule, please visit www.acwa.com.

We value your participation in ACWA and thank you for your membership. ACWA's voice and influence is enhanced with each and every member. Your dues contribution allows ACWA to provide high-quality benefits and services, such as:

- A statewide voice on behalf of California water agencies on key state and federal legislative and regulatory water issues.
- Advocacy to protect and strengthen California's water rights system to support a sustainable and reliable water supply for Californians.



INVOICE

Annual Permit Fees Required by Sections 13260 & 13269
of the California Water Code

Item 6.b.

FACILITY ID (WDID): 5D100124001
FACILITY NAME: MALAGA CWD WWTF
3749 MAPLE
FRESNO, CA 93725

INVOICE NO: WD-0233093
BILLING PERIOD: 07/01/23 - 06/30/24
INVOICE DATE: 11/29/2023
INDEX NO: 554584

MALAGA CWD
JENNIFER AHL, GENERAL MANAGE
3580 SOUTH FRANK STREET
FRESNO, CA 93725

Total Amount Due by
Friday, December 29, 2023

\$ 36,785.00

Invoice details are shown on the back

STATE WATER RESOURCES CONTROL BOARD Annual Permit Fee

Facility ID: 5D100124001

Billing Period: 07/01/23 - 06/30/24

Invoice No: WD-0233093

Amount Due:

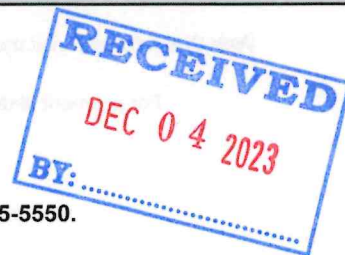
\$ 36,785.00

Due By: Friday, December 29, 2023

PLEASE REMIT YOUR PAYMENT ON OR BEFORE THE DUE DATE SHOWN ABOVE. LATE PAYMENT COULD RESULT IN PENALTIES UNDER PROVISIONS OF THE WATER CODE SECTION 13261. THESE ACTIONS COULD INCLUDE DAILY PENALTIES IN ADDITION TO YOUR FEE OR OTHER ACTIONS DEEMED APPROPRIATE BY THE REGIONAL BOARD.

Make your check payable to State Water Resources Control Board

If you have any questions about this invoice, please call the Water Board at 559-445-5550.



Retain this portion for your records

Please detach and return this portion with your payment

☐ CHECK HERE FOR ADDRESS CORRECTION ON THE BACK

INVOICE NO: WD-0233093

INDEX NO: 554584

(Please print the above number on check or money order)

MALAGA CWD
JENNIFER AHL, GENERAL MANAGE
3580 SOUTH FRANK STREET
FRESNO, CA 93725
(559) 485-7353

SWRCB
PO BOX 1888
SACRAMENTO, CA 95812-1888

AMOUNT DUE: \$36,785.00
BILLING PERIOD: 07/01/23 - 06/30/24
DUE BY: 12/29/23
FACILITY ID (WDID): 5D100124001
FACILITY NAME: MALAGA CWD WWTF
3749 MAPLE
FRESNO, CA 93725

STATE WATER RESOURCES CONTROL BOARD

ORDER NO: R5-2020-0001

INVOICE NO: WD-0233093
BILLING PERIOD: 07/01/23 - 06/30/24
REGION: 5F

DESCRIPTION	AMOUNT
58	26,785.00
WASTE DISCHARGE REQUIREMENT	
Fee Basis: Threat/Complexity 2B	
58A	10,000.00
NON 15 PRETREATMENT	
Fee Basis: Pretreatment Surcharge	
TOTAL AMOUNT DUE	\$ 36,785.00

If you have any questions about this invoice, please call the Water Board at 559-445-5550.

or you may send an email (preferred) to: RB5F-Fees@Waterboards.ca.gov

Web Site Address: Visit the Water Quality Fees website for more information: https://www.waterboards.ca.gov/resources/fees/water_quality/

For payment status of your invoice, please go to the "Stormwater and Wastewater permit Fee Invoice Information" link at

<https://public3.waterboards.ca.gov/infoees/faces/invoiceSearch/xhtml>

Please allow 10 business days after mailing for your payment to be posted to the database.

BILLING ADDRESS CORRECTIONS

A change of ownership **REQUIRES** you to contact the Regional Board (contact information above).

You are obligated to pay this and any past due invoices.

FACILITY ID (WDID): 5D100124001 MALAGA CWD WWTF

BILLING NAME:[illegible]

CONTACT PERSON:

[illegible]

STREET:

[illegible]

CITY:

[illegible]

STATE:

ZIP:

PHONE:() -

EMAIL ADDRESS:

[illegible]



INVOICE

Annual Permit Fees Required by Sections 13260 & 13269 of the California Water Code

FACILITY ID (WDID): 5SSO10742
FACILITY NAME: MALAGA CWD CS
3580 FRANK
FRESNO, CA 93725

INVOICE NO: WD-0233447
BILLING PERIOD: 07/01/23 - 06/30/24
INVOICE DATE: 11/29/2023
INDEX NO: 554938

MALAGA CWD
RUSS HOLCOMB
3580 SOUTH FRANK ST.
FRESNO, CA 93725

Total Amount Due by
Friday, December 29, 2023

\$ 3,746.00

Invoice details are shown on the back

STATE WATER RESOURCES CONTROL BOARD Annual Permit Fee

Facility ID: 5SSO10742

Billing Period: 07/01/23 - 06/30/24

Invoice No: WD-0233447

Amount Due:

\$ 3,746.00

Due By: Friday, December 29, 2023

PLEASE REMIT YOUR PAYMENT ON OR BEFORE THE DUE DATE SHOWN ABOVE. LATE PAYMENT COULD RESULT IN PENALTIES UNDER PROVISIONS OF THE WATER CODE SECTION 13261. THESE ACTIONS COULD INCLUDE DAILY PENALTIES IN ADDITION TO YOUR FEE OR OTHER ACTIONS DEEMED APPROPRIATE BY THE REGIONAL BOARD.

