

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

**Post Office Box 1029
Mendocino, CA 95460
(707) 937-5790 (t)
(707) 937-5751 (t)
Fax (707) 937-3837 (f)
mccsd@mcn.org**

Per California Governor Gavin Newsom’s Executive Orders N-25-20 and N-29-20, the meeting is being held via teleconference.

MENDOCINO CITY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING

ACTION MINUTES – April 25, 2022

**BEFORE THE BOARD OF DIRECTORS
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA COMMUNITY SERVICES DISTRICT LAW[§]
Government Code §61000)**

AGENDA ITEM NO. 1 – CALL TO ORDER – OPEN SESSION 3:07 p.m.

Present: Directors Christina Aranguren, Harold Hauck, Maggie O’Rourke, Vice President Jim Sullivan and presiding was President Dennak Murphy

Staff Present: Mr. Ryan Rhoades, District Superintendent, Katie Bates, Board Secretary.

Legal Counsel Present: Jim Jackson, Chris Hamer

Public Present: None

AGENDA ITEM NO. 2. – APPROVAL OF AGENDA

Director Hauck moves to approve the agenda. VP Sullivan 2nd.

AYES: 5

AGENDA ITEM NO. 4 –ADJOURNMENT TO CLOSED SESSION

AGENDA ITEM NO. 5–RETURN FROM RECESS 5:02 p.m. Continue Regular Board Meeting

a. Call to Order

Present: Directors Christina Aranguren, Harold Hauck, Maggie O’Rourke, Vice President Jim Sullivan, and presiding was President Dennak Murphy.

Staff Present: Mr. Ryan Rhoades, District Superintendent, Katie Bates, Board Secretary.

Legal Counsel Present: None

Public Present: Michelle Blackwell, Dan Potash, Ken Taylor, Kristine McKee, Judy Steele, Tom Tetzlaff

AGENDA ITEM NO. 6 –REPORT OUT FROM CLOSED SESSION

Presenter: Dennak Murphy

Board Action: Authorize Superintendent to pay attorney fees in Gomes' Lawsuit subject to recalculation of the interest. Authorize Director O'Rourke to secure training/ course information from CSDA.

AGENDA ITEM NO.7- PUBLIC COMMENT

Tom Tetzlaff asked how much money does the District owe to Mr. Gomes and his lawyer, as well as how much has the District spent total.

AGENDA ITEM NO. 8- COMMUNICATIONS

None

AGENDA ITEM NO. 9- FINANCIAL REPORT

9a) Discussion and Possible Action to Approve District Disbursements/ Expenditures

Presenter: Kristine McKee

Board Comment: Director Hauck asked about the SUSP. Superintendent Rhoades clarifies it is the Rate Study with Cal Rural Water

Public Comment: Judy Steele asked to see financial statements. KMC directed her to the website to see the audit.

Board Action: Upon motion by Director O'Rourke, seconded by Director Aranguren. IT IS ORDERED to approve the disbursements and expenditures. The Motion carried by the following vote:

AYE: 5

NO: 0

9b) Monthly Report

Presenter: Kristine McKee

No action taken

AGENDA ITEM No. 10 – SUPERINENDENT'S REPORT

a) Monthly Superintendent's Report

Presenter: Ryan Rhoades

Public Comment: Michelle Blackwell asked clarifying question re: Outfall service

Board Comment: Director Aranguren mentioned Water Boards notice re: local wastewater workshop scheduled for 5/11/22

AGENDA ITEM NO. 11- SECRETARY'S REPORT

a. Monthly Secretary's Report

Presenter: Katie Bates

Public Comment: Judy Steele and Tom Tetzlaff comment re: money spent to send out Stage 4 Water Shortage Emergency notices via Certified mail. Michelle Blackwell clarified letters send out depending on declared Stage.

Board Comment: Directors Aranguren, Hauck, and VP Sullivan respond to public comment and point out MCCSD is only following Ordinance requirements.

AGENDA ITEM NO. 12- GROUNDWATER MANAGEMENT

a) Monthly Groundwater Management Report

Presenter: Ryan Rhoades

Public Comment: Tom Tetzlaff expressed concern re: GWM. Michelle Blackwell asked what it would take to downgrade Stage of Water Shortage. Ken Taylor mentioned rainfall and monitoring well evaluation as basis for determining Stage declared.

