

**MENDOCINO CITY COMMUNITY SERVICES DISTRICT
P. O. BOX 1029**

MENDOCINO, CA 95460

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Minutes of February 29, 2016

The regular meeting was called to order by President Schwartz at 7:00 p.m. in the business office at the Wastewater Treatment Plant. Present were Directors Hauck, Stubbs, Kraynek and Schwartz. Director Kerstein was absent. Also, present were District Superintendent Mike Kelley, Attorney James Jackson and Secretary Jodi Mitchell.

1. Agenda –The Attorney’s report was moved in its order to follow Public Comment.

2. Minutes – January 25, 2016

MOTION Kraynek/Stubbs: To approve the minutes of January 25, 2016 as presented.

ROLL CALL VOTE: AYES: Directors Hauck, Stubbs, and Kraynek

NOES: None

ABSENT: Director Kerstein

ABSTAIN: Director Schwartz

3. Correspondence

4. Public Comment

5. Attorney’s Report

Attorney Jackson reported there had been a development in the Superior Court ruling regarding Gomes vs. MCCSD, and Attorney Jackson quoted the Disposition, “the petition of Steven L. Gomes for writs of mandate and administrative mandate and his complaint for declaratory relief, monetary damages and a stay of enforcement proceedings is denied. Respondent District is ordered to serve and submit a denial of writ and judgement consistent with this ruling.” Mr. Jackson indicated, in his opinion, there was no evidence to support Mr. Gomes’ claims. The MCCSD would be filing a Judgment and Mr. Gomes had 60 days to file an appeal. After 60 days, the MCCSD would finalize all pending Groundwater Extraction Permits and obtain final compliance with all property owners. The Board of Directors congratulated Attorney Jackson for a job well done, and Mike Kelley, District Superintendent was also acknowledged for preparing most of the research for the case.

6. Old Business

a. Hills Ranch Collection System Services Agreement and Reimbursement Agreement

President Schwartz announced to the Board and Hills Ranch representatives that he was just notified that Director Kerstein was unable to attend the meeting due to a personal emergency. Director Schwartz suggested that the Board could discuss the matter, but since two Board members planned to recuse themselves, there would not be a quorum for any decision to be made. He would entertain a special meeting or carry the matter over to the next regular meeting scheduled for March 28, 2016.

Charles Jenkins, HROA President commented it was imperative to postpone the matter to the next regular meeting on March 28, 2016 when Director Kerstein would be available.

7. New Business

- a. Mendocino Headlands State Park
Encroachment Resolution State/Dertner
First Amendment to Agreement and Grant of Easement

The Board of Directors reviewed the First Amendment to Agreement and Grant of Easement, which would amend the original Easement to MCCSD and change the legal description of the area covered under that easement to reflect the exchange of the properties between Department of Parks and Recreation and the Dertners.

MOTION Hauck/Stubbs To approve the First Amendment to Agreement and Grant of Easement between MCCSD and State of California.
ROLL CALL VOTE: AYES: Directors Hauck, Stubbs, Kraynek and Schwartz
NOES: None
ABSENT: Director Kerstein

- b. Catherine Bleiwais-44682 Forest Court, APN 119-530-24
Agreement for Right of Use Payments

The proposed Agreement was removed as an item on the agenda because the fees had been paid by the property owner.

- c. Proposals for Right of Use Study Update

The District received two proposals to update the Right of Use Study; SHN Engineering and Oscar Larson & Associates. Both bids were for \$10,000. Oscar Larson did the first study for \$5,400.00 in 2006. An update of the Right of Use Charge was necessary to determine if the current cost was fair, to include the capital improvements made to MCCSD system since 2006, and future replacement costs which would impact the ESD Charge. At this time Right of Use charges were \$9,200 per ESD.

Superintendent Kelley noted that both consultants were using the same data and formula for determination. He noted it might be an advantage to have a different consultant's opinion and since the District had been working with SHN on several projects, he suggested SHN.

MOTION Hauck/Kraynek: To approve the Agreement for Consultant Services with SHN.
ROLL CALL VOTE: AYES: Directors Hauck, Stubbs, Kraynek and Schwartz
NOES: None
ABSENT: Director Kerstein

- d. Request for Purchase Approval; Deming Replacement Pumps/Simonds Machinery Co.

