

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 11-28-2022 MEETING AGENDA

MENDOCINO CITY COMMUNITY SERVICES DISTRICT

P. O. BOX 1029

MENDOCINO, CA 95460

Business Phone (707) 937-5790 Treatment Plant (707) 937-5751 Fax (707) 937-3837

AGENDA

REGULAR MEETING

Monday, November 28, 2022

11:00 AM Closed Session

5:30 PM Open Session

Mendocino Community Center, 10525 School St., Mendocino

Per California Governor Gavin Newsom's Executive Orders N-25-20 and N-29-20, and AB 361 the meeting will be held via teleconference. MCCSD meetings are open to the public, and the District encourages public participation either at the Community Center or on Zoom. To participate by ZOOM call 1 (669)-900-6833, Meeting ID: 931 3833 6051, Passcode: 750084 or log in online URL:

<https://us06web.zoom.us/j/93138336051?pwd=ZDVkRndkZmc0ZWsyYTJTTFFacmxtQT09>

Meeting ID: 931 3833 6051

Passcode: 4Bezsr

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. ADJOURN TO CLOSED SESSION
  - 4a. PUBLIC EMPLOYEE (Government Code Section 54957(b))  
Title: Superintendent
4. RETURN FROM RECESS 5:30 pm. Continue Regular Monthly Meeting.
  - 4a. Call to Order
5. REPORT OUT FROM CLOSED SESSION
6. PUBLIC COMMENT: non agenda items
7. NEW BUSINESS
  - a. Public Hearing in compliance with California Proposition 218 regarding MCCSD's Proposed Sewer Rate Increase and Proposed Groundwater Management Rate Increase
    - a1) presentation by Anthony Elowsky of RDN, and Cal Rural Water
    - a2) Discussion and Public Comment
    - a3) Collection of ballots, protest and support letters
    - a4) Counting of protest ballots and protest letters, and report of final count
  - b. Adjournment of Public Hearing and Return to Regular Board Meeting
  - c. Introduction of Ordinance 2022-1: Ordinance of Mendocino City Community Services District Monthly Sewer Service Charges
  - d. Introduction of Ordinance 2022-2: Ordinance of Mendocino City Community Services District Monthly Groundwater Management Charges
8. OLD BUSINESS
  - a. Update from GHD
9. COMMUNICATIONS

MENDOCINO CITY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS 11-28-2022 MEETING AGENDA

10. CONSENT AGENDA  
All matters on the Consent Agenda are to be approved by one action without discussion unless a Board Member requests separate action on a specific item.
  - a. APPROVAL OF MINUTES
    - a-1. 11-7-22 Meeting Minutes
11. DISCUSSION AND POSSIBLE ACTION REGARDING ANY CONSENT AGENDA ITEM NEEDING SEPARATE ACTION
12. FINANCIAL REPORT
  - a. Discussion and Possible Action to Approve District Disbursements/Expenditures.
13. DISTRICT SUPERINTENDENT'S REPORT
  - a. Monthly Report.
14. SECRETARY'S REPORT
  - a. Monthly Report
15. GROUNDWATER MANAGEMENT
  - a. Monthly Groundwater Management Report
16. COMMITTEE UPDATES
17. MATTERS FROM BOARD MEMBERS
18. ADJOURNMENT

STANDING COMMITTEES: For 2022

Finance:----- Dennak Murphy and Maggie O'Rourke  
Personnel:----- Dennak Murphy and Maggie O'Rourke  
Plant Operations:----- Dennak Murphy and Jim Sullivan  
Safety:----- Harold Hauck  
Street Lighting:----- Harold Hauck  
Groundwater Management:----- Jim Sullivan and Donna Feiner

*Pursuant to Americans with Disability Act (ADA Title II), MCCSD will make reasonable arrangements to ensure accessibility to the meeting. If you need special assistance to participate in this meeting, please contact the business office at 707- 937-5790.*

## ORDINANCE NO. 2022-1

### ORDINANCE OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT MONTHLY SEWER SERVICE CHARGES

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**WHEREAS**, the monthly sewer service charges as set forth in Ordinance No. 74-1, have been amended by Ordinances 75-2, 78-1, 79-2, 81-1, 87-1, 88-1, 88-3, 88-6, 91-4, 91-5, 93-1, 95-1, 97-3, 00-3, 03-1, 04-2, 05-1, 08-1, 11-2, 15-1; and

**WHEREAS**, 40 CFR 35.929-1(a) requires that the District's user charge system is based on actual or estimated wastewater volume per user or user group, and that each user group shall pay its proportionate share of operation and maintenance (including replacement) costs of the treatment works based on the proportionate contribution to the total wastewater loading from each user group; and

**WHEREAS**, in accordance with the Federal Clean Water Act, all users in the MCCSD are required to pay their proportionate cost of operation and maintenance (including replacement) of any waste treatment services provided by the District; and

**WHEREAS**, the District is required to share the costs of operating and maintaining the District's wastewater treatment facilities equitably among each user group within the District; and

**WHEREAS**, the District has adopted the concept of the Equivalent Single-Family Dwelling (ESD), which is based on a 1-or 2- bedroom residential unit placing a theoretical load on the District wastewater treatment system of 200 gallons per unit per day or one ESD; and

**WHEREAS**, other uses are rated a fraction or multiple of one ESD based on their estimated load on the District's wastewater treatment system; and

**WHEREAS**, the Board of Directors believes that treating user groups the same for treating the same volume of usage is equitable and brings parity to the system; and

**WHEREAS**, to distinguish among user groups, the District has established Sewer Service Charge Definitions (as attached in Exhibit A, which is hereby incorporated by reference); and

**WHEREAS**, to equitably distribute the District's operation and maintenance costs among user groups, the District has developed a User Category Index, which lists various types of uses and their estimated impact on the District's facilities (as attached in Exhibit B, which is hereby incorporated by reference); and

**WHEREAS**, the District may amend the User Category Index to establish the impact of a new use or to clarify the impact on loading by an existing user group on the District's wastewater treatment facilities, and to calculate new and existing user groups' monthly sewer service charges.

