

MINUTES OF THE CLOSED/REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT HELD ON WEDNESDAY, SEPTEMBER 2, 2020 6:00/7:00 P.M.

TELECONFERENCE Via ZOOM & TELEPHONE:

ZOOM MEETING ID: 675 633 6928 (<https://zoom.us/j/6756336928>) and TOLL FREE: 1-888-788-0099

**CLOSED SESSION**

**AGENDA ITEM A. CALL TO ORDER**

**A.1 Roll Call:** The Closed session of the Board of Directors of McKinleyville Community Services District convened at 6:01 pm with the following Directors and staff in attendance:

Mary Burke, President	Pat Kaspari, General Manager
Dennis Mayo, Vice President	Russell Gans, Legal Counsel
John Corbett, Director	April Sousa, Board Secretary
David Couch, Director	

**A.3 Closed Session Discussion**

a. Significant exposure to litigation pursuant to § 54956.9(b): 1 Potential Case; Phil Lazzar Claimant

b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION (California Government Code § 54954.5 and 54957) Title: General Manager—Patrick Kaspari

**Regular Session**

**AGENDA ITEM A. CALL TO ORDER:**

**A.1 Report Out of Closed Session**

Item A.3.a. had nothing to report out. For item A.3.b. it was reported that General Manager Kaspari passed his 3-month evaluation with an overall approval from the Board.

**A.2 Roll Call:** The regular session of the Board of Directors of McKinleyville Community Services District convened at 7:00 pm with the following Directors and staff in attendance:

Mary Burke, President	Pat Kaspari, General Manager
Dennis Mayo, Vice President	Colleen Trask, Finance Director
John Corbett, Director	James Henry, Operations Director
David Couch, Director	Lesley Frisbee, Recreation Director
	April Sousa, Board Secretary

**A.3 Pledge of Allegiance:** The Pledge of Allegiance was led by Director Couch.

**A.4 Additions to the Agenda:** General Manager Kaspari brought forward an item to consider for addition to the agenda: Letter of Commitment from MCSD to Accept Community Forest Land and Commitment to Operation and Maintenance Cost. Mr. Kaspari noted that on Friday, August 28, 2020, MCSD was notified about passing the second-round process for funding and on Monday, August 31, 2020, a meeting took place to discover the next steps needed. This letter is one of those steps and needs to be written and signed prior to the end of a month. This is the only Board meeting available prior to the deadline to discuss the item.

**Motion:** It was moved to add the additional action item to Consider a letter of Commitment from MCSD to Accept Community Forest Land and Commitment to Operation and Maintenance Cost and to Approve the Agenda with this addition.

**Motion by:** Director Mayo; **Second:** Director Corbet

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

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

**AGENDA ITEM C. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS:**

There was no public comment.

**AGENDA ITEM D. CONSENT CALENDAR:**

Item D.4: Authorize General Manager to Send Letter of Support for Humboldt Bay Municipal Water District's Application for a US Economic Development Administration Industrial System Rehabilitation Project Grant, was pulled from the Consent Agenda

- D.1 Consider Approval of the Minutes of the Board of Directors Regular Meeting on August 5, 2020
- D.2 Consider Approval of July 2020 Draft Treasurer's Report
- D.3 Compliance with State Double Check Valve (DCV) Law
- D.5 Approval of Proposal to Conduct a Capacity Fee Study from Willdan Financial Services

**Motion:** It was moved to approve Consent Calendar.

**Motion by:** Director Corbett; **Second:** Director Mayo

There were no comments from the Board or public.

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

**D.4 Authorize General Manager to Send Letter of Support for Humboldt Bay Municipal Water District's Application for a US Economic Development Administration Industrial System Rehabilitation Project Grant**

General Manager Kaspari gave an overview of the item. Director Couch expressed concerns if there appeared to be a future request regarding filtration systems. Director Mayo also commented on the item.

**Motion:** It was moved to approve the Authorization of the General Manager to Send Letter of Support for Humboldt Bay Municipal Water District's Application for a US Economic Development Administration Industrial System Rehabilitation Project Grant.

**Motion by:** Director Corbett; **Second:** Director Mayo

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

**AGENDA ITEM E. CONTINUED AND NEW BUSINESS:**

Please note, the items are listed as they appeared at the meeting.