Make your check payable to State Water Resources Control Board

If you have any questions about this invoice, please call the Water Board at 559-445-5550.



Retain this portion for your records

Please detach and return this portion with your payment

☐ CHECK HERE FOR ADDRESS CORRECTION ON THE BACK

INVOICE NO: WD-0233447

INDEX NO: 554938

(Please print the above number on check or money order)

MALAGA CWD
RUSS HOLCOMB
3580 SOUTH FRANK ST.
FRESNO, CA 93725
(559) 485-7353

SWRCB
PO BOX 1888
SACRAMENTO, CA 95812-1888

AMOUNT DUE: \$3,746.00
BILLING PERIOD: 07/01/23 - 06/30/24
DUE BY: 12/29/23
FACILITY ID (WDID): 5SSO10742
FACILITY NAME: MALAGA CWD CS
3580 FRANK
FRESNO, CA 93725



STATE WATER RESOURCES CONTROL BOARD

INVOICE DETAILS

FACILITY ID (WDID): 5SSO10742
ORDER NO: 2022-0103-DWQ

INVOICE NO: WD-0233447
BILLING PERIOD: 07/01/23 - 06/30/24
REGION: 5F

DESCRIPTION	AMOUNT
58 WASTE DISCHARGE REQUIREMENT Fee Basis: Threat/Complexity 3C	3,746.00
TOTAL AMOUNT DUE	\$ 3,746.00

If you have any questions about this invoice, please call
the Water Board at 559-445-5550.

or you may send an email (preferred) to: RB5F-Fees@Waterboards.ca.gov

Web Site Address: Visit the Water Quality Fees website for more information: https://www.waterboards.ca.gov/resources/fees/water_quality/

For payment status of your invoice, please go to the "Stormwater and Wastewater permit Fee Invoice Information" link at

<https://public3.waterboards.ca.gov/infofees/faces/invoiceSearch.xhtml>

Please allow 10 business days after mailing for your payment to be posted to the database.

BILLING ADDRESS CORRECTIONS

A change of ownership REQUIRES you to contact the Regional Board (contact information above).

You are obligated to pay this and any past due invoices.

FACILITY ID (WDID): 5SSO10742 MALAGA CWD CS

BILLING NAME:

CONTACT PERSON:

STREET:

CITY:

STATE: ZIP:

PHONE: ()

EMAIL ADDRESS:



item 9.b.i.

County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

November 30, 2023

Joshua Rogers
Yamabe & Horn Engineering, Inc.
2985 North Burl Ave., Ste. 101
Fresno, CA 93727



Dear Mr. Rogers:

Subject: Malaga Wastewater Treatment Plan Nitrogen Reduction
Community Development Block Grant (CDBG) Project No. 21451

Upon review of the final plans and specifications for the above-referenced project by the Department of Public Works and Planning, it has been determined that the project may now be advertised, subject to the following revisions which must be made to the plans and specifications prior to advertisement:

- Remove highlighting throughout the specifications.
- Replace Section 00 45 34 with the enclosed Statement of Workforce Needs, which has been updated to comply with current Section 3 reporting requirements.
- Update the Federal Wage Decision to the most current version, which currently is CA20230018, Modification #28
- Add the enclosed Minority Business Enterprise reporting form to the specifications. This form is not necessary for bidding, but the County may withhold reimbursement of construction expenses until the information is provided. It should be included in the specifications.

Additionally, an engineering review returned the following notes that should be addressed:

- Submit a revised engineer's estimate prior to advertisement, which follows the format of the bid schedule in the specifications.

Please note that the Permit fees of \$1,103.95 are due when pulling permits from Fresno County Development Services. See the enclosed dummy permit, Permit #23-010717, for details of the required permit fees. **Concurrent with the submission of the first construction progress payment request, the District shall provide documentation demonstrating that all construction-related required permits have been issued by the County.**

The project may still be advertised so long as these revisions have been made to the plans and specifications. Any other modifications to the plans and/or specifications will require prior written approval from the County.

The project must be advertised in accordance with all Federal, State, and local laws and regulations, including that it be advertised in a newspaper of wide circulation. The project must be advertised for a period of time at least equal to that required by applicable regulations and under no circumstances should the advertising period be less than two weeks. Notices should

also be sent to the publications, associations, and Disadvantaged Business Enterprise (DBE) contractors listed in the database at <https://californiaucp.dbesystem.com/>.

Ten days prior to the bid opening, please notify Jared Nimer, the project representative, of the bid opening date, time, and location. Pursuant to the executed project agreement, the construction contract must be awarded to the lowest responsible bidder.

Please remember that a "Ten-Day" wage check is required. If modifications have been made to the Federal Wage Decision prior to 10 days before bid opening, notification of bidders is required by Addendum to the Specifications.

Lastly, please review Final Review Attachments J, K, L, and M which are enclosed for further information.

DO NOT AWARD WITHOUT WRITTEN APPROVAL BY THE COUNTY

Prior to awarding the contract, please submit one (1) printed copy plus an electronic copy in PDF format, either on compact disc or by email to me at javedian@fresnocountyca.gov and to Jared Nimer at jnimer@fresnocountyca.gov of the following documents to my attention: the plans (11x17 preferred) and specifications as advertised, copies of any addenda issued, the summary of bids, the low bidder's entire proposal including certifications and bid bond, and the proof of publication.

Should you have any questions, please contact Jared Nimer, the project representative, at (559) 600-4292.

