

Mendocino Unified School District



MINUTES

SPECIAL BOARD MEETING

JUNE 28, 2023

MENDOCINO K-8 MULTI-PURPOSE ROOM

44261 Little Lake Road

Mendocino, CA 95460

4:30 P.M. CLOSED SESSION – VIA TELECONFERENCE

(Closed Session Public Hearing – link on page 2)

**5:00 P.M. OPEN SESSION – IN PERSON at MENDOCINO K8 School
& VIA TELECONFERENCE**

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84894168822?pwd=V1dOakRDSUQ4T2szN1RzVnFLQINydz09>

Passcode: 950401

Dial by your location
+1 669 900 9128 US (San Jose)

Webinar ID: 848 9416 8822

Passcode: 950401

Board Priorities

- *Develop and expand community partnerships and communication*
- *Increase learning and achievement for all students, families, and staff*
- *Plan wisely for the future while maintaining fiscal integrity*
- *Maintain and improve the physical plant*

Any writings distributed either as part of the Board packet, or within 72 hours of a meeting, can be viewed at the District Office: 44141 Little Lake Road, Mendocino, CA 95460. Board backup materials are also located on the MUSD website at <https://www.mendocinoused.org/District/3015-Untitled.html>

In compliance with Government Code section 54954.2(a) Mendocino Unified School District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability related modification or accommodation in order to participate in the meeting should contact, Erin Placido Exec. Assistant to the Superintendent, in writing at P.O. Box 1154, Mendocino, CA 95460 or via email at doerin@mcn.org.

MENDOCINO UNIFIED SCHOOL DISTRICT IS PROUD TO BE AN EQUAL OPPORTUNITY EMPLOYER

1. 4:30 P.M., CLOSED SESSION CALL TO ORDER AND ROLL CALL

1.1. Call to order and roll call

The meeting was called to order at 4:32 P.M. Present were Trustees Griffen, Morton, and Schaeffer. Absent were Trustees Gay and Aum.

1.2. The President will verbally identify the agenda items to be discussed during closed session as listed below.

The President verbally identified the agenda items to be discussed.

2. PUBLIC HEARING FOR CLOSED SESSION

Members of the public may take this opportunity to comment on closed session agenda items per Board Policy 9322. Under the requirements of the Brown Act open meeting law, members of the community wishing to address an item on the closed session agenda may do so at this time. Items not on the agenda cannot be addressed at this time. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes. (Government Code 54954.3).

Join Zoom Meeting

<https://us02web.zoom.us/j/89116044533?pwd=UW9RLORzRUU1S2JlTThlSDlna0J6dz09>

Meeting ID: 891 1604 4533 Passcode: 490910

Dial by your location: +1 669 900 9128 US (San Jose) Meeting ID: 891 1604 4533 Passcode: 490910

3. CLOSED SESSION

The Board will adjourn to closed session pursuant to Government Code 54950 - 54962.

3.1. Anticipated Litigation: Boundary Line Dispute

4. 5:00 P.M. OPEN MEETING, CALL TO ORDER AND ROLL CALL

4.1. Call to order and roll call

The meeting was called to order at 5:00 P.M. Present were Trustees Griffen, Morton, and Schaeffer. Absent was Trustee Gay. Trustee Aum attended virtually but was unable to cast a vote.

4.2. Approval of agenda

Items to be removed from the agenda or changes to the agenda should be done at this time.

MSA Griffen/Morton (3/0) to approve the agenda.

5. TIMED ITEM 5:00 P.M. - PARENT/COMMUNITY COMMENT

Items not on the agenda, but within the jurisdiction of this body, may be addressed at this time or be submitted to the Superintendent in writing for Board consideration as an agenda item. A three-minute limit is set for each speaker on all items. The total time for public input on each item is limited to 20 minutes (Government Code 54952). The Brown Act does not permit the Board to take action on any item that is not on the agenda. In addition, in order to protect the rights of all involved, complaints about employees should be addressed through the District complaint process. Speaking about a personnel issue at a Board meeting may prevent the Board from being able to act on it. Please see an administrator to initiate the complaint process. The Board may briefly respond to public comments by asking questions to clarify the speaker's comments and refer the speaker to the Superintendent for further clarification. We thank you for your comments and participation at this meeting.

There was no one present for parent/community comment.

