

DELHI COUNTY WATER DISTRICT
JANUARY 5, 2020
REGULAR BOARD MEETING - 3:00 P.M.

DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED WITH RESTRICTED IN-PERSON ACCESS, PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20, WHICH SUSPEND OR ALTER CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT. MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON.

How to Participate:

Listen to the meeting live by calling the District Office at (209) 632-8777. Upon request, the receptionist will connect you to the conference call line. Members of the public should mute their phones when not participating, in order to minimize interruptions.

Public Comment

Public comment may be made when called for over the conference call. Public comment also may be submitted in advance of the meeting via email to lmaldonado@delhicwd.org. Please indicate in your email the agenda item to which your comment applies, if applicable. Comments submitted before the meeting will be provided to the Directors before or during the meeting. Please submit public comments as soon as possible so that they can be provided to the Directors before, and, as feasible, during the meeting.

Accessibility for Individuals with Disabilities

Upon request, Delhi County Water District will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting.

CALL TO ORDER/ROLL CALL

APPROVAL OF MEETING AGENDA

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

December 1, 2020 – Regular Meeting
December 22, 2020 – Special Meeting

PUBLIC COMMENTS

NOTICE: The Board of Directors of the Delhi County Water District welcomes comments from members of the public. While the Board encourages comments from the public, only items listed on this agenda can be acted upon at this meeting. A person addressing the Board will be limited to 5 minutes unless the chairperson of the Board grants a longer period of time. Please submit requests to have items placed on the agenda to the District Office, in writing at least one week before a regularly scheduled meeting.

SPECIAL BOARD BUSINESS

1. Nominations and Vote for 2021 Board President and Vice President

2. Board Vacancy: Interviews of candidates interested in filling board vacancy
3. Board Vacancy: Consider appointing a candidate to fill board vacancy
 - a. NOTE: A candidate so appointed shall serve until the next general district election (November 2022), and thereafter until the person who is elected at that election to fill the vacancy has been qualified. The person elected to fill the vacancy in November 2022 shall hold office for the unexpired balance of the vacant term of office (i.e., until December 2024). *California Water Code Section 30504 and Government Code Section 1780 (d)(2)*.

STAFF REPORTS

1. OPERATIONS REPORT
 - a. Water and Wastewater Collections Systems (Hibdon)
 - b. Wastewater Treatment Facility (Paulson)
2. DMAC REPORT
3. ENGINEER REPORT
 - a. Well 11
 - b. Well 6A
 - c. Drinking Water Planning Project
4. GENERAL MANAGER REPORT
 - a. Audit FY 2019/20 - Update
 - b. Water & Wastewater Revenue Update – Adopted Rates
 - c. Pumping & Static Level Report – All Active Wells

NEW BUSINESS

1. Consider approving Cost of Living Adjustment to staff compensation levels for 2021
2. Consider approving Resolution No. 566, Confirming Authorization of Application for Annexation of Real Property Designated as CORNER/LETTEAU PROJECT AREAS to the Delhi County Water District, Following Public Hearing Thereon
3. Consider approving Resolution No. 567, Adopting Fee Schedule for Applications for Conditional Can & Will Serve Notices

OLD BUSINESS

1. Corner/Letteau Water System Improvements Project – in cooperation with California

Department of Water Resources

- a. Engineer Update (Spencer Supinger)
 - b. Self-Help Enterprises Update (Efrain Casas)
2. Board Presentation: Summary of Bids for 2021 Water Meter Loan Project and Debt Management Policy (Finance Water Meter Technology) – A.M. Peche & Associates LLC

APPROVAL AND PAYMENT OF BILLS

ADJOURN

MINUTES OF REGULAR MEETING
OF THE DELHI COUNTY WATER DISTRICT
BOARD OF DIRECTORS

December 1, 2020

The Board of Directors of the Delhi County Water District met in a regular meeting on December 1, 2020 at 3:00 pm. The Board and certain advisors met in person at the District offices, observing COVID-19 prevention measures. Public participants were notified to participate by Teleconference, as authorized by Governor Newsom’s executive orders N-25-20 and N-29-20, which suspended certain requirements of the Ralph M. Brown Act due to the COVID-19 pandemic emergency. The posted agenda gave public notice of the Teleconference, and instructions as to how members of the public could join the meeting over phone.

