

**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, December 15, 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.*

- C.1 First reading of Ordinance 2010-01 amending the MCSD Rules and Regulations to increase facility rental fees Pg. 5

**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 November 17, 2010 Pg. 12
- D.2 Consider approval of November 2010 Treasurer's Report Pg. 16

- D.3 No DCV Violations this month
- D.4 Re-classify FY10/11 Capital Improvement Plan (CIP) related to Vehicle Purchase Pg. 35

**E. CONTINUED AND NEW BUSINESS**

- E.1 Present Community Builder Award to John Kulstad Pg. 42
- E.2 Humboldt Bay Municipal Water District introduction of new Board member Ms. Sheri Woo Pg. 44
- E.3 Consider appointing new member to the Recreation Advisory Committee Pg. 45
- E.4 Discuss results of independent survey that evaluated desired recreational activities within the community related to Measure B renewal Pg. 47
- E.5 Election of MCSD Board Officers for 2011 Pg. 56
- E.6 Discuss MCSD Board committee assignments for 2011 Pg. 57
- E.7 Consider Approval of Regular MCSD Board Meeting Dates, Times and Location for 2011 Calendar Year Pg. 59
- E.8 Consider renewal of California Conservation Corps Memorandum of Understanding for the use of the Pierson Park Trailer for 2011 Pg. 61
- E.9 Consider approval of proposal received for lease of Fischer Ranch agricultural area Pg. 65
- E.10 Informational Update regarding the status of the Waste Water Management Facility National Pollution Discharge Elimination System (NPDES) Permit that is governed by the Regional Water Quality Control Board Pg. 67
- E.11 Consider approval of revised MCSD Board Policy Manual Pg. 69
- E.12 Discuss possible purchase of Lourenco Real Property at 1414 Fischer Road, APN: 508-021-008 adjacent to existing Sewer owned property Pg. 84

## 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. Water Task Force ((Mayo, Corbett (alternate))
- g. AdHoc No Drugs & Toxics Down the Drain (Mayo)

### F.2. STAFF REPORTS

- |  |        |
|--|--------|
| a. Support Services Department (Steve Edmiston)  | Pg. 86 |
| b. Operations Department (Greg Orsini)           | Pg. 89 |
| c. Parks and Recreation Department (Jason Sehon) | Pg. 91 |
| d. General Manager (Norman Shopay)               | Pg. 94 |

### F.3. BOARD PRESIDENT'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 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.*

## **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.*

### **H.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS -**

(Per Government Code Section 54956.8) Property: 1414 Fischer Road. Under Negotiation: Purchase or Lease of all or part of the above-referenced property. MCSD negotiators: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans, District legal counsel. Parties with whom MCSD may negotiate: Fernando Lourenco, Jorge Lourenco. Instructions to negotiators include both price and terms of payment.

**H.2 CONFERENCE WITH LEGAL COUNSEL –** Potential exposure to litigation pursuant to subdivision (b) of Section 54956.9. Potential cases: One (1). Oral and written statements from David Elsebusch directed to the District, Staff.

### **H.3 CONFERENCE WITH REAL PROPERTY NEGOTIATORS -**

(Per Government Code Section 54956.8) Property: 1418 Fischer Road APN No. 508-021-007 Under Negotiation: Lease of all or part of the above-referenced property. MCSD negotiators: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans, District legal counsel. Parties with whom MCSD may negotiate: Tim Gomes/Burno Pelorisi, Collenberg, Marv Peachey. Instructions to negotiators include both price and terms of payment.

## **I. ADJOURNMENT**

**Posted 5:00 pm on Friday December 10, 2010**

# McKinleyville Community Services District

## BOARD OF DIRECTORS

December 15, 2010

TYPE OF ITEM: **ACTION**

**ITEM: C.1.**                      **First reading of Ordinance 2010-01 amending the MCSD Rules and Regulations to increase facility rental fees**

**PRESENTED BY:**              **Jason Sehon, Parks & Recreation Director**

**TYPE OF ACTION:**          **Roll Call Vote**

**Recommendation:**

Staff Requests the Board open a public hearing for the first reading of Ordinance 2010-01, direct staff to make any required revisions to the Ordinance and set a public hearing for the second reading and adoption of the Ordinance at the December 29, 2010 meeting.

**Discussion:**

For the past few months, staff has been evaluating the Districts park and facility rental fees. Typically, our staff reviews these fees every few years to make sure they are not only affordable, but also help cover the cost of maintenance and utilities at the facilities.

After researching other agencies, staff feels it is appropriate to increase for all parks and facilities by approximately 5%. In addition, staff feels it is appropriate to increase the cost for event setup and cleanup services, and also to increase the fee per hour for facility hosts.

At the December 2, 2010 Recreation Advisory Committee Meeting, members of the Committee recommended that the Board of Directors approve staff's recommendation.

Below, please find a breakdown of the proposed fee increases:

<b><u>Park/Facility:</u></b>	<b><u>Current Fee:</u></b>	<b><u>Proposed new:</u></b>
<b>ACTIVITY CENTER</b>		
Non-Profit Groups/Vendors	\$23.00/hour	\$24.00/hour
Private Citizen/Business	\$32.00/hour	\$34.00/hour
<b>AZALEA HALL-ENTIRE FACILITY</b>		
Non-Profit Groups/Vendors	\$39.00/hour	\$41.00/hour
Private Citizen/Business	\$51.00/hour	\$54.00/hour

**AZALEA HALL-HEWITT ROOM**

Non-Profit Groups/Vendors	\$29.00/hour	\$31.00/hour
Private Citizen/Business	\$37.00/hour	\$39.00/hour
All Day Rate	\$330.00	\$346.00
Half Day Rate	\$193.00	\$203.00

**AZALEA HALL-MEETING ROOM**

Non-Profit Groups/Vendors	\$10.00/hour	\$11.00/hour
Private Citizen/Business	\$13.00/hour	\$15.00/hour

**LIBRARY CONFERENCE ROOM**

Non-Profit Groups/Vendors	N/A	\$18.00/hour
Private Citizen/Business	N/A	\$20.00/hour

**PARKS**

Special Events Only	\$55.00/day	\$58.00/day
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**SPECIAL EVENT SERVICES****Event Setup**

Events with less than 100 persons	\$47.00	\$57.00
Events with 101-200 persons	\$69.00	\$79.00
Events with more than 200 persons	\$91.00	\$100.00

**Event Cleanup**

Events with less than 100 persons	\$100.00	\$100.00
Events with 101-200 persons	\$89.00	\$125.00
Events with more than 200 persons	\$111.00	\$150.00

**Complete Hosting**

Per Staff assigned	\$12.00/hour	\$15.00/hour
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**Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

- Ordinance 2010-01
- Revisions to District Rules and Regulations

## **ORDINANCE 2010-01**

### **AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT AMENDING THE MCSD RULES AND REGULATIONS TO INCREASE FACILITY RENTAL FEES**

**WHEREAS,** the Board wishes to provide quality parks and recreation services to its constituents; and

**WHEREAS,** the Board has determined that fees and charges should reflect District costs of providing services; and

**WHEREAS,** the District has certain fees which may no longer cover operating expenses; and

**WHEREAS,** the Board may revise and/or increase facility rental fees as deemed necessary by Board action; and

**WHEREAS,** the Board on December 15, 2010 held a duly noticed hearing to consider first reading of this ordinance; and

**WHEREAS,** notice of this hearing was posted and published in accordance with state law and copies of the draft ordinance have been made available for public inspection prior to the December 15, 2010 hearing on this ordinance; and

**WHEREAS,** the Board on December 29, 2010 held a duly noticed hearing to consider second reading of this ordinance; and

**WHEREAS,** notice of this hearing was posted and published in accordance with state law and copies of the draft ordinance have been made available for public inspection prior to the December 29, 2010 hearing on this ordinance; and

**WHEREAS,** the ordinance will be duly accepted for implementation effective on February 1, 2011.

**NOW THEREFORE, THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE  
COMMUNITY SERVICES DISTRICT DOES HEREBY AMEND THE MCSD RULES  
AND REGULATIONS AS FOLLOWS:**

## REGULATION 45. - PERMITS, FEES AND DEPOSITS

**Rule 45.01. FACILITY USAGE PERMITS REQUIRED.** A valid facility usage permit is required for individuals or organizations to use any indoor facility or any outdoor facility for organized functions, to use any system for amplifying sounds, or to sell or serve alcoholic beverages at an organized function.

**Rule 45.01.a. PERMIT TYPE DEFINITIONS.** The District shall issue permits based on the following definition of use:

**a.** A "Special Event" shall be defined as use deemed to be non-programmatic with estimated attendance of less than 500 persons and no more than posted capacities at indoor facilities; for which off road and facility parking space is adequate; for which street closures are not required; and for which cancellation of approved vendor programs is not required.

**b.** A "Large Scale Community Event" shall be defined as use deemed to be non-programmatic with estimated attendance of more than 500 persons but no more than posted capacities at indoor facilities; or for which off-road and facility parking space is adequate; or for which street closures may be required; or for which cancellation of an approved vendor program is required.

**c.** A "Vendor Contract" shall be defined as use by those individuals approved by the District Board of Directors, offering ongoing programs on a regular basis for no more than twelve months.

**Rule 45.02. FACILITY USAGE PERMIT PROCESS.** Any individuals or organizations seeking issuance of a facility usage permit hereunder shall file a request for permit to use District facilities on the appropriate reservation form provided by the District. All requests must be filed with the District along with the required facility usage deposit, usage fees, proof of appropriate insurance coverage, and fees for other services at least ten (10) working days prior to the actual event date. The Parks and Recreation Director, under direction of the Board, may impose additional conditions for approval.

**Rule 45.03. FACILITY USAGE FEES.** Facility usage fees, as established and adopted by the District Board shall be charged for and must accompany each facility usage permit request required hereunder for said facility usage permit request to be fully and properly executed by the District.

**Rule 45.03.a FEE STRUCTURE DEFINITIONS.** The District shall identify the following fee structure definitions when charging customers for use of facilities:

A "Non-Profit Group" shall be defined as any group or organization, which can supply proof of non-profit status via the Internal Revenue Service code. Other Governmental entities shall be considered as falling within the guidelines of this definition.

A "Vendor" shall be defined as an individual or organization, approved by the District Board of Directors, that has a fully executed vendor contract for use of District facilities.

A "Private Citizen/Business" shall be defined as other potential users not fitting within the "non-profit group" or "vendor" definition.

An "Event Host" shall be defined as a District employee who has received training regarding use of District facilities for outside events. Event hosts are required for all events except those taking place at Azalea Hall concurrently with McKinleyville Senior Center events or at District facilities for those events sponsored by a District approved vendor.

**Rule 45.03.b. FACILITY USE FEES.** The District shall charge the following rates for use of a District-owned facility for each use specified below:

### ACTIVITY CENTER

Non-Profit Groups/Vendors  
Private Citizen/Business

\$24.00/hour  
\$34.00/hour



AZALEA HALL-ENTIRE FACILITY

Non-Profit Groups/Vendors	\$41.00/hour
Private Citizen/Business	\$54.00/hour

AZALEA HALL-HEWITT ROOM

Non-Profit Groups/Vendors	\$31.00/hour
Private Citizen/Business	\$39.00/hour
All Day Rate	\$346.00
Half Day Rate	\$203.00

AZALEA HALL-MEETING ROOM

Non-Profit Groups/Vendors	\$11.00/hour
Private Citizen/Business	\$15.00/hour

LIBRARY CONFERENCE ROOM

Non-Profit Groups/Vendors	\$18.00/hour
Private Citizen/Business	\$20.00/hour

PARKS

Special Events Only	\$58.00/day
Large Scale Community Events	\$110.00/day
Commercial Events	\$220.00/day

SPECIAL EVENT SERVICES

Event Setup

Events with less than 100 persons	\$57.00
Events with 101-200 persons	\$79.00
Events with more than 200 persons	\$100.00

Event Cleanup

Events with less than 100 persons	\$100.00
Events with 101-200 persons	\$125.00
Events with more than 200 persons	\$150.00

**Rule 45.03.c. EVENT SERVICES FEES.** The District shall charge a fee of \$15 per hour for an event host for those events requiring such a host. The minimum charge shall be two hours. Other events service fees shall be determined each year and are based on the direct expense associated with providing said service. Such event fees shall be established and adopted by the Board.

**Rule 45.03.d. RECREATION PROGRAM FEES.** The District shall charge participants program fees based on the direct expenses associated with each individual program. Program fees shall be determined each year and as programs are added to the Department's current services index. Program fees shall be established and adopted by the Board prior to registration being accepted for said programs.

**Rule 45.04. DEPOSIT.** A facility usage deposit, as established and adopted by the District Board must accompany each facility usage permit request for any facility usage permit required hereunder. The facility usage deposit shall be refunded to the applicant within fifteen working days if the facility is restored to pre-use conditions. If District cleanup is required to restore the facility to pre-use conditions or damage is noted to the facility, any refund will be less the expense associated with returning the facility to pre-use conditions.

**Rule 45.04.a. FACILITY USE DEPOSIT FEES.** The District shall charge a \$100 deposit for events, which qualify and are defined as special events. The District shall charge a \$200 deposit for events, which qualify and are defined as large-scale community events.

**Rule 45.05. INSURANCE.** A facility usage permit request shall not be considered fully executed unless the individual or organization seeking issuance of a facility usage permit obtains and furnishes liability coverage for the event, which is acceptable to the District. The Parks and Recreation Director may impose additional conditions for approval.

**Rule 45.06. PERMITS FOR USE OF FACILITIES.** The District shall only grant a facility usage permit for organized use of a facility when each of the following findings can be made:

- (a) The requested area of the recreation and parks system for which the facility is located within is available during the period for which the facility usage permit is requested;
- (b) The expected attendance does not exceed the capacity of the facility or area.
- (c) The use for which the facility usage permit is sought complies with the use established for the facility or area requested.

**Rule 45.07. USE OF SOUND AMPLIFICATION SYSTEM.** The District shall only grant permission for use of any sound amplification system when each of the following findings can be made:

- (a) The individual or organization seeking permission for use of a sound amplification system must file, with the District, a facility usage permit request for the facility in which use of the sound amplification system is requested.
- (b) The sound amplification system proposed will not unduly inconvenience or disturb neighboring properties or other recreation and parks system facility users.
- (c) The maximum noise from use of the sound amplification system complies with Humboldt County's Noise Regulations;
- (d) The use for which permission is sought complies with the use established for the facility or area requested.

For those events at which sound amplification systems are utilized, the following requirements shall also be required:

- (a) A District supervisor will be assigned to be present throughout the event.

**Rule 45.08. SALE OR SERVICE OF ALCOHOLIC BEVERAGES.** The District shall only grant permission for sale or service of alcoholic beverages when each of the following findings can be made:

- (a) The individual or organization seeking permission for sale or service of alcoholic beverages must file, with the District, a facility usage permit request for the facility in which the sale of alcoholic beverages is requested.
- (b) If applicable, the individual or organization seeking permission has a valid permit from the Alcohol Beverages Commission to sell alcohol.
- (c) If applicable, the individual or organization seeking permission has secured outside security services.
- (d) The use for which permission is sought complies with the use established for the facility or area requested.

For those events at which alcohol is served or sold, the following requirements shall also be required:

- (a) A District supervisor will be assigned to be present throughout the event.
- (b) Facilities will not be rented for events at which the consumption of alcoholic beverages will be a principal activity.

**Rule 45.09. USE OF DISTRICT-OWNED EQUIPMENT.** The District shall make available to individuals or organizations recreation-related equipment, which can be

utilized for outdoor use. District shall only grant permission for use of District-owned equipment when each of the following findings can be made:

- (a) The individual or organization seeking permission for use of District-owned equipment must be requesting said equipment in conjunction with an event at a District facility which is being sponsored by the individual or organization;
- (b) The Individual or organization must file, with the District, a facility usage permit request for the facility in which the equipment will be utilized;
- (c) The requested equipment is available during the period for which use of the equipment is requested.
- (d) The individual or organization requesting use of MCSD-owned equipment furnishes the District with appropriate liability coverage.

**Rule 45.10. APPEALS.** An appeal of the action of District staff on any Facility Use Permit pursuant to this regulation must be in writing and filed by or on behalf of the individual or organization seeking the facility usage permit, within (10) days after the action of District staff on the facility usage permit request. The appeal shall set forth in detail the factual and legal basis of the appeal. The Board of Directors shall consider and act on the appeal within forty-five (45) days after the appeal is filed. The individual or organization filing the appeal shall be entitled to submit oral or written evidence to the Board in support of the appeal. Action of the Board of Directors on the appeal shall be final.

First reading: December 15, 2010

Upon second reading on December 29, the foregoing ordinance will be duly accepted for implementation effective on February 1, 2011.

On a motion by Director \_\_\_\_\_ seconded by Director \_\_\_\_\_, the foregoing ordinance is duly accepted on second reading this 29<sup>th</sup> day of December 2010 by the following polled vote:

AYES:

NOES:

ABSENT:

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Helen Edwards, President, MCSD Board of Directors

Attest: I, Sharon Denison, Secretary to the Board of Directors of the McKinleyville Community Services District, hereby certify that the foregoing is a full, true and correct copy of the ordinance duly adopted this 29<sup>th</sup> day of December 2010.

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Secretary to the Board of Directors

**MINUTES OF THE REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT  
HELD ON WEDNESDAY, NOVEMBER 17, 2010 AT 7:00PM AT AZALEA HALL,  
1620 PICKETT ROAD, MCKINLEYVILLE**

The regular meeting of the Board of Directors of McKinleyville Community Services District convened at 7:00pm with the following Directors and staff in attendance:

Helen Edwards, Board President  
Dennis Mayo, Vice President  
David Couch, Director  
Bill Wennerholm, Director

Norman Shopay, General Manager  
Gregory Orsini, Operations Director  
Jason Sehon, Park & Recreation Director  
Steve Edmiston, Finance Director  
Sharon Denison, Board Secretary

**AGENDA ITEM A-CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE, ADDITIONS TO THE AGENDA:**

At 7:00pm President Edwards called the meeting to order with Directors, Couch, Mayo and Wennerholm present. Director Corbett was absent. There were no additions to the agenda. Boy Scout Troop 99 led the pledge of allegiance.

**AGENDA ITEM B-APPROVAL OF THE AGENDA:**

**MOTION:** It was moved to approve the agenda. Motion by Couch; second by Mayo.

**MOTION VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion passed-4 AYES; 0 NAYS

**AGENDA ITEM C-PUBLIC HEARINGS:**

**C.1-CONSIDER REFORMATION OF CENTRAL AVENUE OPEN SPACE ZONE:** Park and Recreation Director Sehon briefly reviewed the details of this zone reformation and the process for tally of the ballots this evening. President Edwards announced that this was the last chance for the public to add or remove a ballot and that the ballot count would be done in the senior room and the public was welcome to observe the process. Finance Director Edmiston and Customer Service Representative David Baldosser left to count the ballots at 7:06PM. At 8:39PM staff members Edmiston and Baldosser returned to the meeting. Finance Director Edmiston passed out a record of the vote to the Board and Secretary and announced that that the Central Avenue Reformation Zone was passed with 21 votes totaling \$698.22 and 53.77% of the vote. The 17 no votes received totaled \$600.26 and 46.23% of the vote.

**MOTION:** It was moved to adopt Resolution 2010-22 approving the reformation of Central Avenue Open Space Zone #6. Motion by Wennerholm; second by Couch.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion passed-4 AYES; 0 NAYS

**AGENDA ITEM D-CONSENT CALENDAR:**

1. Consider approval of minutes of the Board of Directors' Regular Meeting of October 20, 2010
2. Consider approval of October 2010 Treasurer's Report
3. DCV Violations for October

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( In accordance w/Robert's Rules of Order, 10<sup>th</sup> edition, Pg. 451, Section 48: "Unless the minutes are to be published, they should contain mainly a record of what was done at the meeting, not what was said by the members".)

**MOTION:** It was moved to approve all the consent calendar items. Motion by Wennerholm; second by Couch.

**MOTION VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion passed-4 AYES; 0 NAYS

**AGENDA ITEM E.1-REVIEW OF EAGLE SCOUT PROJECT AT PARKSIDE TRAIL OPEN SPACE MAINTENANCE**

**ZONE:** Park & Recreation Director Sehon briefly summarized the project just completed by Eagle Scout Tyler Durbin. Tyler addressed the Board and gave a presentation and described how the project came together, with 36 members of the community helping and thanked the business's that donated materials to complete the project. The Board thanked Tyler Durbin and the Eagle Scouts for their support of District projects now and in the past.

**AGENDA ITEM E.2-PRESENT "COMMUNITY BUILDER AWARD" TO MAD RIVER ROTARY AND THE**

**FRIENDS OF THE MCKINLEYVILLE LIBRARY:** General Manager Shopay explained that this award was being presented to the two groups this month who worked very hard as a team to fund the McKinleyville Library expansion that was just completed. Park & Recreation Director Sehon reported that the awards were being presented to the Mad River Rotary and the Friends of the McKinleyville Library. He explained that the Mad River Rotary had just donated \$10,000 to the library expansion and have helped fund many other projects in the community. He added praise to the Friends of the McKinleyville Library for their fundraising for the expansion. President Edwards presented the Mad River Rotary award to Director Wennerholm representing the Rotary and to Amy Dougan, President of the Friends of the McKinleyville Library. President Edwards thanked both groups on behalf of the District and MCSD employee Eric Jones who acted as Project Manager for the expansion.

**AGENDA ITEM E.3-CONSIDER ADOPTION OF RESOLUTION RECOGNIZING, HONORING, AND COMMENDING GREGORY ORSINI FOR HIS TWENTY (20) YEARS OF SERVICE AT MCSD:**

General Manager Shopay invited Gregory Orsini to the podium and read the Resolution honoring him for 20 years of service to the District. The Board, public and District employees expressed their appreciation for Operations Director Orsini. Mr. Orsini gave a short speech, thanked everyone and accepted his award.

**MOTION:** It was moved to approve Resolution 2010-17 to recognize and honor Gregory Orsini for twenty years of service to the District. Motion by Wennerholm; second by Mayo.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion Passed-4 AYES; 0 NAYS

**AGENDA ITEM E4-CONSIDER ADOPTION OF RESOLUTION RECOGNIZING, HONORING, AND COMMENDING JEFF DRIVER FOR HIS 15 YEARS OF SERVICE ON THE MCSD RECREATION COMMITTEE:**

Park & Recreation Director praised Jeff Driver for his fifteen years working on the Recreation Advisory Committee and his many accomplishments. President Edwards presented his award and thanked him for all his hard work for the District.

**MOTION:** It was moved to approve Resolution 2010-21 to commend Jeff Driver for serving the MCSD Recreation Advisory Committee for fifteen years. Motion by Wennerholm; second by Couch.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion passed-4 AYES; 0 NAYS

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( In accordance w/Robert's Rules of Order, 10<sup>th</sup> edition, Pg. 451, Section 48: "Unless the minutes are to be published, they should contain mainly a record of what was done at the meeting, not what was said by the members".)

**AGENDA ITEM E5-CONSIDER ADOPTING RESOLUTION MODIFYING MCSD PAID PORTION OF MEDICAL HEALTH BENEFITS AND PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS) CONTRIBUTIONS FOR NEW EMPLOYEES THAT JOIN THE DISTRICT AFTER ADOPTION OF THE RESOLUTION:**

General Manager Shopay reviewed the proposal that would affect only new employees hired by the District and the potential fiscal impact. There was a brief Board discussion after which President Edwards opened public input and thirteen people addressed the Board, with three in support of the proposal, but the majority were MCSD employees who were not in favor of the proposal. President Edwards closed public input. There was an extensive Board Discussion with the Directors expressing their concerns and hearing all the public input.

**MOTION:** It was moved to approve Resolutions 2010-19, 2010-20, 2010-23 and 2010-24 to change the costs for health benefits and PERS contributions for new employees. Motion by Wennerholm; second by Mayo.

**MOTION VOTE: ROLL CALL VOTE:** Ayes: None Nays: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion failed-0 AYES; 4 NAYS

**AGENDA ITEM E6-CONSIDER ALLOWING RESERVATIONS FOR THE FALL/WINTER 2010/2011 PLANTING PERIOD AT THE COMMUNITY GARDEN:**

**MOTION:** It was moved to approve staff recommendations of the continuation of a fall/winter community garden for 2010/2011. Motion by Wennerholm; second by Couch.

**MOTION VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion passed-4 AYES; 0 NAYS

**AGENDA ITEM E7-CONSIDER ADOPTING MUTUAL AID RESOLUTION TO PROVIDE EMERGENCY WATER TO CITY OF ARCATA THROUGH THE PIPELINE TO BE CONSTRUCTED IN THE NORTH BOUND SPAN OF THE NEW MAD RIVER BRIDGE:**

**MOTION:** It was moved to approve Resolution 2010-18 to provide mutual aid in the event that an emergency water supply is needed between the City of Arcata and MCSD. Motion by Mayo; second by Wennerholm.

**MOTION VOTE: ROLL CALL VOTE-** Ayes: Mayo, Wennerholm, Edwards Abstain: Couch

**MOTION SUMMARY:** Motion passed-3 AYES; 0 NAYS; 1 ABSTAIN

**AGENDA ITEM E8-RESULTS OF CUSTOMER LEAD AND COPPER LABORATORY TEST RESULTS FOR 2010:**

Operations Director Orsini reviewed the results from the lead and copper testing recently completed for MCSD customer volunteers. He reported that all samples tested were well below any of the established action levels. He added that staff was in the process of negotiations with the Regional Water Quality Control Board to update our discharge permit and hoped to bring information to the Board in December regarding the outcome.

**AGENDA ITEM F-REPORTS:**

**F1a-RAC:** Director Couch had nothing to report.

**F1b-McK Area Fund:** President Edwards reported they would be meeting in February.

**F1c-RREDC:** President Edwards reported no new RREDC activity other than loan approvals.

**F1d-McK Senior Center:** Director Wennerholm reported the seniors had not met.

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( In accordance w/Robert's Rules of Order, 10<sup>th</sup> edition, Pg. 451, Section 48: "Unless the minutes are to be published, they should contain mainly a record of what was done at the meeting, not what was said by the members".)



**F1e-Audit:** President Edwards reported the audit committee will schedule a meeting when the draft audit reports are received and Director Corbett is available.

**F1f-Water Task Force:** Director Mayo had nothing to report other than the appointment of Sherry Woo to fill the vacancy on the HBMWD Board.

**F1g-AdHoc No Drugs & Toxics down the Drain:** Director Mayo had nothing to report.

**F2a-Support Services Department:** Finance Director Edmiston called the Boards' attention to his staff report explaining why the October water sales were below expectations.

**F2b-Operations Department:** Operations Director Orsini reported that October marked the end of the pumping season, referring to his staff report in the packet showing that July had the highest monthly total of 66 million gallons.

**F2c-Park & Recreation Department:** Park and Recreation Director Sehon reported that staff has completed the handicap access to the Bocce Ball Courts and will consider similar access to the Community Garden.

