

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 11-25-2024 MEETING AGENDA

MENDOCINO CITY COMMUNITY SERVICES DISTRICT
P. O. BOX 1029
MENDOCINO, CA 95460
Business Phone (707) 937-5790 Treatment Plant (707) 937-5751

AGENDA

REGULAR MEETING

Monday, November 25, 2024

5:30 PM

Community Center of Mendocino, 10525 School St., Mendocino CA 95460

- 1) CALL TO ORDER
- 2) APPROVAL OF AGENDA
- 3) PUBLIC COMMENT: non-agenda items
- 4) COMMUNICATIONS
- 5) FINANCIAL REPORT
Discussion and Possible Action to Approve District Disbursements/Expenditures
 - a) October Disbursements
- 6) CONSENT AGENDA
All matters on the Consent Agenda are to be approved by one action without discussion unless a Board Member requests separate action on a specific item.
 - a) APPROVAL OF MINUTES from 10-28-24
- 7) DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION
- 8) NEW BUSINESS
 - a) Discussion and Possible Action to adopt RESOLUTION 2024-320: **RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO ADOPT A POLICY TO HOST HYBRID MEETINGS AND RECORD MEETINGS WHEN HELD AT THE WASTEWATER TREATMENT PLANT**
Staff recommends adoption of Resolution 2024-320.
 - b) Discussion and Possible Action to purchase a new influent pump, not to exceed \$9,000
Staff recommends approval to purchase a new influent pump, not to exceed \$9,000
 - c) Discussion and Possible Action to adopt RESOLUTION 2024-321: **RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO AMEND SECTION 5.8C OF THE MCCSD PERSONNEL MANUAL, MEDICAL/ HEALTH COVERAGE**
Staff recommends adoption of Resolution 2024-321.
 - d) Recission of MOU dated April 20, 2023 between MCCSD and MUSD for the Water Shortage Project
 - e) Discussion and Possible Action to adopt the revised MOU with MUSD for the Water Storage Project
- 9) OLD BUSINESS

None

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 11-25-2024 MEETING AGENDA

- 10) DISTRICT SUPERINTENDENT'S REPORT
Monthly Report
- 11) GROUNDWATER MANAGEMENT REPORT
Monthly Groundwater Management Report
- 12) COMMITTEE UPDATES
- 13) MATTERS FROM BOARD MEMBERS
- 14) ADJOURNMENT

STANDING COMMITTEES: For 2024

- Finance:----- Dennak Murphy and Ishvi Aum
- Personnel:----- Dennak Murphy and Matthew Miksak
- Plant Operations:----- Ishvi Aum and Jim Sullivan
- Safety:----- Donna Feiner and Matthew Miksak
- Street Lighting:----- Jim Sullivan and Donna Feiner
- Groundwater Management:----- Jim Sullivan and Ishvi Aum

Pursuant to Americans with Disability Act (ADA Title II), MCCSD will make reasonable arrangements to ensure accessibility to the meeting. If you need special assistance to participate in this meeting, please contact the business office at 707- 937-5790.

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

**Post Office Box 1029
Mendocino, CA 95460
(707) 937-5790 (t)
(707) 937-5751 (t)
mccsd@mcn.org**

MENDOCINO CITY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING

ACTION MINUTES – October 28, 2024

**BEFORE THE BOARD OF DIRECTORS
FAIR STATEMENT OF PROCEEDINGS
(PURSUANT TO CALIFORNIA COMMUNITY SERVICES DISTRICT LAW
Government Code §61000)**

AGENDA ITEM NO. 1 – CALL TO ORDER – 5:30 p.m.

Present: Directors Jim Sullivan, Donna Feiner, Ishvi Aum, VP Matthew Miksak, and President Murphy

Staff Present: Ryan Rhoades, District Superintendent and Katie Bates, Board Secretary

Public Present: Andrea Shepard, Dan Potash, Carrie Browder, Jim Gregg, Dyan Whyte

AGENDA ITEM NO. 2. – APPROVAL OF AGENDA

Board Action: Upon motion by Director Feiner and 2nd by Director Sullivan, IT IS ORDERED to approve the agenda. The Motion carried by the following vote:

AYE: 5

AGENDA ITEM NO. 3 – PUBLIC COMMENT: non agenda items

Jim Gregg suggests the possibility of holding MCCSD Board meetings in Mendocino Library. District Superintendent Rhoades responded to let him know that MCCSD has contacted the library in the past and determined they were limited for telecom options.

AGENDA ITEM NO. 4- COMMUNICATIONS

None

President Murphy introduced Andrea Shepard as a new member of the MCCSD Board of Directors as of 12/6/2024.

AGENDA ITEM NO. 5- FINANCIAL REPORT

- a) **September Disbursements**
Presenter: Katie Bates

Board Comment: President Murphy

Board Action: Upon motion by VP Miksak and 2nd by Director Feiner, IT IS ORDERED to approve September disbursements. The Motion carried by the following vote:

AYE: 5

AGENDA ITEM NO. 6- CONSENT AGENDA

a) **APPROVAL OF MINUTES FROM 9-30-2024**

Board Action: Upon motion by Director Feiner, and 2nd by Director Sullivan, IT IS ORDERED to approve the minutes from September 30, 2024. The Motion carried by the following vote:

AYE: 5

AGENDA ITEM NO. 7—DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION

None

AGENDA ITEM NO. 8- NEW BUSINESS

a) **Discussion and Possible Action to raise the employee dental and vision from \$500 to \$1500/year**

Board Comment: President Murphy, VP Miksak, Directors Aum and Sullivan

Staff Comment: Ryan Rhoades and Katie Bates

b) **Discussion of hybrid meetings and the public notification process**

Board Comment: Directors Aum and Sullivan, and President Murphy

Staff Comment: Ryan Rhoades and Katie Bates

Public Comment: Carrie Browder,

AGENDA ITEM NO. 9- OLD BUSINESS

Discussion and Possible Action to increase the budget to replace the garage doors, not to exceed \$24,000