6. INFORMATION/DISCUSSION

6.1. Adoption of Subsequent Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and Approval of the MUSD Water System Reconstruction Project – Water Supply and Storage Improvements

6.1.1. Adoption of Resolution 2023-15 (action)

MSA Morton/Griffen (3/0) to adopt Resolution 2023-15 including the Mitigated Negative Declaration responsibilities.

6.2. Consideration of Leave Request

6.2.1. Classified Employee, currently working 8 hours/day, 12 months/year requests a 6 months leave of 50% effective 7/1/23 through 12/31/23 (action)

MSA Griffen/Morton (3/0) to approve the leave request.

7. ADJOURNMENT

The next regular Board meeting is scheduled for **August 24, 2023 at the Mendocino K8 School.**

The meeting was adjourned at 7:12 P.M.

Erin Placido

From: Jason Morse <jmorse@mcn.org>
Sent: Wednesday, June 28, 2023 3:38 PM
To: doerin@mcn.org
Subject: MND Recommendation

Hi Erin,

Please state this recommendation to the Board on my behalf as I am unable to attend the meeting:

Based on all of the information gathered, I recommend adoption of item 6.1 and 6.1.1.

Thanks,

Jason



→ Matt Kennedy, PE
Project Manager

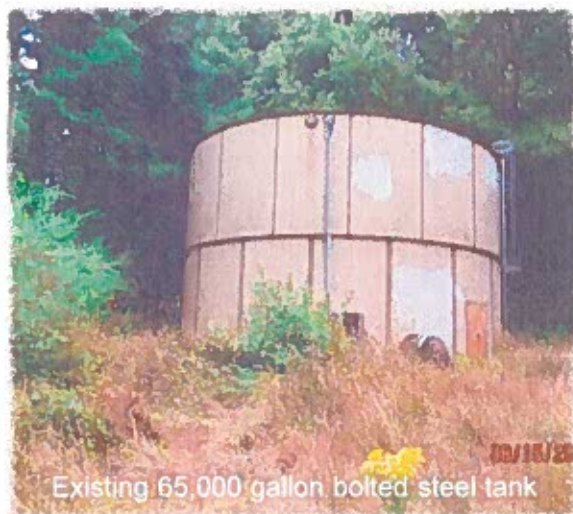
WATER SYSTEM RECONSTRUCTION PROJECT

Welcome

June 2023

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Presentation Overview



- Project Purpose and Need
- History
- Overview
- Changes to Original Project
- Funding
- CEQA Review and Subsequent MND

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Purpose and Need (MUSD Water System)

State Water Resources Control Board, Division of Drinking Water Inspection Letter (August 23, 2016):

- Inadequate Source Production
- pH Monitoring and Alarm System
- Water System Long-Term Plans
 - Identified additional improvements
- Cross Connection Control Survey



State Water Resources Control Board

August 23, 2016

Dustin Brown, District Manager
Mendocino School District - Mendocino Public Water System (DWSM)
P.O. Box 1154
Mendocino, CA 95560

Inspection Findings for Mendocino School District - Mendocino Public Water System
No. 220914a

Date: October 20, 2016

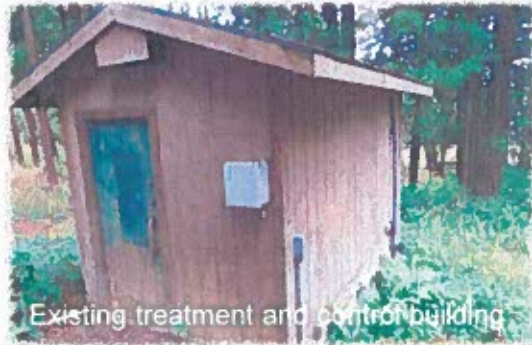
The State Water Resources Control Board, Division of Drinking Water (Division) conducted an inspection of the Mendocino School District - Mendocino Public Water System (DWSM) on June 29, 2016. The inspection by the Division and staff during the inspection was representative of the inspection process. The Division has the following requirements and recommendations:

1. Apply for grant funding through the State Revolving Fund. During the inspection, the staff did not appear to be looking at ways to increase funding for maintaining the water system facilities. The Division recommends pursuing funds to address both short term and long term deficiencies identified during inspection. State aid funding may be obtained via the Central or a FWSR application. Please visit www.dwsr.com.
2. Inadequate source production. The production of WFD1 was observed to be 6.5 gallons per minute (gpm) and 8 gpm (WFD2). The System is required to have a combined source capacity that meets the highest maximum daily demand (MDD) over the last ten years which is 25,000 gallons (or 17 gpm). The System does not have adequate source capacity. The DWSM is advised to address this deficiency in its Master Plan.
3. pH Monitoring and Alarm System. The System must establish a high degree of accuracy to monitor the pH with chemical applications changes required as the water quality changes. The Division requires a replacement for the System to install a pH alarm and monitoring system at the water tank to avoid an overflow condition. The Division expects the System to address this deficiency in its Master Plan.
4. Chemical Monitoring Schedule Reduction. The Division requires the monitoring frequency be established within any range in compliance with requirements because there have been no monitoring data collected within the

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Purpose and Need (MCCSD Funded Improvements)

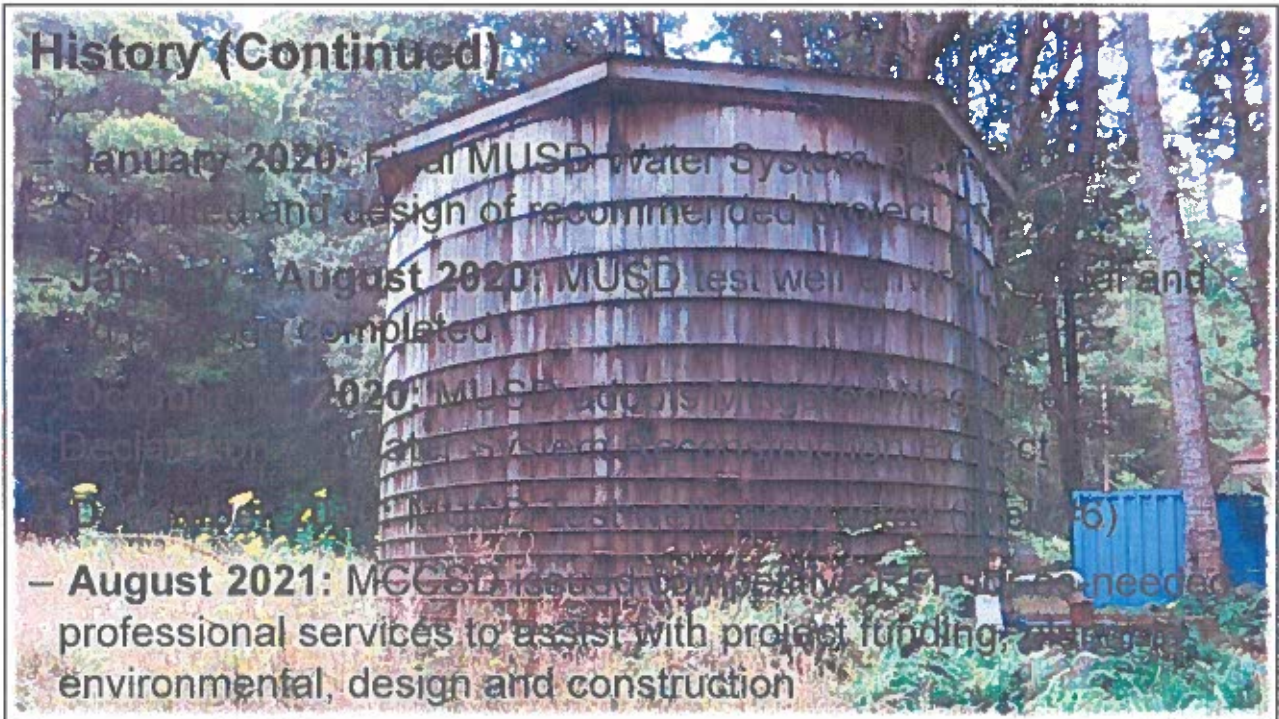
- Historic drought conditions resulted in water scarcity in MCCSD service area and surrounding community
 - Shallow private wells run dry in summer and during droughts
 - Hauled water from nearby municipalities unavailable
- Ancillary Need
 - Mendocino lacks adequate fire protection (supply and storage)