**F2d-General Manager:** General Manager Shopay had nothing to add to his report included in the packet.

**F3-Chairman's Report:** President Edwards reported that she had an interesting interaction with the County regarding a proposed round-about on School Road and was keeping busy with lots of District projects.

**F4-Board Members comments, Announcements and Reports:** Director Mayo apologized for speaking over President Edwards during discussion tonight. He also acknowledged the passing of former District Director Grant Ramey as a personal and community loss.

**AGENDA ITEM G-PUBLIC COMMENT AND WRITTEN COMMUNICATIONS:** President Edwards opened public input and four members of the public addressed the Board to comment and express concerns. President Edwards closed public input.

**AGENDA ITEM H-CLOSED SESSION DISCUSSION:** no closed session

**AGENDA ITEM I-ADJOURNMENT:**

**MOTION:** It was moved to adjourn the meeting at 9:32pm. Motion by Mayo; second by Couch.

**MOTION VOTE:** Ayes: Couch, Mayo, Wennerholm, Edwards

**MOTION SUMMARY:** Motion Passed-4 AYES; 0 NAYS

Respectfully Submitted,

Sharon L. Denison,  
Board Secretary

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( In accordance w/Robert's Rules of Order, 10<sup>th</sup> edition, Pg. 451, Section 48: "Unless the minutes are to be published, they should contain mainly a record of what was done at the meeting, not what was said by the members".)

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: D.2. Consider Approval of November, 2010 Treasurer's Report**

**PRESENTED BY: Steven Edmiston, Finance Director**

**TYPE OF ACTION: Voice Vote – Consent Calendar**

**Recommendation:**

Staff Requests the Board accept the November, 2010 Treasurer's Report as presented.

**Discussion:**

The November, 2010 Treasurer's Report is attached.

**Alternatives:**

Take no action.

**Fiscal Analysis:**

See attached November, 2010 Treasurer's Report.

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

November, 2010 Treasurer's Report.



**McKinleyville Community Services District  
Treasurer's Report  
November 2010**

Page 2	Investments and Cash Flow Report
Page 3	Capital Expenditure Report
Page 4	Activity Summary by Fund
Page 6	Selected Graphic Comparisons
Page 12	Consolidated Balance Sheets
Page 13	Debt Summary
Page 15	Cash Disbursement Report

**McKinleyville Community Services District**  
**Investments and Cash Flow Report**  
**November 2010**

General Disbursement and Money Market Account:			
Beginning Balance		460,447.54	
Utility Billing (inc. \$44,614.06 in CC, EFT, web pay)	247,295.90		
New Services & Capacity Fees: Water	2,565.97		
New Services & Capacity Fees: Sewer	29,259.52		
Money Market Account Interest	74.04		
Other Cash Receipts	160,691.07		
Transfer from Humboldt Co. #2560	<u>0.00</u>		
Total Cash Receipts		439,886.50	
Cash Expenditures:			
Payroll, Taxes, etc.	(128,974.48)		
Capital Expenditures	(185,548.27)		
Debt Service	(4,644.48)		
Other Expenditures	<u>(155,407.77)</u>		
Total Cash Expenditures		<u>(474,575.00)</u>	Estimated Annual Interest Rate
Total Cash in Umpqua Bank		425,759.04	0.64%
Petty Cash & Change Funds		940.00	
Investment Funds:			
LAIF	126,781.14		
Interest Income	<u>0.00</u>		
Balance in LAIF		126,781.14	0.55%
Humboldt Co. #2560 - Beginning Balance	640,016.67		
Interest Income	800.02		
Secured Property Tax & Measure B Assessment	0.00		
Transfer to Operating Account	<u>0.00</u>		
Balance in Humboldt Co. #2560		640,816.69	1.50%
Humboldt Co. #4240 - Beginning Balance	5,147,237.39		
Interest Income	6,434.05		
Transfer from Fund #2560	<u>0.00</u>		
Balance in Humboldt Co. #4240		5,153,671.44	1.50%
Balance in Humboldt Co. #9390		110,584.48	
USDA Bond Reserve Fund	117,925.58		
Bond Reserve Payment	7,500.00		
Interest Income	17.58		
Debt Service Payment	<u>0.00</u>		
Balance in USDA Reserve Funds		<u>125,443.16</u>	0.21%
Total Investments		6,157,296.91	
Total Cash and Investments		6,583,995.95	
Total Cash and Investments Last Month		<u>6,603,932.80</u>	
Net Change to Cash and Investments This Month		<u>(19,936.85)</u>	
Recap:			
Cash and Cash Equivalents		5,788,207.13	
Davis-Grunsky Loan Reserve		592,110.66	
Waste Water Capital Reserve		96,555.00	
USDA Bond Reserve Fund		125,443.16	
Market Valuation Account		<u>(18,320.00)</u>	
Total Cash and Investments:		<u>6,583,995.95</u>	

**McKinleyville Community Services District**  
**Capital Expenditure Report**  
**November 2010**

	<b>November</b>	<b>YTD Total</b>	<b>FY 11 Budget</b>	<b>Remaining Budget</b>	<b>Budget %</b>
<b>Water Department</b>					
Ramey Pump Upgrades	135,183	428,274	1,100,000	671,726	61%
Emergency Water Line River Crossing	-	-	200,000	200,000	100%
Murray Road Tank	-	-	80,000	80,000	100%
Meter Replacements	7,282	7,282	65,000	57,718	89%
Emergency Water Supply	-	-	45,000	45,000	100%
Radio Telemetry Upgrades	-	-	20,000	20,000	100%
Misc. Replacements	1,061	8,389	9,000	611	7%
<b>Subtotal</b>	<b>143,526</b>	<b>443,945</b>	<b>1,519,000</b>	<b>1,075,055</b>	<b>71%</b>
<b>Sewer Department</b>					
WWMF Upgrade and Capital Maintenance	2,759	11,941	113,000	101,059	89%
NPDES Permit	2,821	11,765	80,000	68,235	85%
Industrial Discharge Permit	-	910	25,000	24,090	96%
Radio Telemetry Upgrades	-	-	20,000	20,000	100%
Meter Replacements	-	-	20,000	20,000	100%
Misc. Replacements	13,530	13,530	24,000	10,470	44%
<b>Subtotal</b>	<b>19,110</b>	<b>38,146</b>	<b>282,000</b>	<b>243,854</b>	<b>86%</b>
<b>Water and Sewer Operations</b>					
Dump Truck	-	-	50,000	50,000	100%
Air Compressor	16,879	16,879	17,000	121	1%
3/4 or 1 Ton Pickup	-	27,408	29,000	1,592	5%
Emergency Response Equipment and Supplies	1,537	2,373	6,000	3,627	60%
Office, Corperation Yard and Shops	-	616	36,000	35,384	98%
Computer Replacement and Upgrades	549	7,977	41,000	33,023	81%
Small Equipment & Other	-	13,357	41,000	27,643	67%
Streetlight Pole Replacements	-	-	7,000	7,000	100%
<b>Subtotal</b>	<b>18,965</b>	<b>68,610</b>	<b>227,000</b>	<b>158,390</b>	<b>70%</b>
<b>Enterprise Fund Total</b>	<b>181,601</b>	<b>550,701</b>	<b>2,028,000</b>	<b>1,477,299</b>	<b>73%</b>
<b>Parks and Recreation Department</b>					
Projects contingent upon grant funding	-	-	4,379,000	4,379,000	100%
Projects funded by Quimby/Other Funds	3,947	7,392	185,000	177,608	96%
Other Parks Projects & Equipment	-	7,900	65,000	57,100	88%
<b>General Fund Total</b>	<b>3,947</b>	<b>15,292</b>	<b>4,629,000</b>	<b>4,613,708</b>	<b>100%</b>
<b>All Funds Total</b>	<b>185,548</b>	<b>565,993</b>	<b>6,657,000</b>	<b>6,091,007</b>	<b>91%</b>

# McKinleyville Community Services District

## Activity Summary by Fund

November 2010

### Department Summaries

#### Water:

Water Sales	112,344	762,665	828,292	(65,627)	-7.92%	1,987,900	(1,225,235)	-61.63%	
Other Water Revenues	12,088	84,383	57,786	26,597	46.03%	138,686	(54,303)	-39.16%	
Total Operating Revenue	124,432	847,048	886,078	(39,030)	-4.40%	2,126,586	(1,279,538)	-60.17%	Other water revenues are seasonally higher due to higher developer fees during the summer months
Salaries & Benefits	58,718	289,687	296,890	7,203	2.43%	712,535	422,848	59.34%	
Water Cost	52,915	266,480	262,450	(4,030)	-1.54%	629,880	363,400	57.69%	
Other Expenses	28,590	127,281	132,789	5,508	4.15%	318,693	191,412	60.06%	
Depreciation	19,000	95,000	95,000	-	0.00%	228,000	133,000	58.33%	
Total Operating Expenses	159,223	778,448	787,129	8,681	1.10%	1,889,108	1,110,660	58.79%	

#### Net Operating Income

Net Operating Income	(34,791)	68,600	98,949	(30,349)		237,478	(168,878)		
Interest Income	2,997	15,037	20,417	5,380	26.35%	49,000	33,963	69.31%	
Interest Expense	(4,486)	(23,851)	(36,283)	12,432	-34.26%	(87,078)	(63,227)	72.61%	

#### Net Income

Net Income	(36,280)	59,786	83,083			199,400			
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#### Sewer:

Sewer Service Charges	113,154	613,045	599,143	13,902	2.32%	1,437,944	(824,899)	-57.37%	
Other Sewer Revenues	38,584	100,681	121,935	(21,254)	-17.43%	292,645	(191,964)	-65.60%	

#### Total Operating Revenue

Total Operating Revenue	151,738	713,726	721,078	(7,352)	-1.02%	1,730,589	(1,016,863)	-58.76%	
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#### Salaries & Benefits

Salaries & Benefits	52,857	289,195	296,890	7,695	2.59%	712,535	423,340	59.41%	
Other Expenses	52,696	157,422	213,240	55,818	26.18%	511,776	354,354	69.24%	
Depreciation	34,000	170,000	170,000	-	0.00%	408,000	238,000	58.33%	Sewer testing expenses are greater during the winter months when discharging treated effluent in the Mad River.

#### Total Operating Expenses

Total Operating Expenses	139,553	616,617	680,130	63,513	9.34%	1,632,311	1,015,694	62.22%	
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#### Net Operating Income

Net Operating Income	12,185	97,109	40,948	56,161		98,278	(1,169)		
Interest Income	3,480	17,643	22,917	5,274	23.01%	55,000	37,357	67.92%	Interest income is below projections due to depressed rate pressures.
Interest Expense	(6,107)	(29,954)	(26,886)	(3,068)	11.41%	(64,526)	(34,572)	53.58%	

#### Net Income

Net Income	9,558	84,798	36,979			88,752			
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### Enterprise Funds Net Income

Enterprise Funds Net Income	(26,722)	144,584	120,062			288,152			
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# McKinleyville Community Services District

## Activity Summary by Fund

November 2010

### Department Summaries

#### Parks & Recreation:

##### Programs

Rentals  
Property Tax Assessments  
Measure B Assessment  
State Bonds & Grants  
Other Revenue  
Interest Revenue

##### Total Revenue

Salaries & Benefits  
Other Expenditures  
Debt Service  
Capital Expenditures

##### Total Expenditures

#### Excess (Deficit)

#### Street Lights:

##### Total Revenue

Salaries & Benefits  
Other Expenditures  
Debt Service

##### Total Expenditures

#### Excess (Deficit)

#### Governmental Funds (Deficit)

November	FY10 YTD	YTD Budget	YTD Variance	YTD Budget	YTD Variance	%	Variance	% Year Remaining:	
								FY10 Budget	Remaining Budget
17,877	100,953	137,211	(36,258)	(36,258)	-26.42%			329,306	(228,353)
4,444	23,271	26,000	(2,729)	(2,729)	-10.50%			62,400	(39,129)
-	-	216,667	(216,667)	(216,667)	-100.00%			520,000	(520,000)
-	-	89,167	(89,167)	(89,167)	-100.00%			214,000	(214,000)
-	12,000	1,824,583	(1,812,583)	(1,812,583)	-99.34%			4,379,000	(4,367,000)
5,338	29,015	115,073	(86,058)	(86,058)	-74.79%			276,176	(247,161)
848	5,890	8,333	(2,443)	(2,443)	-29.32%			20,000	(14,110)
28,507	171,129	2,417,034	(2,245,905)	(2,245,905)	-92.92%			5,800,882	(5,629,753)
56,815	299,971	333,661	33,690	33,690	10.10%			800,787	500,816
34,546	117,567	91,309	(26,258)	(26,258)	-28.76%			219,141	101,574
-	125,682	53,282	(72,400)	(72,400)	-135.88%			127,877	2,195
-	11,345	1,928,750	1,917,405	1,917,405	99.41%			4,629,000	4,617,655
91,361	554,565	2,407,002	1,852,437	1,852,437	76.96%			5,776,805	5,222,240
(62,854)	(383,436)	10,032						24,077	
6,771	37,052	33,333	3,719	3,719	11.16%			80,000	(42,948)
2,884	15,016	14,934	(82)	(82)	-0.55%			35,841	20,825
3,805	15,917	31,763	15,846	15,846	49.89%			76,231	60,314
-	11,348	4,812	(6,536)	(6,536)	-135.83%			11,549	201
6,689	42,281	51,509	9,228	9,228	17.92%			123,621	81,340
82	(5,229)	(18,176)						(43,621)	
(62,772)	(388,665)	(8,144)						(19,544)	

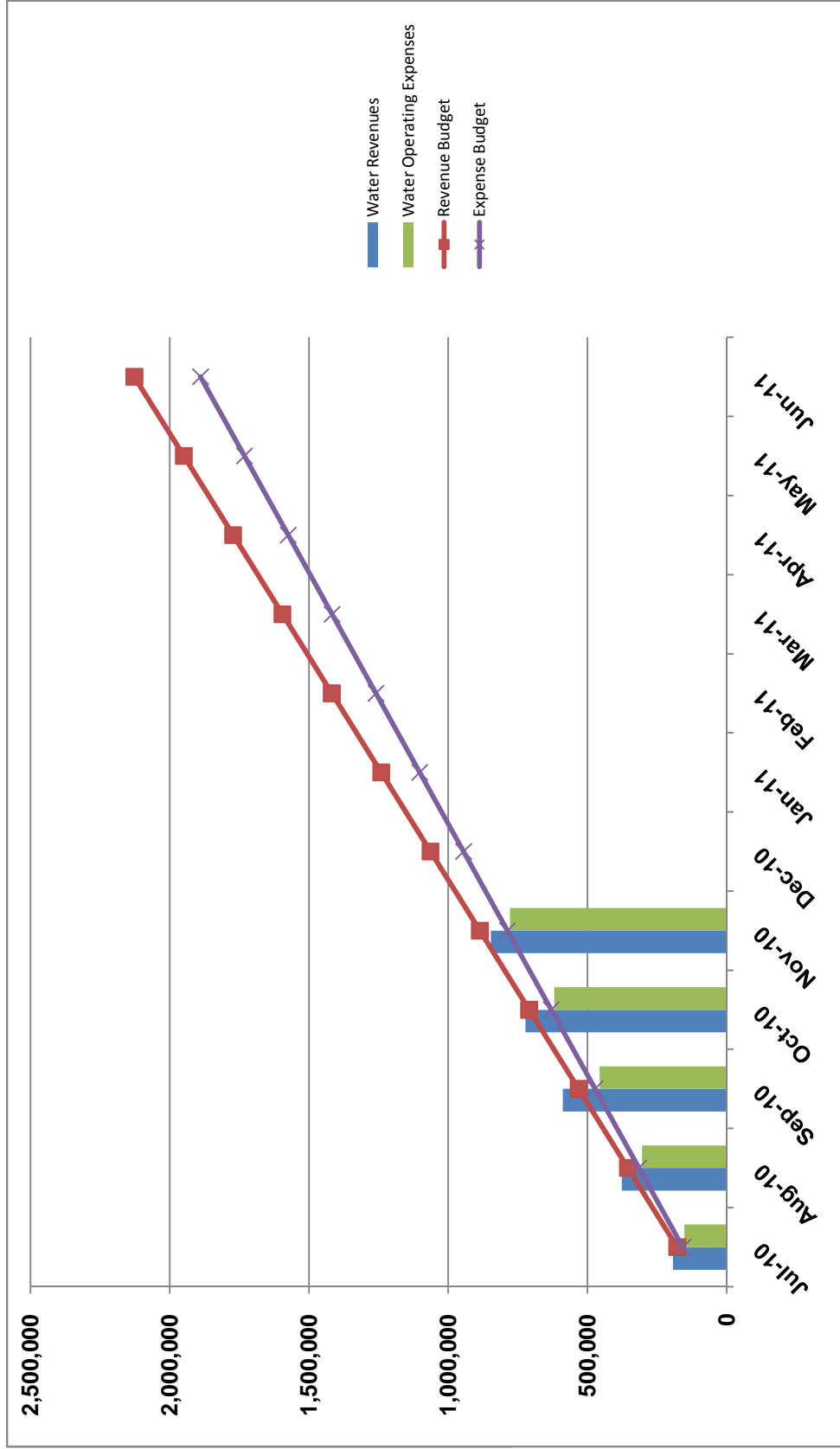
Collection of property tax and measure B assessments occur in December and April.

Principal and interest payment on outstanding debt was made in July

Principal and interest payment on outstanding debt was made in July

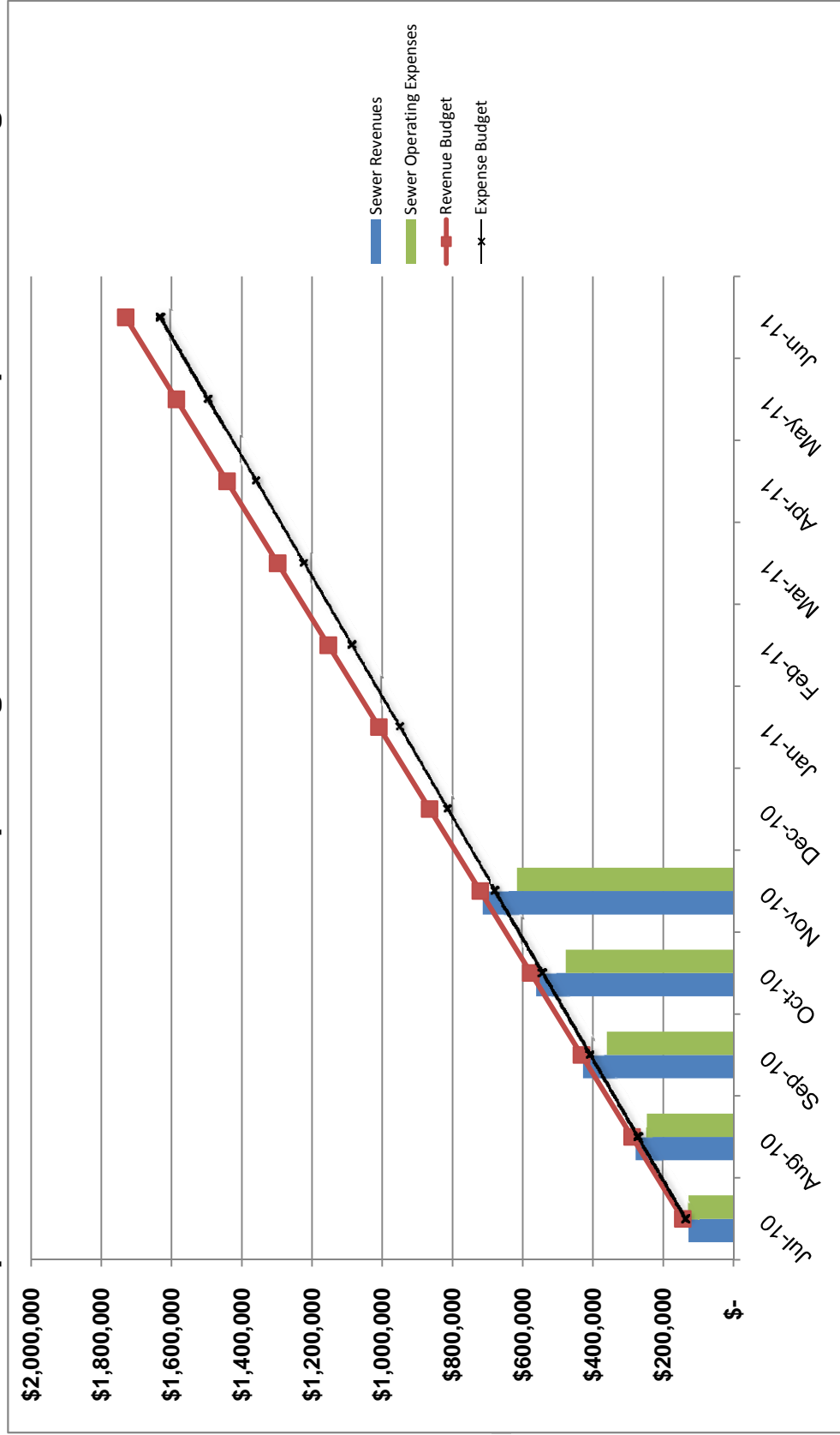
# McKinleyville Community Services District November 2010

Comparison of Water Fund Operating Revenues and Expenses to Budget



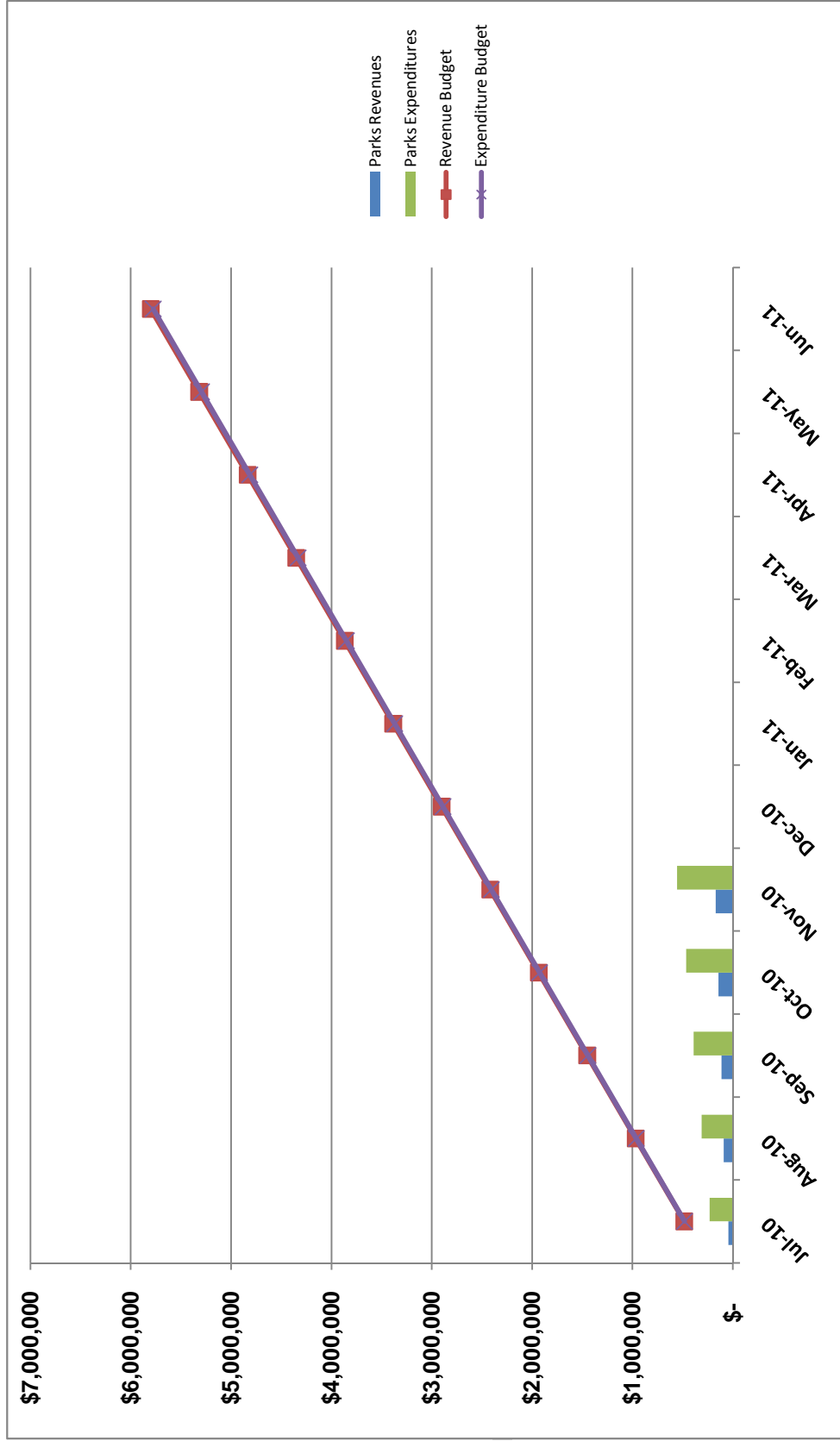
# McKinleyville Community Services District November 2010

