

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
Post Office Box 1029
Mendocino, CA 95460
Business Phone (707) 937-5790 Treatment Plant (707) 937-5751 Fax (707) 937-3837

Minutes of May 24, 2010

Regular meeting was called to order at 7:00 p.m. in the business office at the Wastewater Treatment Plant. Present were Directors Kraynek, Schwartz and O'Brien. Also present were Superintendent Mike Kelley and Secretary Jodi Mitchell. Director Waldman arrived during the discussion of item 4(b) on the agenda.

1. Minutes of April 26, 2010

Correction: Page 3, Section 8 (b), Paragraph 1, Line 18

...and the opportunity to employ ~~ee~~ a student worker....

MOTION Schwartz/Waldman/Kraynek: To accept the minutes of April 26, 2010 as submitted.

ROLL CALL VOTE: AYES: Directors Kraynek, Schwartz and O'Brien.

NOES: None

ABSENT: Director Waldman

2. Communications

3. Public Comment

4. Groundwater Management

a. Request for Exemption from Hydrological Study Requirement-Big River Vista Mutual Water Company

Big River Vista Mutual Water Company asked that their request for an exemption from Hydrological Study requirements be taken off of the agenda for discussion.

b. Mendosa-Knacke Properties, LLC – 10550 Lansing Street, APN 119-160-31

In response to the District's concern that he may have been utilizing the storage area as commercial retail space, Nathan Anderson, tenant of the warehouse building at 10550 Lansing Street, attended the meeting to discuss the existing use within the building. Mr. Anderson explained that he understood the District's concern, but his business required that large slabs of wood be unloaded and stored in the warehouse area. There were four ways to access the building: 1) up a 4 ft. loading dock on Calpella Street, 2) by walking through the lumber yard on the North side of the building, and 3) by entering from Lansing Street directly through the storage area into the showroom. The safest way for the tourists and patrons to view the showroom at the West end of the building, was to enter through the warehouse entrance on Lansing Street. Nathan provided pictures of the inside of the building and noted that he had what he thought was a delineated path through the warehouse to the showroom. He asked for clarification from the Board about what he could do, short of erecting walls to create a walkway. He explained that would create great difficulty when unloading large slabs of wood into the storage area. Kelley Grimes, property owner's agent, stated that both the tenant and the owner viewed the warehouse as storage, and noted that it was an unusual situation whereby this business required that large slabs of wood be stored. He asked the Board to clarify exactly what they wanted them to do to delineate a walkway to the showroom.

The Board reiterated that provisions of the Ordinance would require that any change from a storage area into a commercial retail space required a hydrological study, since no type of commercial use had been established in that warehouse. Norman DeVall had an opportunity to visit the site, and he offered a suggestion for the Board to allow Mr. Anderson to clearly

delineate the walkway, marked with a ribbon barrier and floor tape to designate the boundary, and add signs clearly marked no trespassing.

The Board found the walkway delineation acceptable, and this action was considered a clarification of the original intent of the approval. Mr. Anderson agreed to provide a photo of the walkway delineation after its completion.

MOTION Kraynek/Waldman: Based on discussion of the pictures that were submitted, the Board accepted the proposal to delineate the walkway through the storage area to access the showroom with bollards, chains, tape and no trespassing signs.

ROLL CALL VOTE: AYES: Directors Kraynek, Waldman, Schwartz and O'Brien.
NOES: None
ABSENT: None

c. Monthly Groundwater Management Report

Superintendent Kelley provided information on the 24 monitoring wells and rainfall data. Total annual rainfall to date was 44.37 inches. Annual average rainfall was 40.25 and that represented 110% of the ~~annual~~ average rainfall.

5. Old Business

a. Bar Screen Report

At the last meeting, Superintendent Kelley provided information regarding the Screentec, which was a piece of machinery designed to remove synthetic material prior to entering the treatment plant. Mike gave a PowerPoint presentation on other types of screening equipment ranging in costs from \$65,972 to \$170,000. Those types of equipment would require modification to the headwork.

Mike noted that the headwork was equipped with the Muffin Monster, but it was not designed to remove synthetic materials. He also noted that a bar screen was a standard piece of equipment in any wastewater treatment plant. The Screentec could be installed by District personnel. Mike thought the District may have to go to bid, and he would consult with the Attorney. The warranty on the equipment was 2-years, and it was low maintenance and low technical.

Superintendent Kelley indicated that he was waiting for SHN Consulting to look at the lab results, to try to narrow the source of the existing problem with dioxins. Mike would talk with the City of Fort Bragg to see if they had encountered this type of problem. The Board agreed that the test results should be reviewed prior to validating the need for the machinery.

This issue would be reported at the next meeting.

6. New Business

a. Rejection of Timely Claim – Claimants: Tomas and Erin Dertner

As a result of a greater than \$10,000 claim that the District damaged the Dertner's well, the MCCSD's insurance carrier, Golden State Risk Management Authority recommended that the District deny the claim. According to Government Code Section 945.6, and subject to certain exceptions, the claimants had 6-months from the date the notice was mailed to file a court action on their claim.

MOTION Schwartz/Waldman: To approve the Rejection of Timely Claim to Petersen Law offices, this would be mailed on May 27th.

