

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 October 27, 2008

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

1. Approval of Minutes of August 28, 2008 – Special Meeting

MOTION Schwartz/Kraynek: To approve the minutes of August 28, 2008 as presented.

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

NOES: None

ABSENT: None

ABSTAIN: Director Dill

Approval of Minutes of September 30, 2008

Correction: Page 2, Section 4 (d), last sentence. "mediations" should read "medications"

MOTION Schwartz/Dill: To approve the minutes of August 28, 2008 as corrected.

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

NOES: None

ABSENT: None

ABSTAIN: None

2. Communications

Barry Cusick informed staff and the Board that he would be out of town until November 12, and he would not be able to submit the Groundwater Extraction Permit application for Jarvis Nichols until next month. He indicated that he was not trying to avoid the matter, but he had another commitment.

3. Public Comment

4. New Business

a. Adoption of Ordinance No. 08-3 – Ordinance of the Mendocino City Community Services District, Adopting Policies and Procedures for Purchasing of Supplies and Equipment, for Procuring Professional and Maintenance Services, and for the Disposal of Surplus Property

Ordinance No. 08-3 was introduced at a meeting of the Board of Directors on September 30th.

Frank McMichael of LAFCO made a recommendation in the District's Municipal Service Review that the District adopts a purchasing policy. Legal Counsel had reviewed the Ordinance.

MOTION Schwartz/Kraynek: To adopt Ordinance No. 08-3.

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

NOES: None

ABSENT: None

ABSTAIN: None

b. Review of the Sphere of Influence Municipal Service Review Report

Director O'Brien shared that in 1992, the Board made a political decision, ~~probably guided by desires~~, to enlarge the District's Sphere of Influence to include an area east of Gurley Lane, which may have supported a water system, and could have included future sewer hookups. At that time, LAFCO requested that the District provide a time frame for future annexations. The MCCSD provided a Sphere of Influence map, which included areas for 5-year increments for future annexations. The dates were unrealistic, but satisfied LAFCO at that time. The 2007 collection line study by Oscar Larson &

Associates documented weaknesses in the system, which brought the sewer line capacity east of the highway into question. There were water and soil issues in the Gurley Lane area, and some septic systems had already failed. A natural progression would be to include that area in the District's Sphere of Influence, which could realistically be serviced in the future. Certificate of Compliances in that area could also increase the number of parcels for future development. The Municipal Service Review gave the District a re-defined area that could realistically be serviced in the future.

Director Schwartz thought the report lacked historical information.

The Board asked for a legal opinion regarding the Brown Act as it applied to Standing and Advisory committees. LAFCO's recommendation was that the District develops and post agendas and keeps minutes of the "standing committee" meetings.

Director O'Brien noted that LAFCO was mandated by the State of California to perform the Municipal Service Reviews, and furthermore, the document would be used as a part of the current Grand Jury investigation of the MCCSD.

c. LAFCO Certificate of Completion of Chapman Annexation into the Mendocino City CSD – APN 119-100-01, 10651 Gurley Lane

On August 4, 2008, LAFCO of Mendocino County approved the Chapman Annexation to the MCCSD, and made determinations as described in their Resolution No. 2008-07. A Certificate of Completion was filed with the Mendocino County Clerk-Recorder on September 11, 2008 for annexation of her parcel into the MCCSD. The property was intended to be used as zoned for single family residential. Ms. Chapman would be subject to all taxes, rules and requirements of the District that are in effect now, and in the future, and also responsible for any costs related the annexation. The Hydrological Study for future development, which was already completed, would require a review by the District's Hydrologist and then submitted for MCCSD Board approval.

5. Groundwater Management

Superintendent Kelley provided the October Groundwater Management Report. As a condition of approval of a Groundwater Extraction Permit, a property owner was required to submit a monthly meter reading. The District used a three step process to obtain meter readings from property owners that did not submit timely readings. Director Schwartz asked staff to define the word "immediately" which was used in the statement that said, "If a property misses one month's reading, the District immediately sends a letter". The secretary responded that violation letters #1 and #2 have been sent on the 20th of each month. If a month is missed, the first violation letter would be mailed on 20th of the month.

