



Mission statement of McKinleyville Community Services District:
“Provide McKinleyville with safe and reliable water, wastewater, lighting, open space, parks and recreation, and library services in an environmentally and fiscally responsible manner.”

**NOTICE IS HEREBY GIVEN THAT A REGULAR MEETING OF THE
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS
WILL BE HELD**

WEDNESDAY, APRIL 7, 2021 AT 6:30/7:00 p.m.

TELECONFERENCE Via ZOOM & TELEPHONE:

**Use ZOOM MEETING ID: 837 8195 5401 (<https://us02web.zoom.us/j/83781955401>) or DIAL
IN TOLL FREE: 1-888-788-0099 (No Password Required!)**

To participate, please teleconference using the toll free number listed above, or join through the internet at the Zoom App with weblink and ID number listed above, or the public may submit written comments to the Board Secretary at: comments@mckinleyvillecsd.com up until 4:30 p.m. on Tuesday, April 6, 2021.

All Public Comment received before the above deadline will be provided to the Board at 9 a.m. on Wednesday, April 7, 2021 in a supplemental packet information that will also be posted on the website for public viewing.

CLOSED SESSION AGENDA – Edited (3/31/21)

6:30 p.m.

A. CALL TO ORDER

A.1 Roll Call

A.2 PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

*Any person may address the Board at this time upon any subject not identified on this Agenda but within the jurisdiction of the McKinleyville Community Services District; however, any matter that requires action will be referred to staff for a report of action at a subsequent Committee or Board meeting. As to matters on the Agenda, an opportunity will be given to address the Board when the matter is considered. **Comments are limited to 3 minutes.** Letters should be used for complex issues.*

- Zoom Public Comment: When the MCSD Board President announces the agenda item that you wish to comment on, you must use the “raise your hand” feature that is present at the bottom of your screen. If you are on the phone, you will need to press star (*) 9 on your phone, which will raise your hand. When it is time for public comment on the item you wish to speak on, you will be recognized by the Board President and you will be allowed to unmute (please note, your unmute and video are disabled throughout the meeting, and your audio only will be enabled when called upon, and you will be able to unmute at that time). You will have 3 minutes to comment.

A.3 Closed Session Discussion

At any time during the regular session, the Board may adjourn to closed session to consider existing or anticipated litigation, liability claims, real property negotiations, license and permit determinations, threats to security, public employee appointments, personnel matters, evaluations and discipline, labor negotiations, or to discuss with legal counsel matters within the attorney-client privilege.

A. CONFERENCE WITH LEGAL COUNSEL— Liability Claim (Gov. Code Section 54956.9(d)(2)):
Claimant: L. Altman (Refund Claim)

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code Section 54956.8.)
Property: 2195 Hewitt Road, McKinleyville, CA (APN 509-021-045-000)
MCSD Negotiator: Pat Kaspari (MCSD GM); Russell Gans (MCSD General Counsel)
Negotiating Parties: Doug Shaw/American Hospital Management Corporation, a CA corp.
Under negotiation: Price and Terms of Payment

REGULAR MEETING AGENDA

7:00 p.m.

A. CALL TO ORDER

A.1 Report out from Closed Session

A.2 Roll Call

A.3 Pledge of Allegiance

A.4 Additions to the Agenda

Items may be added to the Agenda in accordance with Section 54954.2(b)(2) of the Government Code (Brown Act), upon a determination by two-thirds vote of the members of the legislative body present at the time of the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the McKinleyville Community Services District after the Agenda was posted.

A.5 Approval of the Agenda

B. PUBLIC HEARINGS

These are items of a Quasi-Judicial or Legislative nature. Public comments relevant to these proceedings are invited.

NO PUBLIC HEARING SCHEDULED

C. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

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D. CONSENT CALENDAR

Consent Calendar items are expected to be routine and non-controversial, to be acted upon by the Board of Directors at one time without discussion. If any Board member, staff member, or interested person requests that an item be removed from the Consent Calendar, it shall be removed so that it may be acted upon separately.

- D.1 Consider Approval of the Minutes of the Board of Directors Regular Meeting on March 3, 2021
Attachment 1 – Draft Minutes from March 3, 2021
- D.2 Consider Approval of February 2021 Treasurer’s Report
- D.3 Compliance with State Double Check Valve (DCV) Law
- D.4 Consider Appeal from Amber Wills Requesting a Variance from Connecting Proposed Second Unit to Districts Water and Sewer
Attachment 1 – Amber Wills Appeal
- D.5 Approve Revised Notice of Exemption of Wastewater System Energy Efficiency and Renewable Energy Project Including Installation of Solar Panels and Battery Energy Supply System at Wastewater Management Facility
Attachment 1 – CEQA Notice of Exemption for MCSD Wastewater System Energy Efficiency and Renewable Energy Project – Revised
Attachment 2 – CEQA Notice of Exemption for MCSD Wastewater System Energy Efficiency and Renewable Energy Project filed with Humboldt County Clerk on 07/15/2016
- D.6 Approve Submittal of Letter to the Department of Toxic Substance Control (DTSC) Encouraging the State to Direct Funds to Investigate and Cleanup the Former McNamara and Peepe Lumber Mill
Attachment 1 – MCSD Letter to DTSC
Attachment 2 – Vicinity Parcel Map of McNamara & Peepe Site
Attachment 3 – December 28, 2018 DTSC Letter Decertifying Remedial Action Certificate
Attachment 4 – July 23, 2020 Letter from Thomas Law Group to DTSC