ROLL CALL VOTE: AYES: Directors Kraynek, Waldman, Schwartz and O'Brien.
NOES: None
ABSENT: None

b. Discussion and Possible Action to Implement Disconnection for Non-Payment of Fees and Charges – 10860 Lansing Street, APN 119-070-14

On April 12, 2010, Elena Savitcheva was notified that the MCCSD intended to file a Certificate of Lien against the real property if payment was not made for fees and charges owed in the amount of \$2,905.82. The notification further stated that if payment was not made within ten days from the date of the demand, the MCCSD would, without further notice, file a Lien against the real property. In addition, the Board of Directors would review the delinquent account to consider sewer lateral disconnection for non-payment of sewer service and groundwater management fees and charges. If the Board elected to implement disconnection of sewer service to the property, then Resolution 163 procedures would be followed.

MOTION Schwartz/Kraynek: To implement procedures for sewer disconnection of property located at 10860 Lansing Street, APN 119-070-14.

ROLL CALL VOTE: AYES: Directors Kraynek, Waldman, Schwartz and O'Brien.
NOES: None
ABSENT: None

c. Introduction of Fiscal Year Budget for 2010/2011

The Budget Committee presented the 2010 2011 draft Fiscal Year Budget. Total Operating Revenue was \$629,173. Operating Expenses were \$507,509, leaving an operating net income of \$121,664. After adding non-operating income, and subtracting cash items, the bottom line was a balanced budget and left with a \$56 cash margin. Directors Schwartz and Kraynek reviewed each line item, with staff. Of special interest this year was interest income, and County Tax Revenue. Superintendent Kelley indicated that he felt confident he could work within the budget parameters. Employees received a 2.3% Cost of Living Increase, and there were no increase in sewer rates, even though the Auditor and the District's consultant both feel the equipment replacement fund should be increased to cover replacement of aged equipment.

d. Strategic Plan for District Staffing

A memorandum to the Personnel Committee was provided for the Board, dated May 19, 2010 regarding District Staffing Options. Since Superintendent would be retiring in 2011, the District should develop a strategic plan for replacing personnel when it became necessary. MCCSD had a qualified Grade III operator with the experience and knowledge to take over as interim Superintendent or interim chief plant operator until he retired in about 2014. The District had a partially trained OIT that could be hired to fill the operator position that would be vacated if the District promoted its Grade III operator to replace Superintendent Kelley in some capacity for a period of time. This plan would remove the need to recruit a Superintendent for four to five years, and would provide a job opportunity to a local Mendocino Youth that has worked at the plant for some time and a promotion for the District's highly skilled Grade III operator. There would be an initial budgeted reduction for operations wages and benefits from replacing a superintendent with a current qualified employee as interim chief plant operator or interim superintendent. There would be an additional wage and benefit reduction by hiring the student OIT. Most of one year OIT training period wages would have been funded by Mendocino County Office of Education and MPIC programs.

Director O'Brien noted that with Mike's broad range of skills, the Board may want to utilize his know-how in some consulting capacity to take the pressure off Steve Acker. Mike noted that he would be out of town at the next regular monthly meeting, and that Steve could attend the meeting on his behalf. The Board concurred that Mike should ask Steve to attend the June meeting.

MOTION Schwartz/Waldman: Move to accept the alternative of promoting personnel to fill positions from within their own ranks – to promote the Grade III operator to chief operator or interim superintendent, and utilize the partially trained OIT whose wages have been paid by MPIC and MCOE since 2009.

ROLL CALL VOTE: AYES: Directors Kraynek, Waldman, Schwartz and O'Brien.
NOES: None
ABSENT: None

7. Attorney's Report - None

8. District Superintendent's Report

a. Monthly Report

During the month of May, the treatment plant operated normally. Plant personnel performed routine plant maintenance and equipment repair.

50,909 gallons recycled water was transferred to the Mendocino High School during the month of April 2010.

On July 18, 2010 the new NPDES discharge permit from the Regional Water Quality Control Board would go into effect. The Water Reclamation Permit was combined with the NPDES permit, and the recycled water discharge limits for nitrates was 10 mg/L. Staff had been testing for nitrates for the past month, and the nitrate level had only been below 10 mg/L twice. The plant was not designed to denitrify the effluent. If the District were unable to lower the nitrates below 10 mg/L, recycled water would not be transferred to the high school irrigation system. This jeopardized the water recycle program. Director O'Brien thought the school should be contacted to let them know there is a problem, and let them be part of the solution. This issue would be followed up in the June Superintendent's Report

Cal-Fire issued their permit for the Heeser Drive Lift Station building permit. TLC Construction applied for the building permit from the Department of Planning and Building, and they would be doing the new building slab work in the near future.

Matt Holt from Brookland, a company that supplied pond liners, had several contractors stop by the plant to look at the emergency overflow pond. After talking with them, it sounded like the pond with a "geomembrane" was possible. The prep-work would be approximately \$9,000 and Mike was waiting for the estimate for the cost of the materials. These costs should be available for the next Board meeting.

Mike also talked to a concrete contractor about sealing the bottom of the pond and up the side walls about 5 feet. He estimated the cost for this type of pond modification at over \$55,000.00.

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

9. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Schwartz/Kraynek: To accept the cash disbursements journal for disbursements of checks #9519 through #9562.

ROLL CALL VOTE: AYES: Directors Kraynek, Waldman, Schwartz and O'Brien.

NOES: None

ABSENT: None

b. Update on Delinquent Sewer charges and Certificate of Liens

No Notices of Intent to record a lien were sent for May.

A Notice of Intent to File a Certificate of Lien against real property was mailed to Elena Savitcheva on April 12, 2010 requesting payment in full within ten days for all fees and charges owned. Since no payment had been made, the Attorney was notified that payment was not made within ten days of the date of the demand, and a Certificate of Lien would be filed without further notice.

10. Matters from Board Members - None

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell
District Secretary