



## REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING  
MALAGA COUNTY WATER DISTRICT  
3580 SOUTH FRANK STREET  
FRESNO, CALIFORNIA 93725  
Tuesday, May 10, 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: 6:00PM

2. **Roll Call:** President Charles Garabedian, Jr.; Vice President Salvador Cerrillo; Director Irma Castaneda; Director Frank Cerrillo, Jr.; Director Carlos Tovar, Jr.

**All present. Late arrival of VP Cerrillo (6:03pm)**

**Also present: Neal Costanzo and Norma Melendez**

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

### 4. Old Business:

- a. **Solar Project Financing.** First Foundation has informed the District that due to a high volume of financing they will not be able to process our Purchase Sale Agreement financing as set forth on the prior term sheet. The new closing date will be July 8, 2022. The interest rate will be locked until that date and all other terms and conditions previously approved by the Board are unchanged.

Recommended Action: approve the amended Term Sheet and authorize the General Manager to proceed with the application process.

**Motion by Director Cerrillo, Jr.; Second by Director Castaneda and by a 4-0 vote to approve amended Term Sheet to lock interest rate.**

### 5. New Business:

- a. **Resolution No. 05-10-2022.** A resolution adopting and amending Malaga County Water District Master Schedule of Fees, Charges, Penalties and Recovered Costs.

Recommended action: to approve Resolution No. 05-10-2022 as presented or amended.

**Item tabled. Clarification needed from the District Engineer to see if the proposed rate aligns with Provost and Pritchard Engineering Services rates. Follow up in the next board meeting.**

- b. **Resolution No. 05-10-2022A.** A resolution ordering an even-year board of directors' election; consolidation of elections; and specifications of the election order.

Recommended action: to approve Resolution No. 05-10-2022A as presented or amended.

**Motion by Director Castaneda Second by Vice President Cerrillo and a 5-0 vote to approve Resolution No. 05-10-2022A as presented.**

- c. **CDBG 21451.** The District has been awarded \$250,000 in CDBG funds through Fresno County for Nitrogen Reduction at the Malaga Wastewater Plant. An Agreement is required with the County to secure the funds.

Recommended action: To approve the Agreement with Fresno County and authorizing the General Manager to sign the Agreement and submit reimbursement requests to the County.

**Motion by Vice President Cerrillo Second by Director Tovar, Jr. and by a 5-0 vote to approve Agreement with Fresno County and authorizing GM to sign the Agreement and submit reimbursement requests to the County.**

**6. Incorporation Reports:**

**President Garabedian, Jr. had a meeting with Supervisor Brandau and spoke to Supervisor Mendez about potentially scheduling a meeting to discuss Malaga's incorporation.**

**7. Recreation Reports:**

**Director Castaneda reported the recreation committee held a meeting on May 9 to discuss the Mother/Father's Day program. Food and raffles are arranged.**

**Vice President Cerrillo reports that beverages secured.**

**8. Engineer Reports:**

- a. District Engineer Report. **None.**
- b. CDBG Engineer Report: **none.**

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

- a. Proposed city annexation within MCWD SOI
- b. **Gazebo currently under construction**
- c. **Dates for track repairs and parking lot resurfacing**
- d. **Repairs complete for teen room and gutters**
- e. **Use of the side room to resume**

**10. President's Report:**

**After meeting with Fresno County, EOC and Public Works representatives, President Garabedian, Jr. was left with the feeling that they are not for Malaga's incorporation, but their own project needs. Gave direction to Legal Counsel to draft a letter to LAFCO stating that the district will seek incorporation under special legislations.**

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

**Vice President Cerrillo attended a meeting with CalTrans regarding traffic control on Central Ave. He will also follow up with the GM regarding weekend staff at the park. He**

also informed the directors that there was a COVID case at ACWA and to watch out for symptoms.

**12. Director's Reports: none.**

**13. Legal Counsel Report: none.**

**14. Communications:**

a. Written Communications:

1. **Flyer.** The San Joaquin Valley Air Pollution Control District will host a lawnmower trade-in event on May 14.

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.*

**Maria Castaneda and Carmen Armenta, members of the recreation committee, expressed their gratitude towards the General Manager. They stated that he gives a lot of positive reinforcement to the group, and he supports the committee in any way possible to help bring a program to life. They have a high level of respect for him.**

**15. 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 April 12, 2022 and Regular Board Meeting of April 25, 2022.
- b. Financial Statements and Accounts Payable Reports.

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

**Motion by Vice President Cerrillo; Second by**

**16. Closed Session: 7:16pm**

- a. Potential Litigation. Government code section 54956.9(d)(2).  
**No reportable action.**

**17. Adjournment:**

**Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 8:05pm.**

#### **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 May 10, 2022 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 05/25/2022.

Norma Melendez