Board Comment: Director Sullivan

Staff Comment: Ryan Rhoades

Public Comment: Dan Potash

Board Action: Upon motion by Director Aum, and 2nd by VP Miksak, IT IS ORDERED to approve the increase the budget to replace the garage doors, not to exceed \$24,000. The Motion carried by the following vote:

AYE: 5

AGENDA ITEM NO. 10- DISTRICT SUPERINTENDENT'S REPORT

Presenter: Ryan Rhoades

Board Comment: Director Aum

Public Comment: Andrea Shepard

AGENDA ITEM NO. 11- GROUNDWATER MANAGEMENT

Presenter: Ryan Rhoades
Board Comment: Director Aum
Public Comment: Dyan Whyte

AGENDA ITEM NO. 12- COMMITTEE UPDATES

Dennak Murphy reported that the Personnel Committee met 9-30-24 and will go over their recommendation with the full Board during the upcoming Closed Session.

Donna Feiner was excused from the room for potential conflicts of interest.

Ryan Rhoades discussed the tank project MOU with MUSD. MUSD submitted a revised CDP so it was decided to revise the MOU. GHD will help draft the MOU to be adopted by both Boards. Andrea Shepard asked if the MOU is a public document. Ryan says the current one is, but the draft is not.

AGENDA ITEM NO. 13- MATTERS FROM BOARD MEMBERS

Jim Sullivan is interested in water quality and spoke with SAFER about it. Well sampling could be possible moving forward. Matthew Miksak asked if they would fund testing of individual wells. Andrea Shepard asked if this was additional funding. Jim Sullivan confirmed. Dennak Murphy made clear this would be separate from MCCSD

Ishvi suggested Board of Directors should go on record to encourage storage. Dennak Murphy mentioned the Coastal Commission will redo the coastal plan and could possibly add an exemption to add storage without the applicant being subjected to hoops to jump through.

Dennak Murphy encouraged staff to agendaize possible changes to the Purchasing and Procurement Ordinance.

AGENDA ITEM NO. 14- ADJOURNMENT

IT IS ORDERED to approve adjourning the meeting at 7:00 p.m.

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT MEETINGS

- *Effective May 11, 2020, the Board of Directors' minutes will be produced in "action only" format.*
- *Minutes are considered draft until adopted/approved by the Board of Directors*
- *Please reference the District's website to obtain additional resource information for the Board of Directors: www.mccsd.com.*

Thank you for your interest in the proceedings of the Mendocino City Community Services District

Board of Directors

STANDING COMMITTEES:

- Finance:----- Dennak Murphy and Ishvi Aum
- Personnel:----- Dennak Murphy and Matthew Miksak
- Plant Operations:----- Dennak Murphy and Jim Sullivan
- Safety: ----- Jim Sullivan
- Street Lighting:----- Donna Feiner and Jim Sullivan
- Groundwater Management:----- Ishvi Aum and Jim Sullivan

Respectfully submitted,

Katie Bates

MCCSD POLICY FOR HOLDING HYBRID MEETINGS

Purpose

The purpose of this policy is to establish guidelines for when Mendocino City Community Services District (MCCSD) holds public meetings at the Wastewater Treatment Plant and makes them available using Zoom (or another audio/video) platform for transparency and accountability purposes.

Scope

This policy applies to public meetings by MCCSD, including regular, special, emergency, and standing committee meetings that are conducted from the Wastewater Treatment Plant using the Zoom (or another audio/video) platform.

Policy Statement

1. **Holding Hybrid Meetings:** All MCCSD meetings that are held at the Wastewater Treatment Plant, 10500 Kelly Street, Mendocino shall be made available using the Zoom (or another audio/ video) platform. The Board of Directors may utilize Zoom to accommodate out of District, agendized presentations, and remote participation by Directors as allowed by State Law. The Board of Directors welcomes all public to attend in-person at the location listed on the agenda, or to attend using the hybrid option when the meeting is held at the Wastewater Treatment Plant.
2. **Meeting Notice:** The District shall provide notice to the public regarding the time, date, location, and agenda of the public meeting as per the Brown Act. If the meeting is held at the Wastewater Treatment Plant and includes Zoom or remote access, the meeting notice will state such and include appropriate links.
3. **Record Keeping:** The District shall maintain a complete and accurate record of all public meetings held. These records shall be maintained in accordance with state and federal laws governing public records.
4. **Closed Session:** If a closed session is held during a public meeting, no public access will be allowed of the closed session. However, minutes of the closed session shall be kept in accordance with state and federal laws.
5. **Compliance:** The District shall comply with all relevant state and federal laws related to the recording and retention of public meeting records.

Implementation

This policy shall be implemented upon approval by the Board of Directors of MCCSD and once all technology is in place and functional.

Revision

This policy may be reviewed and updated as needed by the Board of Directors.

MCCSD POLICY FOR RECORDING MEETINGS

Purpose

The purpose of this policy is to establish guidelines for when Mendocino City Community Services District (MCCSD) records public meetings for transparency and accountability purposes.

Scope

This policy applies to public meetings by MCCSD, including regular, special, emergency, and standing committee meetings that are conducted using the Zoom (or another audio/video) platform.