Sincerely,



Jonathan Avedian, Senior Staff Analyst
Community Development Division

Enclosures

- c: Mohammad Alimi, Design Division (via email)
 Design Services (via email)
 Jennifer Parks, Construction Management (via email)
 Michael Granat, Supervisor Building Inspector, Development Services (via email)
 Moises Ortiz, General Manager, Malaga County Water District

STATEMENT OF WORK FORCE NEEDS

(See following for instructions)

☐ Preliminary (Anticipated)

☐ Final (Completion)

PROJECT: _____

CDBG No.: _____ Contract No.: _____

Job Category	Total Hours worked by All Employees	Total Hours worked by Section 3 Employees	Total Hours worked by Targeted Section 3 Employees

BIDDER: _____

BY: _____ Date: _____

TITLE: _____ Page ____ of ____

STATEMENT OF WORK FORCE NEEDS

(See following for instructions)

☐ Preliminary (Anticipated)

☐ Final (Completion)

PROJECT: _____

CDBG No.: _____

Contract No.: _____

Part II: Contracts Awarded

1. Construction Contracts

A. Total dollar amount of all contracts awarded on the project	
B. Total dollar amount of contracts awarded to Section 3 businesses	
C. Percentage of total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving contracts	

2. Non-Construction Contracts

A. Total dollar amount of non-construction contracts awarded on the project	
B. Total dollar amount of non-construction contracts awarded to Section 3 businesses	
C. Percentage of total dollar amount that was awarded to Section 3 businesses	%
D. Total number of Section 3 businesses receiving non-construction contracts	

Part III: Summary

Indicate the efforts made to direct the employment and other economic opportunities generated by this project, to the greatest extent feasible, toward low and very-low income persons, particularly those who are recipients of government assistance for housing. (Check all that apply)

- _____ Outreach efforts to generate job applicants who are Public Housing Targeted Workers
- _____ Outreach efforts to generate job applicants who are Other Funding Targeted Workers
- _____ Direct, on-the-job training (including apprenticeships)
- _____ Indirect training such as arranging for, contracting for, or paying tuition for, off-site training
- _____ Technical assistance to help Section 3 workers compete for jobs (e.g., resume assistance, coaching)
- _____ Outreach efforts to identify and secure bids from Section 3 business concerns
- _____ Technical assistance to help Section 3 business concerns understand and bid on contracts
- _____ Division of contracts into smaller jobs to facilitate participation by Section 3 business concerns
- _____ Provided or connected residents with assistance in seeking employment including: drafting resumes, preparing for interviews, finding job opportunities, connecting residents to job placement services
- _____ Held one or more job fairs
- _____ Provided or connected residents with supportive services that can provide direct services and referrals
- _____ Provided or connected residents with supportive services that provide one or more of the following: work readiness health screenings, interview clothing, uniforms, test fees, transportation
- _____ Assisted residents with finding child care

STATEMENT OF WORK FORCE NEEDS

(See following for instructions)

☐ Preliminary (Anticipated)

☐ Final (Completion)

PROJECT: _____

CDBG No.: _____

Contract No.: _____

Part III: Summary, continued:

Indicate the efforts made to direct the employment and other economic opportunities generated by this project, to the greatest extent feasible, toward low and very-low income persons, particularly those who are recipients of government assistance for housing. (Check all that apply)

- _____ Assisted residents to apply for, or attend, community college or a four year educational institution
- _____ Assisted residents to apply for, or attend, vocational/technical training
- _____ Assisted residents to obtain financial literacy training and/or coaching
- _____ Bonding assistance, guarantees, or other efforts to support viable bids from Section 3 business concerns
- _____ Provided or connected residents with training on computer use or online technologies
- _____ Promoting the use of a business registry designed to create opportunities for disadvantaged and small businesses
- _____ Outreach, engagement, or referrals with the state one-stop system, as designed in Section 121(e)(2) of the Workforce Innovation and Opportunity Act
- _____ Other; describe below.

BIDDER: _____

BY: _____

Date: _____

TITLE: _____

Page ____ of ____

INSTRUCTIONS FOR STATEMENT OF WORK FORCE NEEDS

This form must be completed and submitted by the Bidder prior to award of the Contract. Award may be expedited if the form is submitted with the Bid. Failure to submit the form prior to award will result in rejection of the bid.

The form will also be submitted by the Prime Contractor upon completion of the project.

When submitting with bid or prior to award, enter anticipated work force needs. When submitting at project completion, enter actual work force used.

Contractors on this project are subject to Section 3 requirements and must maintain appropriate documentation to establish that HUD financial assistance for the project was directed toward low- and very-low income persons.*

Part I: Employment and Training

A. Job Category	For construction positions, list each trade and provide data in Columns B-F for each trade where persons were employed.
B. Number of New Hires	Enter the number of new hires for each category of workers identified in Column A. New hire refers to a person who is not on the contractor's payroll for employment at the time of Selection for the Section 3 covered award.
C. Number of Lower Income New Hires	Enter the number of lower income new hires for each category of workers identified in Column A.
D. Percentage of Lower Income New Hire Staff Hours	Enter the percentage of all the staff hours of new hires worked by lower income new hires. Include staff hours for part-time and full-time positions.
E. Percentage of Total Staff Hours for Lower Income Employees & Trainees	Enter the percentage of the total staff hours worked by lower income employees and trainees. Include staff hours for part-time and full-time positions.
F. Number of Lower Income Trainees	Enter the number of lower income persons that were trained in connection with this project.

Part II: Construction Contracts

Where referenced, Section 3 businesses are defined in HUD's regulations at 24 CFR 135 as businesses which meet at least one of the criteria listed below:

1. A business that is at least 51 percent owned by Section 3 residents.
2. A business whose permanent, full-time employees include persons, at least 30% of whom are currently Section 3 residents, or within three years of the date of first employment with the business concern were Section 3 residents.
3. A business that provides evidence of a commitment to subcontract in excess of 25% of the dollar award of all subcontracts to be awarded to business concerns that meet the qualifications set forth in criteria 1 or 2.

