

HILMAR COUNTY WATER DISTRICT
BOARD OF DIRECTORS MEETING
April 5, 2022

Members present – Jim Jones, Frank Hilliard, David Anderson, David Alvares and Jim Gerdes.

Members absent – None.

Public in Attendance – None.

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Action Items

A motion to approve the Consent Items was made by Jim Gerdes and seconded by David Alvares.
Motion passed 5-0.

A motion to approve Bills Payable: March 2022 and April 2022 was made by Jim Gerdes and seconded by Frank Hilliard. Motion passed 5-0.

A motion to approve the extension of the Conditional Can and Will Serve Notice for Bloss Woods (Woods Investment, LLC., John Dennis) was made by David Alvares and seconded by Frank Hilliard.
Motion passed 5-0.

A motion to approve the extension of the Conditional Can and will Serve Notice for Hector Ramos (formerly Alan Reis Project) was made by Frank Hilliard and seconded by David Alvares. Motion passed 4-1. Mr. Gerdes voted no.

A motion to approve the Can and Will Serve Notice for Hector Ramos (formerly Alan Reis Project) was made by Frank Hilliard and seconded by David Alvares. Motion passed 4-1. Mr. Gerdes voted no.

Meeting – 04/05/22
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The meeting was called to order at 5:35 p.m. by President Jim Jones.

Consent Items – A motion was made and seconded to approve the Consent Items.

Public Forum – None.

District Manager’s Report –

Curtis Jorritsma thanked the Board for the understanding in cancelling the March meeting. Curtis reported our water loss for February was 11%. The total water billed for February was 15.906MG and the total pumped was 17.995MG. TSS and BOD were both below the standard of 40mg/L. TSS was 27.25mg/L and BOD was 35mg/L. The max flow was .395MG putting the plant at 72% of plant capacity. The total flow for February was 10.319MG. For the month of March, water usage was up. The total water pumped was 25.435MG. The total billed was 22.895MG for a loss of 10%. We did flush the water lines during the month of March. The total flow at the WWTF for March was 10.637MG. TSS was 25.08mg/L and BOD was at 71.20mg/L well above the standard of 40mg/L. We did have a late start on

the decanting process but it should not have caused the spike. Possibly the higher temperatures could have been a factor.

Curtis provided a current annual billing report based on the information on the income sheet. The report reflects the amount billed and the amount received on a monthly basis. The report also reflected the amount billed for 2022 compared to 2021. Comparing January through March 2022 to the same period in 2021, we are ahead by \$6,554.73 in the amount billed to customers.

Curtis reported the new service truck has arrived. The total for the truck was \$45,044.93. L&L signs is working on the decals for the doors on the truck. The truck has been assigned to Jonathon Sousa. We did sell the 2012 Ford pickup with 75,000 miles in the amount of \$17,754.66 to the Hilmar Cemetery District.

Curtis provided a Grant update. We did receive from San Joaquin Valley Air Pollution \$37,156.42 for the two electric rangers. We paid \$47,093.06 for the two rangers. After the grant funds, the cost to the District is \$9,936.64. We are still waiting on a response on the WaterSMART and the Small Communities Drought Improvement Grants.

Curtis reported the RFP for Project D01 – HCWD SCADA System Implementation is out. Proposals will be received on April 12th. It currently looks like there's 6 to 8 potential bidders. Once the proposals are received, based on the figures, we will then determine if we wait to see if we receive grant funds. Hopefully, we can have a determination of funds and have the project start by the end of the summer.

Director Reports – None

Action Items –

- A) The bills that were due to be paid in March and the bills that are due to be paid in April were presented. For the month of March, the Ferguson portion is part of the new meters for the Vila Cordoba subdivision. The April invoice from Ferguson is for replacement meters. The invoice from Stiles Auto Body is for the work done to transfer the utility bed for the 2012 Ford pickup. We will receive reimbursement from the Cemetery District for this invoice. A motion was made and seconded to pay the bills presented.
- B) Curtis presented the request to extend the Conditional Can and Will Serve Notice for Bloss Woods (Woods Investment, LLC., John Dennis). This subdivision is for 58 lots. The project is out of the District boundary and it will require LAFCO approval. The letter from Mr. Dennis states they are currently working on a shared development agreement with Bloss Cove (the adjacent property to the West). Staff recommends approving the Conditional Can and Will Serve Letter for 12 months. A motion was made and seconded to extend the Conditional Can and Will Serve Letter.
- C) Curtis presented the request to extend the Conditional Can and Will Serve Notice for Hector Ramos (formerly Alan Reis Project). This property was just recently sold to Mr. Hector Ramos. He has contacted our office and requested an extension of the Conditional Can and Will Serve Notice. The new owner only needs 11 EDU's. The prior owner had requested 12 EDU's. This Conditional Can and Will Serve Notice is for 7 units that he is not building at the moment. He is ready to build 4 units. Staff recommends approving the Conditional Can and

Will Serve Letter for 12 months. A motion was made and seconded to extend the Conditional Can and Will Serve Letter.