The Board of Directors of the Mendocino City Community Services District hereby **ORDAINS AS FOLLOWS:**

1. The \$50.60 baseline residential or Equivalent Single-Family Dwelling (ESD) Monthly Sewer Service Charge as established in Ordinance No. 15-1, shall be increased to \$67.30 for the remainder of Fiscal Year (FY) 2022-23 (Jan 1 to June 30, 2023), \$77.39 for FY 2023-24, \$86.68 for FY 2024-25, \$91.88 for FY 2025-26, and \$97.39 for FY 2026-27 following adoption of Ordinance 2022-1.

2. The District shall have the same enforcement powers and remedies for the collection of these fees as it has for the collection of other monthly fees.

3. Ordinance 22-01 shall be published once in the Mendocino Beacon, a newspaper of general circulation published within the District. This ordinance shall take effect on January 1, 2023.

This Ordinance was introduced at a regular meeting of the Board of Directors on November 28, 2022, and adopted by the Board of Directors on \_\_\_\_\_ by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:

\_\_\_\_\_  
Katie Bates, District Secretary

\_\_\_\_\_  
Dennak Murphy, Board President

## Exhibit A

### Sewer Service Charge Definitions

**Additional Residence** shall mean occupancy, by non-transient residents, of a second dwelling unit on a parcel, attached to or detached from the primary residence or commercial business, with provisions for, sleeping, eating, cooking, and sanitation. Typical uses include an apartment or studio.

**Bar** shall mean an establishment or place of business primarily engaged in the sale of prepared food or beverages for on-premises consumption.

**Bed & Breakfast** shall mean any building or portion thereof or group of buildings containing no more than four (4) dwelling units or sleeping units, which are designed or intended to be used, let, or hired out for occupancy by transient guests for compensation or profit, with the express permission of the owner, wherein breakfast may be provided for compensation or profit.

**Cottage Industry** shall mean a secondary use of a parcel containing a Single Family Residence, which is the primary residence of the owner or operator of the Cottage Industry. No Cottage Industry may occupy more than 640 square feet of area within any building or buildings on the same parcel and not more than 10 customers or clients shall come to the parcel for service or products during any one-day. Specific standards are:

1. Not more than one (1) outside person may be employed on the premises in addition to the members of the family residing on the premises;
2. The Cottage Industry shall be a secondary use of a parcel containing a Single Family Residence or Dwelling Unit as a principal residence of the owner or operator of the Cottage Industry.
3. No Cottage Industry permitted pursuant to the Ordinance may occupy more than 640 square feet of area within any building or buildings on the same parcel.
4. Not more than ten (10) customers or clients shall come to the residence for service or products during any one day.

**Detached Bedroom** shall mean a living space for family members of the regular occupants of the primary residence, and that has independent provisions for sleeping within the detached structure, but lacks provisions for cooking and eating or sanitation.

**Dwelling Unit** shall mean a living space, which provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation.

**Equivalent Single-Family Dwelling (ESD)** shall mean the theoretical load from a 1-2 bedroom single-family residence on the District's wastewater treatment system of 200 gallons per day or one ESD.

**Food and Beverage Establishments** shall mean:

- 1) Full Service w/ Bar Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premises consumption with a bar and full service.
- 2) Full Service w/o Bar: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premises consumption without a bar and with full service.
- 3) No Service: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages for on-premises consumption with seating and no dish washing and no service.
- 4) No On-Premise Consumption: Eating and drinking establishments or places of business engaged in the sale of prepared food and beverages, and in which no consumption of the product occurs on the premises.

**Gallery** shall mean an establishment that engages in the retail sale of art or specialty items.

**Guest Cottage** shall mean a living space without provisions for cooking, with provisions for sleeping, and sanitation, and where the person or persons are guest(s) of the regular occupants of the primary residence.

**Home Occupation** shall mean an accessory use within a Single Family Residence for gainful employment, which involves the manufacture, provision or sale of goods and /or services, where such uses are clearly incidental and secondary to the use of the Single Family Residence for residential purposes, and must not change the character thereof, or adversely affect the residential or rural nature of its surroundings. Specific Standards are:

1. No person other than members of the family residing on the premises shall be engaged in such occupation;
2. No additional water or sewer demands will be created by the use;
3. The Home Occupation shall be incidental and subordinate to its use for residential purposes and not more than 25 % of the floor area of the residence shall be used for such occupation. Use of any accessory building or garage for these purposes shall be prohibited.
4. No more than ten (10) customers or clients shall come to the residence for service or products in any one day.

**Hotel** shall mean any building or portion thereof containing five (5) or more dwelling units or sleeping units each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit wherein meals may be provided for compensation or profit.

**Inn** shall mean any building or portion thereof or group of buildings containing five (5) or more dwelling units or sleeping units each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit, and where regular meals may be provided for compensation or profit.

**Motel** shall mean any building or portion thereof or group of buildings containing five (5) or more dwelling units or sleeping units where such units are directly accessible from an outdoor parking area and where each is used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit.

**Office** shall mean private firms or organizations, which are primarily used for the provision of professional, executive, management, or administrative services.

**Personal Services** shall mean an establishment or place of business primarily engaged in the provision of services of a personal nature. Typical uses include: beauty salon, barbershop, massage studio, or dance studio.

**Retail Store** shall mean a business that is engaged in the sale or rental of commonly used goods and merchandise for personal or household use.

**Single Family Residence** shall mean the occupancy of the primary residential unit of a parcel on a non-transient basis, and the dwelling unit shall provide provisions for sleeping, eating, cooking, and sanitation.

**Single Unit Rental** shall mean the rental of an attached or detached structure (not the primary residence or business) on a parcel for Visitor Accommodations for transient guests for compensation or profit (30 days or less), and shall provide provisions for sleeping, sanitation, and with or without eating and cooking.

**Sleeping Unit** shall mean a living space, which provides living facilities for one or more persons, but does not include provisions for cooking and eating within the unit.

