



## Minutes

### **Waterworks District (WWD) 42 (Alluvial/Fancher) Citizens Advisory Committee (CAC) Meeting January 31, 2018**

**CAC Member Present:** Kevin Olsen, Carl Kassabian, Art Gilbert, Marcia Gilbert, Bob Brown, Pam Brown, and Virginia Hall

**County Staff:** Glenn Allen, Sebastian Artal, Meng Moua, and Daniel Vang

**Special Guest:** David Fey of Fresno LAFCO, Adam Claes of Fresno Irrigation District

The meeting was called to order at approximately 6:10 p.m.

#### **Prior to the agenda items discussion:**

1. Kevin Olsen: Did anybody receive mail notices of the meeting?
  - a. Meng: No mail notices were sent but notices were posted in public areas such as the Library.
  - b. District's preference is for the County to send CAC meeting notices to all residents with the bimonthly billings. If billings do not coincide with the CAC meeting, a separate notice will be sent.

#### **Agenda Item 1: Review and approve minutes from November 8, 2018**

1. November 18, 2018 postponed to next meeting to allow for corrections.

#### **Agenda Item 2: Sustainable Ground Water Management Act presentation**

Adam Claes present information on SGMA (Presentation included as an attachment).

1. Adam: If local does not achieve sustainability, the County takes over. If the County does not achieve suitability, the State takes over. State may impose fees.
  - a. Art Gilbert: How do fees get us more water?
    - i. Adam: State may use fees to develop sustainability plans
2. North King GSA (NKGSA) covers most of the County of Fresno. What happens if one area does well but another does not?
  - a. Adam: If the NKGSA as a whole does not do well, the State could step in.
3. Art Gilbert: Where does the recharge water come from during a drought year?
  - a. Adam: There are projects in place to collect runoff during wet years to recharge aquifer during drought years. Some of the water will come from surface water projects.
4. Marc Black: How were the GSA boarders created?
  - a. Boarders are based on County lines and developed by the State Water Resource Board.
5. Marc Black: Are we in danger of the State taking over?
  - a. Adam: The State will step in if deadlines are not met.
    - i. First deadline is to create a GSA by June 2017.
    - ii. Second deadline is to create a plan by January 2020.

- iii. Plan consist of project, programs, establishing measureable objectives, and recommendation for achieving sustainability.
  - iv. GSA will report to the State every 5 years thereafter. If report shows that the GSA is not doing its job, the State may step in.
6. Keith Young: What powers do the GSA's have to promote sustainability at the local level?
- a. Adam: GSA's powers come from the County (County ordinances, well permitting, metering, etc.)

**Agenda Item 3: Discussion of district boundaries and LAFCO**

David presented information on the LAFCO process

1. Service area is the area that is entitled to service (water in the case of WWD 42). Sphere of influence (SOI) is usually larger than the service area. The SOI is LAFCO's plan for the district.
2. Annexation is the process of adding territories. Detachment is the process of removing territories. The County or property owners can submit an annexation/detachment application. Affected property owners can protest the application. There is no protest for the SOI, but property owners can express their opinion.
3. Carl Kassabian: At the protest hearing, do the blue areas (parcels receiving water) have any say in regards to having the gray areas (areas within the district but not receiving water) detach?
  - a. David: Blue areas can express their opinion to the Commission but only gray areas can protest (vote for or against detachment).
  - b. Kevin Olsen: If there is an election for detachment, is it a 50% vote for all of it?
    - i. David: Voting is based on the weight of the vote. If only 10 out of 25 registered voters vote, the 10 votes decide the outcome.
  - c. Carl Kassabian: The purpose of the detachment is to allow gray areas to detach and not be assessed for the 4<sup>th</sup> well or let them stay and be assessed.
4. Art Gilbert: There are two gray parcels with hatch marks. What does the hatch mark mean?
  - a. Meng: The hatch mark shows which parcels are assessed for surveillance fee. The fees go towards the district's permit to operate the well system and for State to provide oversight on the County.
  - b. Art Gilbert: Why are the two gray parcels paying the surveillance fee when they are not receiving water?
    - i. Meng: The district has a lot of history and not everything was done correctly. This is why some blue parcels do not have hatch mark, even though they receive water, and the gray parcels have hatch mark, even though they don't receive water.
5. Sandy Schmeling: How much time does it take to put the LAFCO application into effect?
  - a. David: LAFCO has 30 days to review for completeness and up 1 year to process. Legal description, conditions such as disposition of well can tie things up.
6. LAFCO's fee is about \$16k and is based on the size of the district.
  - a. Sebastian: The County's fee is about \$25k and consist of putting the LAFCO application together, multiple agenda items going to multiple Board of Supervisor, legal description, and environmental reports.