Policy Statement

1. Recording public meetings: All MCCSD meetings that are broadcast using the Zoom (or another audio/video) platform shall be recorded. The Board of Directors may utilize Zoom to accommodate out of District, agendized presentations, and remote participation by Directors as allowed by State law. The Board of Directors encourages the public to attend in-person at the location listed on the agenda.
2. Meeting Notice: The District shall provide notice to the public regarding the time, date, location, and agenda of the public meeting as per the Brown Act. If the meeting includes Zoom or remote access, the meeting notice will state such and include appropriate links.
3. Record Keeping: The District shall maintain a complete and accurate record of all public meetings held. These records shall be maintained in accordance with state and federal laws governing public records.
4. Recordings Accessibility: Recordings of public meetings conducted with Zoom (or another audio/video platform) shall be posted on the District website within 72 hours of the adjournment of the meeting. They will be available for up to thirty (30) days, in accordance with the Brown Act.
5. Closed Session Recordings: If a closed session is held during a public meeting, no recording of the closed session shall be made or retained. However, minutes of the closed session shall be kept in accordance with state and federal laws.
6. Compliance: The District shall comply with all relevant state and federal laws related to the recording and retention of public meeting records.

Implementation

This policy shall be implemented upon approval by the Board of Directors of MCCSD and once all technology is in place and functional.

Revision

This policy may be reviewed and updated as needed by the Board of Directors.

RESOLUTION NO. 2024 – 320
RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT
TO ADOPT A POLICY TO HOST HYBRID MEETINGS AND RECORD MEETINGS WHEN
HELD AT THE WASTEWATER TREATMENT PLANT

WHEREAS, from time to time a review of policies is undertaken by the Board of Directors; and

WHEREAS, the Board requested a District Policy to hold hybrid meetings and record them when hosted at the Wastewater Treatment Plant be in place; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the Board of Directors of the MCCSD has hereby approved and adopted the Policy to hold Hybrid Meetings and the Policy for Recording Meetings.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at the Regular Meeting on November 25, 2024 by the following vote:

ROLL CALL VOTE: **AYES:**
 NOES:
 ABSENT:

ATTEST

Katie Bates, District Secretary

Dennak Murphy, Board President



7 PAMARON WAY, SUITE A, NOVATO, CA 94949
 P. 415-884-4501, F. 415-883-3961

Quotation # DP04935A

To: Ryan Rhoades @ Mendocino City CSD Date: November 19, 2024
sup@mccsd95460.onmicrosoft.com

From: Dennis Prahm Pages: 1

Subject: Influent Pump #1 – Replacement of Gorman-Rupp Pump T4A3S-B, SN# 1408930, sold in 2008. Replace with Model T4A3S-B /F pump.

| Qty. | Item Description | Net Price | Ext. Net Price |
|-------------------------------|--|------------|-------------------|
| 1 | Gorman-Rupp Pump Model T4A3S-B /F; 4" "Super-T" Series Self-Priming Centrifugal pump in standard materials of construction with 3" solids handling 2-vane ductile iron impeller and furnished with an oil lubricated silicon carbide mechanical seal. Includes 4" Suction and 4" Discharge ANSI spool flanges. <i>Notes:</i> 1) The Impeller furnished shall standard 8.75" 2) Shipping weight: 665 lbs., each | \$7,429.00 | \$7,429.00 |
| Subtotal | | | \$7,429.00 |
| Approx. Freight Charge | | | \$600.00 |
| Total Net Sale | | | \$8,029.00 |

FOB: Mansfield, OH
 Freight charges to be prepaid and add
 Subject to our standard terms and conditions of sale
 Terms: Net 30 days.
 Lead time: Approx. 4 – 6 weeks to ship
 Pricing valid for 30 days

Provided by,

Dennis Prahm

Following the performance review, the Superintendent may make a recommendation to the Personnel Committee. In turn, the Personnel Committee may recommend the pay increase or bonus to the full Board of Directors for approval.

The final approval would be based on the current performance review, which should outline any meritorious performance by the employee. The Board should make an assessment of how the employee meritoriously went beyond the satisfactory execution of the normal duties listed in their job description, which are a condition of employment.

Section 5.8 Benefits

A. Payroll Deductions. The following payroll deductions are withheld from employee paychecks:

1. State Disability Insurance
2. Income Tax
3. Social Security (FICA)

All permanent employees and those employees who work in excess of 23 hours per week contribute to Social Security. The District matches contributions to Social Security dollar for dollar.

B. Retirement. The District provides retirement benefits through the Public Employees' Retirement System (PERS).

C. Medical/Health Coverage. The District will provide regular full-time and part-time employees and their dependents with health coverage under a policy determined by or approved by the Board. The District will provide \$250.00 per year per insured employee and each employee's dependent to cover ½ of the deductible. Any unused medical benefit will not be carried over to the beginning of the next fiscal year. The District will provide up to \$500.00 per year for Dental/Optical care per employee and each employee's dependent(s). Any unused Dental/Optical benefit will carry over to the beginning the next fiscal year. Dental/Optical benefit shall carry over shall accrue for a maximum of three years.

D. Term Life Insurance. The Board will provide full-time and permanent part-time employees with a \$25,000 Group Term Life Insurance under a policy determined by or approved by the Board.

E. Safety Equipment. The District shall provide employees with safety boots and gloves when required by their work.

Memo

To: MCCSD Board
From: District Superintendent
cc: [Name]
Date: November 21, 2024
Re: Employee Dental/Optical Benefit

MCCSD provides employees, spouses, and their dependents with an annual Dental/Optical reimbursement allowance, because these services are not covered by the current District provided medical insurance plan. The annual allowance is \$500 per employee and legal dependents. The Board has not increased this allowance in over 40 years.

The Board considered an increase to this benefit in 2001 and October of 2024, in both cases no action was taken. The Board raised a few questions on 10/28, and a couple more thereafter. We have addressed the questions with legal counsel and hope the board is now ready to take some action on the proposal.