**E.1 Consider Approval of Professional Services Agreement with US Ecology to Perform Remediation and Demolition of PCB Impacted Milking Shed at Pialorsi Ranch**

General Manager Kaspari gave an overview explaining the scope of work for the PCB remediation. There was no public comment on this item.

**Motion:** Authorize the General Manager to execute the Professional Services Agreement with USEcology to provide services to perform remediation and demolition of the PCB impacted milking parlor at the Pialorsi Ranch not to exceed \$54,405 with a 20% (\$10,881) contingency totally \$65,286.

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

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

**E.2 Consider Approval of Professional Services Agreement with GHD to Perform Phase 3c of the Mainline Replacement and Rehabilitation Master Plan**

General Manager Kaspari gave an overview of the item and explained the scope of work for phase 3c of the Mainline Replacement and Rehabilitation Master Plan. The Board gave overall comments regarding the necessity and overall satisfaction with the project.

**Motion:** Authorize the General Manager to execute the amendment to the existing Professional Services Agreement with GHD to provide services to perform Phase 3c of the Mainline Replacement and Rehabilitation Master Plan not to exceed \$71,500 with a 10% (\$7,150) contingency totaling \$78,650.

**Motion by:** Director Corbett; **Second:** Director Mayo

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

### **E.3 Consider Approval of a Temporary 50% Reduction in Facility Use Fees for the McKinleyville Senior Center at Azalea Hall**

After a brief review of the item by Recreation Director Lesley Frisbee, the Board was given the opportunity to ask questions. Greg Orsini, McKinleyville Resident, asked a clarifying question regarding the reduction.

**Motion:** Approve a temporary 50% reduction in facility use fees for the McKinleyville Senior Center at Azalea Hall.

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

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

### **E.4 BMX Track Development Proposal Presentation**

Jason and Wendy Orlandi gave a presentation of a BMX track project to be placed at the Washington Ave./School Rd. District owned property site. The Board asked clarifying questions regarding insurance, public use, restrooms, and exact costs. Neighbors to the property were available and gave comments regarding invasive plants, barrier concerns, zoning and environmental concerns. Comments and direction were given back to the Orlandi's and BMX track supporters regarding next steps, including neighborhood outreach to mitigate concerns and finalizing exact cost estimates. Director Couch also noted that this project was supported by the Recreation Advisory Committee. This was an informational only item, no action taken.

### **E.7 Discuss and Consider Approval of Resolution 2020-22 Adopting the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Mad River Floodplain and Public Access Enhancement Project, and Approving the Project based on Approval of Final Construction Funding**

President Burke recused herself stating that she worked for the non-profit who was working on this project. It was noted that while there is no legal conflict of interest, she would recuse herself to mitigate the appearance of any conflict of interest. President Burke turned off her video and muted herself. Vice President Mayo took over the running of the meeting for this item.

General Manager Kaspari gave an overview of the item to date. Greg Orsini gave public comment by giving historical information on the project from when he was General Manager of the District. The Board gave comments of support for the project and thanked staff for clarifying the specifics of the project for the Board and the public to understand it better.

Board Secretary April Sousa noted that 14 letters of public comment were received regarding E.7 that were incorporated in the initial Board Packet and 2 letters of public comment were received prior to the Tuesday 4:30 p.m. deadline and therefore were provided to the Board and public in a supplemental packet Wednesday morning. Of the 16 letters, 2 letters were received expressing concern for the project from Beryl Feldman and Bruce MacLaren, 1 letter expressing both concern and support from Bonnie MacGregor, and 13 letters expressing support for the project from Redwood Community Action Agency, Ken Hamik and Cherie Newell, Harriet Hill, Lisa Dugan and John Calkins, Kate McClain, Coastal Conservancy, Bonnie Oliver, Linda Doerflinger, Twila Sanchez (Yurok Tribal Member and McKinleyville Resident), Coalition for Responsible Transportation Priorities, McKinleyville Land Trust, Joyce King, and the Blue Lake Rancheria.

**Motion:** Approve Resolution 2020-22 adopting the Mitigated Negative Declaration and the Mitigation Monitoring Report Program and approves the Mad River Floodplain and Public Access Enhancement Project, based on Board approval of final construction funding requirements.

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

**Roll Call:** Ayes: Corbett, Couch, and May Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

President Burke was invited back into the meeting after this item to continue running the meeting.

