

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

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Minutes of August 31, 2015

The regular monthly meeting of the MCCSD was called to order at 7:00 p.m. in the business office of the Wastewater Treatment plant. Present: Directors Waldman, Kraynek, Hauck and Schwartz. Director Stubbs was absent. Also present were District Superintendent Mike Kelley and Secretary Jodi Mitchell. Attorney Jackson also attended the meeting.

1. Agenda

President Schwartz requested that item 8 c, a presentation by Cornelia Reynolds, Mendocino Rotary, be moved for discussion directly after the Attorney's Report, so the Attorney could be present during the presentation. Director Hauck suggested keeping its order on the agenda, in case Cornelia Reynolds arrived later. Attorney Jackson agreed to stay for her presentation.

2. Minutes of August 18, 2015

MOTION Hauck/Waldman To approve the minutes of August 18, 2015 as presented.

ROLL CALL VOTE AYES: Directors Waldman, Hauck and Schwartz

NOES: None

ABSENT: Director Stubbs

ABSTAIN: Director Kraynek

Minutes of August 11, 2015

The approval of the minutes of August 11th was carried over to the next meeting when Director Stubbs would be present.

Minutes of July 27, 2015

Correction: Page 3 Section 11, Sentence 6/7.....the applications now required ~~uniformity~~ harmonizing between the Ukiah and the Fort Bragg offices.

MOTION Kraynek/Hauck To approve the minutes of July 27, 2015 as corrected.

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

NOES: None

ABSENT: Director Stubbs

ABSTAIN: None

Minutes of June 26, 2015

Since Director Stubbs was not present, the minutes of June 26th were carried over to the next meeting when he would be available.

3. Communications

A copy of correspondence was provided to the MCCSD Board from Susan Smith containing her comments to Robert Merrill, Director of the North Coast California Coastal Commission; regarding their failure, in her opinion, to reasonably apply the California Coastal Act to the update of the Mendocino Town Plan 2015. Ms. Smith wanted to share it with the MCCSD.

The secretary reported that the Assessor-County Clerk-Recorder had certified that on 5:00 p.m. on August 12, 2015, the number of nominees did not exceed the number of offices to be filled and that no petition requesting a special election in the MCCSD was filed with the County Clerk. Therefore Samuel Kraynek and Robert Kerstein had filed their declaration of candidacy papers and were required to be appointed prior to November 3, 2015. The terms would begin December 4, 2015 and end the first Friday in December of 2019.

4. Public Comment

5. Attorney's Report

a. Discussion of Mendocino Town Plan and MCCSD Re-Zone Application

Director Hauck was frustrated that the Board of Supervisors had approved the MCCSD and MFPD parcel's zoning change from open space to public facility in December 2014, but in March 2015, County Staff and the Coastal Commission removed approvals from the Town Plan. Director Hauck told the Board of Supervisors the process was broken. Director Hauck noted that the County had scuttled the MCCSD plans for re-zoning the property from open space to public facility.

Attorney Jackson was asked to provide an update regarding the status of his communications regarding the request for change of zoning from open space to public facility. In 2013, lengthy correspondence was addressed to Mr. Merrill, California Coastal Commission, with a copy and attachments to Bill Kinser, County Planning Department, regarding the expected termination of the open space designation when MCCSD acquired the property by Eminent Domain. In September of 2014, the Board of Supervisors accepted the recommendation and approval request for the re-zone of the MCCSD parcel from Open Space to Public Facility. In November, Tamara Gedik, California Coastal Commission Staff Planner wrote a long letter to the Board of Supervisors detailing the issues with the town plan update, which Attorney Jackson received by a third party. Attorney Jackson followed up with a letter to County Staff. In April of this year, County Staff contacted MCCSD, suggested they to do a separate general plan amendment for rezoning of the District's parcel. The Board of Supervisors would fund 1) general plan amendment, 2) re-zone application and 3) Coastal Development Permit Application. Conceptual plans were drawn by MCCSD.

Attorney Jackson would contact Bill Kinser and Dan Hamburg.

Consensus of the Board of Directors was to provide maximum support to Attorney Jackson for the strongest position he could take to move forward with re-zoning of Palette Drive property from Open Space to Public Facility in the Town Plan.

6. Old Business

7. New Business

a. Execution of Contract Agreement for MCCSD 2015 Treatment Plant Project Upgrade

Superintendent Kelley explained that P. G. & E had offered a \$5,000 incentive rebate for the installation of the new blower/generator, but P. G. & E had advised the MCCSD that the agreement with P.G. & E. must be signed prior to execution of the contract with Fort Bragg Electric. Superintendent Kelley had not received the PG&E agreement to date. Attorney Jackson suggested the Board give the President authorization to sign the document, and the Board agreed to wait until the end of the week, if that was agreeable with Fort Bragg Electric. Fort Bragg Electric had provided their bond and proof of insurance.

MOTION Hauck/Kraynek: To authorize the Chairman to sign the Contract with Fort Bragg Electric but wait until the end of the week to see if the MCCSD received the information from PG&E, and as long as Fort Bragg Electric agreed with that delay.

