



## **REGULAR BOARD MEETING MINUTES**

### **BOARD OF DIRECTORS MEETING MALAGA COUNTY WATER DISTRICT**

**3580 SOUTH FRANK STREET  
FRESNO, CALIFORNIA 93725**

**Tuesday, October 25, 2022 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: 6:00 PM**

- 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, Moises Ortiz & Neal Costanzo.**

- 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 11, 2022.

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

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

**Motion by Director Cerrillo, Jr.; Second by Vice President Cerrillo and by a 5-0 vote to add Resolution 10-25-2022 to New Business.**

- 5. Old Business: none for this meeting.**

#### **6. 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 Castaneda and by a 5-0 vote to approve renewal of health care plan under United Health Care.**

- b. **Resolution 10-25-2022.** A resolution authorizing bridge loan from the Rural Community Assistance Corporation for the solar panel project.

Recommended action: To approve Resolution 10-25-2022 as presented or amended.

**Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 10-25-2022 as presented.**

- 7. **Sherriff Report:** Presented by CSO, Elaine Montoya.  
Elaine gave a report on crime around Malaga. Growing concern over homeless moving into the community and surrounding area. Request to add contact name to report homelessness on the November newsletter.
- 8. **Incorporation Reports: Comments reserved for closed session.**
- 9. **Recreation Reports:**  
A total of 15 baskets will be donated by MCWD for the Thanksgiving raffle. Director Castaneda suggests to start preparing for the recreation and staff Christmas dinner.
- 10. **Engineer Reports:**
  - a. District Engineer Report. None for this meeting.
  - b. CDBG Engineer Report: None for this meeting.
- 11. **General Manager's Report:**
  - a. Malaga Park walking path.
  - b. Bill sent to HSR for administrative work.
  - c. 19 accounts under SPR that have not paid deposit.
  - d. Will add to November newsletter information regarding mental health services.

**Director Cerrillo, Jr. asked the GM if restroom could be open during outside park rentals. The GM will arrange to have them open.**
- 12. **President's Report:**  
President Garabedian, Jr. reported on the current news update on City of Fresno's Mayor, Jerry Dyer. The mayor misspoke regarding the annexation of the community of Calwa.
- 13. **Vice President's Report:**  
Vice President Cerrillo requests that there be a DJ for all recreation events to follow the itinerary and be able to make announcements.  
  
As conversation was gearing towards recreation, President Garabedian, Jr. suggested to have a recreation workshop Nov. 1<sup>st</sup> at 5:30pm at the Arriaga Community Center. Unanimous decision.
- 14. **Director's Reports:**  
Director Castaneda suggests that the GM gather event financials to present at the Nov 1 recreation workshop.

**15. Legal Counsel Report: reserved for closed session.**

**16. Communications:**

a. Written Communications:

1. Notice from San Joaquin Valley Air Pollution Control District of new requirements under AB 2588, the Air Toxics “Hot Spots” Information and Assessment Act of 1987.

**Legal Counsel to check if the district will have any exemptions. The GM will be applying to grants to replace the generator.**

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.*

**17. Closed Session: 7:45pm**

- a. Conference with real property negotiators (Government Code section 54956.8)  
District Negotiator: Moises Ortiz; Neal E. Costanzo  
Property: Easement across a portion of WWTF  
Other negotiating party: California High Speed Rail Authority
- b. Pending Litigation (Government Code Section 54956.9) Malaga County Water District v. Fresno Unified School District; Fresno County Superior Court case no. 21CECG02198.
- c. Personnel. General Manager contract (Government Code Section 54957).
- d. Personnel: Position Chief Plant Operator

**18. Adjournment:**

**Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 8:47p.m.**

**Certification of Posting**

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing minutes for the Regular Meeting of the Board of Directors of October 25, 2022 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 11/9/2022.

**Norma Melendez**

Norma Melendez, District Clerk