

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
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Minutes of June 9, 2014

The regular meeting was called to order at 6:00 p.m. in the Mendocino Community Center. Present were Chairman Robert Schwartz, Directors Harold Hauck, Jeffery Stubbs and Sam Waldman. Director Sam Kraynek was absent.

1. Agenda - Approved as written. Chairman Schwartz requested that the discussion of Public Concerns be moved up to the beginning of the Agenda.

2. Minutes - The May 5 Finance Committee Minutes was added. The Special Meeting Minutes of May 6, 2014 were approved. There were a number of corrections to the Minutes of the Regular Meeting held April 28, 2014. The minutes were approved as corrected, unanimously. (Kraynek absent)

Page 3, 4, and 5: Mr. Schwartz's name was misspelled

Page 3, line 4: Changed "was" to "has"

Paragraph 4 (Nepove) change "manage" to "management"

Page 4 change "an" to "at"

6. a. Discussion of Public Concerns regarding Stage 4 Emergency Actions

The Chairman asked members of the public to limit their comments to the agenda topic and to three minutes in duration.

Ed O'Brien, former Board Member MCCSD, provided some history of groundwater management in the District. It was originally limited to persons requesting a change in use or new development. With the current drought, everyone must participate in groundwater management; it is no longer acceptable for some to be regulated and others not. We all share the same aquifer.

Maggie O'Rourke noted that the Board needs to make water available to the general public and coordinate water deliveries. She made suggestions regarding the MCCSD website.

Steve Acker noted that the District has a 3,000 gallon tank on State Parks land which contains potable water.

Chet Anderson, Palette Drive resident, thinks an ad hoc committee to discuss issues particular to property served by a water company is a great idea.

Rick Brands asked how a determination regarding Stage 4/Stage 3 is made. Steve Acker provided an explanation regarding the timeframe for determining the amount of rainfall and when groundwater levels will be measured.

Amanda Pekin, resident of Hills Ranch, read a letter to the Board questioning why MCCSD is regulating Hills Ranch. Mike Kelley responded that the drilling of new wells triggered MCCSD groundwater management authority. Amanda serves on the Homeowners Association Board and emphasized the inability of individual property owners to drill a well or draw water from the adjacent creek. She believes allotments were granted when the subdivision was established.

Minutes of June 9, 2014

Page 1 of 4

6/30/14

Lee Edmundson noted that three consecutive years without sufficient rain means that we are in Stage 4. At \$300 per household to comply, he doesn't understand what the complaints are about. He noted that until you know how much water you are using you cannot plan.

Chet Anderson noted that Point of View subdivision has complexities like Hills Ranch. He thinks requiring a deed restriction is a big deal. He believes that the issue is groundwater extraction, not groundwater use. He supports what MCCSD is doing, but believes his mutual water company is better at managing the groundwater resource.

Maggie O'Rourke claims the Groundwater Extraction Permit Ordinance resulted from the development of Hills Ranch and claims the aquifer is "overcharged."

Joy Shaw, Hills Ranch resident, asked how fines are determined.

Rick Keller thinks everyone should have a meter as a matter of fairness.

Don Kobek, Palette Drive resident, believes his mutual water company already handles these issues and questions why he needs to obtain a permit.

Jeff Stubbs noted that water conservation is 90% awareness and voluntary actions. He has cut his water usage in half.

Paul Clark wondered whether the Stage 4 building moratorium would last forever.

Gayle Lauinger claims she would have put in a tank if she had prior notice of the drought.

Sam Waldman explained the basis for the \$100 administrative fee.

Peggy Griffiths asked why she needs to file for a groundwater extraction permit if she is already being metered.

Gretchen Imlay wants to know where wells are located relative to the sewer system and claims she forfeited rights to groundwater.

Myra Beals, Point of View resident, is in favor of a committee to deal with the more complex issues affecting the subdivisions with mutual water companies and stated that water conservation is important.

Steve Nepove recommended the formation of a water conservation citizens advisory committee.

Barbara Reed asked whether the groundwater allotment may be adjusted to take into account health issues. Steve Acker responded stating the District will consider a hardship situation.

7. New Business

a. Request From Flynn Creek Circus Removed from Agenda. Flynn Creek has withdrawn its application.

5. Public Comment

Bruce Levine handed out a document to the Board and read it. He claimed he was discussing the history of the MCCSD.