ROLL CALL

Board members present: President Jim Clarot, Director Paul Garcia, Director Dillard Worsham, Director Tom Glenn, Sr., and Director Bill Davis. Also present was the General Manager Leandro Maldonado, District Counsel Stuart Spencer, District Engineer Spencer Supinger, and District operations staff Lyndal Hibdon, and Phillip Paulson. The District Engineer was not present. Also present were Kevin Barnes from Ferguson Waterworks and Albert Peche of A.M. Peche and Associates, LLC.

APPROVAL OF AGENDA

The Agenda was approved upon motion by Paul Garcia and seconded by Dillard Worsham.

APPROVAL OF MINUTES OF PREVIOUS MEETING

Minutes of the previous regular meeting November 3, 2020 were unanimously approved upon motion by Dillard Worsham and seconded by Paul Garcia.

PUBLIC COMMENTS

No public comments. No public were in attendance, whether in person or over conference call.

STAFF REPORTS

1.) OPERATIONS REPORT

A. Water and Wastewater Collections Systems (Hibdon):

- a. All water quality tests were within proper specifications.
- b. No vandalism or break-ins; however, a vehicle collided into the fence of Well 10 site, causing significant damage. The incident was reported to the District’s insurance carrier.

B. Wastewater Treatment Facility (Phillip Paulson):

- a. All effluent testing was within proper specifications

- 2.) DMAC REPORT- Director Paul Garcia indicated that no DMAC meeting had taken place due to COVID-19 concerns.
- 3.) ENGINEER REPORT- the Engineer reported from his written staff report:
 - a. Well 11: Drilling of the test well is nearly complete, and testing should take place next week. Once results are received, a special meeting will be necessary to determine whether to exercise the option to purchase the land before the option expires on December 26.
 - b. Well 6A: Construction is going nicely, as can be observed for any who visit the site. District staff has requested some additional work.
 - c. Drinking Water Planning Project: QK revised the scope of work with broader scope. Currently under review by Leandro and Self Help Enterprises. Self Help will submit to the State once approved. Projects included for consideration from the state include Well 6A, Well 11, replacement of valves, assessment of all wells, tanks, and related infrastructure, replacement of asbestos pipe and undersized pipe. Expect 12-18 months for this process to complete.
- 4.) GENERAL MANAGER REPORT-
 - a. Mr. Maldonado reported that the 2019-2020 audit is nearing completion.
 - b. The Groundwater Sustainability Agency for the Western Turlock Basin has been working toward building its Groundwater Sustainability Plan. It is required to be complete before January 31, 2022.
 - c. Mr. Maldonado and Mr. Spencer reported on the status of the water theft issue that was discussed in last meeting. Mr. Spencer presented a draft Cease and Desist Letter. The board gave consent and direction to proceed, with a suggestion that a process server be used to ensure proper delivery of the letter.

NEW BUSINESS

1. Board Presentation on Financing for the Water Meter Upgrade Project – A. M. Peche & Associates, LLC. Albert Peche appeared and presented the Board with a proposed process for securing financing to upgrade the District’s water meters, which will cost approximately \$1.2 million. Mr. Peche and his firm assisted the District in its last debt issuance in 2015. The proposal was for the District to use Hilltop Securities to bid a “direct placement” with multiple banks, using Albert Reyes as Disclosure Counsel. Costs are projected to be about \$63,000. The legal documents could possibly be ready for approval in the January board meeting.

2. Consider adopting Resolution 565: Resolution Directing Staff to Proceed with Planning for the Issuance of Certain Obligations to Finance Certain Water System Improvements and Appointing a Financing Team in Connection Therewith. (Action). After the conclusion of Mr. Peche's presentation and some discussion, Mr. Worsham made a motion to approve the Resolution as drafted. Mr. Davis seconded the motion, which was approved unanimously by the board.

3. Consider Application for Can & Will Serve Notice for Applicant Javier Galvan and Owner Mark Family Trust, at corner of Shanks and Vincent. Upon staff recommendation, due to insufficient information in the application the board tabled this item to a later date.

OLD BUSINESS

1.) Corner/Letteau Water System Improvements Project – in cooperation with California Department of Water Resources.

- a. Engineer Update: Spencer Supinger indicated that the specifications are complete and the project is pending annexation and outreach.
- b. Update from Self Help Enterprises: Mr. Casas from Self-Help Enterprises was not present. The board encouraged Mr. Maldonado to contact him or his supervisor to understand the status of the project, particularly of the annexation and outreach.

