

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
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Minutes of September 30, 2008

Regular meeting was called to order at 7:00 p.m. in the business office at the Wastewater Treatment Plant. Present were Directors Dill, Schwartz and O'Brien. Directors Ball and Kraynek were absent. Also present were Superintendent Mike Kelley and Secretary Jodi Mitchell.

1. Approval of Minutes

August 25, 2008

Corrections: Page 2, paragraph 2, line 4: ...to charge a higher fee than what was established
page 2, paragraph 3, line 5: The district maintains a 28 monitoring wells, field

MOTION Schwartz/Dill: To approve the minutes of August 25, 2008 with corrections as noted.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
NOES: None
ABSENT: Directors Ball and Kraynek
ABSTAIN: None

August 28, 2008 – Special Meeting

Since Director Dill was absent at the special meeting of August 28, 2008, the minutes of that meeting were carried over for approval at the next meeting.

September 11, 2008 – Special Meeting

MOTION Schwartz/Dill: To approve the minutes of the Special Meeting of September 11, 2008 as presented.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
NOES: None
ABSENT: Directors Ball and Kraynek
ABSTAIN: None

2. Public Comment - None

3. Communications - None

4. New Business

a. Introduction of Ordinance No. 08-3 – Ordinance of the MCCSD Adopting Policies and Procedures for Purchasing of Supplies and Equipment for Procuring Professional and Maintenance Services, and for the Disposal of Surplus Property

Superintendent Kelley reported that the MCCSD was required by State Law to adopt policies and procedures which include bidding regulations and policies pertaining to the purchase of supplies and equipment by local agencies. Ordinance No. 08-3 was being introduced for adoption. Legal counsel has reviewed the Ordinance, and a summary has been prepared for publication in the Mendocino Beacon. The Ordinance would be adopted at the following meeting.

MOTION Schwartz/Dill: To waive the reading of Ordinance No. 08-3.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
NOES: None
ABSENT: Directors Ball and Kraynek
ABSTAIN: None

MOTION Schwartz/Dill: To introduce Ordinance No. 08-3.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
NOES: None
ABSENT: Directors Ball and Kraynek
ABSTAIN: None

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b. Adoption of 2008 Fiscal Policies

Superintendent Kelley reported that during the LAFCO Municipal Service Review, Mr. Frank McMichael determined that the Board of Directors was required to establish policies for the operation of the District, including but not limited to administrative policies, fiscal policies, personnel policies and purchasing policies and bidding regulations. Based on LAFCO's recommendation, Fiscal Policies were provided to the Board of Directors for their review.

MOTION Dill/Schwartz: To approve the MCCSD 2008 Fiscal Policies.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
NOES: None
ABSENT: Directors Ball and Kraynek
ABSTAIN: None

c. Adoption of Governance Guidelines

The Governance Guidelines have been reviewed by Attorney Jackson. The Guidelines, as distributed, contained one error, which had been corrected. On page 3, section 1, paragraph 2, the term "authorities" was replaced with "governing powers".

MOTION Dill/Schwartz: To approve the MCCSD Governance Guidelines, as amended.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
NOES: None
ABSENT: Directors Ball and Kraynek
ABSTAIN: None

d. No Drugs Down the Drain Campaign

The No Drugs Down the Drain Campaign was part of a statewide campaign in October to promote a long term solution to the environmental problem of properly disposing of unwanted medication. Studies have shown that pharmaceuticals, including such things as hormones, antidepressants and antibiotics, can pass through wastewater treatment facilities into creeks, rivers, bays and the ocean. The message could be a springboard for broadening the dialogue to include other issues such as fats, oils and greases, resulting in sanitary sewer overflows. Public education was important, that disposing of leftover medication down the toilet is not acceptable. The District included a flyer with the October statements entitled "Don't use the sewer system to dispose of hazardous wastes", which included other options for disposal of medications.

5. Groundwater Management

a. Monthly Meter Reading Compliance Report

The September, 2008 Groundwater Management Report was provided to the Board of Directors. In June the District initiated the three-step process to obtain a meter reading from property owners on a monthly basis. The letter of first violation was sent on July 1, and a majority of property owners responded with a reading, but each month a new list of property owners had to be contacted with a Notice of violation for failing to submit the readings. So far, only two property owners had to be contacted in person by District Staff. Several property owners had exceeded their allotment for two months or more. According to Ordinance 07-1, Section 15 it was a misdemeanor and a penalty would be assessed for excess extraction. Staff noted that, although the District had legal authority to impose a penalty for over extraction, MCCSD has never charged a property owner for excess extraction. For that reason, staff recommended that MCCSD charge a penalty after property owners that were exceeding their allotment had been warned of the penalty for continued excess extraction. This issue was discussed with legal counsel, and the Board agreed that after a property owner had been given fair warning, a penalty shall be imposed for the previous period and the current period of excess extraction above their allotment.

6. Old Business

7. Attorney's Report

Attorney Jackson provided information regarding ADA Compliance, which was pointed out in LAFCO's Municipal Service Review. Ed O'Brien and Sam Kraynek, the operations committee, would meet to discuss possible modification of the District's facility.

8. District Superintendent's Report

During the month of September, the treatment plant operated normally. Plant personnel performed routine plant maintenance and equipment repair. District personnel cleaned the flow equalization pond.

264,782 gallons of recycled water was transferred to the Mendocino High School during the month of August 2008.

Alpha Diving started the ocean outfall repairs on July 12. They placed the repair clamp on the pipeline about 700 feet offshore. They completed the installation of the clamp of August 15 – 17. Alpha plans to start the replacement of missing pipeline brackets on September 26th.

On August 15, 2008, there was a 480 gallon SSO between manhole 42 and 43. Mendocino County was replacing a storm drain located along Little Lake Road across from the P G & E substation. They broke the 8-inch sewer main during the storm drain replacement. It was noted that the County reimbursed the District for the materials and John Wetzler's labor to repair the broken line.

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

Mike noted that Dennis McSweeney called from Russian Gulch regarding the lift station project and the outcome of their initial meeting. The State Parks has no problems with the Heeser Drive project, but the State was concerned that storm runoff could take out the ditch. The Board wanted to meet with State Parks and begin the CEQA process. Mike reported that AT & T is going to run a telephone service to both lift stations at no charge. The District would, however, would need to install a 2" conduit from the pedestal down to the lift station.

9. Committee Reports

10. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Schwartz/Dill: To approve disbursements in the amount of \$50,014.75 for checks #8473 through #8520.

ROLL CALL VOTE: AYES: Directors Schwartz, Dill and O'Brien
 NOES: None
 ABSENT: Directors Ball and Kraynek
 ABSTAIN: None

b. Report on Delinquent Monthly Sewer Fees

The secretary reported that there were nine sewer accounts that were delinquent in payment of monthly sewer use fees totaling over \$8,000.00. Correspondence was mailed on September 1, by certified mail, notifying the property owners that all delinquent accounts would be reported to the Board of Directors at their September meeting. Staff was directed that all delinquent accounts must be brought current within 10 days, or the District would proceed with disconnection proceedings.

Director O'Brien asked about the status of the Jarvis-Nichols Partnership building in terms of submitting a Groundwater Extraction Permit. Superintendent Kelley stated that Mr. Cusick had not contacted the District since he met with him at the building in August. The Board agreed that additional apartments should be charged a monthly sewer fee, and the issue regarding Right of Use for additional apartments for which they are not currently being billed must be settled with the District.

11. Matters from Board Members

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell
District Secretary