

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
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Minutes of April 27, 2020

Per California Governor Gavin Newsom's Executive Orders N-25-20 and N-29-20, the hearing is being held via teleconference.

1. Call to Order

The Regular Meeting was called to order by Vice President Hauck at 7:03 p.m. via teleconferencing. Present were Directors Hauck, Rice, Arnold and Sullivan. Superintendents Mike Kelley and Ryan Rhoades, as well as District Secretary, Jeannée Christ were also present on the call. Also present were Legal Counsel James Jackson and Matt Emerick.

Attendees were notified of two corrections to the Agenda, the first being Thursday needed to be changed to Monday in the heading and under Item 6 (a), the heading needed to be changed to Resolution 2020-268.

MOTION Arnold/Hauck To Approve Agenda with the Changes of Thursday to Monday in heading and Resolution 2020-265 to 2020-268 in Item 6 (a).

ROLL CALL VOTE:	AYES:	Directors Arnold, Sullivan and Hauck
	NOES:	Director Otto Rice
	ABSENT:	None

2. Approval of Minutes

Superintendent Rhoades asked to reschedule approval of minutes prepared by the District Secretary, for March 30, 2020, and April 16, 2020, to a future meeting due to multiple errors, typos, and inaccuracies requiring further administrative review.

3. Communications

Lauinger, Clogg, and Wood read their letters of opposition to the Water Shortage Contingency Plan. Reed's letter was read by Secretary Christ. Gomes spoke regarding his protest.

4. Public Comment

Graham discussed his protest. Vice President Hauck explained that the Brown Act does not allow responses to items brought up in a meeting which are not on the agenda. O'Brien said that Superintendent Mike Kelley will be retiring on May 15, 2020. He thanked him for his service to the community.

5. Public Hearing

To consider protest(s) to the adoption of the Groundwater Extraction Permit Ordinance, the Water Shortage Contingency Plan Ordinance, and the Water Shortage Contingency Plan.

a. Consideration of protests to an amended Groundwater Extraction Permit Ordinance that shall require all developed parcels to limit groundwater extraction to an approved allotment of groundwater that may be extracted on a monthly basis.

b. Consideration of protests to the adoption of a Water Shortage Contingency Plan to provide a strategy for declaring a water shortage through four stages of alert and action, and to require appropriate conservation measures and response actions for each water shortage stage to protect and help extend the groundwater resources of the District.

c. Consideration of protests to the adoption of a Water Shortage Contingency Plan Ordinance to provide the authority to declare a water shortage through four stages of alert and action, and to require appropriate conservation measures and response actions for each water shortage stage to protect and help extend the groundwater resources of the District.

Vice President Hauck opened the meeting to public comment. Gomes, Attorney Morrow, Clark, and Director Rice said they wanted all of the letters read aloud. Director Arnold asked how many protest votes had been solicited and were hand delivered to the District office. Superintendent Rhoades said 19 of the protests were from various methods of communication, and three of those needed to be verified for residency and voter status. Superintendent Rhoades said there were 16 protest votes; Reed brought in 39 protest signatures, 18 of which need to be verified and three others also needed to be verified. Superintendent Rhoades said that some of the letters were three pages long but the majority were generic responses that were delivered by Reed. Vice President Hauck said that the purpose of the meeting was to count the protest votes. Superintendent Kelley said that some of the letters were in support of the Ordinance. Director Arnold pointed out that even with 60 protest letters, they represented less than 25% of the District. The Board of Directors agreed that the letters should be read aloud. Letters of both objections and support were read aloud by Superintendent Rhoades. Attorney Morrow asked that Gomes' letters of protests from 1/9/20 and 4/6/20 be made a part of the record; he also stated his concerns. Reed read an additional letter she had written. Superintendent Rhoades reported that there are 494 registered voters in the District as of April 17, 2020. Paul Clark asked that his letter be read by Superintendent Rhoades. Clark's letter was read and Superintendent Rhoades noted its attachments would be part of the record. Ed Obrien made a comment to provided history of MCCSD researching community water sources. Mr. Gomes mentioned that any board member that is on another board somewhere may not be qualified to be on this board. Ruth and S.A., business owners in the district, are in favor of metering but want to talk about having a voice on the board even though they live outside the district. Mr. Morrow voiced concern about Vice President Hauck sitting on the Board for Big River Vista. Vice President Hauck mentioned that he had looked into this, and there is no conflict. With no further public comment or majority protest against MCCSD adoption of Groundwater Management Programs, Vice President Hauck officially closed the Public Protest Hearing.

6. New Business

a. Resolution 2020-268 – A Resolution of the Mendocino City Community Services District to Appoint a Standing Committee to Review the District Groundwater Management Program.

Superintendent Rhoades read the Resolution. Vice President Hauck explained the Resolution in detail, then asked for public comments to the resolution. Reed, Anderson, and Wesley commented. There was a public discussion; many felt a committee would be beneficial to the community. Board members Sullivan and Rice commented. Attorney Jackson explained some historical background.

