

**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, May 2nd, 2012
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 2012-02 amending the MCSD Rules and Regulations to increase recreation program and facility rental fees **Pg. 4**

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 April 4, 2012 **Pg. 11**

- D.2 Consider approval of March 2012 Treasurer's Report **Pg. 17**
- D.3 DCV Violations this month **Pg. 37**
- D.4 Consider approval of 2011 Consumer Confidence Report **Pg. 38**

E. CONTINUED AND NEW BUSINESS

- E.1 Consider appointing members to the Recreation Advisory Committee (RAC) **Pg. 45**
- E.2 RAC recommendations regarding Skate Park Right of Entry Agreement **Pg. 49**
- E.3 Informational overview of Quimby Parkland Dedication Funds **Pg. 56**
- E.4 Informational overview of request from Fischer Ranch Lessee to apply fertilizer to bottom portion of Ranch **Pg. 65**
- E.5 Local Agency Investment Fund (LAIF) Resolution authorizing and confirming District signatories **Pg. 73**
- E.6 Association of California Water Agencies (ACWA), Joint Powers Insurance Authority (JPIA) Resolution approving membership in the ACWA – JPIA, ratifying the change of name from the "ACWA Health Benefits Authority". **Pg. 75**
- E.7 Informational overview of status of Parks and Recreation Integrated Pest Management Plan (IPM) **Pg. 80**
- E.8 Informational overview of FY 2012/13 Draft Operating Budget for General Fund and Enterprise Funds **Pg. 82**
- E.9 Approve LDA Partners as the successful bidder for Architecture and Planning Services for the Teen & Community Center Request for Proposal (RFP) **Pg. 95**

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 ((Wennerholm, Edwards (alternate))
- d. McKinleyville Senior Center (Wennerholm)
- e. Audit (Corbett, Edwards)
- f. Employee Negotiations (Wennerholm, Edwards)
- g. Water Task Force ((Mayo, Corbett (alternate))
- h. AdHoc No Drugs & Toxics Down the Drain (Couch)

- i. Local and State Advisory Committee (Edwards, Alternate-Corbett)

F.2. STAFF REPORTS

- a. Support Services Department (Colleen Trask) **Pg. 146**
- b. Operations Department (Greg Orsini) **Pg. 147**
- c. Parks and Recreation Department (Jason Sehon) **Pg. 150**
- d. General Manager (Norman Shopay) **Pg. 153**

F.3. CHAIRMAN'S REPORT

F.4. BOARD MEMBERS' COMMENTS, ANNOUNCEMENTS, REPORTS AND AGENDA ITEM REQUESTS

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.

NO CLOSED SESSION SCHEDULED

I. ADJOURNMENT

Posted 5:00 pm on April 27th, 2012

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: C.1. **First reading of Ordinance 2012-02 amending the MCSD Rules and Regulations to increase recreation program and 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 2012-02, 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 June 6, 2012 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%.

Staff also feels it is necessary to increase the fees for most recreation programs by 10%.

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

<u>Park/Facility:</u>	<u>Current Fee:</u>	<u>Proposed new:</u>
ACTIVITY CENTER		
Non-Profit Groups/Vendors	\$24.00/hour	\$25.00/hour
Private Citizen/Business	\$34.00/hour	\$37.00/hour
AZALEA HALL-ENTIRE FACILITY		
Non-Profit Groups/Vendors	\$41.00/hour	\$43.00/hour
Private Citizen/Business	\$54.00/hour	\$57.00/hour
AZALEA HALL-HEWITT ROOM		
Non-Profit Groups/Vendors	\$31.00/hour	\$33.00/hour
Private Citizen/Business	\$39.00/hour	\$41.00/hour
All Day Rate	\$346.00	\$360.00
Half Day Rate	\$203.00	\$213.00

AZALEA HALL-MEETING ROOM

Non-Profit Groups/Vendors	\$11.00/hour	\$12.00/hour
Private Citizen/Business	\$15.00/hour	\$16.00/hour

LIBRARY CONFERENCE ROOM

Non-Profit Groups/Vendors	\$18.00/hour	no change
Private Citizen/Business	\$20.00/hour	no change

PARKS

Hiller Park West		
Pierson Park Gazebo	\$58.00/day	\$50.00 (4 hours)
*Large Scale Community Events	\$110/day	\$150/day
*Commercial Events	\$220/day	\$250/day

*Requires Facility Host @ \$35.00 per hour

SPECIAL EVENT SERVICES**Event Setup**

Events with less than 100 persons	\$57.00	no change
Events with 101-200 persons	\$79.00	no change
Events with more than 200 persons	\$100.00	no change

Event Cleanup

Events with less than 100 persons	\$100.00	no change
Events with 101-200 persons	\$125.00	no change
Events with more than 200 persons	\$150.00	no change

Complete Hosting

Per Staff assigned	\$12.00/hour	no change
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In addition to revisions to fees, staff is recommending changing the language of Rule 45.03 as shown in the attached Ordinance.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- Ordinance 2012-02
- Revisions to District Rules and Regulations

ORDINANCE 2012-02

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 May 2, 2012 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 May 2, 2012 hearing on this ordinance; and

WHEREAS, the Board on June 6, 2012 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 June 6, 2012 hearing on this ordinance; and

WHEREAS, the ordinance will be duly accepted for implementation effective on July 7, 2012.

**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

\$25.00/hour
\$37.00/hour

AZALEA HALL-ENTIRE FACILITY

Non-Profit Groups/Vendors	\$43.00/hour
Private Citizen/Business	\$57.00/hour

AZALEA HALL-HEWITT ROOM

Non-Profit Groups/Vendors	\$33.00/hour
Private Citizen/Business	\$41.00/hour
All Day Rate	\$360.00
Half Day Rate	\$213.00

AZALEA HALL-MEETING ROOM

Non-Profit Groups/Vendors	\$12.00/hour
Private Citizen/Business	\$16.00/hour

LIBRARY CONFERENCE ROOM

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

PARKS

Special Events Only	\$50.00 (4 hours)
*Large Scale Community Events	\$150.00/day
*Commercial Events	\$250.00/day

*Requires Facility Host @ \$35.00 per hour

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: May 2, 2012

Upon second reading on June 6, 2012, the foregoing ordinance will be duly accepted for implementation effective on July 7, 2012.

On a motion by Director _____ seconded by Director _____, the foregoing ordinance is duly accepted on second reading this 6th day of June 2012 by the following polled vote:

AYES:

NOES:

ABSENT:

Dennis Mayo, 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 6th day of June 2012.

Secretary to the Board of Directors

EXHIBIT D.1

**MINUTES OF THE REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT HELD
ON WEDNESDAY, APRIL 4, 2012 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:

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

Norman Shopay, General Manager
Gregory Orsini, Operations Director
Colleen M.R. Trask, Finance Director
Jason Sehon, Park & Recreation Director
David A. Baldosser, Acting Board Secretary

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

AGENDA: At 7:00pm President Dennis Mayo called the meeting to order and asked Director David Couch to lead the pledge of allegiance. Director Helen Edwards was absent at the roll call but arrived at 7:02 p.m.

AGENDA ITEM B- ADDITIONS TO THE AGENDA: There were no additions to the agenda

AGENDA ITEM C. PUBLIC HEARINGS

C.1 Final Reading-Ordinance 2012-01 Amending the Board Policy Manual to Revise the Board of Directors Compensation Rate

MOTION: It was moved to adopt Ordinance 2012-01 as presented: **AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT AMENDING THE BOARD POLICY MANUAL TO REVISE THE BOARD OF DIRECTORS COMPENSATION RATE.** The motion was made by John Corbett; second was by Bill Wennerholm. President Dennis Mayo opened public input and the following person addressed the Board:

1. David Elsebusch did not support the increase.

Public comment was then closed and the item was brought back to the Board. There was no further discussion by the Board and President Dennis Mayo asked for the vote to be taken.

MOTION VOTE: ROLL CALL VOTE:
Ayes: John Corbett, Bill Wennerholm, Dennis Mayo
Nays: David Couch, Helen Edwards
Absent: none
Abstain: none

MOTION SUMMARY: Motion Passed-3 AYES; 2 NAYs

AGENDA ITEM D-CONSENT CALENDAR:

- 1. Consider approval of minutes of the Regular Meeting of March 7, 2012**
- 2. Consider approval of minutes of the March 14, 2012 Special Meeting**
- 3. Consider approval of February 2012 Treasurer's Report**
- 4. DCV Violations this month**

MOTION: It was moved to approve the consent calendar items. Motion by John Corbett; second by Bill Wennerholm

MOTION VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.1 Humboldt Local Agency Formation Commission (LAFCo) Ballot-for Special District Member Election. The MCSD Board had previously nominated Helen Edwards to fill the seat for the Special District Member. The official ballot was received from LAFCo.

MOTION: It was moved to vote for Helen Edwards from McKinleyville CSD to fill the vacancy on the LAFCo Board. Motion by John Corbett; second by Bill Wennerholm

MOTION VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.2 Consider authorizing purchase of approximately 33 Acres of Real Property Parcel located at/near the junction of North Bank Road and Azalea Road (APN 507-141-017), approval of proposed purchase agreement and adoption of Resolution regarding purchase

MOTION: It was moved to approve Item 1. Resolution 2012-14 authorizing the Board President to sign the purchase agreement and Items 2, 3, 4, and 5 as presented. Motion by John Corbett; second by Helen Edwards.

MOTION ROLL CALL VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.3 Consider acquisition of all or a portion of Real Property Parcel located at/near 2195 Hewitt Road (APN 509-021-045);

MOTION: It was moved to adopt staff recommendation of appointing GM Norman Shopay and Russ Gans, District Legal Counsel, to negotiate on behalf of the District and to authorize them to negotiate with Doug Shaw and Janne Page. Motion made by Helen Edwards; second by John Corbett

MOTION VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.4 Review and discussion of MCSD previous Goals and Objectives and request to appoint two Board members to work with staff to revised and update future Goals and Objectives

President Dennis Mayo appointed Director Helen Edwards and Director David Couch to work with staff on revising current goals and updating future goals and objectives.

E.5. Adopt Resolution 2012-12 for an Ordinance change to update the wastewater discharge limitations (local limits) in the Rules and Regulations An email message from Lisa Bernard from the Regional Water Quality Control Board confirming their concurrence of the local limits as presented was handed out by Greg Orsini, Operations Director to each Director and the Board Secretary.

Motion: Adopt Resolution 2012-12. Motion by Helen Edwards; Second by Bill Wennerholm.

MOTION ROLL CALL VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.6 Adopt Resolution 2012-13 to modify the Sewer Use Ordinance.

Motion: Adopt Resolution 2012-13. Motion by Helen Edwards; Second by John Corbett

MOTION ROLL CALL VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.9 Consider approval of letter to the Humboldt County Board of Supervisors

(The letter was regarding selection of interim planning director. This item was moved up the agenda by President Mayo due to the pending closed session and its time sensitive schedule. He verified that there were no objections prior to making this decision.)

MOTION: To approve the attached letter. Motion by John Corbett; Second by David Couch.

MOTION VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

E.8 Consider approval of Parks & Recreation Master Plan (This item was moved in front of E.7 because of the nature of this item and the members of the public that were in attendance for this item. The change was suggested by General Manager Shopay and then instituted by President Mayo. Again, President Mayo confirmed that there were no objections to this action.)

This Parks & Recreation Master Plan was rife with items that needed further attention. The Parks and Recreation Director was directed to further vet the document prior to bringing it back to the board for approval at the next scheduled meeting per President Dennis Mayo.

E.7 Informational overview of Quimby Parkland Dedication Funds

Due to time constraints relating to the closed session, this item will be moved to the next agenda.

AGENDA ITEM F-REPORTS:

F1a-RAC: Nothing pressing to report by Director David Couch, a right of entry agreement with the Skate Park committee was discussed per Parks Director Jason Sehon.

F1b-AREA FUND: John Kulstad provided a list of approved grant applications approved by the McKinleyville Area Fund. A total of \$6,577.00 worth of grants was awarded.

F1c-RREDC: Director Bill Wennerholm said that the Airport Deal was the main topic of discussion. Only the information in the newspaper is what he is allowed to share. A new director for RREDC has been appointed.

F1d-MCKINLEYVILLE SENIOR CENTER: No report made.

F1e-AUDIT: Nothing to report

F1f-EMPLOYEE NEGOTIATIONS: Nothing to report

F1g-WATER TASK FORCE: President Mayo reported that a meeting was held with HBMWD and ideas were discussed on how to sell their additional water.

F1h-ADHOC NO DRUGS & TOXICS SOWN THE DRAIN: Nothing to report

F1i-LOCAL AND STATE ADVISORY COMMITTEE: Board of Supervisors expects to discuss the McKinleyville Advisory Committee on Tuesday per Director Helen Edwards.

F2a-SUPPORT SERVICES DEPARTMENT: Budget process is continuing, phase 2 will provide draft budgets for water/sewer and parks and recreation prior to a full draft budget, the amended budget has been adopted. Announcement of hiring of the CSR 1 position, support services is now fully staffed per Colleen M.R. Trask

F2b-OPERATIONS DEPARTMENT: The tank painting is well underway. Monitoring noise impact on the neighbors is in process per Greg Orsini, Operation Director

F2c-PARKS & RECREATION DEPARTMENT: Jason Sehon received a notice that we did not get approved for the Proposition 84 grant funding for School Road and Danco Property. Jason Sehon will be meeting with a state representative regarding the Pierson Park covered picnic area for Land and Water Conservation Fund Grant application.

F2d-GENERAL MANAGER: Noting to add.

F.3-PRESIDENT'S REPORT: Nothing to add.

F.4-BOARD MEMBERS' COMMENTS, ANNOUNCEMENTS, REPORTS AND AGENDA ITEM REQUESTS: Helen Edwards appreciated the state bill summary that General Manager Shopay provides the directors

AGENDA ITEM G-PUBLIC COMMENT AND WRITTEN COMMUNICATIONS:

David Elsebusch addressed the board concerning Items E.7 and E.8 that were skipped on this agenda. Penny Elsebusch addressed the board concerning the Hewitt Road Property, Item E.3.

AGENDA ITEM H-CLOSED SESSION DISCUSSION:

PUBLIC COMMENT

David Elsebusch provided the Board of Directors and Board Secretary with a letter concerning the performance of the General Manager and expressed his concerns about the General Manager.

Penny Elsebusch expressed her concern regarding the General Manager's performance.

Brian Fallon expressed appreciation with the District and the Board of Directors.

Jeff Dunk expressed his appreciation of the General Manager and the transparency of the District Operations.

Joyce King expressed her satisfaction in her interaction with the General Manager.

Adjourned to closed session at 8:29 p.m.

H.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS -

(Per Government Code Section 54956.8) Property: 2195 Hewitt Road

(APN 509-021-045). Under Negotiation: Purchase of all or part of the above-referenced property.

MCSD negotiators: Norman Shopay, General Manager; Russell Gans, District legal counsel. The parties with whom MCSD may negotiate: Doug Shaw, Janne Page. Instructions to negotiators include both price and terms of payment.

No Action to Report.

H.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION (California Government Code § 54954.5 and 54957) Title: General Manager.

No Action to Report.

H.3 CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION-MCKINLEYVILLE COMMUNITY SERVICES DISTRICT v COUNTY OF HUMBOLDT, BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT, CASE NO. CV110632 LITIGATION, pursuant to subdivision (a) of Section 54956.9.

ACTION IN CLOSED SESSION: The Board of Directors instructed its attorneys of record in the pending Humboldt County Superior Court case, MCKINLEYVILLE COMMUNITY SERVICES DISTRICT v COUNTY OF HUMBOLDT, BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT, CASE NO. CV110632, to seek a stipulation from the County of Humboldt to file an amended petition in the existing writ proceeding to challenge the amendment to the Housing Element adopted by the Humboldt County Board of Supervisors on or about March 13, 2012, without further evaluation under the California Environmental Quality Act (CEQA). If no stipulation is forthcoming, the Board of Directors instructed its attorneys of record to file a separate writ petition challenging the March 13, 2012 action, and seek consolidation or coordination of the proceedings

MOTION: The motion containing the instructions was made by Director John Corbett

MOTION VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

AGENDA ITEM I-ADJOURNMENT:

MOTION: It was moved to adjourn the meeting at 9:33PM. Motion by John Corbett; Second Helen Edwards

MOTION VOTE: Ayes-John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

MOTION SUMMARY: Motion Passed

Ayes: John Corbett, David Couch, Helen Edwards, Bill Wennerholm, Dennis Mayo

Nays: none

Absent: none

Abstain: none

Respectfully Submitted,

David A. Baldosser, Acting Board Secretary

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: D.2. Consider Approval of the March 2012 Treasurer's Report

PRESENTED BY: Colleen Trask, Finance Director

TYPE OF ACTION: Consent Calendar Item

Recommendation:

- Staff recommends that the Board accept the March 2012 Treasurer's Report as presented.

Discussion:

- The March 2012 Treasurer's Report is attached.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

- See attached March 2012 Treasurer's Report

Environmental Requirements:

- Not applicable

Exhibits/Attachments

- March 2012 Treasurer's Report

**McKinleyville Community Services District
Treasurer's Report
March 2012**

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Page 12	Summary of Long-Term Debt Report
Page 13	Cash Disbursement Report

McKinleyville Community Services District
Investments & Cash Flow Report
As of March 31, 2012

Petty Cash & Change Funds		940.00
<u>Cash</u>		
Operating & Money Market - Beginning Balance		542,287.07
Cash Receipts:		
Utility Billings	220,593.61	
Money Market Account Interest	133.62	
Other Cash Receipts	75,986.44	
Total Cash Receipts		296,713.67
Cash Disbursements:		
Payroll Related Expenditures	(135,582.19)	
Debt Service	(4,644.48)	
Capital & Other Expenditures	(255,986.96)	
Total Cash Disbursements		(396,213.63)
Operating & Money Market - Ending Balance		442,787.11
Total Cash		443,727.11
<u>Investments</u>		
LAIF - Beginning Balance	127,479.35	
Interest Income	121.11	
LAIF - Ending Balance		127,600.46
Humboldt Co. #2560 - Beginning Balance	526,492.17	
Interest Income	421.19	
Humboldt Co. #2560 - Ending Balance		526,913.36
Humboldt Co. #4240 - Beginning Balance	4,972,073.28	
Interest Income	3,453.32	
Humboldt Co. #4240 - Ending Balance		4,975,526.60
Humboldt Co. #9390 - Beginning Balance	111,107.85	
Interest Income	88.89	
Humboldt Co. #9390 - Ending Balance		111,196.74
USDA Bond Reserve Fund - Beginning Balance	132,681.35	
Bond Reserve Payment	8,145.83	
USDA Bond Reserve Fund - Ending Balance		140,827.18
Market Valuation Account		(210.00)
Total Investments		5,881,854.34
Total Cash & Investments - Current Month		6,325,581.45
Total Cash & Investments - Prior Month		6,412,841.07
Net Change to Cash & Investments This Month		(87,259.62)
<u>Cash & Investment Summary</u>		
Cash & Cash Equivalents		5,431,996.93
Davis-Grunsky Loan Reserve		595,428.14
Waste Water Capital Reserve		97,329.20
USDA Bond Reserve		140,827.18
I-Bank Loan Reserve		60,000.00
Total Cash & Investments		6,325,581.45

McKinleyville Community Services District
Consolidated Balance Sheet by Fund
As of March 31, 2012

	Governmental Funds			Proprietary Funds		
	Parks & General	Measure B	Streetlights	Water	Sewer	Total (Memorandum Only)
ASSETS						
Current Assets						
Unrestricted cash & cash equivalents	\$ 862,414.31	\$ 41,664.78	\$ (34,565.94)	\$ 1,359,126.42	\$ 3,203,357.36	\$ 5,431,996.93
Accounts receivable	2,444.78	-	3,594.19	162,576.74	116,463.28	285,078.99
Prepaid expenses & other current assets	22,552.16		652.51	83,466.53	47,217.24	153,888.44
Total Current Assets	887,411.25	41,664.78	(30,319.24)	1,605,169.69	3,367,037.88	5,870,964.36
Noncurrent Assets						
Restricted cash & cash equivalents	-	-	-	655,428.14	238,156.38	893,584.52
Other noncurrent assets	39,325.43	-	-	10,000.00	37,529.72	86,855.15
Capital assets (net)	-	-	-	6,437,713.79	11,654,968.65	18,092,682.44
Total Noncurrent Assets	39,325.43	-	-	7,103,141.93	11,930,654.75	19,073,122.11
TOTAL ASSETS	\$ 926,736.68	\$ 41,664.78	\$ (30,319.24)	\$ 8,708,311.62	\$ 15,297,692.63	\$ 24,944,086.47
LIABILITIES & FUND BALANCE/NET ASSETS						
Current Liabilities						
Accounts payable & other current liabilities	\$ 20,439.76	\$ 440.90	\$ 13,129.36	\$ 147,317.66	\$ 61,306.00	\$ 242,633.68
Accrued payroll & related liabilities	95,319.48	-	-	29,581.89	29,581.89	154,483.26
Total Current Liabilities	115,759.24	440.90	13,129.36	176,899.55	90,887.89	397,116.94
Noncurrent Liabilities						
Long-term debt	-	-	-	3,489,684.62	1,386,743.58	4,876,428.20
Other noncurrent liabilities	39,325.43	-	-	114,600.99	115,033.99	268,960.41
Total Noncurrent Liabilities	39,325.43	-	-	3,604,285.61	1,501,777.57	5,145,388.61
TOTAL LIABILITIES	155,084.67	440.90	13,129.36	3,781,185.16	1,592,665.46	5,542,505.55
Fund Balance/Net Assets						
Fund balance	771,652.01	41,223.88	(43,448.60)	-	-	769,427.29
Net assets	-	-	-	1,969,097.29	3,436,802.10	5,405,899.39
Investment in capital assets, net of related debt	-	-	-	2,958,029.17	10,268,225.07	13,226,254.24
Total Fund Balance/Net Assets	771,652.01	41,223.88	(43,448.60)	4,927,126.46	13,705,027.17	19,401,580.92
TOTAL LIABILITIES & FUND BALANCE/NET ASSETS	\$ 926,736.68	\$ 41,664.78	\$ (30,319.24)	\$ 8,708,311.62	\$ 15,297,692.63	\$ 24,944,086.47
Investment in General Capital Assets	\$ 3,223,518.49					
General Long-term Liabilities						
OPEB Liability	60,788.00					
Accrued Compensated Absences	11,421.16					
TOTAL GENERAL LONG-TERM LIABILITIES	\$ 72,209.16					