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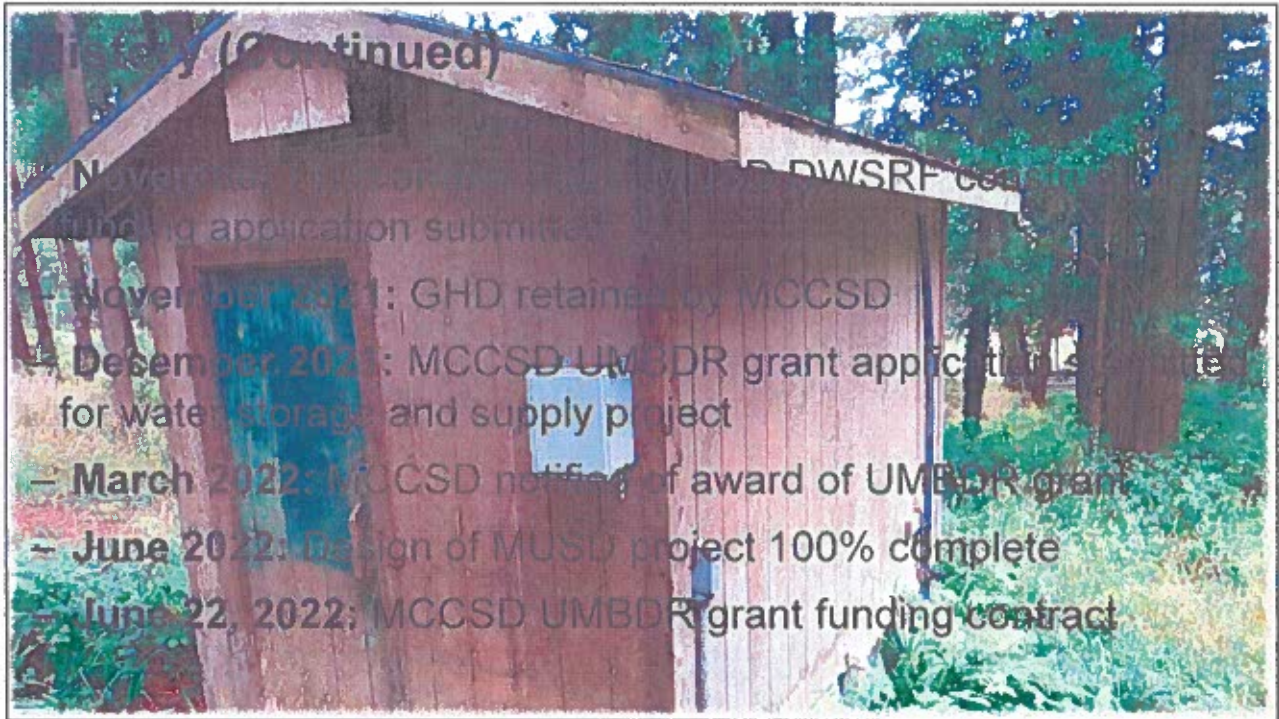
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History (Continued)

- January 2020: Final MUSD Water System 2019-2020
- Submitted and design of recommended project
- January - August 2020: MUSD test well and
- completed
- December 2020: MUSD
- Declaration of
- August 2021: MCCSD issued competitive RFP for needed professional services to assist with project funding, environmental, design and construction

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History (Continued)

- November 2021: MCCSD DWSRF
- funding application submitted
- November 2021: GHD retained by MCCSD
- December 2021: MCCSD UMBDR grant application submitted for water storage and supply project
- March 2022: MCCSD notified of award of UMBDR grant
- June 2022: Design of MUSD project 100% complete
- June 22, 2022: MCCSD UMBDR grant funding contract

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Notification of MUSD DWSRF construction

- **January 2023:** MUSD receives DWSRF construction funding contract
- **March 2023:** Submitted Coastal Development Permit (CDP) Application
- **June 2023:** Completed revised design incorporating MCCCSD funded improvements into MUSD project
- **June 28, 2023:** MUSD considers adoption of Subsequent MND for Water System Reconstruction Project

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Next Steps

Existing 50,000 gallon redwood tank

- **July / August 2023:** MUSD advertises project for bids
- **September 2023:** Award project
- **October 2023:** Notice to Proceed
- **October to December 2023:** Submittals / DSA Approval / CDP Approval