**Vacation Home Rental** shall mean the rental of Single Family Residence for 30 days or less where the only use on the property is for Visitor Accommodations, to be let or hired as an entire unit for occupancy by transient guests for compensation or profit, and limited to one unit per parcel.

**Veterinary Clinic** shall mean an establishment or place of business primarily engaged in the provision of medical, diagnostic, surgical, dental, and therapeutic services to pet, companion, domestic, exotic, wildlife, and livestock animals.

**Visitor Accommodations** shall mean establishments engaged in the provision of lodging services on a less than monthly basis, which may provide incidental food and drink intended for the convenience of the guests.

## Exhibit B User Category Index

1-2 Bedroom Residential ESD = 200 gal/day

Category number	User Category	ESD/Unit	Gal/Unit Loading	Unit Description
	<b>Residential:</b>			
1	Residence w/ 1-2 bedrooms	1.0	200	gal/d per 1-2 bdr. residence
	Each additional bedroom	0.3	60	gal/d per additional bedroom
2	Apartment	1.0	200	gal/d per 1-2 bdr. residence
3	Guest Cottage	0.5	100	gal/d per unit
4	Sleeping Unit	0.6	120	gal/d per unit
	<b>Commercial Visitor Accommodation:</b>			
5	Vac. Home or Single Unit Rental	1.0	200	gal/d per unit
	<b>Inns, Hotels, B&amp;B's, Motel</b>			
6	Dwelling Unit, w/ kit.	0.8	160	gal/d per unit
7	Dwelling Unit, w/ kit., laundry	1.0	200	gal/d per unit
8	Sleeping Unit w/o kit.	0.6	120	gal/d per unit
9	Sleeping Unit w/o kit., laundry	0.8	160	gal/d per unit
	<b>Commercial Business:</b>			
	<b>Cottage Ind./Home Occupation</b>			
10	Residence	1.0	200	gal/d per residence
11	Business Portion of Residence	0.00075	0.15	gal/d/ft <sup>2</sup>
12	<b>Retail Store/Gallery/Office</b>	0.00075	0.15	gal/ft <sup>2</sup>
13	<b>Library</b>	1.0	200	gal/d per unit
	<b>Food and Beverage Establishments</b>			
14	Full Service w/ bar	0.017	3.4	gal/d/ft <sup>2</sup> dining area
15	Full Service w/o bar	0.0145	2.9	gal/d/ft <sup>2</sup> dining area
16	No Service, w/seats, no dish washing	0.0105	2.1	gal/d/ft <sup>2</sup> dining area
17	No On-Premise Consumption	0.0105	2.1	gal/d/ft <sup>2</sup> work area
	<b>Bar</b>			
18	Bar area, per linear foot	0.0335	6.7	gal/d/linear ft of bar
19	Patron area	0.007	1.4	gal/d/ft <sup>2</sup> patron area
20	<b>Laundromat</b>	2	400	gal/d/machine
21	<b>Service Station/Garage</b>	5.0	1,000	gal/d/service station
22	<b>Grocery Store</b>	0.001	0.2	gal/d/ft <sup>2</sup> display & work area



<b>Exhibit B User Category Index</b>				
Category number	User Category	ESD/Unit	Gal/Unit Loading	Unit Description
	<b>Commercial Business:</b>			
	<b>Churches</b>			
23	Church w/ kit.	0.025	5	gal/d/seat
24	Church w/o kit.	0.015	3	gal/d/seat
25	<b>Hall/ Auditorium</b>	0.015	3	gal/d/seat
26	<b>Theater</b>	0.025	5	gal/d/seat
	<b>School:</b>			
27	<b>MUSD/ Rainbow School</b>	0.075	15	gal/d/student
28	<b>Government Office/ Building</b>	0.00075	0.15	gal/d/ft <sup>2</sup> office or work area
	<b>Personal Services</b>			
29	<b>Hair Salons</b>	0.005	1	gal/d/ft <sup>2</sup> work area
30	<b>Hot Tubs</b>	0.0075	1.5	gal/d/ft <sup>2</sup> work area
	<b>Miscellaneous:</b>			
32	<b>Ballpark</b>	4	800	gal/d per unit
33	<b>Mendo. Coast Park &amp; Rec.</b>	0.00075	0.15	gal/d/ft <sup>2</sup>
34	<b>State Park</b>	40.00	8,000	gal/d
35	<b>MFPD Station</b>	1	200	gal/d per station
36	<b>Veterinary Clinic</b>	0.0039	0.77	gal/d/ft <sup>2</sup>

**Other uses not defined herein shall be determined by the Board of Directors.**

**ORDINANCE NO. 2022-2**

**ORDINANCE OF MENDOCINO CITY COMMUNITY SERVICES DISTRICT  
MONTHLY GROUNDWATER MANAGEMENT CHARGES**

**WHEREAS** the Mendocino City Community Services District (District) has legal responsibility to manage groundwater resources within the District pursuant to California Water Code Section 10700 et seq.; and

**WHEREAS** the District incurs costs for groundwater management activities; and

**WHEREAS** the District has imposed a Charge for Groundwater Management that shall apply to all developed parcels within the District that extract groundwater from privately owned well(s) or receive water extracted from mutual water company well(s); and

**WHEREAS**, the Charge for Groundwater Management is based on parcel use as established by the Sewer Service Charge Definitions, and calculated from the User Category Index as set forth in the Monthly Sewer Service Charges Ordinance; and

**WHEREAS**, the District has adopted the equivalent single-family dwelling (ESD) concept for calculating both parcel sewer service and groundwater management charges; and

**WHEREAS**, one (1) ESD of sewer use and one (1) ESD of water demand are equivalent to an estimated flow of 200 gallons per day; and

**WHEREAS**, other parcel uses are rated a fraction or multiple of the one (1) ESD baseline water demand for a two-bedroom single-family residence; and

**WHEREAS**, the Board of Directors believes that the ESD concept for determining groundwater management charges is a reasonable and equitable method for establishing proportionate groundwater management charges for all District parcel uses; and

**WHEREAS**, the sum of all groundwater management charges Districtwide does not collectively exceed the cost for regulating the District's groundwater resources, and the charges bear a fair and reasonable relationship to the benefits received by property owners for groundwater management activities.

