

MINUTES OF THE CLOSED/REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT HELD ON WEDNESDAY, FEBRUARY 3, 2021 7:00 P.M.

TELECONFERENCE Via ZOOM & TELEPHONE:

ZOOM MEETING ID: 826 6940 6232 (<https://zoom.us/j/82669406232>) and TOLL FREE: 1-888-788-0099

AGENDA ITEM A. CALL TO ORDER:

A.1 Roll Call: The regular session of the Board of Directors of McKinleyville Community Services District convened at 7:01 pm with the following Directors and staff in attendance:

Dennis Mayo, President

David Couch, Vice President

Scott Binder, Director

Joellen Clark-Peterson, Director

Greg Orsini, Director

Pat Kaspari, General Manager

Colleen Trask, Finance Director

James Henry, Operations Director

Lesley Frisbee, Recreation Director

April Sousa, Board Secretary

Joseph Blaine, Tech Support

A.2 Pledge of Allegiance: The Pledge of Allegiance was led by President Mayo.

A.3 Additions to the Agenda: There were no additions to the Agenda.

Motion: It was moved to approve the Agenda.

Motion by: Director Orsini; **Second:** Director Binder

There were no comments from the Board or public.

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

AGENDA ITEM B. PUBLIC HEARINGS: There were no Public Hearings.

AGENDA ITEM C. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS: There were no public comments or written communications.

AGENDA ITEM D. CONSENT CALENDAR:

D.1 Consider Approval of the Minutes of the Board of Directors Regular Meeting on January 6, 2021

D.2 Consider Approval of December 2020 Treasurer's Report

D.3 Compliance with State Double Check Valve (DCV) Law

D.4 Reapproval of MCSD Representatives to the McKinleyville Municipal Advisory Committee (MMAC)

D.5 Review and Approve the Amendments to the County Leases for the Library and Sheriff's Facilities

Motion: It was moved to approve the Consent Calendar

Motion by: Director Orsini; **Second:** Director Binder

There were no comments from the Board or public.

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

AGENDA ITEM E. CONTINUED AND NEW BUSINESS:

E.1 Consider Adoption of Resolution 2021-04 Recognizing, Honoring, and Commending Jens Andersen for Fifteen (15) Years of Service

Recreation Director Lesley Frisbee gave an overview of this item and spoke highly of Jens Anderson and his years of service. She read the Resolution for the record. Jens thanked Recreation Director Frisbee for her guidance. The Board, staff, and the public were given an opportunity to provide comments, which several did.

Motion: It was moved to approve Resolution 2021-04 recognizing, honoring, and commending Jens Anderson for fifteen (15) years of service.

Motion by: Director Couch; **Second:** Director Binder

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.2 Approve FY 2019-20 Audited Financial Statements

Finance Director Trask gave an overview and introduced Chris Brown, Senior Partner of Fedak and Brown to walk the Board through the 2020 Audit. The Board asked clarifying questions. There was no public comment.

Motion: To approve the FY 19-20 Audited Financial Statements.

Motion by: Director Orsini; **Second:** Director Couch

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.3 Review the Discuss McKinleyville Skatepark Quarterly Project Status Update Presented by the Humboldt Skatepark Collective

Recreation Director gave an overview and introduced Charlie Caldwell from the Humboldt Skate Collective who gave a more detailed report. The Board and public were given an opportunity to comment and ask questions.

This was an informational only item.

E.4 Consider Approval of Construction Services Agreement with North Coast Environmental Construction and Cancel Contract with US Ecology to Perform Remediation and Demolition of PCB Impacted Milking Shed at Pialorsi Ranch

General Manager Kaspari reviewed the item with the Board. Director Orsini asked for clarification on status of original awarded contract with US Ecology. It was asked to have the contract provided in future Board packets. There was no public comment.

Motion: Authorize the General Manager to execute the Construction Services Agreement with North Coast Environmental Construction to provide services to perform remediation and demolition of the PCB impacted milking parlor at the Pialorsi Ranch for an amount not to exceed \$61,805 with a 20% contingency of \$12,361 for a total of \$74,166.

Motion by: Director Orsini; **Second:** Director Binder

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.5 Consider Acceptance of Latent Powers Committee Report and Provide Direction on Preparation of Related Policy Statements, Resolutions, and Ordinances

General Manager Kaspari reviewed the Latent Powers Committee Report. Maya Conrad from the McKinleyville Municipal Advisory Committee (MMAC) spoke in favor of the support provided within the Latent Powers Committee Report. Mary Burke, former Board Director and John Corbett, Latent Powers Committee member gave comments and asked questions. Director Couch gave some history of the formation on the MMAC. John Corbett clarified depth of police powers described.

