

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

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Minutes of August 25, 2014

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

1. Agenda – no changes, additions, or deletions

2. Public Comment

9/22/14  
Thomas Dertner, owner of property adjoining the MCCSD treatment plant, addressed the Board of Directors regarding numerous concerns which he had expressed to the District Superintendent, but which had not been resolved. Mr. Dertner explained that he had attempted to remain friendly with staff since the 2009 transfer of sewage into the pond when he claimed his well was contaminated, but there was no resolution to issues that he had discussed with the Superintendent on numerous occasions: 1) view of pond, 2) machinery noise, 3) pruning the trees on the property line, and 4) the on-going relationship with the MCCSD Superintendent. President Schwartz asked Mr. Dertner to put all of his concerns in writing for distribution to the Board of Directors. *as an agenda item to be discussed at the next meeting.*

Keri Hutchens, owner of property in Big River Vista, indicated that she attended the meeting to collect information regarding the approved Memorandum of Understanding with the Point of View Mutual Water Company, and the recent discussion regarding a possible MOU with Hills Ranch Subdivision. She was in the early stages of looking into the matter to determine if that would be an option for Big River Vista. The Board offered Ms. Hutchens a copy of the MOU with Point of View Mutual Water Company, which could be used as a sample format, and suggested that Big River Vista should move quickly if they were requesting an exception to the requirement of the District's Ordinance that all property owners within the District with developed parcels shall obtain a Groundwater Extraction Permit with an allotment. It was noted that Point of View had demonstrated a long term commitment to properly managing groundwater within their subdivision, and so the MCCSD Attorney was able to recommend the MOU. Follow up correspondence to the request for a Groundwater Extraction Permit was scheduled for mailing during the first part of September.

3. Minutes – July 28, 2014

Correction: Page 1, Section 2, Motion: to approve the minutes for ~~July 28~~, **June 30**, 2014

Corrections: Page 2, Paragraph 1, line 7. for Hills Ranch, *as done with POV*, however.....

MOTION Hauck/Waldman To approve the minutes of July 28, 2014, as corrected.

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

NOES: None

ABSENT: Director Kraynek

ABSTAIN: None

Minutes – August 19, 2014 – Special Meeting

Correction: The minutes should reflect that there were approximately 30 people in attendance during Mr. Hoylman's presentation.

MOTION Waldman/Stubbs To approve the minutes of August 19, 2014 as amended to include there was public attendance and participation at the Special Meeting.

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

NOES: None

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ABSENT: Director Kraynek

ABSTAIN: None

4. Communications –Mendocino County LAFCO seeking applications for Board Members.

5. Groundwater Management

a. Groundwater Management Report

The District received a total of 21.79 inches of rainfall since the 2013-2014 rain year began on October 1<sup>st</sup>. The historical average rainfall total at the end of July was 39.54 inches. The District had received approximately 54% of the yearly average rainfall. The rainfall totals for April, May, June and July were below the cumulative average.

The MCCSD Board declared a Stage 4 water shortage on February 24, 2014 based on low rainfall and the Water Shortage Contingency Plan. The Stage 4 condition remained in effect. On August 31<sup>st</sup>, the Water Shortage Stage would be reevaluated using the average depth to water from the 5 indicator wells. The 24 monitoring well field was measured on August 22<sup>nd</sup>, and the average depth to water was 19.21 ft.

Total Rainfall to date was 21.79 inches, which was 54% of the annual average rainfall.

Progress on Stage 4 GWEP process was reported; that follow up letters to property owners who have not completed or have not submitted their GWEP applications, would be scheduled to go out at the beginning of September.

