



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, July 23, 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. 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 July 9, 2024.
- b. Minutes of the Special Board Meeting of July 16, 2024.

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

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

5. Old Business: None for this meeting.

6. New Business:

- a. **Resolution 07-23-2024; COI Code.** Provided is the 2024 Local Agency Biennial Notice. Staff has reviewed the district's current code which shows no amendment is necessary. Notice must be submitted to Fresno County no later than August 1, 2024.

Recommended Action: To approve Resolution No. 07-23-2024 authorizing the Acting General Managers to sign the Local Agency Biennial Notice and forward notice to the Clerk of the Board of Supervisors.

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

- b. **Resolution 07-23-2024A.** An agreement between the Fresno County Registrar of Voters and the Malaga CWD to provide County access to and usage of the Arriaga Community

Center and parking lot for the General Election of November 5, 2024. This includes four days of usage from November 2nd to November 4th from 9:00am to 5:00pm and November 5th from 7:00am to 8:00pm. Conditions include secure storage area to store voting equipment and supplies up to 5-days prior to the first Voting Day and during the Voting Days.

Recommended action: to approve Resolution No. 07-23-2024A to authorize President Charles Garabedian, Jr. to sign and enter an agreement with the Fresno County Elections Department to use the Arriaga Community Center as a voting center.

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

7. Recreation Reports:

8. Engineer Reports:

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

9. General Manager's Report:

10. President's Report:

11. Vice President's Report:

12. Director's Reports:

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.*

15. Closed Session:

- a. Personnel (Government Code Section 54957).

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 July 23, 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 07/19/2024.

Norma Melendez, District Clerk



REGULAR BOARD MEETING MINUTES
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, July 09, 2024 at 6:00PM

item 4.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.

All present.

Also Present: Norma Melendez and Michael Slater

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. **Resolution 07-09-2024.** The district has unpaid charges for water and other services that remain delinquent and unpaid for sixty or more days as of July 1, 2024. The resolution authorizes placement of delinquent charges on the County Tax Rolls.

Recommended action: to approve resolution as presented or amended.

Public comment: Miguel Alvarez wanted clarification on how often the district places delinquent charges on the County Tax Rolls. Legal Counsel informed him the County places the tax roll once a year.

Motion by Vice President Cerrillo; Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 07-09-2024 authorizing placement of delinquent charges on to the Fresno County Tax Rolls.

6. Recreation Reports:

Director Castaneda reported that the recreation committee will have their monthly meeting on 7/10/2024 to discuss Fiesta Day and the Halloween Program.

7. Engineer Reports:

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

8. General Manager's Report:

Director Cerrillo informed the board that the Youth Alley Clean-Up began the last week on June. Round #1 of kids finished cleaning the Chestnut Avenue overpass. All safety measures were taken for the kids' safety. Round #2 began working on June 8, starting with Front Street alley. Director Cerrillo visited the businesses on Front Street to inform them of the Youth Alley Clean-Up and to offer our services for a charge.

After the Vice Presidents GM report, comment was open to the public. Miguel Alvarez asked if Fresno County is supposed to be responsible for cleaning of the overpass and if there is a possibility the District could ask Fresno County for potential reimbursement for the services the District rendered. He also expressed his concern over the safety of the youth helping in the alley clean-up. Vice President Cerrillo mentioned he is in constant contact with the Fresno County Supervisor assigned to the area and is willing to ask what the County can provide to the district.

President Garabedian, Jr. reported having meetings with the bank to discuss consolidation and with IWS. He also mentioned to the board that the District now has an account with SCP for pool supplies. He hopes that by purchasing the proper chemicals from a pool supplier it will help with the longevity of the pool and the pumps and decrease the amount spent on chemicals.

9. President's Report: Report given during GM Report.

10. Vice President's Report: Report given during GM Report.

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

12. Legal Counsel Report: None for this meeting.

13. Communications:

a. Written Communications: None for this meeting.

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.*

Miguel Alvarez wanted to know more information in regards to the upcoming Prop 218 public hearing. President Garabedian, Jr. said the proposed rates are due to inflation and rates not being raised since 2017. He further clarified that the rate increases are in a span of five years and if future increases are not necessary, rates will not increase. Legal Counsel also added that rate increases are necessary not only to catch up from inflation, but to also help build reserve funds to help with future repairs in sewer and water.

14. 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 June 25, 2024.
- b. Accounts Payable and Financial Reports.

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

Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve the consent agenda as presented.

