

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
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Minutes of April 1, 2013

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

1. Public Comment

2. Minutes – February 25, 2013

Minutes of March 7, 2013 Special Meeting

MOTION Hauck/Stubbs To approve the minutes of February 25, 2013 and March 7, 2013 as presented.

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

NOES: None

ABSTAIN: None

ABSENT: Director Kraynek

3. Communication

President Schwartz asked Superintendent Acker to report on his meeting with Abbey Stockwell, and the Chief Planner. Steve reported that Abbey Stockwell contacted him and asked if he would like to meet with them on April 1st at the Palette Drive property for an informal meeting to discuss the potential use and potential means to move forward. Steve met with Attorney Jackson, Abbey Stockwell, and Chief Planner, Andy Gustavson at the site, and discussed the District's proposed plans for the property. Steve indicated the County could accommodate the District's proposal for development within the open space designation.

The Board agreed that the effort and emphasis should be on a zoning correction in the Town Plan and stipulated as Public Facility. The Board directed Steve to obtain Attorney Jackson's comments about that meeting. Steve would provide the information from Attorney Jackson to all Board members. The Board requested that this issue be on the next meeting agenda for discussion.

Wendy Roberts requested that her questions regarding MCCSD fees and charges and answers from the Superintendent be included as part of the meeting minutes.

With regard to Section 9 (b) of the minutes of February 25th, the Board inquired if the Superintendent obtained a competitive bid from another distributor of the Gorman Rupp pump. Since the pump was already ordered and shipped, the Board requested that a competitive bid be obtained for future purchases, and that the Board be presented with alternatives.

In response to whether Steve contacted the supplier of the Gate Valve for manhole 9, he said he contacted the manufacturer and the distributor's actual price was close to the estimate provided by Kennedy/Jenks. The valve had been ordered.

4. Public Comment

5. Groundwater Management

a. Monthly Groundwater Report

The District received a total of 26.81 inches of rainfall for March. Mendocino was 24% below normal rainfall for this time of year. A Stage 1 Water Shortage Condition was declared on February 6, 2012. The Stage 1 Water Shortage Condition was continued into 2013.

Based on the total rainfall at the end of March and the amount of rainfall since February 1, the Water Shortage Contingency Plan indicated a Stage 2 Water Shortage. If there was 35 inches or more by May 31, there would not be a water shortage condition. If there was less than 35 inches of rain by May 31, the water shortage stage would be evaluated and updated. The water shortage stage would be evaluated by indicator wells average depth to water on August 31, November 30, and December 31st. Steve recommended continuing the Stage 1, and re-evaluating groundwater conditions at the end of May. The Board asked for clarification of the Water Shortage Evaluation Chart and the Board's responsibility regarding various stages of information that is provided to them. Clarification would be provided at the next meeting.

b. Application for Groundwater Extraction Permit

Nicholson House Inn – 44861 Ukiah Street, APN 119-250-12

and discussion Regarding Nicholson House billing paid under protest

Dennis McCroskey protested payment of back sewer fees charged to him for the non-permitted uses. He stated that he had informed the District that he would be ceasing operation of the extra VSF bedroom at the end of November and also, ceasing operation of one of the residential units at the end of January. He paid the fees under protest because he had asked for a credit and the fees had not been adjusted. The total discrepancy was \$176.80. The Board concluded that the district charges were based on the estimated loading and impact to the treatment plant for all of the various uses. The District does not have a provision not to charge an "unoccupied" unit. The charge is not based on occupancy, but rather the type of use and impact on the treatment plant loading.

Mr. McCroskey asked how he could avoid paying for the Right of Use fees charged for the unpermitted uses. The Board offered Mr. McCroskey a payment plan over a period of 3-5 years. Mr. McCroskey explained that his cash flow fluctuated during certain months of the year. The Board asked Mr. McCroskey to develop a 3-5 year amortization schedule and provide the schedule to the MCCSD within 10 days.

MOTION Hauck/Stubbs To approve the Groundwater Extraction Permit #2013/2-27 for APN 119-250-12.

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

NOES: None

ABSTAIN: None

ABSENT: Director Kraynek

7. New Business

8. Old Business

a. Review of Delinquent Accounts to consider Disconnection of Sewer Service for Non-Payment of Fees and Charges

Secretary Mitchell asked if the Board would vote to proceed with disconnection of property at 45300 Ukiah Street, APN 119-215-02, for non payment of fees and charges. This issue was discussed at the last meeting; however, a motion was not voted upon to proceed.

MOTION Hauck/Stubbs: To proceed with termination of sewer service to APN 119-215-02, located at 45300 Ukiah Street for non-payment of fees and charges.

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

9. Attorney's Report

10. District Superintendent's Report

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

The February, self monitoring online report, was sent in to the Water Quality Control Board. The annual self monitoring report was also sent in to the Water Quality Control Board. The no spill certification for February was posted online.

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

The Board approved the invitation to bid, the project plans and manual. MCCSD received the Bid manual and construction drawings from Kennedy/Jenks. The Notice Inviting Bids was published in the Mendocino, Beacon, The Fort Bragg Advocate, The Ukiah Daily Journal, and the Builders Exchange. Isqft. (I square foot) and Team Ghilotti, online exchanges requested the bid packages to post online. The Superintendent would clarify with Kennedy/Jenks when they would evaluate the bids, and inquire if they would be at the special meeting on April 24th, when all sealed bids would be opened.

The over flow valve to be installed in manhole 9 had been ordered. The concrete manhole section and cover had been ordered.

Two Gorman Rupp Pumps were ordered and delivered for the Hills Ranch Pump Station. They would be installed in April.

The California Financing Coordinating Committee funding fair was having an event in Sacramento on April 10th. Steve planned to take proposals for MCCSD projects to the fair to find possible sources of funding. There would be several funding agencies present and applications could be obtained from possible sources.

Sam Waldman's energy audit was almost completed. Steve would call Sam when it was finished. The FOG program plan update report had not been finished because of time and more immediate issues. The FOG update would be on the next meeting agenda.

11. Committee Updates

12. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Hauck/Waldman: To approve cash disbursements for checks 11235 through 11277.

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

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell, Secretary