Part III: Summary of Efforts - Self-explanatory

* For purposes of this Section 3 covered project, "lower income residents" means any individual who resides within the area of a Section 3 covered project, and whose family income does not exceed that shown in the table below.

PROJECT AREA FRESNO COUNTY	NUMBER OF PERSONS IN FAMILY							
	1	2	3	4	5	6	7	8
80% of Median Income=	43,650	49,850	56,100	62,300	67,300	72,300	77,300	82,250

eff 06/15/2022

INSTRUCTIONS FOR STATEMENT OF WORK FORCE NEEDS

This form must be completed and submitted by the Bidder prior to award of the Contract. Award may be expedited if the form is submitted with the Bid. Failure to submit the form prior to award will result in rejection of the bid.

The form will also be submitted by the Prime Contractor upon completion of the project.

When submitting with bid or prior to award, enter anticipated work force needs. When submitting at project completion, enter actual work force used.

Contractors on this project are subject to Section 3 requirements and must maintain appropriate documentation to establish that HUD financial assistance for the project was directed toward low- and very-low income persons.*

Part I: Employment and Training

A. Job Category	For construction positions, list each trade and provide data in the following columns for each trade where persons were employed.
B. Total Hours Worked by All Employees	Enter total hours worked by all employees on the project.
C. Total Hours Worked by Section 3 Employees	Enter total hours worked by Section 3 employees. A Section 3 employee is any employee who currently fits, or when hired within the past five years fit, at least one of the following categories, as documented: * The employee's income for the previous calendar year is below the income limit established by HUD (see below). * The employee is employed by a Section 3 business concern (see below for definition). * The employee is a YouthBuild participant.
D. Total Hours Worked by Targeted Section 3 Employees	Enter total hours worked by Targeted Section 3 Employees. A Targeted Section 3 Employee is a Section 3 employee who: * is employed by a Section 3 business concern; or * currently fits or when hired fit at least one of the following categories, as documented within the past five years: - Living within the service area or the neighborhood of the project, as defined in 24 CFR § 75.5; or - Employee is a YouthBuild participant.

Part II: Construction Contracts

Where referenced, Section 3 businesses are defined in HUD's regulations at 24 CFR 135 as businesses which meet at least one of the criteria listed below:

1. At least 51 percent owned and controlled by low-income persons earning below the income limit established by HUD (see below);
2. Over 75 percent of the labor hours performed for the business over the prior three-month period are performed by Section 3 workers; or
3. A business at least 51 percent owned and controlled by current public housing residents or residents who currently live in Section 8-assisted housing.

Part III: Summary of Efforts - Self-explanatory

For purposes of this Section 3 covered project, "low-income residents" means any individual who resides within the area of a Section 3 covered project, and whose family income does not exceed that shown in the table below.

PROJECT AREA FRESNO COUNTY	NUMBER OF PERSONS IN FAMILY							
	1	2	3	4	5	6	7	8
80% of Median Income=	46,200	52,800	59,400	65,950	71,250	76,550	81,800	87,100

eff 06/15/2023



CONSTRUCTION PERMIT
COUNTY OF FRESNO
DEVELOPMENT SERVICES DIVISION
MAILING ADDRESS: 2220 TULARE STREET, 8th FLOOR FRESNO, CA 93721
OFFICE LOCATION: SOUTHWEST CORNER OF TULARE
& M STREETS, SUITE A

ACTIVE PERMITS YES NO

PHONE NUMBERS
24-HR REQUEST LINE
600-4131
LOCAL: 600-4560
TOLL FREE: 800-742-1011
FAX: 600-4201

CA

Ref #:

<u>Project Address</u> CA		<u>Cross Street</u>	<u>Project Description</u> EQUIPMENT UPGRADE FOR MALAGA COUNTY WATER DISTRICT	
Permit #: 23-010717-FC		Issued on:	APN: 33010009ST	
<u>Owner:</u> MALAGA CO WATER DIST "Moises Ortiz"		<u>Applicant:</u>		<u>Contractor:</u>
<u>Address:</u> 3580 S FRANK FRESNO CA		<u>Address:</u>		<u>Address:</u>
<u>Phone:</u> : (559)-485-7353		<u>Phone:</u>		<u>Phone:</u>
		<u>License #:</u>		<u>License #:</u>
<u>Approvals</u>		<u>Approved By</u>	<u>Date</u>	
Application Requirements		Permit Application Reviewer		
Plan Review		Michael Granat		
<u>Zoning District</u>	<u>Required Setbacks:</u>	<u>Front</u>	<u>Side</u>	<u>Rear</u>
AL20		Min Max	Interior Street	Min

PROJECT INFORMATION
: Big Dry Creek Basin:No : FMFCD Rural Streams:No
: Roof Classification:Class C or better : Soil Bearing Capacity(psf):1000
: WMP Occupancy Pending:NO

MECHANICAL

22 Wiring Outlets	9 Circuits (remodel only	9 Motors over 1 HP - 5 HP
1 Motors over 100 HP - 150 HI	1 Service/sub-panel 201 - 400	

PLUMBING
100| On-site Water Piping (ft)

LICENSED CONTRACTOR'S DECLARATION
I hereby affirm that I am licensed under provisions of Chapter 9 (commencing with Section 7000) of Division 8 of the Business and Professions Code, and my license is in full force and effect.Lic.
Number _____ Class _____ Contractor _____ **FOR OWNER/BUILDER SEE FORM F174 ATTACHED**

WORKER'S COMPENSATION DECLARATION
I hereby affirm under penalty of perjury on of the following declarations:
☒ I have and will maintain a certificate on consent to self-insure for workers' compensation as provided for by Section 3700 of the Labor code, for the performance of the work for which this permit is issued.
I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code for the performance of the work for which this permit is issued.
My workers' compensation insurance carrier and policy number : _____
Carrier _____ Policy # _____ (This section does not need to be completed if the permit is for one hundred dollars (\$100) or less.)
☐ I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the worker's compensation laws of California and agree that if I should become subject to the workers compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.
WARNING: FAILURE TO SECURE WORKERS' COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000), IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST, AND ATTORNEY'S FEES.