The Board of Directors of the Mendocino City Community Services District hereby **ORDAINS AS FOLLOWS:**

1. The monthly one (1) ESD single-family residence baseline Charge for Groundwater Management as established in Ordinance 18-3 and listed in Fee Schedule Ordinance 19-1 and 20-03 shall be increased to \$15.09 for the remainder of Fiscal Year (FY) 2022-23 (January 1 to June 30, 2023), \$17.35 in FY 2023-24, \$19.43 in FY 2024-25, \$20.60 in FY 2025-26, and \$21.84 by FY 2026-27. The Charge for Groundwater Management shall be computed for other parcel uses as a fraction or multiple of

the one (1) ESD baseline Charge for Groundwater Management. The Charge for Groundwater Management shall apply to all developed parcels located within the District boundary that extract groundwater from privately owned well(s) or receive water extracted from mutual water company well(s).

2. The Charge for Groundwater Management for a developed parcel shall be based on the estimated water demand for all parcel uses as established by the Water Use Standard Definitions and calculated from the Water Use Standard (as attached in Exhibit A, which is hereby incorporated by reference) and as set forth in the Groundwater Extraction Permit Ordinance, 2020-01.

3. The District shall have the same enforcement powers and remedies for the collection of these fees as it has for the collection of other monthly fees.

4. This Ordinance shall be published once in the Mendocino Beacon, a newspaper of general circulation published within the District. This charge shall take effect January 1, 2023.

This Ordinance was introduced at a regular meeting of the Board of Directors on November 28, 2022 and adopted by the Board of Directors on \_\_\_\_\_ by the following vote:

AYES:  
NOES:  
ABSENT:

ATTEST:

\_\_\_\_\_  
Katie Bates  
District Secretary

\_\_\_\_\_  
Dennak Murphy  
Board President

## Exhibit A Water Use Standard

1-2 Bedroom Residential ESD = 200 gal/day

Category number	User Category	ESD/Unit	Gal/Unit	Unit Description
	<b>Residential:</b>			
1	Residence w/ 1-2 bedrooms	1.0	200	gal/d per 1-2 bdr. residence
	Each additional bedroom	0.3	60	gal/d per additional bedroom
2	Apartment	1.0	200	gal/d per 1-2 bdr. residence
3	Guest Cottage	0.5	100	gal/d per unit
	<b>Commercial Visitor Accommodation:</b>			
4	Sleeping Unit	0.6	120	gal/d per unit
5	Vac. Home or Single Unit Rental	1.0	200	gal/d per 1-2 bdr unit
	Each additional bedroom	0.3	60	gal/d per additional bedroom
	<b>Inns, Hotels, B&amp;B's, Motel</b>			
6	Dwelling Unit, w/ kit.	0.8	160	gal/d per unit
7	Dwelling Unit, w/ kit., laundry	1.0	200	gal/d per unit
8	Sleeping Unit w/o kit.	0.6	120	gal/d per unit
9	Sleeping Unit w/o kit., laundry	0.8	160	gal/d per unit
	<b>Commercial Business:</b>			
	<b>Cottage Ind./Home Occupation</b>			
10	Residence	1.0	200	gal/d per residence
11	Business Portion of Residence	0.00075	0.15	gal/d/ft <sup>2</sup>
12	<b>Retail Store/Gallery/Office</b>	0.00075	0.15	gal/ft <sup>2</sup> work or display area
13	<b>Library</b>	1.0	200	gal/d per unit
	<b>Food and Beverage Establishments</b>			
14	Full Service w/ bar	0.017	3.4	gal/d/ft <sup>2</sup> dining area
15	Full Service w/o bar	0.0145	2.9	gal/d/ft <sup>2</sup> dining area
16	No Service, w/seats, no dish washing	0.0105	2.1	gal/d/ft <sup>2</sup> dining area
17	No On-Premise Consumption	0.0105	2.1	gal/d/ft <sup>2</sup> work area
	<b>Bar</b>			
18	Bar area, per linear foot	0.0335	6.7	gal/d/linear ft of bar
19	Patron area	0.007	1.4	gal/d/ft <sup>2</sup> patron area
20	<b>Laundromat</b>	2	400	gal/d/machine
21	<b>Service Station/Garage</b>	5.0	1,000	gal/d/service station
22	<b>Grocery Store</b>	0.001	0.2	gal/d/ft <sup>2</sup> display & work area

Exhibit A Water Use Standard				
Category number	User Category	ESD/Unit	Gal/Unit	Unit Description
	<b>Commercial Business:</b>			
	<b>Churches</b>			
23	Church w/ kit.	0.025	5	gal/d/seat
24	Church w/o kit.	0.015	3	gal/d/seat
25	<b>Hall/ Auditorium</b>	0.015	3	gal/d/seat
26	<b>Theater</b>	0.025	5	gal/d/seat
	<b>School:</b>			
27	Rainbow School	0.075	15	gal/d/student
28	<b>Government Office/ Building</b>	0.00075	0.15	gal/d/ft <sup>2</sup> office or work area
	<b>Personal Services</b>			
29	Hair Salons	0.005	1	gal/d/ft <sup>2</sup> work area
30	Hot Tubs	0.0075	1.5	gal/d/ft <sup>2</sup> work area
	<b>Miscellaneous:</b>			
31				
32	Ballpark	4	800	gal/d per unit
33	Mendo. Coast Park & Rec.	0.00075	0.15	gal/d/ft <sup>2</sup>
34	Headlands State Park	10.00	2,000	gal/d
35	MFPD Station	1	200	gal/d per station
36	Veterinary Clinic	0.0039	0.77	gal/d/ft <sup>2</sup>

Other uses not defined herein shall be determined by the Board of Directors.

**MENDOCINO CITY COMMUNITY SERVICES DISTRICT**

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mccsd@mcn.org

Per California Governor Gavin Newsom’s Executive Orders N-25-20 and N-29-20, the meeting is being held via teleconference.