ROLL CALL VOTE AYES: Directors Waldman, Kraynek, Hauck and Schwartz
NOES: None
ABSENT: Director Stubbs
ABSTAIN: None

b. Proposal to Provide NPDES Compliance Support Services for the MCCSD Wastewater Treatment Facility – Recycled Water System Engineering Study Estimate

Superintendent Kelley provided some background on the Mendocino High School soccer field and construction of the sprinkler system for recycled water. In the fall of 2015, the new 2015 NPDES permit would rescind Order No. R1-2010-0020 and Water Reclamation Requirements Order No. 97-66 to meet the provisions contained in the Water Code and Clean Water Act regulations and guidelines. Since 1998, disinfection chlorine, polymer and coliform testing have been periodically billed to the MUSD. MCCSD's 2015 NPDES permit would include additional analytical testing and a onetime nitrate uptake

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study. The MUSD Superintendent had verbally agreed to pay for the recycled water expenses and MCCSD would continue to absorb the cost of operating and maintaining the recycled water system, which was approximately \$500 per month or \$2,500 per year for a 5-month period. The average cost per gallon to transfer water was 0.14 cents per gallon ¹⁰⁰ for \$45.63 per average transfer of 32,800 gallons.

A Proposal to Provide NPDES Compliance Support Services for the MCCSD Wastewater Treatment Facility was reviewed. The Scope of Work would include the preparation of documents and estimated costs were: 1) Recycled Water Irrigation Operations and Management Plan (\$11,000.00), Title 22 Recycled Water Engineering Report (\$7,000 plus 4,000 field sampling if required), and Toxicity Reduction Evaluation Work Plan (\$7,000.00). SHN proposed to provide work on a time and expense bases. The additional costs would be borne by the School District.

MOTION Hauck/Kraynek: To approve Service Agreement with SHN Consulting Engineers & Geologists, Inc. not to exceed \$24,000.00.

ROLL CALL VOTE AYES: Directors Waldman, Kraynek, Hauck and Schwartz
NOES: None
ABSENT: Director Stubbs
ABSTAIN: None

c. Cornelia Reynolds, Mendocino Rotary

Cornelia Reynolds had requested to be placed on the Agenda for a presentation to the Board regarding Rotary Park. Cornelia Reynolds was not present.

8. Groundwater Management

a. Monthly Groundwater Management Report

By August 12, 2015 a total of 30.29 inches of rainfall had been recorded for the 2014-2015 rain year. Even with above normal precipitation last fall (October 1 to December 31, 2014) total rainfall was 25% below normal for the year so far. The District was currently in a declared Stage 2 Water shortage condition due to below normal rainfall.

Depth to Water readings in the 24 monitoring well field in July indicated a significant decline in the water table due to lack of spring rains. The next drought evaluation was August 31, 2015 and would be based on depth to water in the District's five drought monitoring wells.

9. District Superintendent's Report

During the month of August 2015, the treatment plant operated normally. Plant personnel performed routine plant operations, and needed plant maintenance.

The August self-monitoring online report was submitted to the State Water Quality Control Board.

There were no sanitary sewer overflows in August 2015.

387,078 gallons of recycled water was transferred to the High School in August 2015.

The Mendocino Unified School District was notified that the RWQCB required a Title 22 Engineering Study and an Irrigation Operation and Management Plan for the recycled water system. MUSD was asked to pay for those studies.

Steve Acker installed the new turbidimeter to meet the new NPDES requirement for continuous monitoring of effluent turbidity.

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

10. Committee Updates

11. District Secretary's Report

a. Monthly Register of Cash Disbursement

Director Hauck questioned the process for voiding checks on the Cash Disbursements report. The secretary would review the process being used to prepare the Cash Disbursement reports.

MOTION Hauck/Waldman: To approve the disbursements from July 16 to August 25 for checks 12430-12482 noting checks 12405 and 12465 were void.

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

NOES: None
ABSENT: Director Stubbs
ABSTAIN: None

b. Update on Delinquent Accounts and Certificate of Liens

The Board reviewed the update on delinquent accounts and Certificate of Liens.

The review of the delinquent account for non-payment of fees and changes was on the agenda prematurely for property located at 45300 Ukiah Street. The Certificate of Lien should be recorded prior to consideration of disconnection of the property from the sewer system. The Attorney would be asked to record the Certificate of Lien.

The Board suggested that staff should tack a note on the property to warn tenants about the possible disconnection proceedings. Staff confirmed the notice of disconnection would be posted on the property and with certified mailed to the property owner, as outlined in MCCSD procedures. The owner (or tenant) would have 14 days to bring the account current prior to disconnect.

MOTION Kraynek/Hauck: To request the Attorney to file a Certificate of Lien against real property at 45300 Ukiah Street, APN 119-215-02.

ROLL CALL VOTE AYES: Directors Waldman, Kraynek, Hauck and Schwartz
NOES: None
ABSENT: Director Stubbs
ABSTAIN: None

12. Matters from Board Members

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While perusing the MCCSD Governance Guidelines, President Schwartz noted Section 22 – Annual Board Evaluations, “each director will evaluate the performance of the Board annually utilizing an approved, pre-determined process.” Director Schwartz ^{suggested} ~~recommended~~ the District structure Board ~~performance evaluations so the Board could improve their overall efficiency at Board meetings and general improvement as a Board.~~ *that each Board member provide in writing their own evaluation of how they could seek overall improvement at a Board.*

The meeting adjourned at 8:40 p.m. *He noted there was no pre-determined process and no set procedure established.*

Respectfully submitted,

Jodi Mitchell

Jodi Mitchell, District Secretary