MOTION Rice/Arnold To Approve Resolution 2020-268

ROLL CALL VOTE: AYES: Directors Rice, Arnold, Sullivan and Hauck
 NOES: None

ABSENT: None

b. Discussion and Possible Action on Sewer Bill Payment Deferral During COVID-19.

There was a discussion of economic problems related to COVID-19 and what could be done to help the community. Superintendent Rhoades said that Willits, Fort Bragg, and Ukiah service districts were not charging late fees nor processing service disconnections during this time. Vice President Hauck opened the item to public comment. Both owners of Frankie's commented. Following a discussion it was agreed that through the end of May, 2020, there would be no disconnections nor late fees assessed to both residential and commercial customers. Staff directed to post a letter on the MCCSD web site stating that there will be no assessment of late fees nor disconnections at this time, as a result of customers deferred or late payments related to COVID-19. A letter to customers will also be mailed out. Mendocino Beacon Reporter Blackwell, was asked to publish this in the next edition, if possible. The subject of late fees and disconnections will be addressed again at the May 25, 2020, Board Meeting.

MOTION Arnold/Sullivan To Approve Non-Assessment of Late Fees and to Cease Disconnections, Due to the Covid-19 Crisis until the End of May 2020.

ROLL CALL VOTE: AYES: Directors Rice, Arnold, Sullivan and Hauck
 NOES: None
 ABSENT: None

c. Discussion and Consideration of Adding Online Payment Option to MCCSD Web Page.

Superintendent Rhoades explained what his research had shown regarding on-line payment possibilities for the District. Vice President Hauck opened it up to public comment. Williams, Rosenbloom, and Sullivan responded. There was a discussion about privacy, security and liability. Vice President Hauck said we need to run the details past our attorney. This will be addressed at a future Board of Directors' Meeting.

7. Groundwater Report

October 1, 2019 was the beginning of the 2019-20 rain year. Average annual precipitation in Mendocino is 40.04 inches, and average rainfall in April is 3.03 inches. By April 22nd, 2020, 1.29 inches of rainfall has been measured in the District for the month. Total Rainfall for Rain Year 2018-19 was 45.64 inches. Mendocino received 111.1% of normal annual rainfall during the last water year. By April 21, 2020, total rainfall since October 1, 2019 was 18.08 inches, just 45.2% of normal.

April 2020 Depth-to-Water (DTW)

The average DTW measurements District-wide in the 23 monitoring wells on April 21, 2020 was 14.04 ft.

8. Superintendent's Report

Operators performed routine repair and maintenance at the wastewater treatment plant during April 2020. Keith replaced the belts on our Biosolids Press Machine. Ed began painting our plant generator and replacing some old NTSB safety placards. We have purchased a new lawn tractor to replace the old broken one. We are still operating with just one operator per week and it is working just fine. The trailer has been ordered but delayed due to COVID-19; delivery is scheduled for two months from now. Construction has basically stopped. COVID-19 has caused shutdowns of door, window, and

electrical factories so we are waiting on parts. Could be weeks or months. Office demolition and remodel is also delayed. Roofing is still moving ahead. Estimate to redo the shingles on the office building from Redwood Roofers is \$33,820 plus \$5,707.00 in additional labor and materials. Recommendation is to wait at this time. The district is still following County, State, Federal, and CDC guidelines regarding COVID-19 safety precautions. The Superintendent reached out to BIOBOT, the company that tested for COVID-19 in Lake County Wastewater, they responded Tuesday 4-21-20 that they are not testing in Mendocino County at this time. The Safety Officer conducted the monthly safety inspection of the plant. The Monthly Safety Meeting for April was held on two days to accommodate all staff. The 30-minute Safety Meeting on April 21st, 2020, was on Housekeeping, "a clean place is a safe place." There were no MCCSD collection system sanitary sewer overflows to report during January 20th 2020 thru April 22nd, 2020. The District did not transfer recycled water to the High School in April 2020.

9. Election of Officers and Standing Committee Appointments

Vice President Hauck asked that the appointment of the President and Vice President be postponed to the next Board Meeting.

MOTION Arnold/Rice To Approve Moving the Election of Officers and Standing Committee Appointments to the May 4, 2020, Special Board Meeting.

ROLL CALL VOTE	AYES:	Directors Rice, Arnold, Sullivan and Hauck
	NOES:	None
	ABSENT:	None

10. District Secretary Report

a. Monthly Register of Cash Disbursements February/March, 2020 To be deferred to the May 25, 2020, Board Meeting for approval.

b. Monthly Register of Cash Disbursements March/April, 2020 To be deferred to the May 25, 2020, Board Meeting for approval.

c. Monthly Report of MCCSD Construction Account Feb-April, 2020, was reviewed.

d. Update on Delinquent Sewer Accounts and Certificate of Liens. Full payment has been received from Kettner. Superintendent Rhoades will look into what needs to be done to remove her lien.

e. Quarterly Income Report and Expenses Ending March 31st, 2020, to be presented at the May 25, 2020, Board Meeting.

11. Matters from Board Members

There was a discussion of the Ordinances that will be on the Agenda for the May 4, 2020, Special Board Meeting.

12. Regular Meeting Adjournment - 10:34 p.m.

Respectfully submitted,



Ryan Rhoades
District Superintendent