The Board reviewed the monthly meter reading compliance report. There were two 2nd notices and eleven 1st notices sent out in October. The Board agreed that an Ordinance should be established, to charge a fee to property owners that require MCCSD to read the meter, which would be based on actual costs. A bill would be generated every time staff had to schedule a trip to read the meter.

Since the MCCSD had received some criticism for not having a water meter replacement program, Superintendent Kelley researched information on a new type of water meter that has no moving parts, and cost about \$112.00. The meter was manufactured in Great Britain, and there was a Colorado supplier. Mike noted that sometimes the meter slows down. The new type of meter could be read by a wireless drive by.

The 2008 groundwater level and rainfall data was sent to Mike Maley of Kennedy/Jenks for the 2008 Groundwater Model Update. Mr. Maley would start on the update in November. He would make a presentation to the Board of Directors in January or February. Mr. Maley would recalculate the perennial yield and make new scenarios using the dry weather drought data.

The Board requested that a report be provided at the next meeting regarding any groundwater extraction overages.

Director Kraynek excused himself from the meeting, as he was not feeling well.

6. Old Business

a. Lift Station Improvements – Discussion and Possible Action

Superintendent Kelley provided a memo to the Board of Directors, which discussed the 2008 Lift Station Improvements. Mike outlined the project description and the timeline for obtaining permits. The project description was revised and faxed to Rick Miller with the Mendocino County Planning & Building Department. Mike wanted to make sure the Mendocino Historical Review Board had the correct description of the project, because they would go to on site inspections. AT & T would be installing the telephone lines at both lift stations on or before November 21st, at no cost to MCCSD. The application was on the MHRB meeting agenda for November 5, and encroachment permit applications had been submitted.

AKEFF Construction Services revised their bid for the Road Improvements at the District's Lift Stations and was \$4,900 to prepare and rock road at the Heeser Drive Station, and \$16,350 to prepare ~~rock~~ and **gravel the** road, including a trench and installation of a 2" conduit, with all work based on original drawings from Welty & Associates. It was noted that Baxman's estimate was \$39,833.00 for the project.

MOTION Schwartz/Dill: To accept AKEFF Construction Services bid for the Heeser Drive and Main Street Lift Stations, ~~and noted that their bid was 87% less than the competing bid.~~

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

7. New Business

8. District Superintendent's Report

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

172,348 gallons of recycled water was transferred to the Mendocino High School during the month of September 2008.

Alpha Diving completed fabrication of the outfall pipe clamps. The drill had been ordered and once it was delivered to the plant the divers would finish the repairs. Their equipment and boat were stored at the treatment plant.

The Department of Transportation paid for the repairs to the 8-nch sewer main that they broke on August 15, 2008 located on Little Lake Street near the PG& E substation.

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

9. Committee Updates

10. District Secretary's Report

a. Cash Disbursements

MOTION Schwartz/Ball: To accept for payment, checks #8520 – 8576, noting that checks #8553 – 8559 were void.

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

b. Quarterly Report of Income and Expenses

The Board reviewed the quarterly report of income and expenses. The format was changed to reflect LAFCO's recommended Internal Income Statement format. The new format re-grouped accounts, which allowed a better analysis because it laid out the financial activities of the District in their logical sequence of operating, non-operating and cash items for each department.

c. Report on Delinquent Monthly Sewer Fees

Since the last meeting, the secretary informed property owners with seriously delinquent accounts that the District would proceed with disconnection proceedings if accounts were not brought current within 10 days.

11. Matters from Board Members

In response to recent correspondence from Wendy Roberts where she suggested the District had neglected to record her meter reading, dropped a zero from her submitted reading, and made clerical errors, which resulted in a certified letter mailed to her regarding her meter reading, Secretary Mitchell responded that it was Ms. Roberts herself who dropped the zero from her water meter reading and the certified mail that she received was not a result of a clerical error, but rather because the meter reading wasn't submitted on time. Ms. Roberts suggested that the District should submit their monthly meeting agenda to the Mendocino chat list, and include a note in the MCCSD billing statement inviting anyone who wanted to receive agenda information to do so. The Board determined that the secretary handled all matters in accordance with the wishes of the Board and they gave staff their full support.

Respectfully submitted,

Jodi Mitchell
District Secretary