

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

**Azalea Hall
1620 Pickett Road
McKinleyville, California**

**Wednesday, April 21, 2010
7:00 P.M.**

AGENDA

A. CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS TO 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.

B. APPROVAL OF THE AGENDA

C. PUBLIC HEARINGS

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

NO PUBLIC HEARING SCHEDULED

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 minutes of the Board of Directors' Regular Meeting of March 17, 2010 **P. 6**

D.2 Consider approval of March 2010 Treasurer's Report **P. 12**

- D.3 Consider approval of service disconnections for Double Check Valve (DCV) Violations. **P. 26**

E. CONTINUED AND NEW BUSINESS

- E.1 Consider award of bid for construction of Ramey Pump Station Upgrade to low bidder Wahlund Construction Co. in the amount of \$864,468, and consider bid protest submitted by Northern California Electrical Construction Industry (NCECI) asserting that the bid should be rejected and Wahlund Construction Company and Colburn Electric, Inc. (the electrical subcontractor) should be deemed “non-responsible” bidders. Consider approving up to \$26,000 for construction inspection professional services. Approving a Digital Control and SCADA system up to \$20,000 and approving a 15 % project contingency amount up to \$136,570. For a total project cost of \$1,047,038. **P. 27**
- E.2 Consider approval of a water rate increase in the amount of 3% as a result of Humboldt Bay Municipal Water District (HBMWD) projected rate increase to MCSD. On April 15, 2009 the Board approved a previous rate increase that included a 3% reserve adjustment factor that could be accessed in the future if needed. Therefore a new Proposition 218 process is not required. **P. 87**
- E.3 Consider award of Measure B renewal proposal submitted by The Lew Edwards Group for assistance related to the Measure B renewal process in an amount not to exceed \$45,000 for the current FY 2010/11. **P. 109**
- E.4 Staff informational presentation and brief video, highlighting the 6th Annual Humboldt Hoops Youth 3 on 3 Basketball Tournament. **P. 129**
- E.5 Continued business item: Status report regarding negotiations for acquisition of Real Property Parcel located at 1414 Fischer Road, McKinleyville, California, and following related items: **P. 131**
- (a) Summary report on MCSD efforts to pursue purchase of subject real property parcel following Board action to seek purchase on February 17, 2010;
 - (b) Persons appointed to serve as the McKinleyville Community Services District’s negotiator(s) following Board action on February 17, 2010: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans and/or Paul Brisso, District legal counsel;

- (c) Persons with whom MCSD's appointed negotiator(s) may negotiate pursuant to Board action on February 17, 2010: Fernando Lourenco and Jorge Lourenco; and
- (d) MCSD negotiators request for further instruction regarding price and payment terms in closed session pursuant to Agenda Item H.1., below.

E.6 Continued business item: Status report regarding negotiations for acquisition of Real Property Parcel located at/near Gwin Road, McKinleyville (APN 510-401-025), and following related issues: **P. 132**

- (a) Summary report on MCSD efforts to pursue purchase of subject real property parcel following Board action to seek purchase on February 17, 2010;
- (b) Persons appointed to serve as the McKinleyville Community Services District's negotiator(s) following Board action on February 17, 2010: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans and/or Paul Brisso, District legal counsel;
- (c) Persons with whom MCSD's appointed negotiator(s) may negotiate pursuant to Board action on February 17, 2010: Jim Furtado, JL Furtado Inc. or his designated representative; and
- (d) MCSD negotiators request for further instruction regarding price and payment terms in closed session pursuant to Agenda Item H.2., below.

E.7 Consider participation in Humboldt Waste Management Authority household hazardous waste collection event to be held at Pierson Park scheduled for Saturday, July 17, 2010 by approving a 30% cost share not to exceed \$10,000. **P. 133**

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. Recreation Advisory Committee (Couch/Mayo (alternate))
- b. Area Fund (John Kulstad)
- c. Redwood Region Economic Development Commission ((Edwards, Wennerholm (alternate))
- d. McKinleyville Senior Center (Wennerholm)
- e. Audit (Corbett, Edwards)
- f. Negotiations (Wennerholm, Edwards)
- g. Water Task Force ((Mayo, Corbett (alternate))

- h. AdHoc No Drugs & Toxics Down the Drain (Mayo)

F.2. STAFF REPORTS

- a. Support Services Department (Steve Edmiston) P. 134
- b. Operations Department (Greg Orsini) P. 135
- c. Parks and Recreation Department (Jason Sehon) P. 138
- d. General Manager (Norman Shopay) P. 140

F.3. CHAIRMAN'S REPORT

F.4. BOARD MEMBERS' COMMENTS, ANNOUNCEMENTS, REPORTS

G. 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 decision matters on the Agenda, an opportunity will be given to address the Board when the decision matter is considered. **Comments are limited to 3 minutes.** Letters should be used for complex issues.*

H. 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.

H1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Property: Real property parcel located at 1414 Fischer Road McKinleyville, CA MCSD negotiators: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans and/or Paul Brisso, District legal counsel. Parties with whom MCSD may negotiate: Fernando Lourenco, Jorge Lourenco. Under Negotiation: Instructions to MCSD negotiators to include both price and terms of payment. Pursuant to Government Code § 54954.5.

H2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS:

Property: Real property parcel located at/near Gwin Road, APN 510-401-025. MCSD negotiators: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans and/or Paul Brisso, District legal counsel. Parties with whom MCSD may negotiate: Jim Furtado, dba JL Furtado, Inc.. Under Negotiation: Instructions to MCSD negotiators to include both price and terms of payment. Pursuant to Government Code § 54954.5.

H3 CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Helen Edwards, Bill Wennerholm and Norman Shopay, Employee organization: MCSD Employees, Unrepresentative employee: General Manager. Pursuant to Government Code § 54954.5

I. ADJOURNMENT

Posted 5:00 pm on April 16, 2010