Board Questions Raised 10/28/24 and sent to our legal counsel

- Is the stipend paid out if someone leaves/divorces? -No
- Is it difficult or confusing to administer this benefit? -Not currently
- Can employees cash out this benefit upon retirement/termination or any other reason? -No
- What is the long-term liability to the District? Based off the current number of employees and current number of dependents, increasing the amount for \$500 to \$1,500 annually adds a potential budget increase of \$8,000 per year for the District. Up to \$24,000 over three years.
- Do you see any additional long-term or legal liabilities we are not thinking of by increasing this amount? General Counsel Seph Petta, while not a labor law specialist “based on our limited research we are unaware of a reason why the District would be liable”.
- If an employee is covered by a spouse’s dental insurance plan, is it legal to receive the allowance? Yes. “we are unaware of a reason why the District would be liable on behalf of an employee receiving reimbursement benefits while also being covered by a partners’ dental/vision insurance.”
- What is the rationale for the stipend to accrue? Dental and optical care is expensive, some procedures cost more than \$500. If an employee does not spend the full allowance in a year or waits a couple years for more expensive procedure, they may get reimbursed for up \$1,500. This may help cover the cost of say braces, or a crown, or bridge.

- What sort of dental and vision benefits does CalPERS offer enrolled state employees? CalPERS offers employees dental insurance coverage primarily through Delta Dental and Metlife insurance policies, most delta dental insurance plans offered by CalPERS cap payouts at \$2,000 per year per eligible employee and eligible dependent, with no role over. The policies tend to cost employers up to \$150 per month per employee. There is often some cost sharing by the employee and a number of local providers do not accept Delta Dental.
- Is this reimbursement allowance taxable? Yes. The way the benefit is currently set up the District any dental/optical reimbursement provided to the employees or dependents should be taxed. The best way to do this is add to the reimbursement to the employee paycheck as "other pay" to be taxed as income. Part of the reason for the proposed increase to the benefit amount is to help offset the added tax burden.

Since the District attorney Seph Petta does not specialize in employment law he suggested we reach out to a firm specializing in employment law. The District still works with LCW, so we reached out to them with the same questions. To keep the benefit as tax exempt for employees will make administration much more complicated and potentially costly to the District. Requiring the District to hire an outside administration firm for the benefit.

LCW's primary concern with the benefit was with the current language of section 5.8c and making sure it is taxed as income. LCW proposed re-wording this section to reflect what is stated in resolution 2024-321.

Recommended Motion:

Staff recommend a motion to adopt resolution 2024-321 amending the personnel manual to revise section 5.8c to wording proposed by LCW and increasing the amount of the annual dental/optical reimbursement allowance to \$1,500 per employee, spouse, and dependent.

RESOLUTION NO. 2024-321

RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT
TO AMEND SECTION 5.8C OF THE MCCSD PERSONNEL MANUAL, MEDICAL/HEALTH
COVERAGE

WHEREAS, the District is authorized and directed by Section 5.8C of the Mendocino City Community Services District Personnel Manual to “provide regular full-time and part-time employees and their dependents with health coverage under a policy determined by or approved by the Board”; and

WHEREAS, Section 5.8C of the Personnel Manual states that “the District will provide \$250.00 per year per insured employee and each employee’s dependent to cover ½ of the deductible. Any unused medical benefit will not be carried over to the beginning of the next fiscal year.

WHEREAS, Section 5.8C of the Personnel Manual states that “The District will provide up to \$500 per year for Dental/ Optical care per employee and each employee’s dependent(s). Any unused Dental/ Optical benefit will carry over to the beginning the next fiscal year. Dental/ Optical benefit shall carry over shall accrue for a maximum of three years ”; and

WHEREAS, the District intends to increase the Dental/ Optical stipend and amend the language of Section 5.8C of the Personnel Manual to read:

Section 5.8C Medical/ Health Coverage:

The District will provide regular full-time and part-time employees (whom are not on probation), their spouses, and their dependents with health insurance coverage under a policy determined by or approved by the Board. The District pays 100% of the premium for a regular full-time and part-time employee, their spouse, and their dependent(s) enrolled in a District health insurance plan.

The District will provide a medical reimbursement of up to \$250.00 per fiscal year per insured employee, their spouse, and their dependent(s) to reimburse medical expenses the employee, their spouse, or their dependent(s) incurs and pays out-of-pocket (e.g. co-pays). Any unused medical reimbursement benefit will not be carried over to the beginning of the next fiscal year. The medical reimbursement benefit is taxable.

The District will provide up to \$1500.00 per fiscal year for Dental/ Optical care reimbursements per employee, their spouse, and their dependent(s) to reimburse dental and optical care expenses the employee, their spouse, or the dependent(s) incurs and pays out-of-pocket. Any unused Dental/ Optical

care reimbursement benefit will carry over to the beginning of the next fiscal year. The Dental/ Optical care reimbursement benefit shall carry over and accrue for a maximum of three fiscal years. The Dental/ Optical care reimbursement is taxable.

In order to be reimbursed for medical, dental, and/or optical care expenses, an employee must submit proof to the District Secretary the employee, their spouse, or the dependent(s) has incurred and paid for the medical, dental, or optical expenses. Any unused medical reimbursement or Dental/ Optical care reimbursement benefit, including, including carried over amounts, will not be paid out to any employee upon retirement, death, or separation of employment.; and

NOW, THEREFORE, IT IS RESOLVED, that the Board of Directors hereby authorizes and directs the adoption and implementation of the following amended Section 5.8C of the Personnel Manual: Medical/ Health Coverage.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at the Regular Meeting on November 25, 2024 by the following vote:

ROLL CALL VOTE: AYES:

NOES:

ABSENT:

ATTEST:

Katie Bates, District Secretary

Dennak Murphy, Board President

MEMORANDUM OF UNDERSTANDING
BETWEEN THE MENDOCINO UNIFIED SCHOOL DISTRICT
AND
MENDOCINO CITY COMMUNITY SERVICES DISTRICT

The Memorandum of Understanding (MOU) is between the Mendocino Unified School District (MUSD) and the Mendocino City Community Services District (MCCSD) regarding a project involving the planning, design and construction of new potable water wells, water storage tanks, water treatment, and water system improvements on MUSD property. This MOU replaces the MOU approved by MUSD on September 9, 2022 and approved by MCCSD on October 3, 2022.

