

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 August 30, 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, Waldman, Schwartz and O'Brien. Also present were Steve Acker, Mike Kelley and Jodi Mitchell.

1. Minutes of July 26, 2010

Corrections: typographical error, page 2, Section c, Paragraph 2, Line 5. assess
MOTION Schwartz/Waldman: To accept the minutes of 7/26/10, as corrected.
ROLL CALL VOTE: AYES: Directors Waldman, Schwartz, and O'Brien
NOES: None
ABSENT: None
ABSTAIN: Director Kraynek.

2. Communications

3. Public Comment

4. Groundwater Management

a. Monthly Groundwater Management Report

The monthly meter reading compliance report was submitted. Eight #1 violation and three #2 violation notices were sent to property owners who had not complied with monthly meter reading requirements. Since the correspondence was mailed, three #1 violators sent a reading and one #2 violator submitted readings. MCCSD staff read one meter, and the other property had a locked gate with dogs and therefore, the meter was not read.

The Board agreed that property owners who did not comply with the meter reading requirements would be put given notice that if meter reading requirements were not met, they would be facing consequences for failure to report as requested by MCCSD in accordance with the provisions contained in the Groundwater Extraction Permit Ordinance.

b. Request for Exemption from the Hydrological Study Requirement
Big River Vista Mutual Water Company (BRV)

Superintendent Kelley provided a Memo to the Board of Directors, dated August 23, 2010. He explained that he had received information from David Rapport who was representing Big River Vista (BRV) in a law suit filed to determine the ownership and right to use a groundwater well. The well was mistakenly drilled on property owned by Jan Gray, which was located about 150 feet north of the BRV property. The BRV asked to be on the regular meeting agenda to request from the Board of Directors an exemption from the hydrological study requirement.

Harold Hauck explained that the Subdivision had entered into a conditional settlement agreement with Mr. Gray, in which BRV would pay some money in exchange for an easement to the well. Mr. Gray was asking BRV for up to five future residential water connections from the subdivision's water system. Mr. Gray owned 45 acres, which consisted of five parcels, one of which was not located within the District boundaries. Mr. Gray and BRV jointly requested that the District waive any requirement under Ordinance 07-1 for hydrological testing and Groundwater Extraction Permits for the proposed future connections. The settlement agreement was conditioned on the District waiving the hydrological study requirements to prove adequate

groundwater for the five parcels and the existing 19 residences in the subdivision.

BRV was proposing to supply groundwater to 45 acres of undeveloped land adjacent to the subdivision for future development. Although this would increase extraction from the BRV well that was drilled on the Gray land, they were requesting a waiver of the hydrological study requirement, Groundwater Extraction Permits, and allotments for the existing subdivision and any future development of the Gray parcels. Adding new connections to the BRV water system was an expansion of existing use as defined by Ordinance No. 07-1, and expansion of existing use triggered the hydrological study requirement process for the 19 existing subdivision residences and the proposed development on the Gray parcels which were located within the District boundaries. The study must prove that the well had an adequate capacity to support both the existing and proposed development, and must include proof of adequate groundwater without adverse affects to adjacent wells for all parcels.

Mr. Hauck indicated that if this request was denied, Mr. Gray had the option to terminate the conditional settlement agreement and they would go back to court.

While the Board understood the claims that were being made, the District's Groundwater Extraction Permit Ordinance No. 07-1 contained no provision for any exemption to the Hydrological Study Requirement for new development. As set forth in the Ordinance, all applicants were required to submit a hydrological study prior to the issuance of a Groundwater Extraction Permit. Adding water connections would increase the water use of the subdivision's water system as defined under Expansion of Existing Use.

MOTION Schwartz/Waldman: Not to accept the request for an exemption to the Hydrological Study Requirement for Big River Vista, as presented in the report.

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

NOES: None

ABSENT: None

5. New Business

- a. Discussion and possible action regarding reduction or waiver of sewer/groundwater management charges due to no water/sewer services presently required for property located at 44900/44910 Ukiah Street, Helen Bedell Life Estate/Joann Chapman

Attorney Margaret O'Rourke attended the meeting on behalf of the Helen Bedell Life Estate. She explained the situation was a family tragedy; Joann Chapman would not return to the property, Helen Bedell passed away, and recently, Alicia, the daughter died tragically and unexpected. Maggie stated that since no one would be returning to the family homes, and the property was for sale. No water or sewer service was presently required on the property. The two existing trailers were not habitable, and she asked the Board to consider a reduction of charges from April 1, 2010 to present. Maggie agreed to provide a statement that the residences were not habitable and the estate's intent was to move the trailers from the property; however there was no money in the estate to cover that cost. Current sewer fees owed to the District would be a condition of escrow, and MCCSD would send a letter of instruction to escrow for payment for charges already billed to date. The District would not refund money.