**MENDOCINO CITY COMMUNITY SERVICES DISTRICT SPECIAL BOARD MEETING**

**ACTION MINUTES – November 7, 2022**

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

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

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**AGENDA ITEM NO. 1 – CALL TO ORDER – OPEN SESSION 5:06 p.m.**

**Present:** Directors Donna Feiner, Harold Hauck (arrived at 5:11), Maggie O’Rourke (arrived at 5:10), Vice President Jim Sullivan (presiding until 5:12), and presiding was President Dennak Murphy (as of 5:12)

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

**Legal Counsel Present:** None

**Public Present:** Michelle Blackwell, Robert Schmitt, Charlie Baughn, Tina Aranguren, Matthew Miksak

**AGENDA ITEM NO. 2. – APPROVAL OF AGENDA**

**Board Action:** Upon motion by Director O’Rourke seconded by Director Feiner. IT IS ORDERED to approve the agenda. The Motion carried by the following vote:

AYE: 3

NO: 0

**AGENDA ITEM NO. 3 –PUBLIC COMMENT**

None

**AGENDA ITEM NO. 4 – COMMUNICATIONS**

**Superintendent Rhoades had a conversation with Supervisor Williams**

**District Secretary Bates has had multiple, beneficial conversations with people re: the ballots that were sent out in October**

**AGENDA ITEM NO. 5: FINANCIAL REPORT**

**9a) Discussion and Possible Action to Approve District Disbursements/ Expenditures**

**Presenter: Katie Bates**

**Board Comment: Directors O'Rourke and Feiner**

**Board Action:** Upon motion by Director O'Rourke seconded by Director Hauck. IT IS ORDERED to approve the disbursements and expenditures. The Motion carried by the following vote:

AYE: 5

NO: 0

**AGENDA ITEM NO. 10: CONSENT AGENDA****a. APPROVAL OF MINUTES**

a1) 9-7-22 Closed Session Meeting Minutes

a2) 9-26-22 Meeting Minutes

a3) 10-3-22 Meeting Minutes

b) APPROVAL OF RES 2022-305: RESOLUTION OF THE MENDOCINO CITY COMMUNITY SERVICES DISTRICT TO CONTINUE THE AUTHORITY TO HOLD VIRTUAL MEETINGS PURSUANT TO AB 361

**Board Action:** Upon motion by Director Hauck, seconded by Director O'Rourke. IT IS ORDERED to approve the consent agenda. The Motion carried by the following vote:

AYE: 5

NO: 0

**Board Action:** Upon motion by VP Sullivan, seconded by Director O'Rourke, IT IS ORDERED to approve consent agenda without 6b. 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**

**Board Action:** Upon motion by Director Hauck seconded by Director O'Rourke. IT IS ORDERED to approve Resolution 2022-305: Resolution of the Mendocino City Community Services District to continue the authority to hold virtual meetings pursuant to AB 361, with the date changed from 10/24/22 to 11/7/22. The Motion carried by the following vote:

AYE: 5

NO: 0

**AGENDA ITEM NO. 8- GROUNDWATER MANAGEMENT**

**Presenter:** Ryan Rhoades

**AGENDA ITEM NO. 9 – NEW BUSINESS**

9a) Discussion and Possible Action to accept the updated hydrological study for 10970 Ford St

**Staff Comment:** Superintendent Rhoades

**Board Comment:** Directors O'Rourke and VP Sullivan

**Public Comment:** Charlie Baughn

**Board Action:** Upon motion by Director O'Rourke, seconded by VP Sullivan. IT IS ORDERED to accept the updated hydrological study for 10970 Ford St. The Motion carried by the following vote:

AYE: 5

NO: 0

**9b) Discussion and Possible action to accept the GWEP for Change in Use with increased water demand for 45020 Ukiah St.**

**Presenter: Superintendent Rhoades**

**Board Comment: Director O'Rourke**

**Public Comment: Robert Schmitt**

**Board Action:** Upon motion by Director Hauck, seconded by VP Sullivan. IT IS ORDERED to accept the GWEP for Change of Use with increased water demand for 45020 Ukiah St.  
The Motion carried by the following vote:

AYE: 4

NO: 0

ABSTAIN: 1 (Director O'Rourke would like long term rental to be noted on the application)

**AGENDA ITEM NO. 10- OLD BUSINESS**

**10a) Discussion and Possible Action related to process of reviewing and updating the Governance Guidelines**

**Presenter: Superintendent Rhoades**

**Board Comment: Directors Hauck, VP Sullivan and President Murphy**

**Board Action:** None. Item tabled to January meeting so that new BOD can review

**10b) Discussion and Possible Action to approve spending of remaining PSPS Grant money**

**Presenter: Superintendent Rhoades**

**Board Comment: Directors O'Rourke and Feiner**

**Board Action:** Upon motion by Director O'Rourke seconded by VP Sullivan. IT IS ORDERED to approve expenditures with Superintendent discretion to use funds not covered by outlined disbursements. The Motion carried by the following vote:

AYE: 5

NO: 0

**10c) Discussion and Possible Action regarding engaging SAFER and community outreach to begin exploring interest in a possible Community Water System**

**Presenter: VP Sullivan**

**Board Comment: Directors O'Rourke, Hauck, and President Murphy**

**Board Action:** Upon motion by VP Sullivan, seconded by Director O'Rourke. IT IS ORDERED that MCCSD act as the lead community agency/ entity to work with SAFER. The Motion carried by the following vote:



AYE: 5

NO: 0

**AGENDA ITEM No. 11 – SUPERINENDENT’S REPORT**

**a) Monthly Superintendent’s Report**

**Presenter: Ryan Rhoades**

**Public Comment: Michelle Blackwell**

**Board Comment: President Murphy**

**AGENDA ITEM NO. 12- SECRETARY’S REPORT**

**a) Monthly Secretary’s Report**

**Presenter: Katie Bates**

**Public Comment: Michelle Blackwell**

**Staff Comment: Superintendent Rhoades**

**AGENDA ITEM NO. 13: COMMITTEE UPDATES**

**The Personnel Committee will meet to evaluate the Superintendent and give a recommendation at the next BOD meeting.**

**AGENDA ITEM NO. 14: MATTER FROM BOARD MEMBERS**

**Director Hauck thanked the BOD and community for the opportunity to serve on the Board of MCCSD. Director O’Rourke, VP Sullivan, President Murphy, and Superintendent Rhoades all commented and thanked Director Hauck for his service, wisdom, judgement, and mentorship.**

**VP Sullivan encouraged people to look into ONEKA technology and how it is being used in Fort Bragg.**

**AGENDA ITEM NO. 17: ADJOURNMENT**

**IT IS ORDERED to approve adjourning the meeting at 6:23 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](http://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 Maggie O’Rourke
- Personnel:----- Dennak Murphy and Maggie O’Rourke
- Plant Operations:----- Dennak Murphy and Jim Sullivan
- Safety: ----- Harold Hauck
- Street Lighting:----- Harold Hauck
- Water Management:----- Donna Feiner and Jim Sullivan

Respectfully submitted,

Ryan Rhoades and Katie Bates

DRAFT

# Management Report

Mendocino City Community Services District  
For the period ended October 31, 2022



Prepared by

**K. McKee & Company**

Prepared on

**November 21, 2022**

Cash Disbursements (Checking)  
 For the Period End October 2022

	10/31/2022
<b>Balance Forward</b>	\$ 44,696
Monthly Fees (Current and Past Due) Collected	\$ 97,260
Interest Income	\$ 945
Service to Read Water Meters	\$ 480
Hills Ranch Service	\$ 250
Parts Sales (inventory)	\$ 350
Golden State Risk Mgmt Authority	\$ -
General Property Taxes	\$ -
<b>Revenue</b>	<u>\$ 99,285</u>
<b>Total Inflows</b>	<u>\$ 143,981</u>
Disbursements (Check Register)	\$ (84,479)
<b>Balance Checking</b>	<u>\$ 59,502</u>
General Ledger Operating Checking	\$ 59,502
Difference	\$ 0

**APPROVAL OF THE BOARD OF DIRECTORS**

The undersigned Directors of the Mendocino City Community Service District, do hereby certify total disbursements, including checks, online CalPers, State and Federal Tax Deposits.

Print and Sign

Date

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



# Mendocino City Community Services District

## Distribution Report by Bank Account

October 2022

DATE	NUM	NAME	AMOUNT
Cash and Equivalents			
Cash in Checking #2837			
10.17.2022	20588	Harvest Market	-276.30
10.17.2022	20589	REDWOOD WASTE SOLUTIONS	-143.06
10.17.2022	20590	Jackson Law Offices	-4,441.50
10.17.2022	20591	R.J. Ricciardi, Inc. CPAs	-1,890.00
10.17.2022	20592	MENDES SUPPLY COMPANY	-2,086.44
10.17.2022	20593	REDWOOD COAST FUELS	-374.70
10.17.2022	20594	USA Bluebook	-1,390.83
10.17.2022	20595	Grainger	-594.74
10.17.2022	20596	A T & T Mobility	-83.56
10.17.2022	20597	Alpha Analytical Laboratories	-1,265.00
10.17.2022	20598	A T & T Services, Inc.	-780.01
10.17.2022	20599	Quill	-305.24
10.17.2022	20600	Golden State Risk Management Authority	-8,123.00
10.17.2022	20601	Mountain Fresh Spring Water Co	-24.00
10.17.2022	20602	Deep Valley Security	-32.95
10.17.2022	20603	Reliance Standard Life	-241.50
10.17.2022	20604	PG&E	-9,002.90
10.17.2022	20605	California State Lands Commission/ Land Management Division	-71.11
10.25.2022	20606	Harvest Market	-99.74
10.25.2022	20607	Norvell's	-200.08
10.25.2022	20608	Quill	-359.19
10.25.2022	20609	REDWOOD COAST FUELS	-200.44
10.25.2022	20610	ALPHA DIVING INDUSTRIES	-27,469.00
10.25.2022	20611	MENDES SUPPLY COMPANY	-2,209.54
10.25.2022	20612	Alpha Analytical Laboratories	-195.00
10.25.2022	20613	Dave Mathews	-228.00
10.14.2022	DD	Robert Ryan Rhoades	-2,324.29
10.14.2022	DD	Katharine L. Bates	-1,143.65
10.14.2022	DD	Dylan M. Cooper	-1,044.96
10.14.2022	DD	Keith D. Linden	-1,518.01
10.28.2022	DD	Dylan M. Cooper	-1,109.97
10.28.2022	DD	Keith D. Linden	-1,508.18
10.28.2022	DD	Robert Ryan Rhoades	-2,324.28
10.28.2022	DD	Katharine L. Bates	-1,624.09
10.03.2022		K. Mckee & Company, Inc.	-300.00
10.03.2022		K. Mckee & Company, Inc.	-160.00
10.05.2022		IRS	-2,321.80
10.05.2022		CA EDD	-468.88
10.07.2022		QuickBooks Payments	-1.86
10.13.2022		Bank of America	-645.58



# Mendocino City Community Services District

Distribution Report by Bank Account

October 2022

DATE	NUM	NAME	AMOUNT
10.13.2022		QuickBooks Payments	-248.02
10.17.2022		CAL PERS	-1,069.82
10.17.2022		CAL PERS	-888.45
10.17.2022		CAL PERS	-310.79
10.17.2022		CAL PERS	-293.87
10.19.2022		IRS	-1,954.32
10.19.2022		CA EDD	-372.48
10.19.2022		CA EDD	-3.40
10.19.2022		QuickBooks Payments	-296.84
10.19.2022		QuickBooks Payments	-10.00
10.21.2022			-444.00
10.21.2022		QuickBooks Payments	-3.62
<b>Total for Cash in Checking #2837</b>			<b>\$ -84,478.99</b>
Petty Cash			
10.18.2022	1633	Solid Wastes of Willits	-72.00
10.18.2022	1634	Solid Wastes of Willits	-72.00
10.21.2022			444.00
<b>Total for Petty Cash</b>			<b>\$300.00</b>
<b>Total for Cash and Equivalent</b>			<b>\$ -84,178.99</b>

# November 2022 Superintendent's Report

## **Wastewater Treatment Plant:**

Operators performed routine repair and maintenance to the WWTP in November of 2022. Operators continue to work towards completing the other ½ of the annual sewer main cleaning, though staff shortages have delayed progress. The morning of 11-14-22 influent pump #1 failed, as a bearing blew. This was an unexpected failure. We are working on acquiring bids for repair and replacement. Current estimates are between \$10,000-15,000 plus we will need to get the old pump rebuilt. Lead time on these pumps is around April of 2023.

