



REGULAR BOARD MEETING MINUTES

BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, October 08, 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: 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. Director Castaneda was present via phone due to illness.

Also present: Norma Melendez and 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 September 24, 2024.
- b. Accounts Payable Report.
- c. SPR 8400, 3746 S. Calvin Ave Will Serve Letter

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

Motion by Director Tovar, Jr.; Second by Vice President Cerrillo, to approve the consent agenda as presented.

5. Old Business:

- a. **Continued from the last board meeting. Consideration and necessary action to determine whether to retain the concrete foundations for the light poles being removed as bollards or remove them to use the space for landscaping.** When the new solar panels are installed at the park, two parking lot light poles will be removed leaving the round concrete posts (Approximated 30 inches in height and 18 inches in diameter) between the parking spaces. These can be kept in place as bollards or removed. It is recommended that they be removed and replaced with landscaping to match the surrounding area. Additionally, if the posts remain in place they may attract graffiti or may pose a danger to the public by children playing on or around them in the parking lot.

Recommended action: to remove and replace concrete foundations with landscaping to match the surrounding area.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to not remove the bollards.

- b. **WWTF Tree Removal.** Continued from the last board meeting. Consideration and necessary action authorizing the Acting General Manager to conduct a survey of trees at the WWTF for potential removal and to remove any trees that are deemed hazardous, sick, or no longer needed or desirable. During the last couple of winters, several trees at the WWTF have had branches break requiring urgent removal of the broken branches and in some cases pruning of the damaged trees. It has since been observed that several of the trees at the WWTF are diseased, old, or otherwise in poor condition and represent a hazard, or at the very least, no longer provide any significant amount of shade. Some of these trees are near the location of the proposed solar panels to be constructed in the next few months. These trees could pose a risk of damage to the new solar panels. It is recommended that the Board authorize the acting General Manager to have the trees evaluated and removed if the General Manager determines that it is in the best interests of the District to have them removed, in an amount not to exceed \$6,700.00

Recommended action: to authorize the acting General Manager to evaluate and remove the trees at their discretion. Amount shall not exceed \$6,700.00.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 5-0 to contract Rod's Landscaping and approve quote of \$6,700.00 for the removal of trees at the WWTF.

- c. **CDBG Project No. 21451, WWTF Nitrogen Reduction Project.** The Districts request for an extension on the Project due to having to re-bid the project multiple times was not approved by the County of Fresno. The current bid, if awarded, would exceed the grant by \$80,000-\$136,000. However, there are other CDBG projects in the same funding round with the Project that are not going to be completed potentially making additional funding available to Malaga. The County CDBG funding committee is meeting on October 16, 2024, to re-allocate the unused funds. Even with the potential new funding, the District will have to contribute to the Project to ensure that it is completed. The County of Fresno staff has requested that Malaga pledge funds for the completion of the Project to reflect Malaga's commitment to the completion of the Project. The funds would be required to be available in the second quarter of 2025. Therefore, staff is recommending that the Board pledge to create a restricted fund account, with an initial amount of \$50,000, to be used for the purpose of ensuring that the Nitrogen reduction Project will be completed. The final amount of the necessary restricted funds will be known once the County Board of Supervisors approves a new Project contract with the District.

Recommended Action: to approve the creation of a restrict fund with an initial deposit amount to be used for completing the Nitrogen Reduction Project if approved by the County of Fresno.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve creation of a restrict fund with a deposit amount to be used for completing the Nitrogen Reduction Project if approved by the County of Fresno.

6. New Business:

- a. **Selection of an Insurance Broker.** The District's benefits and compensation committee has met with three insurance brokers to renew/apply for various insurance policies on behalf of the District. One broker must be selected and authorized to apply for insurance policies on behalf of the District. Staff will give a report and recommendation at the Board meeting.

Recommended Action: receive and consider the report and recommendation of staff and select a broker to apply for and administer insurance policies, as selected by the Board, on behalf of the District.

Item tabled. Board consensus is to schedule a special board meeting to further discuss the details. Special board meeting scheduled for Tuesday, October 15 at 6:00pm.

7. Recreation Reports:

- a. **Director Castaneda reported the recreation committee is finalizing details for the Halloween Program. A committee meeting has been scheduled for October 16.**

Vice President Cerrillo suggested there be a registry for recreation committee Christmas dinner attendees. He also mentioned the MCWD staff Christmas dinner is scheduled for December 21. He ended his recreation report by reporting that the kitchen hood at the recreation center has been completed by Jorgenson.

8. Engineer Reports:

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

9. General Manager's Report:

- a. **President Garabedian, Jr. met with Gordon to discuss the aging report. Due to unforeseen circumstances the aging report has been delayed, but the President pressed on the importance of receiving this report as soon as possible. He also reported that Director Castaneda and himself have been officially appointed by the County of Fresno for another four-year term as they ran unopposed in this years' election.**
- b. **Vice President Cerrillo mentioned there continues to be work done at Well #8.**

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

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

12. Director's Reports:

- a. **Director Cerrillo, Jr. wanted to give thanks to Director Tovar, Jr. for fundraising to cover costs for the entertainment portion of Fiesta Day. He also gives thanks to the recreation committee and staff for a job well done. Fiesta day went great.**

13. Legal Counsel Report:

14. Communications:

a. Written Communications:

1. The district received membership invoice from ACWA JPIA.

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.*

The board of directors determined that it was necessary to include a closed session item on the agenda as it will pertain to personnel matters. Motion by Vice President Cerrillo, Second by Director Cerrillo, Jr. and by a 5-0 vote to add a closed session item to the agenda.

15. Closed Session: 7:01pm

- a. **Public Employment Pursuant to Government Code section 54957
All Positions and Departments
Nothing to report.**

16. Adjournment:

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 7:50pm

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 08, 2024 was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 10/23/2024.

Norma Melendez, District Clerk