

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 4-24-2023 MEETING AGENDA

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
P. O. BOX 1029
MENDOCINO, CA 95460
Business Phone (707) 937-5790 Treatment Plant (707) 937-5751 Fax (707) 937-3837

AGENDA

REGULAR MEETING

Wednesday, April 19, 2023

5:00 PM

Wastewater Treatment Plant, 10500 Kelly Street, Mendocino

IN RESPONSE TO THE GOVERNOR'S LIFTING THE COVID STATE OF EMERGENCY, MCCSD HAS RESUMED
IN-PERSON BOARD AND STANDING COMMITTEE MEETINGS

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. PUBLIC COMMENT: non agenda items
4. COMMUNICATIONS
5. FINANCIAL REPORT
Discussion and Possible Action to Approve District Disbursements/Expenditures.
6. CONSENT AGENDA
All matters on the Consent Agenda are to be approved by one action without discussion unless a Board Member requests separate action on a specific item.
 - a) APPROVAL OF MINUTES from 3-27-23
7. DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION
8. GROUNDWATER MANAGEMENT
Monthly Groundwater Management Report
9. NEW BUSINESS
 - a) Discussion and Possible Action to adopt Resolution 2023-315: RESOLUTION OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO RESCIND RESOLUTION 2023-308 AND DECLARE NO WATER SHORTAGE CONDITION EXISTS AT THIS TIME
Staff recommends approval
 - b) Discussion and Possible Action to adopt an MOU with MUSD
Staff recommends approval
 - c) Discussion and Possible Action to adopt Resolution 2023-316: RESOLUTION OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO AMEND 4.1 OF THE MCCSD PERSONNEL MANUAL, HOLIDAYS
Staff recommends approval
10. OLD BUSINESS
11. DISTRICT SECRETARY'S REPORT
Monthly Report
12. DISTRICT SUPERINTENDENT'S REPORT
Monthly Report.
13. COMMITTEE UPDATES
14. MATTERS FROM BOARD MEMBERS

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 4-24-2023 MEETING AGENDA

15. ADJOURNMENT

STANDING COMMITTEES: For 2023

- Finance:----- Dennak Murphy and Ishvi Aum
- Personnel:----- Dennak Murphy and Matthew Miksak
- Plant Operations:----- Dennak Murphy and Jim Sullivan
- Safety:----- Jim Sullivan
- Street Lighting:----- Jim Sullivan and Donna Feiner
- Groundwater Management:----- Jim Sullivan and Donna Feiner

Pursuant to Americans with Disability Act (ADA Title II), MCCSD will make reasonable arrangements to ensure accessibility to the meeting. If you need special assistance to participate in this meeting, please contact the business office at 707- 937-5790.

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

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MENDOCINO CITY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING

ACTION MINUTES – MARCH 27, 2023

**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 – 5:03 p.m.

Present: Directors Donna Feiner, Ishvi Aum, Matthew Miksak, and presiding was Vice President Jim Sullivan,

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

Legal Counsel Present: None

Public Present: Michelle Blackwell

AGENDA ITEM NO. 2. – APPROVAL OF AGENDA

Board Action: Upon motion by Director Feiner, and 2nd by VP Sullivan, IT IS ORDERED to approve the agenda. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Murphy)

AGENDA ITEM NO. 3 –PUBLIC COMMENT

None

AGENDA ITEM NO. 4 – COMMUNICATIONS

Superintendent Rhoades noted hearing from a Southern California law firm requesting CEQA notifications
Board Comment: Director Feiner

AGENDA ITEM NO. 5- FINANCIAL REPORT

Board Comment: Director Aum and VP Sullivan

Staff Comment: Superintendent Rhoades and District Secretary Bates

Board Action: Upon motion by VP Sullivan and 2nd by Director Feiner, IT IS ORDERED to approve the February disbursements. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Murphy)

AGENDA ITEM NO. 6: CONSENT AGENDA

APPROVAL OF 2-27-23 and 3-3-23 MINUTES

Board Action: Upon motion by Director Feiner, seconded by Director Aum, IT IS ORDERED to approve the consent agenda. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Murphy)