- i. LAFCO Commission may or may not approve the detachment. The Board of Supervisor may or may not approve the initial request for detachment.
  - b. LAFCO can reorganize to include/exclude parcels as it sees fit.
  - c. County will look to see who wants in/out and submit applications accordingly to expedite the process with as little protest as possible.
- 7. Marc Black: Can the blue parcels detach from the district (properties in the middle of the district)?
  - a. Property owners can submit application to detach from the district but it will be difficult for LAFCO to justify allowing somebody from the middle to detach.
- 8. Sandy Schmeling: Who decides if property can drill a well?
  - a. Sebastian: The County of Fresno Department of Public Works and Planning – Development Services decides who can drill a well.
  - b. Daniel: Typically, when a tract map with a community water system is formed, all the parcels within the tract map give up the ability to drill its own well.
- 9. Sandy Schmeling: If I am currently connected, decide not to connect, and want to drill my own well, can I drill my own well?
  - a. Daniel: The County can decline the permit to drill a well.
  - b. Sebastian: Even if County allows you to drill, you may have to detach or continue to pay the fees.

Dave presented information on the City of Clovis SOI

- 10. Initially the City and residents agreed that the City's SOI reached WWD 42's boundary (just above the properties north of Nees). Now LAFCO is looking at the possibility of extending the City's SOI to the north side of Nees. Historically, as development encroaches on rural properties, property owners will move out.
- 11. Art Gilbert: How does this change the scenario if the SOI is moved to the north side of Nees? The properties south of Nees will have to deal with the problem instead of the properties north of Nees.
  - a. David: The properties north of Nees face north/south and are backing up to the development. The properties south of Nees face east/west and are not backing up to the development. It's a minor distinction but there is enough of a buffer that it will not affect those south of Nees.
- 12. Keith Young: How does LAFCO consider resources such as water when considering SOI?
  - a. David: The City's SOI expansion is based on water availability. The City plans to take surface water right from the International Water District to supply the new development.
  - b. Keith Young: By allowing the expansion and development, it is creating a demand for water.
    - i. David: The City has a water management plan that accounts for drought years.
    - ii. Keith Young: Do we have the right to say the City's plan is not feasible?

- iii. David: You can disagree with the plan. If you want to shoot it down, you must provide data that demonstrate why the plan is not feasible.
13. Carl Kassabian: We came up with a deal point that does not allow for co-mingling of vehicular traffic. If the SOI is on Nees Ave, what's to keep somebody from accessing Nees Ave? David: Good point.
  14. Sandy Schmeling: What's the plan for the area north of Nees?
    - a. David: Business campus.

### **Agenda Item 5: District fire flow discussion**

Item 5 was discussed before item 4.

1. Fire incident report from the fire department did not state how much water was used, but based on phone conversation with the fire department, they used a lot of water and did not feel that capacity was an issue.
2. Fire Flow requirements:
  - a. 0-3600 sq.ft: 1000 GPM for 1 hour
  - b. 3600 -4800 sq.ft 1750 GPM for 2 hours
3. WWD 42's Well Production:
  - a. All three wells are rated at 1080 GPM but actual well production is 736 GPM.
4. Kevin Olsen: Since it sounds like there is sufficient flow, fire flow requirements would not be an impediment for anybody who wants to join the district.
5. Carl Kassabian: The wells are at the west end of the district. The fire was at the west end of the district. What kind of production do you get at the eastern end of the district, mid-block between Alluvial and Nees? What kind of friction losses do we get?
  - a. Sebastian: You will need to do an analysis which takes into account the size of the pipe and the distance of the pipeline.
6. Marc Black: I believe in the City the fire department tests the hydrants. Since we are not in the City, does the fire department still tests the hydrants?
  - a. Meng: I asked the fire department and they do not test hydrants.
  - b. Carl Kassabian: In the past, we had the fire department come out and exercise the hydrants to make sure they function when needed. Another thing we did, at least in the winter time, was flush the fire hydrant for sands and silt.
    - I. Kevin Olsen: This has not been done for about 4-5 years.
  - c. Carl Kassabian: Recommends testing the fire hydrant on Highland, about mid-block (by the bridal path) since it is the one furthest from the well system.
    - I. Sandy Schmeling: What are the consequences of the result?
    - II. Carl Kassabian: It will tell us what we need to do.
7. Marc Black: The hydrants have not been flushed for 4-5 years. Isn't that part of the maintenance the district pays for?