## Comparison of Sewer Fund Operating Revenues and Expenses to Budget



# McKinleyville Community Services District November 2010

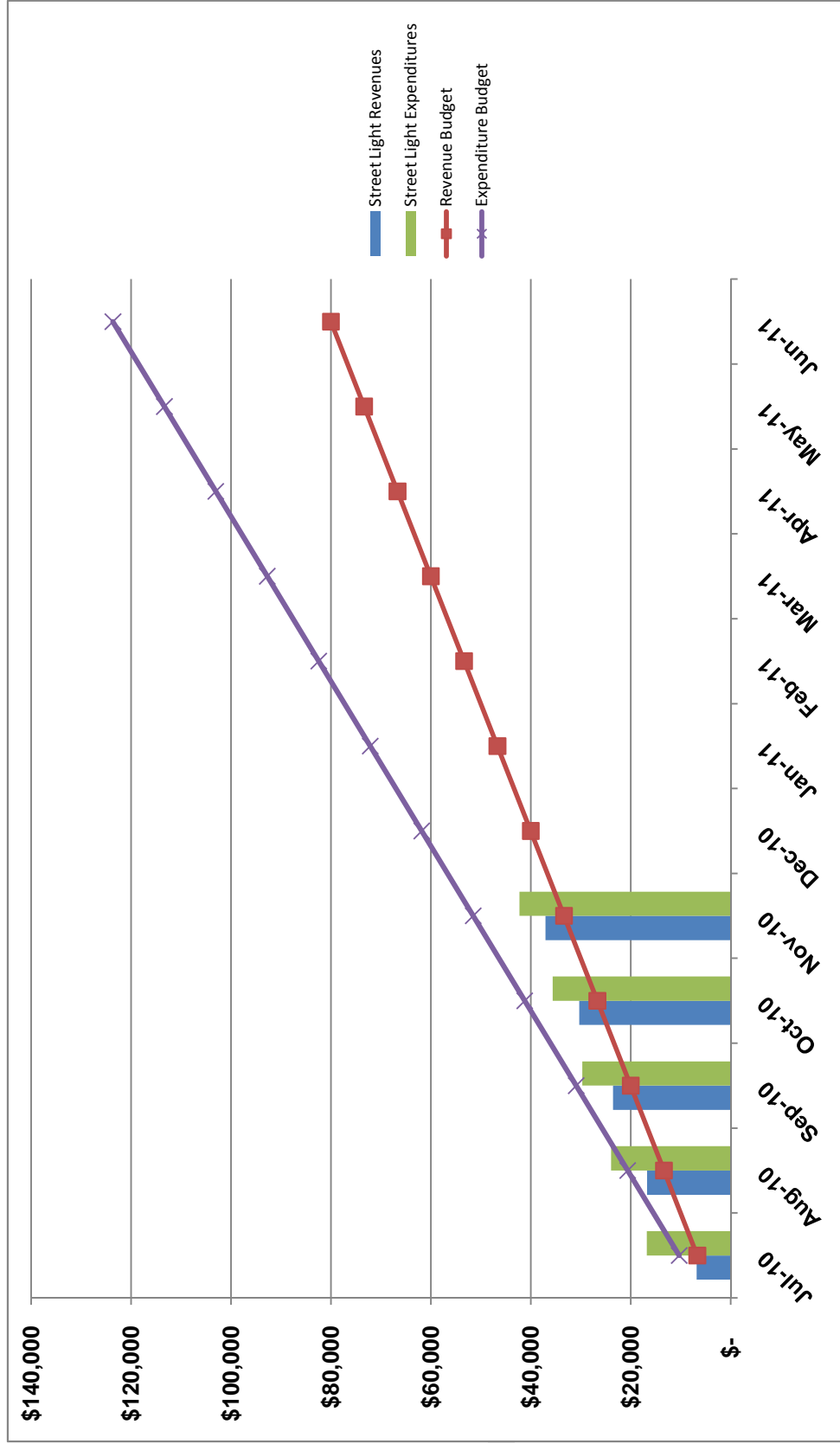
## Comparison of Parks Operating Revenues and Expenditures to Budget



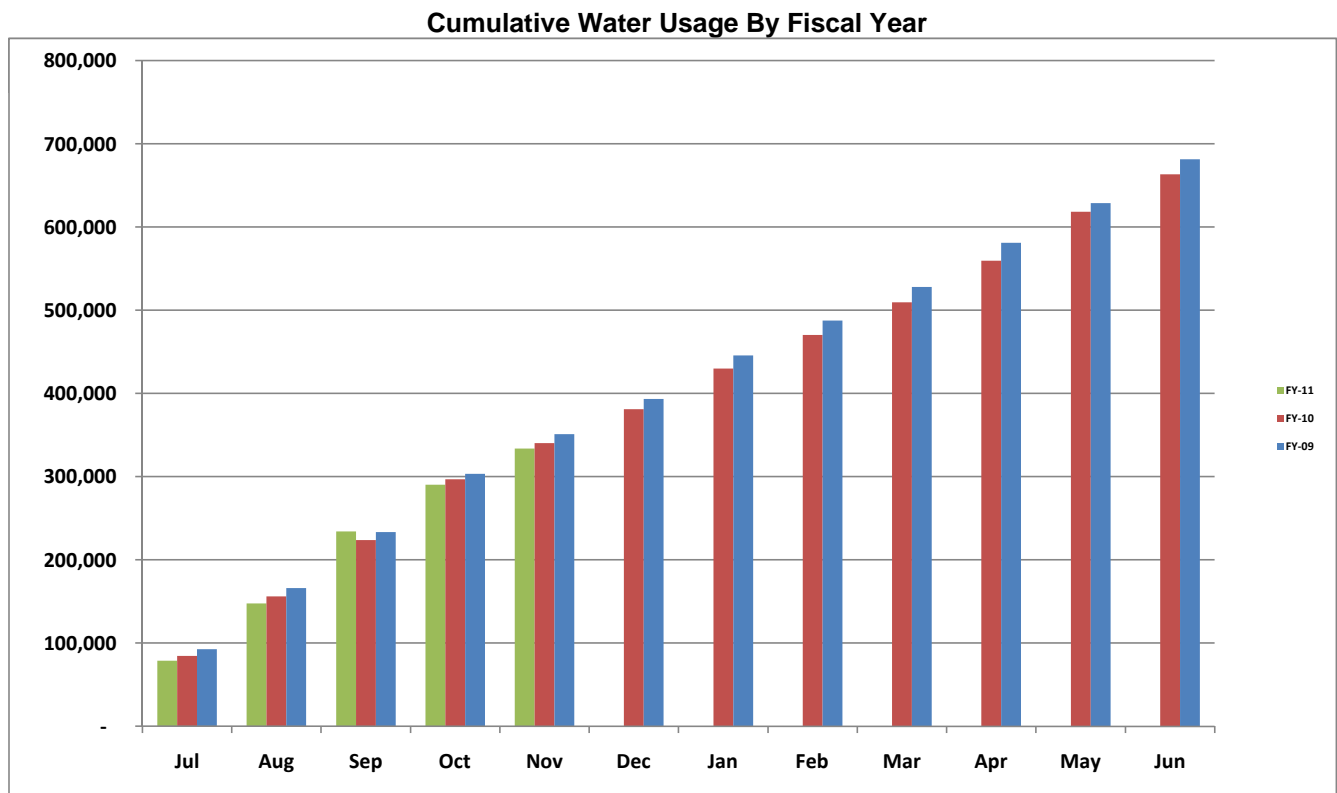
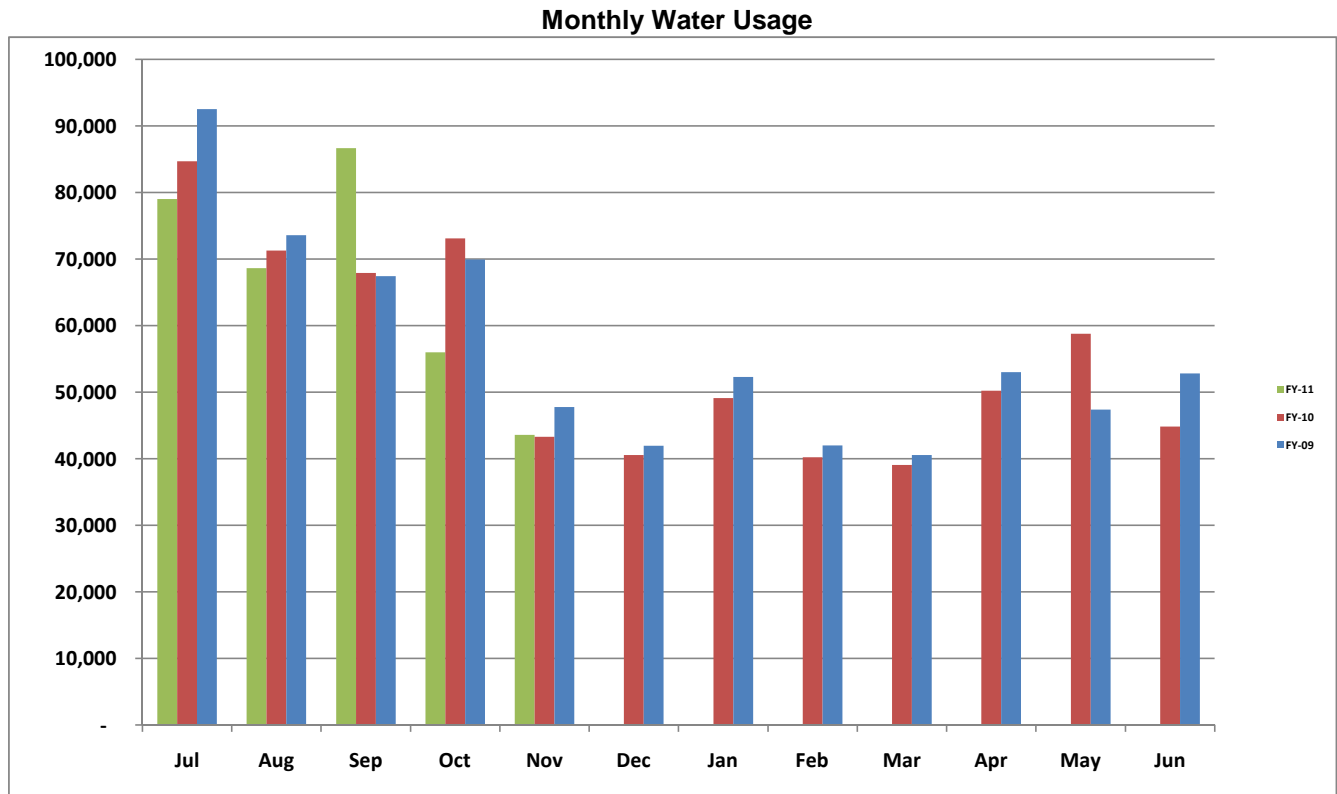


# McKinleyville Community Services District November 2010

## Comparison of Street Light Fund Revenues to Budget

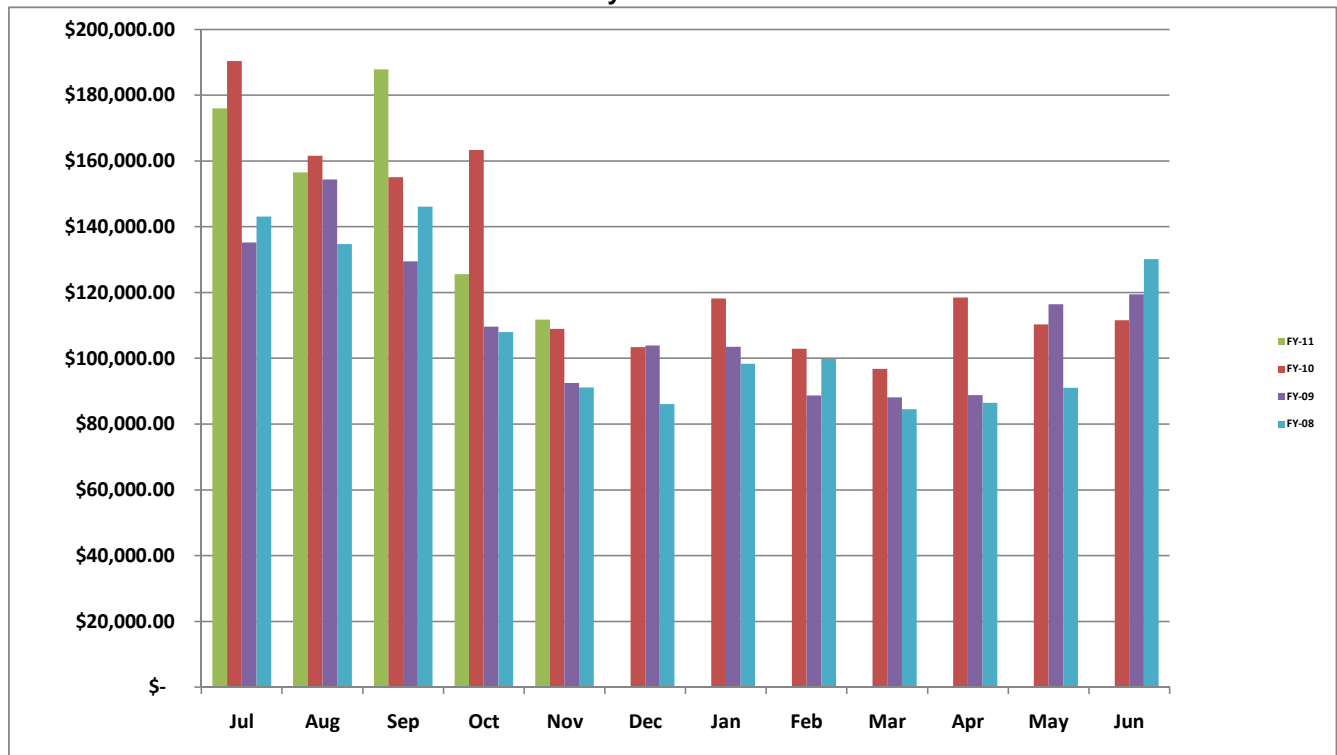


**McKinleyville Community Services District**  
**Analysis of Water Volume Usage by Fiscal Year**

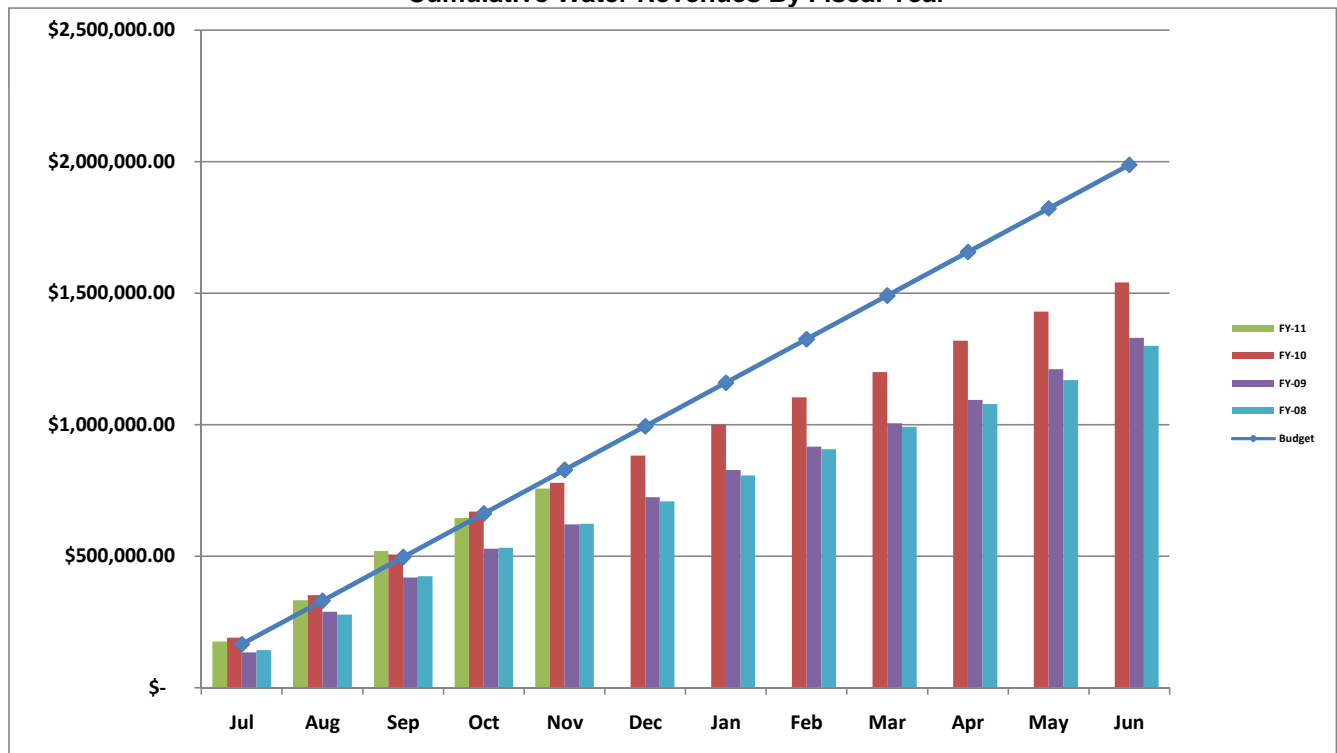


# McKinleyville Community Services District Analysis of Water Revenues by Fiscal Year

Monthly Water Revenues



Cumulative Water Revenues By Fiscal Year



**McKinleyville Community Services District**  
Consolidated Balance Sheet by Fund  
as of November 30, 2010

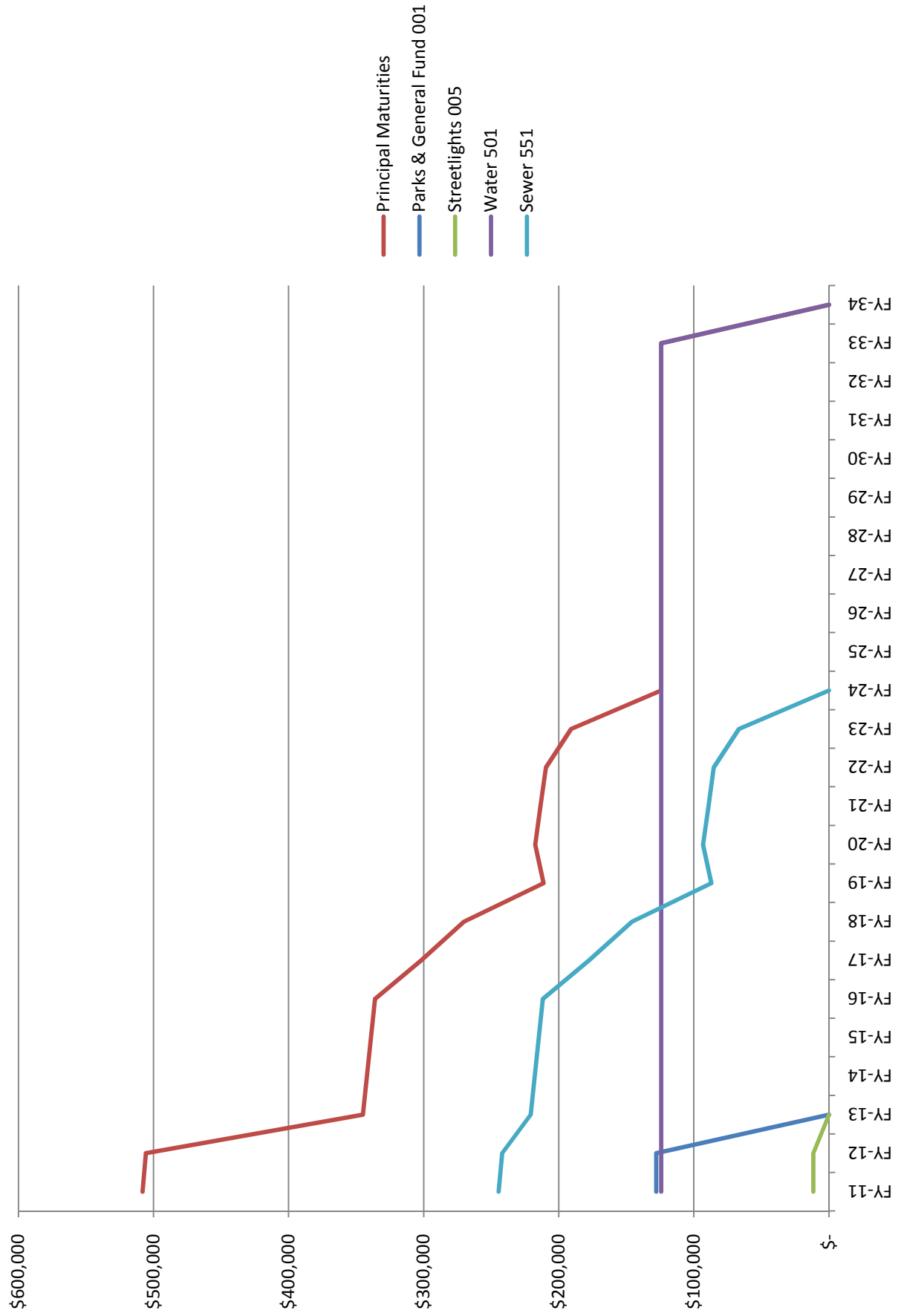
					Total (Memorandum Only)
<b><u>ASSETS</u></b>					
Unrestricted cash and cash equivalents				Sewer	
Receivable from utility ratepayers				Water	
Prepaid and other current assets				Streetlights	
Total current assets				Parks & General	
Total noncurrent assets					
<b>TOTAL ASSETS</b>					
<b><u>LIABILITIES AND FUND BALANCE &amp; RETAINED EARNINGS</u></b>					
Accrued payroll and related liabilities					
Trade and other current liabilities					
Total current liabilities					
Long term debt and noncurrent liabilities					
<b>TOTAL LIABILITIES</b>					
Fund balance & retained earnings					
Current earnings					
<b>TOTAL FUND BALANCE &amp; RETAINED EARNINGS</b>					
<b>TOTAL LIABILITIES AND FUND BALANCE &amp; RETAINED EARNINGS</b>					
<b><u>INVESTMENT IN GENERAL FIXED ASSETS</u></b>					
WestAmerica Bank Obligation					
OPEB Liability					
Accrued Compensated Absences					
<b>TOTAL GENERAL LONG TERM DEBT</b>					

**McKinleyville Community Services District**  
**Summary of Long-Term Debt**

			Principal Maturities and Scheduled Interest								
	Maturity %	Balance - July 1, 2010	Date	FY-11	FY-12	FY-13	FY-14	FY-15	FY-16	FY-17	
WestAmerica Bank Interest	3.5%	324,201.20	8/1/11	159,263.84	164,937.36	-	-	-	-	-	
				8,559.92	2,886.40	-	-	-	-	-	
State of California WRCB (SCEP I) Interest	0.0%	245,520.60	4/15/16	40,920.10	40,920.10	40,920.10	40,920.10	40,920.10	40,920.10	-	
State of California WRCB (SCEP II) Interest	2.6%	199,222.15	3/27/18	22,726.56	23,329.99	23,924.03	24,546.06	25,184.26	25,844.70	26,511.01	
				5,179.78	4,576.35	3,982.31	3,360.28	2,722.08	2,061.64	1,395.33	
Umpqua Bank Interest	5.5%	341,674.66	12/4/17	37,887.27	40,024.42	42,282.10	44,667.13	47,186.72	49,848.42	52,660.26	
				17,846.49	15,709.34	13,451.66	11,066.63	8,547.04	5,885.34	3,073.50	
Sewer Bond (USDA) Interest	5.0%	855,000.00	8/1/22	50,000.00	50,000.00	60,000.00	60,000.00	60,000.00	60,000.00	70,000.00	
				41,500.00	39,000.00	36,250.00	33,250.00	30,250.00	27,250.00	24,000.00	
Davis Grunsky Interest	2.5%	2,153,395.10	1/1/33	70,408.22	72,168.43	73,972.64	75,821.96	77,717.50	79,660.44	81,651.96	
				53,834.88	52,074.67	50,270.46	48,421.14	46,525.60	44,582.66	42,591.14	
Total				508,127.06	505,627.06	345,053.30	342,053.30	339,053.30	336,053.30	301,883.20	
Principal & Interest Recap:											
Principal Interest		4,119,013.71		381,205.99	391,380.30	241,098.87	245,955.25	251,008.58	256,273.66	230,823.23	
				126,921.07	114,246.76	103,954.43	96,098.05	88,044.72	79,779.64	71,059.97	
Recap by Fund:											
Parks & General Fund (001)		247,041.31		127,881.71	127,881.71	-	-	-	-	-	
Streetslights (005)		22,305.04		11,546.27	11,546.27	-	-	-	-	-	
Water Fund (501) Interest		2,153,395.10		70,408.22	72,168.43	73,972.64	75,821.96	77,717.50	79,660.44	81,651.96	
				53,834.88	52,074.67	50,270.46	48,421.14	46,525.60	44,582.66	42,591.14	
				124,243.10	124,243.10	124,243.10	124,243.10	124,243.10	124,243.10	124,243.10	
Sewer Fund (551) Interest		1,696,272.25		179,929.71	182,670.29	167,126.23	170,133.29	173,291.08	176,613.22	149,171.27	
				64,526.27	59,285.69	53,683.97	47,676.91	41,519.12	35,196.98	28,468.83	
				244,455.98	241,955.98	220,810.20	217,810.20	214,810.20	211,810.20	177,640.10	
Total				508,127.06	505,627.06	345,053.30	342,053.30	339,053.30	336,053.30	301,883.20	

Not included is the Water Fund's ARRA loan of \$165,100 (15 yr. 1%) which has yet to be received.