President Schwartz had previously indicated to staff that the District should proceed to send the follow up correspondence to the Hills Ranch Subdivision but there was some indication of a possible MOU with Hills Ranch. Kari Hutchens indicated that the District did not contact their Water Company at Big River Vista for an opportunity to explore a MOU, and asked for guidance. Director Stubbs indicated that the Hills Ranch Water Company was implementing water use more stringent than MCCSD's standards, and the property owners paid for any over consumption. Charles Jenkins indicated he thought the basic issue was the requirement for the Deed Restriction on each parcel, and their existing legal structure created a complex issue. The Point of View MOU specified that the Deed Restriction would be recorded against the real property where the production wells were located, and would reference the individual parcels served by that well. The POV MOU was recommended by Attorney Jackson because their Water Company had demonstrated a long term commitment to properly managing groundwater within the subdivision for its customers. Unless the other two subdivisions could properly demonstrate that same commitment to managing groundwater, he would not recommend a MOU.

b. Groundwater Extraction Permit Application Approval Extension  
Spring Pond Property – 10550 Howard Street, APN 119-150-36

Application was made for a Groundwater Extraction Permit Application Approval Extension. On July 31, 2006 a Groundwater Extraction Permit was approved for a construction project of five residence located at 10550 Howard Street. A Hydrological Study proved adequate water for development of the parcel with a maximum allotment of 1,084, and the allotment was approved for 1,000 gpd.

MOTION Hauck/Waldman To approve the Groundwater Extraction Permit Application Approval Extension for APN 119-150-36 for a period of two years.

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

NOES: None

ABSENT: Director Kraynek

ABSTAIN: None

c. Preliminary Cost Estimate for a Hydrologic Study including Proof of Water Testing at 44700 Little Lake Road

The Board reviewed the Preliminary Cost Estimate for a Hydrological Study including Proof of Water Testing at 44700 Little Lake Road. Director Stubbs indicated that the project involved water extraction for emergency fire suppression, domestic water use for the firehouse, and an emergency supply for MCCSD customers during the dry periods, and all were worthwhile purposes. He asked for an open and transparent discussion to understand the amount of water to be extracted and asked what the proposed allotment would be. Mike Kelley clarified that the MFPD hydro study was to prove 1.84 gal/min or 2,650 gal/day. To prove water for that amount, the discharge rate during the aquifer pump test would be 4.6 gal/min ( $1.84 \times 2.5 = 4.6$  gpd).

Two changes were made to the Preliminary Cost Estimate, dated August 14<sup>th</sup>:

Line 9 ...with the **MCCSD/MFPD's** needs and capabilities

Line 11 ...designed to meet emergency **drought relief and** fire suppression

Mr. Hoylman would be asked to re-draft his cost estimate and then MCCSD would provide the document to William Lemos for approval by the Fire Protection District.

d. Water Conservation Committee

President Schwartz commented that he was mindful of the suggestions made by community members that the MCCSD Board should deal with water conservation and to work with the community to insure that water conservation was a priority issue. He asked the makers of the request to form a voluntary advisory committee but none of those individuals could be available at this time. Director Schwartz appointed Directors Hauck and Stubbs as an Ad Hoc Conservation Committee to address the contents of the correspondence dated June 5, 2014. All future regular monthly meeting agendas would include a discussion of Water Conservation under Groundwater Management.

The Board directed Mike and Steve to initiate three estimates to update the MCCSD website, and they suggested taking clues from other website designs. Director Hauck suggested inclusion of a QR Code.

6. New Business

a. Resolution No. 2014-234 Resolution of the MCCSD Clarifying the Temporary Moratorium on Groundwater Extraction Permit Issuance

Resolution No. 2014-234 a Resolution of the MCCSD Clarifying the Temporary Moratorium on Groundwater Extraction Permit Issuance was introduced.

MOTION Waldman/Hauck To waive the reading of Resolution No. 2014-234,  
ROLL CALL VOTE: AYES: Directors Stubbs, Waldman, Hauck and Schwartz  
NOES: None  
ABSENT: Director Kraynek  
ABSTAIN: None

The Board discussed Resolution No. 2014-234, which would allow property owners that have drilled a water well, complied with the hydrological study requirements, including completing the pump test, and otherwise satisfied District requirements, to apply to the Board of Directors for an exemption from the temporary moratorium on the issuance of groundwater extraction permits. All applications shall be handled by the District on a case by case basis.