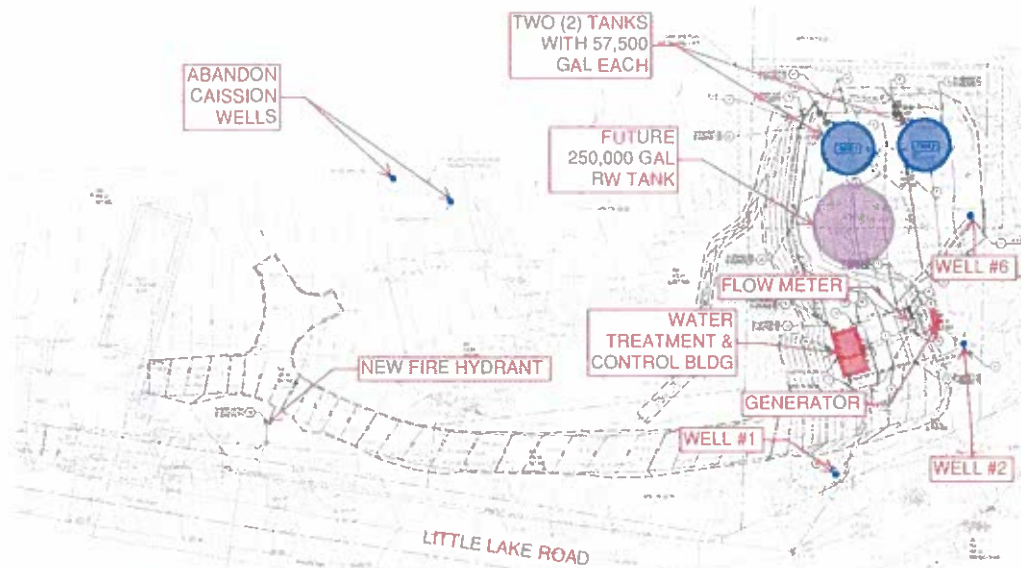
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Overview of MUSD's DWSRF Funded Project

- Replace two existing storage tanks with two new bolted stainless-steel tanks of same volume (combined 115,000 gal)
- Replace water treatment and control building with new CMU treatment and control building
- Rehabilitate Well #1 and reconstruct Well #2
- Abandon two existing caisson wells
- Improve access road to meet fire code requirements
- Replant about 20 new trees

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Plan of MUSD's DWSRF Funded Project



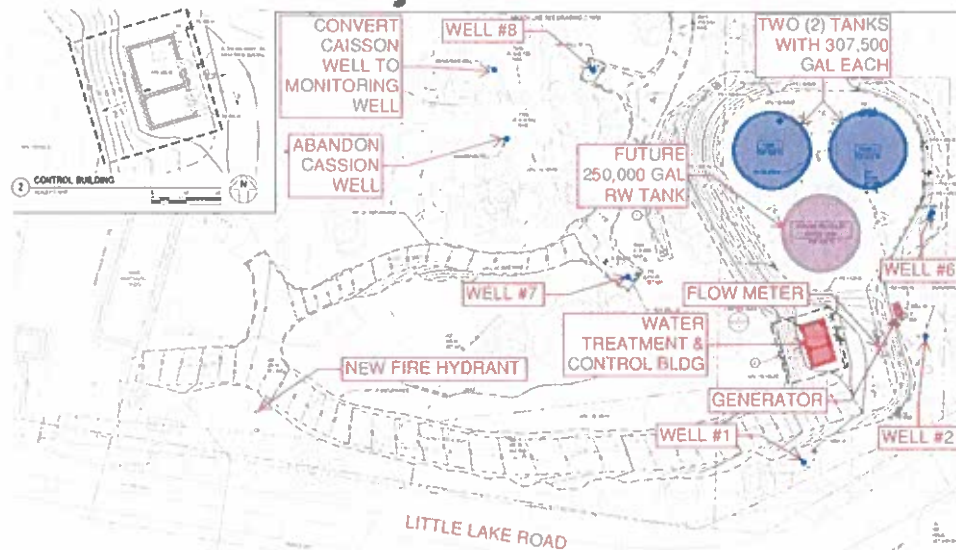
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Overview of MCCSD's UMBDRG Funded Project

- Constructs 500,000 gallons of potable water storage for use during drought emergencies
- Constructs up to 10 new wells (9 included in project)
- Construct access road to new wells
- Abandons one caisson well and coverts one caisson well to a monitoring well
- Installs staff gauge for stream monitoring
- Replant about 120 trees