- D) Curtis presented the request to extend the Can and Will Serve Notice for Hector Ramos (formerly Alan Reis Project). This Can and Will Serve Notice is for four units. The new owner is ready to move forward with the project. He has provided us with the plans and the apartments will be approximately 1000 square feet. Staff recommends approving the Can and Will Serve Notice. A motion was made and seconded to extend the Can and Will Serve Notice.

Discussion Items –

- A) Curtis informed the Board, we need to update the lease agreements with Hilmar Helping Hands and Hilmar-Irwin-Stevinson Historical Society we may need to revise the lease amount, it's currently \$1.00 per year, and the insurance requirements. Each agency needs to have liability insurance. Mr. Gerdes stated, "If we don't need the property, why not sell it?" He continued to state, we sell it and use the funds for a corporation yard. Curtis stated he will have a conversation with Mr. Stuart Spencer regarding the options the District would have and bring it back to the Board.
- B) Curtis stated the contract with Turlock Scavenger, the company that takes care of the street sweeping, expired in March of 2021 and we have been on a per month basis agreement. We contacted them to ask if we were to get a new contract what price would we be looking at. They stated there would be a 10% increase. The new monthly rate would be \$2,509.20 compared to the current rate of \$2,268.42 becoming effective in July 2022. It's been four years since we started our contract with Turlock Scavenger and we have not had any complaints. Curtis asked the board if it would be their wish to put out an RFP and the response from the Board is to continue with Turlock Scavenger and request a three-year contract and request to have the sweeper sweep two times per month the same route between the months of October to December to assist with the falling leaves. Staff will contact Turlock Scavenger and have them draw up a contract.
- C) Curtis presented the proposal from Robert W. Johnson, an Accountancy Corporation for the Year ended June 30, 2022 Audit. The proposal is for \$9,700.00 up from \$8,500.00 for an increase of 14%. We will hold off until next year in releasing an RFP. The Board was good with the proposal.
- D) Curtis informed the Board the Governor is encouraging water conservation but has not made it mandatory. We will continue with our current watering days and structure. Customers may on their own cut back based on the new rate schedule.
- E) Curtis informed the Board this is an election year. We have three Board Members whose terms are expiring. They are Mr. Dave Anderson, Mr. Jim Gerdes, and Mr. Frank Hilliard. We need to notify the County by April 11th, if the incumbents would like to be considered for reappointment or if the positions will be listed as vacant. All three incumbents are planning to run. Curtis stated continuity is a great thing for the Board. Curtis presented the legal memorandum from Mr. Stuart Spencer, District Counsel, regarding filing a vacancy on the Board of Directors. The reason for the Memo is because Mr. David Alvares will be moving out of the

District within the year. Mr. Stuart Spencer went over the legal requirements for filling a vacancy on the Board. The process is triggered when a "vacancy" is created when a board member's service ends due to a resignation, death, move from the District, etc. The remaining members of the Board may fill the vacancy in one of two ways: either by 1) appointment, or 2) calling for an election. The vast majority of the time, a vacancy is filled by appointment. If the Board chooses to fill the vacancy by appointment, it must do so within 60 days of the vacancy. If the Board chooses to call an election, it must do so within 60 days of the vacancy. The election would take place at the next established election date that is more than 130 days after the election is called. The Board would continue with one vacancy until then. Mr. Alvares will submit his letter of resignation once he has a definite date set.

Closed Session

The Directors Convened to Closed Session at 6:45 p.m. to conference regarding the Existing Litigation (Government Code Section 54956.9(a)). Name of Case: Hilmar County Water District v. The Dow Chemical Company, et al.

Directors returned to Open Session at 7:18 p.m. Board was updated on status of the litigation and legal counsel was given direction by the Board.

There being no further business the meeting was adjourned at 7:19 p.m.

Respectfully Submitted,

Dina Borges

Approved by:

Jim Jones

Board Member

5-3-22

Date