

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

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Minutes of May 19, 2008

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

1. Minutes of April 28, 2008

Correction: Page 4, Section d, line 5. \$5,00 should read \$5,000.00

MOTION Dill/Kraynek: To approve the minutes of April 28, 2008 as corrected.

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

2. Communications

Staff announced that the MCCSD was Member Spotlight in Golden State Risk Management Authority's member newsletter Spring 2008. MCCSD was recognized for finding a solution to their biosolids disposal problem, which was both cost-effective and positive for the environment. It was noted that the District had taken real action to be a leader in protecting the environment.

3. Public Comment

Connie Korbel congratulated the District for Golden State's recognition of their biosolids disposal practices.

4. New Business

a. Adoption of Ordinance No. 08-1 – An Ordinance of the MCCSD Increasing Monthly Sewer Service Charges

On April 28, 2008, Ordinance No. 08-1, an Ordinance of the Mendocino City Community Services District Increasing Monthly Sewer Service Charges was introduced. The Ordinance increased the monthly sewer service fee by 13.7% for all billing, commencing July 1, 2008. The baseline residential monthly rate would be \$42.36, and other monthly rates shall rise accordingly.

MOTION Schwartz/Ball: To waive the reading of Ordinance No. 08-1.

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

MOTION Kraynek/Schwartz: To adopt Ordinance No. 08-1.

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

The Ordinance would be published within 15 days in the Mendocino Beacon, and would become effective July 1, 2008.

b. Approval of Expenses for Survey and Inspection of the Ocean Outfall

Superintendent Kelley reported that at the last meeting he informed the Board that Robert Lucariello, owner of Alpha Diving, had received information from one of his associates that he had seen some additional damage to the MCCSD outfall the previous week during a Humboldt State University student field trip. The Board authorized \$10,500 for Alpha Diving to do a new survey of the outfall to confirm if there were any new leaks in the pipe. On May 9th, Robert Lucariello stopped by the office and provided pictures of the outfall pipe that showed new damage to the pipeline due to the winter's storms. The underlying sand and gravel substrate that supported the pipeline had been removed, and the pipe dropped down and created a new leak at a broken joint. The survey was cancelled and an estimate was prepared to detail the cost to repair and re-align the damaged section of the submarine outfall pipeline. The estimate was \$9,750.00. If the estimate was accepted by MCCSD, a deposit of \$2,500 would be requested to order materials and arrange for the boat. A Repair Procedure Specification was provided for execution by the MCCSD. Staff requested authorization for the funds to proceed with the repairs as soon as possible. The routine annual outfall inspection was placed in abeyance until the immediate repairs were completed.

MOTION Schwartz/Ball: To accept the estimate of \$9,750.00 for repair of the ocean outfall line.

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

5. Water Management

a. Hydrological Study Approval Extension

William Wilson, 44701 Little Lake Road, APN 119-140-23

On November 27, 2006, the Board of Directors approved a Hydrological Study performed for William and Karen Wilson on property located at 44701 Little Lake Road for the purpose of a lot split. The Hydrological Study proved a maximum daily allotment of 225 gpd for future development on the proposed new lot. The applicant's Hydrological Study approval would expire on November 27, 2008. The applicant paid the \$125 renewal fee and requested that the Hydrological Study approval be submitted for Board approval at the next meeting. A sewer lateral had been installed to the parcel.

The Board inquired why the request for a two-year extension was made, when the permit approval didn't expire until November. Staff responded that Mr. Wilson paid the fee and requested that the hydrological study permit be submitted for approval, so he didn't have to worry about it. The Board hesitated, but agreed to the request.

MOTION: To approve the Hydrological Study Approval Extension for William Wilson, APN 119-140-23, from the original approval date to November 27, 2010.

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

6. Old Business – None

7. Attorney's Report

The Board asked if there were any pending legal issues and the secretary responded that there were a couple of issues pending regarding non-compliance from new property owners who

had not responded to the District's request to submit an application for a Groundwater Extraction Permit, after the sale of real property. The board asked that all pending non-compliance issues be addressed by the Attorney.