**Outfall Update:** Alpha Diving had planned another dive in early November that was cancelled due to weather. Their goal is to get here before the end of the year.

## **Recycled Water:**

MCCSD did not transfer any recycled water during the month of November. We are awaiting funding and upgrades to the WWTP to be compliant with the current discharge permit. Recycled water remains a high priority. November 1, 2022 the Mendocino County Board of Supervisors listed the MCCSD Recycled Water System Upgrades as one of the top five (5) County priority water projects, and the top priority for the 5<sup>th</sup> District.

## **Biosolids Trailer and Transport:**

MCCSD transported one load of biosolids in November 2022.

## **Drought Update:**

While we wait and hope for more rainfall, the District continues to focus on water conservation. I still haven't seen any recent water trucks in town, nor received any official reports of dry wells.

In this third year of drought District admin continue to spend 80-90% of staff time on issues related to groundwater and groundwater management.

## **Grant and Project Updates:**

GHD continues to move forward on the Emergency Water Storage Tank Project. MCCSD has not received any official updates on the Federal Bureau of Reclamation grant application. We did learn that our application to the State DWR Small Communities Drought Relief Program had 92 application ahead of it in line, with almost no funding remaining. Almost all of the PSPS grant purchases have been made. We took delivery of some new generators, generator fuel, and a generator trailer the week of Thanksgiving.

The California SAFER program (Safer and Affordable Funding for Equity and Resilience) continues to work with the District on community engagement, water resiliency discussions, and the potential for a more current feasibility study.

## **Office Update:**

Covid and seasonal illness continued to impact staffing in November as well as October.

## **Safety Meeting and Plant Safety Inspection:**

The District is still following County, State, Federal, and CDC guidelines regarding COVID-19 safety precautions. The 30-minute monthly safety meeting was held November 22, 2022. The topic was *Safe Driving*.

## **Sanitary Sewer Collection System:**

There were no MCCSD collection system sanitary sewer overflows to report during January 1, 2020 to November 22, 2022.

November's Secretary's Report

This month's violation letters went out Monday, November 21<sup>st</sup>. The results are listed below:

No Readings Violation #1: 11

No Readings Violation #2: 4

No Readings Violation #3: 0

Overage Violation #1: 2

Overage Violation #2: 0

Overage Violation #3: 0



# Memo

**To:** MCCSD Board of Directors  
**From:** District Superintendent  
**cc:** Jim Jackson  
**Date:** November 22, 2022  
**Re:** Groundwater Management Report

## The 2022-23 Rain Year

October 1, 2022 was the beginning of the 2022-23 rain year. Average annual precipitation in Mendocino is 39.72 inches, and average rainfall in November is 4.99" inches 2.52" inches of rainfall has been measured in the District for the month as of November 22, 2022 (Figure 1, Table 1).