McKinleyville Community Services District
Activity Summary by Fund
March 2012

Department Summaries	March	YTD	YTD Budget	Over (Under) YTD Budget	Over (Under) YTD Budget %	Notes
<u>Water</u>						
Water Sales	117,752	1,194,473	1,280,834	(86,361)	-6.74%	Seasonal fluctuation of water consumption Connection fees lower than anticipated due to lack of new construction
Other Revenues	9,452	113,755	134,940	(21,185)	-15.70%	
Total Operating Revenues	127,204	1,308,228	1,415,774	(107,546)	-7.60%	
Salaries & Benefits	59,065	531,446	540,869	(9,423)	-1.74%	
Water Purchased	45,237	454,263	474,285	(20,022)	-4.22%	
Other Expenses	26,934	345,520	331,683	13,837	4.17%	
Depreciation	23,000	195,000	187,500	7,500	4.00%	
Total Operating Expenses	154,236	1,526,229	1,534,337	(8,108)	-0.53%	
Net Operating Income	(27,032)	(218,001)	(118,563)	(115,654)		
Interest Income	1,215	13,846	17,250	(3,404)	-19.74%	
Interest Expense	(7,436)	(62,508)	(66,545)	(4,037)	6.07%	
Net Income (Loss)	(33,253)	(266,664)	(167,858)	(98,806)		
<u>Sewer</u>						
Sewer Service Charges	116,636	1,042,079	1,044,750	(2,671)	-0.26%	
Other Revenues	9,055	134,566	145,691	(11,125)	-7.64%	
Total Operating Revenues	125,690	1,176,645	1,190,441	(13,796)	-1.16%	
Salaries & Benefits	59,262	530,496	540,869	(10,373)	-1.92%	
Other Expenses	32,848	371,042	425,837	(54,795)	-12.87%	
Depreciation	38,000	330,000	306,000	24,000	7.84%	
Total Operating Expenses	130,110	1,231,538	1,272,706	(41,168)	-3.23%	
Net Operating Income	(4,419)	(54,893)	(82,265)	27,372		
Interest Income	2,483	24,538	22,500	2,038	9.06%	
Interest Expense	(4,749)	(44,006)	(44,465)	(459)	1.03%	
Net Income (Loss)	(6,685)	(74,361)	(104,230)	29,869		
Enterprise Funds Net Income (Loss)	(39,938)	(341,025)	(272,088)	(68,937)		

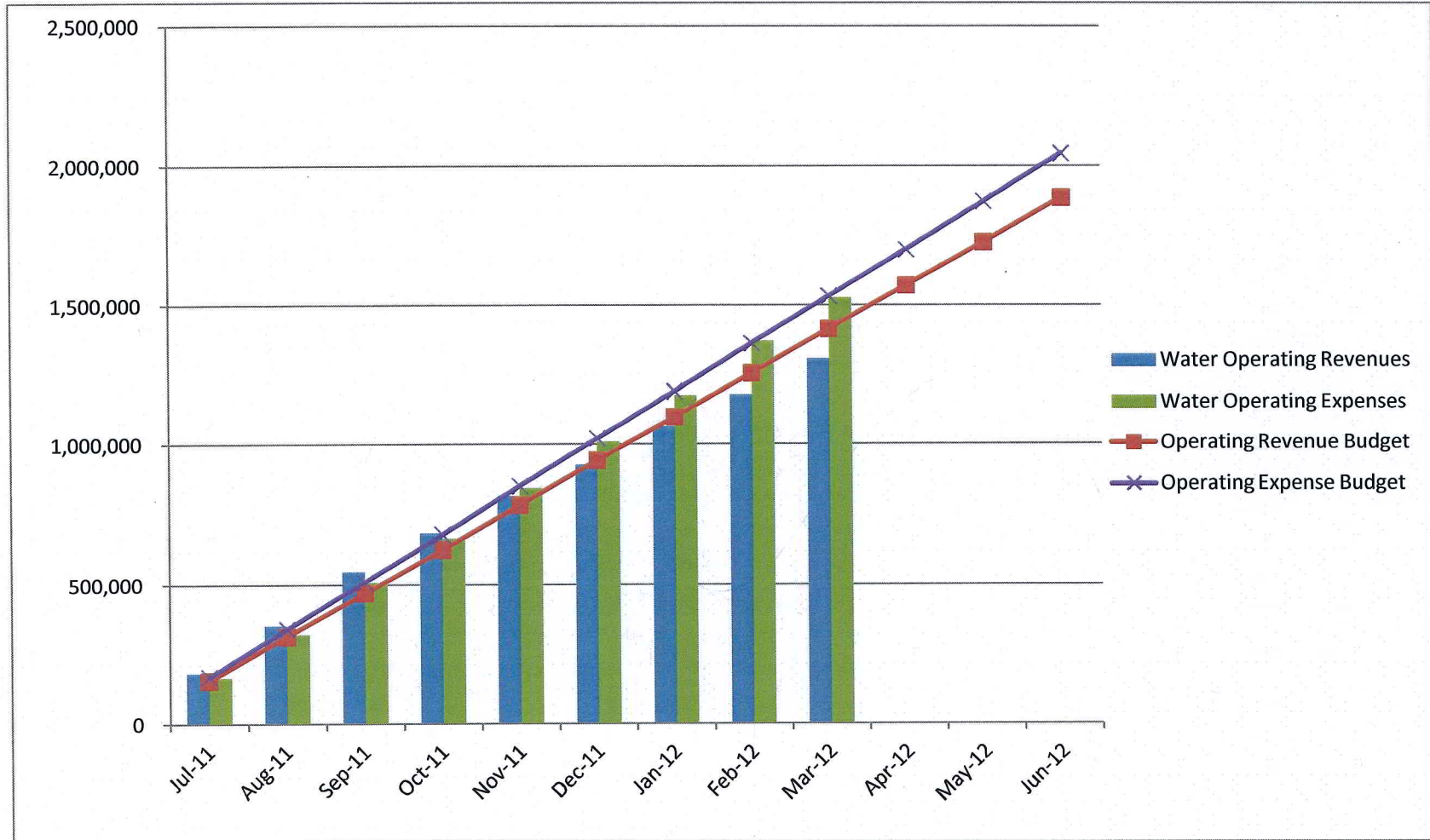
McKinleyville Community Services District
Activity Summary by Fund
March 2012

Department Summaries	March	YTD	YTD Budget	Over (Under) YTD Budget	Over (Under) YTD Budget %	Notes
<u>Parks & Recreation</u>						
Program Fees	26,244	210,603	232,800	(22,197)	-9.53%	Seasonal reduction in program participation
Rents & Related Fees	3,913	43,282	43,145	137	0.32%	
Property Taxes	-	262,095	397,500	(135,405)	-34.06%	2nd allocation by County not until April 2012
Other Revenues	8,088	63,278	211,920	(148,642)	-70.14%	Capital project funding has not been realized as projects have been postponed
Interest Income	518	3,318	9,000	(5,682)	-63.13%	
Total Revenues	38,763	582,576	894,365	(311,789)	-34.86%	
Salaries & Benefits	61,263	517,916	504,027	13,889	2.76%	
Other Expenditures	14,386	152,737	158,839	(6,102)	-3.84%	
Capital Expenditures	-	3,404	307,500	(304,096)	-98.89%	Postponement of capital projects until later in the year
Total Expenditures	75,650	674,057	970,366	(296,309)	-30.54%	
Excess (Deficit)	(36,887)	(91,482)	(76,001)	(15,481)		
<u>Measure B Assessment</u>						
Total Revenues	12	117,061	157,500	(40,439)	-25.68%	2nd allocation by County not until April 2012
Salaries & Benefits	2,588	66,538	104,250	(37,712)	-36.17%	Labor hours spent on Measure B projects less than anticipated
Other Expenditures	441	7,059	8,250	(1,191)	-14.43%	
Capital Expenditures	-	2,240	45,000	(42,760)	-95.02%	Postponement of capital projects until later in the year
Total Expenditures	3,029	75,837	157,500	(81,663)	-51.85%	
Excess (Deficit)	(3,018)	41,224	-	41,224		
<u>Street Lights</u>						
Total Revenues	16,767	71,446	61,500	9,946	16.17%	
Salaries & Benefits	2,305	23,453	25,920	(2,467)	-9.52%	
Other Expenditures	4,078	37,824	34,604	3,220	9.31%	
Capital Expenditures	12,477	20,520	18,750	1,770	9.44%	
Total Expenditures	18,860	81,797	79,274	2,523	3.18%	
Excess (Deficit)	(2,093)	(10,351)	(17,774)	(7,423)		
Governmental Funds Excess (Deficit)	(41,998)	(60,610)	(93,775)	33,165		

McKinleyville Community Services District

March 2012

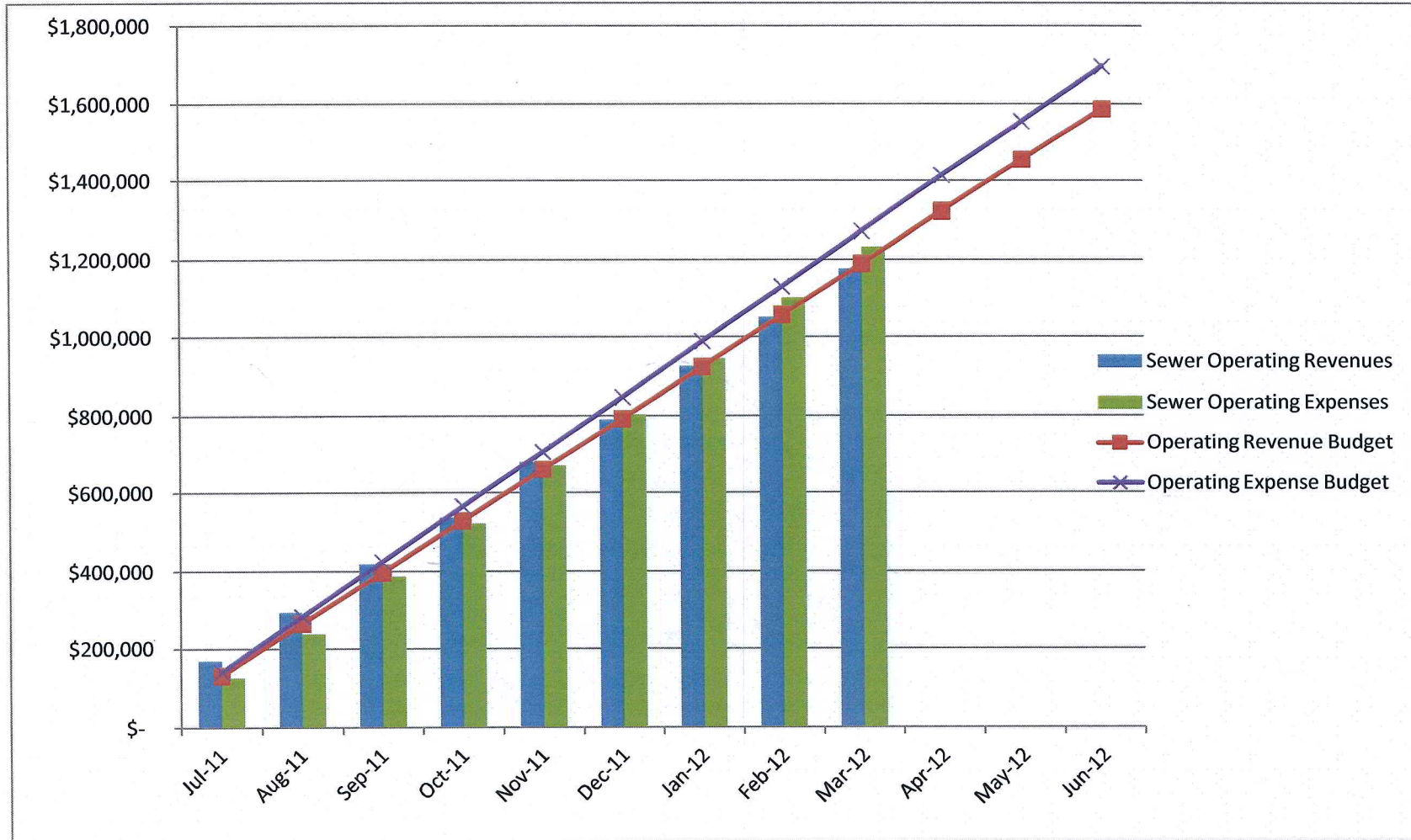
Comparison of Water Fund Operating Revenues & Expenses to Budget



McKinleyville Community Services District

March 2012

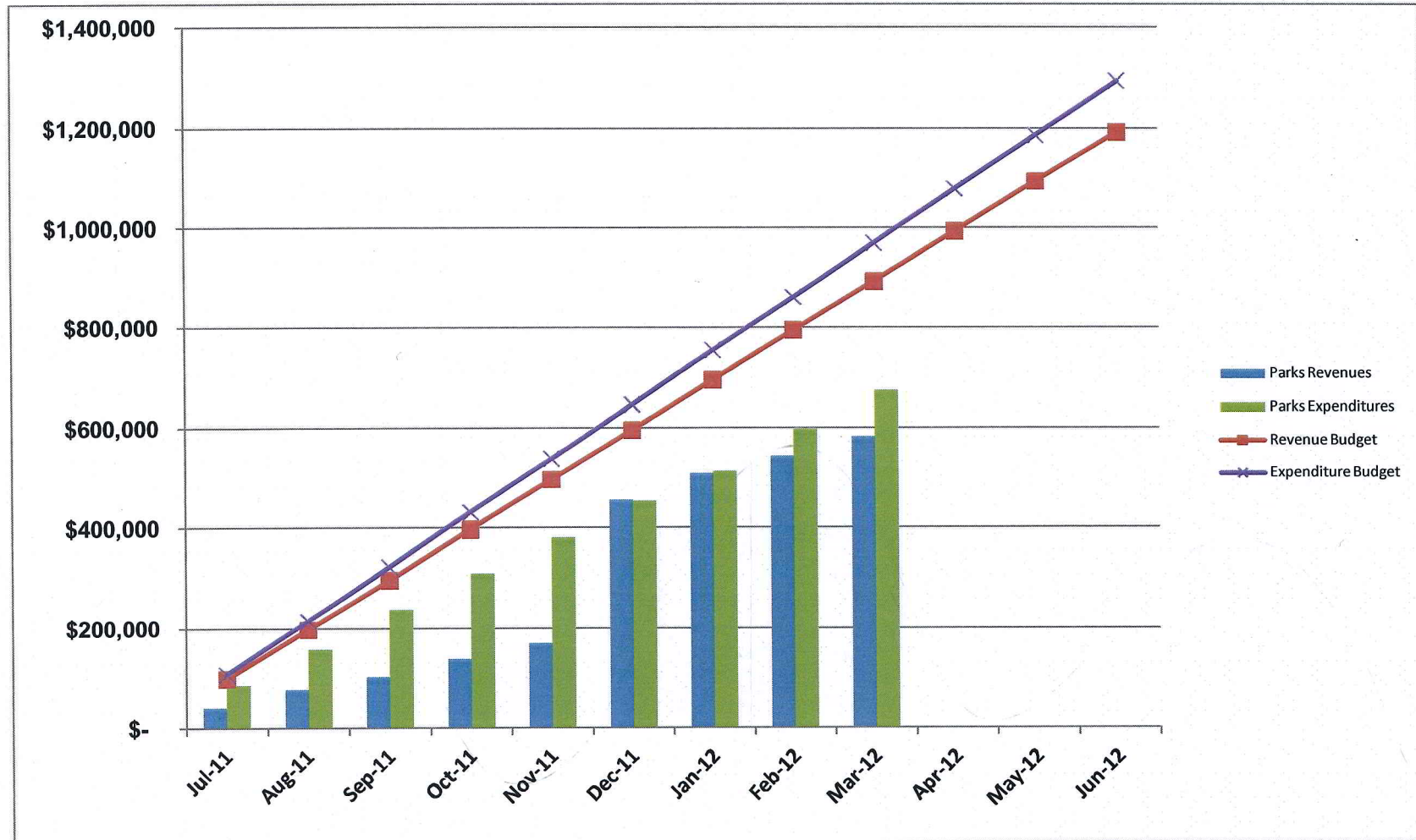
Comparison of Sewer Fund Operating Revenues & Expenses to Budget



McKinleyville Community Services District

March 2012

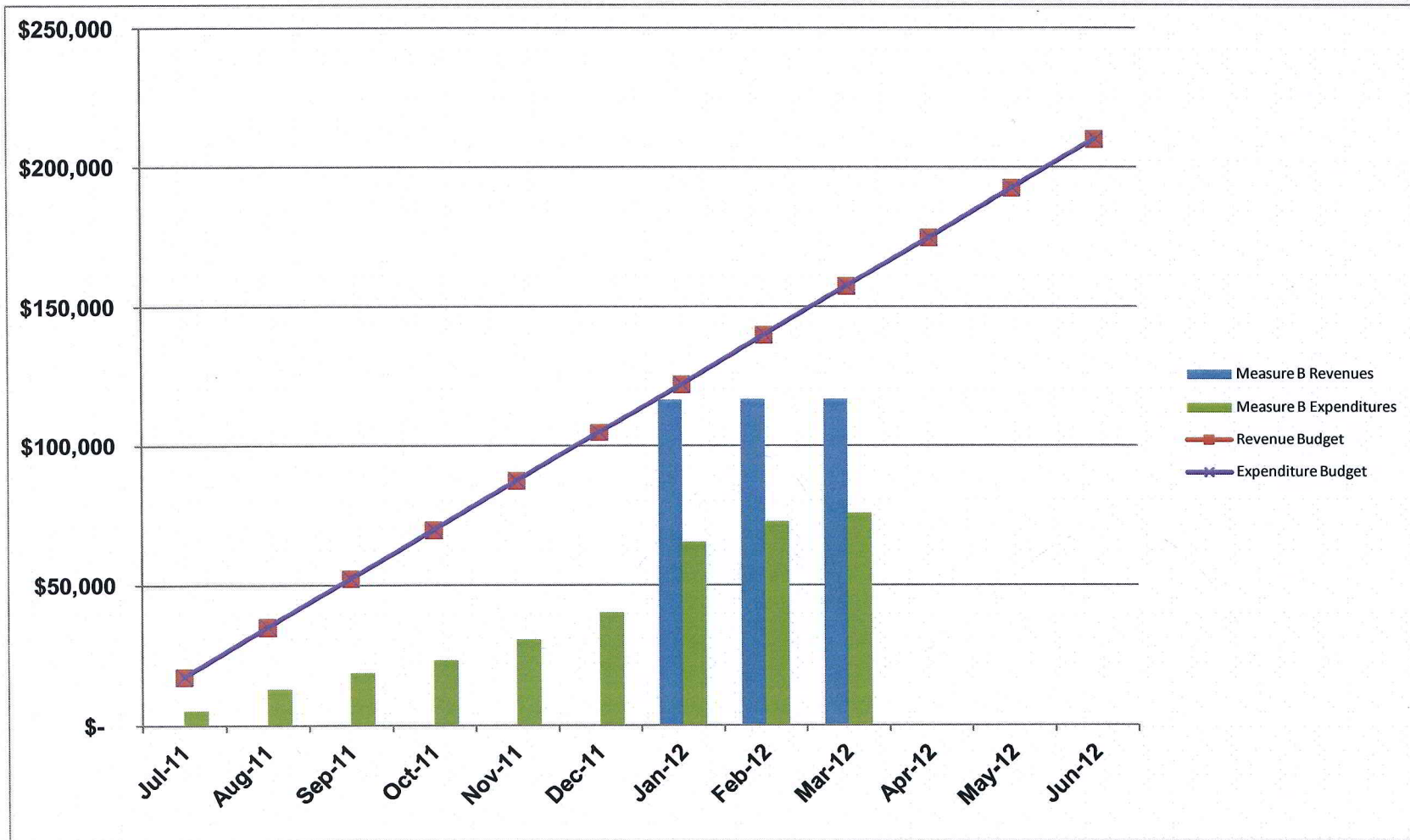
Comparison of Parks & Recreation Total Revenues & Expenditures to Budget