MCCSD is a California Community Services District formed pursuant to Government Code Section 61000 et seq., with responsibility for providing sanitary sewer service and treatment, groundwater management and street lighting within a district including the village of Mendocino. The MUSD is a K-12 school district that covers 420 square miles and serves the communities from Caspar on the north to Elk in the south and inland to Comptche.

The drought period of 2020-2022 was the worst multi-year drought in recorded State history. The ongoing drought highlighted the need for improved water security in the face of climate change and natural disasters. The MCCSD is the groundwater management authority within the service area boundary. It is responsible for the management of the Mendocino Headlands Aquifer to help prevent overdraft and maintain equitable access to groundwater for the residents, businesses, and property owners. MCCSD has a robust Groundwater Management Program and Water Shortage Contingency Plan. Even with these plans in place, some wells in the service area run dry each summer and others are not able to keep up with demand. The 2021 drought year exposed another weakness; MCCSD customers cannot depend on neighboring water districts to meet water demand short fall during dry periods. This has led to the need to create a local emergency water supply and storage for use during dry periods.

The MUSD is in the unique position of owning one of the most developed and expansive water systems within the MCCSD service area. MUSD owns, operates, and maintains two wells, 115,000 gallons of potable water storage in two tanks, a water treatment system, and a water distribution main that extends through most of the

MCCSD service area, east to west, and includes fire hydrants. MUSD was awarded a *Drinking Water State Revolving Fund (DWSRF)* grant to replace the two existing water tanks, replace the water treatment system, and bring an additional well online. The project is called the Water Supply and Storage Project.

MCCSD, in cooperation with MUSD, has obtained a California Department of Water Resources grant through the *Urban and Multibenefit Drought Relief (UMBDR) Grant* program to develop a Water Supply and Storage project to help serve the District's water needs during dry periods. This UMBDR grant funding is for the development of 500,000-gallons of potable water storage, and the drilling of up to 10 new groundwater wells.

MCCSD and MUSD have had discussions and agreed to cooperate in the development of a water supply and storage on MUSD owned property that combines both DWSRF and UMBDR grant funding sources to deliver one project. The project combines the storage volume, and incorporates the new wells, treatment building and site improvements. This approach is proposed because combining the funds into one project maximizes the available funding and leverages economy of scale. MUSD's existing water system infrastructure is already being improved and the presence of groundwater on the MUSD property is known. Combining project funding also reduces the total number of water tanks and the project footprint.

This project is supported by the Mendocino County fifth District Supervisor, California State political leaders, local residents, and local businesses.

MCCSD and MUSD therefore agree to the following:

1. MUSD will make available its real property for the purpose of constructing up to ten (10) new potable water wells and incorporating them and 500,000 gallons of additional potable water storage into the MUSD Water Supply and Storage Project.
2. MUSD was designated by the State Water Resources Control Board as the Lead Agency under the California Environmental Quality Act (CEQA). MUSD previously completed an Initial Study (IS)/Mitigated Negative Declaration (MND) for the MUSD funded Water Supply and Storage project. It is mutually agreed that MUSD will remain the lead agency for the combined project.
3. Equitable access to water during periods of drought will be mutually determined between MUSD and MCCSD once all MUSD potable water needs are met.

4. For any water accessed by MCCSD, MCCSD shall be responsible for the proportionate cost of water pumping and treatment, as well as proportionate costs to maintain wells, storage, and water quality.
5. MCCSD and MUSD will coordinate to have a hydro-geologic study, well siting study, geotechnical investigation, survey, updated environmental documents, permitting, and update the Water Supply and Storage Project design for the additional potable water wells, 500,000 gallons of additional storage, and related improvements.
6. The hydro-geologic study and well siting study will inform the design and locations of the wells. The wells will be constructed in accordance with the MCCSD Groundwater Management Plan, specifically Ordinance 2020-01. This includes notification of surrounding properties, and a 72-hour pump test as part of a hydro-geologic study during construction. If the wells produce a sufficient quantity of water and the hydro-geologic study concludes that water may be extracted without negatively impacting neighboring well groundwater levels, the wells will be developed for potable water production.
7. In the event adequate water is not found as a result of drilling the new wells, an alternative well site(s) may be explored. Similarly, if hydrological testing shows that the water cannot be extracted without negatively impacting neighboring wells, including MUSD's existing wells, alternative well sites may be investigated or a well operations plan developed.
8. In the event adequate water is not found as a result of drilling the new wells, MUSD shall retain the right to use the wells drilled on its property for whatever purpose the hydrological testing identifies as appropriate, subject to state requirements, and MCCSD shall have no further financial commitment to the wells.
9. Water will be treated by the MUSD water treatment system. MCCSD staff will have unrestricted access to the treatment system. Operation and maintenance of the treatment system to ensure health and safety of the water will remain the responsibility of MUSD as part of their State permitted public water system.
10. MUSD will grant MCCSD an access and utility easement onto MUSD property, as determined to be necessary, for the construction, maintenance, service, and use of the storage tanks, wells, and treatment system.


11. Once constructed and operational, MCCSD will operate and maintain the new wells. MCCSD will be responsible for all costs associated with maintenance, use, and replacement of the wells, and proportionate cost of operation and maintenance of the tanks and water treatment system, for any water accessed by MCCSD.
12. MCCSD and MUSD will make sure water is accessible to the Fire Departments as needed for emergency fire suppression.
13. Changes to the UMBDR grant funded improvements are at the discretion of MCCSD, the grant recipient, and require approval of the California Department of Water Resources, the grant provider.
14. Changes to the DWSRF grant funded improvements are at the discretion of MUSD, the grant recipient, and require approval of the State Water Board Division of Financial Assistance, the grant provider.
15. Changes to the project that may affect MUSD will be subject to MUSD approval.
16. This MOU may be modified by MCCSD and MUSD in a subsequent memorandum signed by both parties.

