

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
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Minutes of July 30, 2012

Regular Meeting was called to order at 7:00 p.m. in the business office at the Wastewater Treatment Plant. Present were Directors Kraynek, Waldman, Stubbs and Schwartz. Superintendent Director Hauck was absent. Superintendent Steve Acker and Jodi Mitchell were present.

Comment: 8/27/12

1. Minutes of June 25, 2012

MOTION Kraynek/Waldman: To approve the minutes for June 25, 2012, as submitted.

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

Minutes of July 9, 2012

MOTION Kraynek/Waldman: To approve the minutes of July 9, 2012, as submitted.

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

2. Communications

Correspondence was provided to the Board of Directors from Kathleen Cameron, MHRB Member. The Mendocino Historical Review Board had selected the MCCSD to receive an award for "New Construction that is Compatible with Mendocino's Historic District." Awards would be presented at the August 6th 2012 MHRB meeting. Director Schwartz suggested that Superintendent Acker or a member of the Board attend that meeting on behalf of the District, since he would not be available.

President Schwartz received communications from Wendy Roberts. Ms. Roberts requested that information relevant to the current agenda be sent on a regular basis to all those who have requested email agendas. It had been the District's policy to facilitate all requests for information, as requested. In the future, Ms. Roberts will receive by email the attachments to the agenda and any other resident requesting such information would also be accommodated.

The District received notification that the Mendocino Unified School District had accepted the Community Center of Mendocino's (CCM) proposal to take over operation of the old Mendocino Grammar School facility and grounds. The CCM was a new non-profit founded last fall by a group of local community members, and were in the planning stages of providing the transition from the Mendocino Coast Parks and Recreation District.

3. Public Comment

Nancy Kleiber, President of the Board of Directors of the Mendocino Music Festival thanked the Board of Directors for their consideration for an exemption to the requirements of Ordinance No. 11-1 for a Special Events Permit. The Mendocino Music Festival was present in

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Mendocino year around with a rented office space on Main Street. Each year, the Festival made porta potties and hand washing stations available, ~~inside and out~~, at their annual music event. All water was imported to the site, and all sewage was removed from the property. The festival did not avail themselves of the District's services. The Festival had complied with stringent permitting requirements by both State and County agencies.

Comment: 8/27/12

Director Schwartz suggested that the Board review the committee's recommendation under old business prior to the business of Groundwater Management, and he recused himself from discussion and any decision pertaining to the Music Festival's request for an exemption to the requirements.

4. Old Business

Mendocino Music Festival – Request for Exemption of Ordinance 11-1 Requirements for a Special Events Permit – Committee Recommendation

Vice President Kraynek reported that he and Director Hauck met as a committee, and reviewed the correspondence from the Mendocino Music Festival and the related Ordinance for Special Event Permits. The committee reviewed staff time involved with administering the permit versus the revenue that it generated. It was difficult to track special events, most of which occurred on weekends. Since the Ordinance was adopted in 2011, only one special event permit had been approved. However, numerous other activities have occurred, without charge. Therefore, the committee agreed it was appropriate to recommend rescission of the Ordinance No. 11-1 for Special Events Permits. **The Board agreed to refund \$411.73 to the MacCallum Properties.**

Comment: 8/27/12

MOTION Waldman/Stubbs That the Mendocino Music Festival be exempt from the Requirements of Ordinance No. 11-1, finding they import water and export sewage and their burden on the system was negligible.

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

Comment: 8/27/12

5. New Business

Ordinance No. 2012-1 – Ordinance of the Mendocino City Community Services District Rescinding Special Event Permits Ordinance No. 11-1

MOTION Waldman/Stubbs: To waive the reading of Ordinance 2012-1, an Ordinance of the MCCSD Rescinding Special Events Permits Ordinance No. 11-1.

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

Comment: 8/27/12

MOTION Stubbs/Waldman: To introduce Ordinance No. 2012-1, an Ordinance of the MCCSD Rescinding Special Event Permits Ordinance No. 11-1.

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

Comment: 8/27/12

The Ordinance would be scheduled for adoption at the next meeting, and then published in the Mendocino Beacon. The Ordinance would become effective 30 days after its adoption.

President Schwartz resumed his seat on the Board.

6. Groundwater Management

Superintendent Acker reported the District was still in a Stage 1 Water Shortage Condition. Total rainfall to date was 32.39 inches. Annual Average Rainfall was 40.25". Average depth to water at the end of June was 16.36 ft in the 24 monitoring wells.

6-#1 Notice of meter reading violations were mailed. One #2 meter reading violation was sent.

Hydrological Study Renewals

Applications for a two year Hydrological Study Approval Renewal were submitted by the owner of property located at 44835 and 44825 Pine Streets, APN 119-150-40 and 119-150-41. The applicant requested a two year extension to the Hydrological Study Approval. The Hydrological Study had been renewed every two years since 1996. There have been no changes in hydrological conditions surrounding the parcels and staff recommended approval of the two year renewal.

MOTION Waldman/Stubbs To approve the request for a Hydrological Study Approval renewal for Phil Engelbert, 44835 Pine Street, APN 119-150-40.

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

MOTION Waldman/Stubbs To approve the request for a Hydrological Study Approval renewal for Phil Engelbert, 44825 Pine Street, APN 119-150-41.