McKinleyville Community Services District

March 2012

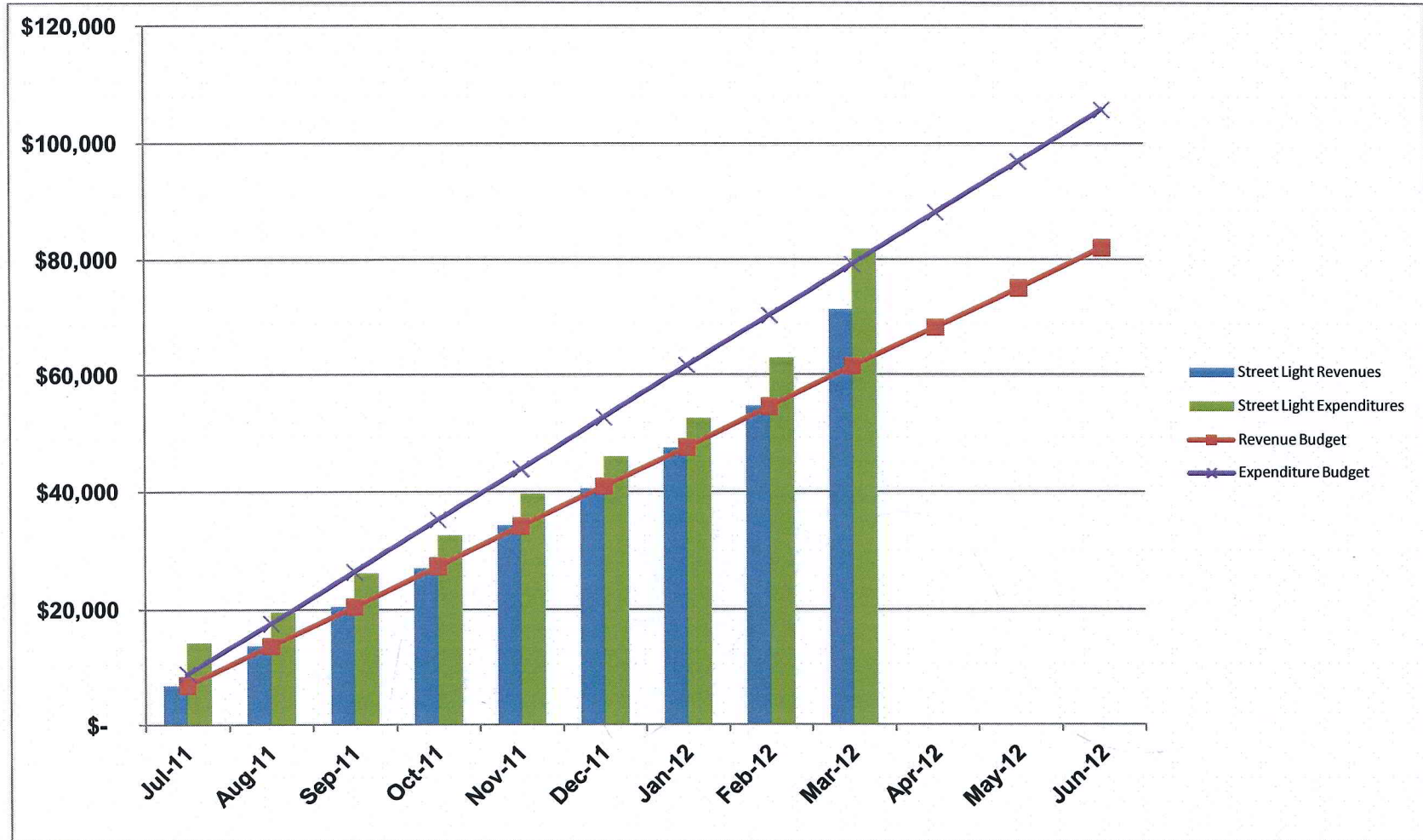
Comparison of Measure B Fund Total Revenues & Expenditures to Budget



McKinleyville Community Services District

March 2012

Comparison of Street Light Fund Total Revenues & Expenditures to Budget



McKinleyville Community Services District
Capital Expenditure Report
As of March 31, 2012

	March	YTD Total	FY 12 Budget	Remaining		Notes
				Budget \$	Budget %	
<u>Water Department</u>						
Ramey Pump Upgrades		28,203	5,000	(23,203)	-464%	← Although recorded in current year, capital expenditure was incurred and budgeted in FY 2010-11.
Emergency Water Line River Crossing		54,471	280,000	225,529	81%	
Water Tank Upgrade	2,701	14,740	175,000	160,260	92%	
Murray Road Tank		16,228	150,000	133,772	89%	
Meter Replacements		-	20,000	20,000	100%	
Emergency Water Supply		-	50,000	50,000	100%	
Fire Hydrant System Upgrade	-	-	13,000	13,000	100%	
Radio Telemetry Upgrade		-	25,000	25,000	100%	
Tank Seismic Actuators	5,528	5,528	7,000	1,472	21%	
Water Main Replacement		21,875	40,000	18,125	45%	
Subtotal	8,229	141,046	765,000	623,954	82%	
<u>Sewer Department</u>						
WWMF SO2/Chlorine Shut Off	-	31,780	32,000	220	1%	
WWMF Security Upgrades	-	-	6,000	6,000	100%	
WWMF Fencing & Gate		-	2,000	2,000	100%	
WWMF Grinder Maintenance		-	1,000	1,000	100%	
WWMF Sludge Maintenance		-	30,000	30,000	100%	
WWMF Building Maintenance		-	10,000	10,000	100%	
WWMF Upgrade/CEQA/Permitting	879	21,167	150,000	128,833	86%	
NPDES Permit	5,092	43,426	75,000	31,574	42%	
Radio Telemetry Upgrade		-	25,000	25,000	100%	
Industrial Discharge Permit		-	20,000	20,000	100%	
Lift Station Pump Upgrade		-	20,000	20,000	100%	
Property Purchases & Improvements		-	500,000	500,000	100%	
Generator Upgrade		-	2,000	2,000	100%	
Subtotal	5,971	96,374	873,000	776,626	89%	
<u>Water & Sewer Operations</u>						
Heavy Equipment	-	-	55,000	55,000	100%	
Utility Vehicles	-	78,418	103,117	24,699	24%	
Office, Corporate Yard & Shops	-	5,565	12,000	6,435	54%	
Computers & Software	5,350	18,381	32,000	13,619	43%	
Small Equipment & Other	-	-	44,000	44,000	100%	
Subtotal	5,350	102,364	246,117	143,753	58%	
Enterprise Funds Total	19,550	339,783	1,884,117	1,544,334	82%	
<u>Parks & Recreation Department</u>						
Hiller Park & Sports Complex	-	1,324	6,000	4,676	78%	
Pierson Park Upgrades	-	463	2,000	1,537	77%	
Azalea Hall Upgrades		-	25,000	6,213	25%	
McKinleyville Activity Center Upgrades		-	33,000	33,000	100%	
Law Enforcement Facility Improvements		-	6,000	6,000	100%	
Projects Funded by Quimby/Other Funds		200	195,000	194,800	100%	
Projects Funded by Measure B Renewal		2,240	60,000	57,760	96%	
Other Parks Projects & Equipment		1,417	15,000	15,000	100%	
Subtotal	-	5,644	342,000	318,986	93%	
<u>Streetlights</u>						
Pole Replacement	12,477	20,520	25,000	4,480	18%	
Governmental Funds Total	12,477	26,164	367,000	323,466	88%	
All Funds Total	32,027	365,948	2,251,117	1,867,799	83%	

McKinleyville Community Services District
Summary of Long-Term Debt Report
As of March 31, 2012

Principal Maturities and Scheduled Interest										
	Maturity	Balance -	Balance -	Remaining						
	%	Date	July 1, 2011	March 31, 2012	for FY-12	FY-13	FY-14	FY-15	FY-16	Thereafter
Water Fund:										
I-Bank		8/1/30	-	956,034.00	-	36,731.29	37,969.13	39,248.69	40,571.37	801,513.53
Interest	3.37%				-	31,599.42	30,340.72	29,039.60	27,694.63	219,225.52
State of CA Energy Commission (ARRA)		12/22/26	148,590.00	165,100.00	-	8,239.38	10,909.36	11,018.72	11,125.84	123,806.70
Interest	1.0%				-	4,211.46	1,541.48	1,432.12	1,325.20	6,926.83
State of CA (Davis Grunsky)		1/1/33	2,082,986.88	2,010,818.45	-	73,972.64	75,821.96	77,717.50	79,660.44	1,703,645.91
State of CA (Davis Grunsky) Deferred Interest		1/1/33	374,767.29	357,732.17	-	17,035.12	17,035.12	17,035.12	17,035.12	289,591.69
Interest	2.5%				-	50,270.46	48,421.14	46,525.60	44,582.66	408,486.72
Total Water Fund-Principal			2,606,344.17	3,489,684.62	-	135,978.43	141,735.57	145,020.03	148,392.77	2,918,557.83
Total Water Fund-Interest					-	86,081.34	80,303.34	76,997.32	73,602.49	634,639.07
Total Water Fund			2,606,344.17	3,489,684.62	-	222,059.77	222,038.91	222,017.35	221,995.26	3,553,196.90
Sewer Fund:										
State of CA WRCB (SCEP I)		4/15/16	204,600.50	204,600.50	40,920.10	40,920.10	40,920.10	40,920.10	40,920.10	-
Interest	0.0%				-	-	-	-	-	-
State of CA WRCB (SCEP II)		3/27/18	176,496.09	153,178.64	-	23,923.71	24,545.72	25,183.91	25,838.70	53,686.60
Interest	2.6%				-	3,982.63	3,360.62	2,722.43	2,067.64	2,102.41
Umpqua Bank		12/4/17	303,824.30	273,964.44	13,416.06	42,282.10	44,667.13	47,186.72	49,848.42	79,721.79
Interest	5.5%				5,164.98	13,451.66	11,066.63	8,547.04	5,885.34	3,506.57
USDA (Sewer Bond)		8/1/22	805,000.00	755,000.00	-	60,000.00	60,000.00	60,000.00	60,000.00	515,000.00
Interest	5.0%				-	36,250.00	33,250.00	30,250.00	27,250.00	90,875.00
Total Sewer Fund-Principal			1,489,920.89	1,386,743.58	54,336.16	167,125.91	170,132.95	173,290.73	176,607.22	648,408.39
Total Sewer Fund-Interest					5,164.98	53,684.29	47,677.25	41,519.47	35,202.98	96,483.98
Total Sewer Fund			1,489,920.89	1,386,743.58	59,501.14	220,810.20	217,810.20	214,810.20	211,810.20	744,892.37
Total Principal			4,096,265.06	4,876,428.20	54,336.16	303,104.34	311,868.52	318,310.76	324,999.99	3,566,966.22
Total Interest					5,164.98	139,765.63	127,980.59	118,516.79	108,805.47	731,123.05
Total			4,096,265.06	4,876,428.20	59,501.14	442,869.97	439,849.11	436,827.55	433,805.46	4,298,089.27

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
CASH DISBURSEMENTS REPORT
FOR THE PERIOD 03/01 - 03/31/2012**

Check Number	Check Date	Vendor Number	Name	Amount	Invoice #	Description
Accounts Payable Disbursements						
24462	3/7/2012	*0019	ARCATA CHILDRENS CENTER	100.00	B20227	AZALEA HALL DEPOSIT REFUND
24463	3/7/2012	*0020	ELEANOR CARR	54.20	B20301	GERMAN CLASS REFUND
24464	3/7/2012	*0021	RACHEL FOREMAN	100.00	B20301	AZALEA HALL DEPOSIT REFUND
24465	3/7/2012	*0022	CORAL SANDERS	102.00	B20301	SKATE PARTY REFUND
24466	3/7/2012	*0023	ERIN BOLTON	55.00	B20301	PEE WEE BASKETBALL REFUND
24467	3/7/2012	*0024	SHERRI MURPHY	40.00	B20307	REFUND FOR MARCH-KID
24468	3/7/2012	ALM02	ALMQUIST LUMBER CO	4.14	560226	PUTTY FOR DUTCH DOOR TRIM
24469	3/7/2012	BAS01	BASIC LABORATORY INC.	649.00	1201150	LAB TESTING
24470	3/7/2012	BAY02	BAY WEST SUPPLY, INC.	964.99	B20301	JANITORIAL SUPPLIES
24471	3/7/2012	BOR01	BORGES & MAHONEY CO.	171.05	132260	BACKORDERED SUPPLIES
24472	3/7/2012	BRI04	BRIAN'S SMOG BRAKE & TUNE	55.00	11181	SMOG CHK NEW BOOM TRUCK
24473	3/7/2012	CAL29	CALIFORNIA SOCIETY OF MUN	55.00	B20301	ADD C. TRASK AS NEW MEMBER
24474	3/7/2012	CAM01	CAMPTON ELECTRIC SUPPLY	2,286.65	1087291	SUPPLIES
24475	3/7/2012	COR01	CORBIN WILLITS SYSTEMS	833.42	B202151	MOM SOFTWARE-MARCH 2012
24476	3/7/2012	COS03	COSTCO WHOLESALE	237.89	B20305	SUPPLIES PURCHASED IN FEB
24477	3/7/2012	CRO03	CROWN TROPHY PETALUMA	160.70	15407	TROPHIES
24478	3/7/2012	CWE01	CWEA	132.00	B20301	MEMBERSHIP RENEWAL
24479	3/7/2012	EUR01	EUREKA BOILER WORKS	53.05	46491	PRESSURE TANK LETZ LANE
24480	3/7/2012	EUR06	EUREKA READY MIX	699.27	7584	REPAIRS/SUPPLY
24481	3/7/2012	EUR07	Eureka Rubber Stamp Co.	12.26	Z08351	NAME PLATE-FINANCE DIRECTOR
24482	3/7/2012	HAR13	The Hartford - Priority A	624.18	B20305	GROUP LIFE INSURANCE
24483	3/7/2012	HIG01	HIGH YIELD IND. PRODUCTS	472.00	142146	SUPPLIES
24484	3/7/2012	HUB02	HUB INTERNATIONAL INSURAN	146.67	B20302	SPEC EVENT INSURANCE
24485	3/7/2012	HUM01	HUMBOLDT BAY MUNICIPALWD	45,643.97	B20305	WTR PURCHASED FEB 2012
24486	3/7/2012	HUM08	HUMBOLDT SANITATION	865.80	B20302	TRASH SERVICE FOR FEB 2012
24487	3/7/2012	KER01	KERNEN CONSTRUCTION	245.04	42086	REPAIRS/ SUPPLIES
24488	3/7/2012	LAB01	Lab Safety Supply, Inc.	152.33	101852487	SUPPLIES PURCHASED
24489	3/7/2012	MCK04	MCK ACE HARDWARE	565.69	B20305	SUPPLIES FOR OFFICE
24490	3/7/2012	MCK11	MCKINLEYVILLE SENIOR CENT	19.95	B20305	P/R SHARE OF INTERNET
24491	3/7/2012	MEN01	MENDES SUPPLY CO.	172.17	M030140	SUPPLIES PURCHASED
24492	3/7/2012	MIL01	Miller Farms Nursery	32.68	B20305	REPAIRS/SUPPLY
24493	3/7/2012	MIL03	THE MILL YARD	60.46	242137	REPAIR SUPPLIES

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
CASH DISBURSEMENTS REPORT
FOR THE PERIOD 03/01 - 03/31/2012**

Check Number	Check Date	Vendor Number	Name	Amount	Invoice #	Description
24494	3/7/2012	NEC01	NEC FINANCIAL SERVICES,LL	285.89	1507514	PHONE LEASE MARCH 2012
24495	3/7/2012	NOR01	NORTH COAST LABORATORIES	2,632.00	B20305	LAB TESTS
24496	3/7/2012	NOR02	NORTH COAST JOURNAL, INC.	205.00	WG12-08	ADVERTISING IN MAG.
24497	3/7/2012	NOR36	NORTH COAST PARTS & SUPPL	65.66	B20305	SUPPLIES PURCHASED IN FEB
24498	3/7/2012	NYL01	NYLEX.NET	225.00	71744	MAINTENANCE DONE ON COMPUTERS
24499	3/7/2012	ORE01	O'REILLY AUTOMOTIVE, INC.	42.32	B20305	REPAIRS/SUPPLY
24500	3/7/2012	PGE01	PG & E (Office & Field)	12,931.80	B20305	GAS & ELECTRIC
24501	3/7/2012	REN01	RENNER PETROLEUM	3,428.38	B20305	FUEL FOR FEB 2012
24502	3/7/2012	RUT01	ANTHONY B. RUTTEN	66.00	B20227	LICENSE RENEWAL
24503	3/7/2012	SAF04	SAFEWAY INC. FILE # 72905	12.05	B20305	SUPPLIES PURCHASED IN FEB
24504	3/7/2012	SEQ01	Sequoia Gas Co.	1,521.45	28433	FUEL
24505	3/7/2012	SIE01	SIERRA FOOTHILL LAB, INC.	3,468.68	106060	LAB TESTS
24506	3/7/2012	SUD01	SUDDENLINK	173.95	B20305	INTERNET FOR MARCH 2012
24507	3/7/2012	THO02	Thomas Home Center	93.42	B20306	REPAIRS/SUPPLY
24508	3/7/2012	THR02	THREE G'S HAY & GRAIN	152.82	29889	SUPPLIES
24509	3/7/2012	UPS01	UPS	200.83	B20306	LAB SHIPMENT
24510	3/7/2012	USB01	U.S. BANK TRUST N.A.	8,145.83	B20307	SEWER BOND PAYMENT MARCH
24511	3/7/2012	VER01	VERISON WIRELESS	193.50	B20306	CELL PHONES FOR FEB 2012
24512	3/7/2012	\B017	BURRELL, CASSAUNDRA	76.91	000B20301	MQ CUSTOMER REFUND
24513	3/7/2012	\C024	CATALI, G.W.	34.84	000B20301	MQ CUSTOMER REFUND
24514	3/7/2012	\D017	DOYLE, JAIME	42.17	000B20301	MQ CUSTOMER REFUND
24515	3/7/2012	\F012	FLETCHER, MELISSA	64.48	000B20301	MQ CUSTOMER REFUND
24516	3/7/2012	\H027	HANNA, RUTH	57.56	000B20301	MQ CUSTOMER REFUND
24517	3/7/2012	\K006	KIRBY, JUSTIN	45.54	000B20301	MQ CUSTOMER REFUND
24518	3/7/2012	\M031	MARPET, SARAH	46.49	000B20301	MQ CUSTOMER REFUND
24519	3/7/2012	\M032	MURILLO, RAUL	41.55	000B20301	MQ CUSTOMER REFUND
24520	3/7/2012	\R018	RAMIREZ, CRISTINA	49.83	000B20301	MQ CUSTOMER REFUND
24521	3/7/2012	\S034	SANDOVAL, MARION	58.92	000B20301	MQ CUSTOMER REFUND
24522	3/7/2012	\S035	SEELHOFF, ROBERT	24.05	000B20301	MQ CUSTOMER REFUND
24523	3/7/2012	\S036	SIMAS, HALEY	43.69	000B20301	MQ CUSTOMER REFUND
24524	3/7/2012	\S037	STRUTH, BRENDA	77.10	000B20301	MQ CUSTOMER REFUND
24525	3/7/2012	\S038	SWISLOW, BRIAN	22.53	000B20301	MQ CUSTOMER REFUND
24526	3/7/2012	\T008	TURNER, MYRNA	29.22	000B20301	MQ CUSTOMER REFUND
24527	3/7/2012	\W023	WEIMER, DONNIE	53.29	000B20301	MQ CUSTOMER REFUND

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
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24528	3/7/2012	\W024	WRIGHT, MILES	71.29	000B20301	MQ CUSTOMER REFUND
24529	3/7/2012	COR07	JOHN W. CORBETT	100.00	B20307	DIRECTORS FEES
24530	3/7/2012	EDW01	HELEN L. EDWARDS	100.00	B20307	DIRECTORS FEES
24531	3/7/2012	2-May	DENNIS MAYO	100.00	B20307	DIRECTORS FEES
24532	3/7/2012	WEN01	WILLIAM WENNERHOLM, DC	100.00	B20307	DIRECTORS FEES
24533	3/12/2012	*0025	DAVID & MICHELLE THORWALD	45.00	B20308	YOUTH BASKETBALL REFUND
24534	3/12/2012	*0026	ALISSA STONE	112.00	B20312	REFUND SKATE PARTY
24535	3/12/2012	AGB01	AMERICAN GEOPHYSICAL	7,223.00	M12-1350	DIGITAL UPGRADE MULTIPLE
24536	3/12/2012	ANS02	BRIAN ANSPACH	1,120.00	20	SERVICES RENDERED
24537	3/12/2012	BAL01	DAVID BALDOSSER	224.59	B20312	CSDA BOARD SEC./CLERK CER
24538	3/12/2012	COM01	COMMERCIAL RADIO & ELECT.	108.00	54943	SUPPLIES/ REPAIRS
24539	3/12/2012	COR01	CORBIN WILLITS SYSTEMS	130.00	B20215	MAINTENANCE DONE ON MOM S
24540	3/12/2012	DEP05	DEPARTMENT OF JUSTICE	32.00	897148	FINGERPRINTING REC PROGRAM
24541	3/12/2012	DOW01	DOWNEY BRAND ATTORNEYS LL	683.10	427133	PROFESSIONAL SERVICES RENDERED
24542	3/12/2012	HEL01	KEVIN HELD	350.00	B20308	JR HIGH DANCE
24543	3/12/2012	HIG01	HIGH YIELD IND. PRODUCTS	433.00	142146	SUPPLIES
24544	3/12/2012	HUN01	HUNTER, HUNTER & HUNT	23,374.50	36699	PROFESSIONAL SERVICES RENDERED
24545	3/12/2012	JMC01	JMC	1,607.68	21221	BILL PAYMENT DROP BOX
24546	3/12/2012	KER01	KERNEN CONSTRUCTION	14,335.00	42191	JOB 12-02 REPAVING
24547	3/12/2012	LAC01	Laco Associates	7,892.96	7553	MURRAY ROAD TANK
24548	3/12/2012	NOR03	NO. COAST VETERINARY HOSP	439.95	4725	VET SERVICES
24549	3/12/2012	NOR13	NORTHERN CALIFORNIA SAFET	80.00	18451	MONTHLY SUBSCRIPTION
24550	3/12/2012	OCC01	OCCUPATIONAL HEALTH	210.00	523-02-12	DRUG TESTING/ PHYSICALS
24551	3/12/2012	OSC01	OSCAR LARSON & ASSOCIATES	1,653.24	3222	WATER TANK UPGRADE
24552	3/12/2012	SEC03	SECURITY LOCK & ALARM	712.12	73530	CHANGE SAFE COMBO/CAMERA
24553	3/12/2012	SHN01	SHN ENGINEERING	6,213.75	76432	WWMF UPGRADE
24554	3/12/2012	SIE02	SIERRA CHEMICAL CO.	3,650.86	229931	CHLORINE & CONTAINER DEP
24555	3/12/2012	THR01	THRIFTY SUPPLY COMPANY	578.84	B20312	SUPPLIES/ REPAIRS
24556	3/12/2012	TIM01	TIMES-STANDARD	327.68	461902	ADVERTISING CSR 1 POSITION
24557	3/12/2012	UMP02	UMPQUA BANK	891.52	B20312	SUPPLIES IN FEB 2012
24558	3/12/2012	WBC01	WBCO ELECTRIC SERVICE CO.	263.84	84225	SUPPLIES
24559	3/12/2012	WIL09	WILLDAN FINANCIAL SERVICE	2,320.50	010-16804	PROFESSIONAL SERVICES RENDERED
24560	3/15/2012	SEH01	JASON SEHON	225.00	B20315H	CPRS CONFERENCE