AGENDA ITEM NO. 7: DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION

None

AGENDA ITEM NO. 8 – NEW BUSINESS

- a) **Discussion and Possible Action to adopt Resolution 2023-313: RESOLUTION OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO OPPOSE BALLOT INITIATIVE 21-0042A1**
Presenter: Superintendent Rhoades

Board Comment: Director Miksak
Public Comment: Michelle Blackwell

Board Action: Upon motion by Director Feiner, seconded by Director Miksak, IT IS ORDERED to approve Resolution 2023-313. The Motion carried by the following vote:

AYE: 3

NO: 1 (Aum)

ABSENT: 1 (Murphy)

- b) **Discussion and Possible Action to approve the 2023 Mendocino Film Festival’s use of the Palette Drive property May 23 – June 6, 2023**

Staff Comment: Superintendent Rhoades
Board Comment: Directors Aum and Miksak,

Board Action: Upon motion by Director Aum, seconded by Director Miksak, IT IS ORDERED to approve the 2023 Mendocino Film Festival’s use of the Palette Dr. property May 23 – June 6, 2023. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Murphy)

- c) **Discussion and Possible Action to adopt Resolution 2023-314: RESOLUTION OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT FOR CALOES DESIGNATION OF AUTHORIZED AGENT FOR NON-STATE AGENCIES**

Board Action: Upon motion by Director Feiner, seconded by Director Aum, IT IS ORDERED to approve Resolution 2023-314. The Motion carried by the following vote:

AYE: 4

NO: 0

ABSENT: 1 (Murphy)

AGENDA ITEM NO. 9- OLD BUSINESS

- a) **Discussion and Possible Action to discuss possible alternative future MCCSD meeting locations and format now that the Covid-19 State of Emergency has been declared over by Governor Gavin Newsom**

Presenter: Superintendent Rhoades

Board Comment: VP Sullivan, Directors Aum and Miksak

Public Comment: Michelle Blackwell

AGENDA ITEM NO. 10- GROUNDWATER MANAGEMENT

Presenter: Ryan Rhoades

Board Comment: Directors Aum and Feiner, and VP Sullivan

AGENDA ITEM No. 11 – SECRETARY’S REPORT

Presenter: Katie Bates

AGENDA ITEM NO. 12: SUPERINTENDENT’S REPORT

Staff Comment: Ryan Rhoades

Board Comment: Directors Aum, Miksak, and VP Sullivan

Public Comment: Michelle Blackwell

AGENDA ITEM NO. 13- COMMITTEE UPDATES

Presenter: VP Sullivan

Board Comment: Director Aum

Staff Comment: Ryan Rhoades

Public Comment: Michell Blackwell

AGENDA ITEM NO. 14: MATTER FROM BOARD MEMBERS

Board Comment: Directors Aum, Feiner, and VP Sullivan

AGENDA ITEM NO. 18: ADJOURNMENT

IT IS ORDERED to approve adjourning the meeting at 7:20 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