Motion: Approve the following:

- 1) Library – Motion to authorize the General Manager to write a letter requesting a copy of the certification or issuance of a new certification of the vote of McKinleyville residents to provide library services.

Following that action, move forward with submission of an Ordinance to the MCSD board for approval, further delineating what “Library Powers” it wanted to adopt to further strengthen and clarify the District’s Powers.

- 2) Police/Law Enforcement - Direct staff to draft a Resolution for consideration outlining the Law Enforcement powers that the District currently has and wishes to exercise as outlined in the sections above. Prior to the submittal, the approval of the Sheriff will be sought. The Humboldt County Board of Supervisors and Fifth District Supervisor Steve Madrone will be given courtesy copies throughout the process.
- 3) Community Forest - Direct staff to draft a Resolution for consideration reiterating the Parks and Recreation Powers the District currently exercises and detailing the Community Forest activities that fall within our Parks and Recreation Powers.
- 4) Reclamation – The Board authorizes the drafting of a resolution fully delineating the District’s ability to provide Reclamation type services under our water, wastewater, and Park & Recreation Authorities.
- 5) Homeless – Motion to Authorize staff to draft a Policy Statement for adoption detailing the limitations of the District in this area and explaining the authority to enter into an agreement with a third party to provide such services. Staff further is authorized to review and revise a facility use agreement/lease for Board approval, noting all final lease agreements for specific occurrences will be approve by the Board of Directors.
- 6) MMAC - District Staff prepares a Policy Statement for Board approval that 1) Formalizes the meetings between District Board President, GM, MMAC Chair, and Fifth District Supervisor, 2) providing a stipend not to exceed \$3,000 (to be a budgeted for in the upcoming 2021-2022 Fiscal Year, and/or provides for in-kind contributions in District Staff and Office Support, 3) Continue to provide meeting space support at McKinleyville Middle School, 4) Provide letters of support for MMAC Grants, etc. as appropriate and Board Approved, 5) Establishes an annual joint meeting between MMAC and MCSD Boards

Motion by: Director Orsini; **Second:** Director Couch

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.6 Consider Authorization for General Manager to Execute Agreement No. SWRCB-D2005001 with the State Water Resources Control Board for Project No. C-06-8393-110 MCSD Wastewater Recycling Expansion Project

General Manager Kaspari gave an overview of this item. Director Orsini gave comment. There was no public comment on this item.

Motion: Authorize the General Manager to execute agreement no. SWRCB-D2005001 with the State Water Resources Control Board for Project No. C-06-8393-110 MCSD Wastewater Recycling Expansion Project.

Motion by: Director Binder; **Second:** Director Orsini

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.7 Consider Approval of Professional Services Agreement with GHD for the implementation of the State Water Resources Control Board (SWRCB) Recycled Water Grant

General Manager Kaspari reviewed the item. The Board and the public were given an opportunity to comment and ask questions. Director Orsini asked clarifying questions on the cost of the project and other items.

Motion: Authorize the General Manager to execute a Professional Service Agreement with GHD to execute the required scope for the SWRCB Recycled Water Grant Project No. C-06-8393-110 MCSD Wastewater Recycling Expansion Project for an amount not to exceed \$145,000.

Motion by: Director Orsini; **Second:** Director Couch

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.8 Consider Approval of Resolution 2021-03 Authorizing the General Manager to Execute Hazard Mitigation Grant Letters of Commitment for Grant Match and Maintenance for 1) Mad River Water Main Crossing; and 2) Forest and Forest Fire Management Plans and Implementation for the Community Forest, Hewitt Preserve and Hiller Wastewater Management Facility Areas

The item was reviewed with the Board by General Manager Kaspari. The Board asked clarifying question regarding each submission and the process thus far. The Public was given an opportunity to comment and ask questions.

Motion: Approve Resolution 2021-03 authorizing the General Manager to sign the letters of commitment and act as the Authorized Agent for Hazard Mitigation Grant Applications.

Motion by: Director Couch; **Second:** Director Clark-Peterson

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.9 Consider Approval of Professional Services Agreement with GHD for the preparation of the Forest Fire Management and Mitigation Hazard Mitigation Grant

General Manager Kaspari gave an overview of the item. There was no Board or public comment.

Motion: Authorize the General Manager to execute a Professional Service Agreement with GHD to prepare a Hazard Mitigation Grant Application for the Forest Fire Management and Mitigation Project for the Community Forest, Hewitt Preserve, and Hiller Wastewater Management Facility areas for an amount not to exceed \$34,900.