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
CASH DISBURSEMENTS REPORT
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Check Number	Check Date	Vendor Number	Name	Amount	Invoice #	Description
24561	3/20/2012	*0030	ALPHA OMEGA	100.00	B20316	AZALEA HALL DEPOSIT REFUND
24562	3/20/2012	*0031	LINDA HOGUE	13.75	B20320	YOUTH BBALL REFUND
24563	3/20/2012	ACW01	ACWA HEALTH BENEFITS AUTH	41,574.84	MARCH 12	GROUP HEALTH INS
24564	3/20/2012	ACW02	ASSOC. OF CALIFORNIA	445.00	B20316	CONFERENCE
24565	3/20/2012	ADA03	DANIEL ADAMSKI	15.00	B20320	FUTSAL REFEREE
24566	3/20/2012	ALM02	ALMQUIST LUMBER CO	13.56	560598	SUPPLIES
24567	3/20/2012	AMB01	AMBROSINI & SONS ELECTRIC	881.93	12941	INSTALL LIGHT POLE
24568	3/20/2012	BRU04	REBECCA J. BRUINEKOOL	415.00	B20320	CONTRACTED INSTRUCTOR
24569	3/20/2012	CDW01	CDW GOVERNMENT, INC.	4,359.80	G328449	COMPUTERS, SOFTWARE, EQUIP
24570	3/20/2012	CON01	CONNEY SAFETY PRODUCTS	251.31	4119848	SAFETY SUPPLIES
24571	3/20/2012	CPS01	CPS HUMAN RESOURCE SERVIC	703.50	337374	PROFESSIONAL SERVICES RENDERED
24572	3/20/2012	DEP03	DEPT OF HEALTH SERVICES	60.00	B20320	CERT RENEWAL-MF.
24573	3/20/2012	GHD01	GHD	458.25	63949	PROFESSIONAL ENGINEERING
24574	3/20/2012	GIR02	MITCH GIRARD	45.00	B20320	CONTRACTED REFEREE
24575	3/20/2012	HEN02	SCOTT HENDRICKSON	90.00	B20320	CONTRACTED REFEREE
24576	3/20/2012	KEY01	KEY EQUIPMENT FINANCE	311.67	1204	EQUIPMENT LEASE MARCH 2012
24577	3/20/2012	NOR35	NORTHERN HUMBOLDT	608.84	ES12-0158	OPEN SPACE MAINTENANCE
24578	3/20/2012	NYL01	NYLEX.NET	990.00	71817	MAINTENANCE DONE ON COMPUTERS
24579	3/20/2012	PIT01	PITNEY BOWES	374.07	MR12	RENTAL CHARGES THRU MARCH
24580	3/20/2012	PRO03	PROFESSIONAL CREDIT MGMT	86.90	B20316	BAD DEBT SERVICES
24581	3/20/2012	ROU01	ROUND TABLE DEVELOPMENT C	117.17	913	SKATE PARTY PIZZA
24582	3/20/2012	STA11	STAPLES CREDIT PLAN	1,196.39	B20316	SUPPLIES PURCHASED
24583	3/20/2012	UMP02	UMPQUA BANK	649.78	B20320	PURCHASES IN FEB 2012
24584	3/20/2012	UNI08	UNITED DISTRIBUTING COMPA	299.23	200373	SUPPLIES
24585	3/20/2012	ATT01	AT&T	1,443.38	B20316	PHONE SERVICES
24586	3/26/2012	*0001	ASHLEY & TOM DUNBAR	60.00	B20321	PEEWEE BASKETBALL REFUND
24587	3/26/2012	*0002	JOYCE PEDLOW	100.00	B20326	AZALEA HALL DEPOSIT REFUND
24588	3/26/2012	*0003	FLDDBROOK ELEMENTRY	100.00	B20326	AZALEA HALL DEPOSIT REFUND
24589	3/26/2012	ADA03	DANIEL ADAMSKI	15.00	B20321	CONTRACTED REFEREE
24590	3/26/2012	COL05	COLANTUONO & LEVIN, PC	116.00	23170	PROFESSIONAL SERVICES RENDERED
24591	3/26/2012	EUR05	Eureka Oxygen Co	970.61	62916	SAFETY SUPPLIES
24592	3/26/2012	GIR02	MITCH GIRARD	15.00	B20321	CONTRACTED REFEREE
24593	3/26/2012	HEN02	SCOTT HENDRICKSON	15.00	B20321	CONTRACTED REFEREE
24594	3/26/2012	MIT01	Mitchell, Brisso, Delaney	3,479.34	30328	PROFESSIONAL SERVICES RENDERED

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
CASH DISBURSEMENTS REPORT
FOR THE PERIOD 03/01 - 03/31/2012**

Check Number	Check Date	Vendor Number	Name	Amount	Invoice #	Description
24595	3/26/2012	NAT01	NATIONAL NOTARY ASSOC.	129.00	B20326	NOTARY RENEWAL
24596	3/26/2012	REM01	REMY, MOOSE AND MANLEY,LL	8,843.92	23504	PROFESSIONAL SERVICES RENDERED
24597	3/26/2012	RES05	RESERVE ACCOUNT	1,500.00	B20316	POSTAGE MTR
24598	3/26/2012	SDR01	SDRMA	7,018.00	38757	WORKERS COMPENSATION
24599	3/26/2012	UPS01	UPS	189.90	Y6R493112	LAB SHIPMENT
24600	3/26/2012	WIL09	WILLDAN FINANCIAL SERVICE	4,315.00	010-16945	PROFESSIONAL SERVICES RENDERED
24601	3/27/2012	PGE02	PACIFIC GAS & ELECTRIC	2,462.34	B20327	STREETLIGHTS
24602	3/29/2012	HUM46	HUMBOLDT COUNTY PLANNING	3,760.65	B20329P	APPLICATION FEES RE: WASH
24603	3/29/2012	NOR39	NORTH COASTAL INFORMATION	75.00	B20329P	APPLICATION FEE RE: WASH
Total Disbursements - Accounts Payable:				<u>254,757.86</u>		

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
CASH DISBURSEMENTS REPORT
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Check Number	Check Date	Vendor Number	Name	Amount	Invoice #	Description
Payroll Related Disbursements						
9983-10021	3/9/2012	-	VARIOUS EMPLOYEES	14,817.22	-	EMPLOYEE CHECKS
10022	3/7/2012	DIR01	DIRECT DEPOSIT VENDOR- US	23,898.27	B20306	Direct Deposit
10023	3/7/2012	DOW02	MICHAEL T. DOWNEY, SHERIF	300.00	B20306	MISC DEDUCTION
10024	3/7/2012	EMP01	Employment Development	24.33	B20223A	STATE INCOME TAX
				1,179.12	B20306	STATE INCOME TAX
				81.06	1B20223	STATE INCOME TAX
			Check Total:	1,284.51		
10025	3/7/2012	FRA05	FRANCHISE TAX BOARD	47.74	B20306	FRANCHISE TAX BOARD
10026	3/7/2012	HUM29	UMPQUA BANK--PAYROLL DEP.	204.17	B20223A	FEDERAL INCOME TAX
				4,463.12	B20306	FEDERAL INCOME TAX
				173.39	1B20223A	FICA
				5,239.03	1B20306	FICA
				48.34	2B20223A	MEDICARE
				1,460.86	2B20306	MEDICARE
				405.29	3B20223	FEDERAL INCOME TAX
				561.57	4B20223	FICA
				156.58	5B20223	MEDICARE
			Check Total:	12,712.35		
10027	3/7/2012	PER02	CalPERS	75.01	B20223A	RETIREMENT
				2,862.35	B20306	RETIREMENT
			Check Total:	2,937.36		
10028	3/7/2012	STA17	CA STATE DISBURSEMNT UNIT	231.50	B20306	CHILD SUPPORT
10029	3/7/2012	AFL01	AFLAC	43.30	B20229	AFLAC (PRE-TAX)
10030	3/7/2012	PUB01	Public Employees PERS	15,006.09	B20229	PERS PAYROLL REMITTANCE
				154.66	1B20229	PERS CONTRIBUTION
			Check Total:	15,160.75		
10031-10035	3/7/2012	-	Voided	-	-	EMPLOYEE CHECKS
10036-10037	3/8/2012	-	VARIOUS EMPLOYEES	2,392.65	-	EMPLOYEE CHECKS
10038	3/8/2012	-	Voided	-	-	EMPLOYEE CHECK
10039	3/16/2012	-	VARIOUS EMPLOYEES	1,763.02	-	EMPLOYEE CHECKS
10040-10078	3/23/2012	-	VARIOUS EMPLOYEES	16,296.63	-	EMPLOYEE CHECKS
10079	3/21/2012	DIR01	DIRECT DEPOSIT VENDOR- US	25,329.32	B20321	Direct Deposit
10080	3/21/2012	EMP01	Employment Development	-	B20307	STATE INCOME TAX
				133.77	B20308	STATE INCOME TAX
				(30.42)	B20309	STATE INCOME TAX
				21.15	B20316	STATE INCOME TAX
				60.41	B20319	STATE INCOME TAX
				1,329.21	B20321	STATE INCOME TAX
				30.42	1B20309	STATE INCOME TAX
			Check Total:	1,544.54		
10081	3/21/2012	FRA05	FRANCHISE TAX BOARD	47.74	B20307	FRANCHISE TAX BOARD

**MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
CASH DISBURSEMENTS REPORT
FOR THE PERIOD 03/01 - 03/31/2012**

Check Number	Check Date	Vendor Number	Name	Amount	Invoice #	Description
10082	3/21/2012	HUM29	UMPQUA BANK--PAYROLL DEP.	15.30	B20307	FEDERAL INCOME TAX
				357.33	B20308	FEDERAL INCOME TAX
				(161.34)	B20309	FEDERAL INCOME TAX
				211.52	B20316	FEDERAL INCOME TAX
				120.82	B20319	FEDERAL INCOME TAX
				4,950.92	B20321	FEDERAL INCOME TAX
				78.79	1B20307	FICA
				276.17	1B20308	FICA
				(138.94)	1B20309	FICA
				219.98	1B20316	FICA
				125.65	1B20319	FICA
				5,561.76	1B20321	FICA
				21.96	2B20307	MEDICARE
				77.02	2B20308	MEDICARE
				(38.74)	2B20309	MEDICARE
				61.34	2B20316	MEDICARE
				35.04	2B20319	MEDICARE
				1,550.86	2B20321	MEDICARE
				161.34	3B20309	FEDERAL INCOME TAX
				138.94	4B20309	FICA
				38.74	5B20309	MEDICARE
			Check Total:	13,664.46		
10083	3/21/2012	PER02	CalPERS	51.36	B20307	RETIREMENT
				(70.04)	B20309	RETIREMENT
				2,827.97	B20321	RETIREMENT
				70.04	1B20309	RETIREMENT
			Check Total:	2,879.33		
10084	3/21/2012	STA17	CA STATE DISBURSEMNT UNIT	231.50	B20307	CHILD SUPPORT
			Total Disbursements - Payroll:	135,582.19		
			Total Cash Disbursements:	390,340.05		

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **Consent Calendar Item**

ITEM: D.3. Compliance with State Double Check Valve Law

PRESENTED BY: Gregory Orsini, Operations Director

TYPE OF ACTION: Consent Calendar

Recommendation:

Staff Recommends the Board authorize staff to provide these customers with formal notice that their water service will be discontinued in one month if they have not come into compliance with state law regarding water service cross-connection in accordance with MCSD Rules 7 and 10.

Discussion:

Customers listed below are not now in compliance with State Law regarding cross connection control for water customers with an alternate water supply. These customers have been notified of their respective violations as noted and have been provided notification of this meeting.

1st Notice	March 21, 2012
10 Day Notice	April 18, 2012
Board Meeting	May 2, 2012
Lock	June 4, 2012

Account #	Address	Model of DCV	Date s/o out
3-025-000	2056 Park	Febco	
4-120-000	1775 Van Eaton	Wilkins	4/24/2012
4-204-000	1901 Sutter Road	Watt	
5-249-983	1551 Nursery Way	Febco	
5-249-986	1500 Heartwood	Wilkins	

Updated:

4/25/2012

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: D.4 **Consider approval of 2011 Consumer Confidence Report (CCR)**

PRESENTED BY: **Greg Orsini, Operations Director**

TYPE OF ACTION: **Consent Calendar**

Recommendation:

Approve the CCR for distribution in the Summer News Letter

Discussion:

In 1996, Congress amended the Safe Drinking Water Act, adding a requirement that water systems deliver to their customers a brief annual water quality report, similar to the Annual Water Quality Report (AWQR) that California water systems began distributing in 1990. However, the CCR regulatory requirements are more specific and detailed in terms of content and format than those for the AWQR. These CCRs summarize information that our water system already collects to comply with regulations.

The CCR includes information on source water, levels of any detected contaminants, and compliance with drinking water regulations (including monitoring requirements), plus some educational information.

MCSD is required to deliver the annual CCR to consumers by July 1 of each year. The CCRs are based on data collected between January and December 2011. The CCR will be distributed as part of the MCSD Summer News Letter

MCSD 2011 CCR is compliant with Title 22, Chapter 15, Article 20 and law California Health and Safety Code, section 116470 and was drafted using the CCR Guidance Manual 20120101

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- 2011 Consumer Confidence Report

McKinleyville Community Services District (MCSD)

2011 Consumer Confidence Report

Este informe contiene información muy importante sobre su agua potable. Tradúzcalo o hable con alguien que lo entienda bien.

Last year, as in years past, your tap water met all Environmental Protection Agency (EPA) and State drinking water health standards. MCSD vigilantly safeguards its water infrastructure and once again, we are proud to report that our system did not violate a maximum contaminant level or any other water quality standard in 2011.

Introduction and Background

For a number of years, California State Law has required that water systems prepare an *Annual Water Quality Report* for its customers providing information regarding the quality of water delivered to them. The 1996 amendments to the federal Safe Drinking Water Act introduced new reporting requirements - namely preparation of a *Consumer Confidence Report* - with essentially the same purpose as that of the *California Water Quality Report*. Since 1999, California water systems must comply with federal reporting requirements. This report represents the McKinleyville Community Service District's 2011 Consumer Confidence Report. It is a snapshot of the quality of the water we provided last year. Included are details about where your water comes from, what it contains, and how it compares to State standards.

If you have any questions about this report or the quality of your drinking water, please call Norman Shopay (General Manager) or Greg Orsini (Operations Director) at 839-3251. You may also attend one of the regularly scheduled meetings of our Board of Directors, which are held the first Wednesday of each month at 7:00 p.m. at Azalea Hall (1620 Pickett Road).

Water Source

Drinking water delivered by the McKinleyville Community Services District (MCSD) is supplied by the Humboldt Bay Municipal Water District (HBMWD). HBMWD water is drawn from wells located in the bed of the Mad River northeast of Arcata along Highway 299. These wells, called Ranney Wells, extract water from the sands and gravel of the riverbed at depths of 60 to 90 feet, thereby providing a natural filtration process. In low rainfall periods, this naturally filtered water is then disinfected via chlorination and delivered, without further treatment, to the HBMWD's wholesale municipal and retail customers in the greater Eureka/Arcata area. The District's source water has been classified by the State Department of Health Service as groundwater. The classification is important with respect to the regulations that a water system must follow to ensure water quality.

In the late 1990s heavy winter rainfalls and high river levels were accompanied by increased turbidity (cloudiness) in the District's water. While turbidity itself is not a health concern, there is concern that it may interfere with the disinfection process. In 1997, DHS mandated that the District take steps to control the turbidity in its drinking water. Together with its wholesale customers, the new Turbidity Reduction Facility (TRF) was constructed and became operational in late 2002, for the first time in many years the District met the State's secondary maximum contaminant level standard for turbidity of less than 5 NTU (the unit which turbidity is measured). The TRF operates only during winter months.

General Water Quality

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health

risk. More information about contaminants and potential health effects can be obtained by calling the EPA's Safe Drinking WATER hotline (1-800-426-4791).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals and can pick up substances resulting from the presence of animals or human activity.

Contaminants that may be present in source water include:

- Microbial contaminants, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations and wildlife.
- Inorganic contaminant such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, or industrial processes.
- Pesticides and herbicides, which may come from a variety of sources such as agriculture and residential uses.
- Radioactive contaminants, which are naturally occurring or be the result of oil and gas production and mining activity.
- Organic chemical contaminants which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, persons with HIV/AIDS or other immune system disorders, some elderly, and infants, may be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA and the Center for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by cryptosporidium and other microbial contaminants are available from the Safe Drinking Water Hotline (1-800-426-4791).

HBMWD consistently and frequently monitors for the presence of giardia and cryptosporidium in its drinking water. Since the mid-1990s, when the EPA approved the testing technique for these contaminants, HBMWD has never had a confirmed detection of either contaminant.

Water Quality Testing Results

In order to ensure that tap water is safe to drink, the California Department of Health Services (DHS) prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. HBMWD treats its water and performs annual monitoring and testing, in accordance with the DHS regulations and requirements, to ensure its water is safe to drink. In addition, MCSD performs separate monitoring and testing, in accordance with the DHS regulations and requirements, to ensure that the water quality remains high within the MCSD storage and distribution systems. Additional testing performed by MCSD includes laboratory analysis for coliform bacteria; disinfection byproducts and lead/copper. Test results for disinfection byproducts and lead/copper are included in the MCSD test results table. The MCSD testing for coliform produced no positive results and test results for disinfection byproducts have been below the Maximum Contaminant Level (MCL).

In 2011, HBMWD conducted more than 395 water quality tests for 38 contaminants. MCSD also performed approximately 210 water quality tests during 2011. The results from both the HBMWD's and the MCSD's 2011 monitoring and testing programs indicate that our water quality is very high, as has consistently been the case in past years.

The tables enclosed in the newsletter list all the drinking water contaminants that were *monitored* during 2011. Additionally, the State requires that both Districts monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year. Therefore, results from prior years are included if such a contaminant was detected. There are very few entries in the tables because very few contaminants were actually detected in prior years. It is once again important to note that the presence of these contaminants does not necessarily indicate that the water poses a health risk.

