



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, January 26th, 2016 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 CORRESPONDENCE FOR THE DISTRICT BOARD OF DIRECTORS MEETING PRIOR TO THE MEETING, WITH A COPY TO THE DISTRICT OFFICE, (DEADLINE: 12:00PM FRIDAY PRIOR TO NEXT MEETING).

1. Call to Order:

2. Roll Call:

2A. Directors present: President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

2B. Legal Counsel Michael Slater, Laurie Cortez and James Anderson.

3. Certification: Certification is made that the Board Meeting Agenda was posted 72 hours in advance of the meeting

4. Consent Agenda. The following Consent Agenda items are routine matters 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 Tuesday, January 12th, 2016

b. California CAD Solutions renegotiated their proposal in 2014 to provide GPS surveying and CAD mapping of District assets from \$24,750 to \$12,327.50. Fresno State engineering interns will continue to assist on a limited basis.

c. The Fresno County Department of Public Health requested the use of the Rec Center facilities to hold a rabies clinic on 24 February from 4-6:30 PM.

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

Motion by Vice President Cerrillo, Seconded by Director Castaneda, And by a 5-0 Vote, Approved the Minutes of the Consent Agenda as presented

5. Old Business:

- a. **Public Hearing on Proposed New Water and Sewer Rates and Consideration and Necessary Action on Resolution 01/26/2016 Approving the Proposed New Rates.**

Pursuant to the requirements of Proposition 218 (California Constitution Article XIII (D)), notice of this public hearing was given by mail on or about December 1st, 2015 in English and Spanish. A copy of the Notice and the rate study are included in the agenda packet. Resolution 01/26/2016 would approve the proposed water and sewer rates as set forth in the public notice, effective February 1, 2016.

Recommended Action: Conduct the Public Hearing and determine the number of protests and whether the number of protests received constitutes a majority protest. If the number of protests received does not constitute a majority protest, then adopt Resolution 01/26/2016.

Motion by Vice President Cerrillo, Seconded by Director Cerrillo, and by a 4-1* Vote, adopted Resolution No 01/26/2016, as submitted.

*Director Tovar – Noes

- b. **Memorandum of Understanding between the Malaga County Water District, the City of Fresno, LAFCo, and Fresno County to provide water service north of North Avenue.** A number of requests to MCWD from property owners north of North Avenue for residential and commercial water service resulted in an agreement by this MOU for MCWD to provide those services until the City of Fresno is able to.

Recommended action: To approve the Memorandum of Understanding.

Motion by Director Tovar, Seconded by Director Castaneda, and by a 5-0* Vote, approved the Memorandum of Understanding

6. New Business:

- a. **Resolution No. 01-26-2016A.** A Resolution of the Board of Directors of the Malaga County Water District adopting and amending the Malaga County Water District Master Schedule of Fees, Charges, Penalties, and Recovered Costs. The new water, sewer, and recreation center rental fees are adopted by the Resolution and effective 1 February 2016.

Recommended Action: To approve and adopt Resolution No. 01-26-2016A.

Motion by Vice President Cerrillo, Seconded by Director Cerrillo, and by a 4-1* Vote, adopted Resolution No 01/26/2016, as submitted.

*Director Tovar – Nay

7. Regular Business: No regular business reports for this meeting.

- a. Accounts Payable:
- b. Financial Statement:
- c. Recreation Reports:
 - 1) Events Coordinator:
 - 2) Sports Coordinator:

No regular business reports for this meeting.

8. Engineer Reports:

- a. District Engineer Report.

Development:

1. 2771 E. Malaga Ave, APN 330-212-09

The development is proposed by Danco Construction. The property has been annexed to the District. Updated improvement plans meet District requirements and have been approved.

Recommendation: Monitor construction and obtain record drawings.

2. Proposed Trucking Park Yard, 3111 S Chestnut Ave

Initial utility plans have been submitted to the District for review several times. Comments have been returned to the applicant.

Recommendation: No action.

Miscellaneous:

The District has received inquiries from other properties regarding potential water and/or sewer services. No additional formal applications for service have been received.

WWTP:

Work is proceeding with preparation of improvement plans for sludge flowmeters, a replacement of DAF equipment, and modification of air pipelines.

Work is proceeding with preparation of a Toxicity Reduction Evaluation Workplan as required by the RWQCB.

- b. CDBG Engineer Report: No report for this meeting.
- c. Compliance Engineer Report: No report for this meeting.

9. General Manager's Report:

- a. Department Reports
 - 1) Break-in through fence at water department; tractor battery stolen
 - 2) Well 8 motor heater wiring.
 - 3) Gordon Saito, CPA. Preparing proposal for financial management review.

10. President's Report:

Discussed meetings to change City of Fresno boundary to not overlap with MCWD SOI. Discussed need to make sure meeting agenda is posted on the website 72 hrs in advance of the meeting.

11. Vice President's Report:
No reportable comments.

12. Director's Reports:
Irma Castaneda requested a survey of non-working street lights.

13. Legal Counsel Report:
No reports for this meeting.

14. Communications:

a. Written Communications:

Public Comment Limitations. All Comments will be limited to three (3) minutes or less per individual per item, with a fifteen (15) minutes maximum per group per item.

15. Closed Session:

- a. Conference with Legal Council: Government Code Section 54956.9- Malaga County Water District v Central Valley Regional Water Quality Control Board.
A discussion was held, no reportable action was taken.
- b. Conference with Real Property Negotiator; Government Code Section 54956.8
A discussion was held, no reportable action was taken.

16. Adjournment:

Meeting adjourned at: 7:41PM

Motioned By Director Cerrillo , Seconded By Director Tovar