



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, August 27, 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 August 13, 2024.
- b. Voter Education Room Rental.

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: None for this meeting.

7. Recreation Reports:

8. Engineer Reports:

- a. District Engineer Report.
- b. CDBG Engineer Report:
 - i. Update on CDBG 25-26 Application.

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.*

- 1. Pete Maldonado. Use of recreation center for wrestling practice.

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 August 27, 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 08/23/2024.

Norma Melendez, District Clerk



REGULAR BOARD MEETING AGENDA
BOARD OF DIRECTORS MEETING
MALAGA COUNTY WATER DISTRICT
3580 SOUTH FRANK AVENUE
FRESNO, CALIFORNIA 93725
Tuesday, August 13, 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: 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: None for this meeting.

5. New Business:

- a. **CDBG 2025-2026; Public Comments.** To hear any public comments or suggestions to be considered for the CDBG 2025-2026 funding application. The Community Development Block Grant (CDBG) is a federal grant program administered by Fresno County to address housing and community development needs of low- and moderate-income persons. Types of eligible projects include public works improvements such as water, sewer, streets and drainage, fire protection facilities and equipment, solid waste facilities, libraries, and community centers.

For public discussion and potential action.

Public comment Open: 6:01pm Public Comment Close: 6:02pm
No proposals from the public were presented.

- b. **CDBG 2025-2026; Project Proposal.** Project applications for CDBG Projects in FY 2025-26 are due to Fresno County Planning by August 30, 2024. Staff recommends that the District submit a project proposal to make improvements at the Wastewater Treatment Facility (WWTF) in order to maintain critical operations. The improvements will include the rehabilitation of one or more of the wastewater disposal ponds to maintain percolation rates in conformance to the District's Waste Discharge Requirements.

The scope of work includes draining of the pond(s), sampling and testing the soil material to determine its makeup and disposal requirements, excavation and removal of approximately 6-10" of soil material that is estimated to be inhibiting percolation, off-haul and disposal of the excavated material, and clean-up grading of the pond(s) prior to

returning to service. The estimated cost of the project is \$300,000, which is the maximum grant amount.

Recommended action: To approve the submission of an application for the WWTF Disposal Pond Rehabilitation Project for CDBG 2025-26 funding and designate the Board President as signing authority for the project.

Motion by Director Castaneda; Second by Director Tovar, Jr. and by a 5-0 vote to approve the submission of the application for the WWTF Disposal Pond Rehabilitation Project for CDBG 2025-2026 and to designate the Board President as signing authority for the project.

- c. **Resolution No. 08-13-2024.** The County of Fresno approved the Malaga Wastewater Treatment Plant Screw Pump Replacement Project from the back-up project list, awarding the district \$300,000 Community Development Block Grant (CDBG) to replace one new screw pump at the WWTP. The district's portion of the project is estimated between \$11,000 and \$41,000.

Recommended action: to approve Resolution 08-13-2024 and to authorize the Board President to sign the project agreement with the County of Fresno.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to approve Resolution No. 08-13-2024 and to authorize the Board President to sign the project agreement with the County of Fresno to replace one screw pump at the WWTP.

- d. **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. A draft recommendation relative to award of the project and reallocation of budget between line items of the Contract is attached for review and comment.

Recommended Action: Review and Approve submittal of the recommendation for award and reallocation of budget between line items of the Contract to the County of Fresno.

Motion by Vice President Cerrillo; Second by Director Castaneda and a 5-0 vote to approve submittal of the recommendation for award to the County of Fresno.

- e. **Payroll Signatures.** An updated e-signature is needed to be used on payroll checks. One signature is needed, but if the board wishes to have two signatures printed on the check, it is possible to do so. The Check Signature Authorization form will be submitted to the district's payroll office, Gordon Saito & Company CPA.

Recommended action: to have President Charles Garabedian, Jr. and/or Vice President Cerrillo update the e-signatures for payroll use and to direct staff to submit updated form to Gordon Saito & Company CPA.

Motion by Director Cerrillo, Jr.; Second by Director Tovar, Jr. and by a 5-0 vote to authorize two signatures on the paychecks and to direct staff to submit updated form to the district's accountant office.