CONSTRUCTION LENDING AGENCY
I hereby affirm that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3087, Div. C).
Lenders Name _____ Address _____
City _____ State _____
I certify that I have read this application and state that the above information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction, and hereby authorize representatives of this county to enter upon the above-mentioned property for inspection purposes.
Applicant Or Agent _____
Date _____

THIS PERMIT SHALL EXPIRE BY LIMITATION AND BECOME NULL AND VOID IF THE WORK IS NOT COMMENCED OR IF NO INSPECTIONS ARE COMPLETED WITHIN 1 YEAR.

Invoice
County of Fresno
Department of Public Works & Planning
Mailing Address: 2220 Tulare Street, 6th Floor Fresno, CA 93721
24-HR REQUEST LINE: 600-4131 LOCAL: 600-4560
TOLL FREE: 800742-1011 FAX: 600-4201



INVOICE TO:

INVOICE NO: 271399

INVOICE DATE: July 24, 2023

PERMIT #: Folder 2023 010717 000 00 FC

REFERENCE #:

PROJECT LOCATION: CA

PROJECT DESCRIPTION: EQUIPMENT UPGRADE FOR
MALAGA COUNTY WATER DISTRICT

FEE DESCRIPTION	AMOUNT	COMMENT
CA Bldg Standards Comm. Fee (SB-1473)	\$1.00	
Workers Comp.	\$7.50	
Call-In, Fax, Email or Internet	\$20.00	
Wiring Outlets	\$35.20	Qty 22
Electrical Permit Issuance	\$38.00	
Plumbing Permit Issuance	\$38.00	
Minimum Electrical Permit fee	\$58.50	
Minimum Plumbing Permit fee	\$58.50	
On Site Water Piping (ft)	\$89.00	Qty 100
Microfilm/Copies	\$91.25	
Service/sub-panel 201 - 400 amps	\$96.00	Qty 1
Circuits (remodel only)	\$108.00	Qty 9
Motors over 100 HP - 150 HP	\$161.50	Qty 1
Motors over 1 HP - 5 HP	\$301.50	Qty 9
TOTAL	\$1,103.95	

I. PROJECT ADVERTISEMENT

1. We recommend that this project be advertised for at least two weeks. The Notice should be published by publication once a week for at least two consecutive weeks or once a week for more than two consecutive weeks if the longer period of advertising is deemed necessary, please see California Code, Public Contract Code - PCC § 10140 for more details. Publication should be in a newspaper of wide local circulation, such as the Fresno Bee or the Fresno Business Journal.
2. All Local Agency requirements for advertising should also be fulfilled.

II. MINORITY BUSINESS ENTERPRISE COMPLIANCE

1. 1. Notices should be mailed to the publications, associations, and Disadvantaged Business Enterprise (DBE) contractors and suppliers listed in the database at <https://californiaucp.dbesystem.com/>. To encourage participation by DBE Contractors in subcontracting, copies of your mailing lists should be included with the Notices mailed and with plans and specifications furnished to planholders. By informing potential planholders that the listed DBE Contractors have been made aware of the project, they might be offered an opportunity to bid the appropriate work.

III. EMPLOYMENT OPPORTUNITY COMPLIANCE "Section 3 Clause"

1. Mail Notices to construction firms in the Local Agency community area, post copies at the Office of the Local Agency and otherwise disseminate information about the project so as to make known the opportunities for employment and to comply with the provisions of "Employment Opportunities for Lower Income Persons..." (See <https://www.govinfo.gov/content/pkg/FR-2020-09-29/pdf/2020-19185.pdf>). Notices should be posted at the job site, if possible.
2. All action taken should be documented.

AWARD PROCEDURE

1. Prior to awarding the contract, the Local Agency (or Consultant) MUST submit the names of the Contractor to County Public Works and Planning, Design Services Section, Phone: 600-4109 Email: DesignServices@fresnocountyca.gov for verification of their eligibility to be engaged on Federally Aided projects (HUD Handbook 6500.3, Paragraph 7).

Eligibility of the Contractor will be verified and confirmed by letter to Local Agency and a copy will be directed to County Labor Compliance Officer.

2. Also prior to awarding the contract, the amount of the low bid MUST be submitted to County Public Works and Planning; to ensure that all funds allocated by the Local Agency-County Community Development Agreement are not exceeded.

The effect of preliminary and construction engineering costs, right of way and other costs should be considered, if they are to be reimbursed with CDBG funds.

3. Should the total of the low bid and other anticipated costs exceed the amount provided in the Agreement, then the Agreement MUST be revised.

Processing of a revised Agreement will take a minimum of six weeks.

4. Three copies of the bid summary are required. When bids are taken on a unit price basis, the quantities and each bidder's unit prices should be listed.

5. A distribution of costs, based on contract prices, must be furnished when Local funds, State funds or other Federal funds are participating in the project, and when more than one CDBG project is included in the contract.

6. Three copies of the "Certification regarding Performance of previous Contracts" and the "Certification regarding Minority Subcontractors" are required, to be available for HUD compliance audit.

7. The 'Statement of Work Force Needs' forms should be sent to the apparent low bidder as soon as possible after bid opening, to ensure their preparation, submittal and review prior to award.