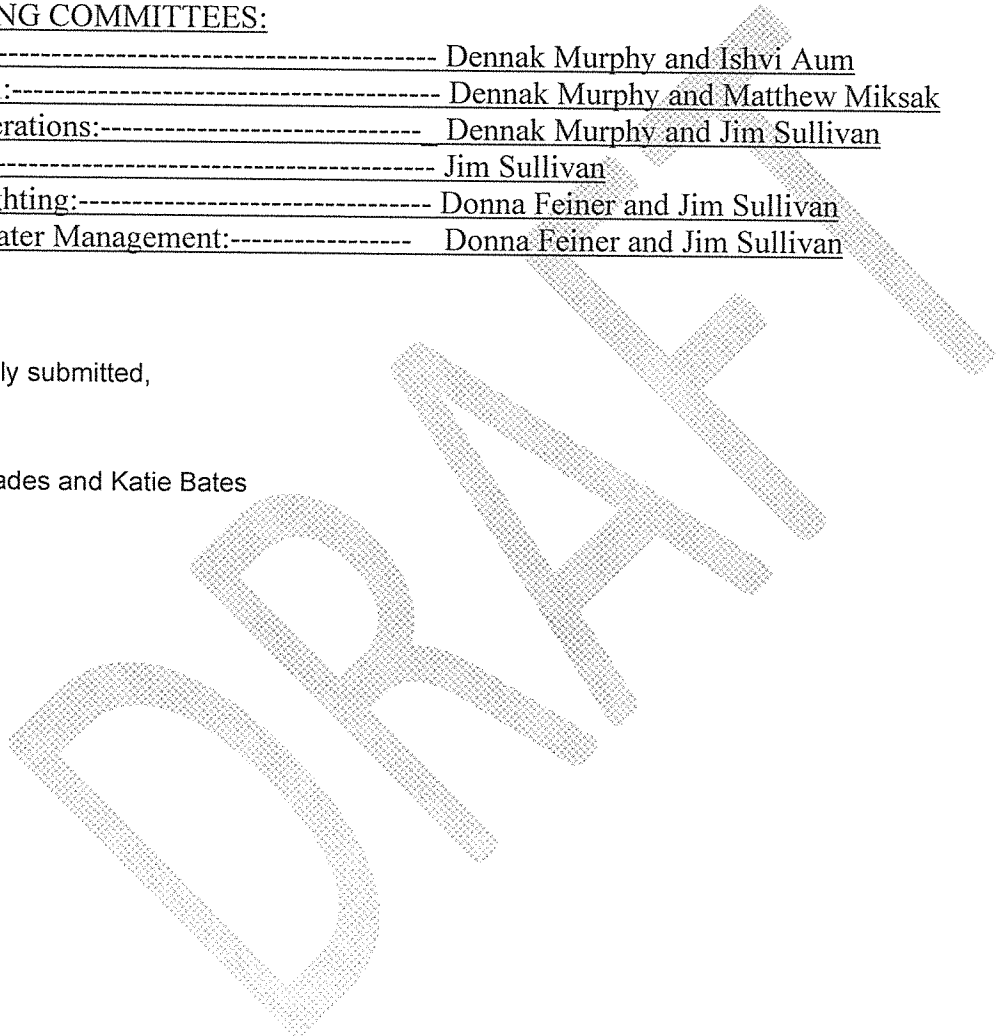
Board of Directors

STANDING COMMITTEES:

- Finance:----- Dennak Murphy and Ishvi Aum
- Personnel:----- Dennak Murphy and Matthew Miksak
- Plant Operations:----- Dennak Murphy and Jim Sullivan
- Safety: ----- Jim Sullivan
- Street Lighting:----- Donna Feiner and Jim Sullivan
- Groundwater Management:----- Donna Feiner and Jim Sullivan

Respectfully submitted,

Ryan Rhoades and Katie Bates



Memo

To: MCCSD Board of Directors
From: District Superintendent
cc: Jim Jackson
Date: April 13, 2023
Re: Groundwater Management Report

The 2022-23 Rain Year

October 1, 2022 was the beginning of the 2022-23 rain year. Average annual precipitation in Mendocino is 39.72 inches, and average rainfall in April is 2.96 inches. 1.14 inches of rainfall has been measured in the District for the month, as of April 13, 2023 (Figure 1, Table 1).