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

Groundwater Extraction Permit Application Approval Renewal

An application was submitted by Spring Pond Properties requesting a two year renewal for the Groundwater Extraction Permit Application Approval on property located at 10550 Howard Street. The property had an established groundwater extraction permit approval to develop five single family residences.

MOTION Stubbs/Waldman That the application for a Groundwater Extraction Permit Extension of APN 119-150-36, 10550 Howard Street be approved for a period of two years.

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

7. New Business

Biennial Review of Statement of Economic Interest/MCCSD Ordinance No. 91-2

Political Reform Act of 1974 requires every local government agency to review its conflict-of-interest code biennially by October 1st of each even-numbered year. The agency must review the code and determine if an amendment is required or if no amendment was necessary.

MOTION Kraynek/Waldman: To approve the District's Conflict of Interest Code with no amendments.

ROLL CALL VOTE: AYES: Directors Kraynek, Stubbs, Waldman and Schwartz.

NOES: None

ABSENT: Director Hauck

ABSTAIN: None

Alpha Diving – Outfall Remediation Proposal

During a student training dive in the vicinity of the ocean outfall, Alpha Diving Industries discovered damage at the deep end of the line. The damage was described as no flow at all out of the diffuser. Joint #7 was deteriorated to the point of failure, being corroded through from both sides with minimal material remaining to hold the outfall together. Joints #6 and 8 which had clamps installed were leaking and had sustained damage due to oceanic conditions. The clamps were installed on the outfall in 2006. A number of bolts were missing and/or in need of repair.

Alpha Diving outlined a scope of work, and proposed, for the sum of \$17,250.00; to provide a vessel, certified commercial dive team, materials and all tooling and equipment with the exception of a pump and jet nozzle, to: 1) clear the diffuser at the deep end of the outfall, 2) repair joints #6, 7, and 8, and, 3) replace deteriorated bolts on anchors and splice clamps. In the event that the proposal was accepted, a deposit of \$1,500 would be requested to be received one week prior to the start of operations. The Superintendent was asked to contact an alternative diving company for an inspection quote. The Board would like before and after pictures of all repairs and incorporate that requirement into the contract. The Board would also like to see pictures of the elements of the outfall line that they previously repaired to see how those repairs were holding up.

MOTION Waldman/Stubbs: To accept the Outfall Remediation Proposal presented by Alpha Diving Industries in the amount of \$17,250.00, including a \$1,500 deposit and request before and after photos of the work.

ROLL CALL VOTE: AYES: Directors Kraynek, Stubbs, Waldman and Schwartz.

NOES: None

ABSENT: Director Hauck

ABSTAIN: None

8. District Superintendent Report

During the month of July, the treatment plant operated normally. Plant personnel performed routine plant maintenance.

The June self-monitoring only report was sent in to Water Quality Control Board.

Staff took their regular monthly safety meeting. The Safety Officer also conducted the monthly safety inspection of the plant.

Ed Allen was recognized for passing the Grade III Wastewater Exam. He had applied for his grade III license, and Steve Acker noted it was good to have a second grade III license on staff. Director Schwartz would sign a letter of congratulations on behalf of the Board.

The Dertner property located next to the MCCSD treatment plant was in escrow due to close on August 1st. The property line adjustment was in process with the State Parks.

The nitrate levels tested below 10 mg/l in the last half of June. This allowed District personnel to transfer 101,147 gallons of recycled water in June. The nitrate level tested below 10

mg/l in July and 291,089 gallons have been transferred as of July 25th. A CL17 chlorine ~~and~~ analyzer obtained from the Elk Water District was installed to replace the existing unit. The Elk unit was working well.

Comment: 8/27/12

Director Schwartz requested that the Superintendent provide an annual report at the August meeting. Also, he requested that since this was a critical issue, and since Director Hauck would be available at the next meeting, he asked for a discussion at the next meeting regarding offsite backup. **The critical issue was the preservation of District records and files and there was currently no offsite storage.**

Comment: 8/27/12

9. District Secretary's Report
Cash Disbursements

Director Schwartz asked why the District was paying \$133.75 for repair and maintenance of the copy machine and suggested that the Superintendent obtain an estimate on a new copier by the next meeting. **The reason for an estimate was because Toshiba could not repair the scan and duplex feature.**

Comment: 8/27/12

MOTION Stubbs/Waldman To approve the cash disbursements for checks #10893-#10937, with no checks void.

ROLL CALL VOTE: AYES: Directors Kraynek, Stubbs, Waldman and Schwartz.

NOES: None

ABSENT: Director Hauck

ABSTAIN: None

Director Kraynek excused himself from the remainder of the meeting.

The Board reviewed the update on delinquent accounts and certificate of liens. An update on delinquent accounts and certificates of liens filed would be provided at each meeting.

Quarterly Report of Income and Expenses

The Board reviewed the quarterly Report of Income and Expenses for the period of April through June and the final period for the 2011/2012 fiscal year. Total revenue was \$662,134 and expenses were \$488,925, leaving a new operating income of \$173,209. Non Operating Revenue, which included County Taxes, Debt Service Revenue, and Savings Interest was \$116,321, and cash items was \$133,027, leaving a cash margin of \$156,503.00. Cash items included the annual debt service and dryer loan payments, and money spent on capital improvement and equipment replacement. The Board asked for clarification on some of the line items; **sewer use fees, fees to read water meters, wages, PR tax, permit and legal fees.**

Comment: 8/27/12

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell, Secretary