ATTACHMENT 'L' To Final Review Letter

06/13

LABOR COMPLIANCE ADMINISTRATION (after award)

1. HUD Handbook 1344.1 contains information on labor compliance requirements the Local Agency must adhere to in the administration of the project.
2. The Handbook is reasonably comprehensive and self-explanatory; however, if you should have any technical questions concerning specific items of labor compliance they should be directed to the Public Works and Planning Labor Compliance Officer, Phone 600-4546.
3. Specifically, the Local Agency MUST comply with the following requirements:
 - a. Conduct a Pre-Construction Conference:
The Pre-Construction Checklist should be used as a guide for conducting the meeting. Payroll forms and certificates, posters and the wage determination should be explained and given to the contractor at the meeting. The Pre-Construction Conference is MANDATORY. Contact the Public Works and Planning Labor Compliance Officer, prior to scheduling the pre-construction conference.
 - b. Review Contractor's Payrolls
 - c. Conduct Interviews with Contractor's Employees
 - d. Insure that the required posters and wage determinations are placed at the jobsite
4. FORMS REQUIRED for labor compliance administration are as follows; and will be furnished at the Pre-Construction meeting.

WH-347	-Payroll (Contractor may use own form if it complies with HUD requirements; must have prior HUD approval).
WH-348	-Statement of Compliance (used with contractor's own payroll form).
HUD-11	-Record of Employee Interview.
HUD-4073	-V-F Title I - Assisted Prime Contractors (over \$10,000)
HUD-4073.1	-V-F Title I - Assisted Sub-Contractors (over \$10,000).
SF-257	-Monthly Employment Utilization Report (over \$10,000).
	-Contractor's List of Federal and Non-Federal Work in Covered Area.
	-Contractor's Notification of Subcontracts Awarded.
WH-1321	-"Notice to Employees" (Poster).
	-'Safety and Health Protection on the Job' (Poster; use of CAL/OSHA version is okay).
	-'Equal Opportunity' (Poster).
	-Wage Determination (Federal Minimum Wages from Specifications Booklet).

5. RECORDS on the project must be retained for at least three years after project completion.

I. Procurement of Materials - \$25,000 or less

- I. Grantees may use their own procurement regulations which reflect applicable State and local law, rules and regulations provided that procurements made with Federal grant funds adhere to the standards set forth as follows:
 - a. The Grantee shall maintain a code or standards of conduct which shall govern the performance of its officers, employees, or agents in contracting with and expending Federal grant funds. Grantee's officers, employees or agents, shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or potential contractors. To the extent permissible by State or local law, rules or regulations, such standards shall provide for penalties, sanctions, or other disciplinary actions to be applied for violations of such standards by either the grantee officers, employees, or agents, or by contractors or their agents.
 - b. All procurement transactions negotiated and without regard to dollar value shall be conducted in a manner so as to provide maximum open and free competition. The grantee should be alert to organizational conflicts of interest or noncompetitive practices among contractors which may restrict or eliminate competition or otherwise restrain trade.
 - c. Competition shall be obtained to the maximum extent practicable.
 - d. The grantee shall establish procurement procedures which provide for, as a minimum, the following procedural requirements:
 - (1) Requests for proposals shall be based upon a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. "Brand name or equal" description may be used as a means to define the performance or other salient requirements of a procurement, and when so used the specific features of the named brand which must be met by offerers should be clearly specified.
 - (2) Positive efforts shall be made by the grantees to utilize small business and minority-owned business sources of supplies and services. Such efforts should allow these sources the maximum feasible opportunity to compete for contracts to be performed utilizing Federal grant funds.
 - (3) The type of procuring instruments used (i.e, fixed price contracts, cost reimbursable contracts, purchase orders, incentive contracts, etc.), shall be appropriate for the particular procurement and for promoting the best interest of the grant program involved. The "cost-plus-a-percentage-of-cost" method of contracting shall not be used.
 - (4) Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of a proposed procurement. Consideration shall be given to such matters as contractor integrity, record of past performance, financial and technical resources, or accessibility to other necessary resources.
 - (5) Procurement records or files for purchases shall provide at least the following pertinent information: justification for the use of negotiation in lieu of advertising, contractor selection, and the basis for the cost or price negotiated,

- (6) A system for contract administration shall be maintained to assure contractor conformance with terms, conditions, and specifications of the procurement, and to assure adequate and timely follow-up of all purchases.
- II. The grantee shall include, in addition to provisions to define a sound and complete agreement, the following provisions in all contracts and subgrants:
 - a. Contracts shall contain such contractual provisions or conditions which will allow for administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such remedial actions as appropriate.

California State Water Resources Control Board

DROUGHT REPORT

PWSID: CA1010042

Water System Name: MALAGA COUNTY WATER DISTRICT

Reporting Period: 11/01/2023 - 11/30/2023

Reporting Due Date: 12/07/2023

Report Created Date: 12/06/2023

WATER SHORTAGE

Experiencing a severe water shortage: No

Estimated date of when a severe water shortage may begin: Severe water shortage not expected

Do you have a Water Shortage Contingency Plan (or Drought Planning Elements)?: No

Comments:

SOURCE REPORTING

WELL 06

Source Information:

- **Facility ID:** 006
- **Facility Type:** Well
- **Water Type:** Groundwater
- **Facility Availability:** Permanent
- **Activity Status:** Active
- **Well Construction Date:** 01/30/1996
- **Well Depth (feet below ground surface):** 800
- **Fractured Hard Rock Well:** No
- **Water Rights ID:** CA1010042
- **Well Completion Report Number:** Missing Information
- **Well Completion Report:** 1993 Well No 6.pdf
- **Department of Water Resources Site Code Identification Number:** Missing Information

Did you utilize this source during the reporting period?: Yes

Static Water Level (feet below ground surface): 94

Static Water Level (feet below ground surface) Date Measured: 11/01/2023

Pumping Water Level (feet below ground surface): 125

Pumping Water Level (feet below ground surface) Date Measured: 11/01/2023

Pump Depth (feet below ground surface): 775

Pump Depth (feet below ground surface) Date Measured: 11/01/2023

Potable Amount Produced During Reporting Period: 7,477,000.00

Potable Amount Produced During Reporting Period Date Measured: 11/30/2023

Potable Amount Produced During Reporting Period Unit of Measure: Gallons (G)