- a. Meng: Maintenance is based on our Operators' judgement. If they feel that they need to do it then they will do it. If they feel that they don't need to do it, then they won't do it.
- b. Marc Black: What are the parameters for flushing?
- c. Meng: I will talk to the Operator to see what the parameters are for flushing.

**Agenda Item 4: Survey Results. Planning Process moving forward**

Meng presented the survey results regarding the assessment bond

- 1. For the first survey, 33 were for an assessment bond, and 22 were against it. For the 2<sup>nd</sup> survey, 16 were for the assessment bond and 13 against it. In total, 49 were for the assessment, 35 against, and 20 did not vote.
- 2. Meng called and left voicemail for those that did not vote, to have them call the County and voice their opinion.

Meng presented the survey results for the non-water user within the boundary.

- 3. There are a total of 40 parcels. 19 belong to individual home-owners with their own wells. 21 belong to Spalding Wathen and are not developed. 8 want to detach and 1 wants to stay in the district. Spalding Wathen is undecided.
- 4. Kevin Olsen: That means we have 10 parcel owners that did not respond. What are the plans for the 10 parcel owners?
  - a. Meng: The County does not have contact information for the non-water users, just an address. This makes it more difficult to contact them. If the district wants as much participation as possible, I can continue to reach out to them and go door to door if needed.
  - b. Kevin Olsen: If we are going to do an application and make sure it's appropriate, we need to know if they are in or out.
  - c. Daniel: My understanding, after the last meeting, is that if we have 1 or 18 that wanted to detach, the district wanted to go through the detachment process.
  - d. Bob Brown: If it's going to cost the district \$50k to detach one property owner only, does it not make sense to go through the process?
  - e. Meng: The majority of Spalding Wathen's properties are to the east. The majority of the home-owners who want to detach are to the west. We can submit a LAFCO application to detach only the western properties.
    - i. Sebastian: We need to be aware of the cost and benefit of detaching a few parcels only.
  - f. Art Gilbert: We need to move forward with the assessment bond and find out the cost to build a new well. When the gray area wants to connect, they will just have to pay a greater cost.
  - g. Bob Brown: If the gray areas want to connect, then the district may need to drill a 5<sup>th</sup> well and may need to build the infrastructure to the gray areas.
    - i. Sebastian: Not 100% certain, but if the gray areas want to build, they may be responsible for building the infrastructure to their property. The cost may be a hindrance for building.