15. Closed Session: 6:37pm

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

16. Adjournment:

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to adjourn the meeting at 7:26pm.

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 July 9, 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 07/03/2024.

Norma Melendez, District Clerk



SPECIAL BOARD MEETING MINUTES
BOARD OF DIRECTORS
MEETING/WORKSHOP
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, July 16, 2024, at 6:00PM

item 4.b.

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.

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 Special Board Meeting Agenda was posted 24 hours in advance of the meeting.

4. New Business

- a. **Consideration and necessary action on Resolution No. 07-16-2024** a Resolution of the Board of Directors of the Malaga County Water District Amending the District Policies and Procedures by Adding Policy No. 2036 Titled Pension Funding Policy.

The District does not currently have a formal pension funding policy. Staff, at the direction of the Board of Directors, has drafted a proposed Pension Funding Policy that:

1. Provides guidance in making annual budget decisions;
2. Demonstrates prudent financial management practices;
3. Creates sustainable and affordable budgets for pensions;
4. Provides transparency to employees and the public on how the District's pensions will be funded; and
5. Reassures bond rating agencies.

Recommendation. To approve Resolution No. 07-16-2024 a Resolution of the Board of Directors of the Malaga County Water District Amending the District Policies and Procedures by Adding Policy No. 2036 Titled Pension Funding Policy.

Following public comment, where Miguel Alvarez asked why the District was just adopting this policy now, it was explained by President Garabedian that the pension plan was self-directed and the Board no longer was involved in directing the retirement investments and that the Board understood, until recently, that pension contributions were being made in accordance with the pension plan. Jeff Land also noted that it is not common for a special district the size of Malaga to have such policy and that this was a progressive action by the Board. Following public comment, a discussion was held, Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution No. 07-16-2024 amending the District Policies and Procedures by adding Policy No. 2036 titled Pension Funding Policy.

- b. **Consideration and Necessary Action on Resolution 07-16-2024A** a Resolution of the Board of Directors of The Malaga County Water District Approving the Execution and Delivery of an Installment Sale Loan Agreement For The Purpose Of Refinancing The Acquisition And Installation of Certain Water System Improvements and Financing Certain Working Capital Costs and Approving the Execution And Delivery of Certain Documents In Connection Therewith and Certain Other Matters.

Staff, at the Direction of the Board of Directors, have sought proposals to refinance certain existing debt and provide funding to pay certain unfunded District liabilities. After considering various funding options, staff is recommending approval of the Agreement attached to the Resolution as Exhibit B. The reasons for recommending the Agreement will be presented to the Board of Directors in a report at the meeting along with an independent analysis of the proposed financing.

Recommendation. To approve Resolution 07-16-2024A a Resolution of the Board of Directors of The Malaga County Water District Approving the Execution and Delivery of an Installment Sale Loan Agreement For The Purpose Of Refinancing The Acquisition And Installation of Certain Water System Improvements and Financing Certain Working Capital Costs, and Approving the Execution And Delivery of Certain Documents In Connection Therewith and Certain Other Matters.

Jeff Land, Executive Director of Oppenheimer, was able to present the details of what the loan agreement entails. The 2024 loan will finance \$400,000 in working capital for the District's water and wastewater systems and provide \$1,000,000 for pension funding. Due to parity debt restrictions, the District needs to refinance existing obligations which include the 2023 wastewater note, the 2019 SRF Loan and the 2022 Installment Purchase agreement. There may not be a need for a third-party analysis as the director representatives, auditor, accountant, District legal counsel, bond counsel, the banks counsel, and the bank have been involved in continuous reviews and conferences to understand the details of what the agreement entails, such details have been fully disclosed to the District Board of Directors. Additionally, given the August 1, 2024, closing date for the loan, there is not sufficient time to obtain a third-party analysis. A copy of the presentation prepared by and delivered to the Board of Directors and public at the meeting is attached hereto and incorporated into these minutes as attachment A.

Public comment followed after the presentation where Miguel Alvarez expressed his concern over the board of directors' apparent lack of awareness regarding the district's financial deficit highlighting a perceived disconnect between the board and the district's fiscal responsibilities. The district's Legal Counsel added that as soon as the board identified the cash flow issue, necessary decisions were made such as hiring consultants, created a budget from zero to complete in under sixty days, and completed a rate study within 30 to 45 days. Challenges were tackled and now the district will move forward in providing transparency to the public and the board.

Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 vote to approve Resolution 07-16-2024A approving the execution and delivery of an installment sale agreement for the purpose of refinancing the acquisition and installation of certain water system improvements and financing certain working capital costs and approving the execution and delivery of certain documents in connection therewith and certain other matters.

After this item, the President of the Board requested to add two additional items to the agenda, item 4.c., New Blower at the WWTF and item 4.d., Resolution 07-16-2024B to approve signors for the Districts LAIF account. Due to urgency of the matter, these items cannot wait for approval at the next regular board meeting. A motion requires four affirmative votes to pass.

Motion to add both items as 4c and 4d to the agenda as items brought to the attention of the Board after the posting of the agenda that require action before the next Board meeting by Vice President Cerrillo, Second by Director Cerrillo and by a 5-0 vote to add item 4.c. and 4.d. to the agenda.

- c. **New Blower at the WWTF.** CPO Burt Siverling reported that one of the WWTF blower units was shutting down due to overdrawing amps. After testing, it was determined that the motor was drawing 35 amps at full speed/no load and 95 amp under load which exceeds operating limits. CPO Siverling also reported that at the last oil change of the blower, metal was present in the oil. CPO Siverling has received quotes for repairing and replacing the blower unit. Rebuilding the blower unit is estimated to cost between \$12,000 and \$20,000 depending on the amount of work to be done and the shipping costs, if the blower can be rebuilt. It should be noted that it will cost between \$1,500 and \$2,500 to determine if the blower can be rebuilt and rebuilding the blower could take several weeks longer than buying a new blower. A new blower is estimated to cost approximately \$37,600 - \$17,600 core credit for a net cost of approximately \$20,000. This matter is urgent because the blower units at the WWTF work in pairs and the remaining blower unit will operate at twice the normal hours of operation until the faulty blower unit is repaired/replaced and there is no back-up unit available for one side of the WWTF. It is recommended that the board authorize CPO Silvering to order a new blower and have it installed in an amount not to exceed \$24,000.

Recommended action: Board's pleasure.

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to authorize the purchase of a new blower and have it installed. The amount authorized shall not exceed \$24,000.00.

- d. **Consideration and Necessary Action on Resolution 07-16-2024B** a resolution authorizing signors on the Districts Local Agency Investment Fund Account.

Recommended action: To approve Resolution No. 07-16-2024B to authorize President Charles Garabedian, Jr., Vice President Salvador Cerrillo and Accounting Clerk, Maria Lopez the deposit and withdrawal of MCWD monies in the LAIF fund for the purposes of investment.

Motion by Vice President Cerrillo, Second by Director Tovar, Jr. and by a 5-0 to approve Resolution No. 07-16-2024.

5. **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.