On January 5, 2016, staff found the pipe gallery filled with water. The pipe gallery was a 20' wide by 20' long by 20' deep room that housed the backwash pumps and the actuators that opened and closed the backwash valves. Fort Bragg Electric was replacing the damaged components and installing an alarm. The motors were damaged in the flooding. Superintendent Kelley commented that the pipe gallery components had reached their useful lives, and suggested that three Deming pumps should be replaced. Simonds Machinery Co. provided a proposal. The cost was \$8,430.00 for one pump and \$11,042.00 for the two other pumps. The fourth pump was replaced in 2008 and would be rebuilt by staff for about \$2,000.00. He noted that the District could save \$2 - \$3,000 if all three pumps were shipped at the same time.

MOTION Kraynek/Stubbs To authorize Superintendent Kelley to spend up to \$35,000 to replace the pumps.
ROLL CALL VOTE: AYES: Directors Hauck, Stubbs, Kraynek and Schwartz
NOES: None
ABSENT: Director Kerstein

8. Groundwater Management

The District was currently in a declared No Water Shortage based on the average depth-to-water (DTW) in the District's drought indicator wells and total annual rainfall since October 1, 2015.

On December 31, 2015, the Water Shortage Contingency Plan drought stage evaluation recommended a continuation of the No Water Shortage condition. DTW in the drought indicator wells was measured on December 31, 2015 at 17.19 ft. If there was greater than 16 inches of rainfall by December 31, the WSCP recommended modifying the drought level down to a No Water Shortage Condition. The rainfall total on December 31, 2015 was 16.74 inches. Both total rainfall since October 1, 2015 and the DTW in the drought wells called for a No Water Shortage Condition declaration at the end of December 2015. The drought level was reduced to a No Water Shortage Condition at the January 25, 2016 meeting by Resolution 2016-249.

The January 31, 2016 Water Shortage evaluation when there was no pre-existing water shortage from the previous year was based on rainfall only. If there were greater than 19 inches of rain since October 1, 2015, the District would be in a No Water Shortage Condition, and on January 31, 2016 MCCSD measured 29.34 inches of precipitation. The No Water Shortage condition was continued based on that data.

By January 31, 2016, MCCSD recorded 29.34 inches of rainfall for the 2015-2016 rain year. Normal rainfall thorough January was 21.83 inches. By the end of January 2016, rainfall was 134% of normal for the month.

Average annual rainfall in Mendocino was 40.3 inches. Mendocino had received 29.78 inches of rainfall or 73.8% of average annual rainfall by February 16th.

9. District Superintendent's Report

a. Monthly Report

There were no sanitary sewer overflows in January 2016.

MCCSD had stopped FOG inspection until spring 2016.

Fort Bragg Electric completed installing the generator. The new blower had also been installed.

The Safety Officer conducted the monthly safety inspection of the plant. Operators took online safety courses during the month.

No recycled water was transferred to the High School in January 2016.

SHN had completed the interim Recycled Water Irrigation Management Plan for the wastewater facility in accordance with the requirements set forth in the District's Waste Discharge Requirements. The Management Plan was being submitted to the North Coast Regional Water Quality Control Board.

The Board discussed possible locations for future expansion of water recycling, such as irrigation to Friendship Park, State park bathrooms, a recycled water fill station at the treatment plant, and

potentially the elementary/middle schools. Director Hauck ^{requested staff to obtain cost estimates for discussion} suggested that the Board discuss a

preliminary ^{of a} engineering study at the next meeting, and determine ^{costs} costs, funding options, and the best way to move forward with expansions of the water recycling program.

10. Committee Updates

11. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Hauck/Stubbs To approve the disbursements for checks #12704-12751.

ROLL CALL VOTE: AYES: Directors Hauck, Stubbs, Kraynek and Schwartz

NOES: None

ABSENT: Director Kerstein

b. Update on Delinquent Sewer Accounts and Certificate of Liens

The Board of Directors reviewed the delinquent accounts and Certificates of Liens.

12. Election of Officers and Committee Appointments

The election of officers and committee appointments was deferred to the March meeting by Board consensus.

13. Matters from Board Members

14. Adjournment

The meeting adjourned at 8:25 p.m.

Respectfully submitted,


Jodi Mitchell, District Secretary