- f. **Site Plan Review 8400 - 3746 S Calvin Ave.** The County requested review comments on this proposed addition of a dwelling on a residential lot. The draft response is attached.

Recommended Action: Provide any edits to the comment letter. Direct staff to either send the comment letter to the County or transfer the comments to MCWD letterhead and send to the County.

Discussion was held. Comment letters can be submitted to County.

- g. **Development at North and Peach Avenues, CUP 3682, Agroplanta.** The applicant has requested authorization to expand the facilities. MCWD provides a fire line to the property north of North Avenue. The draft response is attached.

Recommended Action: Provide any edits to the comment letter. Direct staff to either send the comment letter to the County or transfer the comments to MCWD letterhead and send to the County.

Discussion was held. Comment letters can be submitted to County.

- h. **Consumer Confidence Report for 2023.** Assistance has been requested by district staff for Water System Reporting to the State. A Task Order is submitted for review and action to assist MCWD prepare the Consumer Confidence Report (CCR) for 2023. The report is delinquent.

Recommended Action: Authorize the work to assist MCWD prepare the CCR for 2023.

Motion by Director Tovar, Jr.; Second by Director Castaneda and by a 5-0 vote to authorize work to assist MCWD prepare the 2023 CCR.

- i. **Well Destruction Plan.** A Task Order is submitted for review and action to assist MCWD prepare a Well Destruction Plan for Wells 1 and 4, as required by the Division of Drinking Water

Recommended Action: Authorize the work to assist MCWD prepare a Well Destruction Plan for Wells 1 and 4.

Motion by Vice President Cerrillo; Second by Director Cerrillo, Jr. and by a 5-0 vote to authorize the work to assist MCWD prepare a Well Destruction Plan for Wells 1 and 4.

- j. **Lead Service Inventory.** The Division of Drinking Water requires all water systems submit a Lead Service Inventory no later than October 16, 2024.

Recommended Action: Provide direction to Provost & Pritchard if a Task Order is requested to assist with the preparation of the Lead Service Inventory.

Discussion was held. Board consensus to authorize Provost and Pritchard to assist in the preparation of the Lead Service Inventory

- k. **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.

Recommended Action: Provide direction to Provost & Pritchard if a Task Order is requested to assist with the preparation of the Sewer System Management Plan update.

Discussion was held. Board consensus to authorize Provost and Pritchard to assist in the preparation of the Sewer System Management Plan to be compliant with the New General Order.

6. Recreation Reports:

Director Castaneda reported that the Recreation Committee hosted the August Rec Bingo and the 50's dance. There was a good turn-out for both events. There will be a recreation meeting on Wednesday, August 14 at the recreation center where the main focus will be Fiesta Day.

7. Engineer Reports:

a. District Engineer Report (For information purposes)

- i. **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 has been initiated. A bridge loan from RCAC is in place for interim financing of the construction activities.
- ii. **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.

Director Tovar Jr concern is that the district and everyone that is involved in this project needs to research the impact this project can have on the district wells. The district needs to make sure that by servicing the mobile home park it does not overhaul our current wells. He foresees the need for an additional well site closer to the MHP.

Public Comment: Miguel Alvarez agrees with Director Tovar, Jr. If it affects the community in a negative way, the district should not move forward with the project.

b. CDBG Engineer Report: *presented during new business.*

8. General Manager's Report:

Vice President Cerrillo reported that there was criminal activity in the early hours of July 30. Cocktail bombs were thrown at a residence, and a car was stolen. In other news, the Maple/Golden State Project has been completed, the pool is closed on the weekdays and will only be open on the weekends until Labor Day. The VP also reached out to Jorgensen to get an updated quote for the Hydrostatic testing that needs to be done in the kitchen of the community center. The updated quote decreased after removing the prevailing

wage. The testing did not fall under prevailing wage. Jorgensen is now waiting for the parts needed to begin testing.