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. MCSD is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

Definitions of Terms Used in This Report:

You will find many terms and abbreviations in the table below. To help you understand these terms, the following definitions are provided:

- **Public Health Goal (PHG):** The level of a contaminant in drinking water, below 9 which there is no known or expected risk to health. PHGs are set by the California Environmental Protection Agency.
- **Maximum Contaminant Level Goal (MCLG):** The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs are set by the U.S. Environmental Protection Agency.
- **Maximum Contaminant Level (MCL):** The highest level of a contaminant that is allowed in drinking water. Primary MCLs are set as close to the PHGs (or MCLGs) as is economically and technologically feasible. Secondary MCLs cover the aesthetic quality of the water such as odor, taste and appearance.
- **Primary Drinking Water Standard or PDWS:** MCLs for contaminants that affect health along with monitoring, reporting requirements and water treatment requirements.
- **Regulatory Action Level (RAL):** The concentration of a contaminant which, when exceeded, triggers treatment or other requirements that a water system must follow.
- **n/a:** not applicable
- **ND:** not detectable at testing limit
- **ppb:** parts per billion or micrograms per liter (**µg/L**)
- **ppm:** parts per million or milligrams per liter (**mg/L**)
- **pCi/l:** picocuries per liter (**a measure of radiation**)
- **mgCaCO₃/L:** milligrams of calcium carbonate per liter (**a measure of hardness**)
- **microseimens/ cm :** a measure of specific conductance (**µS/cm**)
- **NTU:** Nephelometric Turbidity Units

Humboldt Bay Municipal Water District Testing: RAW SOURCE WATER***McKinleyville Community Services District
2011 Consumer Confidence Report***

Contaminant and Units	Level Detected	MCL	PHG (or MCLG)	Likely Source and Potential Effects (if above MCL)
Microbiological Contaminants				
Total Coliform Bacteria	One positive	More than one positive sample monthly	Zero positives	Coliform bacteria naturally present in the environment and are used as an indicator that other potentially-harmful bacteria may be present
Fecal Coliform and E. coli.	Zero positive	A routine sample and a repeat sample are total coliform positive, and one is also fecal coliform positive	Zero positive	Fecal coliform and E. coli. are bacteria whose presents indicates that water may be contaminated with human or animal fecal wastes.
Disinfection Byproducts and Disinfectant Residuals				
TTHMs – Total Trihalomethanes (µg/L)	Average = 12.0	80 µg/L	n/a	By-product of drinking water chlorination.
HAA5 (µg/L) Halo acetic Acids	Average = 3.4	60 µg/L	n/a	By-product of drinking water chlorination.
Chlorine (mg/L)	Average= 0.69	4 mg/L	4 mg/L	Drinking water disinfection added for treatment.
Inorganic Contaminants				
Copper (mg/L)*	Ten sites tested and none were above the AL; 90 th percentile= .510	AL = 1.3 mg/L	0.3 mg/L	Internal corrosion of household plumbing; erosion of natural deposits; leaching from wood preservatives
Lead (µg/L)*	Five sites tested none above the AL 90 th percentile= 3	AL = 15 µg/L	0.2 µg/L	Internal corrosion of household plumbing systems; discharges from industrial manufactures, erosion of natural deposits
Aluminum (mg/L)****	0.16	1 mg/L	0.6 mg/L	Discharges form industrial manufactures, erosion of natural deposits
Regulated Contaminants with Secondary MCLs (as defined above, secondary MCLs address aesthetic quality of the water such as odor, taste and appearance)				
Chloride (mg/L) ***	Range = 2.8-2.8 Average = 2.8	500 mg/L	n/a	Runoff/leaching from natural deposits, or seawater influence
Sulfate (mg/L) ***	Range = 9.5-9.5 Average = 9.5	500 mg/L	n/a	Runoff/leaching from natural deposits; industrial wastes
Specific Conductance (µS/cm)**	Range = 120-120 Average 120	1600 µS/cm	n/a	Substances form ions in water
Total Dissolved Solids (mg/L) ***	Range= 93- 93 Average = 93	1000 mg/L	n/a	Runoff/leaching from natural deposits
Turbidity (NTU)	Range = 0.05-0.55 Average = 0.14	5 NTU	n/a	Turbidity has no direct health effect. However, high levels of turbidity can interfere with disinfection and provide a medium for microbial growth. Turbidity may indicate the presence of disease-causing organisms. These organisms include bacteria, viruses, and parasites that cause symptoms such as nausea, cramps, diarrhea and associated headaches.

*Samples taken in 2011**, Samples taken in 2008, ***Samples taken in 2007, **** Samples taken in 2006

McKinleyville Community Services District Testing: DISTRIBUTION SYSTEM

***McKinleyville Community Services District
2011 Consumer Confidence Report***

Contaminant and units	Level Detected	MCL	PHG (or MCLG)	Likely Source and Potential Effects (if above MCL)
Microbiological Contaminants -- 211 Samples				
Total Coliform Bacteria	Zero positive	More than one positive sample monthly	Zero positives	Naturally present in the environment
Fecal Coliform And E. coli. Bacteria	Zero positive	A routine sample and a repeat sample are total coliform positive, and one is also fecal coliform positive	Zero positive	Fecal coliform and E. coli. are bacteria whose presents indicates that water may be contaminated with human waste or animal fecal waste
Disinfection Byproducts and Disinfectant Residuals				
TTHMs – Total (µg/L) Trihalomethanes	Average= 12	80 µg/L	n/a	By-product of drinking water chlorination
HAA5 (µg/L) Halo acetic Acids	Average=3.3	60 µg/L	n/a	By-product of drinking water chlorination
Chlorine (mg/L)	Average= 0.49	4 mg/L	4	Drinking water disinfection
Lead and Copper				
Copper (mg/L)*	Thirty sites tested none above the AL 90 th percentile= .721	AL = 1.3 mg/L	0.3 mg/l	Internal corrosion of household plumbing; erosion of natural deposit
Lead (µg/L)*	Thirty sites tested none above the AL 90 th percentile= .007	AL = 15 µg/L	0.2 µg/L	Internal corrosion of household plumbing systems; discharges from industrial manufactures, erosion of natural deposits

***Samples taken in 2010**

Additional Water Characteristics
Sodium and Hardness

Although sodium and hardness do not have MCLs, they are of interest to many consumers who are concerned about sodium intake.

Hardness is the sum of polyvalent cations present in water, generally magnesium and calcium. The cations are, usually naturally occurring.

Sodium refers to salt present in water and is generally naturally occurring.

Sodium (ppm) *	Average = 3.6	Samples Taken in 2007
Hardness * (mgCaCO ₃ /L)	Range = 57 – 80 Average = 67	Samples Taken in 2005

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.1. Consider appointing member(s) to the Recreation Advisory Committee

PRESENTED BY: Jason Sehon, Parks & Recreation Director

TYPE OF ACTION: Voice Vote

Recommendation:

Staff recommends the Board consider appointing Jim Flint as a member of the Recreation Advisory Committee (RAC).

Staff also recommends the Board consider approving Bernie Garrigan as an alternate member of the RAC.

Discussion:

The RAC currently has an opening with a term that expires December 2015. In addition, the RAC also has a vacancy for an alternate member. The alternate member was added a few years back and is a voting member in the absence of another RAC member. RAC members are appointed by the MCSD Board of Directors.

The District has posted sufficient notice through local media and at District facilities of an upcoming vacancy for the Recreation Advisory Committee.

We have received letters of interest from two (2) McKinleyville residents wishing to become members of the RAC.

The first letter was received by Bernie Garrigan. Bernie states his interest is because he shares a vested interest in the future of our local community and the parks within McKinleyville. He added that his family visits local parks on nearly a daily basis.

The second letter was received by Jim Flint. Jim states his interest is because he has raised his family in McKinleyville for twenty (20) years and he has participated in local events and enjoys the park system in McKinleyville. Jim has a history with MCSD working as a Maintenance Worker. Jim consistently donates his time and expertise to MCSD by completing repairs to the Commercial Kitchen at Azalea Hall.

Jim says he would love the opportunity to try and help our community improve what we already have and expand on what is available in the future while keeping our small town attitude and atmosphere that makes us unique.

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 from Bernie Garrigan
- Letter of interest from Jim Flint

Bernie Garrigan
1735 Oakdale Dr.
Mckinleyville CA 95519

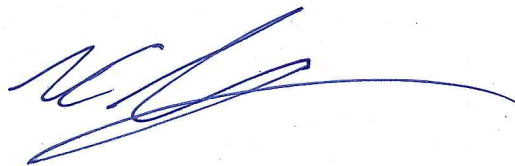
Recreation Advisory Committee
1656 Sutter Rd
Mckinleyville CA 95519

Dear Board Members,

I am writing to you to apply for the open position on the recreation advisory committee. As a resident of Mckinleyville, I share a vested interest in the future of our local community and the parks within our town. My family and I visit the local parks on an almost daily basis and I understand the importance of the role they fill.

I hope this letter conveys my interest in the position and I look forward to hearing from you in the near future.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Bernie Garrigan', with a long horizontal flourish extending to the right.

Dear MCSD Board of Directors:

This letter is to advise all concerned of my intent to join the "MCSD Parks and Rec. advisory board".

I've lived in McKinleyville for about 20 years and have raised my family here, my children have attended the schools and have participated in local events as well as have enjoyed the park system our little town has to offer. I own two homes in our town and have a real community interest in what goes on. I have recently brought to the attention of the trash build up at the property behind "Kmart" to the McKinleyville land trust and got it cleaned up.

I make "Free" repairs to the McKinleyville community kitchen when asked, if I cannot make it or repair it I will make the most cost effective referral as I can. I worked for the parks and rec. for 6 months and am currently employed with Blue Lake Rancheria as their engineering manager.

I would love the opportunity to try and help our community improve what we already have and expand on what is available in the future while keeping our small town attitude and atmosphere that make us unique.

Thank you for taking the time and attention to look this over and perhaps I'll see you at the next meeting.

JIM FLINT

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.2. **Consider recommendations from Recreation Advisory Committee regarding the Renewal of the Right of Entry Agreement with McKinleyville Skate Park Organization**

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

TYPE OF ACTION: **Voice Vote**

Recommendation:

Consider recommendations from the Recreation Advisory Committee (RAC) regarding the Skate Park Right of Entry Agreement.

Discussion:

At the February 1, 2012 meeting the MCSD Board of Directors asked staff to refer this item back to the RAC for their review, with a report and recommendations to come back to the Board within 90 days. The following are the minutes from the February 1, 2012 Board meeting:

AGENDA ITEM E.6-CONSIDER RENEWAL OF RIGHT OF ENTRY AGREEMENT WITH MCKINLEYVILLE SKATE PARK ORGANIZATION:

Park & Recreation Director Sehon briefly reviewed the long history of the project, potential future maintenance costs to the District if built and briefly responded to comments made at the last Board meeting. After a brief Board discussion President Mayo opened public input and 23 people addressed the Board in support of a skateboard park in Pierson Park.

MOTION: It was moved to approve the right of entry agreement and maintenance plan with the McKinleyville Skate Park Organization per staff recommendations, with the following changes;

1. Extend the right of entry for a period of eighteen (18) months;
2. Require the MSPO to submit a progress report to the Park & Recreation Director quarterly;
3. Not encumber the \$25,000 in Quimby Inland Park Dedication Funds;
4. Refer this matter back to the Recreation Advisory Committee for their review, with a report and recommendations to come back to the Board within 90 days. Motion by Corbett; second by Wennerholm.

After additional discussion Director Wennerholm requested a revision to eliminate the requirement that the sign be removed from Pierson Park no later than Friday February 12, 2012. The maker of the motion accepted this amendment.

MOTION VOTE: Ayes: Corbett, Couch, Wennerholm, Mayo

MOTION SUMMARY: Motion Passed-4 AYES; 0 NAYS

The RAC has discussed the Right of Entry Agreement at its last three (3) meetings. At its April 19, 2012 Board Meeting, the Recreation Advisory Committee voted unanimously to make the following recommendations to the MCSD Board of Directors:

Change language in Section 1. Of the Right of Entry Agreement so that it reads as follows:

1. DISTRICT owns property at Pierson Park in McKinleyville and has consented to enter into an Agreement for the design and construction of a Skate Park at Pierson Park for the purposes and on the terms and conditions herein set forth.

If the Board is uncomfortable with committing Pierson Park as the site, the RAC recommends the following language be placed in the Right of Entry Agreement:

2. DISTRICT owns property locations throughout McKinleyville and has consented to enter into an Agreement for the design and construction of a Skate Park at a location as designated by the District, with a strong preference for the location to be at Pierson Park; for the purposes and on the terms and conditions herein set forth.

Alternatives:

Staff's analysis includes the following potential alternatives:

- Take no action – Maintain the Right-of-Entry Agreement as is
- Deny the request for approval of the revised Right of Entry Agreement

Fiscal Analysis:

Based on my research of other agencies who maintain skate parks, staff estimates the annual maintenance cost for labor to be \$30,000 if MCSD is required to perform maintenance.

The annual cost for graffiti removal is estimated to be \$4,600

This makes a total estimated annual cost for maintaining a skate park to be \$34,600

This equates to more than half of a full-time employees hours per year.

Environmental Requirements:

Not applicable at this time.

Exhibits/Attachments

- 2012 Right of Entry Agreement
- Maintenance Plan

RIGHT OF ENTRY AGREEMENT

THIS AGREEMENT is entered into on February 1, 2012, between the between the MCKINLEYVILLE COMMUNITY SERVICES DISTRICT (herein "DISTRICT") and the MCKINLEYVILLE SKATE PARK ORGANIZATION (herein "ORGANIZATION").

RECITALS

1. DISTRICT owns property locations throughout McKinleyville and has consented to enter into an Agreement for the design and construction of a Skate Park at a location as designated by the District for the purposes and on the terms and conditions herein set forth.
2. The ORGANIZATION, as a public service to the citizens of McKinleyville, wishes to undertake a project for the design and development, financing, construction and maintenance of a skate park.

THEREFORE, IT IS AGREED:

1. For a period of eighteen (18) months (ending August 7, 2013), DISTRICT hereby grants to ORGANIZATION the right to enter upon DISTRICT property at a location as designated by the District, for the purposes and on the terms and conditions herein set forth.
2. ORGANIZATION shall obtain Board approval of the final design and demonstrate financing at its sole expense prior to the Board considering approving the construction of a FACILITY of approximately 20,000 square feet (herein "PROJECT") to be used by the public for the purposes of offering expanded services to the community.
3. ORGANIZATION shall:
 - 3.1 Demonstrate to the Board sufficient financing and committed supplies and services from local businesses to pay the entire costs of design, development, inspection, construction, maintenance and administration of the PROJECT, except as noted below. PROJECT costs and funding requirements will be those estimates as delineated by the Engineer. No work of construction shall be commenced until initially obtaining Board approval of the final design and demonstrating sufficient funds required by the attached Maintenance Plan, and the funds have been received and deposited with the DISTRICT in an ESCROW account administered by the DISTRICT. Phase I is estimated to cost approximately \$380,000.00 for the eastern section of the project consisting of the flat portion and one bowl on the southeast corner;
 - 3.2 Cause the preparation of plans and specifications suitable for the construction of the PROJECT;
 - 3.3 Receive approval from the General Manager to place any signage on the property.

- 3.4 Receive approval from General Manager to apply for permits and/or to begin construction.
 - 3.5 Cause to be obtained all necessary permits and approvals for the construction as required by law;
 - 3.6 Assist the District with contracts and other agreements as necessary for the completion of the PROJECT. DISTRICT must give written approval to any contract of ORGANIZATION and any other party, with respect to the PROJECT, except for this RIGHT OF ENTRY AGREEMENT;
 - 3.7 Upon completion of the PROJECT, deliver the facility and appurtenances thereof to the DISTRICT in condition suitable for the use. Thereupon, any rights and responsibilities of with respect to the construction of the PROJECT shall terminate, and use, care and maintenance of the facility shall revert to the DISTRICT. Upon delivery of the facility to the DISTRICT, ORGANIZATION shall assign all warranty rights, if any, with respect to the facility, equipment and appurtenances to DISTRICT.
4. ORGANIZATION shall submit by email a progress report to the Parks & Recreation Director on a quarterly basis, beginning Friday, May 25, 2012. Said progress report shall include the following information:
 - A. Status of current fundraising efforts
 - B. Amount of funds raised to date
 - C. Pending and proposed grant application update
 - D. Failure to provide the progress report by the required date will result in the termination of the Agreement.
5. ORGANIZATION shall consult with DISTRICT representatives during the design phase, and the plans and specifications for the construction shall be subject to DISTRICT's written approval before the plans and specifications are submitted to permitting authorities for development permits and to prospective bidders for bidding purposes.
6. ORGANIZATION shall hold harmless, indemnify and defend DISTRICT, its officers, agents, employees, and directors from and against any and all claims, liabilities, demands, costs and contracts of any nature arising out of or resulting from the financing, design and construction of the PROJECT. This obligation shall survive the delivery of the PROJECT to the DISTRICT.
7. In the event of a dispute between the parties regarding the obligations described in this Agreement, the DISTRICT Board of Directors will make a finding based upon the facts presented and their decision will be final. In such an event that the Board's findings are in favor of the District, then 9.1 through 9.3 shall apply.
8. DISTRICT shall:
 - 8.1 Be solely responsible for payment of all costs associated with the development and construction of PROJECT including, without limitation,

any and all claims, liabilities, demands, costs and contracts of any nature arising out of or resulting from the PROJECT.

- 8.2 Have the responsibility for construction and control of the PROJECT.
- 8.3 Apply any unused construction funds toward the Maintenance Fund for the PROJECT. Such Maintenance Fund shall be under the sole control and administration of the DISTRICT.

McKINLEYVILLE COMMUNITY SERVICES DISTRICT

Dennis Mayo, Board President

Date

Charlie Caldwell, Skate Park Organization

Date

Michael Kennedy, Skate Park Organization

Date

**MAINTENANCE PLAN
McKINLEYVILLE SKATE PARK**

1. This Maintenance Plan is intended to cover the ongoing maintenance expenses and upkeep of the proposed skate park. DISTRICT expects the ORGANIZATION to perform weekly maintenance and take care of repairs when needed.
2. Demolition & Maintenance Deposit:
 - 3.1 The ORGANIZATION is required to deposit with the District an escrow account of \$12,000 at the time a “Notice to Proceed” is issued by the DISTRICT for the start of construction, to be used for the demolition and maintenance of the skate park should the ORGANIZATION fail to meet the terms of its obligations, or the park falls into disrepair or an unsafe condition. The ORGANIZATION will be notified, as specified in the terms of the AGREEMENT, and if the Club fails to comply the District could opt to use these deposit funds for demolition or maintenance. The shortfall in the escrow fund would then need to be replaced within 60 days.
 - 3.2 Payment Plan: Since the skate park should be in good condition for a number of years without any major repair items, the DISTRICT believes it is reasonable to require only \$2,000 to be deposited at the time a “Notice to Proceed” is issued by the DISTRICT for the start of construction, with an additional \$2,000 paid each of the next five years to bring the total up to the required \$12,000 deposit.
3. Ongoing Maintenance:
 - 3.1 The ORGANIZATION shall be responsible for weekly ongoing maintenance to include graffiti removal, trash removal, and emptying trash receptacles and recycling bins.
4. Monthly Inspections and Maintenance:
 - 4.1 DISTRICT shall conduct monthly inspections. ORGANIZATION will be responsible for conducting maintenance and repairs as required by DISTRICT.
 - 4.2 ORGANIZATION shall provide DISTRICT with a documented monthly inspection schedule that includes status of park, maintenance or repairs needed, and safety issues.
5. Quarterly Meetings:
 - 5.1 The ORGANIZATION shall set up a Maintenance Committee and meet with designated MCSD staff on a quarterly basis.

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **INFORMATIONAL**

ITEM: E.3. **Informational overview of Quimby Parkland Dedication Funds**

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

TYPE OF ACTION: **None**

Recommendation:

Listen to staff's presentation regarding Quimby Parkland Dedication Funds.

Discussion:

Quimby Coastal Parkland Dedication funds have been collected since 1995 and significantly assisted in establishing recreational facilities at Hiller Park. Coastal funds can be used for projects with a nexus to recreation as long as they are located west of Highway 101.

At its November 1, 1994 meeting, the Humboldt County Board of Supervisors supported MCSD's intent to retain a contract planner for planning services related to extending the County's Parkland Dedication ordinance to the inland portions of McKinleyville. An ordinance "Adding the parkland dedication provisions applicable to inland area of McKinleyville" was adopted on January 9, 1996. Inland funds can be used for projects with a nexus to recreation as long as they are located east of Highway 101.

The goal of the Quimby Act was to require developers to help mitigate the impacts of property improvements. The act gives authority for passage of land dedication ordinances only to cities and counties. Special districts must work with cities, and/or counties to receive parkland dedication and/or in-lieu fees. The fees must be paid and land conveyed directly to the local public agencies that provide park and recreation services community-wide.

Quimby funds can be used only for capital projects with a nexus to recreation. For example, the funds can be used to build a softball field; however, they cannot be used to purchase a lawn mower.

Developers also have the opportunity to build park features in lieu of paying into the Quimby Parkland Dedication Funds as long as the project has a nexus to recreation. For example, portions of the Mid Town Trail system have been funded by developers in lieu of paying into the Quimby Inland Dedication Funds.

It should be noted that for subdivisions with more than fifty (50) lots, the County requires developers to provide parks that fulfill their requirement for useable open space for public use. These developers are still required to pay into the Quimby Parkland Dedication Funds in addition to providing park improvements.

A good example of this is the Santos subdivision where staff designed a small park with a playground, trail system and open space that the developer is responsible for. The developer will still pay into the Quimby funds.

Attached, please find section 314-110.1 of the Humboldt County Zoning Regulations. The Zoning Regulations state, "The purpose of these requirements is to provide opportunities for public recreation in conjunction with residential development in conformity with the County General Plan."

Humboldt County collects the Quimby funds from developers. 70% is available for MCSD's Parks & Recreation Department to use and 30% is available for the Humboldt County Public Works with the idea that the funds are used for projects inside the area of influence. For example, the County utilized a portion of Quimby Funds for the Hammond Trail extension project. According to County staff, no Quimby funds are used for administrative purposes.

In order to request a release of funds from the County, MCSD staff is required to submit a letter requesting the release of fees to the County. The request is brought before the Humboldt County Board of Supervisors. In most cases, MCSD funds the project and is reimbursed with Quimby funds after the project is complete. Quimby fees used for the McKinleyville Library Expansion project were received prior to the project completion.

