

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

Post Office Box 1029
Mendocino, CA 95460
(707) 937-5790 (t)
mccsd@mcn.org

MENDOCINO CITY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING

ACTION MINUTES – July 31, 2023

**BEFORE THE BOARD OF DIRECTORS
FAIR STATEMENT OF PROCEEDINGS**

**(PURSUANT TO CALIFORNIA COMMUNITY SERVICES DISTRICT LAW
Government Code §61000)**

AGENDA ITEM NO. 1 – CALL TO ORDER – 5:01 p.m.

Present: Directors Donna Feiner, Ishvi Aum, Matthew Miksak, VP Jim Sullivan, and presiding was President Dennak Murphy

Staff Present: Mr. Ryan Rhoades, District Superintendent, Katie Bates, Board Secretary

Legal Counsel Present: None

Public Present: Dan Potash, Colin Morrow

AGENDA ITEM NO. 2. – APPROVAL OF AGENDA

Board Action: Upon motion by VP Sullivan and 2nd by Director Feiner, IT IS ORDERED to approve the agenda. The Motion carried by the following vote:

AYE: 5

NO: 0

AGENDA ITEM NO. 3 –PUBLIC COMMENT

None

AGENDA ITEM NO. 4 – COMMUNICATIONS

Tina Aranguren’s letter to Mendo Fever is mentioned

AGENDA ITEM NO. 5- FINANCIAL REPORT

Presenter: Katie Bates

Board Action: Upon motion by VP Sullivan and 2nd by Director Miksak, IT IS ORDERED to approve the June disbursements. The Motion carried by the following vote:

AYE: 5

NO: 0

Board Comment: Director Aum and President Murphy

Staff Comment: Ryan Rhoades

AGENDA ITEM NO. 6: CONSENT AGENDA

APPROVAL OF 6-7-23 MINUTES

Board Action: Upon motion by Director Feiner and 2nd by Director Miksak, IT IS ORDERED to approve the consent agenda. The Motion carried by the following vote:

AYE: 5

NO: 0

AGENDA ITEM NO. 7: DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION

None

AGENDA ITEM NO. 8- DISTRICT SUPERINTENDENT’S REPORT

Presenter: Ryan Rhoades

Board Comment: Directors Aum, Feiner, VP Sullivan and President Murphy

AGENDA ITEM NO. 9 – NEW BUSINESS

- a) **Discussion and Possible Action to approve the proposal from Alpha Diving to inspect the Outfall and to perform the biological survey**

Presenter: Ryan Rhoades

Board Action: Upon motion by Director Feiner and 2nd by VP Sullivan, IT IS ORDERED to approve the proposal from Alpha Diving. The Motion carried by the following vote:

AYE: 5

NO: 0

- b) **Discussion and Possible Action to create an ad hoc committee to discuss new or expanded use, and review of Ordinances related to development**

Presenter: Ryan Rhoades

Board Comment: Directors Aum, Feiner, Miksak, VP Sullivan, and President Murphy

Board Action: Upon motion by Director Feiner and 2nd by Director Miksak, IT IS ORDERED to create an ad hoc committee to discuss new or expanded use, and a review of Ordinances related to development. The Motion carried by the following vote:

AYE: 5

NO: 0

- c) **Discussion and Possible Action to approve the work order from GHD for the Outfall Dilution Ratio**

Presenter: Ryan Rhoades

Board Comment: Director Aum and VP Sullivan

Board Action: Upon motion by VP Sullivan and 2nd by Director Miksak, IT IS ORDERED to approve the work order from GHD for the Outfall Dilution Ratio. The Motion carried by the following vote:

AYE: 5

NO: 0

AGENDA ITEM NO. 10- OLD BUSINESS

- a) Discussion and Possible Action to adopt Final Budget for Fiscal Year 2023-24 previously introduced at the June 7, 2023 Board of Directors meeting.

Board Action: Upon motion by Director Miksak and 2nd by Director Aum, IT IS ORDERED to adopt the Budget for Fiscal Year 2023-24. The Motion carried by the following vote:

AYE: 5

NO: 0

AGENDA ITEM NO. 12: GROUNDWATER MANAGEMENT

Presenter: Ryan Rhoades

AGENDA ITEM NO. 13: COMMITTEE UPDATES

None

AGENDA ITEM NO. 14: MATTER FROM BOARD MEMBERS

Director Feiner read the following conflict of interest statement:

As a member of the Board of Directors for the Mendocino City Community Services District, I am committed to transparency and ensuring the highest ethical standards within our organization. Today, I would like to disclose a potential financial conflict of interest that I have become aware of.

First, let me provide some context. I am a 100% owner of a local business called Feiner Fixings. Feiner's Fixings is a private water treatment company that manages multiple public water systems, including some within MCCSD boundaries. It has come to my attention that I have a financial interest, albeit indirect and remote, in a company or organization that may be affected by decision made by this board. I believe it is of utmost importance to bring this to your attention and address it with complete transparency.

The nature of this potential conflict is that MUSD is a client of my business Feiner's Fixings and has been since 2002. While I have always acted in the best interest of our community, I understand the importance of acknowledging and addressing any potential conflicts.

I want to assure you that upon discovering this potential conflict, I immediately took the following steps to mitigate any potential bias or negative influence:

- I am and will recuse myself from any discussions, decisions, or votes related to matters involving MUSD.
- I have made all necessary financial disclosures as required by law.

I want to emphasize my commitment to transparency and maintaining the trust of the community we serve. I take this disclosure seriously and understand the importance of being forthright about any potential conflicts. I will continue to act with the utmost integrity and always put the interests of our District and its constituents first.

Thank you for your attention and understanding. I remain fully dedicated to serving this community and ensuring that the decisions made by this board are fair, unbiased, and in the best interest of all. Should you have any questions or concerns, please do not hesitate to reach out to me directly.

Director Aum mentions his letter with FPPC re: potential conflict of interest

AGENDA ITEM NO. 15: ADJOURNMENT

IT IS ORDERED to approve adjourning the meeting at 6:37 p.m.

NOTICE: PUBLISHED MINUTES OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT MEETINGS

- *Effective May 11, 2020, the Board of Directors’ minutes will be produced in “action only” format.*
- *Minutes are considered draft until adopted/approved by the Board of Directors*
- *Please reference the District’s website to obtain additional resource information for the Board of Directors: www.mccsd.com.*

Thank you for your interest in the proceedings of the Mendocino City Community Services District

Board of Directors

STANDING COMMITTEES:

Finance:----- Dennak Murphy and Ishvi Aum

Personnel:----- Dennak Murphy and Matthew Miksak

Plant Operations:----- Dennak Murphy and Jim Sullivan

Safety: ----- Jim Sullivan

Street Lighting:----- Donna Feiner and Jim Sullivan

Groundwater Management:----- Donna Feiner and Jim Sullivan

Respectfully submitted,
Ryan Rhoades and Katie Bates