6. **Closed Session: none for this meeting.**

7. **Adjournment:**

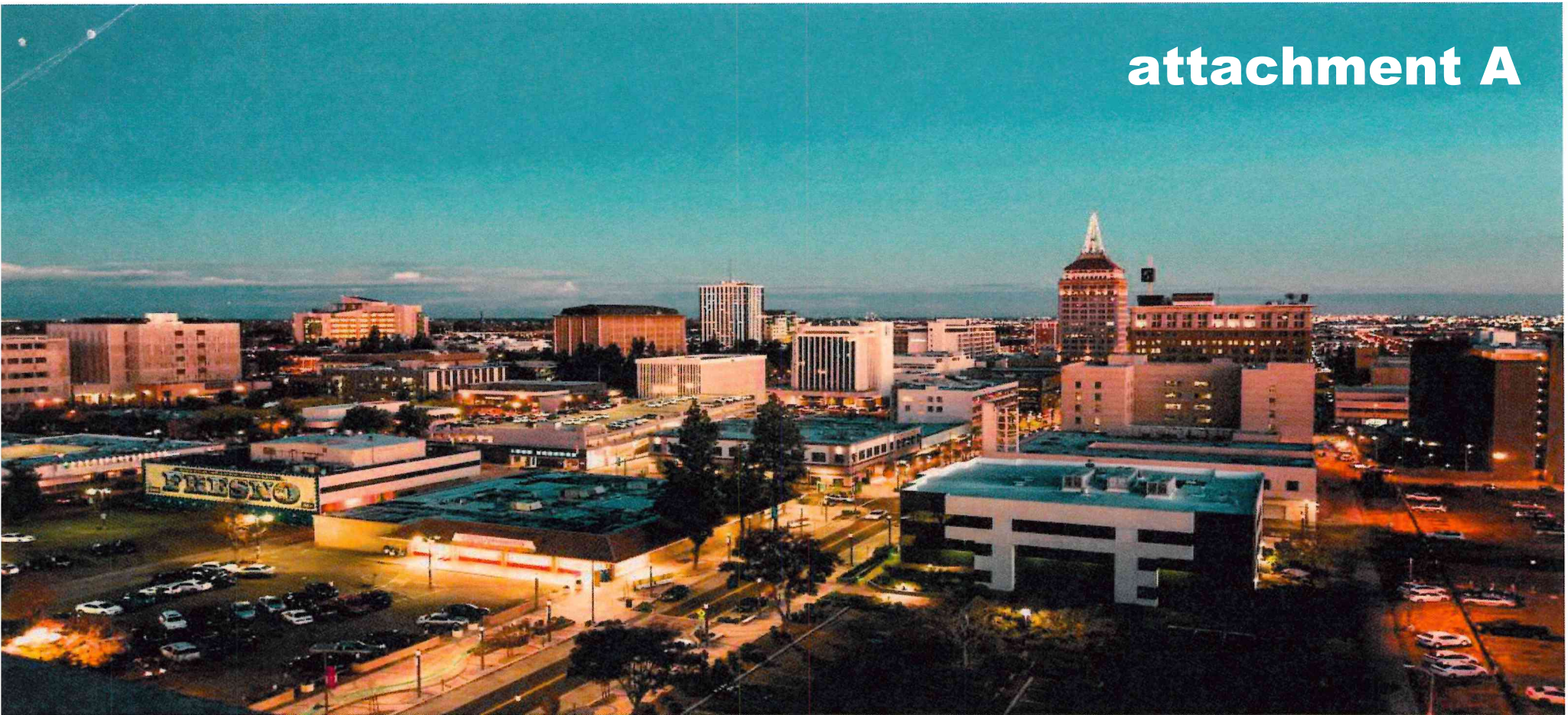
Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 7:09pm.

Certification of Posting

I, Norma Melendez, District Clerk of the Malaga County Water District, do hereby certify that the foregoing minutes for the Special Meeting of the Board of Directors of July 16, 2024, was posted for public view on the front window of the MCWD office at 3580 S. Frank Street, Fresno Ca 93725, on 07/24/2024.

Norma Melendez, District Clerk

attachment A



Malaga County Water District

2024 Loan Financing Overview



July 16, 2024

The Power of  **PPENHEIMER** Thinking
Wealth Management | Capital Markets | Investment Banking

2024 Loan Financing

The 2024 loan will finance \$400,000 in working capital for the District’s water and wastewater systems and provide \$1,000,000 for pension funding

Due to parity debt restrictions, the District needs to refinance all existing obligations as well

Components

The 2024 financing is comprised of 4 separate components:

- New Money Series, Working Capital & Pensions (**Taxable**)
- Refunding of the 2013 Wastewater Note (**Tax-exempt**)
- Refunding of the 2019 State Revolving Fund Loan (**Tax-exempt**)
- Refunding of the 2022 Installment Purchase Agreement Loan (**Tax-exempt**)

Financing Structure

The Water and Wastewater Systems will each be responsible for different proportions of debt service payments based on covenants from previous obligations:

	New Money Series	2013 WW Note	2019 SRF Loan	2022 IPA
Water System	50%	0%	100%	35.73%
Wastewater System	50%	100%	0%	64.27%

Debt Service Coverage (Water System)

Description	Projected (1) FYE 2025	Projected (1) FYE 2026	Projected (1) FYE 2027	Projected (1) FYE 2028	Projected (1) FYE 2029
TOTAL REVENUE	1,439,385	1,564,435	1,688,710	1,807,057	1,934,368
TOTAL OPERATING EXPENSES	1,244,246	1,322,060	1,388,163	1,457,569	1,530,449
NET REVENUE FOR DEBT SERVICE	195,139	242,375	300,547	349,488	403,919
2019 SRF Loan (Safe Drinking Water Note)	14,012				
2022 Installment Purchase Agreement (2)	38,235				
2024 Loan Agreement (3)		106,753	114,986	115,103	115,027
Total Debt Service	52,247	106,753	114,986	115,103	115,027
Debt Service Coverage	3.73	1.83	2.11	2.61	3.04

(1) Projections are based on the District's rate study approved June 4, 2024.

(2) The Water Fund finances this debt to the extent of 35.73% of the payments due.

(3) The Water Fund finances the new money series to the extent of 50% of the payments due.