2. Presentation by Kevin Barnes Neptune Technology Group (Ferguson) regarding new Water Meter technology (Follow up presentation). Mr. Barnes indicated that the proposal had been updated to include four 50-foot poles at locations already owned by the District. The less expensive wooden poles are in short supply, so more expensive steel poles may be necessary. There had been some question of whether the meter box lids would need to be replaced, but Neptune has determined that the current lids will work. Mr. Clarot indicated that the District should send literature to the customers in advance so that they understand the work that will be done. Mr. Barnes indicated that Ferguson has literature already prepared. Mr. Garcia requested that the literature be provided in Spanish and English; this literature has already been developed and will be provided.

APPROVAL AND PAYMENT OF BILLS

The Board reviewed the bills and approved them for payment on motion by Director Garcia and seconded by Director Worsham.

ADJOURNMENT

There was no more business to discuss, the meeting was adjourned at 4:48 pm.

MINUTES OF SPECIAL MEETING
OF THE DELHI COUNTY WATER DISTRICT
BOARD OF DIRECTORS

December 22, 2020

The Board of Directors of the Delhi County Water District met in a special meeting on December 22, 2020 at 3:00 pm. The Board met in person at the District offices, observing COVID-19 prevention measures. Public participants were notified to participate by Teleconference, as authorized by Governor Newsom's executive orders N-25-20 and N-29-20, which suspended certain requirements of the Ralph M. Brown Act due to the COVID-19 pandemic emergency. The posted agenda gave public notice of the Teleconference, and instructions as to how members of the public could join the meeting over phone.

ROLL CALL

Board members present: President Jim Clarot, Director Paul Garcia, Director Dillard Worsham, Director Tom Glenn, Sr. There is one vacancy on the board. Also present was the General Manager Leandro Maldonado. District Counsel Stuart Spencer and District Engineer Lee Fremming were present by telephone.

APPROVAL OF AGENDA

The Agenda was approved upon motion by Dillard Worsham and seconded by Paul Garcia.

PUBLIC COMMENTS

No public comments. No public were in attendance, whether in person or over conference call.

NEW BUSINESS

1. Proposed Well Site for New Well (Well 11). The water quality in the test well has been tested, and the hydrologist has issued a report on December 16. Mr. Fremming referred to his written report and the hydrologist's report, which explained that a properly constructed and developed well with two louvered screened sections located between 235' to 275' deep and from 295' to 370' deep could produce about 900 gpm, and the significant constituents would have projected blended concentrations as follows:

- Nitrate-nitrogen 7 mg/L (MCL = 10 mg/L)
 - Arsenic 6 ppb (MCL = 10 ppb)
 - Manganese 0.200 mg/L (MCL = 0.050 mg/L)
- (MCL = Maximum Contaminant Level)

The concentrations listed above assume that blending would occur evenly between the two louvered screen sections. However, if more water was pulled from the upper screen than anticipated, or the nitrate level in the relatively shallow upper screen increased, the nitrate level could go over the MCL. Also, the projected blended manganese concentration exceeds the MCL by four times, so manganese treatment would be required. Manganese (and iron) are removed by oxidation/filtration which requires the use of chemicals and filters. As mentioned above, even if the manganese were removed there is no guarantee that the nitrate and arsenic concentrations will stay below the MCL's. Based on the hydrogeologists report and the above the Engineer recommends that the District not purchase the site.

The District's option contract to purchase the site expires on December 26, 2020.

After some discussion Mr. Worsham made a motion that the District shall not exercise the option to purchase the well site property. Mr. Glenn seconded the motion, and the motion was passed unanimously.

Staff was directed to contact the property owner.

ADJOURNMENT

Having no more business to discuss, the meeting was adjourned at 3:25 pm.

Engineer Report:

Corner/Letteau Project

Funding deadline is June 2021. I spoke with Sammy at DWR and they said we are good with where things are at now but they are going to start the extension process, knowing the overall project will likely extend past June.

We spoke to LAFCo and explained the difficulty in performing the outreach due to COVID and they are good with just the District signatures. The Board needs to adopt the resolution of intent to annex the two project areas and then we can submit the application. Once submitted and under review we can advertise the project with an anticipated bid date in February. This should coincide nicely with the annexation approval through LAFCo.

Well 11 Project:

A Special Meeting was held Dec 22. A production well will not be pursued at this location due to water quality results. Next steps are to finish construction of well 6A and test overall water quality and production and determine system capacity. This will dictate if we need to pursue another test well location or otherwise.