This MOU is hereby accepted by MCCSD and MUSD effective April 20, 2023 at Mendocino, California.

Mendocino City Community Services District


By: Dennak Murphy, Board President

Mendocino Unified School District


By: Michael Schaeffer, Board President

MEMORANDUM OF UNDERSTANDING
BETWEEN THE MENDOCINO UNIFIED SCHOOL DISTRICT
AND
MENDOCINO CITY COMMUNITY SERVICES DISTRICT

The Memorandum of Understanding (MOU) is between the Mendocino Unified School District (MUSD) and the Mendocino City Community Services District (MCCSD) regarding a project involving the planning, design and construction of new potable water wells, water storage tanks, water treatment, and water system improvements on MUSD property. This MOU replaces and supersedes the MOU approved by MUSD and MCCSD on April 20, 2023.

MCCSD is a California Community Services District formed pursuant to Government Code Section 61000 et seq., with responsibility for providing sanitary sewer service and treatment, groundwater management and street lighting within a district including the village of Mendocino. The MUSD is a K-12 school district that covers 420 square miles and serves the communities from Caspar on the north to Elk in the south and inland to Comptche.

The drought period of 2020-2022 was the worst multi-year drought in recorded State history. The ongoing drought highlighted the need for improved water security in the face of climate change and natural disasters. The MCCSD is the groundwater management authority within the service area boundary. It is responsible for the management of the Mendocino Headlands Aquifer to help prevent overdraft and maintain equitable access to groundwater for the residents, businesses, and property owners. MCCSD has a robust Groundwater Management Program and Water Shortage Contingency Plan. Even with these plans in place, some wells in the service area run dry each summer and others are not able to keep up with demand. The 2021 drought year exposed another weakness; MCCSD customers cannot depend on neighboring water districts to meet water demand short fall during dry periods. This has led to the need to create a local emergency water supply and storage for use during periods of declared drought emergency when neighboring water districts are unable to provide water.

The MUSD is in the unique position of owning one of the most developed and expansive water systems within the MCCSD service area. MUSD owns, operates, and maintains two wells, 115,000 gallons of potable water storage in two tanks, and a water

treatment system that are outside the MCCSD service area on MUSD property on Little Lake Road, as well as a water distribution system that extends into the village of Mendocino to supply water to MUSD properties in the village and through much of the MCCSD service area, east to west, including fire hydrants. MUSD was awarded a *Drinking Water State Revolving Fund (DWSRF)* grant to replace the two existing water tanks, replace the water treatment system, and bring an additional well online. The purpose of this project is to address water system deficiencies identified by the Division of Drinking Water, add supply redundancy, replace aging infrastructure, and protect the health and safety of the public who rely on the water system. The project is called the Water Supply and Storage Project.

MCCSD, in cooperation with MUSD, has obtained a California Department of Water Resources grant through the *Urban and Multibenefit Drought Relief (UMBDR) Grant* program to develop a Water Supply and Storage project to help serve the water needs of the area during periods of declared drought emergency when neighboring water districts are unable to provide water. This UMBDR grant funding is for the development of 500,000-gallons of potable water storage, and the drilling of up to 10 new groundwater wells.

MCCSD and MUSD have discussed and agreed to cooperate in combining both DWSRF and UMBDR grant funding sources to deliver one project. The project combines the storage volume and incorporates new test wells which may become production wells, treatment building and site improvements. This approach is proposed because combining the funds into one project maximizes the available funding and leverages economies of scale. MUSD's existing water system infrastructure already needs to be improved and the presence of groundwater on the MUSD property is known. Combining project funding also reduces the total number of water tanks and the project footprint.

This project is supported by the Mendocino County Fifth District Supervisor, California State political leaders, local residents, and local businesses.

MCCSD and MUSD therefore agree to the following:

1. MUSD will make available its real property on Little Lake Road for the purpose of constructing up to ten (10) new potable water wells (current plans provide for five (5) new test wells) and incorporating them and 500,000 gallons of additional potable water storage into the MUSD Water Supply and Storage Project.

2. MUSD was designated by the State Water Resources Control Board as the Lead Agency under the California Environmental Quality Act (CEQA). MUSD previously completed an Initial Study (IS)/Mitigated Negative Declaration (MND) for the MUSD funded Water Supply and Storage project. It is mutually agreed that MUSD will remain the Lead Agency for the combined project.
3. Access to or provision of water to users other than MUSD and the fire department will only occur during periods of declared drought emergency when neighboring water districts are unable to provide hauled water. During this condition water in excess of MUSD's demands and fire protection needs will be made available to those in need whose wells go dry. Those in need will complete an application to request temporary emergency water, which will be determined between MUSD and MCCSD once all MUSD potable water needs are met.
4. MUSD shall own all the water system assets and shall be responsible for the cost of operating and maintaining the water system.
5. MUSD will have a hydro-geologic study, well siting study, geotechnical investigation, survey, updated environmental documents, permitting, and updated Water Supply and Storage Project design completed for the additional potable water wells, additional storage, and related improvements.
6. The hydro-geologic study and well siting study will inform the design and locations of test wells. The test wells will be constructed in accordance with the MCCSD Groundwater Management Plan, specifically Ordinance 2020-01. This includes notification of surrounding properties, and a 72-hour pump test as part of a hydro-geologic study during construction. If the test wells produce a sufficient quantity of water and the hydro-geologic study concludes that water may be extracted without negatively impacting neighboring well groundwater levels, the test wells will be developed for potable water production.
7. In the event adequate water is not found as a result of drilling the new wells, alternative well site(s) may be explored. Similarly, if hydrological testing shows that the water cannot be extracted without negatively impacting neighboring wells, including MUSD's existing wells, alternative well sites may be investigated or a well operations plan developed.
8. MUSD will continue to make water accessible to Fire Departments as needed for emergency fire suppression.