### **E.8 Consider Approval of the Location of the Solar Panels for the Microgrid Project to be Located at the Wastewater Management Facility**

General Manager Kaspari reviewed the project and item with the Board. The Board was given an opportunity to ask clarifying questions in regard to the location of the microgrid in pond 5. There was no other public comment.

**Motion:** Approve the Pond 5 site for the solar array to be installed at the District's Wastewater Management Facility as part of the Microgrid Project.

**Motion by:** Mayo; **Second:** Director Corbett

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

### **E.9 Letter of Commitment from MCSD to Accept Community Forest Land and Commitment to Operation and Maintenance Cost**

An overview of this additional item was given by General Manager Kaspari. It was reviewed that MCSD heard from Trust for Public Lands about making it through to the next round for funding consideration, and there were specific documents needed. One of these documents is a letter from MCSD committing to accepting the land and maintenance of the land as well as accepting any deed restrictions on the land. Mr. Kaspari read the draft letter. Board and the Public discussed the deed restrictions and expressed concerns and support.

**Motion:** Approve the draft letter to be sent to express a commitment from MCSD to accept the Community Forest land and operation and maintenance cost.

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

**Roll Call:** Ayes: Corbett, Couch, Mayo and Burke Nays: None Absent: Barsanti

**Motion Summary:** Motion Passed

### **E.5 Annual Review and Discussion of 2019-2024 Strategic Plan**

Board Secretary Sousa reviewed the proposed revisions. The Board gave feedback and direction to staff for minor changes. There was no other public comment. This was an informational only item, no action taken. This will be brought back for approval at the October 7, 2020 meeting.

### **E.6 Discussion regarding Digital Meeting Guidelines, Procedures, and Universal Technology Elements**

This item was opened by General Manager Kaspari and Board Secretary Sousa. Universal technology devices were discussed and the questions regarding the difference between tablets and laptops were discussed. Direction was given to staff to move forward with the purchase of laptops and draft guidelines regarding decorum, public comment guidelines, and other virtual meeting procedures. This was an informational only item; no action taken.

## **AGENDA ITEM F. REPORTS**

### **F.1 ACTIVE COMMITTEE REPORTS**

a. **Recreation Advisory Committee (Couch/Mayo):** Reiterated that the RAC supported the BMX track.

- b. **Area Fund (John Kulstad/Barsanti):** Did not meet.
- c. **Redwood Region Economic Development Commission (Mayo/Burke):** Nothing to report.
- d. **McKinleyville Senior Center Advisory Council (Barsanti/Burke):** Did not meet.
- e. **Audit (Corbett/Barsanti):** Nothing to report.
- f. **Employee Negotiations (Couch/Corbett):** Reported that they met to discuss the trailer rental and overtime implications.
- g. **McKinleyville Municipal Advisory Committee (Burke/Mayo):** Reported on community safety updates and additional support to Board of Supervisors.
- h. **Local Agency Formation Commission (Couch):** Did not meet.
- i. **Environmental Matters Committee (Couch/Corbett):** Did not meet.
- j. **AdHoc Community Forest Committee (Burke/Corbett):** President Burke reported that she wished to change the make up of this committee to be Director Mayo and Director Corbett, since Director Mayo would be continuing on the Board next year to allow for some continuity.

## F.2 LEGISLATIVE AND REGULATORY REPORTS

Director Mayo stated he was working to get support for Garamendi's bill. Director Corbett gave a report on State Water Resources Board Legislation.

## F.3 STAFF REPORTS

- a. **Support Services Department (Colleen M.R. Trask):** Finance Director, Colleen Trask, highlighted that the county tax allocation was still not available for the treasurer's report and noted the "on-site" Auditor visit that was done remotely. She also gave an update on the lock list.
- 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, had nothing further to add to her written report.
- d. **General Manager (Patrick Kaspari):** General Manager Kaspari had nothing further to add to his written report.


**F.3.2 PRESIDENT'S REPORT:** President Burke had nothing to report but asked County Supervisor Madrone if he would like to speak. He commented about regular meetings with MCSD and the McKinleyville Municipal Advisory Committee that have been good.

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

Director Corbett commented that the meeting was well done, efficient, and got a lot done.

## G. ADJOURNMENT:

Meeting Adjourned at 9:53 p.m.



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April Sousa, CMC, Board Secretary