

RESOLUTION NO. 209
RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT
TO ADOPT A THREE-STEP METER READING POLICY

WHEREAS, in 1987, the California Legislature passed Water Code Section 10700 – 10717, as outlined in Assembly Bill No. 786, which provided the Mendocino City Community Services District (MCCSD) with the authority to establish programs for the management of groundwater resources within the District boundary; and

WHEREAS, in 1990, the MCCSD assumed responsibility for groundwater management, and adopted a Groundwater Management Plan with a groundwater withdrawal program ordinance, which limits groundwater extraction; and

WHEREAS, the current MCCSD Groundwater Extraction Permit (GWEP) Ordinance (Ord. 07-1) has a mandatory permittee water meter reading requirement; and

WHEREAS, a GWEP Application Approval contains a permit condition that requires a permittee to submit a monthly groundwater extraction meter reading on the 1st day of the month to report groundwater extraction during the previous month; and

WHEREAS, both the GWEP Ordinance and a GWEP Application Approval provide District personnel with the Right of Entry to read a permittee's water meter if permittee fails to submit a water meter reading for two consecutive months or to check groundwater usage; and

WHEREAS, approximately ten percent of groundwater extraction permittees fail to submit meter readings in a timely manner; and

WHEREAS, monthly submission of water meter readings is an essential element in managing and protecting the Mendocino Headlands Aquifer and the marginal wells in the District.

NOW, THEREFORE, IT IS RESOLVED, that the Board of Directors of the MCCSD adopts a three-step meter reading policy to achieve permittee meter reading compliance as follows:

1. If a property owner with a GWEP misses one month's reading, on the twentieth day after the reading is due, MCCSD will send permittee a 1st Notice of Violation letter by regular mail. The letter to permittee discusses the importance of timely readings and reporting, and advises the permittee that District personnel will read the meter if timely readings are not forthcoming. They are informed of various options that are available for submitting the readings other than by regular mail:
 - Through the website
 - E-mail
 - Fax
 - Telephone
 - Annual meter reading service by District personnel for an annual fee

2. If the permittee fails to submit a reading by the twentieth day of the second month, a 2nd Notice of Violation letter is sent by Certified Mail. If the permittee persists in non-reporting, District personnel will take the readings on a date and time specified in the second letter, and the permittee is informed that they will be billed accordingly. The permittee is asked in the second letter to be present when District personnel read the meter. The date and time specified in the second letter shall be a minimum of eight weeks after the reading is due (Ord. 07-1, Sec. 9). The letter will advise a property owner with an extraction permit that a service fee will be added to their monthly sewer bill for this service to cover staff time and District expenses. The letter will also provide them with an alternative to sign up for the meter reading service on an annual basis for an annual fee. The letter will also reiterate the importance of meter reading.
3. If the permittee refuses to provide access to the property, their permit may be subject to revocation and/or the matter may be referred to legal counsel for further handling. One method of further handling such a problem would be to obtain an injunction against the permittee's interference with the District's groundwater management program.

PASSED AND ADOPTED by the Board of Directors of the Mendocino City Community Services District at a Regular Meeting on March 30, 2009, by the following vote:

ROLL CALL VOTE: AYES: Directors

NOES: None

ABSENT: None

Edward F. O'Brien
President

ATTEST:

Jodi Mitchell, District Secretary