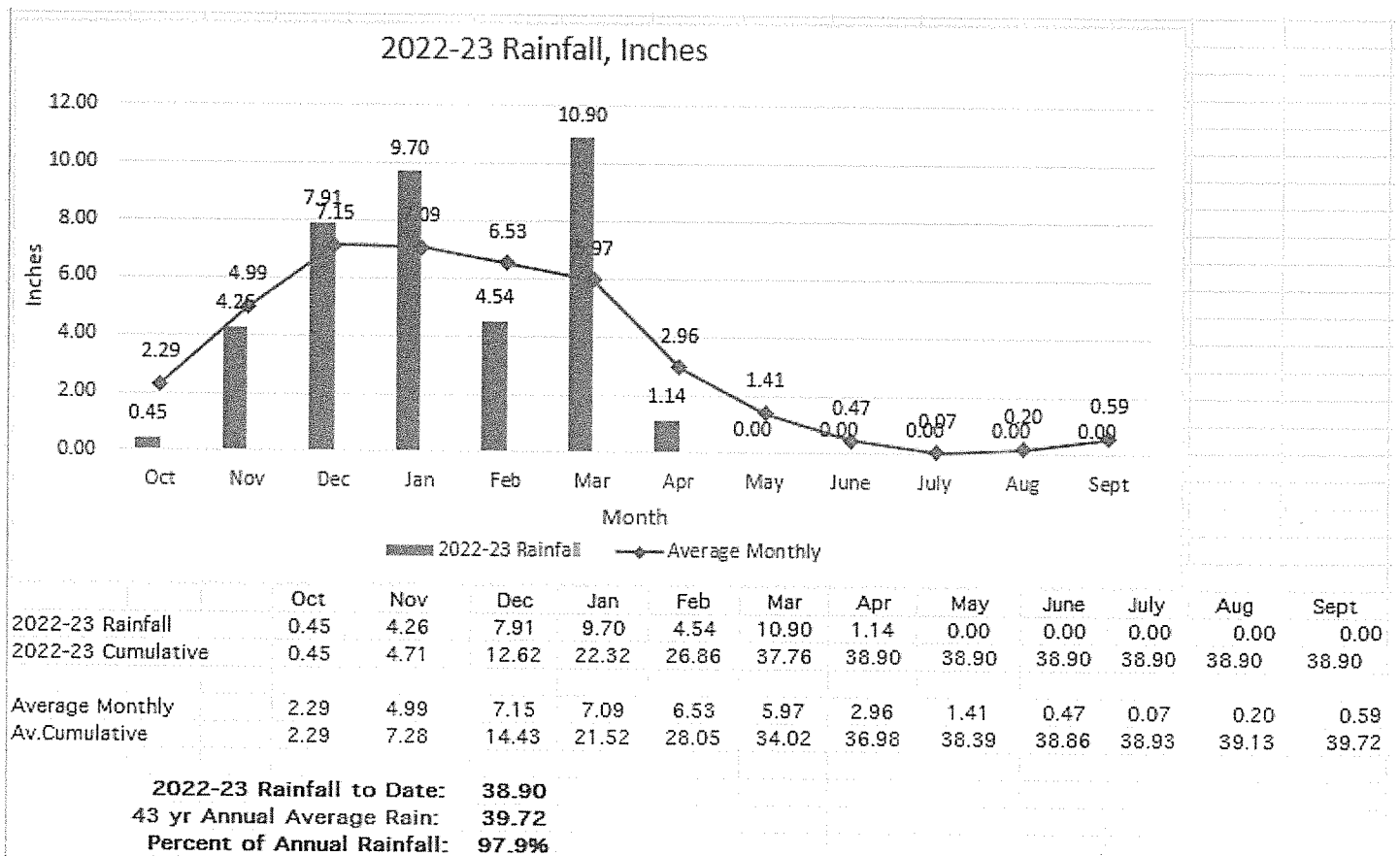
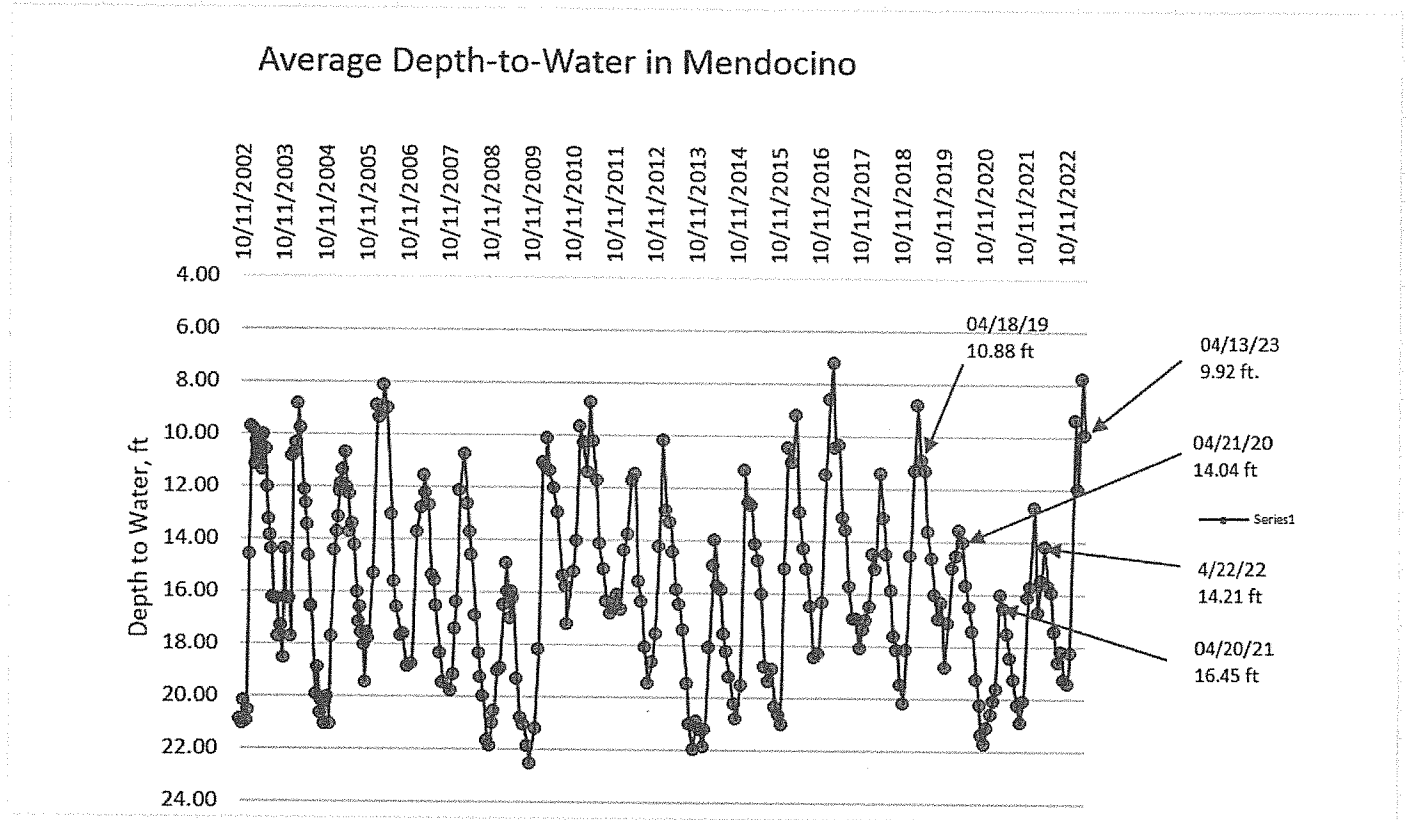