In the last several years, MCSD staff has been quite frugal with using Quimby funds for projects. The following are capital projects completed by MCSD in the last several years and where the funding came from:

McKinleyville Activity Center floor replacement

Proposition 84 per capita bond

Azalea Hall floor replacement

Proposition 84 per capita bond

Hiller Park Playground

Funds & California Waste Tire Grant

Fenced in picnic area at Hiller Park

Land & Water Conservation Fund grant and Quimby funds

Pierson Park Playground replacement

Proposition 12 per capita bond & California Waste Tire Grant

Hiller Sports Complex, phase I (little league, softball and Babe Ruth)
Measure B, donations

Hiller Sports Complex, phase II (soccer fields)
Quimby Funds, donations

Bocce ball courts
Mad River Rotary Club grant, MCSD reserves

Library Expansion Project (Conference Room)
Friends of the McKinleyville Library, Quimby Funds

Alternatives:

- Take Action

Fiscal Analysis:

Current available funds (Inland): \$230,344

Current available funds (Coastal): \$89,098

The estimated budget for FY 2012/13 (include teen center) current FY 2011/12 budget has the following projects to be funded with Quimby Inland Parkland Dedication funds:

Playground replacement: \$30,000

Teen & Community Center To be determined

Hewitt Ranch improvements: \$25,000

Covered Picnic Area – Pierson Park: \$25,000

New park development: \$25,000

Land Acquisition: \$45,000

\$150,000

It should also be noted that with new development, additional Quimby funds will be received. Staff feels it is necessary to consider utilizing future Quimby Funds to assist with the construction of the Teen & Community Center as well as potential park development at the School Road property site.

Environmental Requirements:

- Not applicable

Exhibits/Attachments

- Section 314-110.1 of the Humboldt County Zoning Regulations
- Map of Coastal Zone

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314-110.1 PARKLAND DEDICATION

110.1.1 Purpose. The purpose of these requirements is to provide opportunities for public recreation in conjunction with residential development in conformity with the County General Plan. (Former Section INL#316-23(A); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.2 Applicability. These regulations shall apply to all divisions of land for residential uses where parkland dedication pursuant to the Quimby Act is required by local community plans. (Former Section INL#316-23(B); Added by Ord. 2103, Sec. 4, 1/9/96; Amended by Ord. 2166, Sec. 24, 4/7/98)

110.1.3 Requirements. As a condition of approval of a Final Map or Parcel Map the subdivider shall satisfy one (1) of the following requirements, at the option of the County: (Former Section INL#316-23(C); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.3.1 For new subdivisions containing fifty-one (51) or more parcels: (Former Section INL#316-23(C)(1)); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.3.1.1 an offer of dedication land to a public or private non-profit agency for public park or recreation use as identified in the County General Plan

and Eureka Community Plan, according to the formula and standards set forth in Section 314-110.1.5 and trails and support facilities identified in the County Trails Plan; or (Former Section INL#316-23(C)(1); Added by Ord. 2103, Sec. 4, 1/9/96; Amended by Ord. 2166, Sec. 24, 4/7/98)

110.1.3.1.2 an in-lieu fee, in accordance with the provisions of Section 314-110.1.6 to provide an appropriate contribution to public parks or recreation. It shall be the County's option to decide whether dedication of land or in-lieu fees shall be required. (Former Section INL#316-23(C)(1); Added by Ord. 2103, Sec. 4, 1/9/96; Amended by Ord. 2166, Sec. 24, 4/7/98)

110.1.3.2 For new subdivisions containing fifty (50) or fewer lots or parcels, an in-lieu fee shall be provided consistent with the provisions of Section 314-110.1.6; except that, if mutually agreeable, the subdivider and the County may agree to the dedication of land or a combination of dedication and fee payment. (Former Section INL#316-23(C)(2); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.3.3 Subdivisions containing less than five (5) parcels and not used for residential purposes shall be exempted from the requirements of this section. However, a condition shall be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four (4) years, the fee shall be required to be paid by the owner of each such parcel as a condition to the issuance of such permit. (Former Section INL#316-23(C)(3); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.4 **General Standard.** Public parkland and/or recreation facilities shall be provided at the rate of three (3) acres for each 1,000 persons, equal to a standard of 130 square feet per person. This standard shall be utilized pursuant to Section 314-110.1.5 for the determination of parkland dedication. (Former Section INL#316-23(D)(1); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.5 **Formula for Dedication of Parkland.** The amount of land (per dwelling unit), where land is dedicated, shall be determined by the application of the following formula: (Former Section INL#316-23(D); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.5.1 130 square feet per person multiplied by the average number of persons per household. (Former Section INL#316-23(D)(1); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.5.2 The average number of persons per household shall be determined by the Planning and Building Divisions based on demographic research and available County Census data from the United States Bureau of the Census. (Former Section INL#316-23(D)(2); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.6 **Fees In-Lieu of Land Dedication.**

110.1.6.1 Where a fee is required to be paid in-lieu of land dedication, the amount of such fee shall be based upon the fair market value of the amount of land which would otherwise be required to be dedicated pursuant to Section 314-110.1.4.3. The fair market value shall be determined in conjunction with the County Assessor at the time of filing the Tentative Map or Tentative Parcel Map. (Former Section INL#316-23(F); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.6.2 If the subdivider objects to the fair market value determination, the subdivider may, at his/her own expense, obtain an appraisal of the property by a qualified real estate appraiser mutually agreed upon by the County in determining fair market value. (Former Section INL#316-23(F); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.6.3 A fee paid in-lieu of land dedication shall be paid to the County prior to the recordation of the Subdivision Map or Parcel Map. For multiple final maps, the fee paid in-lieu of land dedication shall be paid prior to the recordation of the final map for each unit or phase. (Former Section 316-23(F); Added by Ord. 2166, Sec. 24, 4/7/98)

110.1.7 Deferred Payment of Fees for Secondary Dwelling Units.

110.1.7.1 The Hearing Officer may approve a request by the subdivider to defer payment of a portion of the fee paid in-lieu of land dedication for secondary dwelling units on each parcel created by the subdivision map. Any such deferral shall be subject to the recordation of an agreement between the subdivider and the County to convey development rights for the secondary dwelling unit. (Former Section 316-23(G); Added by Ord. 2166, Sec. 24, 4/7/98)

110.1.7.2 The amount of the fee paid in-lieu of dedication subject to the conveyance agreement shall be determined for each affected parcel prior to the recordation of the Subdivision Map or Parcel Map. The fee breakdown for individual parcels subject to deferment shall be in the same proportion that the size of the lot bears to the total aggregate area of the parcels covered by the conveyance. (Former Section 316-23(G); Added by Ord. 2166, Sec. 24, 4/7/98)

110.1.7.3 If the fee paid in-lieu of land dedication is deferred, reconveyance of development rights shall be initiated upon payment of the fee in-lieu of dedication by the record owner of the subject parcel at the time the request for reconveyance is made to the County. (Former Section 316-23(G); Added by Ord. 2166, Sec. 24, 4/7/98)

110.1.8 Procedures for Determining Land Dedication, Fee Payment or a Combination of Both. The procedure for determining whether the subdivider is to dedicate land, pay a fee, or a combination of both shall be as follows: (Former Section 316-23(H); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.1 At the time of filing a Tentative Subdivision Map or Tentative Parcel Map for approval, the subdivider shall, as part of such filing, indicate whether he/she desires to dedicate property for park and recreational purposes, or whether he/she desires to pay a fee in-lieu thereof. If the subdivider desires to dedicate land for this purpose, he/she shall designate the area thereof on the subdivision map as submitted. (Former Section 316-23(H)(1); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.2 At the time of the approval of the Tentative Subdivision Map or Tentative Parcel Map, the Hearing Officer shall determine as a part of such approval whether to require a dedication of land within the subdivision, payment of a fee in-lieu thereof, or a combination of both. (Former Section 316-23(H)(2); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.3 The Hearing Officer may approve of the offer of land dedication, or elect to recommend that a payment of a fee in-lieu thereof be required, or that a combination of both be required. In making this determination the Planning Commission shall consider the following: (Former Section 316-23(H)(3); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.3.1 The Humboldt County General Plan; (Former Section 316-23(H)(3)(a); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.3.2 Topography, geology, access, and location of land in the subdivision available for dedication; (Former Section 316-23(H)(3)(b); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.3.3 Size and shape of the land in the subdivision available for dedication; (Former Section 316-23(H)(3)(c); Added by Ord. 2103, Sec. 4, 1/9/96; Amended by Ord. 2214, 6/6/00)

110.1.8.3.4 Feasibility of dedication; (Former Section 316-23(H)(3)(d); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.3.5 Availability and adequacy of previously acquired park property; and (Former Section 316-23(H)(3)(e); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.8.3.6 The desirability of fees being used for indoor recreational facilities. (Former Section 316-23(H)(3)(f); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.9 **Credit for Private Recreation Facilities.** Where a substantial private park and recreation area is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, partial credit, not to exceed fifty percent (50%), may be given against the requirement of land dedication or payment of fees in-lieu thereof if the Planning Commission finds that it is in the public interest to do so and that the following standards are met: (Former Section 316-23(I)); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.9.1 That yards, court areas, setbacks, and other open areas required to be maintained by the zoning and building ordinances and regulations shall not be included in the computation of such private open space; (Former Section 316-23(I)(1); Added by Ord. 2103, Sec. 4, 1/9/96)

110.1.9.2 That the private ownership and maintenance of the open space is adequately provided for by recorded written agreement, conveyance, or restrictions; (Former Section 316-23(I)(2); Added by Ord. 2103, Sec. 4, 1/9/96)

- 110.1.9.3 That the use of the private open space is restricted for park and recreational purposes by recorded covenant, which runs with the land in favor of the future owners of property in the subdivision and which cannot be defeated or eliminated without the consent of the County or its successor; (Former Section 316-23(I)(3); Added by Ord. 2103, Sec. 4, 1/9/96)
- 110.1.9.4 That the proposed private open space is reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access, and location; (Former Section 316-23(I)(4); Added by Ord. 2103, Sec. 4, 1/9/96)
- 110.1.9.5 That facilities proposed for the open space are in substantial accordance with the provisions of the Humboldt County General Plan. (Former Section 316-23(I)(5); Added by Ord. 2103, Sec. 4, 1/9/96)

Before credit is given, the Planning Commission shall make findings that the standards herein are met. (Former Section 316-23(I); Added by Ord. 2103, Sec. 4, 1/9/96)

314-110.2 PLOT PLAN APPROVAL

In order to assure compliance with the land use and development regulations, the Humboldt County Building Division shall not issue any building permit until a plot plan or site plan showing the work to be done as it relates to surrounding uses and property lines has been approved by the Planning Division. All requests for plot plan or site plan approval shall be accompanied by a fee as established by resolution of the Board of Supervisors. (For more on plot plan approval, see Chapter 2, Zoning Clearance Certificate Procedures, Section 312-2) (Former Section INL#316-22; Added by Ord. 1280, Sec. 3, 10/10/78)



McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **INFORMATION**

ITEM: E.4. Request from Mr. Peachy, Fischer Ranch Lessee to Apply Fertilizer

PRESENTED BY: Norman Shopay

TYPE OF ACTION: None

Recommendation:

Listen to information regarding the request to apply fertilizer at Fischer Ranch

Discussion:

The District received the attached request from Marvin Peachey, Fischer Ranch Lessee, seeking approval to apply fertilizer to the bottom portion of the ranch (52 acres south of the ditch).

The Board approved an addendum to the Fischer Ranch Lease on February 2, 2012. The revision involved a change to Section 1-Herbicide/Pesticide Application Restrictions. It was changed to read as follows:

“The Lessee shall not apply pesticides or herbicides on the premises. The Lessor reserves the right to apply herbicides or pesticides on the Premises or to instruct a third party to apply herbicides or pesticides on the Premises after the McKinleyville Community Services District Board of Directors declares an emergency requiring such an application”.

As a reminder, the Board considered 4 alternatives, one which would have restricted the application of fertilizers, but choose instead the language above restricting herbicides and pesticides only.

I plan to approve this request and allow Mr. Peachy to apply fertilizer as requested.

Alternatives:

Staff’s analysis includes the following potential alternative:

- Take action

Fiscal Analysis:

- Not applicable

Environmental Requirements:

- Not applicable

Exhibits/Attachments

- Marvin Peachey letter from April 6, 2012
- Board documents regarding alternatives presented in February 2012
- First Addendum to Lease

MARVIN PEACHEY AG.**2012 FERTILIZER APPLICATION REQUEST FOR MCSD RANCH:**

Marvin Peachey
PO Box 715
Fortuna CA 95540
Phone: 707-601-8776
Fax: 707-725-8720

April 6, 2012

Attention: Norman Shopay

In Regards to fertilizer spreading, I am asking for permission to apply fertilizer to the bottom portion of the ranch, 52 acres south of the ditch.

As for a projected date; my goal would be to spread fertilizer the end of June; weather permitting.

The products that would be spread are as follows:

0-0-50-18 Potash Sulfate at a rate of 150 LBS. to the acre

46-0-0 Nitrogen at a rate of 120 LBS. to the acre.

If You Have Any Questions or input Please feel free To Contact me at
(707)601-8776.

Sincerely,

Marvin Peachey

McKinleyville Community Services District

BOARD OF DIRECTORS

February 1, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.9 **Fischer Ranch Lease Agreement Revised Language
Reviewed by District Legal**

PRESENTED BY: **Norman Shopay and Russell Gans**

TYPE OF ACTION: **Voice Vote**

Recommendation:

Staff recommends that the Board adopt one of the four (4) alternatives stated in the alternatives section of this Staff Report to resolve this matter.

Discussion:

Subsequent to the herbicide incident on the Fischer Ranch it was determined a lease addendum was necessary. An addendum was prepared by staff and reviewed by District Legal Counsel.

Staff prepared the appropriate addendum, met and discussed it with Mr. Peachey. The addendum included a provision to require notification and approval by the MCSD District Manager prior to the application of any pesticide, herbicide, chemical, fertilizer or other substance on the premises, as stated in "Alternative No. 1" of this Report, below. Mr. Peachey reviewed and signed the lease addendum at that meeting.

The signed addendum was brought to the Board of Directors at the November 2011 meeting. After public input during the meeting Director Corbett presented a language modification to the Addendum, which is repeated in "Alternative No. 2", below, and staff was directed by the Board to have District Legal counsel review the proposed modifications.

At the January 4, 2012 Meeting, Legal Counsel reviewed the proposed language changes offered by Mr. Corbett, and proposed slight clarification edits to those changes, as recited in "Alternative No. 3", below.

After further discussion on the matter at the January 4, 2012, meeting, Staff was instructed to place the matter back on the February meeting agenda, reciting the alternatives discussed, for Board consideration and action.

Alternatives:

Alternative No. 1: Leave in place the language in the existing Lease Addendum already signed by Mr. Peachey which reads, in pertinent part, as follows:

"Section 1. Herbicide/Chemical/Pesticide Application Restrictions. The Lessee shall not apply any pesticide, herbicide, chemical, fertilizer or other substance on the Premises without first notifying Lessor prior to the application and securing written authorization and consent from the Lessor to proceed with the application. For purposes of this provision, the General Manager of the McKinleyville Community Services District shall have the authority and discretion to permit or deny any request by Lessee to apply any pesticide, herbicide, chemical, fertilizer or other substance on the Premises."

Alternative No. 2: Revise the Lease Addendum to include the revisions requested by Director Corbett at the November, 2011, Meeting, which read, in pertinent part, as follows:

"Section 1. Herbicide/Pesticide Application Restrictions. The Lessee shall not apply any pesticides or herbicides on the Premises. The MCSD reserves the right to apply or to grant the right to apply herbicides or pesticides to a third party after the District declares an emergency requiring such an application."

District Legal Counsel wants the Board to be aware that including this language in the Lease will require future Board action prior to the application of herbicide or pesticide on the Fischer Ranch property.

Alternative No. 3: Make the slight revisions to the language suggested by Director Corbett, as follows:

"Section 1. Herbicide/Pesticide Application Restrictions. "The Lessee shall not apply any pesticides or herbicides on the Premises. The Lessor reserves the right to apply herbicides or pesticides on the Premises or to instruct a third party to apply herbicides or pesticides on the Premises after the McKinleyville Community Services District Board of Directors declares an emergency requiring such an application."

District Legal Counsel wants the Board to be aware that including this language in the Lease will require future Board action prior to the application of herbicide or pesticide on the Fischer Ranch property.

Alternative No. 4: In addition to or in lieu of any of the forgoing three alternatives, the Board can consider implementing a schedule for creating a District wide policy for pesticide/herbicide application (and other substances), or suggest additional language modifications for inclusion in a Lease Addendum and presentation to the Lessee.

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- Original Addendum signed by Mr. Peachey and brought to the Board on November 23, 2011

AGENDA ITEM E.9-FISCHER RANCH LEASE ADDENDUM: General Manager Shopay reviewed staff recommendations. There was no Board discussion. Five people addressed the Board to express their concerns.

1st MOTION: It was moved to approve alternative number 1 & 4, with a change to #4 to specify "implementing a Park & Recreation Policy" in lieu of a "District Wide Policy. Motion by Wennerholm. This motion died for a lack of a second.

Director Corbett asked that alternative #2 be removed from consideration as #3 was a rewrite of that and contained better language.

2nd MOTION: It was moved to approve alternative #3 and #4. Motion by Couch; second by Corbett. After a brief discussion the maker of the motion Director Couch asked for a modification to alternative #4 to specify that the policy to be created would be a **Park & Recreation Policy** for pesticide/herbicide application (and other substances) rather than a District Wide Policy. Director Corbett, as the second of the motion, agreed to this modification.

MOTION VOTE: Ayes: Corbett, Couch, Wennerholm, Mayo

MOTION SUMMARY: Motion Passed-4 AYES; 0 NAYS

AGENDA ITEM E.10-DISCUSSION REGARDING THE PARKS & RECREATION MASTER PLAN UPDATE: Park & Recreation Director Sehon updated the Board on the progress made to date on the update to the Parks & Recreation Master Plan. He reported that this plan was a valuable tool for staff and will go to the Recreation Advisory Committee for final review in February and is scheduled to be brought to the Board in March 2012. Three people addressed the Board asking that the Skate Park be included in the plan and Director Sehon assured them that it is already included in the Master Plan.

AGENDA ITEM F-REPORTS:

F1a-RAC: Director Couch had nothing to report.

F1b-McK Area Fund: No report was given.

F1c-RREDC: Director Wennerholm reported that RREDC was working on searching for a replacement due to the resignation of their Executive Director Greg Foster

F1d-McK Senior Center: Director Wennerholm gave a brief summary of items discussed.

F1e-Audit: Director Corbett had nothing to add to the agenda item discussed on yesterday's agenda.

F1f-Negotiations: There was nothing to report.

F1g-Water Task Force: President Mayo had nothing to report.

F1h-AdHoc No Drugs & Toxics down the Drain: President Couch reported that they had not met yet. Park & Recreation Director added he planned to schedule a 5:00 meeting of this AdHoc committee every two months just prior to the 6:00pm RAC meetings.

F1i-Local & State Advisory Committee: There was nothing to report at this time. Director Corbett said it was "gestating" with support from Supervisor Sundberg.

F2a-Support Services Department: No additional comments were made.

F2b-Operations Department: Operations Director Orsini thanked the people who remain engaged in the 20 year facility plan and praised General Manager Shopay who came into the process in the middle and enhanced the process and the document. He updated the Board on a serious water leak that

(In accordance w/Robert's Rules of Order, 10th 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".)

RECEIVED

MAR -2 2012

FIRST ADDENDUM TO LEASE

McK. C.S.D.

This "First Addendum to Lease" (this "First Addendum") is entered into as of February 2, 2012, between McKINLEYVILLE COMMUNITY SERVICES DISTRICT ("Lessor") and MARVIN PEACHEY ("Lessee").

Recitals

A. WHEREAS, Lessor and Lessee entered and executed that certain written "Lease Agreement" dated February 19, 2011 (the "Lease"); and

B. WHEREAS, Lessor and Lessee desire to supplement their respective rights and obligations under the Lease, as stated in this First Addendum.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

Agreement

The following provision shall be added to the Lease and shall hereafter be deemed a material provision of said Lease:

Section 1. Herbicide/Pesticide Application Restrictions. The Lessee shall not apply any pesticides or herbicides on the Premises. The Lessor reserves the right to apply herbicides or pesticides on the Premises or to instruct a third party to apply herbicides or pesticides on the Premises after the McKinleyville Community Services District Board of Directors declares an emergency requiring such an application.

Section 2. Continuation of Lease. In all other respects, the Lease is confirmed on the same terms and conditions as set forth therein. All capitalized terms used in this First Addendum shall have the same meaning(s) assigned to them in the Lease, unless assigned a specific meaning in this First Amendment.

IN WITNESS WHEREOF the parties have executed this First Addendum to Lease Agreement on the date first written above.

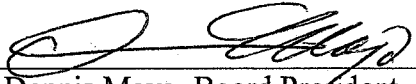
Signatures

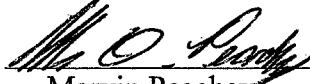
Lessor:

Lessee:

McKINLEYVILLE COMMUNITY
SERVICE DISTRICT:

MARVIN PEACHEY:

By: 
Dennis Mayo, Board President

By: 
Marvin Peachey

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.5. Approve Resolution Authorizing investment of monies in the Local Agency Investment Fund

PRESENTED BY: Colleen Trask, Finance Director

TYPE OF ACTION: Roll Call Vote

Recommendation:

Staff recommends that the Board approve Resolution 2012-15 authorizing investment of monies in the Local Agency Investment Fund (LAIF), and confirming authorized signatories.

Discussion:

Due to the change in Finance Director, LAIF is requiring the District to submit a Resolution authorizing and confirming signatories. The staff at LAIF recommended listing authorized officers, OR THEIR SUCCESSORS IN OFFICE, so that future staff changes will not require a new Resolution.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

- Not applicable

Environmental Requirements:

- Not applicable

Exhibits/Attachments

- Resolution 2012-15

RESOLUTION 2012-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT, 1656 SUTTER ROAD, MCKINLEYVILLE, CALIFORNIA (707-839-3251) AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND

WHEREAS, Pursuant to Chapter 730 of the statutes of 1976 Section 16429.1 was added to the California Government Code to create a Local Agency Investment Fund in the State Treasury for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

WHEREAS, the McKinleyville Community Services District Board of Directors does hereby find that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein as in the best interests of the McKinleyville Community Services District.