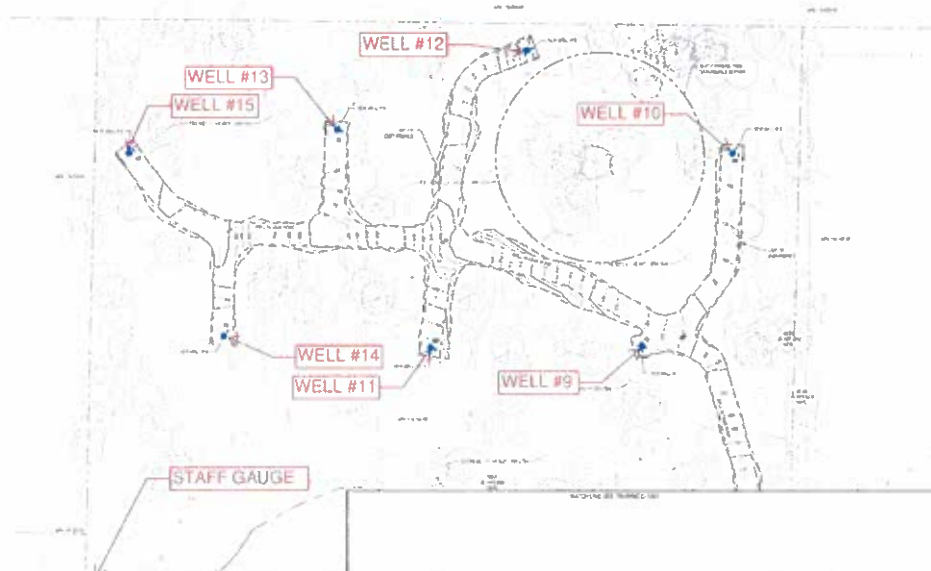
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Plan of Combined MUSD DWSRF and MCCSD UMBDRG Funded Project



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Plan of Combined MUSD DWSRF and MCCSD UMBDRG Funded Project



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Funding

- MUSD Construction Funding:
 - \$4.5 Million through DWSRF grant administered by SWRCB Division of Financial Assistance
- MCCSD Construction Funding:
 - \$4.158 Million through UMBDR grant administered by Department of Water Resources
- Construction funding covers bidding, construction, construction management, inspection, DSA approvals, and state reporting requirements

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California Environmental Quality Act (CEQA)

- Informs decision makers and public about potential environmental effects of project
- Identifies ways environmental effects can be avoided or reduced through design or mitigation measures
- Discloses agency's decision-making process

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CEQA Initial Study / Mitigated Negative Declaration

- Evaluates 21 topics
- Provides basis for deciding whether to prepare a Mitigated Negative Declaration (if impacts can be reduced to less than significant), or Environmental Impact Report (if significant unavoidable impacts may result)

21 Environmental Topics Evaluated		
Aesthetics	Agriculture and Forest Resources	Air Quality (including Odors)
Biological Resources	Cultural Resources	Energy
Geology / Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials
Hydrology / Water Quality	Land Use / Planning	Mineral Resources
Noise	Population / Housing	Public Services
Recreation	Transportation	Tribal Cultural Resources
Utilities / Service Systems	Wildfire	Mandatory Findings of Significance

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CEQA Lead Agency

- Public agency which has principal responsibility for carrying out or approving a project
- MUSD was CEQA Lead Agency for original project to make improvements to address water system deficiencies (Mitigated Negative Declaration adopted on October 15, 2020)
- MUSD is CEQA Lead Agency for Modified Project because:
 - MUSD owns property on which improvements would be implemented and will be agency who must act first on project (i.e., Modified Project cannot move forward until MUSD first takes action and grants permission for MCCSD to operate facilities on MUSD property)
 - MOU (April 2023) between MUSD and MCCSD included a mutual agreement that MUSD would remain CEQA Lead Agency for Modified Project

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CEQA Initial Study / MND for Original Project

- Evaluated improvements to address source capacity and aging structures for MUSD water system
- IS/MND was made publicly available from August 26 to September 24, 2020 for required 30-day public review
- Required CEQA noticing and review periods were satisfied
- MUSD adopted MND, Mitigation Monitoring and Reporting Program, and approved the original project on October 15, 2020

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Subsequent Mitigated Negative Declaration (MND)

- CEQA Guidelines Section 15162 requires subsequent CEQA documentation when project includes substantial changes from previously evaluated project
- Modified Project includes original MUSD improvements and improvements in conjunction with MCCSD
- MUSD, as CEQA Lead Agency, prepared Subsequent MND for Modified Project in compliance with Section 15162

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Subsequent Mitigated Negative Declaration (MND)

- Subsequent MND included full environmental review of Modified Project
- New technical studies completed (biological and cultural resources, Tribal communications, and hydrogeologic conditions)
- Subsequent MND evaluated Modified Project against 21 environmental topic areas in CEQA Guidelines Appendix G Checklist
- Subsequent MND included new and expanded mitigation measures to address impacts related to modified improvements