Figure 1, Table 1

April 2023 Depth-to-Water (DTW)

The average DTW measurements District-wide in the 24 monitoring wells on April 13, 2023 was 9.92' ft., about 2.2 ft. lower than March 2023, about 4.3 ft. better than April of 2022, and about 6.5 ft. better than April of 2021. Compared to a good rain year like 2019, which received 45.64" inches, the average depth to water is currently about 1 ft. better than average for the month.

Figure 2 April 2023, Depth-To-Water Chart



March 31, 2022 represents the most recent Water Shortage evaluation date. At that time depth to water measurements in the five drought monitoring wells recorded an average of 11.67 ft. and rainfall totals were 37.76" inches.

The water shortage contingency plan indicates no water shortage currently exists within the District. The Superintendent recommends following the plan and rescinding the Stage 1 Water Shortage Alert.

The next evaluation date is May 31, 2023.

RESOLUTION NO. 2023-315
RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT
TO RESCIND RESOLUTION 2023-308 AND DECLARE NO WATER SHORTAGE
CONDITION EXISTS AT THIS TIME

WHEREAS, in 1987, the California Legislature passed Water Code Section 10700 – 10717, as outlined in Assembly Bill No. 786, which provided the Mendocino City Community Services District (MCCSD) with the authority to establish programs for the management of groundwater resources within the District boundaries; and

WHEREAS, in 1990, the Mendocino City Community Services District assumed responsibility for groundwater management within the District boundaries; and

WHEREAS, the Mendocino City Community Services District adopted a Water Shortage Contingency Plan to protect and conserve the groundwater resources within its boundaries; and

WHEREAS, the Board of Directors of the MCCSD declared a Stage 1 Water Shortage within the area served by the MCCSD on February 6, 2023 due to the preexisting Water Shortage Stage 2; and

WHEREAS, greater than 32 inches of rainfall was recorded by March 31, 2023, and greater than 14 inches of precipitation was measured since February 1, 2023.