MOTION Waldman/Schwartz: To accept the request from the Helen Bedell Life Estate to curtail fees for service to property at 44900/44910 Ukiah Street, with the provision that the residences remain unoccupied, and at the time of sale, the District would be reimbursed for the amount owed and the new owner would make application for a Groundwater Extraction Permit, and this would be made a part of the escrow agreement.

ROLL CALL VOTE: AYES: Directors Kraynek, Waldman, and Schwartz

NOES: None

ABSENT: Director O'Brien left on a fire call.

In the absence of President O'Brien, Vice-Chairman Schwartz conducted the meeting.

Minutes of August 30, 2010

Page 2 of

b. Discussion and possible action on painting the Flexible Sewer Jetter Truck

A cost was provided by Woody's Weld-All to blast and paint the Flexible Sewer Jetter Truck. The cost was \$3,174.00. Mike noted that the Flexible Jetter was capable of cleaning 15" lines.

MOTION Kraynek/Waldman: To paint the Flexible Sewer Jetter, not to exceed \$3,200.00.

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

6. Old Business

a. Lease Sale Agreement with Aqualitec for a Vertical Bar Screen

A memo was provided, dated August 24, 2010 regarding the Bar Screen Lease/Purchase Agreement.

As previously discussed, bar screens were used to protect equipment and reduce any interference with in-plant flow by catching and removing the synthetic material in the head works, such as plastic and latex debris. The District established that the dryer heat breaks down the plastic material and forms dioxin compounds that end up in the condensate that flows back through the treatment plant. These materials permeate the treatment plant processes.

A bar screen that would fit into the head works without reconstruction was the Eau Claire Screentec, which was distributed by Aqualitec Corp. A 30-month Aqualitec lease/purchase agreement was provided for the Board's review.

The District sets aside \$150,000 annually for Equipment Replacement. The Bar screen would be paid for from this revenue. If the lease/purchase of the equipment was approved, a monthly payment would be made from the Equipment Replacement Funds over the next three budget years in the amount of \$2,891/month. A down payment would be made of \$4,567.

MOTION Kraynek/Schwartz: To approve the project for installation of the Vertical Mechanical Bar Screen, pending Attorney Jackson's review of the lease/purchase agreement.

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

7. Attorney's Report

8. District Superintendent's Report

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

Kennedy/Jenks engineers visited the plant on August 25, 2010 to look at the overflow pond.

288,866 gallons recycled water was transferred to the Mendocino High School during the month of July 2010. MCCSD was transferring recycled water during August as well, since nitrate levels had remained below 10 mg/L.

The District received one estimate to build the Heeser Lift Station. The estimate exceeded \$29,000, and the bid exceeded the \$25,000 limit for approving the contract without going out to public bid.

The Regional Water Quality Control Board required that the District annually test plant effluent for dioxins. Dioxins were found in the effluent in 2005, 2006, and 2007 and in two dryer condensate samples. Plant personnel suspected that the thermal biosolids drying process was the source of the dioxins. The dryer condensate was analyzed for dioxin twice in 2010. The heater appeared to be breaking down synthetic material in the sludge and probable source of sludge dioxins. A summary of the dioxin testing was provided. On April 28, 2010, a sample was

collected and analyzed, and 0.064 pg/L were found. On August 16, a second sample was tested, and a much higher concentrate of 0.661 pg/L was detected. Plant well water was used to cool and condense the vapors from the dryer. This eliminated the #2 water as the possible source of dioxin.

The dryer condensate currently flowed through a 6-inch PVC pipe to the overflow pond sluice gate, and from there back to the influent wet well. Plant personnel were installing a dryer condensate return line that emptied directly into the influent wet well.

The problem with the current discharge point at the sluice gate was the warm condensate water has an odor. The adjacent neighbors have complained several times while the dryer was being used about the odors. Dumping into the wet well directly would eliminate the odor issue.

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

Mike Kelley reminded the Board that Mike Maley with Kennedy/Jenks would be at the Special Meeting, scheduled for Thursday, September 23, 2010 at 7:00 at the Matheson Performing Arts Building. He would be presenting his 2009 Groundwater Model Update. Attorney Jackson would also be attending the meeting.

Mike Kelley reported that Jackson Law Office was served with a Summons and Complaint on behalf of the Dertners, together with a Notice and Acknowledgment of Receipt. The District provided a copy of the pleadings to the District insurance carrier and requested that they provide the District with a defense. The Board scheduled a special meeting for a Closed Session on September 2, 2010 regarding conference with Legal Counsel for pending litigation - Dertner vs. MCCSD.

9. Committee Update

10. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Schwartz/Waldman:	To approve disbursements in the amount of \$53,921.53 for checks #9667 through #9730. Checks #9670 and #9685 were void.
ROLL CALL VOTE: AYES:	Directors Kraynek, Waldman, Schwartz and O'Brien
NOES:	None
ABSENT:	None

Secretary Mitchell commented that the planned sewer disconnection of property at 10577 and 10579 Kelly Street was avoided because the property owner's son paid \$967 for past due fees and charges. The property was scheduled for disconnection on September 15th.

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell
Secretary