

Mendocino City Community Services District

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NOTICE OF PUBLIC HEARING

Re: Proposition 218 Notice of Proposed Amendments to Monthly Groundwater Management Charge Ordinance

This notice is to advise property owners of the Mendocino City Community Service District (MCCSD) Board of Directors' proceedings to amend and adopt the Monthly Charge for Groundwater Management Ordinance. The groundwater management charge is a property-related charge, and this notice is therefore given in accordance with Proposition 218 and Article XIII D of the California Constitution.

Due to increases in annual costs to manage Mendocino's groundwater resources, the MCCSD Board of Directors at the March 26, 2018 regular monthly meeting approved Resolution 2018-254 that authorized preparation for a Prop 218 hearing on the proposed change to the groundwater management charge. The MCCSD Board will hold the Public Hearing to consider increasing the current baseline monthly groundwater management charge in the Monthly Charge for Groundwater Management Ordinance (Ordinance 2018-3).

The Charge for Groundwater Management is used to pay for the following:

- Administer Water Shortage Contingency Plan
- Issue Groundwater Extraction Permits
- Permit, review, and approve Hydrological Studies
- Aquifer depth-to-water monitoring in District well field
- Operate recycled water system
- Manage water meter reading database
- Fund District groundwater model updates

Over half of the current increase to the Charge for Groundwater Management is for legal fees to protect Mendocino's limited groundwater resource. The increase in the groundwater management charge is needed to repay \$92,000 borrowed from cash reserves and the equipment replacement fund that was used to pay for *Gomes v MCCSD* legal costs. The District successfully defended its Groundwater Management Program, Groundwater Extraction Permit Ordinance, and the Water Shortage Contingency Plan in Superior Court in 2017. Mr. Gomes is now appealing the court's decision to the First District Court of Appeals in San Francisco. An additional \$33,000 is budgeted for the appeal in 2018.

The current baseline residential or Equivalent Single Dwelling (ESD) monthly sewer service charge is \$50.60. The current Monthly Charge for Groundwater Management is 11% of the monthly sewer service charge or \$5.57/month. The proposed groundwater management charge will be increased to 21% of sewer fees or \$10.63 per ESD. Property owners will be charged a

fraction or a multiple of the one ESD baseline rate (see attached Ballot with your current and proposed charge).

The Public Hearing is scheduled for **Tuesday May 29, 2018** at a 7:00 p. m. regular meeting at the Mendocino Community Center located at 10525 School Street, Mendocino, California. The Public Hearing will be open to the public, and anyone interested may appear and be heard on this matter or submit a written statement. At the conclusion of the hearing, Ordinance 2018-3 will be introduced to amend monthly charge for groundwater management. The Board will take action on the ordinance at a regular meeting scheduled for 7:00 p. m. **Monday June 25, 2018** at the District office located at 10500 Kelly Street.

Any property owner in the District may file a written protest against the proposed change. Although the Board will consider all input, State law provides that only written protests from property owners may be counted to determine whether a majority protest to the proposed change exists. If, at the conclusion of the Public Hearing, a majority protest of property owners does not exist, the Board will consider introduction of proposed Ordinance 2018-3. The District Secretary must receive a written protest not later than the end of the Public Hearing specified above to be counted. The written protest must include the property owner's name, property service address, assessor's parcel number, and the property owner's signature. Written protests may be mailed to MCCSD at P.O. Box 1029, Mendocino, California 95460, hand delivered to the MCCSD Office at 10500 Kelly Street, Mendocino, California, or may be submitted before the end of the hearing at the Mendocino Community Center located at 10525 School Street, Mendocino, California. No more than one protest per parcel may be submitted.

Following adoption of the amended Monthly Charge for Groundwater Management Ordinance 2018-3, the new charge will go into effect on **August 1, 2018**.