NOW, THEREFORE, IT IS RESOLVED, that the Board of Directors of the MCCSD rescinds the Stage 1 Water Shortage and declares a No Water Shortage Condition exists within the area served by the MCCSD based on the MCCSD Water Shortage Contingency Plan.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at a Regular Meeting on April 19, 2023 by the following vote:

ROLL CALL VOTE: AYES:
NOES:
ABSENT:

ATTEST:

Katie Bates, District Secretary

Dennak Murphy, Board President

MEMORANDUM OF UNDERSTANDING
BETWEEN THE MENDOCINO UNIFIED SCHOOL DISTRICT
AND
MENDOCINO CITY COMMUNITY SERVICES DISTRICT

The Memorandum of Understanding (MOU) is between the Mendocino Unified School District (MUSD) and the Mendocino City Community Services District (MCCSD) regarding a project involving the planning, design and construction of new potable water wells, water storage tanks, water treatment, and water system improvements on MUSD property. This MOU replaces the MOU approved by MUSD on September 9, 2022 and approved by MCCSD on October 3, 2022.

MCCSD is a California Community Services District formed pursuant to Government Code Section 61000 et seq., with responsibility for providing sanitary sewer service and treatment, groundwater management and street lighting within a district including the village of Mendocino. The MUSD is a K-12 school district that covers 420 square miles and serves the communities from Caspar on the north to Elk in the south and inland to Comptche.

The drought period of 2020-2022 was the worst multi-year drought in recorded State history. The ongoing drought highlighted the need for improved water security in the face of climate change and natural disasters. The MCCSD is the groundwater management authority within the service area boundary. It is responsible for the management of the Mendocino Headlands Aquifer to help prevent overdraft and maintain equitable access to groundwater for the residents, businesses, and property owners. MCCSD has a robust Groundwater Management Program and Water Shortage Contingency Plan. Even with these plans in place, some wells in the service area run dry each summer and others are not able to keep up with demand. The 2021 drought year exposed another weakness; MCCSD customers cannot depend on neighboring water districts to meet water demand short fall during dry periods. This has led to the need to create a local emergency water supply and storage for use during dry periods.

The MUSD is in the unique position of owning one of the most developed and expansive water systems within the MCCSD service area. MUSD owns, operates, and maintains two wells, 115,000 gallons of potable water storage in two tanks, a water treatment system, and a water distribution main that extends through most of the

MCCSD service area, east to west, and includes fire hydrants. MUSD was awarded a *Drinking Water State Revolving Fund (DWSRF)* grant to replace the two existing water tanks, replace the water treatment system, and bring an additional well online. The project is called the Water Supply and Storage Project.

MCCSD, in cooperation with MUSD, has obtained a California Department of Water Resources grant through the *Urban and Multibenefit Drought Relief (UMBDR) Grant* program to develop a Water Supply and Storage project to help serve the District's water needs during dry periods. This UMBDR grant funding is for the development of 500,000-gallons of potable water storage, and the drilling of up to 10 new groundwater wells.

MCCSD and MUSD have had discussions and agreed to cooperate in the development of a water supply and storage on MUSD owned property that combines both DWSRF and UMBDR grant funding sources to deliver one project. The project combines the storage volume, and incorporates the new wells, treatment building and site improvements. This approach is proposed because combining the funds into one project maximizes the available funding and leverages economy of scale. MUSD's existing water system infrastructure is already being improved and the presence of groundwater on the MUSD property is known. Combining project funding also reduces the total number of water tanks and the project footprint.

This project is supported by the Mendocino County fifth District Supervisor, California State political leaders, local residents, and local businesses.