President Garabedian, Jr. reported having a meeting with Vern to receive feedback on how much it would cost to upgrade the pool system at the pool. Staff are spending a large portion of their workday tending to the pool so the district may need to look at other options. On August 22nd the President will be attending a fundraiser which Assemblymember Esmeralda Soria will be in attendance. The President hopes that Assemblymember Joaquin Arambula is in attendance to converse about the community of Malaga. Finally, he received a phone call from Brian Yengoyan who wants to rezone his land. He also wants to bring other parcels together to create an industrial park within the district's boundaries. At this time, no application has been submitted to the county.

9. **President's Report:** under GM report.

10. **Vice President's Report:** under GM report.

11. **Director's Reports:**

Director Cerrillo, Jr. stated that the President and Vice President are doing a great job as acting GM's.

12. **Legal Counsel Report:** Neal Costanzo announced to the board that President Garabedian and Director Castaneda have automatically been re-elected to the board of directors as there were no other running mates. Legal Counsel asked the board to consider sending a resolution to the Count Elections Office notifying them that the district will not hold elections this year. This will save the district having to pay election fees.

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 July 23, 2024.
- b. Minutes of the Special Board Meeting of July 30, 2024.
- c. Accounts Payable and Financial Statement Reports.

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

The accounts payable report was not available at this meeting. Motion by Vice President Cerrillo; Second by Director Castaneda and by a 5-0 vote to approve the consent agenda as presented.

14. **Communications:**

a. **Written Communications:**

1. **Uniform Service Provider.** Due to continued inflation impacting labor, raw materials, and energy costs, Unifirst has implemented price increase beginning August 6, 2024. This price increase will be reflected on the upcoming invoice. **The price increase will be 3%. This is the second price increase within a year from Unifirst.**

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: 7:03pm

- a. Pending Litigation: One Case: Malaga v CSJ Construction Fresno County Superior Court Case No.: 23CECG03436 (Government Code 54956.9(d)(1).)
- b. Potential Litigation: One Case:(Government Code 54956.9(d)(1).)
- c. Personnel Evaluation: All Positions (Government Code 54957(b).)
No reportable action.

16. Adjournment:

Motion by Vice President Cerrillo, Second by Director Castaneda and by a 5-0 vote to adjourn the meeting at 7:45pm.

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 August 13, 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 08/09/2024.

Norma Melendez, District Clerk

Regular Board Meeting
Consent Agenda

Item 4.b.

Voter Education. The League of Women Voters Fresno would like to use the side room at the recreation center to hold a public meeting. In the meeting they will equip voters with essential information about the election process, including polling place hours and locations, ballot information, early or absentee voting rules, voter registration deadlines, ID requirements and more. They also ask to use a screen and projector during the meeting.

The times of use will be during regular business hours (5:00pm to 7:00pm), therefore no additional expense is required for staff.

item 4.b.

League of Women Voters Fresno

The League of Women Voters of Fresno is a nonprofit, nonpartisan membership political organization encouraging informed and active participation in government. We influence public policy through education and advocacy. We are part of a national network of LWV, our first chapter was formed in 2020 in preparation for the first-year women had the right to vote. Its purpose was inform women on the issues just as it is today.

Each year the membership meets to plan our local annual priorities that are studied and followed in local government. This year our priorities include transportation, housing and climate with Voter Services as a standing committee

During each election cycle, the Voter Services Committee of the LWVF serves Fresno County in the following ways:

- All About Voting community presentations open to the public and scheduled in low voter turnout areas of Fresno County. These presentations include a PPT presentation delivered in English with Spanish interpretation. The power point included sections on:
 - Why Vote describing what each level of government decides,
 - how to register to vote,
 - Preparing to Vote offering nonpartisan sites to do research including VOTE411 a LWV information site that candidates may use to list their information for free and all of the ballot initiatives are included
 - Understanding mis and dis information
 - Completing and tracking your mail in ballot
 - Voting in Person
- Ballot Proposition presentation describing the Pros and Cons of each initiative on the CA State Ballot including any local propositions except school bonds unless requested by group requesting the presentation
- High School Voter Registration presentations
- Tabling as requested by community organizations. This year we are providing voter information flyers to the Central California Food Bank with volunteers available to assist with questions
- Working for Fresno County Elections to assist with answering phone calls of voters and opening the ballots at the warehouse in preparation for counting.

Our request to Malaga Water District is to provide an All About Voting presentation described above.