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Subsequent MND Circulation and Noticing

- Subsequent MND circulated for 30-Day public review (May 11 to June 9, 2023)
- Subsequent MND made available online at District’s website and at District office
- Notice of Intent to Adopt MND sent to Responsible and Trustee Agencies, Interested Parties, Contiguous Property Owners / Tenants, Native American Tribes, Mendocino County Clerk, and State Clearinghouse
- Notice was posted in Mendocino Beacon on May 11, 2023
- Subsequent MND, Notice of Intent to Adopt MND, Notice of Completion, and Summary Form submitted to OPR State Clearinghouse

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Subsequent MND Circulation and Noticing

- During 30-day public review period, MUSD received 13 comment letters / emails (1 additional letter after close of review period).
- Written responses were provided for each comment received (not required under CEQA)
- Response to Comments and Final Subsequent MND are available online at District website: <http://www.mendocinoused.org>
- Notice of public meeting and availability of Response to Comments and Final MND was provided to commenters and to contiguous property owners / tenants

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CEQA Summary and Standards for Adequacy

Summary

- Modified Project evaluated in accordance with CEQA Statute and Guidelines
- Potential impacts can be mitigated to less-than-significant level
- No significant unavoidable impacts identified
- Mitigation Monitoring and Reporting Program developed to ensure compliance with mitigation measures required by MND

Standards for Adequacy (CEQA Guidelines Section 15151)

- Sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences.
- Does not need to be “perfect,” but reflect adequacy, completeness, and a good faith effort at full disclosure

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Staff Recommendation

Staff recommends the Subsequent Mitigated Negative Declaration be adopted, the Modified Project be approved, the Mitigation Monitoring Program be adopted, and a Notice of Determination be filed with the Mendocino County Clerk and the State Clearinghouse

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*** Thank You**

→ ghd.com

RESOLUTION NO. 2023-15

RESOLUTION OF THE MENDOCINO UNIFIED SCHOOL DISTRICT ADOPTING A SUBSEQUENT MITIGATED NEGATIVE DECLARATION, APPROVING THE WATER SYSTEM RECONSTRUCTION PROJECT – WATER SUPPLY AND STORAGE IMPROVEMENTS, AND ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM

WHEREAS, the Mendocino Unified School District (District) owns, operates, and maintains a Public Water System to provide potable and fire water system to serve its K-8 School, High School and District Office, as well as Friendship Park and the Community Center of Mendocino; and

WHEREAS, a previous inspection of the District's water system conducted by the California State Water Resources Control Board (SWRCB) Division of Drinking Water identified certain deficiencies at its water supply and storage site located at 44020 Little Lake Road, including inadequate source capacity to meet the District's maximum day demand and certain system deficiencies due to components of the water system nearing the end of their useful life; and

WHEREAS, the District received a Drinking Water Construction Loan from the SWRCB Drinking Water State Revolving Fund (Agreement No. D2202005) to make improvements to address the source capacity and identified system deficiencies; and

WHEREAS, the District prepared an Initial Study/Proposed MND (State Clearinghouse No. 2020080439) for the improvements that would address the system deficiencies, and adopted a MND, Mitigation Monitoring and Reporting Program, and approved the Project on October 15, 2020; and

WHEREAS, after adoption of the MND and approval of the Project on October 15, 2020, the District agreed to coordinate with the Mendocino City Community Services District (MCCSD) to allow additional water supply and storage improvements on the District property; and

WHEREAS, MCCSD, in cooperation with the District, received a grant in response to a drought scenario from the State of California Department of Water Resources through the Urban and Multibenefit Drought Relief (UMBDR) grant program (Agreement No. 4600014624) to help serve emergency water needs of eligible MCCSD customers; and

WHEREAS, the UMBDR grant Agreement No. 4600014624 identifies the District and MCCSD as Implementing Agencies; and

WHEREAS, the UMBDR grant funding is for the development of 500,000 gallons of potable water storage at the District's water supply and storage site for MCCSD use, the drilling of up to ten new groundwater supply wells at the District's water supply and storage site for emergency water supply purposes, and a connection to the District's water distribution system; and

WHEREAS, a reevaluation of the overall potable water storage strategy at the District's water supply and storage site was conducted to implement an improved and more integrated design solution; and