## Debt Service by Fiscal Year



REPORT.: Dec 06 10 Monday  
 RUN....: Dec 06 10 Time: 09:22  
 Run By.: STEVEN EDMISTON

McKinleyville C.S.D.  
 Cash Disbursement Detail Report  
 Check Listing for 11-10 Bank Account.: 10011

PAGE: 001  
 ID #: PY-DP  
 CTL.: MCK

Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
8283	11/19/10	STA10	Citistreet	-2318.51	.00	-2318.51	B01119u Ck# 008283 Reversed
022371	11/04/10	AGS01	AG SALES	390.45	.00	390.45	70666 GLASS, LATCH & ROD
022372	11/04/10	ATT01	AT&T	450.62	.00	450.62	B01104 TELEMETRY
022373	11/04/10	BAY02	BAY WEST SUPPLY, INC.	1321.53	.00	1321.53	B01104 JANITORIAL SUPPLIES FOR O
022374	11/04/10	C&S01	C & S FIRE-SAFE SERVICES	445.00 -445.00	.00 .00	445.00 -445.00	31824 EXHAUST SYSTEM CLEANING 31824u Ck# 022374 Reversed
			Check Total.....:	.00	.00	.00	
022375	11/04/10	CAM01	CAMPTON ELECTRIC SUPPLY	320.10	.00	320.10	B01104 ST. LIGHT BULBS
022376	11/04/10	CAS01	CASH	314.61	.00	314.61	B01104 REPLENISH P/C-JOB POSTING
022377	11/04/10	CHA05	MARK CHAFE	60.00	.00	60.00	B01104 OFFICIATING 4 FUTSAL GAME
022378	11/04/10	COS03	COSTCO WHOLESALE	98.04	.00	98.04	B01104 KIDSCUB & CONCESSION SUP
022379	11/04/10	CSK01	CSK AUTO, INC. (KRAGEN)	72.48	.00	72.48	412800739 SEAT COVER
022380	11/04/10	HUB02	HUB INTERNATIONAL INSURAN	293.34	.00	293.34	B01104 SPEC EVENT INS FOR AH
022381	11/04/10	HUC01	DELILAH HUCK	365.63	.00	365.63	B01104 DOG OBEDIENCE INSTRUCTOR
022382	11/04/10	HUM01	HUMBOLDT BAY MUNICIPAL WA	53998.95	.00	53998.95	B01104 WTR PURCHASED FOR OCT
022383	11/04/10	HUM08	HUMBOLDT SANITATION	829.00	.00	829.00	B01104 TRASH SERVICE FOR OCT
022384	11/04/10	IND02	Industrial Electric Serv	23.54	.00	23.54	2315 MINI LAMPS-FISCHER RD
022385	11/04/10	KER01	KERNEN CONSTRUCTION	501.74	.00	501.74	B01104 ASPHALT
022386	11/04/10	KUK01	KUKER-RANKEN, INC.	198.50	.00	198.50	366059 REPAIR GPS UNIT
022387	11/04/10	LAB01	Lab Safety Supply, Inc.	82.08	.00	82.08	10162886 TYLENOL, RESPIRATOR HALF
022388	11/04/10	LES01	LES SCHWAB TIRE CENTER	107.38	.00	107.38	B01104 BATTERY
022389	11/04/10	MAP01	MAPLESERVICE	1225.00	.00	1225.00	74888 INSTALLED GAS LINE
022390	11/04/10	MCK03	MCKINLEYVILLE OFFICE SUPP	20.47	.00	20.47	B01104 COPIES & DELIVERY
022391	11/04/10	MCK04	MCK ACE HARDWARE	835.75	.00	835.75	B01104 REPAIR SUPPLIES
022392	11/04/10	MER03	MERCER, FRASER COMPANY	102.84	.00	102.84	38843 EMULSION OIL
022393	11/04/10	MIL01	Miller Farms Nursery	843.79	.00	843.79	B01104 POLE SAW, RAKE,REPAIR TRI
022394	11/04/10	NOR36	NORTH COAST PARTS & SUPPL	172.55	.00	172.55	B01104 TOGGLE SWITCH & SILICONE
022395	11/04/10	NYL01	NYLEX.NET	45.00	.00	45.00	69132 CHECK LOGS & ADVISE ON RE
022396	11/04/10	ORE01	O'REILLY AUTOMOTIVE, INC.	47.01	.00	47.01	353710198 PARTS FOR TRAILER
022397	11/04/10	PEC03	KRISTOPHER PECKOSH	75.00	.00	75.00	B01104 OFFICIATING FUTSAL GAMES
022398	11/04/10	PGE02	PACIFIC GAS & ELECTRIC	2340.50	.00	2340.50	B01104 ST. LIGHT BILLINGS
022399	11/04/10	PRE08	PRECISION INTERMEDIA	30.00	.00	30.00	12863 OCT WEB HOSTING
022400	11/04/10	REN01	RENNER PETROLEUM	2905.31	.00	2905.31	B01104 FLEET FUEL, OIL DRUMS
022401	11/04/10	SAF04	SAFEWAY INC. FILE # 72905	21.99	.00	21.99	B01104 PARKS-CAKE 4 SKATE PARTY
022402	11/04/10	SEC03	SECURITY LOCK & ALARM	221.70	.00	221.70	69017 REKEY BUILDING KEYS
022403	11/04/10	STA11	STAPLES CREDIT PLAN	1006.48	.00	1006.48	B01104 PAPER, CALENDARS, WALL RA
022404	11/04/10	THO02	Thomas Home Center	488.53	.00	488.53	B01104 HOSE GASKET, FITTINGS, PA
022405	11/04/10	UPS01	UPS	38.08	.00	38.08	B01104 MONTHLY SAMPLE SHIPPMENT
022406	11/04/10	USP02	USPS: ARCATA BMEU	1500.00	.00	1500.00	B01104 REFILL PERMIT 202
022407	11/04/10	VER01	VERISON WIRELESS	189.07	.00	189.07	B01104 MONTHLY CELL PHONE BILLIN
022408	11/09/10	*0006	LYNDZE REYNOLDS	62.00	.00	62.00	B01108 KIDS CLUB DEPOSIT REFUND
022409	11/09/10	*0007	MAD RIVER ROTARY	100.00	.00	100.00	B01108 AZ & MAC DEPOSIT REFUND
022410	11/09/10	*0008	DEBORAH BACKMAN	100.00	.00	100.00	B01108 AZ HALL DEPOSIT REFUND
022411	11/09/10	*0009	TAWNYA ROURKE KELLY	35.00	.00	35.00	B01108 GUITAR CLASS REFUND, DROP
022412	11/09/10	*0010	AXEL BACKMAN	100.00	.00	100.00	B01108 AZ HALL DEPOSIT REFUND
022413	11/09/10	*0011	LARS OLOFSSON	100.00	.00	100.00	B01108 AZ HALL DEPOSIT REFUND

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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	Invoice #	Payment Information Description
022414	11/09/10	*0012	LEAHA MCCRANE	245.00	.00	245.00	B01108	KIDS CAMP DEPOSIT REFUND
022415	11/09/10	*0013	KARMEN DAVY	210.00	.00	210.00	B01108	KIDSCAMP DEPOSIT REFUND
022416	11/09/10	*0014	PATRICIA REEVES	80.00	.00	80.00	B01108	KIDSCAMP DEPOSIT REFUND
022417	11/09/10	ACW01	ACWA HEALTH BENEFITS AUTH	31903.17	.00	31903.17	B01108	GRP. HEALTH INS NOV 2010
022418	11/09/10	COR01	CORBIN WILLITS SYSTEMS	833.42	.00	833.42	B010151	NOV MAINT. AGREEMENT
022419	11/09/10	CWE01	CWEA	81.00	.00	81.00	B01109	MEMBERSHIP RENEWAL, MF CO
022420	11/09/10	DOW01	DOWNEY BRAND ATTORNEYS LL	3915.00	.00	3915.00	399914	LEGAL
022421	11/09/10	GIL02	ISSAC GILDEA	717.15	.00	717.15	B01109	INSTRUCTOR PAYMENT
022422	11/09/10	GUA01	THE GUARDIAN	3919.06	.00	3919.06	B01108	GRP. DENTAL INSURANCE NOV
022423	11/09/10	HAR03	HARVEY M. HARPER CO.	208.20	.00	208.20	697350	697663 MONTHLY INSPECTION
022424	11/09/10	HAR13	The Hartford - Priority A	578.56	.00	578.56	B01108	GRP. LIFE INSURANCE NOV 2
022425	11/09/10	KEY01	KEY EQUIPMENT FINANCE	314.57	.00	314.57	59128484	EQUIPMENT LEASE NOV 2010
022426	11/09/10	MCK12	MCKINLEYVILLE UNION SCHOO	1330.00	.00	1330.00	B01108	TRANSPORTATION FOR KIDS C
022427	11/09/10	NAT06	NATIONAL METER & AUTOMATI	840.00	.00	840.00	S1029336	SERVICE RENEWAL
022428	11/09/10	NOR01	NORTH COAST LABORATORIES	2404.00	.00	2404.00	B01108	LAB TESTING OCT 2010
022429	11/09/10	NOR13	NORTHERN CALIFORNIA SAFET	80.00	.00	80.00	17349	MONTHLY SUBSCRIPTION
022430	11/09/10	PGE01	PG & E (Office & Field)	14431.80	.00	14431.80	B01108	GAS & ELECTRIC OCT 2010
022431	11/09/10	SIE02	SIERRA CHEMICAL CO.	1915.34	.00	1915.34	208090	208529 CHLORINE AND CONTA
022432	11/09/10	SUD01	SUDDENLINK	173.95	.00	173.95	B01108	NOV 2010 MONTHLY INTERNET
022433	11/09/10	THO01	THOMAS & ASSOCIATES	118.57	.00	118.57	25388	PUMP PARTS
022434	11/09/10	THR02	THREE G'S HAY & GRAIN	121.93	.00	121.93	97697	LIVESTOCK FEED/ BEDDING
022435	11/09/10	TIM01	TIMES-STANDARD	137.10	.00	137.10	245662	UTILITY MAINT. WORKER JOB
022436	11/09/10	UMP02	UMPQUA BANK	1958.83	.00	1958.83	B01108	PARK-N-FLY, UNITED AIRLIN
022437	11/09/10	USB01	U.S. BANK TRUST N.A.	7500.00	.00	7500.00	001B011011	SEWER BOND PAYMENT
022438	11/09/10	WIL09	WILLDAN FINANCIAL SERVICE	8835.00	.00	8835.00	010-12519	MEASURE B
022439	11/09/10	\A009	APPLEGATE, JAMES W	80.00	.00	80.00	000B01101	MQ CUSTOMER REFUND FOR AP
022440	11/09/10	\E001	EDWARDS, SARAH	58.25	.00	58.25	000B01101	MQ CUSTOMER REFUND FOR ED
022441	11/09/10	\J005	JACOBS, ETHAN	292.79	.00	292.79	000B01101	MQ CUSTOMER REFUND FOR JA
022442	11/09/10	\K008	KOBLER, MEGAN	63.65	.00	63.65	000B01101	MQ CUSTOMER REFUND FOR KO
022443	11/09/10	\L005	LAWSON, LEIGH	27.46	.00	27.46	000B01101	MQ CUSTOMER REFUND FOR LA
022444	11/09/10	\M012	MATTHEWS, ELIZABETH	104.92	.00	104.92	000B01101	MQ CUSTOMER REFUND FOR MA
022445	11/09/10	\M013	MERCER-FRASER CO.,	131.56	.00	131.56	000B01101	MQ CUSTOMER REFUND FOR ME
022446	11/09/10	\M014	MORGAN, DAN	478.84	.00	478.84	000B01101	MQ CUSTOMER REFUND FOR MO
022447	11/09/10	\P002	PACIFIC SUNSET REALTY,	35.28	.00	35.28	000B01101	MQ CUSTOMER REFUND FOR PA
022448	11/09/10	\W012	WHEELER, JOE	414.49	.00	414.49	000B01101	MQ CUSTOMER REFUND FOR WH
022449	11/10/10	*0015	THE LOST CARAVAN	47.50	.00	47.50	B01110	AZ KIT REFUND, W/H UNPAID
022450	11/10/10	ADV04	ADVANCED DISPLAY AND SIGN	23.47	.00	23.47	505668	VEHICLE UNIT NUMBERS
022451	11/10/10	CWE01	CWEA	132.00	.00	132.00	B01110	MEMBERSHIP RENEWAL FOR JA
022452	11/10/10	DUR02	DURHAM GEO SLOPE INDICATO	45.97	.00	45.97	2063329	O-RINGS FOR INSULATOR, PO
022453	11/10/10	E&M01	E & M ELECTRIC	548.82	.00	548.82	217694	WONWARE PREMIUM SUPPORT
022454	11/10/10	ELS01	DAVID ELSEBUSCH	2.27	.00	2.27	B01110	PUBLIC RECORD REQUEST LES
022455	11/10/10	EUR05	Eureka Oxygen Co	521.31	.00	521.31	60816	INV366800 366801 366817 S
022456	11/10/10	FED01	FedEx Office	481.83	.00	481.83	8796	INV 8801 8802 APPLICATION
022457	11/10/10	IND02	Industrial Electric Serv	247.45	.00	247.45	2345	INV 2338 2333 FAST BLOW F
022458	11/10/10	KER01	KERNEN CONSTRUCTION	247.62 -247.62	.00 .00	247.62 -247.62	36759 36759u	ASPHALT, TYPE A Ck# 022458 Reversed



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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice # Description
			Check Total.....:	.00	.00	.00	
022459	11/10/10	KRI02	TERRY E. KRIEG, CPA	5000.00	.00	5000.00	B01110 PROGRESS BILLING FOR FY-1
022460	11/10/10	LAB01	Lab Safety Supply, Inc.	82.08	.00	82.08	101628863 FILTER CARTRIDGES, TYLENO
022461	11/10/10	MUN02	MUNICIPAL MAINTENANCE	182.81	.00	182.81	63916-IN THREE VAC-CON FILTERS
022462	11/10/10	ONT01	ON-THE-SPOT SPORTSWEAR	82.81	.00	82.81	100255 FUTSAL CHAMPS T-SHIRTS
022463	11/10/10	THR01	THRIFTY SUPPLY COMPANY	881.11	.00	881.11	1289849 MTR READING LIDS, DUAL LI
022464	11/10/10	UPS01	UPS	268.69	.00	268.69	Y6R493450 LAB SHIPMENT
022465	11/15/10	ATT01	AT&T	1588.40	.00	1588.40	B01115 PHONES AND ALARMS
022466	11/17/10	*0016	MICHELLE BEARD	100.00	.00	100.00	B01116 AZALEA HALL DEPOSIT REFUN
022467	11/17/10	*0017	ALPHA OMEGA	100.00	.00	100.00	B01116 AZALEA HALL DEPOSIT REFUN
022468	11/17/10	*0018	SUSAN MAXWELL	100.00	.00	100.00	B01116 AZALEA HALL DEPOSIT REFUN
022469	11/17/10	ACW02	ASSOC. OF CALIFORNIA	6885.00	.00	6885.00	898 MEMBERSHIP DUES
022470	11/17/10	BAL01	DAVID BALDOSSER	100.38	.00	100.38	B01117 AFLAC FLEX SPENDING REIMB
022471	11/17/10	COA02	COASTAL BUSINESS SYSTEMS	37.89	.00	37.89	74366A BANNER PAPER
022472	11/17/10	COR07	JOHN W. CORBETT	100.00 -100.00	.00 .00	100.00 -100.00	B01117 DIRECTORS FEES B01117u Ck# 022472 Reversed
			Check Total.....:	.00	.00	.00	
022473	11/17/10	COU09	DAVID R. COUCH	100.00	.00	100.00	B01117 DIRECTORS FEES
022474	11/17/10	DOW01	DOWNEY BRAND ATTORNEYS LL	171.38	.00	171.38	401301 LEGAL MATTERS -EMPLOYMENT
022475	11/17/10	EDW01	HELEN L. EDWARDS	100.00	.00	100.00	B01117 DIRECTORS FEES
022476	11/17/10	EPI01	EPICENTER SUPPLIES, LLC	1477.52	.00	1477.52	44249 APACK MRE, 3600 CALORIE B
022477	11/17/10	HED01	CONSTANCE HEDLUND	9.00	.00	9.00	B01116 MEASURE B ASSMT
022478	11/17/10	HEL01	KEVIN HELD	300.00	.00	300.00	B01117 JR HIGH DANCE FOR NOV 201
022479	11/17/10	MAY02	DENNIS MAYO	100.00	.00	100.00	B01117 DIRECTORS FEES
022480	11/17/10	MIT01	Mitchell, Brisso, Delaney	624.00	.00	624.00	27766 DISTRICT LEGAL COUNSEL
022481	11/17/10	NYL01	NYLEX.NET	45.00	.00	45.00	69198 SERVER MAINT
022482	11/17/10	PRE08	PRECISION INTERMEDIA	30.00	.00	30.00	13044 WEB HOSTING
022483	11/17/10	PRO03	PROFESSIONAL CREDIT MGMT	30.82	.00	30.82	B01116 REC. BAD DEBTS
022484	11/17/10	PRO10	PROJECTOR PEOPLE	1948.00	.00	1948.00	857076 PROJECTOR FOR LIBRARY
022485	11/17/10	RES05	RESERVE ACCOUNT	1500.00	.00	1500.00	B01117 REPLENISH POSTAGE METER
022486	11/17/10	SEC03	SECURITY LOCK & ALARM	100.00	.00	100.00	69208 SAFE FIXING
022487	11/17/10	SHN01	SHN ENGINEERING	4340.90	.00	4340.90	73116 NPDES COMPLIANCE
022488	11/17/10	TEL01	TELE-WORKS, INC	1630.00	.00	1630.00	6018 IVR SYSTEM LEASE SUBSCRIP
022489	11/17/10	WEN01	WILLIAM WENNERHOLM, DC	100.00	.00	100.00	B01117 DIRECTORS FEES
022490	11/18/10	*0019	DELILAH MOXON	100.00	.00	100.00	B01118 AZALEA HALL DEPOSIT REFUN
022491	11/18/10	*0020	KATHRYN BENNETT	100.00	.00	100.00	B01118 AZALEA HALL DEPOSIT REFUN
022492	11/18/10	ACT01	ACTION RENTAL	221.86	.00	221.86	14788 BOUNCE/SLIDE COMBO, COTTO
022493	11/18/10	NEC01	NEC FINANCIAL SERVICES,LL	1129.59	.00	1129.59	1394054 RENTAL AGREEMENT PHONE SY
022494	11/18/10	NYL01	NYLEX.NET	135.00	.00	135.00	69264 BACKUP LOGS, GATEWAY USAG
022495	11/19/10	STA10	Citistreet	2311.78	.00	2311.78	B01119P RETIREMENT PMT ON 457 PLA
022496	11/23/10	SHN01	SHN ENGINEERING	633.60	.00	633.60	73116P SHORTED INV MISADDED TOTA
022497	11/24/10	4AL01	4 ALL PROMOS	566.01 -566.01	.00 .00	566.01 -566.01	Q34249 MCSD KEYCHAINS AND MAGNET Q34249u Ck# 022497 Reversed
			Check Total.....:	.00	.00	.00	
022498	11/24/10	AWW03	AMERICAN WATER WORKS ASSO	1846.00	.00	1846.00	700027477 CUST 36691 MEMBERSHIP DUE
022499	11/24/10	CSD01	CSDA	4141.00	.00	4141.00	B01119 MEMBERSHIP RENEWAL MEMBER

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Check Number	Check Date	Vendor Number	Name	Gross Amount	Discount Amount	Net Amount	-----Payment Information----- Invoice #	Description
022500	11/24/10	NOR35	NORTHERN HUMBOLDT	223.24	.00	223.24	ES11-0088	OCT 2010 LANDSCAPING SPAC
022501	11/24/10	STA08	SWRCB ACCOUNTING OFFICE	15812.00	.00	15812.00	WD-004606	ANNUAL PERMIT FEE
022502	11/24/10	UPS01	UPS	25.79	.00	25.79	Y6R493470	LAB SHIPPING
022503	11/24/10	WAH02	WAHLUND CONSTRUCTION INC.	129321.00	.00	129321.00	4	RAMEY PUMP STATION UPGRAD
Cash Account Total.....:				340321.71	.00	340321.71		
Total Disbursements.....:				340321.71	.00	340321.71		

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: D.4. Consider Approval to Re-classify FY10/11 Capital Improvement Plan (CIP) related to Vehicle Purchase.**

**PRESENTED BY: Steven Edmiston, Finance Director**

**TYPE OF ACTION: Voice Vote – Consent Calendar**

### **Recommendation:**

Staff Requests the Board accept staff request to reclassify Capital Improvement Plan (CIP) budget authority that had been designated for the purchase of a dump truck to be used to purchase a pickup truck for the Operations department.

### **Discussion:**

The District's FY 10/11 CIP budget authorized the purchase of a dump truck during the fiscal year. This had been necessitated by California Air Resources Board (CARB) regulations that would have made it illegal to operate the District's existing dump truck in the State of California. Subsequently, the new regulations have been suspended until 2014 (see attached article) and there is no present need to replace the existing dump truck.

Further, in FY09/10 the CIP budget authorized the purchase of pickup truck however the best fleet price was not available until August 2010 which is when the truck was purchased. Since the CIP budget authority for FY 10/11 authorized \$50,000 for the purchase of a dump truck that is no longer necessary, staff requests permission to reallocate CIP funds for the purchase a new pickup in FY 10/11 at a cost not to exceed \$30,000.

### **Alternatives:**

Take no action.

### **Fiscal Analysis:**

There would be a cost savings of \$50,000 in CIP funds if no action is taken. There would be a cost savings of \$20,000 in CIP funds if the request is granted.

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

San Francisco Chronicle article dated October 8, 2010, explaining the rationale behind the suspended CARB regulations.

**Overestimate fueled state's landmark diesel law**

Wyatt Buchanan, Chronicle Sacramento Bureau

Friday, October 8, 2010

**(10-08) 04:00 PST Sacramento - --**

California grossly miscalculated pollution levels in a scientific analysis used to toughen the state's clean-air standards, and scientists have spent the past several months revising data and planning a significant weakening of the landmark regulation, The Chronicle has found.

The pollution estimate in question was too high - by 340 percent, according to the California Air Resources Board, the state agency charged with researching and adopting air quality standards. The estimate was a key part in the creation of a regulation adopted by the Air Resources Board in 2007, a rule that forces businesses to cut diesel emissions by replacing or making costly upgrades to heavy-duty, diesel-fueled off-road vehicles used in construction and other industries.

The staff of the powerful and widely respected Air Resources Board said the overestimate is largely due to the board calculating emissions before the economy slumped, which halted the use of many of the 150,000 diesel-exhaust-spewing vehicles in California. Independent researchers, however, found huge overestimates in the air board's work on diesel emissions and attributed the flawed work to a faulty method of calculation - not the economic downturn.

The overestimate, which comes after another bad calculation by the air board on diesel-related deaths that made headlines in 2009, prompted the board to suspend the regulation this year while officials decided whether to weaken the rule.

**Proposal announced**

On Thursday, after months of work, the air board and construction industry officials announced a proposal that includes delaying the start of the requirements until 2014 and exempting more vehicles from the rule. It would be a major scaling back of the rule if the air board approves it in a vote scheduled for December. The announcement was made as The Chronicle was preparing to publish this report, which had been in the works for several weeks.

The setbacks in the air board's research - and the proposed softening of a landmark regulation - raise questions about the performance of the agency as it is in the midst of implementing the Global Warming Solutions Act of 2006 - or AB32 as it is commonly called, one of the state's and the nation's most ambitious environmental policies to date.

AB32, which aims to reduce carbon emissions to 1990 levels by the year 2020, has come under intense political attack this year as the state prepares to elect a new governor. Critics cast the law as a jobs killer because of the expenses to industry and businesses in conforming to new pollution regulations. Supporters say it will reinvigorate the state's economy and create thousands of new jobs in the emerging green sector.

Republican gubernatorial candidate Meg Whitman has promised to suspend the law for at least a year, while Democrat Jerry Brown supports the law. California voters, meanwhile, will vote on Proposition 23, a November initiative to suspend AB32 until the unemployment rate - now at 12.4 percent in California - falls to 5.5 percent or less for a year.

### **No answers**

Mary Nichols, chairwoman of the California Air Resources Board, offered no explanation when The Chronicle questioned her about the diesel emissions miscalculation. She was recently asked why the air board estimate of a nitrous oxide source was off by at least a factor of two - air board scientists have since revised their numbers, and data show the estimate was off by 340 percent. Nichols' response: "I can't answer that for you."

Nichols was emphatic, though, when asked whether she has concerns about other scientific calculations made by air board scientists.

"No, no, no, no, no, no and no," she said.

Members of Nichols' board don't have an answer for the overestimate either, said Ron Roberts, an air board member who is a Republican supervisor in San Diego County and who voted in favor of the diesel regulation.

"One of the hardest things about being on the board is separating fact from political fancy," Roberts said.

Roberts has been on the board for 15 years and said the agency has built a solid scientific reputation, but he said the board can't afford another mistake and he still does not know what really happened.

"I think somehow some very poor decisions have been made and politics have entered the picture too much," he said. "There are plenty of excuses but no explanations."

The regulation - called the In-Use Off-Road Diesel Vehicle Regulation - was adopted by the board in July 2007 to cut the amount of emissions released by diesel vehicles, with some exceptions, that aren't operated on regular roads and highways. Most of the affected vehicles are used in construction, mining and airport ground support and include such machinery as bulldozers, dump trucks, forklifts and cranes.

The construction industry had said the rule would cost construction businesses \$10 billion to \$12 billion in equipment purchases or upgrades required to make the machines run cleaner.

The regulation restricts the emission of two pollutants - nitrous oxide and particulate matter - to meet federal clean-air standards and to benefit public health.

### **Praise and criticism**

Most standards created by the board have been praised as groundbreaking in the fight against pollution, but recent errors have also made the board a target for criticism.

One of the major recent problems was an air board estimate of premature deaths caused by particulate matter spewing from diesel engines. The first calculation found 18,000 deaths a year in the state had links to particulate matter. That has been revised down by nearly half.

The revision was ordered after the board scientist who oversaw that study was outed as having faked his scientific credentials.

Roberts and other board members were not told by Nichols that the scientist, Hien Tran, lied about earning a doctorate from UC Davis before they voted in favor of regulations based in part on his science. That vote took place in December 2008.

Nichols, who acknowledges she knew about the falsification prior to the vote, has apologized for not sharing that information with her fellow board members.

Roberts called the spate of errors "a major black eye" for the board. He said he does not know why the process to fix them is taking longer than first expected.

### Changing data

Top researchers at the air board said they are dealing with complex issues and that their jobs have been made harder because the economic downturn has shut down some of the pollution-emitting machines that were in use in industries like construction and trucking.

Todd Sax, chief of the board's mobile source analysis branch, said scientists are trying to keep up with changes in the economy to have the best pollution estimates and to ensure the state meets federal air-quality obligations.

"We've been trying to get the numbers right, and the recession continues to take hold," Sax said, adding that his branch is "constantly re-evaluating" its numbers.

Their latest estimate for sources of nitrous oxide found that off-road vehicles are burning 228 million gallons of diesel fuel per year. The previous estimate was 1 billion gallons, which means the first estimate was 340 percent higher than the new calculation. Sax said roughly half of that is due to the recession but the other half is due to a revised method of calculation that focuses more directly on the amount of fuel sold instead of estimates about equipment use.

The problem, and the revised counting method, came to light after Robert Harley, a UC Berkeley professor of environmental engineering, and a colleague at Lawrence Berkeley National Laboratory did their own evaluation, which was published in December in the journal Atmospheric Environment.

While air board officials and other defenders of the board's science point to the economy as a major factor in the overestimates, Harley found that prior to the recession the board's estimates of nitrous oxide were too high by a factor of 4.5 and its estimate of particulate matter was off by a factor of 3.1, an extraordinarily high amount to be off scientifically.

"The difference is large enough that it changes policy," Harley said.

Harley said he has not found major discrepancies in other industrial sectors - such as trucking - where the air board has estimated pollution emissions.

Meanwhile, the estimate of premature deaths linked to diesel engine particulate matter has been downsized to 9,200 from the previous study's estimate of 18,000. Bart Croes, chief of research for the air board, noted that the

board used an entirely new model developed by the federal Environmental Protection Agency that more directly links pollution with mortality and that the levels of uncertainty are much smaller under the new estimate.

The Air Resources Board acknowledges that the new estimates mean that emitters of the pollution would need to make significantly smaller - and in turn less expensive - changes to their vehicles.

### **Orchestrated delay?**

Some construction industry leaders, whose businesses have been a major target for reducing pollution, said they have long been skeptical of the board's estimates. They had eagerly awaited proposals for regulation changes, and some even believe the air board was intentionally slowing down the adoption of changes to lie low while the debate over AB32 rages in the public forum.

"I think they're waiting till after November because they are really hoping the election goes one way that's more favorable than another and they would have a freer hand to do what they want to do," said Michael Lewis, president of the Construction Industry Air Quality Coalition, which monitors regulations affecting the industry.

The coalition supports Prop. 23, but has not made major donations to the campaign, Lewis said, citing the severe impact of the recession. "There's not a lot of money to spread around on ballot measures," he said.

The Associated General Contractors of America, which jointly announced the air board's proposed regulation scale-back Thursday, expressed satisfaction with the planned changes.

On Thursday, Michael Kennedy, general counsel for the industry group, called the proposed changes a "win-win" for industry and the air board, and called the board staff "fair." The group said that despite the significant flaws, the air board did the right thing.

Air board staff members are considering changing other regulations, too, including for on-road trucks, though there has been no formal agreement like the one announced Thursday.

Julie Sauls, spokeswoman for the California Trucking Association, said the delay has led to immense confusion in the industry over what regulations companies ultimately will have to comply with and when. The initial rules affecting trucks begin this year, and the more expensive regulations take effect and ramp up over the next several years.