Motion by: Director Orsini; **Second:** Director Binder

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.10 Finance Director Retirement and Replacement

Finance Director Trask reviewed this item with the Board and providing a timeline for the Finance Director Replacement.

President Mayo appointed the Audit Committee as the Search Committee for the new Finance Director. There was no other action on this item.

E.11 Review Information for the Draft Capital Improvement Plan for the Parks and General Fund, FY 2021-22

Finance Director Trask reviewed the Draft Capital Improvement Plan for the Parks and General Fund for the upcoming fiscal year. The Board asked clarifying questions. There was no public comment on this.

This was informational only. No action taken.

E.12 Consider Approval of Ordinance 2021-03 Amending Regulation 5 – Connection Charges to Address Accessory Dwelling Units (ADU) Water Connection Fees – Second Reading and Adoption

General Manager Kaspari reviewed the item. Director Orsini asked clarifying questions regarding the legislation. There was no further public comment.

Motion: Approve the Second Reading and Adoption of Ordinance 2021-03, Amending Regulation 5 – Connection Charges to Address Accessory Dwelling Units (ADU) Water Connection Fees

Motion by: Director Orsini; **Second:** Director Couch

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

E.13 Consider Approval of Resolution 2021-02 Authorizing the Application for Statewide Park Development and Community Revitalization Program Grant Funds for the Pierson Park Expansion and Renovation Project

Recreation Director Frisbee gave an overview of this item and answered clarifying questions. Charlie Caldwell, member of the public, spoke in support of the Resolution.

Motion: Approve Resolution 2021-02 authorizing the application for the Statewide Park Development and Community Revitalization Program Funding for the Expansion and Renovation of the Pierson Park campus.

Motion by: Director Couch; **Second:** Director Orsini

Roll Call: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

Motion Summary: Motion Passed

AGENDA ITEM F. REPORTS

F.1 ACTIVE COMMITTEE REPORTS

- a. **Parks and Recreation Committee (Binder/Clark-Peterson):** Nothing further to report besides Director Frisbee's report.
- b. **Area Fund (John Kulstad/Clark-Peterson):** Did not meet.
- c. **Redwood Region Economic Development Commission (Clark-Peterson/Binder):** Director Clark-Peterson gave a report on the first meeting and mentioned a presentation from Vero.
- d. **McKinleyville Senior Center Advisory Council (Clark-Peterson/Binder):** Did not meet.
- e. **Audit (Orsini/Couch):** Met to discuss the audit and was presented at this meeting.
- f. **Employee Negotiations (Couch/Mayo):** Did not meet.
- g. **McKinleyville Municipal Advisory Committee (Orsini/Binder):** Director Orsini reported on two meetings of the MMAC.
- h. **Local Agency Formation Commission (Couch):** Director Couch gave a report on LAFCo activity.
- i. **Environmental Matters Committee (Couch/Clark-Peterson):** Did not meet.
- j. **Ad Hoc Community Forest Committee (Mayo/Orsini):** Director Orsini and General Manager Kaspari gave a brief report.
- k. **Ad Hoc Latent Powers Committee (Orsini/Couch):** Met to finalize the report that was presented at this meeting.

F.2 LEGISLATIVE AND REGULATORY REPORTS

Discussion regarding Garamendi's bill regarding the issues around non-payments during COVID.

F.3 STAFF REPORTS

- a. **Support Services Department (Colleen M.R. Trask):** Finance Director, Colleen Trask, had nothing further to add to her report.
- b. **Operations Department (James Henry):** Operations Director, James Henry, had nothing further to add to his written report.
- c. **Parks & Recreation Department (Lesley Frisbee):** Recreation Director, Lesley Frisbee, noted that attachment 2 did not end up in the board packet and gave a quick review of the community forest meeting notes.
- d. **General Manager (Patrick Kaspari):** General Manager Kaspari highlighted the 4.5-million-gallon tank project. He also mentioned that the district just received design report from the highway crossing.

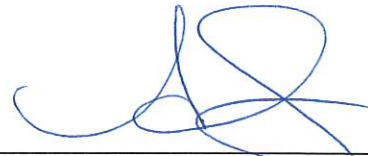
F.3.2 PRESIDENT'S REPORT: Offered time for Supervisor Madrone to speak to the Board.

F.4 BOARD MEMBER COMMENTS, ANNOUNCEMENTS, REPORTS AND AGENDA ITEM REQUESTS:

President Mayo mentioned an application for CSDA Committee for Director Orsini and an application to ACWA committees for himself to be on the next Board agenda.

G. ADJOURNMENT:

Meeting Adjourned at 9:32 p.m.



April Sousa, CMC, Board Secretary