



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, September 10, 2024 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. Old Business: None for this meeting.

5. New Business:

- a. **Well 5A-County of Fresno Agreement A-24-186.** Bids for Well 5A were received August 7, 2024. A canvass of bids had been sent to the County of Fresno and MCWD previously. The County of Fresno is considering the request for authorization to reallocate bid item budgets and award the project.

Recommended Action: Award the project to Steve Dovali Construction pending approval from the County of Fresno.

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

- b. **Lead Service Inventory.** The Division of Drinking Water requires all water systems submit a Lead Service Inventory no later than October 16, 2024. Task Order 24-03 for the purposes of assisting MCWD to prepare the Lead Service Inventory is prepared for MCWD consideration.

Recommended Action: To authorize Task Order 24-03.

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

- c. **Sewer System Management Plan.** The Regional Water Quality Control Board requires all sewer systems to update the Sewer System Management Plans (SSMPs) pursuant to the new General Order. A Task Order for the purposes of assisting MCWD to prepare the update to the Sewer System Management Plan is prepared for MCWD consideration.

Recommended Action: To authorize Task Order 24-04.

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

- d. **Infrastructure Master Plan.** The draft Infrastructure Master Plan is recommended to be finalized. Comments from neighboring agencies have been received and regulatory requirements are updated from the time frame that the draft Master Plan was prepared. A Task Order for the purposes of finalizing the draft Infrastructure Master Plan is prepared for MCWD consideration.

Recommended Action: To authorize Task Order 24-05.

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

6. Recreation Reports:

7. Engineer Reports:

- a. District Engineer Report. *For information purposes only.*
 - i. **General.** Appointments are scheduled with several commercial customers to review the impact of sewer unit assignments to the connections. Appointments are also scheduled with several commercial customers to review the impact of the groundwater sustainability charges to the connections.
 - ii. **Construction Projects. Well 3A and Tank 1.** The project is funded with a Grant from DWR. Construction activities are proceeding. It is expected that completion of the project will be mid-year 2025. Construction of the water storage tank is near completion. A bridge loan from RCAC is in place for interim financing of the construction activities.
 - iii. **Progress Report- Comunidad Nuevo Lago (formerly Shady Lakes) Mobile Home Park Consolidation Project.** P&P is currently preparing a Preliminary Engineering Report for the Comunidad Nuevo Lago MHP Consolidation Project. Comunidad Nuevo Lago MHP is a small mobile home community with sewer system compliance issues. The MHP meets requirements for sewer consolidation. The MCWD WWTF also needs updates before being able to consolidate with the MHP. The goal of the project is to submit a CWSRF construction application that will lead to improvements for the District's WWTF (part 1) and to consolidation between the CWD and the MHP (part 2). SHE, P&P, and CCCD met for a site visit at the MHP in June. The team took a tour of the wastewater facilities and gathered information and details to begin work on the PER. At present, the mobile home park would be an out-of-district service, which would require approval from LAFCo.
 - iv. **Well Destruction Plan.** In accordance with the authorized Task Order, work is proceeding for the Well Destruction Plan for Wells 1 and 4.
 - v. **Consumer Confidence Report for 2023.** In accordance with the authorized Task Order the Consumer Confidence Report (CCR) for 2023 has been prepared and submitted to the MCWD for processing.
- b. CDBG Engineer Report: None for this meeting.

8. General Manager's Report:

9. President’s Report:

10. Vice President’s Report:

11. Director’s Reports:

12. Legal Counsel Report:

13. 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 August 27, 2024.
- b. Accounts Payable and Financial Statement Report.

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

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

14. 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.*

15. Closed Session:

a. Potential Litigation. (Government Code 54956.9(d)(1).).

16. 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 September 10, 2024 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 09/06/2024.

Norma Melendez, District Clerk



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 - FAX: 559-485-7319

BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR. PRESIDENT SALVADOR CERRILLO VICE-PRESIDENT IRMA CASTANEDA DIRECTOR FRANK CERRILLO JR. DIRECTOR CARLOS TOVAR JR. DIRECTOR

County of Fresno
ARPA SLFRF Coordinator
2281 Tulare Street, Room 304
Fresno, CA 93721

**RE: Malaga County Water District
Malaga County Well Project (Well 5A) Agreement No. 24-186 Bid Summary and
proposed Line-Item Budget Adjustment**

The bid opening for the Malaga County Water District (MCWD) Well 5A Improvements Project was held on Wednesday August 7, 2024, at 2:00 p.m. at the office of the Malaga County Water District located at 3580 S. Frank Ave, Fresno CA 93725. Four bids were received and opened; we have reviewed the bids, and a summary of our review is provided below for consideration by the County of Fresno. A copy of the bid package from the apparent low bidder will be provided to County under separate cover.