WHEREAS, the District and MCCSD entered into a Memorandum of Understanding on April 20, 2023 to combine the funded improvements into a single system for better long-term management, maximizing the available funding, leveraging economy of scale, and reducing the total number of water tanks and the project footprint; and

WHEREAS, the grant administrators at the California State Water Resources Control Board and the State of California Department of Water Resources determined that combining the funding to create one project that achieves the overall goals of both projects is acceptable; and

WHEREAS, the grant administrators at the California State Water Resources Control Board and the State of California Department of Water Resources confirmed that the District should remain the CEQA Lead Agency, and both the District board and MCCSD board took no exception to maintaining District's CEQA Lead Agency role; and

WHEREAS, in a Memorandum of Understanding between the District and MCCSD dated April 20, 2023, it was mutually agreed that the District would remain the CEQA Lead Agency for the modified project; and

WHEREAS, the Modified Water System Reconstruction Project – Water Supply and Storage Improvements (“Modified Project”), includes both District improvements to address existing identified District water system deficiencies and improvements in conjunction with the MCCSD to provide an emergency water supply for MCCSD customers, all of which would be located at the District's water supply and storage site; and

WHEREAS, the District, serving as the CEQA Lead Agency, prepared a Subsequent MND for the Modified Project in compliance with Section 15162 of the CEQA Guidelines; and

WHEREAS, the Subsequent MND was made publicly available from May 11 to June 9, 2023 for a required 30-day public review period under CEQA; and

WHEREAS, the District filed a Notice of Intent to Adopt the Subsequent MND at the office of the Mendocino County Clerk on May 11, 2023; and

WHEREAS, the District published the Notice of Intent to Adopt the Subsequent MND in the Mendocino Beacon on May 11, 2023; and

WHEREAS, the District posted the Subsequent MND on its website and made a hardcopy available for public review at the District office located at 44141 Little Lake Road, Mendocino, CA 95460; and

WHEREAS, the District caused the Subsequent MND to be circulated through the State Clearinghouse on May 11, 2023 (State Clearinghouse No. 2020080439) and submitted the Notice of Intent to Adopt a Subsequent MND to applicable Responsible and Trustee Agencies, to owners and occupants of property contiguous to the Project site, and to interested parties; and

WHEREAS, the District prepared a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the mitigation measures identified and proposed in the Subsequent MND; and

WHEREAS, the District and the Board have reviewed and considered the public comments received during the 30-day review period, have prepared and posted a Response to Comments and Final MND on its website, and have provided notice to agencies and individuals that commented on the Subsequent MND; and

WHEREAS, the Board has determined the Project will not have a significant unavoidable effect on the environment which cannot be mitigated, and no grounds for recirculating the Subsequent MND have been identified, as outlined under CEQA Guidelines Section 15073.5.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE MENDOCINO UNIFIED SCHOOL DISTRICT AS FOLLOWS:

- Section 1.** The foregoing Recitals are true and correct and made a part of this Resolution.
- Section 2.** The Subsequent MND has been prepared and completed in compliance with the requirements of CEQA and the CEQA Guidelines. All noticing and review periods required by CEQA have been satisfied. The Subsequent MND reflects the independent analysis and judgment of the District and Board.
- Section 3.** The Board has independently reviewed and analyzed the Subsequent MND and MMRP, and other information in the record and has considered the information contained therein prior to acting upon or approving the Project.
- Section 4.** On the basis of the whole record before it, including the Subsequent MND and comments received therein, the Board finds that the Project as proposed with mitigation will not have a significant unavoidable adverse impact on the environment.
- Section 4.** The Board hereby approves and adopts the Subsequent MND for the Project.
- Section 5.** The mitigation measures in the Subsequent MND are made a condition of approval of the Project and a Mitigation Monitoring and Reporting Program, attached as Exhibit A, is adopted.
- Section 6.** The record of proceedings of the District and Board on which this Resolution is based are on file and available for public inspection during normal business hours at 44141 Little Lake Road, Mendocino, CA 95460. The custodian of these documents is the District.
- Section 7.** The District hereby ratifies its approval of the Project.
- Section 8.** Following adoption of this Resolution, District staff is authorized and directed to file a Notice of Determination with the Mendocino County Clerk and the State Clearinghouse pursuant to CEQA.

APPROVED AND ADOPTED this 28th day of June, 2023, by the following vote:

AYES:


NOES:

ABSENT:

ABSTAIN:


Chair, Board of Directors

ATTEST:


Secretary, Board of Directors
clerk,