Director Schwartz inquired about the status of the Schlafer's Chevron site assessment and cleanup. Superintendent Kelley responded that the last correspondence in November of 2007 was addressed to Jeff Delgado with the State Water Resources Control Board. The correspondence addressed some questions related to historic groundwater levels and coverage under the District's Groundwater Ordinance. Mr. Emrick, the District's Special Legal Counsel, requested that the District send Mr. Delgado the additional information to address his questions and concerns. In that letter, the District requested that the State issue an order for Schlafer's, Inc. to immediately proceed with the site assessment and remediation. Director Schwartz noted that the District spent considerable funds in hiring a Special Legal Counsel to defend the District's position regarding the Ordinance requirements to protect the aquifer and he was concerned that the issue of contamination to the aquifer was not being addressed. This issue was referred to the Water Management Committee.

8. District Superintendent's Report

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

Staff rebuilt the dryer carbon filter and installed a new water pump in the old pickup.

Architect Kelly Grimes was in the process of drawing a set of plans for a proposed shed over the Heeser Drive Lift Station. When the District received the drawings, a meeting with State Parks would be scheduled.

Two water transfers were made during the month of May. 81,778 gallons of recycled water was transferred to the High School during the month.

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

Mike noted that he received work estimates for the Main Street pump station access road. Director O'Brien noted that when the drawings were available, he and Director Kraynek, as the Plant Operations Committee, would meet with Mike.

Superintendent Kelley reported that there have been four recent Certificate of Compliance issued by the County of Mendocino. Mike noted that the District had serious concerns regarding the possibility of hundreds of new parcels being created through legal Certificates of Compliance, without any guarantee that there would be sewer plant capacity available to service the new parcels, or that there would be adequate groundwater for their development. The Groundwater Ordinance currently required all applicants to submit a hydrological study prior to the issuance of a Groundwater Extraction Permit for new development. The District considered the subdivision of a parcel as new development, which would normally trigger the requirement for the applicant to perform a hydrological study to determine groundwater availability for future development. The County indicated that a Certificate of Compliance creates an already legal parcel without entitlements. It would be the District's preference that, prior to the issuance of a Certificate of Compliance, the applicant be required to perform a study. The issuance of Certificate of Deposits sidestepped all policies which were in place to protect the groundwater resource for present and potential users. The District requested that the County notify MCCSD prior to the issuance of a Certificate of Compliance or a boundary line adjustment within the District boundaries

Mike reported that to date, the District had received 31.43 inches of precipitation, which was significantly below normal. Based on the rainfall record to date, Mendocino would declare a Stage 1 Water shortage, requesting a 10% voluntary reduction. A Stage 2 Water shortage was

considered a moderate water shortage, and if the Board declared a Stage 2 Water Shortage, a 15% voluntary reduction in the water use would be requested. This issue would be discussed at the next meeting.

9. Committee Updates

10. District Secretary's Report
Monthly Demand for Cash Disbursements

MOTION Schwartz/Dill: To approve disbursements for checks #8262 through #8300.

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

11. Matters from Board Members

Director Schwartz stated that, because Los Angeles was faced with persistent drought and the threat of tighter water supplies, they planned to begin using heavily cleansed sewage to increase drinking water supplies. The decision was made because of the possibility of severe water shortages.

Director Schwartz stated that he had raised the issue of using the dried solids for fertilizer every year, and noted that the State regulations make it impossible for the District to utilize their treated Class A biosolids. Even though, the State referred to the District's "exceptional quality", the District continued to pay to haul it away to a dumpsite in another County. The Board instructed Staff to follow-up on correspondence to the State Water Resources Control Board regarding modification of legislation to eliminate the current restrictions on the use of Exception Quality biosolids to land apply in the Coastal Zone.

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell
District Secretary