Review of Bid Packages:

Bids were received from the following contractors: Steve Dovali Construction, Inc., HPS Plumbing Services, Inc., West Valley Construction, and Koch and Koch Inc. The bid packages have been reviewed to determine if all required documents were included. The apparent low bidder, Steve Dovali Construction, Inc., included all required bid documents and is therefore considered the lowest responsive bidder.

Evaluation of Bids:

A summary of the bids received is provided in the attached canvass of bids (**Exhibit A**). The bid documents state that if the total cost of any item or the total Base bid is inconsistent with the Unit Cost, the Unit Cost shall prevail. The bid schedule was reviewed and checked accordingly for mathematical errors. The total bid amount provided by Steve Dovali Construction, Inc., did not contain any errors.

The bid documents state that the project will be awarded to the lowest responsive bidder based on the Well 5A **base bid**. The total base bid amount received from each bidder is listed below:

Bidder	Base Bid Amount
Grant Budget for Construction Well 5A	\$3,500,000.00
Steve Dovali Construction, Inc.	\$3,233,052.00
HPS Plumbing Services, Inc.	\$4,115,220.00
West Valley Construction	\$3,472,130.00
Koch and Koch, Inc.	\$3,925,873.00

Add Alternative Bid Items:

The District would like to add to the project the Add Alternative item A-1, if authorized by the County. See the below breakdown of the apparent low bidder Add Alternative A-1:

Bidder	Add Alternatives Bid Amount
F&I Generator and Automatic Transfer Switch	\$467,897.00

Project Budget:

The construction line item in the funding agreement (Agreement No. 24-186) for the Project totaled **\$4,329,561.33**. This cost included project administration, final design and environmental documentation, contract services, construction administration, construction, and operation and maintenance manual creation. Below is a breakdown of the funding agreement budget:

Well 5A Breakdown

<i>Current Funding Breakdown</i>	
Task 1: Final Design and Final Environmental Review	\$ 177,693.00
Task 2: State Department of Drinking Water Advertisement	\$ 14,668.00
Task 3: Construction	\$ 3,500,000
Task 4: Construction Administration	\$ 39,712.00
Task 5: Construction Review	\$ 200,000.00
Task 6: Operations and Maintenance Manual	\$ 13,970.00
Task 7: Funding Administration	\$ 30,000.00
Task 8: Project Management	\$ 50,000.00
Task 9 Project Contingency	\$ 303,518.33
Current Funding Agreement Total:	\$ 4,329,561.33

The lowest responsive base bid is **\$3,233,052.00**. The amount allowed in the current funding agreement is **\$3,500,000.00**. This yields a net availability of \$266,948.00. The total bid with add alternatives is **\$3,700,931.00**. The construction contingency amount in the funding agreement is \$303,518.33. It is requested to move funds from the construction contingency line item to the construction line item, in order to install the Generator at the Well site. This would leave **\$102,587.33** in the contingency and would not require a change to the funding agreement budget.

Please see the suggested revised Funding Breakdown below:

<i>Updated Well 5A Funding Breakdown based on Bid Results and Scope Amendment</i>	
Task 1: Final Design and Final Environmental Review	\$ 177,693.00
Task 2: State Department of Drinking Water Advertisement	\$ 14,668.00
Task 3: Construction	\$ 3,233,052.00
Total Additive Bid Item 1A	\$ 467,897.00
Task 4: Construction Administration	\$ 39,712.00
Task 5: Construction Review	\$ 200,000.00
Task 6: Operations and Maintenance Manual	\$ 13,970.00
Task 7: Funding Administration	\$ 30,000.00

Task 8: Project Management	\$ 50,000.00
Task 9 Project Contingency	\$ 102,587.33
Total Funding Required:	\$ 4,329,561.33
Total Grant currently	\$ 4,329,561.33
Total Additional Funds Needed	\$ 0

If the County authorizes the adjustment of budgets for Tasks 3 and 9, MCWD can proceed with award of the contract. Please note that the bids are time-sensitive and the Construction Documents state that award would be made within 60 calendar days from the bid opening.

Project Schedule:

Per the executed funding agreement, “Task 3: Construction” end date is December 31, 2026 for the Project (Agreement No. 24-186). Construction schedule noted in the bid documents is 400 days from the date of the Notice of Proceed. There is no request for an extension to the schedule at this time.

Attachment: Exhibit A, Canvass of Bids
Complete Bid Package of Steve Dovali Construction

**TASK ORDER 24-03
MALAGA COUNTY WATER DISTRICT**

Between Malaga County Water District (District) and Provost & Pritchard Consulting Group (Consultant).