MCCSD and MUSD therefore agree to the following:

1. MUSD will make available its real property for the purpose of constructing up to ten (10) new potable water wells and incorporating them and 500,000 gallons of additional potable water storage into the MUSD Water Supply and Storage Project.
2. MUSD was designated by the State Water Resources Control Board as the Lead Agency under the California Environmental Quality Act (CEQA). MUSD previously completed an Initial Study (IS)/Mitigated Negative Declaration (MND) for the MUSD funded Water Supply and Storage project. It is mutually agreed that MUSD will remain the lead agency for the combined project.
3. Equitable access to water during periods of drought will be mutually determined between MUSD and MCCSD once all MUSD potable water needs are met.

4. For any water accessed by MCCSD, MCCSD shall be responsible for the proportionate cost of water pumping and treatment, as well as proportionate costs to maintain wells, storage, and water quality.
5. MCCSD and MUSD will coordinate to have a hydro-geologic study, well siting study, geotechnical investigation, survey, updated environmental documents, permitting, and update the Water Supply and Storage Project design for the additional potable water wells, 500,000 gallons of additional storage, and related improvements.
6. The hydro-geologic study and well siting study will inform the design and locations of the wells. The wells will be constructed in accordance with the MCCSD Groundwater Management Plan, specifically Ordinance 2020-01. This includes notification of surrounding properties, and a 72-hour pump test as part of a hydro-geologic study during construction. If the wells produce a sufficient quantity of water and the hydro-geologic study concludes that water may be extracted without negatively impacting neighboring well groundwater levels, the wells will be developed for potable water production.
7. In the event adequate water is not found as a result of drilling the new wells, an alternative well site(s) may be explored. Similarly, if hydrological testing shows that the water cannot be extracted without negatively impacting neighboring wells, including MUSD's existing wells, alternative well sites may be investigated or a well operations plan developed.
8. In the event adequate water is not found as a result of drilling the new wells, MUSD shall retain the right to use the wells drilled on its property for whatever purpose the hydrological testing identifies as appropriate, subject to state requirements, and MCCSD shall have no further financial commitment to the wells.
9. Water will be treated by the MUSD water treatment system. MCCSD staff will have unrestricted access to the treatment system. Operation and maintenance of the treatment system to ensure health and safety of the water will remain the responsibility of MUSD as part of their State permitted public water system.
10. MUSD will grant MCCSD an access and utility easement onto MUSD property, as determined to be necessary, for the construction, maintenance, service, and use of the storage tanks, wells, and treatment system.

11. Once constructed and operational, MCCSD will operate and maintain the new wells. MCCSD will be responsible for all costs associated with maintenance, use, and replacement of the wells, and proportionate cost of operation and maintenance of the tanks and water treatment system, for any water accessed by MCCSD.
12. MCCSD and MUSD will make sure water is accessible to the Fire Departments as needed for emergency fire suppression.
13. Changes to the UMBDR grant funded improvements are at the discretion of MCCSD, the grant recipient, and require approval of the California Department of Water Resources, the grant provider.
14. Changes to the DWSRF grant funded improvements are at the discretion of MUSD, the grant recipient, and require approval of the State Water Board Division of Financial Assistance, the grant provider.
15. Changes to the project that may affect MUSD will be subject to MUSD approval.
16. This MOU may be modified by MCCSD and MUSD in a subsequent memorandum signed by both parties.

This MOU is hereby accepted by MCCSD and MUSD effective _____, 2023 at Mendocino, California.

Mendocino City Community Services District

By: Dennak Murphy, Board President

Mendocino Unified School District

By: Michael Schaeffer, Board President

RESOLUTION NO. 2023-316

RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT
TO AMEND SECTION 4.1 OF THE MCCSD PERSONNEL MANUAL, HOLIDAYS

WHEREAS, the District is authorized and directed by Section 4.1 of the Mendocino City Community Services District Personnel Manual to observe “standard holidays and provide for all full-time employees time off with pay at their normal base rate”; and

WHEREAS, the District acknowledges the following 9 (nine) “standard holidays” in Section 4.1 of the Personnel Manual:

New Year’s Day, President’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Friday Following Thanksgiving, Christmas Day, 1 Floating Holiday; and

WHEREAS, the California Civil Rights Department recognizes the above list, as well as 4 (four) additional Holidays to observe:

Martin Luther King Day, Indigenous People’s Day, Christmas Eve, and Veteran’s Day; and

WHEREAS, the District intends to offer paid holidays consistent with the paid holidays offered by the State of California; and

NOW, THEREFORE, IT IS RESOLVED, that the Board of Directors hereby authorizes and directs the adoption and implementation of the following amended Section 4.1 of the Personnel Manual: Holidays. The District observes the following standard holidays and provides all full-time employees time off with pay a their normal case rate, unless otherwise provided in the Manual. Part-time employees receive holiday time off, with pay pro-rated to the number of hours they are scheduled to work.