She said she could only speculate on the delay, but said, "I think maybe they're just waiting" to see what happens on election day. The association has endorsed Prop. 23.

### **Ab32 delays**

While the air board has spent the past few months revising its diesel data, something else has happened: It has pushed back one of the most controversial parts of AB32 - the cap-and-trade program for carbon emissions.

The cap-and-trade regulation was expected to be put before the public for review this spring, but now board officials say it will be sometime this fall and will be voted on before the end of the year.

Nichols, the air board chairwoman, rejects notions that the air board is avoiding the spotlight, calling the delays



the nature of science and adding that, "In politics people can fudge; in science you can't. The great benefit of science is it is peer-reviewed."

Dan Kalb, California Policy Manager for the Union of Concerned Scientists, which strongly supports cap-and-trade, said he is not aware of an orchestrated slowdown of work, but said the board is sensitive to the attention it is receiving.

"The Air Resources Board is trying to be as careful and thorough as they can. Everyone knows they're in the spotlight, the national spotlight," Kalb said. He said it did not matter to him if it takes longer than planned, "Just as long as they get it done."

No matter what happens, Nichols said her board will complete its work on AB32 by the mandated end-of-year deadline. "We are on schedule; there has been no delay," she said. Nichols said every new regulation involves times of uncertainty and requires time to come to the best rule.

"It's science and it's analysis, and it takes however long it takes," Nichols said.

### About the board

The Legislature created the California Air Resources Board in 1967 to oversee the state's air quality by conducting research into sources of pollution and ways to remove it from the air, and by setting and enforcing emissions standards. It has an 11-member board and a large staff.

The air board sets the pollution limits used in vehicle smog checks and consumer products like spray paint and even sets standards for idling trucks and buses. It has created some of the strictest clean-air rules in the country.

E-mail Wyatt Buchanan at [wbuchanan@sfgate.com](mailto:wbuchanan@sfgate.com).

<http://sfgate.com/cgi-bin/article.cgi?f=/c/a/2010/10/08/MNOF1FDMRV.DTL>

This article appeared on page **A - 1** of the San Francisco Chronicle

# McKinleyville Community Services District

## BOARD OF DIRECTORS

December 15, 2010

TYPE OF ITEM: **INFORMATIONAL**

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**ITEM: E.1. Present “Community Builder Award” to John Kulstad**

**PRESENTED BY: Norman Shopay and Jason Sehon**

**TYPE OF ACTION: None**

### **Recommendation:**

Staff Requests the Board listen to a presentation of the “Community Builder Award” for John Kulstad.

### **Discussion:**

The “Community Builder Award” is an award the District presents to local individuals, businesses, and organizations for their volunteer service, sponsorship, promotion of programs and events, outstanding service in the interest of the District, and for other contributions significant to McKinleyville’s quality of life.

District staff has selected John Kulstad to receive the award. John has served on the Recreation Advisory Committee for several years. During his tenure, John has been instrumental in the success of the Parks & Recreation Department. He has helped staff make policy recommendations to the Board, assisted with the Parks Master Plan, and participated in many discussions that have ultimately increased the quality of life for residents in McKinleyville.

In addition to serving on the Recreation Advisory Committee, John has been an active member in the Sheriff’s Citizens On Patrol for ten years, served as a Court Appointed Special Advocate for several years, worked at the polls during the elections, and served as Chairperson on the McKinleyville Area Fund.

### **Alternatives:**

Not Applicable

### **Fiscal Analysis:**

Not Applicable

### **Exhibits/Attachments**

- Interview with John Kulstad

## **Overview of the Community Builder Award:**

McKinleyville Community Services District (MCSD) will present the award to local individuals, businesses and organizations for their volunteer service, sponsorship, promotion of programs and events, outstanding service in the interest of the District, and for other contributions significant to McKinleyville's quality of life.

## **Interview with John Kulstad:**

John Kulstad said he has lived in McKinleyville for 10 years. When asked what he likes best about McKinleyville, he says, "I like the small town atmosphere where you recognize most of the merchants and community leaders.

He says what he likes best about the MCSD is that the District has been and continues to be proactive in anticipating the community's needs. MCSD is responsive to the citizenry.

John also said he felt recreation opportunities and park facilities are important for our community because parks and recreation opportunities that meet the needs of the residents helps form the feeling of community.

As far as a future vision for MCSD, John says, "As the area continues to be more populated there is a need to keep abreast of the demands. It is important to have the input of the residents to provide the services and recreational opportunities they desire."

John has made many contributions to our community that are significant to McKinleyville's quality of life. Among others, John has been an active member in the Sheriff's Citizens On Patrol for ten years, served as a Court Appointed Special Advocate for several years, worked at the polls during the elections, and served as Chairperson on the McKinleyville Area Fund.

In addition, John has served on MCSD's Recreation Advisory Committee for several years. During his tenure, he has been instrumental in the success of the Parks & Recreation Department.

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **INFORMATIONAL**

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**ITEM: E.2**                      **Humboldt Bay Municipal Water District (HBMWD)  
introduction of new HBMWD Board member  
Ms. Sheri Woo**

**PRESENTED BY:**              **Norman Shopay**

**TYPE OF ACTION:**              **None**

**Recommendation:**

Staff Requests the Board recognize Ms. Sheri Woo, HBMWD new Board member.

**Discussion:**

Ms Woo was recently appointed to the HBMWD Board of Directors representing Division 2. Division 2 of HBMWD serves McKinleyville, Fieldbrook, Glendale and Arcata bottoms. Ms. Woo has requested to provide some introductory information to the MCSD Board of Directors. We would like to welcome Ms. Woo to the MCSD Board meeting and we wish to congratulate her on her appointment to the Board of HBMWD. We believe that her experience will be a significant compliment to HBMWD and we believe that she will fully consider and represent the interests of Division 2, and McKinleyville. Please join in welcoming Ms. Woo.

**Alternatives:**

Not applicable

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

- None

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: E.3**                      **Consider appointing a new member to the Recreation Advisory Committee**

**PRESENTED BY:**              **Jason Sehon, Parks & Recreation Director**

**TYPE OF ACTION:**            **Voice Vote**

### **Recommendation:**

Staff Requests the Board consider appointment of Mr. Al Pelly to the Recreation Advisory Committee.

### **Discussion:**

The Recreation Advisory Committee has two (2) vacancies. I have received a letter of interest from a community member who would like to serve on the Recreation Advisory Committee.

Attachment 1 is a letter submitted by All Pelly.

Members interested in serving on the Recreation Advisory Committee must be a resident within the McKinleyville Community Services District service area and are appointed by the MCSD Board of Directors. Interested individuals are asked to file a letter of application that states their interests and qualifications.

The Board might ask if Al would like to address the Board or answer any questions.

### **Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action

### **Fiscal Analysis:**

Not applicable

### **Environmental Requirements:**

Not applicable

### **Exhibits/Attachments**

- Letter of interest

Al Pelly  
1745 Noble Court  
McKinleyville, CA 95519  
(707) 839-1864

October 21, 2010

Jason Sehon  
P.O Box 2037  
McKinleyville, CA 95519

RECEIVED

OCT 22 2010

McK. C.S.D.

Re: Recreation Advisory Committee Vacancy

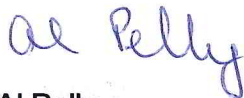
Dear Jason Sehon,

I am excited by the opportunity to volunteer to serve on the Recreation Advisory Committee for McKinleyville Community Services District. I am a registered civil engineer with 13 years of engineering experience. I live with my wife and three children in McKinleyville (within the MCSD). I am familiar with many of McKinleyville parks and trails. I believe my problem solving skills may be constructive in finding solutions to issues affecting the parks and recreation program.

As we discussed, I am also active with the scouting program in the area and would love to coordinate activities that could produce value for both the scouts and MCSD. My wife is a member of the parent's club at Dows Prairie Elementary and often brings our children to the McKinleyville playgroup, I am sure between the two of us; we can garner additional community support for measure B.

Thank you for considering me, I look forward to meeting you and the committee members.

Sincerely,



Al Pelly

# McKinleyville Community Services District

## BOARD OF DIRECTORS

December 15, 2010

TYPE OF ITEM: **INFORMATIONAL**

---

**ITEM: E.4.**                      **Discuss results of independent survey that evaluated desired recreational activities within the community related to Measure B renewal**

**PRESENTED BY:**              **Jason Sehon, Parks & Recreation Director  
Jennifer Rindahl, Lew Edwards Group**

**TYPE OF ACTION:**              **None**

**Recommendation:**

Staff Requests the Board listen to the informational presentation for the independent Feasibility Survey conducted to access the desires of the community related programs and services for a potential Measure B renewal.

**Discussion:**

Since 1993, McKinleyville residents have been paying a small annual assessment to maintain our local parks and recreation areas. Measure B will expire soon, unless renewed by voters.

The loss of community-supported funding for McKinleyville's parks, trails and facilities such as Azalea Hall -- on top of the hundreds of thousands of dollars Sacramento has already taken -- would be devastating. Without community support, the following would happen:

- No trail maintenance
- The library may close
- Park restrooms will be closed
- Trash and debris will build up quickly.

With this in mind, we recently commissioned a survey of our residents to determine whether they would be supportive of extending Measure B, with no increase to current tax rates.

More than 80% of our homeowners said "Yes," and asked that we prioritize the services as outlined in the survey.

Jennifer Rindahl from the Lew Edwards Group has assisted the District with the consideration of continuing the Measure B. Jennifer will present a powerpoint presentation outlining the results of the survey.

**Alternatives:**

Take Action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

- Powerpoint presentation





GODBE RESEARCH  
Gain Insight



# **McKinleyville Community Services District Revenue Measure Feasibility Survey**

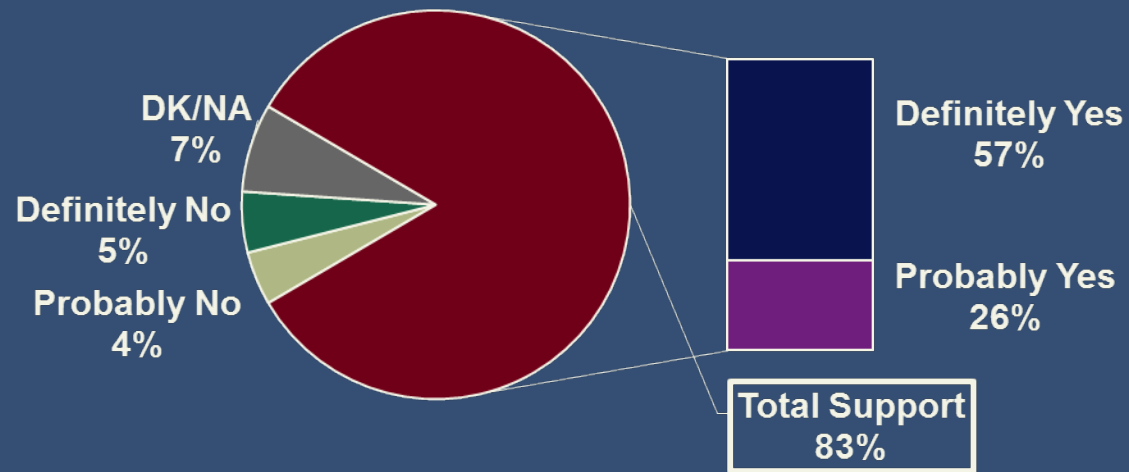
**December 2010**

# Methodology Overview

➤ Data Collection	Telephone Interviewing
➤ Universe	2,359 voters who are homeowners and likely to vote in a mail ballot election in 2011
➤ Fielding Dates	July 7 through July 14, 2010
➤ Interview Length	18 minutes
➤ Sample Size	200 voters
➤ Margin of Error	± 6.6%

# Initial Ballot Test

To assess initial reactions to a revenue measure, the voters were read a summary of a measure to maintain park and recreation facilities and services in McKinleyville, and asked whether they would vote yes or no. In response, 83 percent indicated support for the measure with 57 percent “definitely yes” and 26 percent “probably yes” votes. Given the 7 percent margin of error, support could be as low as 76 percent, which is much higher than the simple majority required in an election. In comparison, total opposition was at 9 percent, and the remaining 7 percent were undecided (DK/NA). These results indicate that a parcel tax at the rate of \$30 per year would garner adequate voter support.



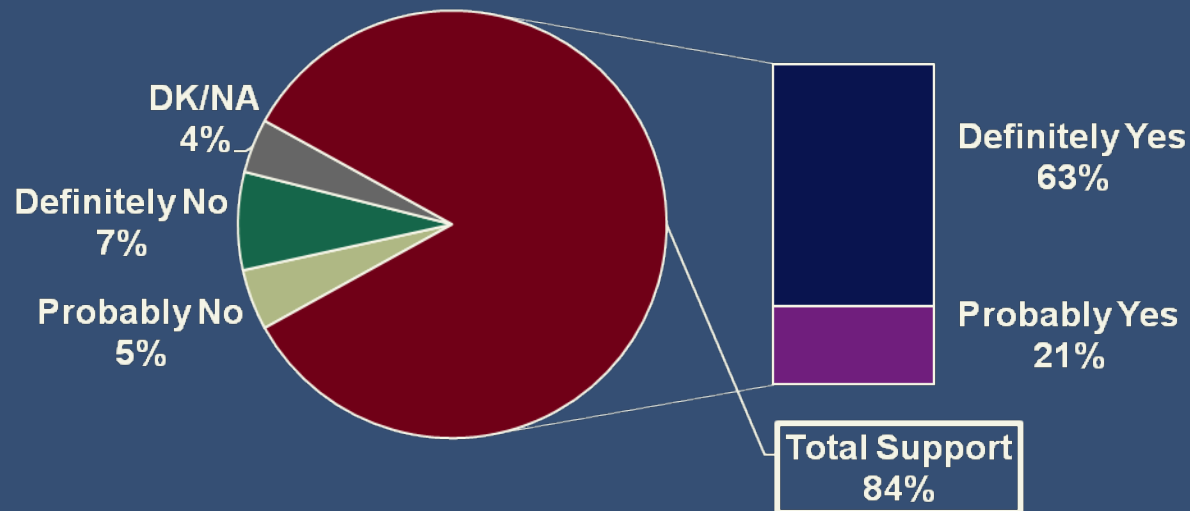
**McKinleyville Parks and Open Space Protection – Local Funding Maintenance Measure.** To preserve quality of life by:

- Maintaining Hiller, Pierson and Larissa parks, including playfields, picnic areas, and restrooms;
- Preserving local open space and nature trails;
- Maintaining the library, Azalea Hall, and activity center; and,
- Establishing additional recreation facilities;

shall the McKinleyville Community Services District continue but not increase its existing annual \$30 per parcel levy, that can't be taken by the State, with citizen's oversight?

## With Additional Information

Following the initial ballot test, the voters were informed that this measure was not a tax increase and was just an extension of the current \$30 levy that has been enforced since 1992, and asked if they would vote yes or no. In response, 84 percent of the voters reported “definitely yes” (63%) or “probably yes” (21%). In contrast, 12 percent of the voters indicated opposition, and 4 percent were undecided (DK/NA).

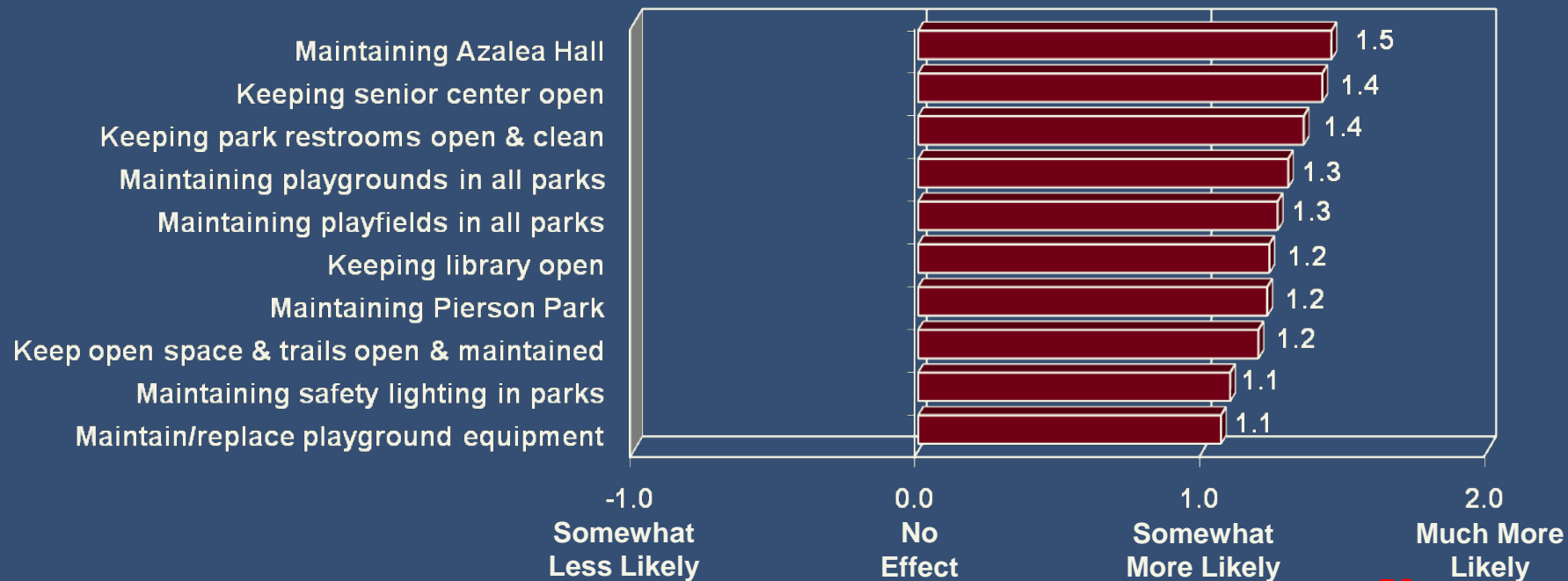


In fact, this measure is not a tax increase, but is an extension of an existing \$30 levy that property owners have been paying since 1992 to fund park and recreation facilities and services in McKinleyville.

Given this information, if the election were held today, would you vote yes or no on this measure?

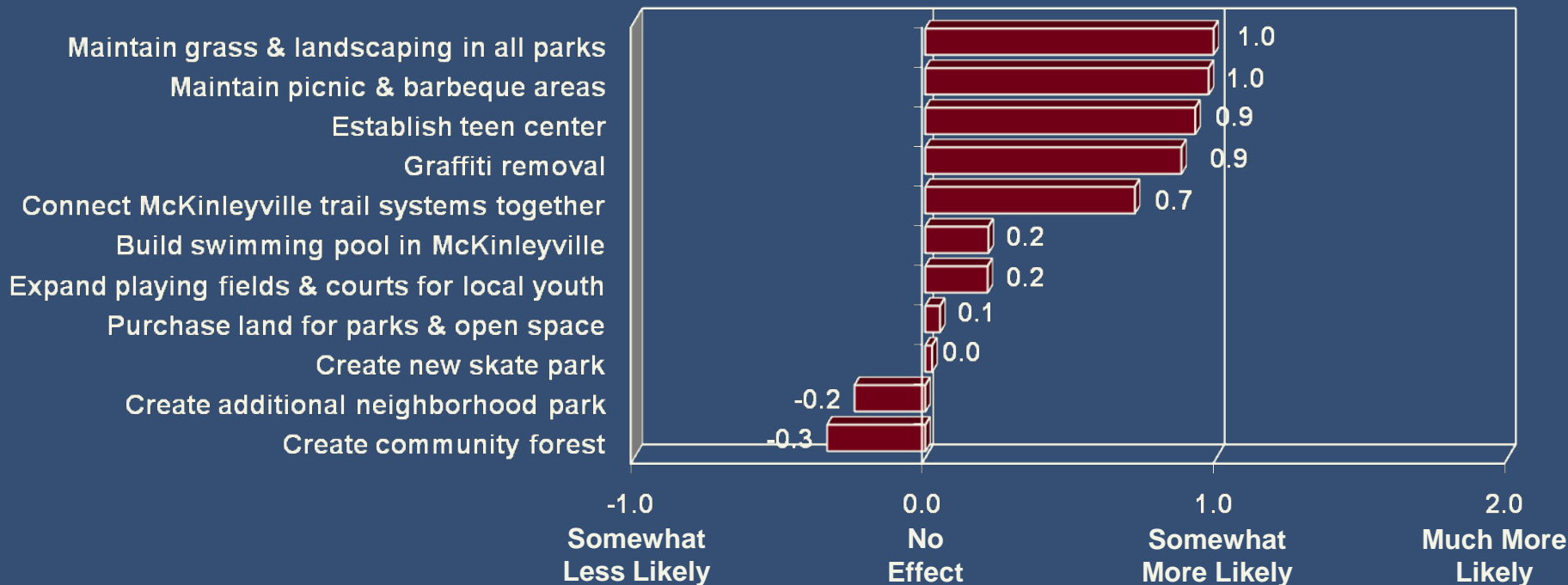
# Potential Features of the Measure I

The voters were presented with 21 potential programs and services to be funded by the measure, and asked whether they would be more or less likely to support the measure upon hearing each. Twelve of these features, charted below and on the next page, made the average voter at least “somewhat more likely” to support the measure (mean score of 1.0 or above). Especially salient were the needs to maintain Azalea Hall, and keep the senior center and park restrooms open. Almost 9 out of 10 voters were more likely to support a measure that would fund these programs. In the next tier were the following (mean scores of 1.3): maintaining playgrounds in all parks; and maintaining playfields in all parks. The ballot question should feature these five top-rated priorities.



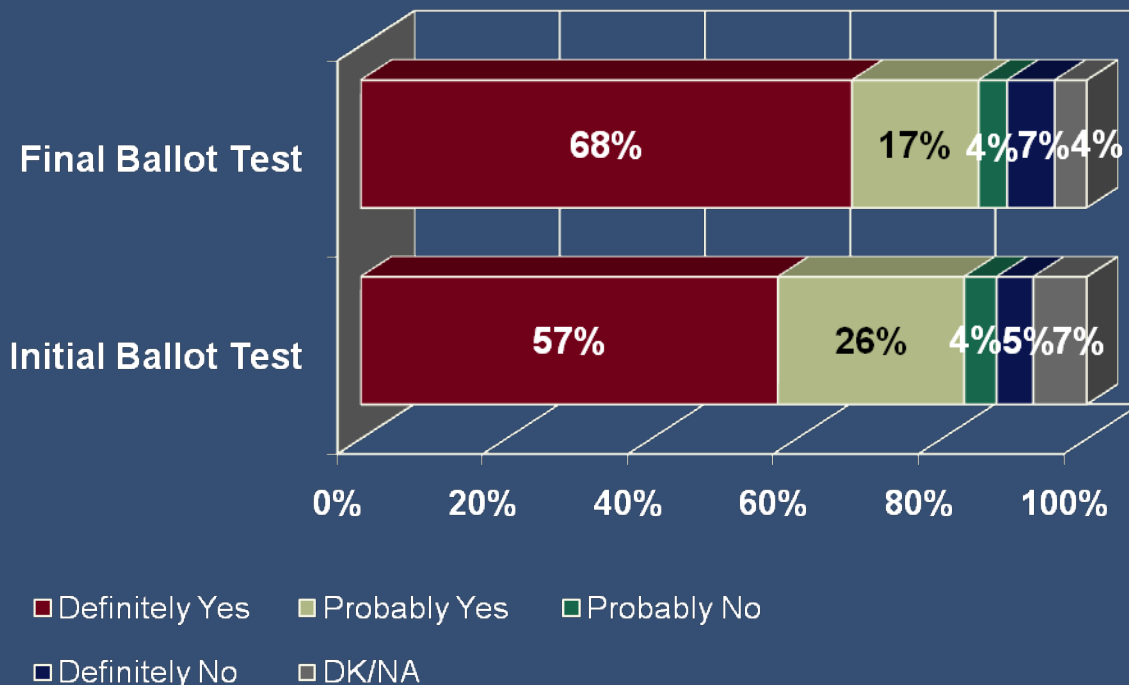
# Features of the Measure II

Shown in the chart below are the 11 features of the measure that were relatively less influential on voter support. Two of these features, including maintaining grass and landscaping, and picnic and barbecuing areas, made almost 4 out of 5 voters more likely to support a measure. In comparison, the three relatively least influential features included the following: creating a new skate park; creating an additional neighborhood park; and creating a community forest. In response to these programs, approximately 43 to 55 percent of the voters were more likely to oppose the measure. It is notable that most of the features related to the creation of new facilities received lukewarm support or opposition, in comparison to the features that involved maintaining existing park and recreation facilities, which received stronger support.



# Final Ballot Test

After simulated public information, total support for a measure to continue the \$30 parcel tax was at 85 percent (68% “definitely yes” and 17% “probably yes”), which is statistically similar to the 83 percent support observed in the initial ballot test. However, definite support for the measure in the final test showed a significant increase of 11-points from the beginning of the survey. In comparison, total opposition was at 9 percent. Additional information on the maintenance of park and recreation facilities and services, and the messages in support of the measure had the overall effect of solidifying support, particularly among those who had indicated probable support. With the 7 percent error margin, we can conservatively estimate that total informed support among all likely mail ballot 2011 voters who are also homeowners is well above the requisite simple majority threshold.



**McKinleyville Parks and Open Space Protection – Local Funding Maintenance Measure.** To preserve quality of life by:

- Maintaining Hiller, Pierson and Larissa parks, including playfields, picnic areas, and restrooms;
- Preserving local open space and nature trails;
- Maintaining the library, Azalea Hall, and activity center; and,
- Establishing additional recreation facilities;

shall the McKinleyville Community Services District continue but not increase its existing annual \$30 per parcel levy, that can't be taken by the State, with citizen's oversight?

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: E.5 Election of Board Officers for 2011 Calendar Year**

**PRESENTED BY: Sharon Denison**

**TYPE OF ACTION: Voice Vote**

### **Recommendation:**

Staff Requests the Board discuss and elect a Board President and Vice-President for the 2011 calendar year and appoint Sharon Denison as Secretary and Steve Edmiston as Treasurer of the Board for the 2011 calendar year.

### **Discussion:**

Each year at the December meeting the Board elects a President, Vice President, Secretary and Treasurer for the next calendar year. The Finance Director typically performs the duties of Treasurer and the Secretary performs the duties of Board Secretary.

### **Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action

### **Fiscal Analysis:**

Not applicable

### **Environmental Requirements:**

Not applicable

### **Exhibits/Attachments**

- None



# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **DISCUSSION**

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**ITEM: E.6**                      **Discuss District Standing Committees, Temporary Committees, and Participation and Attendance at Other Organization Meetings for consideration and approval at the January 2011 Board Meeting**

**PRESENTED BY:**              **Norman Shopay**

**TYPE OF ACTION:**              **None**

**Recommendation:**

Staff Requests the Board consider and discuss the standing committees, temporary committees, and participation and attendance at other organizational meetings for consideration and appointment by Directors by the Board President to the various committees at the January 2011 Board Meeting.