Debt Service Coverage (Wastewater System)

Description	Projected (1) FYE 2025	Projected (1) FYE 2026	Projected (1) FYE 2027	Projected (1) FYE 2028	Projected (1) FYE 2029
TOTAL REVENUE	1,773,428	1,905,151	2,035,904	2,176,221	2,285,477
TOTAL OPERATING EXPENSES	1,449,019	1,482,949	1,557,094	1,634,952	1,716,696
NET REVENUE FOR DEBT SERVICE	324,409	422,202	478,810	541,269	568,781
2013 Wastewater Treatment Plant Improvements Note	36,899				
2022 Installment Purchase Agreement (2)	68,777				
2024 Loan Agreement (3)		110,018	122,823	122,939	122,863
Total Debt Service	105,676	110,018	122,823	122,939	122,863
Debt Service Coverage	3.07	3.84	3.90	4.40	4.63

(1) Projections are based on the District's rate study approved June 4, 2024.

(2) The Waste Disposal Fund finances this debt to the extent of 64.27% of the payments due.

(3) The Waste Disposal Fund finances the new money series to the extent of 50% of the payments due.

New Money Series

Financing working capital for water and wastewater systems and the pension fund

Estimated Project Fund	\$1,400,000 ✓
Estimated Cost of Issuance*	\$65,000
Estimated Par Value	\$1,465,000
Total Debt Service	\$2,210,647
Average Annual Debt Service	\$157,903
Final Maturity	January 1, 2038.
Interest Rate	7.01%
Arbitrage Yield	6.65%
All-In TIC	7.88%

50% payable from the Water System, 50% payable from the Wastewater System

*Includes placement agent, bond counsel, and bank counsel fees, and CDIAC/contingency

The Prior 2013 Wastewater Note

This debt financed the construction of improvements to the wastewater treatment plant

Par Value	\$502,500
Total Debt Service	\$737,996
Average Annual Debt Service	\$18,450
Final Maturity	June 20, 2033
Interest Rate	4.05%
Arbitrage Yield	4.05%
All-In TIC	4.05%

100% payable from the Wastewater System

Refinancing of the 2013 Wastewater Note

This debt financed the construction of improvements to the wastewater treatment plant

Estimated Deposit	\$282,787
Estimated Cost of Issuance*	\$21,671
Estimated Par Value	\$305,000
Total Debt Service	\$559,786
Average Annual Debt Service	\$34,987
Final Maturity	January 1, 2040
Interest Rate	5.67%
Arbitrage Yield	6.65%
All-In TIC	6.42%

100% payable from the Wastewater System

*Includes placement agent, bond counsel, and bank counsel fees, and CDIAC/contingency

The Prior 2019 SRF Loan

This debt financed water meters for safe drinking water

Par Value	\$419,766
Total Debt Service	\$419,766
Average Annual Debt Service	\$14,012
Final Maturity	July 1, 2049
Interest Rate	0.00%
Arbitrage Yield	0.00%
All-In TIC	0.00%

100% payable from the Water System

Refinancing of the 2019 SRF Loan

This debt financed water meters for safe drinking water

Estimated Deposit	\$350,287
Estimated Cost of Issuance*	\$21,670
Estimated Par Value	\$372,000
Total Debt Service	\$723,681
Average Annual Debt Service	\$40,204
Final Maturity	January 1, 2042
Interest Rate	5.67%
Arbitrage Yield	5.67%
All-In TIC	6.23%

100% payable from the Water System

*Includes placement agent, bond counsel, and bank counsel fees, and CDIAC/contingency

The Prior 2022 IPA Loan

This debt financed the construction of water well no. 8 and improvements to the sewer system

Par Value	\$887,000
Total Debt Service	\$966,592
Average Annual Debt Service	\$115,375.
Final Maturity	July 26, 2030
Interest Rate	2.00%
Arbitrage Yield	2.00%
All-In TIC	2.99%

35.73% payable from the Water System, 64.27% payable from the Wastewater System

Refinancing of the 2022 IPA Loan

This debt financed the construction of water well no. 8 and improvements to the sewer system

Estimated Deposit	\$697,077
Estimated Cost of Issuance*	\$21,658
Estimated Par Value	\$719,000
Total Debt Service	\$1,477,849
Average Annual Debt Service	\$70,374.
Final Maturity	July 1, 2044.
Interest Rate	5.67%
Arbitrage Yield	5.67%
All-In TIC	5.94%