Board Comment: VP Sullivan and President Murphy

AGENDA ITEM NO. 13 – NEW BUSINESS

13a) Discussion and Possible Action to engage with R.J. Ricciardi CPA for auditing services

Presenter: Katie Bates and RR Ricciardi

Board Comment: VP Sullivan, President Murphy

Board Action: Upon motion by Director Aranguren, seconded by Director Murphy. IT IS ORDERED to engage with R.J. Ricciardi for fiscal year to end 6/30/2022 to pay for audit and for completion of the State Controller's Report. The Motion carried by the following vote:

AYE: 5

NO: 0

13b) Discussion and Possible Action to approve the new agreement with Jim Jackson, District Counsel

Presenter: Superintendent Rhoades

Public Comment: Tom Tetzlaff and Michelle Blackwell

Board Comment: Directors O'Rourke, Hauck, VP Sullivan, and President Murphy

Board Action: Upon motion by Director Hauck, seconded by VP Sullivan. IT IS ORDERED to employ the services of Jim Jackson as outlined in the 4/14/22 letter. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSTAIN: 1

13c) Discussion and Possible Action to adopt Public Records Request changes

Presenter: Ryan Rhoades

Board Comment: Director Aranguren and President Murphy
Postponed to future meeting

13d) Discussion and Possible Action to approve RES 2022-290: RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO CONTINUE THE AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO AB 361

Presenter: Katie Bates

Public Comment: Tom Tetzlaff discussed the mask mandate. Michelle Blackwell sought clarification re: how the

Board Comment: Directors O'Rourke, Hauck, and President Murphy

Board Action: Upon motion by Director O'Rourke, seconded by VP Sullivan. IT IS ORDERED to adopt RES 2022-290 with added language under "Therefore" as: #2, and list the title of the Resolution, as well as language added to agenda to clarify teleconference and in-person attendance are encouraged and welcomed. The Motion carried by the following vote:

AYE: 5

NO: 0

Request from Director O'Rourke to move Agenda Item 18 up to now

AGENDA ITEM NO. 18: MATTER FROM BOARD MEMBERS

Director O'Rourke discussed the need for mandatory reports from water delivery data. Also discussed was possible installation of smart water meters. Discussed was the presence of tents in town and possible charges for the expanded use. Finally, Director O'Rourke asked for information available to the possible rate increase

Public Comment: Michelle Blackwell and Ken Taylor

Board Comment: Directors Hauck, Aranguren and President Murphy

13d) Discussion and Possible Action to review project priority and funding opportunities

Presenter: Ryan Rhoades

Board Comment: Director Aranguren and VP Sullivan

13e) Discussion and Possible Action to begin a search for an organizational psychologist to clarify the roles of Directors and Staff

BOD agrees topic sufficiently covered during Closed Session

AGENDA ITEM NO. 14- OLD BUSINESS

14a) Discussion and Possible Action to form an ad hoc committee to review and edit the Governance Guidelines document

Board Comment: Directors Aranguren, Hauck, O'Rourke, and President Murphy

No action taken. Deferred to future meeting.

AGENDA ITEM NO. 15: CONSENT AGENDA

a. APPROVAL OF MINUTES

a1) 2-28-22 Meeting Minutes

- a2) 3-23-22 Meeting Minutes
- a3) 3-28-22 Meeting Minutes

Board Action: Upon motion by Director Hauck, seconded by Director O'Rourke. IT IS ORDERED to approve the meeting minutes from 2-28-22, 3-23-22, and 3-28-22. The Motion carried by the following vote:

AYE: 5

NO: 0

AGENDA ITEM NO. 16: DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION

AGENDA ITEM NO. 17: COMMITTEE UPDATES

**Groundwater Management Committee will be rescheduled to early May.
President Murphy mentions needing to schedule a Plant Operations Committee Meeting.**

AGENDA ITEM NO. 19: ADJOURNMENT

IT IS ORDERED to approve adjourn the meeting at 7:04 p.m.

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT MEETINGS

- *Effective May 11, 2020, the Board of Directors' minutes will be produced in "action only" format.*
- *Minutes are considered draft until adopted/approved by the Board of Directors*
- *Please reference the District's website to obtain additional resource information for the Board of Directors: www.mccsd.com.*

Thank you for your interest in the proceedings of the Mendocino City Community Services District

Board of Directors

STANDING COMMITTEES:

- Finance:----- Dennak Murphy and Maggie O'Rourke**
- Personnel:----- Dennak Murphy and Maggie O'Rourke**
- Plant Operations:----- Dennak Murphy and Jim Sullivan**
- Safety: ----- Harold Hauck and Christina Aranguren**
- Street Lighting:----- Christina Aranguren and Harold Hauck**
- Water Management:----- Christina Aranguren and Jim Sullivan**

Respectfully submitted,

Ryan Rhoades and Katie Bates