**Discussion:**

The District has typically reviewed the committee assignments in December of each year and discussed individual Directors' interest in serving on specific committees. Staff has separated the committee groupings between standing, temporary advisory committees, and participation and attendance at other organizations meetings.

**Alternatives:**

Take Action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

- Exhibit 1-list of current committee assignments

## ITEM E.6

## Exhibit 1

The 2010 Committee Assignments were:

1. Recreation Advisory Committee-David Couch/Alternate Dennis Mayo
2. Audit Committee-John Corbett/Helen Edwards
3. Employee Annual Compensation Negotiations-Helen Edwards/Bill Wennerholm
4. Web Site-David Couch
5. McKinleyville Area Fund-John Kulstad
6. McKinleyville Senior Center-Bill Wennerholm
7. Water Task Force Citizens Committee-Dennis Mayo
8. Water Task Force Advisory Committee(HBMWD)-Dennis Mayo/John Corbett
9. RREDC-Helen Edwards/Alternate Bill Wennerholm
10. Water Task Force-Dennis Mayo/John Corbett
11. No Drugs Down the Drain/Toxic/Oil-Dennis Mayo

Definition of a “standing committee”-a permanent District committee appointed by formal action of the Board to deal with a specified subject.

Definition of a “temporary advisory committee”-a committee composed solely of less than a quorum of the legislative body that serves a limited single purpose to deal with a special project and will be dissolved once the specific task is completed.

Definition of “participation and attendance at other organizations meetings” – a committee appointed to attend other organizations meetings not formed or under the control of MCSD where the District may have the desire to attend these meetings.

Groups advisory to a single decision-maker or appointed by staff are not covered. The Brown Act applies to only committees created by formal action of the legislative body and not to committees created by others. Meetings of agency department heads are not subject to the Brown Act.

### 2011 Suggested Committee Assignments for Discussion

#### **STANDING COMMITTEES**

- Recreation Advisory Committee (RAC)

#### **TEMPORARY ADVISORY COMMITTEES**

- Audit
- No Drugs Down the Drain/Toxic/Oil
- Humboldt County Advisory

#### **PARTICIPATION AND ATTENDANCE AT OTHER ORGANIZATIONS MEETINGS (Not Subject to Brown Act)**

- McKinleyville Senior Center
- HBMWD Water Task Force
- Redwood Region Economic Development Commission (RREDC)
- McKinleyville Area Fund

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: E.7. Consider Approval of Regular Board Meeting Dates, Time and location for 2011 Calendar Year.**

**PRESENTED BY: Sharon Denison**

**TYPE OF ACTION: Roll Call Vote**

### **Recommendation:**

Staff Requests the Board approve the attached Resolution 2010-25 to confirm the date, time and location of the regularly scheduled Board meetings.

### **Discussion:**

Typically the Board holds their regular Board meetings on the third Wednesday of each month beginning at 7:00PM at Azalea Hall, 1620 Pickett Road, McKinleyville. We are required each year to confirm the meeting time, place and date by Resolution.

### **Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action
- Change the meeting time, date or place.

### **Fiscal Analysis:**

Not applicable

### **Environmental Requirements:**

Not applicable

### **Exhibits/Attachments**

- Resolution 2010-25-Exhibit 1

**RESOLUTION 2010-25**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT CONFIRMING THE TIME AND PLACE OF THE REGULAR BOARD MEETINGS**

**WHEREAS**, McKinleyville Community Services District (MCSD) Board Policy Manual, Part 5, Rule 5-1 states that regular meetings of the MCSD Board shall be held monthly at a place and time established by Board Resolution; therefore

**BE IT RESOLVED**, The Board of Directors of the McKinleyville Community Services District will henceforth, until further notice, meet on the third Wednesday of each month at 7:00pm at Azalea Hall, 1620 Pickett Road, McKinleyville

**PASSED, APPROVED AND ADOPTED** this 15<sup>th</sup> day of December, 2010 by the following roll call vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Helen Edwards, Board President**

**ATTEST:**

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**Sharon L. Denison, Board Secretary**

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: E.8.**                      **Consider renewal of Memorandum of Understanding of California Conservation Corps Contract for the use of the trailer and parking lot at Pierson Park.**

**PRESENTED BY:**              **Jason Sehon, Parks & Recreation Director**

**TYPE OF ACTION:**          **Voice Vote**

### **Recommendation:**

Staff Requests the Board approve the Memorandum of Understanding (MOU) with the California Conservation Corps (CCC) for the use of the trailer and parking lot at Pierson Park.

### **Discussion:**

The McKinleyville Community Services District (MCSD) and the California Conservation Corps (CCC) has worked on several projects over the course of the last several years.

In 2009, MCSD and the CCC entered an agreement where the CCC could utilize the Pierson Park Trailer and parking lot in exchange for providing four (4) CCC work crews annually to MCSD to work on various projects at MCSD's Parks, Facilities, trails, and open space maintenance zones.

After meeting with representatives from the CCC, they would like to extend the MOU, and staff is recommending extending it for a period of two (2) years.

In addition to the four (4) weeks annually, the CCC representatives have agreed to schedule additional time with MCSD any time their CCC crews are available.

Over the course of the last year, the CCC crew has assisted MCSD with the removal of invasive plants at Pierson Park and MCSD's detention basins, completed trail work at Pierson Park and Hiller Park loop trails, and also worked at Hiller Sports Complex.

This MOU with the CCC has proved to be a huge cost savings to the District and its tax payers.

### **Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action

**Fiscal Analysis:**

The estimated value of a CCC Crew working four (4) weeks annually is \$25,000.00.

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

- Memorandum of Understanding

## **Memorandum of Understanding**

### **McKinleyville Community Services District, Parks and Recreation Department and California Conservation Corps Regarding Provision Use of Trailer at Pierson Park**

The McKinleyville Community Services District (MCSD) and the California Conservation Corps (CCC) do agree to the following Memorandum of Understanding (MOU) for the operation of the CCC Humboldt Bay Non-Residential Crew (HBNR) at Pierson Park, 1620 Picket Road, McKinleyville, California. This MOU is subject to the following terms, conditions and requirements:

1. MCSD and CCC agree that the operation of HBNR at the Pierson Park site is in the best interest of both organizations. The staff of each organization will do all possible to provide for the suitable, harmonious and cooperative operation of both sites and agree to work with respect and cooperative understanding of each organization's goals and objectives.
2. Each organization shall inform the other of the name and title of each on-site lead person and will advise each other of any changes. It is intended that, so far as possible, all operationazl needs will be settled on-site. Any issues that arise will be handled by the MCSD General Manager and CCC Conservation Supervisor. The MCSD Board President and the CCC Fortuna Center Director are the final levels of review for unsolved areas of conflict.
3. The CCC site is described as the Parks Office at 1620 Picket Road, McKinleyville. It is agreed that all improvements and property, including the responsibility for repairs, located at this site will be the sole concern of MCSD except as otherwise noted in this MOU.
4. MCSD and CCC agree to mutually indemnify and hold harmless the other, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, suppliers, laborers, and any other person, firm or corporation furnishing or supplying work services, materials, or supplies in connection with the performance of this MOU, and from any and all claims and losses accruing or resulting to any person, firm or corporation who may be injured or damaged by MCSD and/or CCC in the performance of this MOU.
5. CCC will pay all charges associated with installation and monthly usge of a telephone line in the back office of the trailer. All other utility costs will be the responsibility of MCSD.

6. MCSD will provide space for the CCC's 8' x 10' tool shed to be housed south of the trailer.
7. CCC will provide four weeks of crew work annually (valued at approximately \$25,000) in exchange for use of the facility. This crew work may be scheduled by contacting either Robert Frechou or Susan Jones at the CCC Fortuna Campus. The crew work may be used for park and facility maintenance, grounds keeping, or other MCSD priorities.
8. Each organization will have the responsibility for compliance with all applicable Federal, State or local rules, ordinances, codes and laws in their designated areas. CCC will enforce the Corpsmember Discipline Policy.
9. No administrative charges will be incurred as a result of this MOU.
10. No funding or transfer of funds is intended except as noted elsewhere in this MOU.
11. This MOU will take effect on the first business day after it is signed by all parties and will expire on December 31, 2012 unless amended or extended in writing and mutually agreed to by all parties.
12. This MOU stands independent of any other agreement or MOU between the CCC and MCSD in force now or in the future.
13. Either party may cancel this MOU with at least three (3) months written notice to the other.

The undersigned have the authority to represent their organizations and by signing set this Memorandum of Understanding in force:

McKinleyville Community Services District

California Conservation Corps

\_\_\_\_\_(date)\_\_\_\_\_  
Helen Edwards  
President, Board of Directors

\_\_\_\_\_(date)\_\_\_\_\_  
Michelle Rankin  
Fortuna Center Director

Attest:

\_\_\_\_\_(date)\_\_\_\_\_  
Sharon Denison  
Secretary to the Board of Directors

\_\_\_\_\_(date)\_\_\_\_\_  
Erin Healy, Chief  
Administrative Services Division



# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **INFORMATION**

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**ITEM: E.9**                      **Consider Approval of proposal received for lease of Fischer Ranch Agricultural Lease**

**PRESENTED BY:**              **Greg Orsini**

**TYPE OF ACTION:**          **None**

**Recommendation:**

Staff recommends the Board adjourn to closed session to discuss alternatives and return to open session to direct staff to proceed.

**Discussion:**

The approximately 100 acre Fischer Ranch property is currently leased to Mr. Tim Gomes. The lease is due to expire on November 30, 2010. After that time, the lease reverts to a month-to-month lease with a 30 day notice of termination by either party. At the June 2010 Board meeting, the Board approved the preparation of a Request for Lease Proposals (Request) in order to notice the availability of the property for lease and receive bids and evaluate the compatibility of the intended use of the property. Staff prepared a Request and submitted it to the Board at the September meeting along with the lease agreement that has been review by District Legal counsel. The Board approved the Request and Staff was directed to distribute it.

Staff received three proposals and reviewed them for several criteria, including

- Responsiveness of Proposal
- Feasibility of Proposal in regards to District Operations
- Total Revenue Generated
- Qualifications of Perspective Lessee and References

Proposals were received from:

Tim Gomes/Burno Pelorisi,  
Dave Collenberg  
Marv Peachey.Gomes/

**Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments**

- None

# McKinleyville Community Services District

## BOARD OF DIRECTORS

December 15, 2010

TYPE OF ITEM: **INFORMATIONAL**

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**ITEM: E.10**                      **Update regarding the status of the Wastewater Management Facility National Pollution Discharge Elimination System (NPDES) Permit that is governed by the Regional Water Quality Control Board (RWQCB)**

**PRESENTED BY:**              **Norman Shopay and Greg Orsini**

**TYPE OF ACTION:**              **None**

**Recommendation:**

Information Item-no action required

**Discussion:**

Through our working relationship and cooperation with the RWQCB the District and the RWQCB agreed that renewing the existing NPDES permit would be beneficial to both parties.

The advantage to renewing the permit at this time is two-fold.

- First, the District has an opportunity to revise the effluent limitations and monitoring requirements for the WWMF based on more recent data. This will result in reduced costs for sampling and analysis at the WWMF over the next five years.
- Second, the extension of the current permit affords the District assurance that the regulatory structure of the permitting process won't change for another five years.

**History**

In June 2010 the District submitted a Request for a Cease and Desist Order (CDO) for Priority Pollutants at the McKinleyville Community Services District Wastewater Manage Facility. The purpose in submitting this CDO request was to provide protection for the District since we would not be able to meet the new discharge requirements and would be accessed mandatory minimum fines

In September 2010 the District submitted a request to the RWQCB to modify the Monitoring and Reporting Program (MRP) for the WWMF.

In October 2010, the District also submitted a request for modification of final copper effluent limitations in the current NPDES permit. Considering the nature of the proposed MRP modifications and the upcoming expiration date for the existing NPDES (August 2013) permit it was decided by the RWQCB that the issuance of a new NPDES permit was appropriate at this time.

The permit will be up for adoption at the January 2010 board meeting and if adopted, will become effective immediately.

MCSD staff considered the benefits of renewing the NPDES permit and conducted a Reasonable Potential Analysis (RPA) and requested the RWQCB to proceed with Renewal of, as opposed Modification to the existing permit.

The completion of the RPA was advantageous to the District as the calculation for copper through findings of the WER caused it to fall below the reasonable potential. Since all results for lead, alpha BHC, and Dioxin have been below the reporting limit there is no reasonable potential and staff has requested they be removed.

Through the RPA the only constituents from the existing permit that showed a reasonable potential were: 4,4-DDT, bis(2-ethylhexyl) phthalate. Carbon tetrachloride showed a reasonable potential and will be added as a new constituent of concern.

In summary, the District has the potential for four constituents to be removed and one added for a net loss of three constituents. That is three less constituents with limits that could cause fines. Another advantage to the RPA and the WER is it negates the necessity of a CDO which would have been crucial in protecting the District from mandatory minimum fines.

Other proposed changes will be in the MRP. The removal of the location where Storm water entering the Hiller storm water treatment wetland at the discharge of culvert under highway 101, Hiller storm water treatment wetland as close as possible above final discharge structure and Fisher Ranch drainage ditch upstream of the manually-operated slide gate from Receiving waters and monitoring locations will save in lab costs and manpower collecting the samples.

These areas were wrongly classified as receiving waters in the current permit although there was never a discharge of treated effluent at these locations.

The new permit promises to have substantial changes that will make operating under it much more straightforward, more representative and will facilitate the State's capacity to regulate the quality of our discharge.

# **McKinleyville Community Services District**

## **BOARD OF DIRECTORS**

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: E.11                      Review Board Policy Manual**

**PRESENTED BY:                Helen Edwards/John Corbett/Norman Shopay**

**TYPE OF ACTION:              Voice Vote**

### **Recommendation:**

Staff requests the Board review and consider approval of the revised Board Policy Manual.

### **Discussion:**

The Board typically reviews the Board Policy Manual on a regular basis and makes changes or modifications as needed.

The Board Policy Manual was last reviewed and updated on January 21, 2009.

The Board decided to form a temporary committee and appointed Helen Edwards and John Corbett to review and compile comments and provide a revised document for consideration at this meeting

The Board Policy Manual was brought to the Board for review at the September 15, 2010 and October 20, 2010 Board meeting. The Board Policy Manual was discussed and comments received. During the last Board meeting additional revisions were going to be discussed by the committee.

Additional revisions were incorporated by the committee and the revisions were review by District legal counsel.

Revisions are provided in track changes mode.

Staff requests the Board to review the proposed changes, obtain any additional input and consider approval of the revised document.

**Alternatives:**

- Take no action
- Incorporate additional changes

**Fiscal Analysis:**

- Not applicable

**Environmental Requirements:**

- Not applicable

**Exhibits/Attachments**

- Revised Board Policy Manual, Dated November 17, 2010

**POLICY MANUAL**  
**OF THE BOARD OF DIRECTORS**  
**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT**

**PART 1 -- GENERAL RULES**

**RULE 1-1: PURPOSE --** The purpose of this Policy Manual is to provide guidelines for the conduct of the Board of Directors of the McKinleyville Community Services District (MCSD) to help maintain the highest standard of ethics for its Board members. The objectives of this policy are to (1) provide guidance for dealing with ethical issues, (2) heighten awareness of ethics and values as critical elements in Board members' conduct, and (3) improve ethical decision-making and values-based management.

**RULE 1-2: SUSPENSION OF RULES --** Any of the within rules not required by law may be suspended by a majority of the Board.

**RULE 1-3: ALTERATION, AMENDMENT OR REPEAL --** Any rule may be altered, amended or repealed at a duly noticed meeting by a majority vote of the Board.

**PART 2 -- BASIS OF AUTHORITY**

**RULE 2-1: AUTHORITY OF THE BOARD --** The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, individual Directors may not commit the District to any policy, act or expenditure.

**RULE 2-2: REPRESENTATION --** The Board of Directors as a whole should not represent any factional segment of the community, but rather represent and act for the community as a whole. The proper operation of the District requires decisions and policy to be made within the proper channels of governmental structure, that public office not be used for personal gain, and that all individuals associated with the District remain objective, impartial and responsive to the needs of the public they serve.

**RULE 2-3: GOVERNING LAWS --** Board Members are obligated to uphold the Constitution of the United States and the Constitution of the State of California. Board Members will comply with applicable laws regulating their conduct, including conflict of interest, financial disclosure and open government meeting laws. Board Members will strive to work in cooperation with other public officials unless prohibited from so doing by law or officially-recognized confidentiality of their work.

**PART 3 -- BOARD STRUCTURE**

**RULE 3-1: OFFICERS --** Annually, at the regular December Board Meeting, the Board shall select a President and Vice President for the next calendar year. Appointment of officers shall be subject to the affirmative vote of the Board. The Finance Director shall perform the duties of Treasurer and the General Manager shall select a staff member to serve as Board Secretary.

**RULE 3-2: PRESIDENT --** The President shall perform the duties of presiding officer at all meetings of the Board of Directors and shall carry out the resolutions and orders of the Board of Directors and perform such other duties as the Board of Directors

prescribes including appointment of members to serve on committees of the Board and designation of committee chairs, except for the Recreation Advisory Committee. The Board President is responsible for leadership at public meetings and for exerting every effort to unite the Board into a working, cohesive group. This requires the assistance and cooperation of all of the Board Members.

**RULE 3-3: VICE-PRESIDENT** – In the absence of the President, the Vice-President shall perform the President's duties. When the President disqualifies himself/herself from participating in an agenda item or declares himself/herself partisan in the debate on any such item, the Vice-President shall perform the duties of the presiding officer.

**RULE 3-4: COMMITTEES** -- Committees of the Board, whether standing or ad hoc, may, from time to time, be established by the President of the Board, subject to confirmation by the Board. Unless authority to perform a duty is expressly delegated by the Board to a committee, committee motions and recommendations shall be advisory to the Board. Committees shall not commit the District to any policy, act or expenditure nor may any committee direct staff to perform specific duties unless authorized by the Board. The Committee Chair is authorized to schedule committee meetings as deemed necessary and to preside at any such meeting.

Where the Board has agreed to designate a Director or Directors to serve on a non-District Committee, the President shall appoint said Directors for Board ratification.

## **PART 4 -- CODE OF ETHICS**

**RULE 4-1: OBJECTIVES** -- The Board of Directors of MCSD are committed to providing excellence in legislative leadership that results in the provision of the highest quality services and representation to the District's constituents. In order to assist in the government of the behavior between and among members of the Board of Directors, the following guidelines are recommended:

**4-1A Respect:** The dignity, style, values and opinions of each director shall be respected.

**4-1B Listening:** Responsive and attentive listening during communications is encouraged.

**4-1C Representation:** The needs and desires of the District's constituents shall be a priority of the Board of Directors.

**4-1D Responsibility:** The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to the General Manager of the District.

**4-1E Attitude:** Directors should commit themselves to emphasizing a positive and professional attitude at all times.

**4-1F Issue Orientation:** Directors should commit themselves to focusing on issues and not personal attacks. The presentation of the opinions of others should be encouraged. The formation of voting blocs based on personal relationships rather than the merit of issues must be avoided.



**4-1G Openness:** Different viewpoints are healthy in the decision making process. Individuals have the right to disagree with ideas and opinions. Once the Board of Directors takes action, ~~dissenting~~ Directors should support that action regardless of differing opinions. ~~not create barriers to the implementation of such action.~~

**4-1H Code of Ethics:** Directors are required by law (AB1234, California Government Code § 53234, et seq.) to receive a minimum of two hours of training every two years in general ethics principals and law. Proof of completion must be provided to the District. If any one Board member is not in compliance the meeting compensation fee will be withheld for all Directors until compliance is met.

**4-1I Conflict of Interest:** Each Director is responsible for completion and submittal of an annual Conflict of Interest (Form 700) to the District Filing Officer. This form is then forwarded to the County Elections Office and is kept on file for public review.

**RULE 4-2: INFORMATION --** Directors should practice the following procedures:

**4-2A Clarification:** In seeking clarification on informational and policy items, Directors should directly approach the General Manager to obtain information needed to supplement, upgrade or enhance their knowledge to improve legislative decision making.

**4-2B Complaints:** In handling complaints from residents and property owners of the District, said complaints should be referred to the General Manager.

**4-2C Safety:** In handling items related to safety, concerns for safety or hazards should be reported to the General Manager or to the District Office. Emergency situations should be dealt with immediately by seeking appropriate assistance.

**4-2D Policy:** In seeking clarification for administrative policy related concerns, especially those involving personnel, legal action, land acquisition, finances, and programming, said concerns should be directed to the General Manager.

**RULE 4-3: INTERACTION WITH STAFF --** When approached by District personnel concerning specific District policy, Directors should direct inquiries to the General Manager. ~~appropriate staff supervisor.~~

**RULE 4-4: TEAM EFFORT --** The smooth working of the District is a team effort. All individuals should try to work together in the collaborative process, assisting each other in conducting the affairs of the District.

**RULE 4-5: CONSTITUENT REQUESTS --** When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels and to responsible management personnel.

**RULE 4-6: INTERACTION WITH GENERAL MANAGER:** The District's General Manager serves at the pleasure of the Board. The Board will provide policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly-convened Board and Committee meetings. Directors should develop a working relationship with the General Manager wherein current issues, concerns and District projects can be discussed comfortably and openly.

**RULE 4-7: BOARD AS A WHOLE** Directors should function as a part of the whole. Issues should be brought by individual Board members to the attention of the Board as a whole, rather than to individual members selectively. The Board of Directors functions collectively, not as individuals and all members should be tolerant of each other's views. Unless the Board, by formal action, delegates responsibility to one or more individual Board members and such delegation is authorized by law, no Director has the legal capacity to act on behalf of the District.

**RULE 4-8: MONITORING PROGRESS** -- Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.

**RULE 4-9: PREPARATION** -- Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors. Information may be requested from the General Manager staff, but contact among Board members concerning District affairs outside of the meeting context, is to be avoided, as such activity may constitute a violation of the State of California open meeting laws.

**RULE 4-10: STAFF NOTES** -- Information that is exchanged before the meetings shall be distributed through the Manager, and all Directors will receive all information being distributed.

**RULE 4-11: COURTESY** -- Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

**RULE 4-12: QUESTIONS** -- Directors shall defer to the President for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be confined to the matter being discussed by the Board.

**RULE 4-13: MINUTES-RECORDING OF INFORMATION--**

**4-13A** Unless directed otherwise by the Board President, all open sessions of the Board meetings shall be audio recorded in their entirety. The recordings will be retained in accordance with the current MCSD records retention policy.

**4-13B** Copies of meeting minutes shall be distributed to Directors as part of the information packet for the next regular meeting of the Board, at which time the Board will consider approving the minutes as presented or with modifications. Once approved by the Board, the official minutes shall be kept in the District vault.

**4-13C** Action minutes shall be taken by the Board Secretary which summarize (a) Action taken, with a recordation of motion noting name of each person making and seconding the motion (b) Action taken, with a recordation of voting by name on each motion where a roll call vote is required (c) Specific information requested by the Board to be entered in the minutes.

**RULE 4-14: CONFLICT OF INTEREST** -- Directors shall abstain from participating in consideration on any item involving a legally prohibited conflict of interest and shall declare the nature of that conflict to the Board.

**RULE 4-15: CORRESPONDENCE** -- Staff shall date-stamp the original of all correspondence from constituents, responsible agencies, and trustee agencies upon receipt and distribute a copy to each director within one week. Where a response is requested or where the Manager believes a response is needed, the Manager will cause

a response to be transmitted to the author with copies to the Board as soon as workloads allow but no later than ten working days following receipt.

**RULE 4-16: DIRECTOR REACTION TO CORRESPONDENCE --** A Director that believes the Board should address an issue raised by the author of correspondence, or by staff's response to correspondence reserves the right to request Board review on a subsequent agenda by submitting a written request to the Manager at least ~~fourteen~~<sup>seventeen</sup> days prior to that meeting. When a Director submits such a request staff will prepare a draft response for Board edit at the Board Meeting. Where a concern arises within seventeen days of a Board Meeting, the Director with the concern should express his or her concern at the Board meeting and request the inclusion of the issue as an agenda item at a subsequent Board meeting.

## **PART 5 -- BOARD MEETING PROCEDURES**

**RULE 5-1: REGULAR MEETINGS --** Regular meetings of the Board of Directors shall be held on the third Wednesday of each calendar month at 7:00 PM at Azalea Hall. The date, time, and place of regular meetings shall be reconsidered annually at the annual organizational meeting of the Board.

**RULE 5-2: SPECIAL MEETINGS (NON-EMERGENCY) --** Special meetings (non-emergency) of the Board of Directors may be called by the President.

**5-2A Notice:** All Directors, the Manager and District Counsel shall be notified of the Special Board Meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least twenty-four (24) hours prior to the meeting.

**5-2B Notification:** Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of Special Meetings in accordance with the Ralph M. Brown Act (California Government Code 54950 through 54960) shall be notified by a mailing unless the Special Meeting is called less than one week in advance, in which case, notice, including a description of the business to be transacted, will be given by telephone during business hours as soon after the meeting is scheduled as is practical.

**5-2C Agenda:** An agenda shall be prepared as specified for the Regular Board Meetings and shall be delivered with the notice of the Special Meeting to those specified above.

**5-2D New Business:** Only those items of business listed in the call for the Special Meeting shall be considered at any Special Meeting.

**RULE 5-3: SPECIAL MEETINGS (EMERGENCY) --** In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened immediate disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the twenty-four (24) hour notice required above. An emergency situation means a substantial emergency which severely impairs or threatens public health, safety or both, as determined by the Manager and Board President or Vice President in the Presidents absence.

**5-3A Notification:** Newspapers of general circulation in the District, radio stations and television stations which have requested notice of Special Meetings in accordance with the Ralph M. Brown Act shall be notified by at least one (1) hour

prior to the emergency meeting. In the event that telephone services are not working, the notice requirement of one hour is waived, but the Manager, or his/her designee, shall notify such newspapers, radio stations or television stations of the fact of holding the Emergency Special Meeting and of any action taken by the Board, as soon after the meeting as possible.

**5-3B New Business:** No Closed Session may be held during an Emergency Special Meeting, and all other rules governing Special Meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the Emergency Special Meeting, a list of persons the Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the District office as soon after the meeting as possible.

**RULE 5-4: ADJOURNED MEETINGS --** A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda, to any time and place specified in the order of adjournment, except when a quorum is lacking at any Regular or Adjourned Meeting, the members present may declare the meeting adjourned to a stated time and place, and he/she shall cause a written notice of adjournment to be given to those specified above.

**RULE 5-5: ANNUAL ORGANIZATIONAL MEETING --** The Board of Directors shall hold an annual meeting at its Regular Meeting in December. At this meeting the Board will elect a President and Vice-President from among its members to serve during the coming calendar year, and will appoint the Finance Director as the Board's Treasurer and the General Manager shall select a staff member to serve as the Board's Secretary. The Board is committed to periodically review and adjust rates and charges as needed and appropriate.