New Year’s Day
MLK Day
President’s Day
Memorial Day
Independence Day
Labor Day
Indigenous People’s Day
Veteran’s Day
Thanksgiving Day
Friday Following Thanksgiving
Christmas Eve
Christmas Day
1 Floating Holiday

Holidays are to be taken on the day they occur. Holidays which fall on Saturday will be observed the preceding Friday, and those which fall on Sunday will be observed the following Monday.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at the Regular Meeting on April 19, 2023 by the following vote:

ROLL CALL VOTE: AYES:

NOES:

ABSENT:

ATTEST:

Katie Bates, District Secretary

Dennak Murphy, Board President

April, 2023 Secretary's Report

This month's violation letters will go out tomorrow, April 20, 2023

I worked closely with CalPERS to correct some payroll entry errors and, by doing so, we received a total of \$1688.27 credited back to our account.

We have begun working with the Streamline website company. We are working to migrate our website information and will soon launch, so keep a look out our new platform.

April 2023 Superintendent's Report

Wastewater Treatment Plant:

Operators performed routine repair and maintenance to the WWTP in April of 2023. On Monday 4/17/23 the final two influent suction lines damaged during winter Storms were replaced. All three influent pumps are again back in rotation. Thank you Arc Angel Welding. The biosolids press which was out of service last month, was repaired. The biosolids dryer continues to have electrical issues related to the January power surges, additional parts are on order.

Outfall Update: We are still waiting on Alpha Diving to submit a work plan for 2023. We have reached out to the Noyo Center about use of their ROV to inspect the outfall for storm damage. We have received one estimate for future dive inspections. The District continues development of an RFQ for outfall maintenance services.

Recycled Water:

MCCSD did not transfer any recycled water during the month of April. The District desperately needs upgrades to this system if we are to continue providing recycled water. GHD continues to work on our grant application to fund recycled water upgrades.

Biosolids Trailer and Transport:

MCCSD did not transport any biosolids in April of 2023. We did apply to renew our agreement with Waste Management for continued disposal, but they requested additional lab analysis.

Office Update:

The Superintendent is still very busy with Q1 State reporting, assisting operators with plant repairs and operations, helping GHD gather additional information for grant applications, the GSRMA LEEP program follow up, legal matters, renewal of permits and agreements, GWEP and Sewer permit questions, the annual Audit, annual Budget planning, acquiring bids for plant repair, and public records requests. We met with an I.T. professional to consult on new office computers.

Grant and Project Updates:

Staff learned that the Recycled Water grant application and the State SRF Wastewater Planning grant application previously reported as submitted have in fact only been partially submitted, and more information is still required.

We also learned that the State SAFER program appears to have assigned GHD as a technical advisor to the District.

Safety Meeting and Plant Safety Inspection:

The 30-minute monthly safety meeting was held April 14, 2023. The topic was *Housekeeping, A Clean Place is a Safe Place*.

Sanitary Sewer Collection System:

The MCCSD office received an e-mail report on April 11, 2023 of an odor complaint from 4/8-4/9 and a possible sanitary sewer overflow. Staff investigated and found no active overflow. Some wet T.P. was

observed on top of a clean out lid, and higher than normal water inside the clean out. After further investigation staff found a partial obstruction about 30 ft. from the clean out. The blockage was cleared. The RWQCB regulator was called. The Superintendent was advised based on observations that no further notification was required. In an abundance of caution and a desire for experience a report was filed CIQWS. The County ENV Health department notified, Fish and Wildlife was notified, the MCCSD Board and Operations Committee were notified, and the reporting party was notified. We also called a local excavation contractor to assess and estimate that section of main line for possible replacement as it is part of the old Heeser System.