



REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK STREET
FRESNO, CALIFORNIA 93725
Tuesday, February 22, 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: 6:01pm

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

All present. Director Tovar, Jr. present via phone call.

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. **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 February 8, 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 consent agenda as presented.

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

6. **New Business:**

a. **Resolution 02-22-2022; SJVAPCD Electric Vehicle Grant.** A Resolution authorizing the General Manager to submit an application to the San Joaquin Valley Air Pollution Control District Public Benefit Grants Program for two new electric utility carts.

Recommended action: to approve resolution as presented or amended.

Motion by Director Cerrillo, Jr.; Second by Vice President Cerrillo and by a 5-0 vote to authorize the general manager to submit the application to SJVAPCD for the purchase of one electric utility car and to approve resolution 02-22-2022 as presented.

- b. **Resolution 02-22-2022A: CDBG 19451 Fire Hydrant Project.** A resolution to award the contract for the Fire Hydrant Replacement Project to Brough Construction, Inc. in the amount of \$258,916.00 and authorizing the General Manager to sign the Agreement on behalf of the district.

Recommended action: To approve Resolution 02-22-2022A as presented or amended.

Boards pleasure is to revise agenda item, awarding contract to Brough Construction in the amount of \$445,379.00, to authorize the general manager to sign the agreement on behalf of the district and approve resolution 02-22-2022A.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote.

- c. **Retirement Plan.** Under the current plan with Newport, the District has made contribution of 10% of the employee annual income towards the retirement plan, but employees are not able to make any contributions. Fisher Investments have prepared a 401k plan for employees, which would give employees the opportunity to make contributions.

Recommended action: to authorize the General Manager to sign the agreement with Fisher Investments.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the general manager to sign the agreement with Fisher Investments and to approve resolution 02-22-2022B.

7. Incorporation Reports: none for this meeting.

8. Recreation Reports:

- a. Park and rec upgrades proposal by KYA Group. **Awaiting proposal.**
- b. **The next recreation committee meeting will be 3/7/2022 and the recreation bingo will be 3/9/2022. Hamburgers will be served. Director Castaneda needs the deep fryer to be ordered so they can see if it will be useful for the preparation of fries for rec. bingo.**

9. Engineer Reports:

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

10. General Manager's Report:

- a. Concrete upgrades at the park. **President Garabedian, Jr. suggested to have a meeting with the GM and VP Cerrillo on 3/1/22 to walk around the park and discuss future projects.**
- b. ACWA Sacramento May 3-5. **Conference and accommodations have been reserved for the board members.**

11. President's Report: President Garabedian, Jr. requested to move the 2nd meeting of the month from March 22 to March 24. All directors were okay with this change.

12. Vice President's Report: Former mattress recycler that was located on Muscat/Willow is now located on Central Ave. Anyone can discard their mattress at this location free of charge. If you drop off multiple mattresses, you may be compensated up to \$15.00 per day. VP suggested a flyer be distributed in the community, so they are aware of this recycling company.

13. Director's Reports: none for this meeting.

14. Legal Counsel Report: comments reserved for closed session.

15. Communications:

a. Written Communications:

1. Malaga/ Calwa Virtual Community Meeting on Thursday, February 24 at 6:00pm to discuss CalTrans Hwy 99/North Ave Overpass Expansion.
2. **SDRMA 2022-23 Property/Liability Early Budget Estimates.** The District's Property/Liability estimated contribution will increase from \$76,191 to \$79,498 effective July 1, 2022.
3. **SDRMA 2022-23 Workers Compensation Experience Modification Factor.** The District's EMOD is 71% which can help with budget planning.

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.*

1. **MCWD staff presented a letter to the board of directors regarding options to settle the health insurance in-lieu of benefits item.**

16. Closed Session: 7:41pm

- a. Public Employment Pursuant to Government Code Section 54957
Title: General Manager
- b. Pending Litigation (Gov't Code Section 54956.9) Malaga v CVRWCQB

Nothing to report.

17. Adjournment:

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 8:38pm.

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 February 22, 2022, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 03/09/2022.

Norma Melendez

Norma Melendez, District Clerk