SCOPE OF WORK

It is understood that the State Water Resources Control Board Division of Drinking Water (DDW) requires the District to prepare a Lead Services Inventory by October 16, 2024. The District will be required to continue to update the Lead Services Inventory beyond October 16, 2024. Essentially, every water service needs to be listed by address and the material of the water service needs to be classified as either Lead, Galvanized, Galvanized Requiring Replacement, Non-Lead (Copper, Plastic, Other), and Lead Status Unknown. Unless each water service can be field verified, an approved workplan is required prior to using any alternative methods to prepare the inventory. It is proposed that Provost & Pritchard is retained on a time and materials basis to perform the basic services described below.

Phase – Lead Services Inventory

- Review current water system account list
- Populate Lead Service Line Inventory Template with service line data available from the water meter project installations
- Determine means of identifying customer side service line materials
- Identify potential funding sources for additional investigation of service line materials, as needed
- Prepare a workplan to identify remaining service line inventory, for State approval
- Submit to the District for review
- Finalize and submit to DDW

Once prepared, the Plan may be utilized to seek funding assistance for additional service line inventory investigation.

SCHEDULE

Once we receive the signed contract and are authorized to proceed, we will begin work. Provost & Pritchard will prepare and submit the initial Lead Service Line Inventory for submittal within five (5) weeks of authorization.

FEES

Estimated fees to prepare the initial inventory and workplan for remaining services inventory, and submit to the State is \$5,000.

Malaga County Water District

Provost & Pritchard Consulting Group

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

TASK ORDER 24-04
MALAGA COUNTY WATER DISTRICT

Between Malaga County Water District (District) and Provost & Pritchard Consulting Group (Consultant).

SCOPE OF WORK

It is understood that the State Water Resources Control Board issued a letter to the District dated April 10, 2023, stating that the Malaga CWD system is subject to the Statewide General Order 2022-0103-DWQ.

The following items are understood to be complete or that no assistance is requested:

- Malaga County Water District continues to submit monthly spill reports to the State and the identification of responsible parties is current.
- Malaga County Water District will identify a Legally Responsible Official for the system in accordance with Section 5.1 of the General Order.

It is proposed that Provost & Pritchard is retained on a time and materials basis to perform the basic services described below.

Phase – Sewer System Management Plan (SSMP) Update

Update the SSMP in accordance with Section 5.2 of the General Order (May 31, 2025, deadline)

This task would consist of updating the existing SSMP with additional requirements of the new General Order and incorporating comments from Malaga County Water District regarding the existing SSMP. The updated SSMP would be submitted to Malaga County Water District for approval and certification. The District would then upload the updated SSMP to CIWQS.

Assist the District with performing the Internal Audit of the SSMP in accordance with Section 5.4 of the General Order (July 1, 2025, deadline).

Assist the District to designate Data Submitters per Section 5.8 of the General Order.

Assist the District with updating the Spill Emergency Response Plan in accordance with Section 5.12 and Attachment D, Section 6 of the General Order (November 30, 2024, deadline).

Assist the District with preparation of the initial Annual Report, and that the report shall include a 10-year system performance analysis per Section 5.11 of the General Order.

Prepare an Electronic Sanitary Sewer System Service Area Boundary Map in accordance with Section 5.14 of the General Order (July 1, 2025, deadline).

Please provide the following information to facilitate preparation of the updates:

- Any history of spills from the system
- Any comments or corrections to the previous SSMP
- Capital and Operational budget for the sewer system
- Records of sewer main flushing
- Age and condition of lift station pumps

SCHEDULE

Once we receive the signed contract and are authorized to proceed, we will begin work. Provost & Pritchard will prepare and submit the SSMP Update for submittal within six (6) weeks of authorization.

FEES

Estimated fees to prepare the SSMP Update and submit to the State is \$5,300.

Malaga County Water District

Provost & Pritchard Consulting Group

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

TASK ORDER 24-05
MALAGA COUNTY WATER DISTRICT
Infrastructure Master Plan Update

Between Malaga County Water District (District) and Provost & Pritchard Consulting Group (Consultant).

SCOPE OF WORK

The Malaga County Water District had prepared a draft Infrastructure Master Plan in January 2022. The draft was distributed to several public agencies for review and comment. Comments from all agencies were received and need to be incorporated to a final document. A significant comment was to scale back the geography of the master planned area to the existing sphere of influence. Anticipated water and sewer infrastructure requirements beyond the existing sphere of influence would be defined as conceptual infrastructure if proposed development would be served by Malaga County Water District. In addition, regulatory requirements have changed since 2022. A Surface Water Supply Agreement between Malaga County Water District and Fresno Irrigation District has now been executed. Additional updates include recent funding assistance agreements and capital improvement projects since 2022. Further, the Comunidad Nuevo Lago Mobile Home Park (formerly called the Shady Lakes Mobile Home Park) has triggered a Technical Assistance Grant for planning services to investigate sewer service from Malaga County Water District. Finalizing an Infrastructure Master Plan will be beneficial for subsequent actions associated with pursuing property for water and wastewater facilities, pursuing funding for water and sewer infrastructure projects, and proposing zoning and land use designations for properties that may be required to support development in the sphere of influence of the Malaga County Water District. It is proposed that Provost & Pritchard is retained on a time and materials basis to perform the basic services described below.