13. Matters From Board Members:

1. discussion of forming committees including one to interact with the three subdivisions served by mutual water systems

2. Discussion of Citizen Advisory Committes

3. Further discussion of the situation at Hills Ranch.

MOTION: Appoint attorney Jim Jackson as an agent for the District to discuss ground water management issues with representative from the subdivisions and request that Jackson gather information and make recommendations to the Board.

MOTION APPROVED:

AYES: Chairman Schwartz, Directors Waldman, Hauck and Stubbs

NOES: None

ABSENT: Krasner

4. Discussion of preparing a press release advising the community of the District's intention to form citizen advisory committee(s)

6. Groundwater Management

b. Monthly Report

District Superintendent Steve Acker stated that 21.3 inches of rain has fallen in the past fiscal year which is 53% of normal. We are in the third year of drought, and are still in Stage 4. At the beginning of the drought, 201 properties were not on the program. Since the Stage 4 Declaration 95 applications have been returned and approved. The applications from Hills Ranch are being held subject to resolution of the issues unique to the subdivisions. Sam Waldman stated that he thinks the District should hold off processing applications from Hills Ranch and Point of View until those issues have been resolved. Harold Hauck stated his concern that the process be equitable. Jeffrey Stubbs stated his concern that the building moratorium may cause economic harm to Mendocino residents.

c. Discussion Regarding Emergency Water Source Project. Mike Kelley gave a report concerning a possible project with the Mendocino Fire Protection District (MFPD) for the development of an emergency water source for fire fighting and for distribution to District residents. The possible location would be Grindle Park, property owned by MFPD just east of the Mendocino fire house on Little Lake Road. Mike recommended the appointment of an ad hoc committee and the preparation of a memorandum of understanding with MFPD.

Jeffrey Stubbs stated that he strongly supports the development of a community water system for emergency use, but has concerns about the impact on Hills Ranch. He stated that Hills Ranch draws on average 3,300 gallons per day (up to a maximum of 4,000-5,000 gpd), and notes that filling a water tanker truck would double the daily draw in that area.

Ed O'Brien is the Fire Chief with the Mendocino Volunteer Fire Department (MVFD) and serves as staff for MFPD. He noted that actual use of the water would depend upon what the hydrological studies reveal. He wants to secure additional water for the Fire Department and is willing to work with the MCCSD to provide a source of emergency water for the community.

MOTION: To proceed with information gathering on a possible joint project with the MFPD.

ABSTAINED: Jeffrey Stubbs

AYES: Chairman Schwartz, Directors Waldman and Hauck

NOES: None

ABSENT: Kraynek

7. New Business

b. Recommendation for Merit Bonuses

Deferred to the next meeting. Director Hauck proposed taking \$8,000 from the cash margin in the budget to be possibly used for merit bonuses. No second.

c. Introduction of 2014/2015 Budget

Director Schwartz noted that the Budget had been introduced at the April meeting to become effective July 1, 2014. There was discussion about where in the Budget the proposed merit bonuses would be found.

d. Temporary Help

Discussion of the possible hiring of temporary help for the District office. This proposal was tabled.

MOTION: Stubbs/Waldman: To increase wage administration by \$5,000 and reduce the cash margin accordingly and approve the proposed budget with stipulation that the Board in 2014/2015 put in place appropriate steps for a rate increase which is needed in order to properly fund capital improvement projects.

PASSED : Chairman Schwartz, Directors Stubbs, Waldman and Hauck

NOES: NONE

ABSENT: Kraynek

8. Old Business - None

9. Attorneys Report - None

10. District Superintendent's Report

Accepted as written.

11. Committee Updates

See above.

12. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Hauck/Waldman: To approve

PASSED : Chairman Schwartz, Directors Stubbs, Waldman and Hauck

NOES: NONE

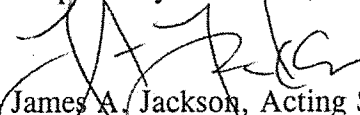
ABSENT: Kraynek

b. Update on Delinquent Sewer Accounts and Certificates of Liens

Steve Acker noted that a Pallette Drive property with a Certificate of Lien is being sold, and the District had received an inquiry regarding the amount to pay off the lien.

There being no further business the meeting was adjourned at 10:10 p.m.

Respectfully submitted,


James A. Jackson, Acting Secretary

Minutes of June 9, 2014

Page 4 of 4