

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

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Minutes of October 7, 2013

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

1. Agenda. Superintendent Acker requested and President Schwartz directed that item 8a, Discussion of the Superintendent's Retirement and Replacement, be removed from the agenda because the report contained elements of a personnel issue. The Personnel and Management Committee will meet on Tuesday October 15th at 8:30 a.m. in a closed session.

2. Minutes of August 26, 2013

Corrections: Page 3, Paragraph 2, Line 2:....and huge liability issues to the ~~Board of Directors~~ **Sewer District**.

Page 3, Paragraph 2, Line 4. Director Hauck was ~~distracted~~ **surprised** that the engineers didn't provide specifications for the fence.....

Page 3, Paragraph 4, Line 2. ~~ballot~~ **ballast** issue

MOTION Waldman/Kraynek: To approve the minutes of August 26, 2013 as to be amended.

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

NOES: None

ABSENT: Director Stubbs

3. Communications

4. Public Comment

Matt O'Halloran thanked the Board of Directors for volunteering their time to the Community Services District.

5. Groundwater Management

a. Monthly Groundwater Management Report

September 30, 2013 was the end of the 2012-2013 Rain Year. The total rainfall for the 2013 Rain Year October 1 through September 30th was 32.24 inches. The annual average was 40.37 inches. That was 80% of the average annual rainfall.

The Stage 2 Water Shortage was declared in the District on April 29, 2013, and remained in effect based on the August 31, 23.6 foot average depth to water of the 5 indicator wells.

The water shortage stage would be re-evaluated by the five indicator wells average depth to water on Nov 30, and Dec 31. The depth to water average for the 24 well fields was 21 ft. on September 3, 2013. This was about 1.5 feet lower than last year at this time.

6. Old Business

Progress Report on Pond Liner Ballast Installation

As discussed at the last meeting, the empty pond liner was subject to wind lift. Barber-Webb provided several scenarios to the problem, and the most practical solution was sandbags. Sandbags were filled and installed by staff to ballast the pond liner against wind lift. Barber

Webb would provide permanent bags that were UV resistant, and the temporary bags could be slipped inside the permanent bags.

7. New Business

a. Review Proposals and Authorize Expenditure for Installation of Fence around the Emergency Overflow Pond

Director Kraynek recused himself from the discussion because he had previously worked with one of the companies who provided a proposal for the fence installation.

Steve reported the MHRB permit for the Pond Liner was issued on 9/28/11, and expired on 9/28/14, which included replacing the fence. The fence along the eastern end of the Pond would match the 6 ft 1 x 6 wood fence on the Dertner property line. The fence along the northern border would reuse the redwood pickets with a 2 x 12 board along the base. The original project had the fence being replaced by staff. That proved to be impractical.

Two proposals were received; 1) Matson Construction, Inc. \$9,755.00 and 2) Swithenbank General Building Contractors, \$10,210.00. Superintendent Acker provided an updated proposal from Swithenbank Construction, which was \$9,410.00, and less than the bid provided by Matson Construction. He said it was because they had a free crew and could start soon.

Director Waldman was impressed with Matson's proposal and the Board agreed. Superintendent Acker noted that Matson had done prior work for the District on Structure B.

MOTION Waldman/Hauck To accept the Bid for the fence project and award the bid to Matson Construction.

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

NOES: None

ABSENT: Director Stubbs

Director Kraynek resumed his seat on the Board.

Steve said the original fence was built because of aesthetic issues, and they planned on replacing the fence as it was before.

Director Hauck asked if the fence, as proposed, would meet legal requirements. Steve was directed to contact Kennedy/Jenks and get advice regarding the fence requirements. Harold was of the opinion the situation was dramatically altered and the determination should be made within a couple of weeks if the fence as planned would meet all legal requirements. The Board agreed that the fence construction should be delayed until the MCCSD is certain that construction of the new fence meets all legal requirements.

b. Proposal from Mathew O'Halloran to Paint MCCSD Exterior

Matt O'Halloran provided a proposal for labor and materials to paint the exterior of the treatment plant, dryer/press building and lab/office/blower room. There was no challenge to Matt's painting expertise; however, the Board asked the Superintendent if he had requested an alternate bid. As requested, the secretary provided the Board with the policy and procedures for procuring professional and maintenance services, which clearly stated that for purchases that exceed \$2,500 but less than \$25,000, required three estimates, written or verbal and should be documented. The Board directed Steve to follow the District's policy for obtaining bids.