NOW THEREFORE, BE IT RESOLVED, that the McKinleyville Community Services District Board of Directors does hereby authorize the deposit and withdrawal of McKinleyville Community Services District monies in the Local Agency Investment Fund in the State Treasury in accordance with the provisions of Section 16429.1 of the Government Code for the purpose of investment as stated therein, and verification by the State Treasurer's Office of all banking information provided in that regard.

BE IT FURTHER RESOLVED, that the following McKinleyville Community Services District officers **or their successors in office** shall be authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund:

Norman Shopay
General Manager

Colleen M. R. Trask
Finance Director

HR/Payroll Manager
Diane Sloane

Board Director
John W. Corbett

PASSED, APPROVED AND ADOPTED, by the Board of Directors of McKinleyville Community Services District of State of California on May 2, 2012 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Dennis Mayo, Board President

Sharon L. Denison, Board Secretary

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.6. CONSIDER APPROVAL OF ACWA JPIA RESOLUTION NO. 2012-16

PRESENTED BY: Colleen Trask, Finance Director

TYPE OF ACTION: Roll Call Vote

Recommendation:

Approve Resolution 2012-16 authorizing membership in the ACWA Joint Powers Insurance Authority.

Discussion:

Staff received the attached letter from the Association of California Water Agencies Health Benefits Authority announcing the impending transition of the ACWA Health Benefits Authority into the ACWA Joint Powers Insurance Authority (ACWA/JPIA). This change is needed to retain current Health Benefits coverage.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

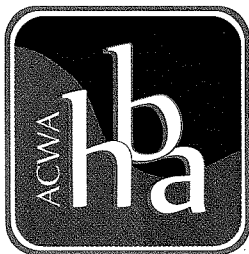
- Not applicable

Environmental Requirements:

- Not applicable

Exhibits/Attachments

- April 1, 2012 Correspondence from ACWA
- Resolution 2012-16



5-2-12

**ACWA
Health Benefits
Authority**

April 1, 2012

Mr. Norman Shopay
General Manager
McKinleyville CSD
PO Box 2037
McKinleyville, CA 95519

RECEIVED

APR 5 2012

McK. C.S.D.

RE: Urgent Action Needed to Retain Health Benefits

Dear Mr. Shopay,

On March 7 you received a notice announcing the impending transition of the ACWA Health Benefits Authority (HBA) into the ACWA/Joint Powers Insurance Authority (ACWA/JPIA). On March 28, the HBA Board voted to dissolve the HBA and transfer the health benefits program to ACWA/JPIA.

We need your immediate assistance to secure the needed concurrence within the mandated 90-day window. The following steps must be taken to ensure a seamless transition and to retain the employee benefits currently provided by HBA:

1. **Your board will need to pass the enclosed resolution.** The resolution consents to join the Employee Benefits Program of the ACWA/Joint Powers Insurance Authority and ratifies the action of the ACWA Health Benefits Authority Board of Directors to terminate the Health Benefits Authority Joint Powers Agreement. **Please place the resolution on your next available agency agenda for action.**
2. **Return the signed resolution:** HBA is requesting the signed resolution by April 30, 2012 (or sooner), if possible, and no later than May 31, 2012. Please mail to:

ACWA HBA
4600 Northgate Blvd, Suite #100
Sacramento, CA 95834

Failure to return the signed resolution by June 29, 2012, may result in loss of coverage for your district employees.



ACWA Health Benefits Authority

A dedicated website is available to assist you with the process. It includes a list of Frequently Asked Questions (FAQs), model resolutions, a timeline and other information. Please go to www.hba-transition.com.

An informational webinar is scheduled for Wednesday, April 18, at 10 a.m. Registration details will be provided in the near future.

If you have any further questions, please contact Nancy Stangel, JPIA Director of Administration (800-231-5742, ext. 3133, nstangel@acwajpia.com) or Cynthia Harding, HBA Operations Manager (800-736-2292, ext. 5, cynthiah@acwa.com)

Thank you for your help.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Gilmore', is positioned above the printed name.

Rick Gilmore
Board President
ACWA HBA

Attachment: Sample resolution

RESOLUTION NO. 2012-16

RESOLUTION APPROVING MEMBERSHIP IN THE ACWA JOINT POWERS INSURANCE AUTHORITY, CONSENTING TO JOIN THE HEALTH BENEFITS PROGRAM OF THE ACWA JOINT POWERS INSURANCE AUTHORITY, RATIFYING THE ACTION OF THE ACWA HEALTH BENEFITS AUTHORITY BOARD OF DIRECTORS TO TERMINATE THE HEALTH BENEFITS AUTHORITY JOINT POWERS AGREEMENT, AND AUTHORIZING AND DIRECTING THE GENERAL MANAGER OR FINANCE DIRECTOR TO EXECUTE ALL NECESSARY DOCUMENTS

WHEREAS, this Agency entered into a joint exercise of powers agreement ("HBA Agreement") with the Association of California Water Agencies Health Benefits Authority ("HBA") in order to pool its purchasing needs with other public agencies desiring to provide their employees with comprehensive and economical health and welfare benefits; and

WHEREAS, this Agency entered into a Health Benefits Memorandum of Understanding ("MOU") to enroll in specific health programs and ancillary programs ("Existing Employee Benefits Coverage") offered by HBA and agreed to abide by: (1) the HBA Agreement; (2) all rules and procedures established by HBA in the administration of the Agency's Existing Employee Benefits Coverage; and (3) all underwriting, eligibility, and contribution requirements in Appendix A to the MOU; and

WHEREAS, certain public agencies have entered into a joint exercise of powers agreement ("JPIA Agreement") with the Association of California Water Agencies Joint Powers Insurance Authority ("JPIA") in order to pool their purchasing needs with other public agencies desiring to obtain comprehensive and economical public liability, workers' compensation, unemployment, health, accident and/or dental, or property coverage; and

WHEREAS, JPIA is both qualified and authorized by the laws of the State of California to administer the Existing Employee Benefits Coverage to this Agency through JPIA's Employee Benefits Program; and

WHEREAS, during a noticed special meeting held on February 6, 2012, the HBA Board of Directors unanimously voted to transfer all HBA operations and administrative functions to JPIA on or about July 1, 2012, and to pursue a merger of the two public agencies after which the HBA Agreement would be terminated; and

WHEREAS, pursuant to Article 22 of the HBA Agreement, the HBA Agreement may be terminated by the HBA Board of Directors subject to ratification by the written consent of three-fourths of the HBA Member agencies within 90 days of the HBA Board's action, provided, however, that HBA and the HBA Agreement shall continue to exist for the purpose of concluding all functions necessary to wind up HBA's affairs; and

WHEREAS, during a noticed regular meeting held on March 28, 2012, the HBA Board of Directors approved HBA Resolution 12-03-02: (1) electing to terminate the HBA Agreement pursuant to Article 22 of the HBA Agreement and, except as provided in clause 2 below, said termination shall become effective upon ratification by the written consent of three-fourths of the HBA member districts and agencies; (2) recognizing that pursuant to Article 22 of the HBA Agreement, HBA and the HBA Agreement shall continue to exist for the purpose of winding up and dissolving the business affairs of HBA, and acknowledge that the HBA Board of Directors is

vested with all powers of HBA for doing the same; and (3) declaring that Resolution 12-03-02 shall take effect on April 1, 2012, thereby beginning the 90-day ratification period.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the McKinleyville Community Services District hereby:

1. Agree that the JPIA Agreement and the HBA Memorandum of Understanding referred to in the recitals above are incorporated in this resolution by reference.
2. Approve this Agency's membership in the Association of California Water Agencies Joint Powers Insurance Authority.
3. Consent to join JPIA's Employee Benefits Program and acknowledge, represent, and agree that all terms and conditions of the HBA Memorandum of Understanding apply to the provision of this Agency's Existing Employee Benefits Coverage through JPIA.
4. Authorize and direct this Agency's General Manager or Finance Director to cooperate fully with HBA and JPIA in the execution of any other documents and in the completion of any additional actions that may be necessary or appropriate for the purpose of ensuring that this Agency's Existing Employee Benefits Coverage continues without lapse through JPIA.
5. Ratify the action of the HBA Board of Directors to terminate the HBA Agreement, to be effective as provided in Article 22 of the HBA Agreement.
6. Direct the Secretary of the Board of this Agency to immediately send a certified copy of this resolution to: Association of California Water Agencies Health Benefits Authority, 4600 Northgate Blvd, Suite 100, Sacramento, California, 95834.

PASSED, APPROVED AND ADOPTED by the Board of Directors of McKinleyville Community services District Board of Directors on May 2, 2012, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dennis Mayo, Board President

ATTEST:

Sharon L. Denison, Board Secretary

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **INFORMATIONAL**

ITEM: E.7. Informational overview of status of Parks and Recreation Integrated Pest Management Plan (IPM)

PRESENTED BY: Jason Sehon, Parks & Recreation Director

TYPE OF ACTION: None

Recommendation:

Listen to staff's presentation regarding the current status of the Integrated Pest Management Plan (IPM).

Discussion:

Over the course of the last several months, staff has been researching IPM's that have been adopted by other agencies. The purpose of this research is to consider whether MCSD should adopt its own IPM and how it might benefit our community.

IPM's are typically intended to assist agencies with proper management practices with relation to maintaining parks, facilities, turf areas, and open space maintenance zones.

IPM's generally provide an effective and environmentally sensitive approach to pest management that relies on a combination of common-sense practices. IPM programs use current, comprehensive information on the life cycles of pests and their interaction with the environment.

This information, in combination with available pest control methods, is used to manage pest damage by the most economical means, and with the least possible hazard to people, property, and the environment.

The IPM takes advantage of all appropriate pest management options including, but not limited to, the practical use of pesticides.

Another important aspect of IPM's is proper notification to the public when an agency plans to use a pesticide after other alternatives have failed to work.

Implementing an IPM can be a long process, especially when it is being completed in-house. It is important to develop a plan that relates to MCSD, our climate and the types of parks, facilities and open space zones we maintain. It is also important to consider staffing levels and possible budgetary constraints as a result of implementing an IPM.

Nearly everyone I have spoke to who's agency works with an IPM have said that if MCSD was to implement an IPM, that we should be prepared to increase park maintenance staff.

This is because many of the practices outlined in IPM's recommend labor intensive efforts for weed abatement (weeding by hand). In addition, following IPM practices often require the need for additional equipment.

Another reason for increased staffing is that IPM's suggest utilizing other methods for abatement prior to using pesticides. For example, for weed removal, IPM's might recommend using an organic pre-emergent (such as corn gluten meal) to stop the weeds from growing in the first place. If this process doesn't work, the IPM might suggest using another organic procedure, such as a mixture of vinegar and dish soap. Only after these methods are deemed ineffective does the IPM recommend using pesticides.

Staff brought a draft IPM to the Recreation Advisory Committee (RAC) on January 19, 2012 for review. Overall, the members of the RAC supported the concept and suggested that staff continue working on it.

I will continue working on developing an IPM over the course of the next several months until which time I feel it is ready to bring before the Recreation Advisory Committee and ask for a recommendation to the MCSD Board of Directors.

Alternatives:

Take Action

Fiscal Analysis:

Not applicable if the IPM is completed in-house. Although, many organizations hire consultants to work with them on developing a plan, resulting in fees in excess of \$20,000.

Environmental Requirements:

Not applicable

Exhibits/Attachments

- None

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **INFORMATIONAL**

ITEM: E.8. **Informational overview of FY 2012/13 Draft Operating Budget for General Fund and Enterprise Funds**

PRESENTED BY: **Colleen M. R. Trask, Finance Director**

TYPE OF ACTION: **None**

Recommendation:

Listen to staff's presentation of the Draft Operating Budget for the General Fund and Enterprise Funds.

Discussion:

The budget was developed based on current costs, trends, and best estimates. Information from the Capital Improvements draft budget that was previously presented to the Board is incorporated into this budget. Questions from the Directors on any line item or on the budget overall are welcome and may be brought to the Finance Director. The finalized budget will be presented to the Board for formal approval in June.

Alternatives:

Take Action

Fiscal Analysis:

See attached FY 2012/13 Draft Operating Budget.

Environmental Requirements:

Not applicable

Exhibits/Attachments

- FY 2012/13 Draft Operating Budget

McKinleyville Community Services District
Budget Exhibits
FY 2012-13

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- Exhibit 7 – Governmental Funds Historical Data

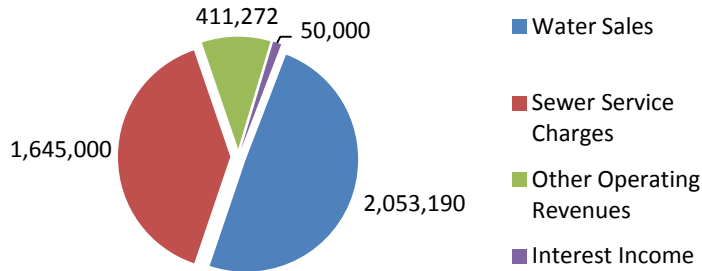
McKinleyville Community Services District
Funds Budget Summary
FY 2012-13

Description	Water Fund	Sewer Fund	Parks & Other Governmental Funds	Total (Memorandum Only)
Revenues				
Water Sales	2,053,190	-	-	2,053,190
Sewer Service Charges	-	1,645,000	-	1,645,000
Program Fees	-	-	357,600	357,600
Facility Rentals	-	-	53,226	53,226
Streetlight Charges & Fees	-	-	83,829	83,829
Property Taxes	-	-	530,000	530,000
Measure B Assessments	-	-	209,000	209,000
Open Space Fees	-	-	73,555	73,555
Other Revenue	211,972	199,300	17,000	428,272
Proceeds from Debt	-	-	155,000	155,000
Quimby Fees	-	-	150,000	150,000
Interest Revenue	20,000	30,000	3,000	53,000
Total Revenues	2,285,162	1,874,300	1,632,210	5,791,672
Expenditures				
Salaries & Benefits	778,842	800,579	872,278	2,451,699
Water Cost	704,507	-	-	704,507
Other Expenses & Expenditures	455,634	604,676	253,271	1,313,581
Depreciation	250,000	408,000	-	658,000
Interest Expense	86,081	55,000	-	141,081
Capital Expenditures	-	-	496,000	496,000
Total Expenses & Expenditures	2,275,064	1,868,255	1,621,549	5,764,868
Excess (Deficit)	10,098	6,045	10,661	26,804

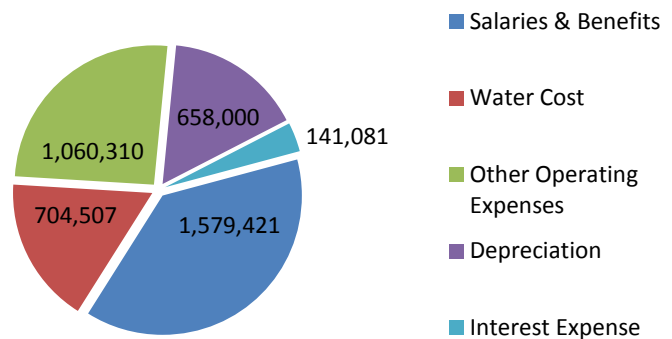
McKinleyville Community Services District
Enterprise Funds Summary Budget
FY 2012-13

Description	Water Fund		Sewer Fund		Total (Memorandum Only)	
Operating Revenues						
Water Sales	2,053,190	91%	-		2,053,190	50%
Sewer Service Charges	-		1,645,000	89%	1,645,000	40%
Other Operating Revenues	211,972	9%	199,300	11%	411,272	10%
Total Operating Revenues	2,265,162	100%	1,844,300	100%	4,109,462	100%
Operating Expenses						
Salaries & Benefits	778,842	36%	800,579	44%	1,579,421	39%
Water Cost	704,507	32%	-	0%	704,507	18%
Other Operating Expenses	455,634	21%	604,676	33%	1,060,310	26%
Depreciation	250,000	11%	408,000	23%	658,000	16%
Total Operating Expenses	2,188,983	100%	1,813,255	100%	4,002,238	100%
Net Operating Income	76,179		31,045		107,224	
Interest Income	20,000		30,000		50,000	
Interest Expense	86,081		55,000		141,081	
Net Income	10,098		6,045		16,143	

Revenues



Expenses



McKinleyville Community Services District
Enterprise Funds Line-Item Budget
FY 2012-13

A/C#	Description	Water Fund	Sewer Fund	Total (Memorandum Only)
Revenues				
40000	WATER BASE CHARGE	825,812	-	825,812
40001	METERED WATER SALES	1,227,378	-	1,227,378
40002	SEWER SERVICE CHARGES	-	1,645,000	1,645,000
40010	STORM WATER FEES	-	300	300
41001	NEW SERVICE FEES	23,260	29,500	52,760
41002	SERVICE INSTALL	4,833	-	4,833
41020	PLAN CHECK FEES	3,000	2,000	5,000
41040	SEWER CONSTRUCTION PERMIT FEES	-	6,650	6,650
42001	INSPECTION FEES	3,000	-	3,000
42010	CONNECTION FEES	39,240	106,000	145,240
42020	PROCESSING FEES	18,269	-	18,269
42030	BAD CHECK FEES	370	300	670
42040	RECONNECTION FEES	19,000	-	19,000
42050	DCV INSPECTION FEES	20,550	-	20,550
43010	RECOVERY OF BAD DEBTS	700	700	1,400
43190	CELL TOWER LEASE REVENUE	14,950	14,950	29,900
43195	OTHER OPERATING REVENUE	17,881	4,000	21,881
43197	RENT AND LEASE REVENUE	-	18,000	18,000
43198	PAVING FEES	2,800	500	3,300
43199	SERVICE UPGRADES	600	-	600
46000	AFTER HOURS SERVICE CHARGE	600	-	600
48070	SALE OF SCRAP	25,000	-	25,000
50001	INTEREST REVENUE	20,000	30,000	50,000
50005	LATE CHARGES	14,919	13,400	28,319
56000	GAIN ON DISPOSAL OF ASSETS	3,000	3,000	6,000
Total Revenues		2,285,162	1,874,300	4,159,462
Expenses				
61999	PAYROLL AND RELATED EXPENSES	778,842	800,579	1,579,421
61020	MILEAGE REIMBURSEMENTS	200	200	400
62001	WATER PURCHASED	704,507	-	704,507
62005	REPAIRS AND MAINTENANCE	66,000	97,000	163,000
62010	EQUIPMENT REPAIRS	12,000	9,000	21,000
62015	GAS & ELECTRIC	68,294	93,000	161,294
62016	TRASH SERVICE	2,160	2,160	4,320
62017	GENERATOR FUEL	4,000	8,500	12,500
62020	TELEPHONE	2,700	2,700	5,400
62025	TELEMETRY	2,800	2,800	5,600
62030	LAB TESTS	5,750	66,000	71,750
62035	FUEL/OIL/LUBE	21,000	20,200	41,200
62037	VEHICLE REPAIRS	3,600	4,000	7,600
62038	HEAVY EQUIPMENT REPAIRS	2,250	3,000	5,250
62040	SMALL TOOL PURCHASES	2,000	2,500	4,500
63043	PLANNING POWERS	2,500	-	2,500

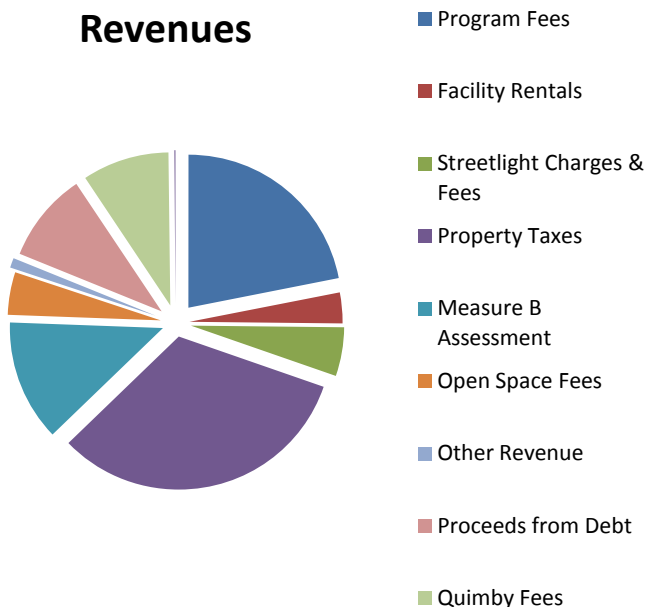
McKinleyville Community Services District
Enterprise Funds Line-Item Budget
FY 2012-13