35.73% payable from the Water System, 64.27% payable from the Wastewater System

*Includes placement agent, bond counsel, and bank counsel fees, and CDIAC/contingency

2024 Loan Financing Statistics

A look at the financing of the loan in the aggregate

Estimated New Money Fund	\$1,400,000
Estimated Cost of Issuance*	\$130,000
Estimated Refunding Deposit	\$1,330,152
Estimated Par Value	\$2,861,000
Total Debt Service	\$4,971,965
Average Annual Debt Service	\$236,760
Final Maturity	July 1, 2044
Interest Rate	5.67% (Tax-exempt), 7.01% (Taxable)
Arbitrage Yield	6.65%
All-In TIC	6.74%

*Includes placement agent, bond counsel, and bank counsel fees, and CDIAAC/contingency

Description of Legal Documents

- Authorizing Resolution:

The resolution approves the financing and authorizes the execution and delivery of the Installment Sale Loan Agreement. The resolution provides a not-to-exceed interest rate, financing amount and good faith estimates for net proceeds received from financing, and total payment through maturity.

- Installment Sale Loan Agreement:

Under the Installment Sale Loan Agreement for each Series, Umpqua Bank will purchase the District's 2024 Project and sell the 2024 Project back to the District in order for the District to obtain the financing proceeds. The District will purchase the 2024 Project back from Umpqua Bank with Installment Payments.

The 2024 Project is defined in the Installment Sale Loan Agreement as improvements to and capital facilities for the water enterprise and wastewater enterprise that were financed and or refinanced by the proceeds in connection with the Municipal Finance Corporation 2013 Installment Sale Agreement, the California State Water Resources Control Board 2017 Installment Sale Agreement, and the First Foundation Public Finance 2022 Installment Purchase Agreement.



All materials, including proposed terms and conditions, are indicative and for discussion purposes only. Finalized terms and conditions are subject to further discussion and negotiation and will be evidenced by a formal agreement. Opinions expressed are our present opinions only and are subject to change without further notice. The information contained herein is confidential. By accepting this information, the recipient agrees that it will, and it will cause its directors, partners, officers, employees and representatives to use the information only to evaluate its potential interest in the strategies described herein and for no other purpose and will not divulge any such information to any other party. Any reproduction of this information, in whole or in part, is prohibited. Except in so far as required to do so to comply with applicable law or regulation, express or implied, no warranty whatsoever, including but not limited to, warranties as to quality, accuracy, performance, timeliness, continued availability or completeness of any information contained herein is made. Opinions expressed herein are current opinions only as of the date indicated. Any historical price(s) or value(s) are also only as of the date indicated. We are under no obligation to update opinions or other information.

The information contained herein has been prepared solely for informational purposes and is not an offer to buy or sell or a solicitation of an offer to buy or sell any security or instrument or to participate in any trading strategy. Oppenheimer does not provide accounting, tax or legal advice; however, you should be aware that any proposed indicative transaction could have accounting, tax, legal or other implications that should be discussed with your advisors and or counsel. The materials should not be relied upon for the maintenance of your books and records or for any tax, accounting, legal or other purposes. In addition, we mutually agree that, subject to applicable law, you may disclose any and all aspects of any potential transaction or structure described herein that are necessary to support any U.S. federal income tax benefits, without Oppenheimer imposing any limitation of any kind.

Oppenheimer shall have no liability, contingent or otherwise, to the user or to third parties, or any responsibility whatsoever, for the correctness, quality, accuracy, timeliness, pricing, reliability, performance or completeness of the data or formulae provided herein or for any other aspect of the performance of this material. In no event will Oppenheimer be liable for any special, indirect, incidental or consequential damages which may be incurred or experienced on account of the user using the data provided herein or this material, even if Oppenheimer has been advised of the possibility of such damages. Oppenheimer will have no responsibility to inform the user of any difficulties experienced by Oppenheimer or third parties with respect to the use of the material or to take any action in connection therewith. The fact that Oppenheimer has made the materials or any other materials available to you constitutes neither a recommendation that you enter into or maintain a particular transaction or position nor a representation that any transaction is suitable or appropriate for you.