MOTION Stubbs/Waldman: To approve Resolution No. 2014-234  
ROLL CALL VOTE: AYES: Directors Stubbs, Waldman, Hauck and Schwartz  
NOES: None  
ABSENT: Director Kraynek  
ABSTAIN: None

9/22/14

prior to the stage 4 moratorium adopted by Resolution on 2/24/14.

7. Old Business

- a. Application for Groundwater Extraction Permit – Phil Engelbert  
44825 Pine Street, APN 119-150-41

MOTION Waldman/Hauck To approve the request for a 2-year renewal of a Groundwater Extraction Permit for APN 119-150-41.

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

8. Attorney's Report – None

9. District Superintendent's Report

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

The July self-monitoring on line report was sent in to the Water Quality Control Board. There was no sanitary sewer overflow in July.

Staff took their regular monthly safety meeting. The Safety Officer also conducted the monthly safety inspection of the plant. Several on line safety courses have been taken by staff.

There were three transfers of recycled water to the High School in August. The total gallons transferred were 78,000 gallons.

The SHN proposal was accepted by the MCCSD Board. A site visit by SHN would be scheduled in the near future to start the project.

The equipment needed for the clarifier repair was ordered and had arrived. The pump and plumbing would be assembled to prepare for emptying the Clarifier and installing the new equipment. This was scheduled for late August. If all goes as planned, it should take two to three days to complete.

A check for \$1,500 was sent to Alpha Diving as a deposit for the outfall inspection and Biotic Survey.

Director Hauck asked about the progress of the Data Base. Steve indicated that some of the reports were printing but there was still a glitch with printing the violation letters. Steve would contact Matt Pearlstein, the program writer.

Charles Jenkins, Mendocino resident, inquired about the MCCSD's responsibility for street lighting and described a situation during the Mendocino Music Festival where someone fell by the Bookstore. MCCSD explained that the existing Street Lights were designed to illuminate the intersections and they were not considered safety street lighting. It was agreed that safety lighting must be left up to the event organizers, and any sidewalk issues should be addressed to the County of Mendocino.

10. District Secretary

- a. Demands and Disbursements

MOTION Hauck/Stubbs: To approve payment for checks #11903-11943.

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

b. Update on Delinquent Sewer Accounts and Certificate of Liens

The Board of Directors was provided with an update on delinquent sewer accounts and Certificates of Liens.

II. Matters from Board Members

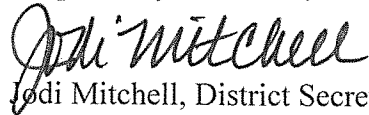
9/22/14  
Director Schwartz reported that the Median Household Income for the Community Services District was too high for any grant funding opportunities. *to assist residents with dry wells.*

Director Schwartz requested that the date of the next two regular meetings be changed, 1) Schedule the September 29 regular meeting date one week earlier to September 22<sup>nd</sup>, and 2) schedule the October 27<sup>th</sup> meeting one week later to November 3<sup>rd</sup>.

9/22/14  
Director Hauck reported that Attorney Jackson had looked into the ability of the MCCSD to act in the capacity of a community recreation district and he suggested that instead of trying to expand the District's authority to encompass community recreation and go through the expensive and time consuming application to LAFCO, the District could hold title to the property without any change in its municipal services. Harold explained that the Mendocino Rotary Club was in the process of raising funds to purchase the property, but the club was not permitted to own real property. He suggested the Rotary may ask the District to obtain title to the property *(Rotary Park)* ~~and operate the property as a community recreation park.~~ This issue would be held in abeyance, pending further inquiry from the Rotary Club.

The meeting adjourned at 9:30 p.m.

Respectfully submitted,



Jodi Mitchell, District Secretary