Total Pump Hours During Reporting Period: Not Available

Average Production Rate During Reporting Period (GPM): 0.00

Instant Flow Rate: 1,200.00

Instant Flow Rate Date Measured: 11/30/2023

Instant Flow Rate Unit of Measure: Gallons per Minute (GPM)

Was this source under curtailment at any point within the reporting period from the State Water Board Division of Water Rights?: No

Comments:

WELL 07

Source Information:

- **Facility ID:** 007
- **Facility Type:** Well
- **Water Type:** Groundwater
- **Facility Availability:** Permanent
- **Activity Status:** Active
- **Well Construction Date:** 01/30/2004
- **Well Depth (feet below ground surface):** 740
- **Fractured Hard Rock Well:** No
- **Water Rights ID:** CA1010042
- **Well Completion Report Number:** 1095877
- **Well Completion Report:** 14s21e32.TIF
- **Department of Water Resources Site Code Identification Number:** Missing Information

Did you utilize this source during the reporting period?: Yes

Static Water Level (feet below ground surface): 97

Static Water Level (feet below ground surface) Date Measured: 11/01/2023

Pumping Water Level (feet below ground surface): 115

Pumping Water Level (feet below ground surface) Date Measured: 11/01/2023

Pump Depth (feet below ground surface): 700

Pump Depth (feet below ground surface) Date Measured: 11/01/2023

Potable Amount Produced During Reporting Period: 11,665,000.00

Potable Amount Produced During Reporting Period Date Measured: 11/30/2023

Potable Amount Produced During Reporting Period Unit of Measure: Gallons (G)

Total Pump Hours During Reporting Period: Not Available

Average Production Rate During Reporting Period (GPM): 0.00

Instant Flow Rate: 1,200.00

Instant Flow Rate Date Measured: 11/30/2023

Instant Flow Rate Unit of Measure: Gallons per Minute (GPM)

Was this source under curtailment at any point within the reporting period from the State Water Board Division of Water Rights?: No

Comments:

WELL 08

Source Information:

- **Facility ID:** 012
- **Facility Type:** Well
- **Water Type:** Groundwater
- **Facility Availability:** Permanent
- **Activity Status:** Active
- **Well Construction Date:** 01/30/2012
- **Well Depth (feet below ground surface):** 800
- **Fractured Hard Rock Well:** No
- **Water Rights ID:** CA1010042
- **Well Completion Report Number:** e0163231
- **Well Completion Report:** Well Completion Report.pdf
- **Department of Water Resources Site Code Identification Number:** Missing Information

Did you utilize this source during the reporting period?: Yes

Static Water Level (feet below ground surface): 103

Static Water Level (feet below ground surface) Date Measured: 11/01/2023

Pumping Water Level (feet below ground surface): 133

Pumping Water Level (feet below ground surface) Date Measured: 11/01/2023

Pump Depth (feet below ground surface): 790

Pump Depth (feet below ground surface) Date Measured: 11/01/2023

Potable Amount Produced During Reporting Period: 20,553,000.00

Potable Amount Produced During Reporting Period Date Measured: 11/30/2023

Potable Amount Produced During Reporting Period Unit of Measure: Gallons (G)

Total Pump Hours During Reporting Period: Not Available

Average Production Rate During Reporting Period (GPM): 0.00

Instant Flow Rate: 1,200.00

Instant Flow Rate Date Measured: 11/30/2023

Instant Flow Rate Unit of Measure: Gallons per Day (GPD)

Was this source under curtailment at any point within the reporting period from the State Water Board Division of Water Rights?: No

Comments:

TOTAL PRODUCTION DURING REPORTING PERIOD (gallons): 39,695,000.00

SUPPLY & DEMAND

ABOUT

Does your system supply or deliver non-potable water to customers?: No

Does your system supply or deliver recycled water to customers or other water systems?: No

POTABLE SUPPLY

Unit of Measure: Gallons (G)

POTABLE SELF-PRODUCED

Groundwater Production	TOTAL Potable Self-Produced	Preliminary Estimate?
39,695,000	39,695,000	No

POTABLE EXTERNALLY-SOURCED

Bottled Water Reliance	TOTAL Potable Externally-Sourced	Preliminary Estimate?
No	0	No

TOTAL POTABLE SUPPLY

TOTAL Potable Supply	Preliminary Estimate?
39,695,000	No

POTABLE SUPPLY COMMENTS:

POTABLE DEMAND

Do you meter the volume of potable water delivered to your individual customers?: Yes

Unit of Measure: Gallons (G)

POTABLE RESIDENTIAL DEMAND

Residential Single-Family	Residential Multi-Family	TOTAL Residential Demand	Population Served	Residential Gallons per Capita per Day (R-GPCD)	Preliminary Estimate?
1,205,513	92,350	1,297,863	5,979	7.49	No

POTABLE NON-RESIDENTIAL DEMAND

Commercial & Institutional	Metered Irrigation of Commercial, Industrial, or Institutional Landscapes	Industrial	Agriculture	Other Non-Residential Demand	Total Non-Residential Demand	Preliminary Estimate?
8,580,149	0	22,596,080	0	0	31,176,229	No

POTABLE WATER DELIVERED TO OTHER WATER SYSTEM (S)

Volume Sold or Delivered to Other Water System(s)	Sold or Delivered To (Water Systems Only)	Preliminary Estimate?
0		No

TOTAL POTABLE DEMAND

TOTAL Potable Demand	Preliminary Estimate?
32,474,092	No

POTABLE DEMAND COMMENTS:

TOTAL REPORT SUMMARY

POTABLE SUPPLY & DEMAND (IN GALLONS)

TOTAL Potable Supply	TOTAL Potable Demand	Preliminary Supply Estimate?	Preliminary Demand Estimate?	Potable Supply and Demand Difference
39,695,000	32,474,092	No	No	7,220,908

POTABLE SUPPLY & DEMAND COMMENTS:

ESTIMATED POTABLE WATER LOSS

Estimated Potable Water Loss (in gallons)
5,000,000

ESTIMATED POTABLE WATER LOSS COMMENTS: Estimated water loss is calculated from unrecorded water taken from hydrants and un reporting transmitters.