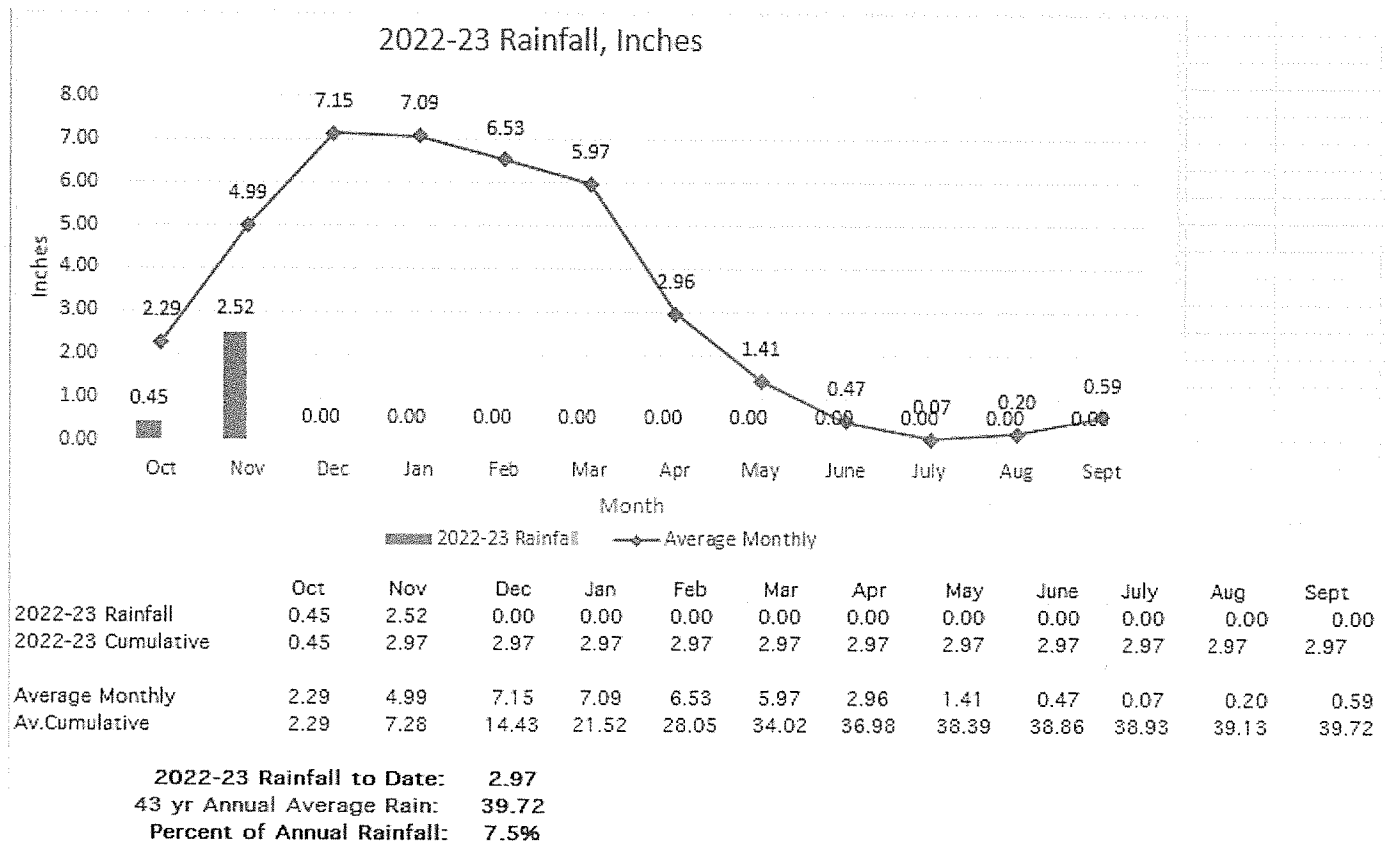
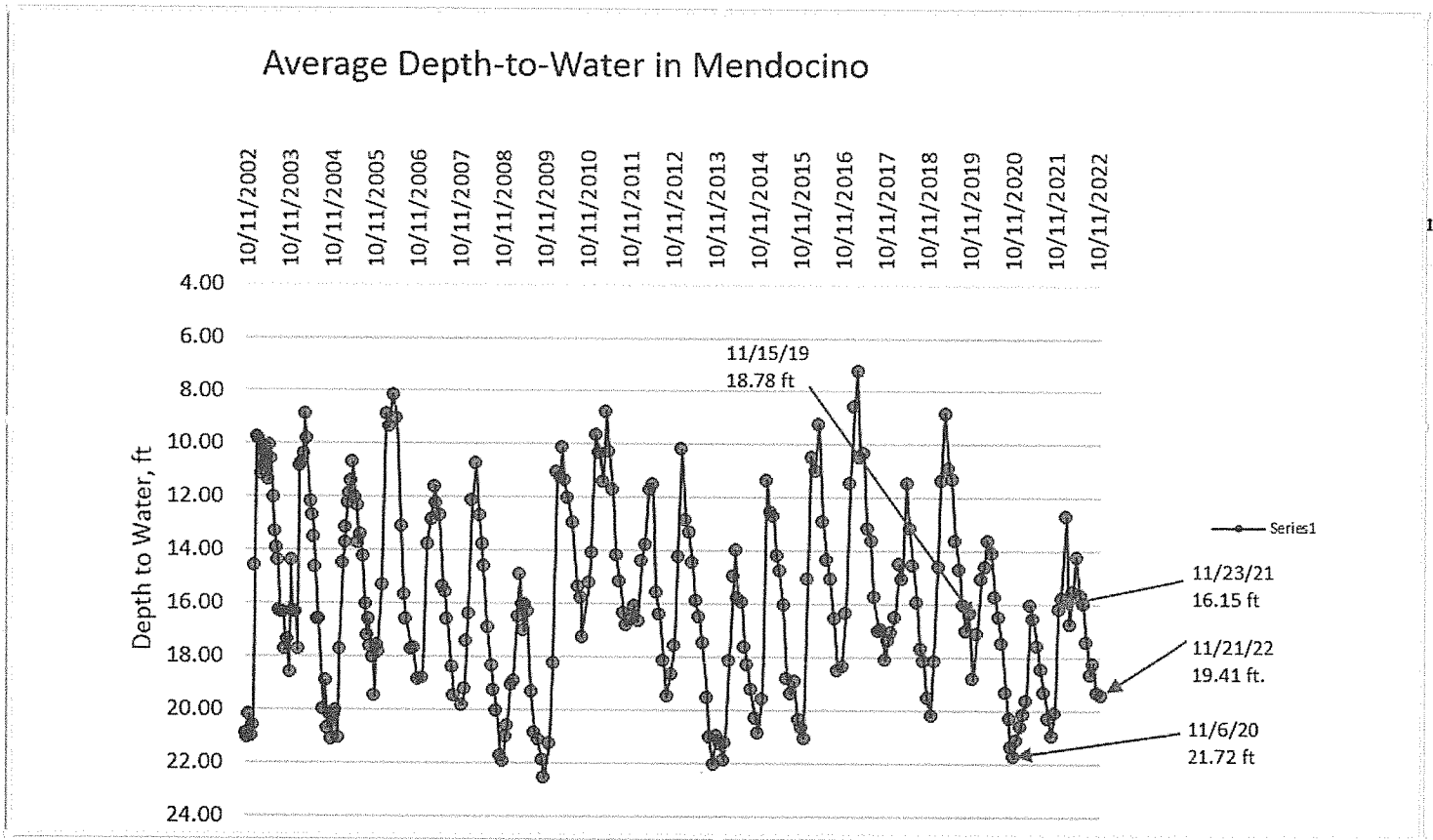


Figure 1, Table 1



Figure 2 November 2022, Depth-To-Water Chart



The average depth-to-water reported from the five drought monitoring wells on November 21, 2022 was 22.85 ft., about three inches lower than October 17, 2022 where it was recorded at 22.49 ft.

The MCCSD Board declared a Stage 2 Water Shortage Crisis exists within its boundaries on September 26, 2022, based the Water Shortage Contingency Plan and average depth to water recorded in the five drought monitoring wells as of August 31, 2022. November 30, represents the next Water Shortage evaluation date. At that time both rainfall and depth to water measurements will be used to conduct another evaluation. The Superintendent recommends maintaining the Stage 2 Water Shortage at this time.