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RESOLUTION NO. 07-23-2024

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MALAGA COUNTY WATER DISTRICT DETERMINING THAT THE DISTRICT'S
CONFLICT OF INTEREST CODE REQUIRES NO CHANGES**

WHEREAS, the Political Reform Act, Section 81000, et seq., of the California Government Code requires every local governmental agency to adopt and review, at least once every two years, a Conflict of Interest Code; and

WHEREAS, the Board of Directors has reviewed its current Conflict of Interest Code originally adopted in 2018 and has determined that it requires no changes.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the Malaga County Water District as follows:

1. That the forgoing recitals are true and correct and incorporated herein by this reference as though fully set forth at this point.
2. That the Board of Directors has determined that the District's existing Conflict of Interest Code adopted by the District in 2018 requires no changes.
3. That the Board of Directors hereby authorizes the Acting General Managers to sign the 2024 Local Agency bi-annual notice indicating that no amendment to the District's current Conflict of Interest Code is required and forward the same to the Clerk of the Board of Supervisors.

This Resolution passed and adopted this 23rd day of July 2024 by the following vote:

AYES:

NOES:

ABSENT:

Charles Garabedian, Jr., President of the Board
of Directors of the Malaga County Water District

Norma Melendez, Acting Secretary
to the Board of the Malaga County Water District

2024 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **August 1, 2024**, or by the date specified by your agency, if earlier, to:

**Clerk of the Board
2281 Tulare Street, Room 301
Fresno, CA 93721**

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

RESOLUTION NO. 07-23-2024A

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MALAGACOUNTY WATER DISTRICT APPROVING AN AGREEMENT WITH THE
COUNTY OF FRESNO ELECTIONS DEPARTMENT TO USE THE COMMUNITY
CENTER AS A VOTING CENTER**

WHEREAS, the Board of Directors of the Malaga County Water District and the Fresno County Register of Voters desires to use the Malaga Arriaga Community Center as a Vote Center in the November 2024 election; and

WHEREAS, the Board of Directors desires to enter into an agreement with the Register of Voters to use the Malaga Arriaga Community Center as a Vote Center in the November 2024 election.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MALAGA COUNTY WATER DISTRICT AS FOLLOWS:

1. That the foregoing recitals are true and correct and incorporated by this reference herein as though fully set forth at this point.
2. The Board of Directors hereby approves the Vote Center Use Agreement as attached hereto and incorporated herein by this reference as Attachment A and authorizes the President of the Board to Sign the Agreement on behalf of the District.

Passed and adopted by the Board of Directors of the Malaga County Water District at their meeting held on this 23rd day of July, 2024, by the following vote:

AYES:

NOES:

ABSENT:

Charles Garabedian, Jr., President
Malaga County Water District

ATTEST:

Norma Melendez, Acting Secretary of the
Board of Directors Malaga County Water District



**FRESNO COUNTY
REGISTRAR OF VOTERS**
James A. Kus, Registrar of Voters

Attachment A

VOTE CENTER FACILITY USE AGREEMENT

Name of Facility: Arriaga Community Center

Buildings/Rooms to be utilized: Gym

Parking Spaces: (see attached drawing with highlighted parking) _____

Facility Owner: _____

Facility Physical Address: 3582 S. Winery Ave.

Facility Mailing Address: _____

Facility City/Zip: Fresno, CA 93725

Facility Primary Contact Name: _____

Facility Primary Contact Phone: _____

E-mail Address: _____

Fax: _____

Emergency Contact Name: _____

Emergency Phone: _____

This Agreement (“Agreement”) is entered into this _____ day of _____, 2024 between the County of Fresno-Fresno County Registrar of Voters (“County”) and _____ (“Facility”), and provides County access to and usage of the above-named Facility and specified Buildings/Rooms and Parking, upon the following terms and conditions:

November 5, 2024, General Election:

Four-Day Vote Center – open to the public

Voting Days: Saturday, November 2, 2024, every day through and including Tuesday, November 5, 2024.

Voting Hours from November 2, 2024 through and including Monday, November 4, 2024: 9:00 a.m. – 5:00 p.m.

Voting Hours on Election Day, Tuesday, November 5, 2024: 7:00 a.m. to 8:00 p.m.

1. Equipment and Supplies:

- Facility shall provide a secure storage area to store voting equipment and supplies including County access to this storage area, for up to five (5) days prior to the first Voting Day of the November 5, 2024 General Election listed above, and during the Voting Days/Hours.
- The voting equipment and supplies shall be retrieved by County no later than (3) three days after the last Voting Day of the November 5, 2024 General Election listed above.
- Delivery and pick-up of County’s voting equipment and supplies shall occur during the Facility’s business hours, which are _____.