- h. Carl Kassabian: About 1980, Mr. Wathen submitted a tentative map along Montana. At that time, the district had 5 wells producing 13 GPM/connection. The district stated that if Wathen can produce 13 GPM/connection, then they can connect to the district. Wathen was not able to meet the condition and was not able to submit a final map.
  - i. If a property owner wants to subdivide, they may have to meet certain conditions before they can subdivide.
  - j. County will reach out to the 20 property owners that did not vote and report back to the community.
  - k. The County will scope the project by doing the following: discuss with County Counsel on how to form an assessment district, develop a timeline with Counsel, finalize estimate with Sebastian, create a rate structure and review it for legality. This process can take 6 months to a few years.
5. Joshua Haas: During the Prop 218 voting, will we get to vote on more than one option?
- a. Daniel: The voting will have one option only. You either vote for it or against it.
6. What's wrong with well 1 & 2? What will it cost to get them working again?
- a. Kevin Olsen: Well 2 is contaminated with E. Coli bacteria and could not be sanitized. Well 1 has high nitrate problem. The cost to filter nitrate is high and the well is a poor producing well.
  - b. Daniel: Filtering nitrate is an ongoing, expensive cost.
  - c. Which is cheaper, filtering nitrate or drilling a new well?
  - d. Sebastian: You will need to do a cost analysis projecting the operation and maintenance of filtering nitrate compare to the capital improvement cost of drilling a new well. We can proceed down this path if desired.
  - e. Kevin Olsen: We did do a comparison and the cost to filter was more than the cost to drill a new well. We also want to have a sustainable plan for the long run and filtering nitrate was not a long-term solution.
7. Joshua Haas: Why was this not fixed when the wells went down? Why is it an emergency now? Can't we rehab the existing well, make stuff bigger?
- a. Kevin Olsen: We made improvements to the wells, improving efficiency.
  - b. Marc Black: Why can't we improve the three wells, make them bigger.
  - c. Kevin Olsen: The real risk is if one of the well goes down and we can't rehabilitate it.
  - d. Daniel: One option was to install a storage tank, but the cost was more than drilling a new well.
  - e. Sebastian: With a storage tank comes additional cost. It changes the system. You will need to install booster pumps.
  - f. Kevin Olsen: The estimated cost for the storage tank was \$2 million and it did not bring in new water.
8. Where will the proposed well be place?
- a. Kevin Olsen: We have two homeowners who offered their land.

- b. Joshua Haas: What's the benefit to the homeowners who offered their land?
  - c. Mr. Sandy: We donated our land so it does not cost the district anything.
9. Art Gilbert motion to proceed by scoping the Prop 218, assessment bond, final estimate for the 4<sup>th</sup> well, and timelines. Carl Kassabian second the motion. Motion passed unanimously. Residents voted unanimously to approve the motion as well. Note: The County will reach out to the 20 non-voters. If their votes changes the outcome, the County will report to the district and seek direction.
10. Joshua Haas: What would the fee structure look like?
- a. Daniel: The County will meet with the district to present a fee structure for consensus before going to the Board.

#### **Agenda Item 6: Equipment and Infrastructure St**

- 1. Work on Well 3 will start on the week of February 11. The same vendor will provide quotes for the mercoird pressure switch during that time as well.

#### **Agenda Item 7: CAC Election**

- 1. Craig Smith's seat is open for election. The election is for a 3 year term. You can self-nominate or nominate another. Sandy Smelling nominated himself. No other nominees. Sandy unanimously voted to the CAC.

#### **Agenda Item 8: Other Items not listed for Discussion**

- 1. Keith Young: Will the new well construction be done in stages or completed as a whole?
  - a. Daniel: At the next meeting, we can ask Sebastian to present information on the process.
- 2. Keith Young: Is there anything that prevents the district from applying or accepting grants? Can we legally accept outside money?
  - a. Daniel: Grants are typically available to low income communities. The districts can accept grants.
  - b. Carl Kassabian: We discussed grants before and had a presentation. The presenter stated that it would take at least 3 years. The likelihood of receiving the grant was low because the community was not disadvantaged.
- 3. Kevin Olsen: We received the conservation report. The County recommends we stay in normal conservation. This means our usage will stay the same. The report states the following: "The subdivision is fully built out. Therefore the number of connection is projected to remain steady". Is the subdivision really fully built out when there are gray areas that have the potential to connect?
  - a. Daniel: I will make the correction to include the gray areas.
  - b. Kevin Olsen: On the report there is another sentence that states "During the critical period, the user demand was 45% of well capacity and capacity exceeded demand by 407 GPM. That difference is equivalent to 814 new homes". So 814 new homes at 407 GPM is about half a gallon per home. Is this what the County wanted?

- i. Daniel: The State's standard is 0.5 GPM. This is the standard that's applied to across the board. The standard may not be appropriate for WWD 42 because of the larger lot, but this is why we have a disclosure in the report.

**Agenda Item 9: Set Date for Next CAC Meeting**

1. Next meet tentatively set for 4/10/19 @ 6:00PM
2. County will email resident of any changes
3. County will send notices with the bimonthly billing if it coincide with the meeting

**Agenda Item 10: Adjournment**

1. Meeting adjourned at approximately 8:45 p.m.

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