**RULE 5-6: ORDER OF AGENDA --** The Presiding Officer of the meeting described herein shall determine the order in which the agenda items shall be considered for discussion and/or action by the Board. Any Director may place an item on a Board Meeting agenda by submitting a letter describing the item to be discussed at least seventeen days prior to the Board Meeting.

**RULE 5-7: MEETING ROOM PREPARATION --** The President and the Manager shall insure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate.

## **PART 6 -- BOARD MEETING CONDUCT**

**RULE 6-1: CONDUCT GUIDELINES --** Meetings of the Board of Directors shall be conducted by the President in a manner consistent with the policies of the District. The latest edition of Robert's Rules of Order, Revised shall also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Robert's Rules of Order, Revised. Members of the Board of Directors will fully comply with the provisions of the state's open meeting law for public agencies, the Brown Act.

**RULE 6-2: CONDUCT OBJECTIVE --** The conduct of meetings shall to the fullest extent possible, enable Directors to consider problems to be solved; weigh evidence related thereto, and make wise decisions intended to solve the problems; receive, consider and take any needed action with respect to reports of accomplishments of District operations.

**RULE 6-3: PUBLIC INPUT --** Provisions for permitting any individual or group to address the Board concerning items on the agenda of a Special Meeting, or to address the Board at a Regular Meeting on any subject that lies primarily within the jurisdiction of the Board President and as follows:

**6-3A Time Limits:** The President, unless a majority of the Board objects, may allot a maximum amount of time for each speaker and a maximum amount of time to each subject matter.

**6-3B Boisterous Conduct:** No boisterous, insulting, offensive, threatening, intimidating, demeaning, or hostile conduct actions or speech shall be permitted at any Board meeting. Persistence in ~~such boisterous~~ conduct shall be grounds for summary termination, by the President, of the speaker's privilege of address and/or removal of the individual from the meeting.

**RULE 6-4: WILLFUL DISRUPTION --** Willful disruption of any meeting of the Board of Directors shall not be permitted. If the President with the concurrence of the Directors finds that there is in fact willful disruption of any meeting of the Board, he/she may order the room cleared and subsequently conduct the Board's business without the audience present.

**6-4A New Business:** In such an event, only matters appearing on the agenda may be considered in such a session.

**6-4B Readmittance:** After clearing the room, the President should permit those persons who, in his/her opinion, were not responsible for the willful disruption to re-enter the meeting room before any further business is conducted.

**6-4C Media:** Representatives of the news media, whom the President finds not to have participated in the disruption, shall be admitted to the remainder of the meeting.

**RULE 6-5: QUORUM AND MAJORITY --** Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a minimum quorum is present, therefore, require all three (3) votes to be effective.

**RULE 6-6: ABSTENTIONS --** Where a Director abstains in a vote with respect to a potential Conflict of Interest the Director shall be considered to be absent. Where a Director abstains in a vote for any reason other than a potential Conflict of Interest (see Rule 4-14, above), the abstention will be recorded as an abstention which has the same effect as a "NO" vote. Thus, if only three directors are present and one abstains, no action can be taken on the item because a "Majority of the Board" did not vote "YES".

**RULE 6-7: DIRECTIONS --** The Board may give directions which are not formal action. Such directions include the Board's directives and instructions to the General Manager. The President shall determine by consensus a Board directive and shall state it for clarification. Should any two directors challenge the statement of the President, a voice vote may be requested. A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action (such as to refer the matter to the General Manager for review and recommendation, etc.). Informal action by the Board is still Board action and shall only occur regarding matters which appear on the agenda for the Board Meeting during which said informal action is taken.



## **PART 7 -- PARLIAMENTARY PROCEDURE**

**RULE 7-1: PARLIAMENTARY DETERMINATIONS** -- The Presiding Officer shall preserve order and decorum and shall decide questions of order subject to appeal to the Board.

**RULE 7-2: AUTHORITY OF PRESIDING OFFICER** -- The Presiding Officer shall not make motions or second motions but he/she may debate and vote on any matter under consideration. Where the President wishes to make or second a motion he/she should vacate the role of Presiding Officer until that item is resolved. Where the President has vacated the role of Presiding Officer for a particular agenda item, the Vice-President (or another director) shall become the Presiding Officer until all action on that agenda item is completed.

**RULE 7-3: CALL FOR QUESTION** -- A "call for question" shall be deemed a non-binding request that the Presiding Officer close debate and bring a motion to an immediate vote. The Presiding Officer may choose to continue discussion of the issue.

**RULE 7-4: MOTION TO CLOSE DEBATE** -- The "motion to close debate", if seconded, shall be a non-debatable motion, and shall have precedence over any other motion except for a parliamentary inquiry, or a motion to adjourn. Should the "motion to close debate" pass by a majority vote, the Presiding Officer shall thereafter immediately call the question on the pending motion.

**RULE 7-5: AMENDMENTS TO MOTIONS** -- A main motion may only be amended with the consent of the maker and seconder. Without this approval, no amendment to a motion shall be in order without a vote on the principal motion. A "substitute motion" shall be construed as an amendment to the main motion, and shall follow the process described in this rule.

**RULE 7-6: RECONSIDERATION** -- Any Director that voted for an approved motion on an agenda item may move to reconsider that item at a subsequent meeting. If seconded by any other Director and passed by a majority vote, the effect of the motion is to nullify the earlier motion so that a new motion may be debated at the subsequent meeting.

Normally uUnder no circumstances can such an item be reconsidered at the same meeting. An exception may be made if action is a legal requirement at the meeting in question. If the matter is to be reconsidered at a subsequent meeting, notice of that fact must be stated in the agenda for the subsequent meeting.

**RULE 7-7: RECONSIDERATION (Subsequent to Meeting)** -- Any two Directors may request that an item resolved at an earlier meeting be added to the agenda of a subsequent meeting. The Presiding Officer may reject this request if no new information is presented in his/her opinion to warrant further debate. At the meeting where the item rejected by the President could have been considered a majority of the Board may place an item on a subsequent meeting's agenda.

**RULE 7-8: MOTION TO CONTINUE** -- Any Director may move that an item be continued to a specific future Board Meeting even if a main motion is pending consideration. If a motion to continue is seconded and passed all consideration on that item is halted and continued until the subsequent meeting.

**RULE 7-9: MOTION TO TABLE** -- Any Director may move that an item be tabled for an indefinite time, even if a main motion is pending consideration. If such a motion is

seconded and passed all consideration on that item is halted until a Director requests consideration on a subsequent agenda.

**RULE 7-10: ORDER OF DEBATE (Legislative Matter, Action Items)** -- The Presiding Officer shall follow the following order of debate in the consideration of Legislative (Action/Decision) matters:

**7-10A Presentation:** Staff shall present the issue with any recommendations.

**7-10B Questions of Staff by Board:** The Board may ask questions of staff to clarify the issue or the recommendation.

**7-10C Audience Input:** Members of the audience may make statements or ask questions regarding the matter. Any person wishing to address the Board, shall, when recognized by the President, step to the rostrum, and give their name to the Board Secretary. All questions of staff from the public shall be addressed to the President. The President may impose reasonable limitations upon the amount of time each person can speak or the number of times any speaker can speak. After affording public comment, he or she may close the public comment period when necessary to allow the Board to complete its business.

**7-10D Board Discussion and Resolution:** Following closure of public input, the Board shall discuss the item and take the action it deems desirable by motion. Individual Directors may ask questions of members of the audience through the President but such questions and answers should not become a debate. All other audience input shall be deemed "out of order" by the Presiding Officer unless the Board determines that additional input is desirable.

**RULE 7-11: ORDER OF DEBATE (Quasi Judicial)** -- The Presiding Officer shall follow the following order of debate in the consideration of quasi judicial/adjudicative matters:

**7-11A Presentation:** Staff shall present the issue with any recommendations.

**7-11B Questions of Staff by Board:** The Board may ask questions of staff to clarify the issue or the recommendation.

**7-11C Public Hearing:** The Presiding Officer shall open the Public Hearing, call upon the Applicant to make a statement, and then receive any and all input from the public. Any person wishing to address the Board, shall, when recognized by the President, step to the rostrum, and give their name to the Board Secretary. All questions of staff from the public shall be addressed through the President. Following receipt of public comment, the applicant shall be given the opportunity to respond to comments received. The President may limit the amount of time each person can speak or the number of times a speaker can speak and may close public comment restricting further discussion to the Board level unless a majority of the Board wishes to hear other testimony. The President shall then close the Public Hearing.

**7-11D Board Discussion and Resolution:** Following closure of public input, the Board shall debate the item and take the action it deems desirable by motion. Individual Directors may ask questions of members of the audience through the President but such questions and answers should not become a debate. All other audience input shall be deemed "out of order" by the Presiding Officer unless the Board determines that additional input is desirable.

## **RULE 7-12: ORDER OF DEBATE (Non-Legislative Matter, Informational Items)**

**7-12A Presentation:** Staff shall present the issue with any recommendations.

**7-12B Questions of Staff by Board:** The Board may ask questions of staff to clarify the issue or the recommendation.

**7-12C Audience Input:** The Board President may choose to accept input from the audience regarding the matter, however such input is optional and at the Board President's discretion.

**RULE 7-13: EX PARTE CONTACT AND DISCLOSURE** -- If a Director talks to or is otherwise contacted by a party in a quasi-judicial/adjudicative matter pending before the Board, that Director must disclose to the Board of Directors that he or she was contacted and disclose the name of the person who contacted them.

## **PART 8 -- REMUNERATION**

**RULE 8-1: BOARD MEETING COMPENSATION** -- Board Members compensation shall be governed by section 61047 of the California Government Code. The Board of Directors may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the Board of Directors shall not receive compensation for more than six days of service in a month. However, the MCSD Board in August of 2000 unanimously voted that "Directors would be compensated \$100 per noticed meeting attended up to a maximum of \$200 per month per Director with no compensation for Committee Meetings or Ceremonial Meetings". For the purposes of this section, a "day of service" means any of the following:

- (1) A meeting conducted pursuant to the Ralph M. Brown Act, Chapter 9 (commencing with [Section 54950](#)) of Part 1 of Division 2 of Title 5 of the Government Code.
- (2) Representation of the District at a public event, provided that the Board of Directors has previously approved the member's representation at a Board of Directors' meeting and that the member delivers a written report to the Board of Directors regarding the member's representation at the next Board of Directors' meeting following the public event.
- (3) Representation of the District at a public meeting or a public hearing conducted by another public agency, provided that the Board of Directors has previously approved the member's representation at a Board of Directors' meeting and that the member delivers a written report to the Board of Directors regarding the member's representation at the next Board of Directors' meeting following the public meeting or public hearing.



(4) Representation of the District at a meeting of a public benefit nonprofit corporation on whose board the District has membership, provided that the Board of Directors has previously approved the member's representation at a Board of Directors' meeting and the member delivers a written report to the Board of Directors regarding the member's representation at the next Board of Directors' meeting following the corporation's meeting.

(5) Participation in a training program on a topic that is directly related to the District, provided that the Board of Directors has previously approved the member's participation at a Board of Directors' meeting, and that the member delivers a written report to the Board of Directors regarding the member's participation at the next Board of Directors' meeting following the training program.

**RULE 8-2: BOARD MEMBER EXPENSES** -- Board Members that incur expenses for service rendered at the request of the Board shall be reimbursed on the basis established under the District's Expenditure Control Guidelines.

**RULE 8-3: INSURANCE** -- Board Members serving continuously prior to December 31, 1995 shall be eligible for the same insurance benefits as afforded regular employees while serving on the Board. These Board Members shall not be eligible for insurance benefits after they stop serving on the Board unless they participate on a self pay basis. Board Members starting terms on or after January 1, 1996 shall not be eligible for insurance benefits unless the recipient participates on a self pay basis.

## **PART 9-- PERSONNEL POLICIES**

**RULE 9-1: SEXUAL HARASSMENT** -- The District will not tolerate sexual harassment (which includes harassment based on verbal, physical and visual conduct that creates an intimidating, offensive, or hostile working environment or that interferes with an employee's work performance) by a Board Member, consultants, clients, customers, members of the public, or visitors. The Board considers sexual harassment to be a major offense which may result in disciplinary action of the offending Director. The District is committed to providing a workplace free of sexual harassment (which includes harassment based on gender, pregnancy, childbirth, or related medical conditions), as well as harassment based on such factors as race, color, creed, national origin, ancestry, age, physical disability, mental disability, medical condition, marital status, sexual orientation, medical leave status, veteran status, or any other basis protected by federal, state or local laws.

An employee who feels that he/she is being harassed is encouraged to immediately report such incident to the immediate supervisor of the accused individual without fear of reprisal. The Manager shall be informed of all such complaints and will assist in the investigation and resolution of complaints.

**RULE 9-2 WORKPLACE VIOLENCE** - In recognition of the fact that workplace violence is a concern among Boards, employers and employees across the country the District has committed itself to providing a safe, violence-free workplace. In this regard, the District strictly prohibits employees, consultants, clients, customers, members of the public, visitors, or anyone else on MCSD premises or engaging in a District-related activity from behaving in a violent, threatening, intimidating, or hostile manner.

Moreover, the District seeks to prevent workplace violence before it begins and reserves the right to deal with behavior that suggests a propensity towards violence even prior to any violent behavior occurring.

The District believes that prevention of workplace violence begins with recognition and awareness of potentially early warning signs and the Board shall respond to any situation that may present the possibility of violence.

Workplace violence includes, but is not limited to, the following:

- Threats of any kind;
- Threatening, physically aggressive, or violent behavior, such as intimidation of or attempts to instill fear in others;
- Other behavior that suggests a propensity toward violence, which can include belligerent speech, excessive arguing or swearing, threats to Board or staff members, sabotage, or threats of sabotage of District property, or a demonstrated pattern of refusal to follow District policies and procedures;
- Defacing District property or causing physical damage to the facilities.

**RULE 9-3: NON-DISCRIMINATION** -- The District shall not unlawfully discriminate against qualified employees or job applicants on the basis of sex, race, color, religious creed, national origin, ancestry, age over 40, marital status, physical or mental disability, or Vietnam era veteran status.

Equal opportunity shall be provided to all qualified employees and applicants in every aspect of personnel policy and practice. The District shall not discriminate against physically or mentally disabled person who, with reasonable accommodation, can perform the essential function of the job in question.

All Directors are expected to carry out their duties in a manner that is free from discriminatory statements or conduct.

**RULE 9-4: REASONABLE ACCOMMODATION** -- Pursuant to the Americans with Disabilities Act, MCSD has a duty to reasonably accommodate Directors with known disabilities. This accommodation is not generally required until the person with the disability requests it.

## **PART 10 -- DIRECTORS LEGAL LIABILITY**

**RULE 10-1: DEFENSE** -- The District shall defend and indemnify Board Members from any claim, liability or demand that arises out of a Director's performance of his or her duties as a Board Member or Officer of the District.

**RULE 10-2: LEGAL COUNSEL** -- The District Counsel reports to the Board as a whole but is available to each director for consultation regarding legal matters particular to that Board Member's participation in District matters. No Board Member may request a legal opinion of legal counsel without concurrence by the Board except as such requests relate to questions regarding that Member's participation. The determination of legal counsel that the member's legal issue is personal and that they must seek outside legal counsel is final. The Board chair may privately consult with legal counsel based upon credible

information of an on-going criminal investigation or criminal wrongdoing or fraud of District management or the Board, provided the allegation is not against the Board chair.

# McKinleyville Community Services District

## BOARD OF DIRECTORS

December 15, 2010

TYPE OF ITEM: **ACTION**

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**ITEM: E.12**                      **Discuss possible purchase of Lourenco Real Property at 1414 Fischer Road, APN: 508-021-008 adjacent to existing Sewer owned property**

**PRESENTED BY:**              **Greg Orsini and Norman Shopay**

**TYPE OF ACTION:**          **Voice Vote**

**Recommendation:**

Adjourn to closed session to discuss negotiation strategy

**Discussion:**

In spring of 2009 staff met with Mr. Fernando Lourenco and his son Jorge Lourenco to discuss selling a portion of or all the real property Mr. Lourenco owns at 1414 Fischer Ave. This subject was on the April 27, 2009 special meeting agenda and the Board of Directors were briefed on the possibility. The board expressed interest in pursuing the idea and directed the staff to discuss the concept.

Subsequent to those initial conversations with Mr. Lourenco staff returned to the Board with a request to share in the cost of an appraisal of the property, which the board agreed upon. Staff met with Mr. Lourenco again to gauge his willingness to enter into an agreement with the District to purchase property, which he indicated is still the case. The initial appraisal was completed.

In April of 2010 staff has had discussions with Mr. Lourenco and requested that he provide 3 initial alternative proposals that he would like the Board to consider regarding the purchase of his property. The District has received a response from Mr. Lourenco. Staff met in closed session to discuss the initial price and terms suggested by Mr. Lourenco and obtain board direction related to price and terms at that time the Board determined it would not be in the District best interest to negotiate further.

In November of 2010 Mr. Lourenco again approached staff with a revised offer to purchase the real property at 1414 Fischer Road. Fernando and Jorge met with staff and expressed interest in sale of the property but with different conditions. Since the conditions and terms had change substantially staff thought it prudent to return to the Board for direction.

The Property is approximately 1892' x 172' covering 7.5 acres and runs north and south between the Fischer Ranch and Fischer Road having a common southern border with the District Ranch. There is a 1500 sq. ft. house and 3080sq. ft. barn on the agriculturally zoned property.

The acquisition of the property would assist in maintaining a buffer zone to the adjacent District property and assist in maintaining setbacks during reclaimed water irrigation.

**Alternatives:**

Staff's analysis includes the following potential alternative:

- Take no action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

## **McKINLEYVILLE COMMUNITY SERVICES DISTRICT**

Monthly Report  
December 15, 2010

**AGENDA ITEM:** F.2.a.  
**PRESENTED TO:** MCSD Board of Directors  
**FROM:** Steven Edmiston, Finance Director  
**SUBJECT:** Monthly Report

### **WATER AND SEWER BUDGET**

Revenues for water sales for the month of November were below expectations for the second straight month by \$43,314, resulting in a fiscal year to date negative budget variance of \$65,627 (7.92%). An adjustment to the District's water rate structure may become necessary should this trend continue. The graphs on the following pages (reprinted from this month's Treasurer's Report) indicate a trend toward lower water usage as compared with the two most recent fiscal years. Net Operating Income for the District's water and sewer enterprise funds remains ahead of budget by \$25,812.

Other water revenues, including connection and capacity fees, are seasonally higher year to date due to the timing of the associated construction activity.

Sewer expenses are below the fiscal year to date budgeted amounts due to the seasonal nature of testing and treatment costs for the summer months.

### **PARKS AND RECREATION BUDGET**

Secured property tax and Measure B assessments are collected by the County Treasurer-Tax Collector in December and April of each year and deposited to the District's Trust account. The District anticipates that approximately \$520,000 in secured property taxes, and \$210,000 in measure B assessments will be collected during the current fiscal year.

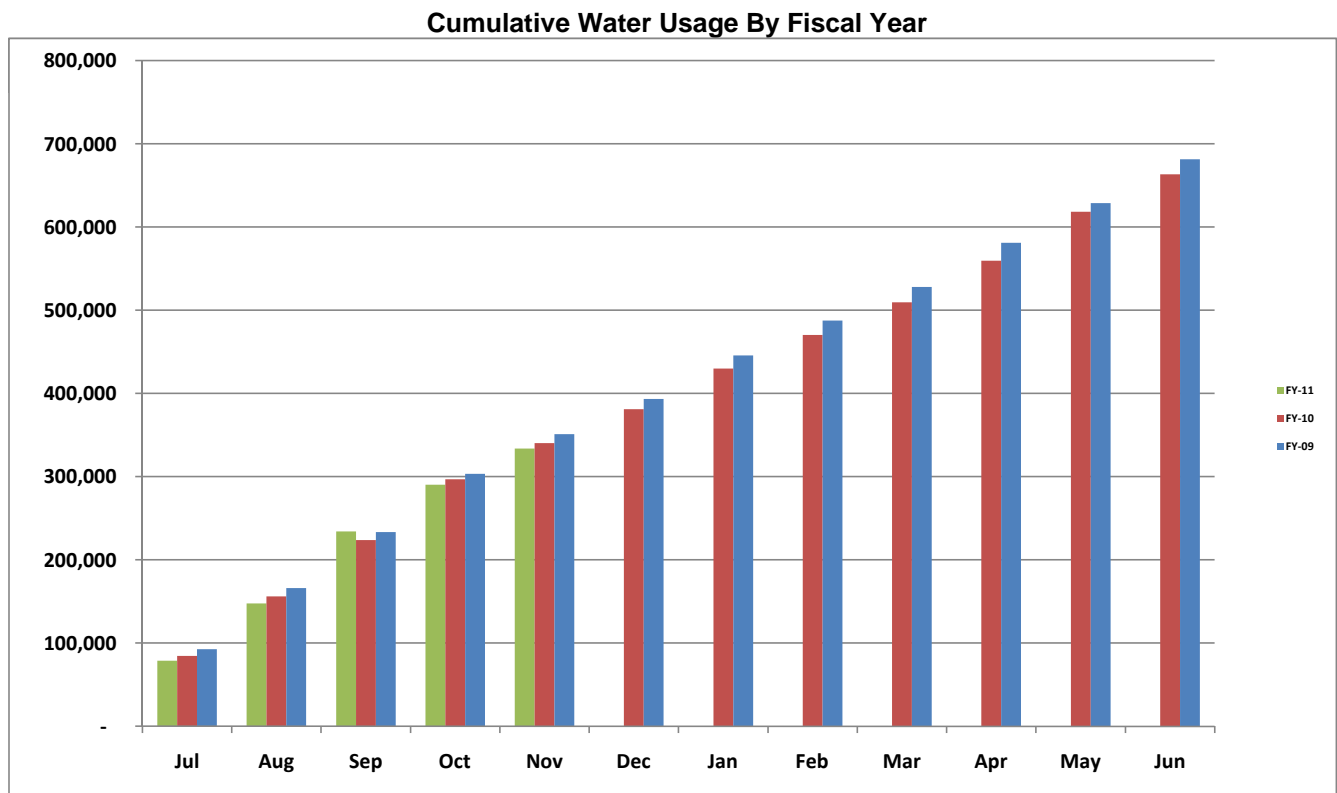
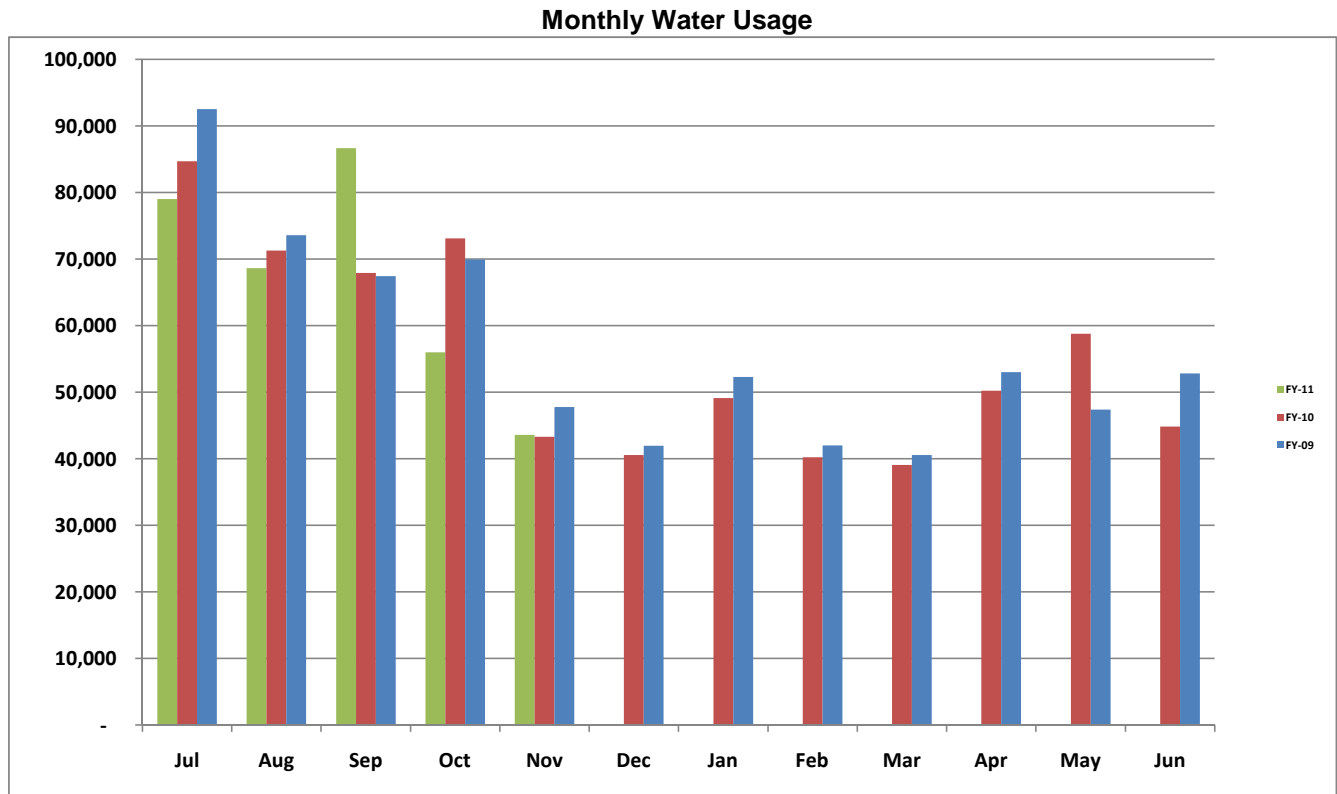
The District has submitted grant applications for funds totaling \$4,379,000. Such funds will be recorded as revenue upon receipt of an award letter from the grantor agency.

The annual interest and principal debt service payment for the General Fund was disbursed in advance of the August 1 due date in order to avoid delinquent payment penalties. An interest payment on this obligation will be due on February 1, 2011.