MAXIMUM DAY DEMAND (MDD)

Maximum Day Demand in Gallons (within period)	Maximum Day Demand Date
1,309,000	11/15/2023

MAXIMUM DAY DEMAND (MDD) COMMENTS:

ANNUAL SUPPLY (IN GALLONS)

Month	Groundwater Production	TOTAL Potable Supply
January	51,720,000	51,720,000
February	49,903,000	49,903,000
March	74,923,000	74,923,000
April	36,149,000	36,149,000
May	94,375,000	94,375,000
June	49,177,000	49,177,000
July	45,281,000	45,281,000
August	47,817,000	47,817,000
September	45,185,000	45,185,000
October	51,270,000	51,270,000
November	39,695,000	39,695,000
December		
TOTAL	585,495,000	585,495,000

Month	TOTAL Supply
January	51,720,000
February	49,903,000
March	74,923,000
April	36,149,000
May	94,375,000
June	49,177,000
July	45,281,000
August	47,817,000
September	45,185,000
October	51,270,000
November	39,695,000
December	0
TOTAL	585,495,000

ANNUAL DEMAND (IN GALLONS)

Month	Potable Metered?	Residential Single-Family	Residential Multi-Family	Commercial & Institutional	Metered Irrigation of Commercial, Industrial, or Institutional Landscapes	Industrial	Agriculture	Other Non-Residential Demand	Volume Sold or Delivered to Other Water System(s)	TOTAL Potable Demand
January	Metered	981,148	74,809	3,449,136	0	22,582,798	0	0	0	27,087,891
February	Metered	1,052,473	368,109	5,045,369	0	18,171,553	0	0	0	24,637,504
March	Metered	1,063,233	385,043	4,786,570	0	20,999,945	0	0	0	27,234,791
April	Metered	1,623,283	540,469	226,646	0	15,758,577	0	0	0	18,148,975
May	Metered	2,394,416	668,392	12,527,797	0	26,217,687	0	0	0	41,808,292
June	Metered	2,560,069	758,674	13,535,828	0	23,718,894	0	0	0	40,573,465
July	Metered	2,993,763	1,078,119	14,942,570	0	19,874,606	0	0	0	38,889,058
August	Metered	2,587,786	795,393	14,443,128	0	19,224,078	0	0	0	37,050,385
September	Metered	2,040,951	644,843	11,562,886	0	8,878,956	0	0	0	23,127,636
October	Metered	1,798,445	762,754	10,186,774	0	8,234,155	0	0	0	20,982,128
November	Metered	1,205,513	92,350	8,580,149	0	22,596,080	0	0	0	32,474,092
December										
TOTAL		20,301,080	6,168,955	99,286,853	0	206,257,329	0	0	0	332,014,217

Month	Non-Potable Metered?	TOTAL Demand
January		27,087,891
February		24,637,504
March		27,234,791
April		18,148,975
May		41,808,292
June		40,573,465
July		38,889,058
August		37,050,385
September		23,127,636
October		20,982,128
November		32,474,092
December		0
TOTAL		332,014,217

SUPPLY AUGMENTATION

Please note any source augmentation actions that are in progress during the current reporting period: None

ATTEST

I certify that the information provided is true and accurate under penalty of perjury.

Gabino Gomez

12/06/2023

item 10.b.

Gordon Saito & Co., CPA's LLP
7575 N. Palm Avenue
Suite 205
Fresno, CA 93711
559 2480100

MALAGA CO WATER-ERC
3580 S. FRANK ST.
FRESNO, CA 93725

Client ID: GSC-0635.1

Statement of Account

For the period ending November 30, 2023

Date	Type	Invoice #	Amount	Description
7/24/2023	Invoice	0-2372636	\$ 27,224.25	
		Total Amount Due:	\$ 27,224.25	



Current: \$ 0.00| Over 30: \$ 0.00| Over 60: \$ 0.00| Over 90: \$ 0.00| Over 120: \$ 27,224.25| Total:
\$ 27,224.25

Gordon Saito & Co., CPA's, LLP
7575 N Palm Avenue, Suite 205
Fresno, CA 93711
Phone: (559) 248-0100 Fax: (559) 432-4385

Invoice Date: July 24, 2023
Invoice Number: # 2372636
Client Number: GSC-0635.1

MALAGA CO WATER-ERC
3580 S. FRANK ST.
FRESNO, CA 93725

For professional services rendered for the period ending July 24, 2023

Services related to Employee Retention Credit computation for 2nd Qtr. 2020. Total ERC Credit Refund \$15,108.00	1,510.80
Services related to Employee Retention Credit computation for 3rd Qtr. 2020. Total ERC Credit Refund \$26,209.00	2,620.90
Services related to Employee Retention Credit computation for 4th Qtr. 2020. Total ERC Credit Refund \$57,423.50	5,742.35
Services related to Employee Retention Credit computation for 1st Qtr. 2021. Total ERC Credit Refund \$84,466.20	8,446.62
Services related to Employee Retention Credit computation for 2nd Qtr. 2021. Total ERC Credit Refund \$89,035.80	8,903.58

2% Discount if paid within 30 days otherwise full payment when you get your refund

Total Current Charges	\$ 27,224.25
Prior Balance	\$ 0.00
Payments Received – Thank You	\$ 0.00
BALANCE DUE	<hr/> \$ 27,224.25 <hr/>

WE NOW ACCEPT VISA/MASTERCARD/AMERICAN EXPRESS
.75% per month finance charge added on past due amounts