Well 6A Project:

Construction is on schedule. We had a site meeting last week to discuss testing procedures. Anticipated completion is beginning of March.

Drinking Water Planning Project:

QK has revised the scope of work and it is under review by Leandro and Efrain with Self-Help. Once approved, Efrain will submit revised scope with the application to the State.

**DELHI COUNTY WATER DISTRICT
RESOLUTION NO. ____**

**A RESOLUTION OF THE BOARD OF DIRECTORS
FOR DELHI COUNTY WATER DISTRICT
CONFIRMING AUTHORIZATION OF APPLICATION FOR ANNEXATION OF REAL
PROPERTY DESIGNATED AS Corner/Letteau project areas TO THE DELHI COUNTY
WATER DISTRICT, FOLLOWING PUBLIC HEARING THERON**

The Board of Directors of the Delhi County Water District hereby adopts the following findings and resolutions:

WHEREAS, the Delhi County Water District desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation; and

WHEREAS, notice of intent to adopt this resolution of application has been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be annexed is inhabited, and on this day contains 106 registered voters, according to information received from the Merced County Elections Office; and

WHEREAS, the territory proposed to be annexed is inhabited, and a description of the boundaries of the territory is set forth in Exhibit A attached hereto and by this release incorporated herein; and

WHEREAS, the reasons for the proposed annexation are as follows:

1. Due to the shallow depth of private wells and uncertain groundwater levels.
 2. Private wells have revealed nitrate levels three times the state maximum contaminant level for nitrate.
 3. Abandonment of existing private wells for a more reliable and modern water system;
- and

WHEREAS, the proposed annexation would allow for connection of the residents to the District's water system; and

WHEREAS, the connection to the residents would provide a safe and reliable water source to the residents being annexed to the District; and

WHEREAS, this proposal is consistent with the Sphere of Influence of the affected District; and

WHEREAS, the District Engineer has determined that there is sufficient water capacity in the District to handle the additional 76 dwelling units; and

WHEREAS, the Delhi County Water District adopted an Initial Study/Mitigated Negative Declaration for the subject proposal in compliance with the California Environmental Quality Act on October 6, 2020 (Resolution 564); and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Delhi County Water District does hereby adopt this Resolution of Application and the Local Agency Formation Commission of Merced County is hereby requested to take proceedings for the annexation of territory as described in Exhibit A, according to the information stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

BE IT FURTHER RESOLVED, THAT THE DELHI COUNTY WATER DISTRICT hereby designates itself as the applicant for submitting an application to LAFCo for annexation of said Properties and for carrying out the procedures for annexation with and will pay all expenses associated therewith and will provide all the necessary information that is needed in a timely manner.

BE IT FURTHER RESOLVED, that the District’s Engineer, Spencer Supinger of QK, Inc, Leandro Maldonado the District’s General Manager, and Samuel Rashe, Associate Planner of QK, Inc are designated as the District’s representatives to deal with all governmental agencies and parties in connection with the proposed annexation.

PASSED AND ADOPTED by the Board of Directors of the DELHI COUNTY WATER DISTRICT on this 5th day of January, 2021, by the following vote:

AYES:	Directors:	_____
NOES:	Directors:	_____
ABSENT:	Directors:	_____
ABSTENTIONS:	Directors:	_____

Dated: _____

JIM CLAROT, President
of the Board of Directors of
Delhi County Water District

ATTEST:

LEANDRO MALDONADO, Secretary
of the Board of Directors of
Delhi County Water District

EXHIBIT "A"
DELHI COUNTY WATER DISTRICT
ANNEXATION NO. _____

Being a portion of Lot 23 and Lot 24, all of Lot 25 and all of Lot 26 lying in the south half of Section 5 and a portion of Lot 2, Lot 3, Lot 4 and Lot 9 lying in the north half of Section 8 as shown on the map of "Shanks Delhi Tract", recorded in Book 3 of Official Plats, Page 48, Merced County Records, all lying in Township 6 South, Range 11 East, Mount Diablo Meridian, situate in the County of Merced, State of California being more particularly described as follows;

BEGINNING at a point which bears South 01° 43' 48" West, 30.00 feet from the southwest corner of said Lot 26, said point also lying on south line of said Section 5 and also on the easterly boundary of Delhi County Water District Annexation 92-1:

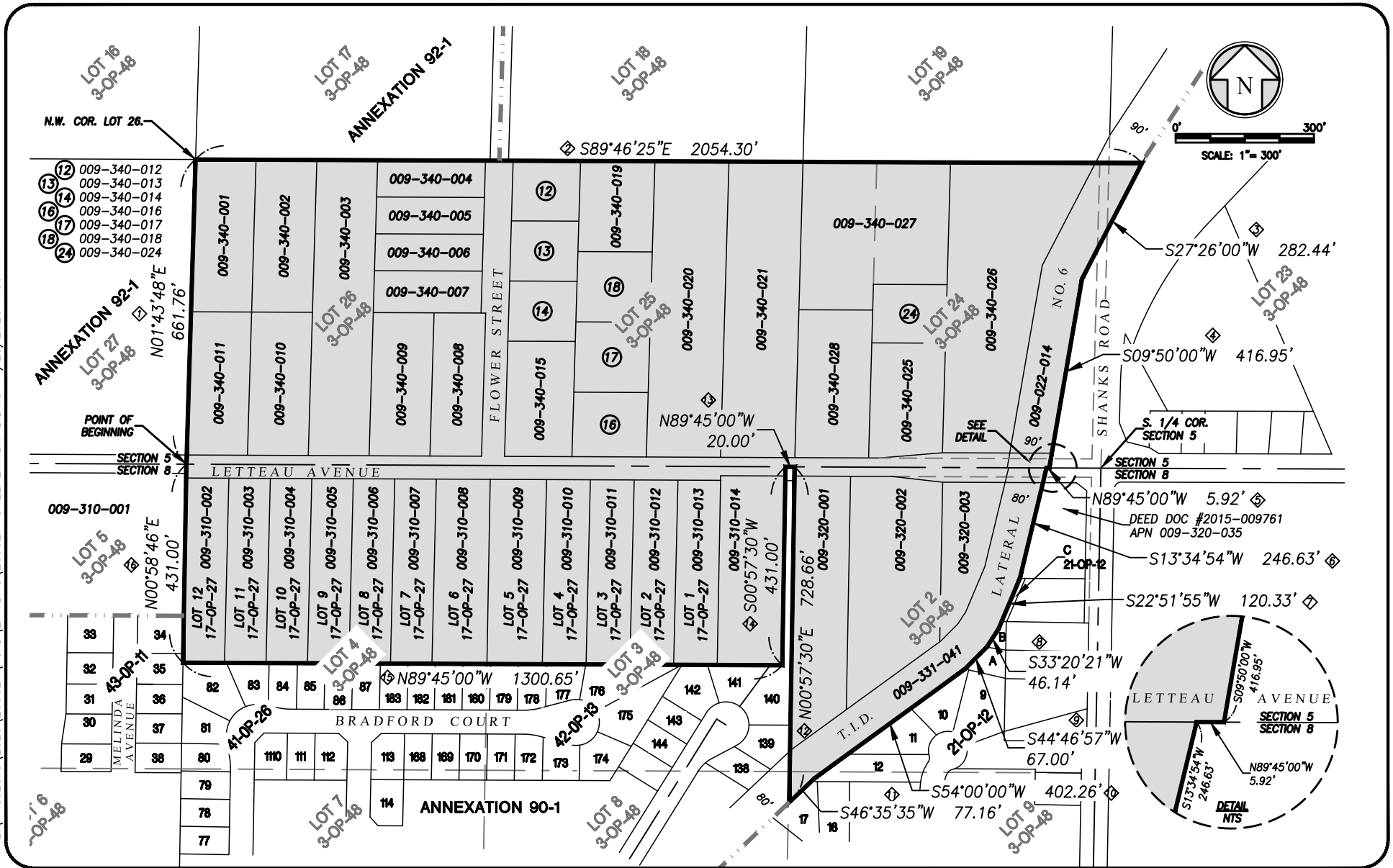
1. Thence North 01° 43' 48" East, 661.76 feet along the easterly boundary of said Annexation 92-1 and the westerly line of Said Lot 26 to the northwest corner of said Lot 26:
2. Thence South 89° 46' 25" East, 2054.30 feet along the north line of said Lot 26, Lot 25, Lot 24 and Lot 23 to the east line of Turlock Irrigation District's Lateral No. 6, said east line of Lateral No. 6 also being the Delhi County Water District's westerly boundary:
3. Thence South 27° 26' 00" West, 282.44 feet along the easterly line of said Lateral No.6:
4. Thence South 09° 50' 00" West, 416.95 feet along the easterly line of said Lateral No.6 to the centerline of Letteau Avenue, said center line also being the south line of Section 5:
5. Thence North 89° 45' 00" West, 5.92 feet along the centerline of said Letteau Avenue:
6. Thence South 13° 34' 54" West, 246.63 feet along the easterly line of said Lateral No.6:
7. Thence South 22° 51' 55" West, 120.33 feet along the southeasterly line of said Lateral No.6
8. Thence South 33° 20' 21" West, 46.14 feet along the southeasterly line of said Lateral No.6:
9. Thence South 44° 46' 57" West, 67.00 feet along the southeasterly line of said Lateral No.6:
10. Thence South 54° 00' 00" West, 402.26 feet along the southeasterly line of said Lateral No.6:
11. Thence South 46° 35' 35" West, 77.16 feet along the southeasterly line of said Lateral No.6 to the west line of said Lot 9, west line of said Lot 9 also being the easterly line of Delhi County Water District Annexation 90-1:
12. Thence North 00° 57' 30" East, 728.66 feet along the west line of said Lot 9 and said Lot 2 to the northeast corner of said Annexation 90-1, said corner lying on the north line of said Section 8:
13. Thence North 89° 45' 00" West, 20.00 feet along said north line of said Section 8:
14. Thence South 00° 57' 30" West, 431.00 feet along a line parallel with and 20 feet westerly of the west line of said Lot 9 to a point of intersection with the easterly projection of the southerly subdivision boundary of the map entitled "MAP OF SMALLWOOD TRACT", recorded in Book 17 of Official Plats , Page 27, Merced County Records,
15. Thence North 89° 45' 00" West, 1,300.65 feet along said easterly projection of the southerly boundary line of Smallwood Tract to the southwest corner of Lot 12 thereof:
16. Thence North 00° 58' 46" East, 431.00 feet along the westerly line of said Lot 12 to the **TRUE POINT OF BEGINNING.**