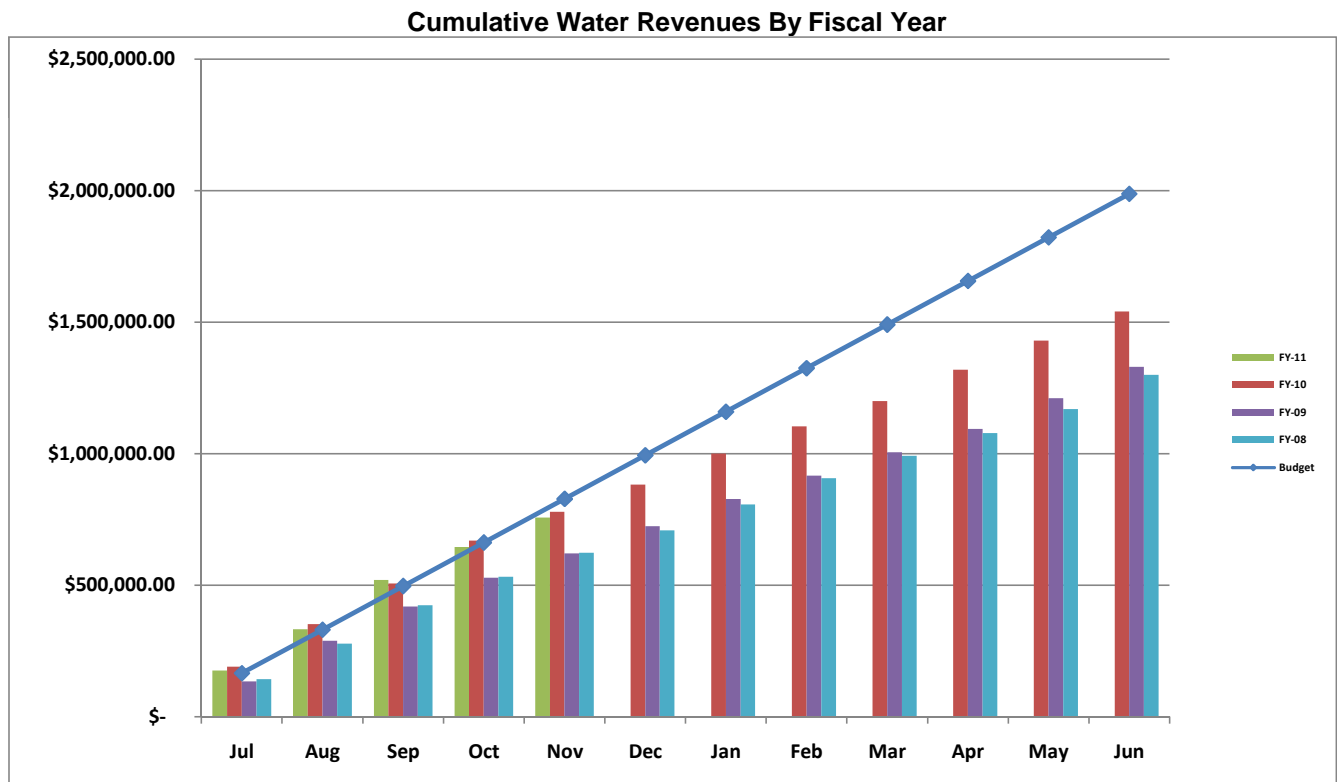
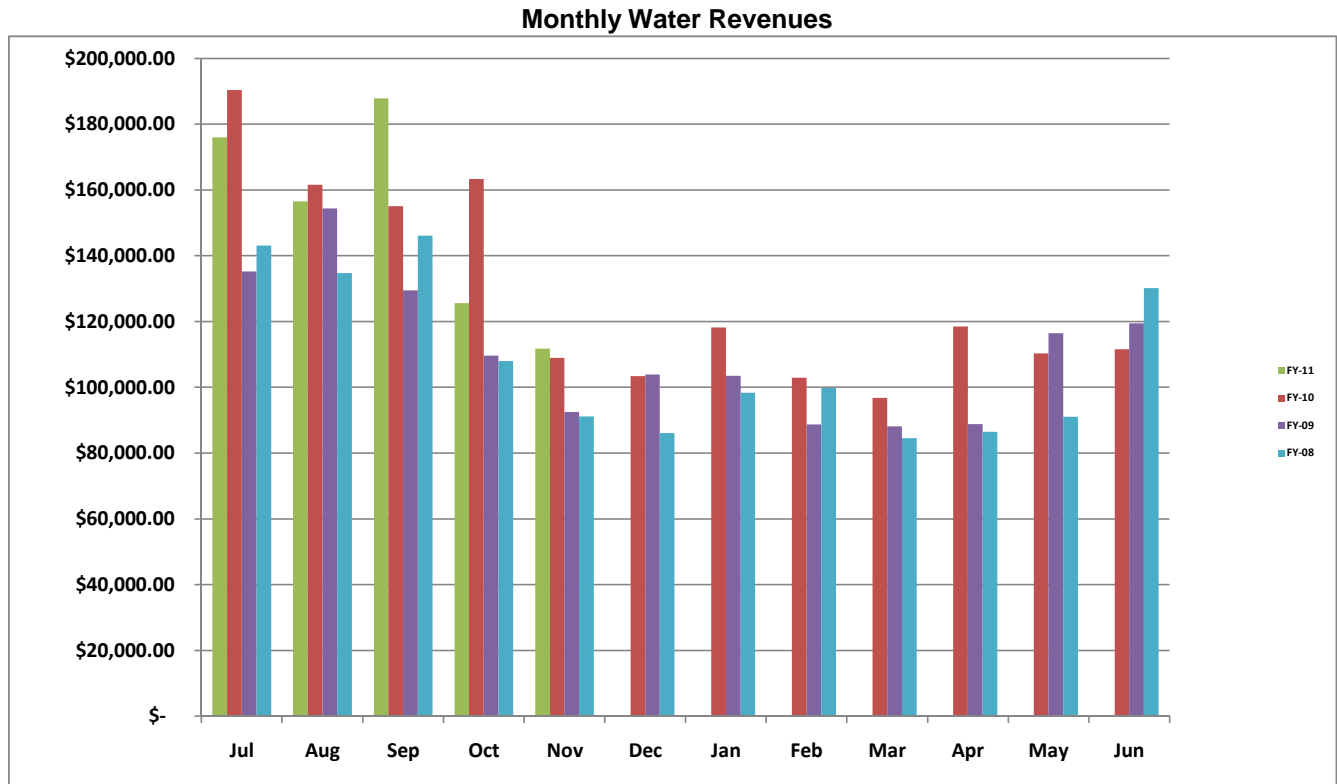
### **COST OF PUBLIC INFORMATION REQUESTS AND CORRESPONDENCE**

The District received numerous correspondences from the public during November, 2010. The cost to the District for this is \$5,049.40 for November, 2010; bringing the total cost for FY-11 to \$10,135.75. Staff hours for this totaled 72.5 hours in November, 2010, bringing the total to 110.10 hours for FY-11.

**McKinleyville Community Services District**  
**Analysis of Water Volume Usage by Fiscal Year**



# McKinleyville Community Services District Analysis of Water Revenues by Fiscal Year





## **McKINLEYVILLE COMMUNITY SERVICES DISTRICT**

### **Board Agenda Background: Department Report**

**December 9, 2010**

**To:** MCSD Board

**From:** Gregory P Orsini, Operations Director

**Subject:** Agenda Item: F.2.B. –December 15, 2010 Board Meeting  
Operations Department - November 2010 Report

Progress in achieving the Board's adopted FY10-11 Goals are summarized in the following narrative:

#### **Water Department:**

##### **◇ Water Statistics:**

**The district pumped 41.5 million gallons of water in November.**

**Four water quality complaints were investigated and rectified in November.**

**One service line leak was reported and repaired in November.**

**No water service installations were completed in November.**

Daily, weekly and monthly inspections of all water facilities were conducted.

##### **◇ Double Check Valve Testing:**

**Route 19 testing was completed in November accounting for 47 devices.**

##### **◇ Leak Repair**

**A water service leak located in the street in front of 1656 Sutter Rd. was repaired. The leak was caused by an old crimp from when either the gas or sewer was installed. The crew used a listening device to pinpoint the leak and the Vacuum truck (Vac-Con) to make repairs resulting in a 2' by 3' excavation.**

##### **◇ Annual Valve Exercising:**

**Staff continued valve exercising in November. This requires the operation of every valve in the District. Staff has been working to complete this program. We are 95% complete and estimate conclusion by the end of December. During this annual exercise, valve discrepancies can be noted, work orders generated and repaired in a timely manner.**

##### **◇ Water Booster Station Valve Controller:**

**The Cla-Val control coil on Pump 1 at Cochran Booster Station malfunctioned. These coils control the operation of the automatic valves and the operation to the pumps. The coil was replaced and the pump placed back in service.**

##### **◇ New Construction Inspections:**

**Airport Ramp Project, waiting on completion of punch list; Central Estates Phase 2A and B, works has stopped due to rain; Sun Road Mainline Extension, 700' of main and two fire hydrants installed before rain started; Santos Subdivision, all sewer mains and laterals installed ; Van Eaton Subdivision, pending as- builds and completion letter.**

#### **Waste Water Statistics:**

**31.6 million gallons of wastewater were collected and pumped to the W.W.M.F in November.**

**32.8million gallons of waste water were treated and discharged to land disposal in November.**

**No sewer services were completed in November.**

Daily, weekly and monthly inspections of all sewer facilities were conducted.

##### **◇ Sewer Lift Station Pumps**

**Due to normal wear sewer pump internal cavities degrade with time. Letz Sewer Lift Station pumps 1 and 2 were rehabbed with titanium putty and coated with a ceramic paint that will extend the useful life of the pump body indefinitely. Semiannually sewer lift pumps are visually inspected and tolerances adjusted using shims to maintain efficient operation.**

##### **◇ Fluid and Filter Changes:**

**Semi annually all Operations Department heavy equipment and stationary emergency generators are serviced. Filters and fluids are changed when required to insure the longevity and dependability of this equipment. This work is conducted in house to reduce costs and so staff can remain familiar with the equipment. This maintenance will be carried out through December.**

◇ **Wet Well Wash Down:**

B Street and Fischer Sewer Lift Station wet wells had their quarterly wash down. These wash downs are conducted on a regular basis to prevent build up of grease and prevent damage that would be caused by hydrogen sulfide gas accumulation.

◇ **Percolation Pond Site Clearing:**

Annually the Percolation Ponds are cleared of brush to maintain access. If this time consuming and labor intensive maintenance was not accomplished staff's ability to inspect and maintain the facility would be hindered.

◇ **Fischer Road Lift Station Grinder:**

Channel monster is trade name for a piece of equipment designed to process solids in the waste stream that are not designed to be pumped by the sewer pumps. It was removed from the station, was prepped and sent off to be remanufactured. The identical unit at the WWMF was rebuilt in house last fiscal year. It was determined that due to the extent of the wear to this unit it was economically a better choice to send it back to the manufacturer for repairs. This piece of equipment was reinstalled and is back in service.

**Street Light Department:**

Three streetlight problems were reported and repaired in November.

Promote Staff Training and Advancement:

Weekly safety meetings were conducted.

**Special Notes:**

As part of the update of the Emergency Operations Plan staff has been in the process of securing mutual aid agreements with local business and agencies. A vast amount of equipment and supplies are required to ensure the functionality of District Operations during crisis times. Emergency rations have been renewed and steel barrels purchased to store these rations long term.

Operations Plan staff is in the process of installing an emergency generator to power the Office in the event of a power outage. The generator will be fueled by LP and natural gas and will start and transfer automatically when power levels fall below a specified level. The system will transfer back automatically when power is reestablished. A dual fuel generator was selected due to the possibility the natural gas mains could be vulnerable. So a back up was necessary. All conduit have are run and when the transfer switch arrives the installation will be completed.

Ramey Upgrade Project continued this month Work on the Ramey Pump Upgrade Project includes completion of grounding system. The grounding system consists of ground rods being driven into the ground around the outside of the control building, trenches are excavated around the perimeter, grounding cables laid in, bonded to the grounding rods and backfilled. The slab for the diesel fuel tank and diesel generator was formed, poured and finished. All rotating components of the pumps minus the motors have arrived and have been set in place along with suction header sections and valves. A major milestone for the project was completed in November requiring a shutdown of the entire Booster Station. On the suction side an 18" tee was installed, along with a 90 degree elbow to make the connection to the new header. An 18" valve was installed which will be used to isolate the old header from the new header. On the discharge side, an 18" wye was installed along with an 18" valve. An existing concrete thrust had to be removed prior to the installation of the 18wye. This was a scheduled 24 hour shut down that was completed and back on-line in 12 hours. There were 5 customers on North Bank Road that were notified and out of service during that time. The tank levels only dropped 5' during this 12 hour shutdown leaving the District with 33' of water in the reservoirs. The new discharge header was installed along with valves, expansion joints, check valves, PRV and miscellaneous piping which is clearly visible from North Bank Road.

Staff met with California Coastal Commission in November to discuss the possibility of an ocean outfall to replace the existing river discharge. It was very informative and provided staff with information that will aid in the planning of a strategy to pursue the feasibility of the outfall as an alternative.

McKINLEYVILLE COMMUNITY SERVICES DISTRICT  
Board Agenda Background - Department Report  
December 15, 2010

**AGENDA ITEM:** F.2.C.  
**PRESENTED TO:** MCSD Board of Directors  
**FROM:** Jason Sehon, Parks & Recreation Director  
**SUBJECT:** Parks & Recreation Department Report

**PIERSON PARK:**

Staff and California Conservation Corps (CCC) crews removed non-native and invasive plant species at Pierson Park at the south portion of the park. Staff will remove remaining stumps and replace the invasive Catoneaster with Shore Pine trees and Wax Myrtle trees.

In addition, the CCC crew installed a trail system between Gwin Road and Azalea Hall near the bocce ball courts and the horse shoe pits.

In the week's prior, the CCC crew removed invasive plant species from detention basins managed by the District.

Completed handicap access to bocce ball and horse shoe pits area.

The retaining wall on northeast side by the roundabout is rotting and falling apart. Staff is going to get new peeler cores and replace the rotten ones.

**CENTRAL AVE OPEN SPACE MAINTENANCE ZONE:**

Banners have been placed on streetlights. We have five (5) streetlights that need to be examined before we can place banners up. Staff wants to be clear that because some property owners do not have banners hanging in front of their business, it does not mean they did not support the concept.

Coastal Tree Service will be trimming all large trees along Central Avenue back to 30%. Staff will bill the county for the work that is being done.

**HILLER PARK:**

Field repairs are being conducted. Now that the soccer fields are a couple years old, there are several areas that have settled and staff is adding topsoil/sand mix, seeding, and raising sprinkler heads.

**McKINLEYVILLE SKATE PARK UPDATE:**

The following was submitted by the McKinleyville Skate Park Organization as part of their required monthly reporting to the Parks & Recreation Director:

- Completed re-design for park. We now have full construction documents in hand.

- Have been working on a detailed list of costs broken down by materials and services so we can work on in-kind donation agreements from local businesses.
- Having a fundraiser on December 10<sup>th</sup> for the Arts Arcata. The event is at Ampt Skateboard shop and we have a professional artist that is giving proceeds from art sold towards the park.
- Fundraiser event on December 11th at Arcata Theater Lounge we have a 3D skate video showing. All Proceeds are going towards the Mck park.
- Have drafted a brochure that we will be printing once we have reviewed.
- Began coordinating a winter event at Blue Lake Casino that will be held between Late Jan. and early Feb.. Poker tournament, ramps (inside) and music.
- Received new merchandise for promotional sales including sweatshirts and are ordering skateboard decks. We can purchase the decks at \$16/each and sell for \$45. We are currently talking with local skate shops to sell the merchandise for us.
- Did an interview with McKinleyville Press.
- Generating revenue from beer sales at six rivers brewery. We receive 10% of all sales of the Frontside Ale.
- Held a benefit at Six Rivers Brewery on October 30<sup>th</sup>. 15% of proceeds from the door went to support the park.
- Have Visual Concepts creating two signs for the park location. They are donating the graphic work and printing. We just have to pay for the actual sign materials. They will create a proof for Norman to review.
- Had our quarterly meeting on November 10<sup>th</sup> and had 14 attendees. We got a lot of work done and are planning a number of events for winter and spring.
- Posted our last two years of minutes on our web page. November's minutes will be posted after they have been approved at our next meeting.
- Began starting a list serve of emails for interested community members so we can send out periodic updates on where we are at.
- Next meeting is on Wednesday, February 9<sup>th</sup> 2011 at 6 PM at Azalea Hall.
- Received a \$3,000 anonymous donation this month.
- **Balance to date: \$24,949**

#### **COMMUNITY SERVICE WORKERS:**

Our Parks staff continues to utilize the Community Service Worker (CSW) program daily. This program helps us to maintain Pierson Park, Hiller Park, Hiller Sports

Complex, Azalea Hall, the McKinleyville Activity Center, and several of our Open Space Maintenance Zones.

**WORK EXPERIENCE (Cal Works PROGRAM)**

We have five (5) positions through the Cal Works program that are working with the Parks & Recreation Department, Operations Department, and Business Department. This is a great program for the workers and for the MCSD. It gives the employees great on the job experience and it aids MCSD in its daily operations. The County pays all wages for a six-month period (with possible extensions of time), and workers compensation is also under the Counties umbrella. If MCSD hires an employee from this program, the County will pay for half their wages for the first year of employment.

**GRAFFITI & VANDALISM UPDATE:**

Mid Town Trail had graffiti on the fence in several places.

## McKinleyville Community Services District

### BOARD OF DIRECTORS

December 16, 2010

TYPE OF ITEM: **INFORMATION**

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**ITEM: F.2.D. General Manager's Report**

**PRESENTED BY: Norman Shopay**

**TYPE OF ACTION: None**

**1. Cost Savings Related to District Activities** – While the Board remains fully informed and up-to-date on all the various staff efforts, cost savings, and extra work done by the dedicated District staff members in their continued efforts to look for creative opportunities for cost and efficiency savings measures for the District, these activities may not be fully understood and realized by some members of the public. Therefore, I thought it would be useful to highlight some of the cost savings. The following is a summary of some of the recent District cost savings opportunities staff has identified.

- Our agreement with the California Conservation Corps (CCC) gives us more than four (4) weeks a year in labor with an estimated value of \$25,000 if we were to pay for the crew. In return, MCSD allows the CCC crew to use the portable trailer at Pierson Park and store some of their equipment at that location. The type of work the crew did included detention basins, Hiller Park Loop Trails, Hiller Sports Complex, and removal of invasive plants at Pierson Park, and installing a trail at Pierson Park.
- Arranged with County to move green waste from Babler to Carnell \$850.00
- The CCC crew work an additional 2 days removing invasive plants. This is in addition to the four weeks that they already provide. When the CCC crew has a cancelation or opening, they call us and we always can find opportunities to use them \$1,200.00
- Four and one half (4.5) CalWorks employee are currently working at the District, resulting in a cost savings of \$16,800 for the month of November.

Total cost savings for November is \$20,933

***The cumulative cost saving to the District to date since tracking began from July 1, 2010 through November 30, 2010 is \$140,875***

District staff should be commended for their continued efforts in looking for cost savings opportunities that result in real savings for the District and rate payers.

**2. Emergency Response Planning:** The start of the initial table-top exercise took place in December. The updated Plan was reviewed and participants were

assigned tasks related to their anticipated responsibilities. In early January we will be continuing the initial table-top exercise and plan to have a full scale exercise in February.

**3. Ramey Pump Station Upgrade:** The temporary shutdown of the water supply line on November 18 to 19 was completed in approximately 10 hours. We had planned for a 24-hour shut down. However, the Contractor was able to complete their work sooner. Operations Staff was onsite during the shutdown. The Contractor has requested a time extension for the completion of the project that was granted by the District from January 31 to April 29. The extension does not impact the operational functions of the pump station.

**4. NPDES Permit Changes** – Staff has provided recommended changes to the RWQCB regarding the proposed revised NPDES permit. The suggested changes were submitted to the RWQCB in a letter dated December 9, 2010.

**5 Emergency Water Line Crossing over the Mad River** – Staff prepared and sent a letter to the City of Arcata requesting the City of Arcata assist MCSD for this project. A similar request to and response from Humboldt Bay Municipal Water District (HBMWD) indicated that they would not be able to assist at this time. The placement of this pipeline in the North Bound Section of the Mad River Bridge is a one time opportunity for MCSD to place the pipeline in the bridge. If we do not take advantage of this opportunity we will not have another chance. The placement of this pipeline is critical and crucial in order to ensure a potential consistent, reliable source of drinking water supply to McKinleyville in the case of an emergency. MCSD will be proceeding to place this pipe in the Bridge in order to not lose this one time opportunity regardless if each and every detail of all the specifics of the interconnection with Arcata have not been completely finalized. Placing the pipeline in the Bridge is in the best interest of the District and community. The District plans to release the Request for Proposal (RFP) for this project in early January.

**6. School Road Improvements** - MCSD is waiting for a response from the County regarding our request to have a public discussion regarding the project. We have suggested a date of February 2, 2011 at Azalea hall. On December 8<sup>th</sup> Tom Matson confirmed the February 2nd, meeting date at Azalea Hall 6:00 PM. They will be preparing an announcement for the newspaper

**7 Measure B** – Staff continues to work on Measure B renewal and has meet with some community leaders to discuss the status of the potential Measure B Renewal, the community survey results for Parks & Recreation priorities, and continue to obtain input on the various community desired alternatives for Measure B renewal.

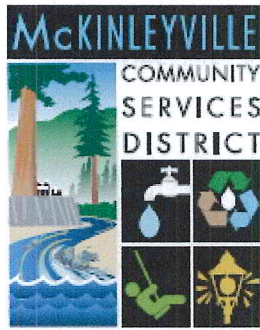


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November 30, 2010

R.W.Q.C.B. NORTH COAST REGION  
5550 SKYLANE BLVD., SUITE A  
SANTA ROSA, CA 95403

**RE: MONTHLY MONITORING REPORT**

Dear Lisa:

Enclosed is the Monthly Monitoring Report for October 2010 for McKinleyville Community Services District Wastewater Management Facilities WDID NO. 1B82084OHUM.

The normal discharge of effluent was 30 days to land reclamation and disposal. The required monitoring and water quality constituents that were tested and were reported were in compliance in October.

The requirement for BOD is 45 mg/L, a maximum of 441 pounds of BOD for the 30-day average, a minimum of 65% removal and a weekly average of 65 mg/L. With four weekly tests in October, that constitutes seven criteria. The BOD results for October are in compliance.

The requirement for NFR is 83 mg/L, a maximum of 931 pounds per-day and a minimum of 65% removal for the 30-day average. With four weekly tests in October, that constitutes three criteria. The NFR results for October are in compliance.

The requirement for Nitrate as Nitrogen in the effluent is a monthly average of 10 mg/L. One test was conducted in October and was in compliance.

Total Coliform Organisms MPN/100 ml. The Monthly Median not to exceed MPN of 23 and the daily maximum not to exceed MPN of 230. The reported results for the month of October are as follows. Median was <2 and a Maximum of <2. Four samples were collected in the month of October and were in compliance.

Monitoring of the Mad River and Storm Water Wetlands was conducted in October but Hiller Backswamp Wetlands were dry.

Disinfection byproduct testing was conducted in October.

**EXHIBITS:**

- A. October 2010 Wastewater Management Facilities spreadsheet with the daily, weekly, monthly, quarterly and annual monitoring records for monitoring location M-001.
- B. Disposal Flows and Location Data Sheet.
- C. BOD and TSS work sheet.
- D. River Monitoring worksheet for R-001 and R-002
- E. Hiller Marsh worksheet for R-004 and R-005
- F. Well Monitoring Elevations and Data



G. Laboratory Analysis

"I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED, IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THAT THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS."

If you have any questions, please contact this office.

  
NORMAN SHOPAY, GENERAL MANAGER

ENCLOSURES

FILE

**McKINLEYVILLE COMMUNITY SERVICES DISTRICT  
WASTEWATER MANAGEMENT FACILITY  
MONITORING DATA**

MONTH: OCTOBER

YEAR: 2010

					3X5										
		INFLUENT MONITORING		EFFLUENT MONITORING											
DATE	INFLUENT FLOW M.G.D.	EFFLUENT FLOW M.G.D.	EFFLUENT MAXIMUM GPM	RIVER CFS	INFLUENT MONITORING		EFFLUENT MONITORING								
					B.O.D. mg/L	N.F.R. mg/L	pH	(C°) TEMP	B.O.D. mg/L	NFR mg/L	AMMONIA	CL <sub>2</sub> RES.	RIVER CL <sub>2</sub> RES	SETTLABLE SOLIDS	TOTAL COLIFORM
1	0.864	1.030	1049		260	230	6.6	17.3	48	18	26	3.2		<0.1	
2	0.927	0.587	413												
3	1.007	0.596	418								24	4.1			<2
4	0.924	1.120	1223				6.6	16.1			24	3.2			
5	0.890	1.431	1176				6.9	15.5			24	3.7			
6	0.901	1.417	1168				6.8	15.8			24	4.3			
7	0.896	1.444	1243				6.7	15.4			28	4.5			
8	0.882	1.128	423		260	220	6.7	15.5	30	30	30			<0.1	
9	0.891	0.572	403												
10	0.956	0.573	402												
11	0.917	0.576	404												<2
12	0.879	0.985	1287				6.7	14.7			28	5.1			
13	0.887	1.426	1281				6.9	14.6			30	3.1			
14	0.882	1.463	1260				6.8	14.7			28	3.0			
15	0.883	1.171	1169		250	220	7.1	15.1	25	47	34	1.8		<0.1	
16	0.919	0.603	422												
17	0.990	0.606	423												
18	0.929	1.006	1177				7.2	14.2			36	6.0			<2
19	0.917	1.428	1179				7	13.5			30	5.2			
20	0.918	1.411	1207				7	13.3			30	3.7			
21	0.910	1.315	1200				7.2	13.8			30	2.9			
22	0.887	1.012	1168		240	270	6.8	15.1	19	23	28	2.5		<0.1	
23	0.940	0.530	376												
24	1.275	0.529	376												
25	1.036	0.823	928				6.9	14.7			28	4.4			<2
26	0.965	1.135	937				6.9	14			30	0.9			
27	0.965	1.321	1353				7.2	12.9			34	3.2			
28	1.014	1.274	1233				7.0	13.6			30	3.5			
29	0.991	1.015	894		220	230	7.0	13.8	19	33	24	3.6		<0.1	
30	1.012	0.851	594												
31	1.039	0.846	591												

**MONTHLY TESTS**

DATE	TDS	AMMONIA	NITRATE	BORON
10/25/2010	320	18.0	ND	310

**SPILLS:**

None to report

**30 DAY AVERAGE**

BOD mg/L	BOD LBS/DAY	BOD % Removal	NFR mg/L	NFR LBS/DAY	NFR % Removal
28	252	89	30	274	87

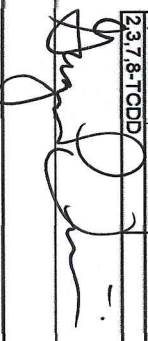
DATE	Copper	Lead	Bis. phthalate	alpha-BHC	4,4'-DDT	2,3,7,8-TCDD
N/A						

Quarterly Tests		Value in ug/l
Dichlorobromomethane		N/A
Bromofom		N/A
Chlorodibromomethane		N/A
Chlorofom		N/A

Rainbow Trout  
C. dubia

ACUTE TOXICITY	
DATE	% Survival
N/A	

SIGNATURE:



REMARKS:

Indicates Permit Exceedance

CHRONIC TOXICITY	
TESTED	SURVIVAL
Minnow	N/A
C. Dubia	N/A
Algae	N/A
TUG	

Total Coliform	
Monthly	MEDIAN
<2	
Daily	Maximum
<2	