

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

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Minutes of September 29, 2009

Regular meeting was called to order at 7:00 p.m. at the Mendocino Parks and Recreation Community Center. Present were Directors Kraynek, Ball, Dill, and O'Brien. Director Schwartz was absent. Also present were Superintendent Mike Kelley, Attorney James A. Jackson, and Secretary Jodi Mitchell.

1. Minutes of August 31, 2009

MOTION Dill/Ball: To approve the minutes of August 31, 2009 as submitted.

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

2. Communications

3. Public Comment

Wendy Roberts attended the meeting because of what she read on the community list serve regarding specific allegations about the District that she didn't think were true relative to a repair made at the treatment plant. She thought there was a global lack of understanding of the groundwater issue, and considering the nature of the wells in Mendocino, she suggested that this should be a teachable moment for everyone to be mindful of well maintenance and how their well water was treated.

Connie Korbelt noted that the wells adjacent to the treatment plant have been tested by the County and there would be a report in next week's Beacon.

President O'Brien noted that a report would be given under New Business on the Emergency Repairs to the Clarifier and he suggested that the discussion continue at that time.

4. Groundwater Management

a. Application for a Groundwater Extraction Permit

Richard Green, 10483 Lansing Street, APN 119-150-07

A Groundwater Extraction Permit Application was submitted for conversion of a 413 sq. ft. commercial retail shop to a 360 sq. ft. personal services hair salon. The change of use represented a 7.5% increase in the water demand, which allowed for approval in accordance with Ordinance 07-1, Section 4(b), which was an exception to the hydrological study requirement. The applicant agreed to stay within the existing extraction allotment of 3,961 and comply with all permit conditions.

MOTION Kraynek/Ball: To approve Groundwater Extraction Permit for Richard Green, according to Section 4(b) of Ordinance No. 07-1.

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

Minutes of September 29, 2009

Mendocino Art Center, 45200 Little Lake Street, APN 119-160-32

A Groundwater Extraction Permit Application was submitted for the addition of a 1,384 sq. ft. classroom/studio, a 400 sq. ft. studio, and one apartment. The change of use represented an 8.2% increase in the water demand, which allowed for approval under Section 4(b), which was an exception to the hydrological study requirement. The applicant agreed to stay within the existing allotment which was 3,309 gallons per day.

MOTION Dill/Kraynek: To approve Groundwater Extraction Permit for the Mendocino Art Center, in accordance with Section 4(b) of Ordinance No. 07-1.

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

b. Monthly Groundwater Management Report

Superintendent Kelley reported the District was currently in a Stage II drought. As of September 24, 2009, the depth to water was about where it was at this time last year. This was the third year of the ongoing drought, and based on the depth to water measurements, the District remained in a Stage 2 drought.

There were 10 1st Notice of Violation letters sent for not submitting the September meter readings.

5. New Business

a. August 2009 Emergency Repairs to the Clarifier

Superintendent Kelley reported on the August 2009 Emergency Repairs to the Clarifier. For a period of several months prior to the repair, a slight thumping sound could be heard as the clarifier swept past the same point during each revolution of the clarifier arms. It was believed that one of the sweeps slipped down in its bracket and was dragging against the bottom as the arms rotated. Plant personnel started preparations to empty the clarifier in July. They waited for dry weather flows to reduce the volume of raw wastewater that would have to be diverted into the emergency overflow pond. The Regional Water Quality Control Board was notified of the clarifier repair on July 8 in the District's monthly monitoring report. Since there was no backup clarifier or a second aerator at the wastewater facility, the raw wastewater was temporarily stored in the overflow pond at night and then pumped into the aerator during the day to minimize the amount of wastewater diverted into the pond. There was never more than approximately one foot of wastewater in the pond at any time. The clarifier was drained on August 24, and during August 25 through 28, repairs to the arms were made and old sweeps were re-placed. On August 28 plant personnel started re-filling the clarifier. The overflow pond was pumped into the aerator for the last time on August 28th and plant flow was returned to normal. The pond was cleaned on September 8 and 9th.

Zach McNamara introduced himself and stated that his mother, the other tenants and friends of the family became very ill at the same time the overflow pond was filled with sewage. He was not at the meeting to place blame, but expressed serious concern that their entire house, laundry, and water smelled like sewage, and at the end of August they became very ill. To them, it seemed conspicuous and coincidental that this occurred at the same time the pond was

filled with sewage, and no one from MCCSD offered any explanation about the situation and they felt there was no communication about what was going on.

Thomas Dertner was disappointed that the District hadn't offered any information about a situation that may have occurred, but only claimed it wasn't their responsibility. He was frustrated that no one told him that this might have been a potential problem. Director O'Brien responded that there had been no test results provided to the District and this issue was placed on the agenda as an opportunity for discussion. Mr. McNamara offered to share any test results that they get with the District.

Connie Korbell, Mendocino Beacon, stated that the Director of the Public Health Department released a report, which would be published in next week's edition of the Mendocino Beacon. She suggested that Mr. Dertner might contact the Director of the Public Health Department and discuss issues of his well quality and the results of their investigation.

It was noted that this incident might have been a coincidence because the transfer into the overflow pond happened at the same time that some wells may be running dry, which sometimes may cause an odor. Director O'Brien noted that the District was responsible each day for treatment of the sewage in Mendocino, and if the District were responsible for a situation, then they would fix the problem. The District understood that the wells had been tested by the County, however, no results had been provided to MCCSD and no conclusive evidence of contamination from the emergency overflow pond had been provided.

b. Vehicle Use Policy

The Board of Directors reviewed the new Vehicle Use Policy. The policy defined employee use of vehicles on District business, and established the requirement that an employee obtains Board approval to drive a privately-owned vehicle for District business. Attorney Jackson noted that in the event of an accident when an employee drives a privately-owned vehicle on District business that their private automobile liability insurance coverage would be primary as defined by the California Vehicle Code. The District's liability coverage would be used only after the employee's limits were exceeded. The District does not cover collision or comprehensive coverage for an employee's privately owned vehicle.

MOTION Kraynek/Ball: To approve the MCCSD Vehicle Use Policy.

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

6. Old Business

7. Attorney's Report

8. District Superintendent Report

a. Monthly Superintendent's Report

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

344,120 gallons of recycled water were transferred to the Mendocino High School during the month of August 2009.

The 2009 Ford Ranger truck bed was sealed with Line-X. A back-rack, tool box and warning beacon were installed on the truck. District decals were installed on the truck doors to identify the vehicle.

Alpha Diving completed the outfall repairs on September 1-4. New pipe clamps were installed in areas where hold down clamps had deteriorated. Following the repairs, Alpha Diving reported that the outfall line was fit for service for the foreseeable future. They also recommended annual inspections of the line.

US Jetting delivered the new jetter on September 10, 2009. District staff received training on the new equipment from the dealer when it was delivered.

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

9. Committee Updates

Superintendent Kelley requested that the Operations Committee meet before the next meeting to review the Sewer Use Ordinance.

10. District Secretary's Report

a. Monthly Register of Cash Disbursements

MOTION Dill/Ball: To approve the Register of Cash Disbursements for checks #9096 through #9144, in the amount of \$68,836.33.

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

11. Matters from Board Members

The meeting adjourned.

Respectfully submitted,

Jodi Mitchell
District Secretary