E. CONTINUED AND NEW BUSINESS

- E.1 Consider Second Reading and Adoption of Ordinance No. 2021-04 Adding Regulation 68, Latent Powers, to Article VI: Miscellaneous, of the MCSD Rules and Regulations (Action)
Attachment 1 – Ordinance No. 2021-04
- E.2 Consider Adoption of Resolution 2021-07 Revising the Board Policy Manual, Appendix A, to Formalize Support of the McKinleyville Municipal Advisory Committee and Clarify the Board’s Role and Responsibilities (Action)
Attachment 1 – Resolution 2021-07

Attachment 2 – Tracked Changes, Board Policy Manual Appendix A, MMAC Section

- E.3 Approve Notice of Exemption for the Acquisition of Community Forest Land and approve Community Forest Project in Principle (Action)
Attachment 1 – CEQA Notice of Exemption for MCSD Community Forest Project
Attachment 2 – Map of Proposed Community Forest
Attachment 3 – Grant agreement between Trust for Public Lands and State of California Natural Resource Agency
- E.4 Consider Adopting Resolutions 2021-10 & 2021-11 Initiating Proceedings for the Measure B Maintenance Assessment District -- Renewal for Parks, Open Space, and Recreational Facilities Annual Levy and Collection of Assessments for Fiscal Year 2021/2022; Declaring Intention to Levy and Collect the Fiscal Year 2021/2022 Annual Assessments for the Measure B Maintenance Assessment District -- Renewal for Parks, Open Space, and Recreational Facilities, Accepting and Approving the Engineer's Report and Setting the Public Hearing (Action)
Attachment 1 – Resolution 2021-10
Attachment 2 – Resolution 2021-11
Attachment 3 – Draft Annual Engineer's Report for Fiscal Year 2021-2022
- E.5 Review Parks and General Fund DRAFT Operating Budget, FY 2021-22 (Information)
Attachment 1 – FY 2021-22 DRAFT Parks/General Fund Operating Budget
Attachment 2 – FY 2021-22 Measure B Operating Budget
- E.6 Initiate Process for General Manager's Annual Performance Evaluation (Board President Appointment)
Attachment 1 – General Manager Employment Agreement
Page 6-7, Paragraph 8: Performance Evaluation
Attachment 2 – Board of Director's Evaluation Form
Attachment 3 – Department Head 360 Performance Evaluation of GM
- E.7 Approve Notice of Exemption for Implementation of Recycled Water Planning Grant (Action)
Attachment 1 – CEQA Notice of Exemption for SWRCB Recycled Water Planning Grant

F. REPORTS

No specific action is required on these items, but the Board may discuss any particular item as required.

F.1 ACTIVE COMMITTEE REPORTS

- a. Parks and Recreation Committee (Binder/Clark-Peterson)
- b. Area Fund (John Kulstad/Clark-Peterson)
- c. Redwood Region Economic Development Commission (Clark-Peterson/Binder)

- d. McKinleyville Senior Center Board Liaison (Clark-Peterson/Binder)
- e. Audit (Orsini/Couch)
- f. Employee Negotiations (Couch)
- g. McKinleyville Municipal Advisory Committee (Orsini)
- h. Humboldt Local Agency Formation Commission (Couch)
- i. Environmental Matters Committee (Couch/Clark-Peterson)
- j. AdHoc Committee – Community Forest (Mayo/Orsini)
- k. AdHoc Committee – Latent Powers (Couch/Orsini)

F.2 LEGISLATIVE AND REGULATORY REPORTS

F.3 STAFF REPORTS

- a. Support Services Department (Colleen M.R. Trask)
- b. Operations Department (James Henry)
- c. Parks & Recreation Department (Lesley Frisbee)
- d. General Manager (Pat Kaspari)
 - Attachment 1 – WWMF Monthly Self-Monitoring Report

F.4 PRESIDENT'S REPORT

F.5 BOARD MEMBER COMMENTS, ANNOUNCEMENTS, REPORTS AND AGENDA ITEMS REQUESTS

G. ADJOURNMENT

Posted 5:00 pm on April 2, 2021

Pursuant to California Government Code Section 54957.5, this agenda and complete Board packet are available for public inspection on the web at McKinleyvillecsd.com/minutes or upon request at the MCSD office, 1656 Sutter Road, McKinleyville. A complete packet is also available for viewing at the McKinleyville Library at 1606 Pickett Road, McKinleyville. If you would like to receive the complete packet via email, free of charge, contact the Board Secretary at (707)839-3251 to be added to the mailing list.

McKinleyville Community Services 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 the Board Secretary at (707) 839-3251. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements for accommodations.