- Review the draft Infrastructure Master Plan
- Update the Master Plan in response to comments received from neighboring public entities
- Update the Master Plan consistent with recent regulatory updates
- Update the Master Plan consistent with recent funding assistance agreements and with recent capital improvement projects
- Update the Master Plan consistent with recent proposed development activity
- Submit to the MCWD for review and comment
- Finalize and submit to MCWD for adoption

Once prepared, the Plan may be utilized to seek funding assistance for improvements or planning activities consistent with the Infrastructure Master Plan.

SCHEDULE

Once we receive the signed contract and are authorized to proceed, we will begin work. Provost & Pritchard will prepare and submit the initial Infrastructure Master Plan for submittal within eight (8) weeks of authorization.

FEES

Estimated fees to finalize the Infrastructure Master Plan, and submit to the MCWD for adoption is \$12,300.

Malaga County Water District

Provost & Pritchard Consulting Group

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, August 27, 2024 at 6:00PM

item 13.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: 6:00pm

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 August 13, 2024.
- b. Voter Education Room Rental.

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

The board selected item 4.b. for further clarification on the potential rental, wanting to learn the purpose of the rental and what dates they were interested in. Staff replied that the purpose of the rental is to provide the community with voter education as the upcoming election is coming close. Clarification was provided, stating that the room the group is interested in is the side room and the date for the rental has not been provided yet as they wanted to solidify a place before selecting dates. The group is aware that they will have to check with the district office for date availability to ensure the date they want will be available. As this is a non-profit organization, fees will be waived. Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve the consent agenda as presented.

5. Old Business: None for this meeting.

6. New Business: None for this meeting.

7. Recreation Reports:

Director Castaneda reported there was a yard sale at the park on Friday the 23rd. There was a good turn out and the Recreation Committee sold out on the food items they were selling.

Vice President Cerrillo reported that Latin Connection has been hired to provide entertainment during Fiesta Day. He is currently inquiring about hiring another entertainment group for the event, hoping they offer a good price. Trophies for the car show have been ordered. He also reported to the board that the recreation committee decided to have the Halloween program and dance on October 26. The dance will be held outside.

8. Engineer Reports:

a. District Engineer Report. **Legal Counsel, Michael Slater, reported that Fresno County needed some clarification for the Well 5A project. He hopes this is the last step before the district begins receiving reimbursements for the project.**

b. CDBG Engineer Report:

i. Update on CDBG 25-26 Application. **Legal Counsel, Michael Slater, reported that he received feedback from the CDBG Engineer who stated that with the initial calculations, the district's out-of-pocket contributions could be up to \$800,000 for the pond scraping project.**

Public comment: A member of the public expressed his concern over the districts out-of-pocket contribution for the CDBG project. President Garabedian, Jr. mentioned that number is just a calculation, and the hope is that it does not have to come to that.

9. General Manager's Report:

President Garabedian, Jr. reported he had an ad-hoc committee meeting with select district staff. This ad-hoc committee is a way to get staff involved in making revisions and updates to policies and information pertaining to employees. The next meeting has been scheduled for October 7. The President also reported that a staff meeting has been scheduled for August 28 at the District Office. In this meeting, staff will be notified that their pension has been funded.

Vice President Cerrillo reported to the board that the pool season will end on September 2. Once the pool is officially closed, it will be time to make repairs, upgrades and anything the district must do to keep the pool compliant with the County code. The Vice President also updated the board that the water shop continues to be without power due to the well project. He hopes power gets restored sooner than later so staff can clean up the water shop.

10. President's Report: Reported under GM report.

11. Vice President's Report: Reported under GM report.

12. Director's Reports:

Director Castaneda noticed dead trees at the park. She suggests removing those trees before Fiesta Day. President Garabedian suggested contacting Tree Fresno as they could potentially donate trees to replace the dead trees.

13. Legal Counsel Report:

14. 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.*

1. Pete Maldonado. Use of recreation center for wrestling practice.
Did not attend meeting.
2. **Miguel Alvarez asked when the accounts payable report be available as it was not available in the meeting of August 13. The President and Legal Counsel mentioned the report is not ready yet the Districts accounting company is currently updating and re-structuring how the report is being presented to the board.**

15. Closed Session: 6:38pm

- a. Potential Litigation. (Government Code 54956.9(d)(1).).
No reportable action

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Cerrillo and by a 5-0 vote to adjourn the meeting at 7:39pm.

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 August 27, 2024, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 09/11/2024.

Norma Melendez, District Clerk