c. Discussion Regarding Reimbursement of Director Expenses

Attorney Jackson provided information regarding reimbursement to Board members for out of pocket expenses while working on behalf of the MCCSD. The Board of Directors of a CSD may reimburse its members and the employees of the district for their documented actual and necessary traveling and incidental expenses while on official business. The Board directed

staff to ask Attorney Jackson to prepare an Ordinance for introduction at the next meeting for Reimbursement of Director expenses.

d. Discussion Regarding Recovery of the Cost to Process violations for Non-Payment of Fees and Charges

At the last meeting the Board asked staff to research options for enhanced penalties for repeat offenders with regard to nonpayment of fees and charges. Attorney Jackson provided information regarding Recovery of fees. The Government Code provided authority to the Board of Directors to collect service charges and assess penalties. The District was only allowed to charge the reasonable cost of providing a service under Proposition 218, but it would be justified for the District to recover the cost of processing violations.

MOTION Hauck/Kraynek To request Attorney Jackson to prepare an Ordinance that specifies recovery of fees for processing violations.

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

NOES: None

ABSENT: Director Stubbs

8. Attorney's Report

9. District Superintendent's Report

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

The August self monitoring online report was sent in to the Water Quality Control Board. There were no sanitary sewer overflow in August and the "no spill" certification for August was posted online.

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

The construction phase of the Pond Liner was finished on August 5th. On August 23rd, Fort Bragg Electric wired the sump pump and controls for the pond under the drain.

Barber Webb was contacted about the quality control documentation. The report from them would be issued within the next few days. The report was needed for Geo Logic to complete their report. When the reports were received by the MCCSD, the notice of completion would be issued.

The sludge dryer began putting out loads that were not as dry as wanted. Maintenance had been performed on the dryer by the Superintendent and Staff to increase performance and to try and identify the source of the problem. The dryer was reassembled and two loads were dried the next day. The dryer still unloaded before the sludge was completely dried. There was some improvement but the basic problem still existed. The dryer continued to be used because it was a key part of the process and it was performing well enough to get by. Charles Bingham from Fenton was scheduled to inspect and adjust the entire dryer system on 10/8 and 10/9/13.

Paulson Excavating installed the gate valve in the overflow pipe. The concrete cover would be ordered and installed by Paulson.

16,558 feet of the collection system was cleaned and videoed by staff and Mike Kelley with MCCSD's jetter and camera inspection equipment. Grease was encountered at the usual places, but no damage was found that needed repair. The cleaning took six working days to complete. The Board of Directors noted that the budget amount for sewer main cleaning was underestimated based on last years cost for Mike Kelley in the amount of \$2,100 for cleaning 12,953 ft. of collection. The Board asked Steve to find out why Mike requested that the District pay him by the foot this year, at a cost which was double from the previous year.

Over 1,264,657 gallons of water had been transferred to the High School Athletic Fields so far this year. There was only one transfer of 45,428 gallons in August due to a pump problem at the School. There were nine transfers of water in September for a total of 356,341 gallons. The nitrate levels have been kept below 10 mg/l by controlling the dissolved oxygen levels. 10 mg/l was the limit. Director Kraynek commended the Superintendent for controlling the dissolved oxygen levels and keeping within the limit for transferring water.

10. Committee Updates

a. Work Program for Capital Financing Review

Task I – Update MCCSD’s Asset List and Capital Expenditure Program

Director Hauck reported that he was going to meet with Steve because Jeffrey was unavailable, but Steve was sick that day, so the meeting was cancelled. There was no report. Directors Hauck and Stubbs would attempt to meet sometime in mid November, depending on scheduling issues.

11. Secretary’s Report

a. Monthly Register of Cash Disbursements

MOTION Kraynek/Waldman To approve payment for checks #11461 – 11514, noting one void check #11462.

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

NOES: None

ABSENT: Director Stubbs

b. Update on Delinquent Sewer Accounts

The Board was updated on delinquent accounts. All accounts were current.

c. Quarterly Report of Income and Expenses

The Board of Directors reviewed the 1st Fiscal Year Quarterly Report of Income and expenses for the period ending 9/30/13. Total operating income was \$172,347 or 26% of budgeted operating revenue. Operating expenses were \$133,956. Including non-op income and cash items, the cash margin was \$<159,195> for the period. \$172,808 was spent for the period for Capital Improvement.

12. Matters from the Board

The regular meeting scheduled for October 28 was rescheduled to November 6, and the regular meeting scheduled for November 25 was rescheduled to December 16, 2013.

The Secretary directed correspondence to the Board of Directors regarding a change in her working environment and cleaning and updating the office.

The meeting adjourned at 10:30.

Respectfully submitted,

Jodi Mitchell, Secretary