Thank you.

Malaga County Water District
Recreation Department
Robert J. Arriaga Community Center
Main Room Rental Contract
Government/ Community Meetings
3582 S. Winery Ave, Fresno, CA. 93725
Center (559) 268-0404, District Office 485-7353, FAX 485-7319

item 4.b.

DATE: 8-23-24

NAME OF APPLICANT (nombre): League of Women Voters Fresno 94-6103158

ADDRESS OF APPLICANT (direccion) 1345 Bulldog Ln Fresno Zip Code 93710

HOME PHONE (telefono): Cathy Caples cell# 5593042687 WORK PHONE (trabajo): LWR ofc 559 226 8683

RENTAL PURPOSE (actividad) Voter Education DATE OF RENTAL (fecha) _____

HOURS THAT FACILITY WILL BE RENTED (horas de renta) : FROM: 5 AM (PM) TO: 7 AM (PM)
Side Room rental shall not go past 8:00 p.m.

HOW MANY PEOPLE WILL BE ATTENDING (cantidad de gente): unsure

AREA REQUESTED:
Check one

A MAIN ROOM (Can accommodate up to 282 people total)
C) TABLES included CHAIRS included

OFFICIAL NOTICE: Malaga County Water District Ordinance § 4.01.060 specifically **PROHIBITS** the consumption of alcoholic beverages in the Malaga Community Park. No guns or other weapons are allowed in the Center, except by police officers or licensed security. Upon receipt of this notice, failure to comply with the District Ordinance will result in notification of the Fresno County Sheriff's Department for further action.

CLIENT AGREES AND UNDERSTANDS THAT THE DISTRICT IS NOT AN INSURER AND THAT INSURANCE CONCERNING PERSONAL INJURY (INCLUDING DEATH), AND REAL OR PERSONAL PROPERTY LOSS OR DAMAGE IN, ABOUT OR ON THE PREMISES SHALL BE OBTAINED BY THE CLIENT. THAT THE AMOUNTS CHARGED BY THE DISTRICT ARE NOT SUFFICIENT TO WARRANT OR GUARANTEE THAT NO LOSS, DAMAGE, CLAIM OR LIABILITY WILL OCCUR OR THAT INCREASED LOSS, DAMAGE, CLAIMS OR LIABILITY WILL NOT OCCUR CLIENT DOES HEREBY FOR HIM/HER/ITSELF AND ALL PARTIES CLAIMING UNDER HIM/HER/ITSELF RELEASE AND DISCHARGE THE DISTRICT FROM AND AGAINST ALL SAID LOSSES, DAMAGES, CLAIMS OR LIABILITY.

AT NO TIME WILL MORE THAN 282 PEOPLE WILL BE PERMITTED IN THE ROOM. IF MORE THAN 282 PEOPLE ARE IN THE ROOM AT ONE TIME, M.C.W.D. WILL LIMIT ENTRY. RENTAL OF THE COMMUNITY CENTER OR ANY PARTICULAR FACILITY IN THE PARK PRECLUDES THE RENTERS FROM USING OTHER FACILITIES PRIOR TO OCCUPYING THE FACILITY, APPLICANT WILL PROVIDE MCWD WITH:

1. Agreed upon Rental and Deposits Fee as listed above in accordance with Regulations.
2. Due to Insurance requirements, NO District Employee will be allowed to donate time to supervise Activities.
3. District Manager/Staff will inspect facilities after clean-up and deposits will be returned with the next scheduled Bills Payable approval (30-45 days).
4. Smoking is not permitted inside Malaga County Water District buildings.
5. Must shut down one half (1/2) hour early. Set-up & Clean-up to be done within the facility hours listed above.
6. **No alcohol allowed for side room rentals or meeting room rentals**

COST:

RENTAL FEE (NON-REFUNDABLE) \$ _____

CLEANING DEPOSIT (REFUNDABLE) \$ _____

EXTRA CHARGES (IF ANY) \$ _____

Government

Agency FEE

TOTAL DUE \$ _____

TOTAL PAID \$ _____

BALANCE DUE \$ _____

APPLICANTS SIGNATURE Cathy Caples