Containing 48.409 acres, more or less.

See Exhibit "B", attached hereto and by this reference made a part hereof.

END OF DESCRIPTION





PROJECT NO.: 200027
 DRAWN BY: DBP
 QA/QC BY: GAP
 SCALE: AS SHOWN
 SHEET NO.:
2 OF 2

EXHIBIT "B"

DELHI COUNTY WATER DISTRICT ANNEXATION NO.

**PORTION OF LOT 23 AND LOT 24, ALL OF LOT 25 AND ALL OF LOT 26, LYING IN S. 1/2
SEC. 5 AND PORTION OF LOT 2, LOT 3, LOT 4 AND LOT 9 LYING IN N. 1/2 SEC. 8.
ALL IN, T. 6 S., R. 11 E., M.D.M.**



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EXHIBIT "A"

**DELHI COUNTY WATER DISTRICT
ANNEXATION NO. _____**

Being all of Lots 5 through 40 as shown on the map of "EL MOLINO SUBDIVISION", recorded in Book 11, Official Plats, Page 9, Merced County Records, Lying in the Southwest quarter of Section 8, Township 6 South, Range 11 East, Mount Diablo Meridian, Situate in the County of Merced, State of California being more particularly described as follows;

BEGINNING at the South quarter corner of said Section 8, said beginning point also being the most Southerly Southwest corner of "Annexation 96-2, El Molino Sub. & Shanks Delhi Tract, Annexation to the Delhi County Water District:

1. Thence westerly along the South line of said Section 8, North 89°40'00" West, 1,318.98 feet to the intersection with the Southerly extension of the West line of Corner Street and Lot 16 of said map:
2. Thence Northerly along said West line, North 01°00'30" East, 660.00 feet to the Northwest corner of said Lot 16, said corner also being the most Westerly Southwest corner of said Annexation 96-2:
3. Thence Easterly along the Southerly line of said Annexation 96-2, said Southerly line also being the Northly lines of Lots 5 through 16 as shown on said map, South 89°40'00" East, 1,319.84 feet to a point on the centerline of Shanks Avenue shown as 40 feet wide on said map.
4. Thence Southerly along said centerline South 01°05'00" West, 660.01 feet to the **POINT OF BEGINNING**.

Containing 19.99 acres, more or less.

See Exhibit "B", attached hereto and by this reference made a part hereof.

END OF DESCRIPTION



11/20/2020



David B. Pelton, PLS 9417

Date

EXHIBIT A