9. Changes to the UMBDR grant funded improvements are at the discretion of MCCSD, the grant recipient, and require approval of the California Department of Water Resources, the grant provider.
10. Changes to the DWSRF grant funded improvements are at the discretion of MUSD, the grant recipient, and require approval of the State Water Board Division of Financial Assistance, the grant provider.
11. Changes to the project that may affect MUSD will be subject to MUSD approval.
12. This MOU may be modified by MCCSD and MUSD in a subsequent memorandum signed by both parties.

This MOU is hereby accepted by MCCSD and MUSD effective _____, 2024 at Mendocino, California.

Mendocino City Community Services District

By: Dennak Murphy, Board President

Mendocino Unified School District

By: Emily Griffen, Board President

November 2024 Superintendent's Report

Wastewater Treatment Plant:

- Operators performed routine repair and maintenance to the WWTP in November of 2024.
- Operators responded to nearly a dozen after hour call outs from 11/20 -11/22 in relation to the storms. The Superintendent spent two night at the plant to ensure everything operated correctly,
- We had a hazardous materials inspection from Mendocino County Environmental Health on 11/18/24
- Completed and submitted the annual State Department of Toxic Substance Control report.
- Replacement garage doors have been ordered. No current ETA.
- The Ford Ranger service truck is back in operation after some additional brake work.
- Annual sewer main cleaning was completed on 11/15/24. There was a bit of FOG in the usual spots but no blockages.
- Still a couple of bugs being worked out with the new office computer system, almost zoom ready.
- Staff are working with legal counsel to issue an RFP to get the effluent pump #1 replaced. A little more work is required but we are hopeful of getting it out soon.
- Operator Dylan Cooper resigned. His last day was November 15th. He will be missed, and we wish him well in future endeavors. We have started the search for a new operator or trainee, but it means we will be short-handed for a time, adding an additional workload to others.

Outfall: Alpha Diving was contacted and reminded that they only have a few weeks left to complete the required survey and inspection.

Recycled Water:

- MCCSD did not transfer any recycled water during the month of November. We continue to work with the State Division of Finance on potential grant funding for upgrades.

Biosolids:

- MCCSD did not transport any biosolids to Redwood Landfill as of November 21, 2024.

Grants and Project:

- We received a second denial letter from California State Division of Financial Assistance in relation to their clean water state revolving fund. This was an application for wastewater assessment and infrastructure replacement submitted by RCAC after a technical assistance grant was requested from the US EPA. According to DFA, MCCSD's project is not considered a priority project at this time.

-No update on FEMA reimbursement for the January 2023 Storm Damage. Application still under review.

-The SAFER draft source water feasibility study came out this month. We are looking forward to hearing a presentations and discussion with the public at a Special meeting on Tuesday December 3, 2024 at 6:00 p.m at the Mendocino Community Center. We hope to see you there.

-The MUSD/MCCSD Water Storage Tank project was delayed by the Coastal Commission appeal and a modified plan was submitted to Mendocino County in September 2024. The Coastal Development Permit application is under review by County Staff, and we expect a hearing on December 5th, or maybe the 19th.

Safety Meeting and Plant Safety Inspection:

The 30-minute monthly safety meeting was held November 20, 2024. The topic was Customer Service. No safety incidents were reported for the period.

Sanitary Sewer Collection System:

There were no Sanitary Sewer overflows to report for the period April 12, 2023- November 21, 2024.

Memo

To: MCCSD Board of Directors
From: District Superintendent
cc: Seph Petta
Date: November 22, 2024
Re: Groundwater Management Report

The 2024-25 Rain Year

October 1, 2024 was the beginning of the 2024-25 rain year. Average annual precipitation in Mendocino is 39.20 inches, and average rainfall in November is 4.86" inches. 8.66" inches of rainfall has been measured in the District for the month, as of November 22, 2024 (Figure 1, Table 1).