FRESNO COUNTY REGISTRAR OF VOTERS

James A. Kus, Registrar of Voters

VOTE CENTER FACILITY USE AGREEMENT

2. Facility Requirements During Voting Days/Hours

- Facility shall provide access to the Buildings/Rooms and Parking for County Vote Center Staff at least one (1) hour before, and up to one (1) hour after Voting Hours each day.
- Additional access for Accessibility Survey conducted by Fresno County Election Officials, and other visits in addition to the identified Voting Days/Hours to Facility may be required to test equipment or obtain additional information for Facility Vote Center layout and Facility shall cooperate with County's requests for such additional access.
- Air Conditioning/Heating shall be provided in good working order each day in the Buildings/Rooms.
- Facility shall provide adequate free Parking for voters and County election staff.
- Facility shall provide sufficient interior and exterior lighting for Buildings/Rooms and Parking.
- Facility shall provide functioning electrical outlets in the Buildings/Rooms serving as designated voting area.
- Facility shall provide access to functioning restrooms for County election staff.
- Facility shall provide the appropriate and adequate space and Parking for County's use for voting purposes free of any other activities during the Voting Days/Hours.
- Facility shall make arrangements for Facility to be unlocked and locked at the agreed upon time for County Vote Center Staff to access the Facility.
- The path of travel on the Facility's property, including within the line of sight from the path of travel, to and from the Buildings/Rooms and Parking shall be free from Facility's signage, displays, audible dissemination of information and obstructions interfering with the neutrality or election operations of the Vote Center on the Facility, whether or not within 100 feet of the Vote Center.

3. Hold Harmless/Indemnification

County shall indemnify, defend, save, and hold harmless the Facility, its officers, agents, and employees, from and against any loss, damage, liability, cost, or expense arising out of the designation and utilization of the Facility as a Vote Center, except to the extent such claims arise through the negligent act or omission of the Facility, its officers, agents, and employees.

Nothing in this provision shall be construed to create any duty to, any standard of care with reference to, or any liability or obligation, contractual or otherwise, to any third party. The provisions of this indemnity obligation shall survive the expiration or termination of this Agreement.

This indemnification shall not be constructed so as to relieve any insurer of its obligation to pay any insurance proceeds in accordance with the terms and conditions of valid and collectible insurance policies.

4. Certificate of Self-Insurance

Fresno County will provide a certificate of Self-Insurance.



FRESNO COUNTY REGISTRAR OF VOTERS

James A. Kus, Registrar of Voters

VOTE CENTER FACILITY USE AGREEMENT

5. Additional Information

Facility shall not unilaterally cancel or terminate this Agreement. Facility shall not change or relocate the agreed upon Buildings/Rooms outside of an event of a natural disaster or unforeseen building structural damage. County may terminate this Agreement at any time and for any reason, and not use the Facility.

6. Terms and Conditions

No alteration or variation of the terms of this Agreement shall be valid, unless made in writing and signed by the parties, and no oral understanding or agreement not incorporated herein shall be binding on either of the parties.

Facility acknowledges that its Buildings/Rooms, Parking and the pathway(s) to and from said Buildings/Rooms and Parking will be used for the public purpose of voting in an election(s) and as such Facility agrees to comply with all federal, state and local laws governing said election(s).

7. Governing Law

Venue for any action arising out of or relating to this Agreement shall be in Fresno County, California. This Agreement shall be governed by the laws of the State of California.

8. Authority

Facility represents and warrants that the individual executing this Agreement on behalf of the Facility is duly authorized to execute and deliver this Agreement, and that this Agreement is binding upon the Facility in accordance with its terms.

9. Entire Agreement

This Agreement constitutes the entire agreement between the County of Fresno and Facility with respect to the subject matter hereof, and supersedes all prior agreements, whether oral or written, negotiations, proposals, commitments, writings, advertisements, publications, and understandings of any nature whatsoever, unless expressly referenced in this Agreement.



**FRESNO COUNTY
REGISTRAR OF VOTERS**
James A. Kus, Registrar of Voters

**VOTE CENTER FACILITY
USE AGREEMENT**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first hereinabove written.

Facility Owner/Agent:

COUNTY:
COUNTY OF FRESNO

By _____
Name and Title

By _____
Edward Hill, Chief Operating Officer, Director of
Internal Services/Chief Information Officer

Address: _____
Date _____

FOR ACCOUNTING USE ONLY:
Fund: 0001
Subs: 10000
Org No. 2850
Acct. No. 7295



3582

3582

Malaga Community Park
& Recreation Center



3582

3582