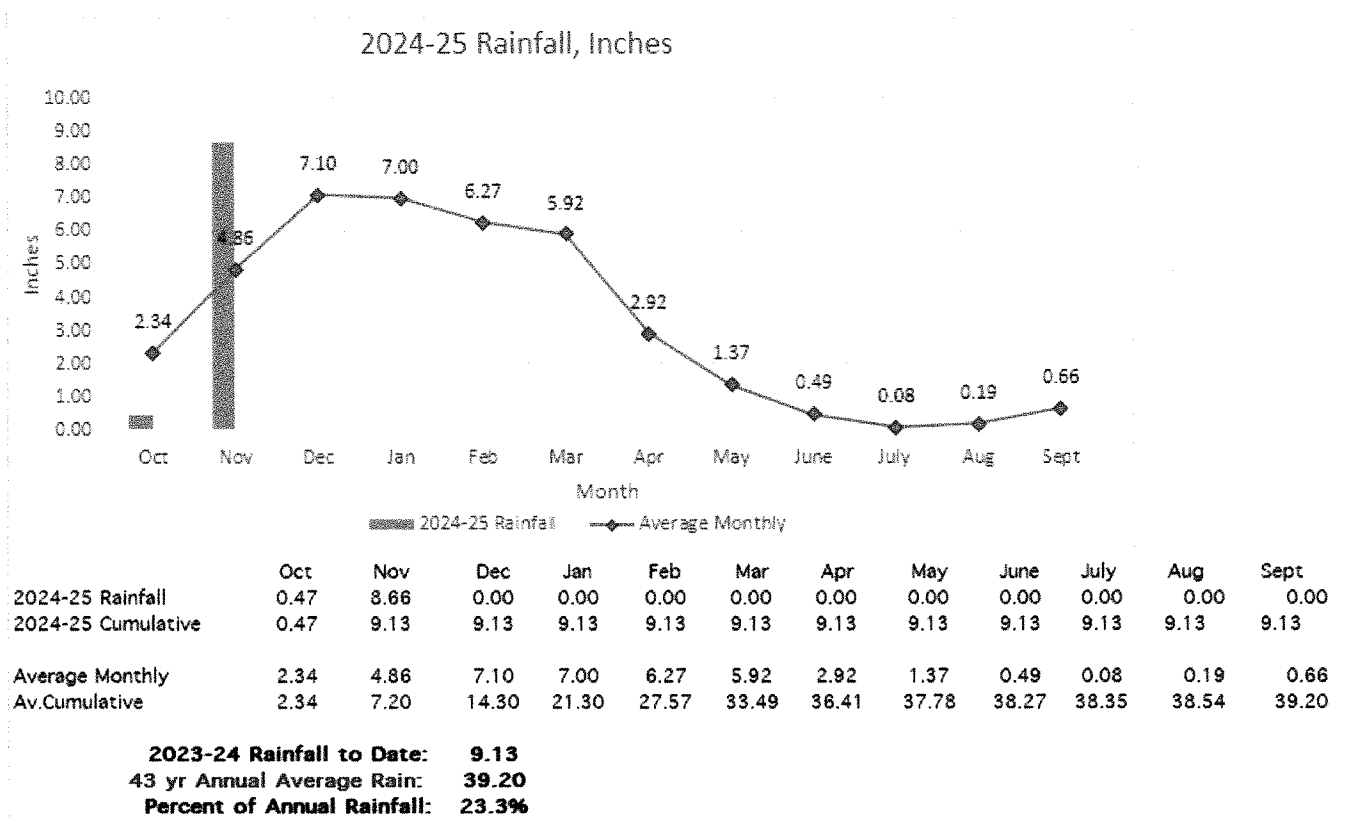
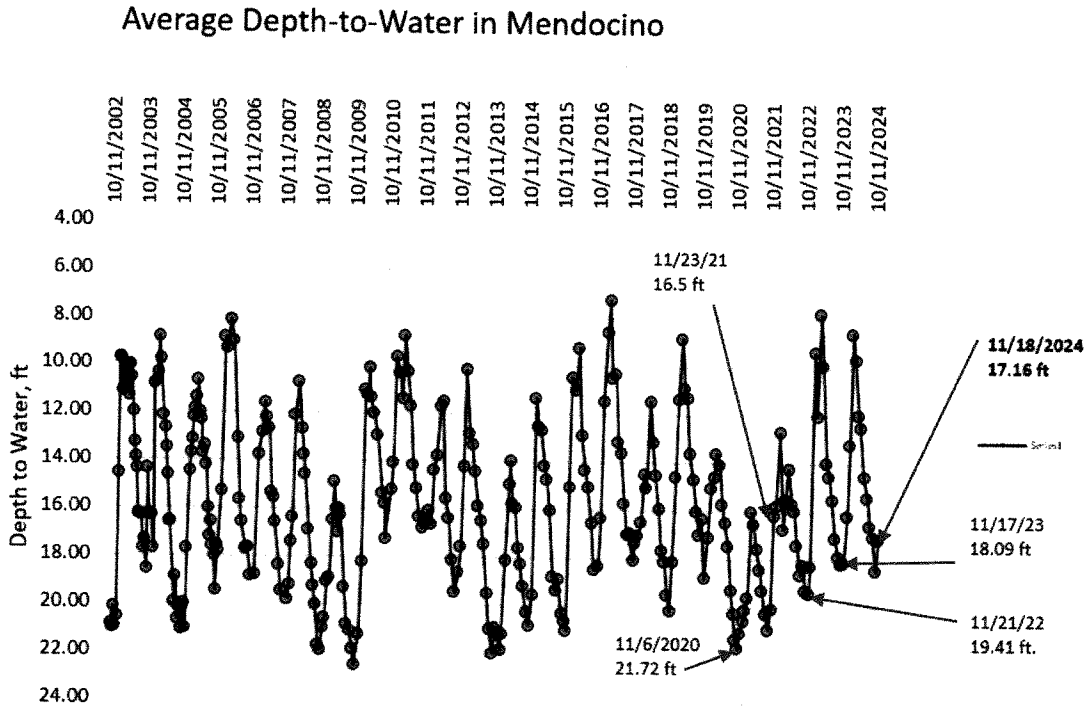


Figure 1, Table 1

Total Rainfall for Rain Year 2023-24 was 46.63" inches. Mendocino received 119% of normal annual rainfall during the last water year. By November 20, 2024, total rainfall since October 1, 2024 was 9.13" inches, 23.3% of average annual rainfall, and 178% of average rainfall for the month of November.

2020. Starting this month the District is now reporting dept to water recordings to the County CASGEM program on a monthly basis as opposed to just twice per year.

Figure 2 August 2024, Depth-To-Water Chart



Following the Water Shortage Contingency Plan, May 31, 2024, was the most recent water shortage evaluation date. The next evaluation date will be on January 31, 2025.

In August of 2024 a mixed-use property on the corner of Lansing St. and Little Lake St. completed a 72-hour hydrological study. The report has been sent to a District Hydrogeologist for peer review in compliance with MCCSD Ordinance 2020-01. We are still waiting for the peer review to be completed.

Another property at 44780 Little Lake Rd. and Hw 1, has completed a 72-hour hydrological study that started November 12, 2024. MCCSD. Staff observed the study in progress. We are now waiting for the official report. Which will also be sent to a District Hydrogeologist for peer review.

The hydrological testing period is closed as of November 21, since we have recorded more than 6" of since August 20, 2024. The testing window may reopen August 20, 2025.