A/C#	Description	Water Fund	Sewer Fund	Total (Memorandum Only)
62044	EMERGENCY RESPONSE TRAINING	1,000	1,500	2,500
62045	TAXES & ASSESSMENTS	9,000	19,000	28,000
62050	OFFICE SUPPLIES	12,000	13,000	25,000
62051	ADVERTISING AND MARKETING	700	655	1,355
62052	PRINTING	920	925	1,845
62054	NOTARY	40	-	40
62056	OFFICE EQUIPMENT MAINTENANCE	6,040	6,500	12,540
62057	UNIFORMS	700	700	1,400
62058	REPAIR PROJECTS	20,000	20,000	40,000
62059	OFFICE EQUIPMENT LEASE	5,800	5,800	11,600
62060	POSTAGE	13,000	13,000	26,000
62061	PUBLIC RECORDS ACT COST	2,000	1,000	3,000
62065	GENERAL INSURANCE	25,000	25,000	50,000
62070	ACCOUNTING AND AUDITING	7,000	10,000	17,000
62075	ENGINEERING	18,000	15,000	33,000
62080	LEGAL	40,000	50,000	90,000
62090	TRAVEL/MEALS	4,500	6,000	10,500
62095	SUBSCRIPTIONS	12,130	9,800	21,930
62100	SAFETY TRAINING AND SUPPLIES	5,000	5,000	10,000
62115	BAD DEBTS	3,500	3,000	6,500
62120	CUSTOMER ADJUSTMENTS	5,000	4,500	9,500
62125	FINES AND PENALTIES	2,000	5,000	7,000
62126	RESPONSE TO REGULATORY AGENCIES	2,000	2,000	4,000
62130	DEPRECIATION	250,000	408,000	658,000
62131	AMORTIZATION OF LOAN ISSUANCE COSTS	-	7,506	7,506
62135	DIRECTOR FEES	6,000	6,000	12,000
62140	PAGING/ALARMS	1,200	1,800	3,000
62149	FEE ANALYSIS COST	1,500	5,000	6,500
62150	OTHER PROFESSIONAL FEES	30,000	10,000	40,000
62151	FINGERPRINTING	100	80	180
62155	TRAINING AND CERTIFICATION	4,750	7,050	11,800
62160	NONPROFESSIONAL FEES AND STIPENDS	18,000	38,800	56,800
62295	OTHER EXPENSES	3,500	-	3,500
64001	INTEREST EXPENSE	86,081	55,000	141,081
Total Expenses		2,275,064	1,868,255	4,143,319
Net Income		10,098	6,045	16,143

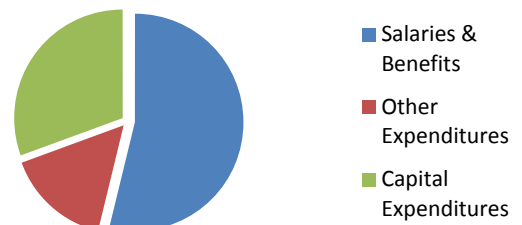
McKinleyville Community Services District
Governmental Funds Summary Budget
FY 2012-13

Description	Parks & General Fund		Measure B Assessment Fund		Streetlighting Fund		Total (Memorandum Only)	
Revenues								
Program Fees	357,600	30%	-	-	-	-	357,600	22%
Facility Rentals	53,226	4%	-	-	-	-	53,226	3%
Streetlight Charges & Fees	-	-	-	-	83,829	35%	83,829	5%
Property Taxes	530,000	45%	-	-	-	-	530,000	32%
Measure B Assessment	-	-	209,000	100%	-	-	209,000	13%
Open Space Fees	73,555	6%	-	-	-	-	73,555	5%
Other Revenue	17,000	1%	-	-	-	-	17,000	1%
Proceeds from Debt	-	-	-	-	155,000	65%	155,000	9%
Quimby Fees	150,000	13%	-	-	-	-	150,000	9%
Interest Revenue	3,000	0.3%	-	-	-	-	3,000	0.2%
Total Revenues	1,184,381	100%	209,000	100%	238,829	100%	1,632,210	100%
Expenditures								
Salaries & Benefits	801,025	68%	31,000	15%	40,253	17%	872,278	54%
Other Expenditures	207,705	18%	3,000	1%	42,566	18%	253,271	16%
Capital Expenditures	166,000	14%	175,000	84%	155,000	65%	496,000	31%
Total Expenditures	1,174,730	100%	209,000	100%	237,819	100%	1,621,549	100%
Excess (Deficit)	9,651		-		1,010		10,661	

Revenues



Expenditures



McKinleyville Community Services District
Governmental Funds Line-Item Budget
FY 2012-13

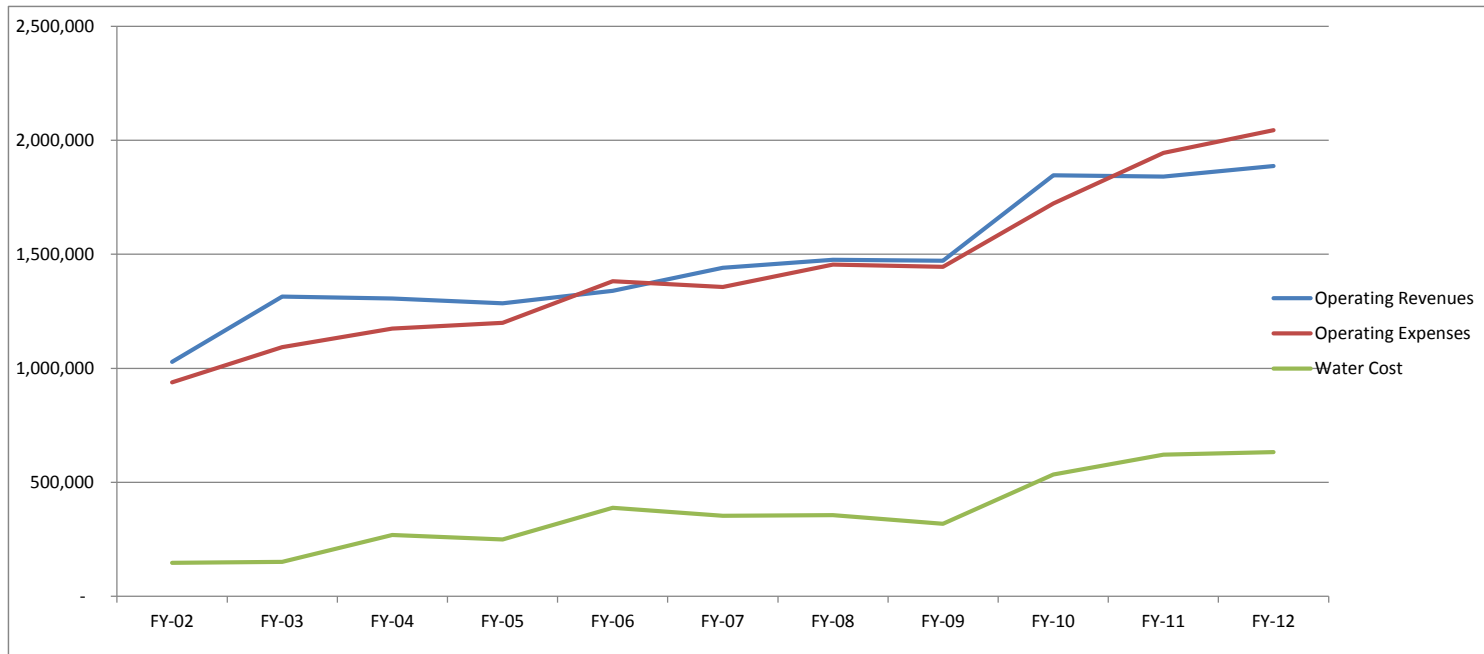
A/C #	Description	Parks & General Fund	Measure B Assessment Fund	Streetlighting Fund	Total (Memorandum Only)
Revenues					
41050	ADMINISTRATION FEE	6,000	-	13,022	19,022
42020	PROCESSING FEES	2,000	-	3,437	5,437
42030	BAD CHECK FEES	100	-	-	100
43195	OTHER OPERATING REVENUE	4,500	-	-	4,500
43197	RENT AND LEASE REVENUE	2,076	-	-	2,076
44000	OPEN SPACE MAINTENANCE ZONE FEES	66,055	-	-	66,055
45000	COUNTY OPEN SPACE MAINT. ZONE FEES	7,500	-	-	7,500
47001	STREET LIGHT CHARGES	-	-	67,370	67,370
47999	EVENT RENTALS	25,950	-	-	25,950
48001	VENDOR CONTRACT FEES	19,900	-	-	19,900
48002	EVENT SERVICE FEES	4,500	-	-	4,500
48010	INSURANCE FEES	800	-	-	800
48020	ADVERTISING INCOME	1,000	-	-	1,000
48050	RECREATION PROGRAM FEES	332,100	-	-	332,100
48051	FEE REDUCTIONS	5,900	-	-	5,900
48055	PROGRAM GRANTS	19,600	-	-	19,600
49500	PROCEEDS FROM DEBT	-	-	155,000	155,000
50001	INTEREST REVENUE	3,000	-	-	3,000
51001	PROPERTY TAXES	530,000	-	-	530,000
51060	MEASURE B ASSESSMENT	-	209,000	-	209,000
53001	CONTRIBUTIONS	3,400	-	-	3,400
53002	QUIMBY FEES	150,000	-	-	150,000
Total Revenues		1,184,381	209,000	238,829	1,632,210
Expenditures					
61999	PAYROLL AND RELATED EXPENDITURES	801,025	31,000	40,253	872,278
61020	MILEAGE REIMBURSEMENT	-	-	100	100
62004	ACTIVITY SUPPLIES	14,795	-	-	14,795
62005	REPAIRS AND MAINTENANCE	35,490	-	2,000	37,490
62007	OPEN SPACE MAINTENANCE	8,000	-	-	8,000
62015	GAS AND ELECTRIC	10,800	-	26,226	37,026
62016	TRASH SERVICE	6,000	-	210	6,210
62017	GENERATOR FUEL	-	-	100	100
62020	TELEPHONE	3,200	-	275	3,475
62035	FUEL/OIL/LUBE	4,500	-	50	4,550
62037	VEHICLE REPAIRS	2,500	-	50	2,550
62038	HEAVY EQUIPMENT REPAIRS	-	-	50	50
62040	SMALL TOOL PURCHASES	3,000	-	100	3,100
62044	EMERGENCY RESPONSE TRAINING	6,600	-	40	6,640
62045	TAXES AND ASSESSMENTS	3,500	-	-	3,500
62050	OFFICE SUPPLIES	12,000	-	1,305	13,305
62051	ADVERTISING AND MARKETING	2,400	-	40	2,440
62052	PRINTING	1,400	-	95	1,495
62056	OFFICE EQUIPMENT MAINTENANCE	1,500	-	481	1,981
62057	UNIFORMS	1,000	-	-	1,000
62059	OFFICE EQUIPMENT LEASE	1,800	-	461	2,261
62060	POSTAGE	3,505	-	1,125	4,630
62061	PUBLIC RECORDS ACT COST	2,000	-	100	2,100
62065	GENERAL INSURANCE	10,000	-	-	10,000
62066	SPECIAL EVENT INSURANCE	250	-	-	250
62070	ACCOUNTING AND AUDIT	4,000	-	3,900	7,900

McKinleyville Community Services District
Governmental Funds Line-Item Budget
FY 2012-13

A/C #	Description	Parks & General Fund	Measure B Assessment Fund	Streetlighting Fund	Total (Memorandum Only)
62075	ENGINEERING	100	3,000	1,000	4,100
62080	LEGAL	8,000	-	1,797	9,797
62090	TRAVEL/MEALS	3,000	-	89	3,089
62095	MEMBERSHIPS AND SUBSCRIPTIONS	11,000	-	580	11,580
62100	SAFETY TRAINING AND SUPPLIES	3,000	-	250	3,250
62105	CASH OVER/SHORT	35	-	10	45
62135	DIRECTORS FEES	2,400	-	600	3,000
62140	PAGING/ALARMS	1,500	-	20	1,520
62141	RENT EXPENSE	7,200	-	-	7,200
62150	OTHER PROFESSIONAL FEES	8,380	-	500	8,880
62151	FINGERPRINTING FEES	800	-	-	800
62155	TRAINING AND CERTIFICATION	3,200	-	50	3,250
62160	NONPROFESSIONAL FEES AND STIPENDS	14,850	-	71	14,921
62295	OTHER EXPENDITURES	5,500	-	311	5,811
64000	CAPITAL EXPENDITURES	166,000	175,000	155,000	496,000
64001	INTEREST EXPENSE	500	-	-	500
Total Expenditures		1,174,730	209,000	237,819	1,621,549
Excess (Deficit)		9,651	-	1,010	10,661

McKinleyville Community Services District
Water Enterprise Fund
Historical Analysis
Fiscal Years Ended (Ending) June 30, 2002-2012

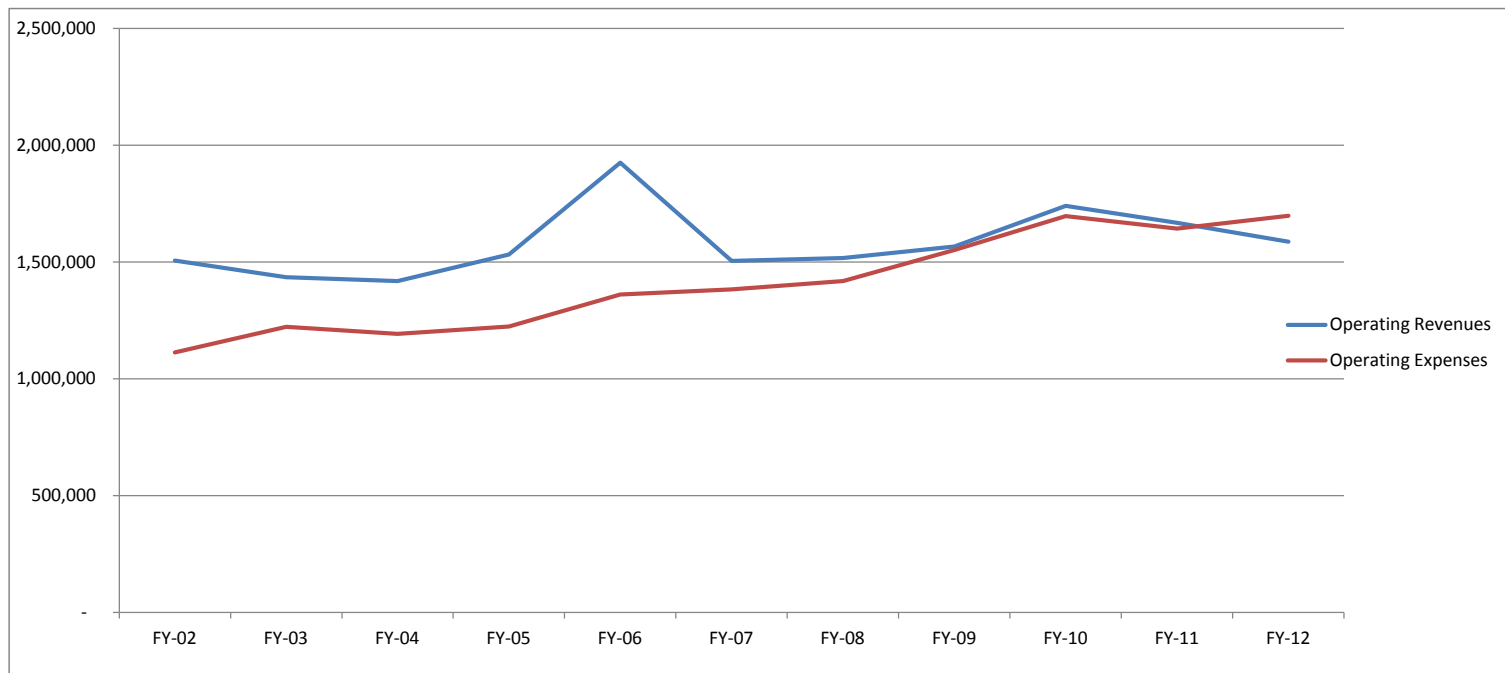
	Fiscal Year Ended (Ending) June 30,										
	2002 Actual	2003 Actual	2004 Actual	2005 Actual	2006 Actual	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Actual	2012 Budget
Operating Revenues											
Water Sales	924,184	1,085,000	1,121,436	1,152,396	1,224,279	1,305,455	1,337,042	1,360,169	1,566,024	1,559,778	1,707,779
Other Water Revenues	104,592	229,237	184,979	132,194	115,568	135,596	139,331	111,300	280,648	281,235	179,920
Total Operating Revenues	1,028,775	1,314,236	1,306,414	1,284,590	1,339,847	1,441,051	1,476,373	1,471,469	1,846,672	1,841,013	1,887,699
Operating Expenses											
Salaries & Benefits	392,061	472,929	459,541	499,303	529,427	560,844	594,924	661,031	729,285	737,396	721,158
Water Cost	147,114	151,583	269,049	250,212	387,780	352,935	356,842	318,159	533,961	620,952	632,380
Other Expenses	208,710	260,953	229,621	235,081	243,424	222,740	282,010	243,853	235,842	322,277	440,690
Depreciation	190,917	207,140	215,714	214,546	220,709	219,925	220,727	221,484	224,099	264,365	250,000
Total Operating Expenses	938,802	1,092,605	1,173,925	1,199,143	1,381,340	1,356,444	1,454,502	1,444,527	1,723,187	1,944,990	2,044,228
Net Operating Income (Loss)	89,974	221,631	132,489	85,447	(41,492)	84,607	21,870	26,942	123,485	(103,977)	(156,529)
Interest Income	79,066	67,786	42,801	46,501	63,422	97,279	114,973	76,662	39,897	19,437	23,000
Interest Expense	(75,463)	(65,739)	(64,364)	(62,690)	(61,241)	(59,666)	(58,130)	(56,318)	(54,701)	(53,947)	(88,726)
Net Income (Loss)	93,576	223,678	110,926	69,258	(39,311)	122,220	78,713	47,286	108,681	(138,487)	(222,255)



FY 2012-13 Budget
Exhibit 6

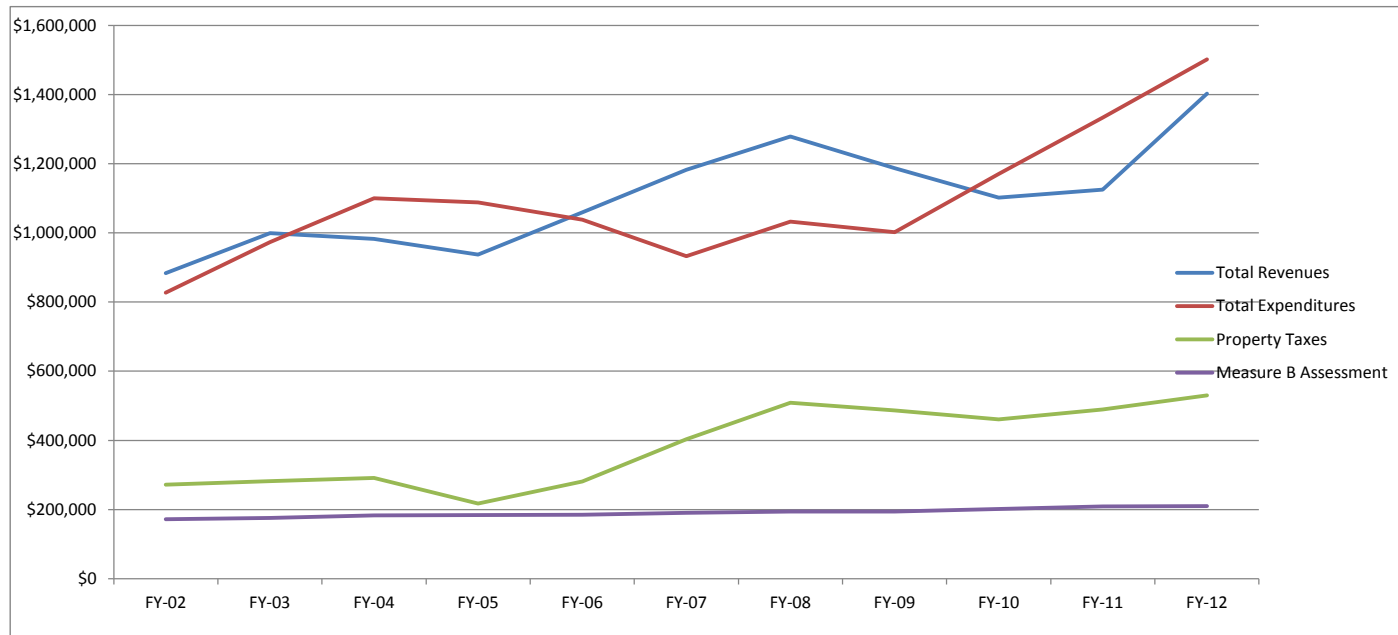
McKinleyville Community Services District
Sewer Enterprise Fund
Historical Analysis
Fiscal Years Ended (Ending) June 30, 2002-2012

	Fiscal Year Ended (Ending) June 30,										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget
Operating Revenues											
Sewer Service Charges	1,015,604	1,038,351	1,053,676	1,074,665	1,134,167	1,161,794	1,216,130	1,298,515	1,404,897	1,424,263	1,393,000
Other Sewer Revenues	490,711	397,380	365,082	458,496	791,360	343,314	301,106	267,940	336,252	243,840	194,255
Total Operating Revenues	1,506,314	1,435,732	1,418,758	1,533,161	1,925,527	1,505,108	1,517,235	1,566,455	1,741,149	1,668,103	1,587,255
Operating Expenses											
Salaries & Benefits	416,737	471,740	456,552	505,750	565,167	605,798	628,773	702,632	755,611	748,346	721,158
Other Expenses	361,180	391,751	368,226	351,055	397,018	376,114	390,676	441,707	529,281	447,098	561,690
Depreciation	335,976	359,592	367,808	367,795	399,033	401,102	400,055	407,597	412,230	448,174	415,506
Total Operating Expenses	1,113,893	1,223,083	1,192,586	1,224,600	1,361,218	1,383,014	1,419,504	1,551,936	1,697,122	1,643,618	1,698,354
Net Operating Income (Loss)	392,421	212,649	226,171	308,561	564,309	122,093	97,732	14,519	44,027	24,485	(111,099)
Interest Income	44,270	42,050	32,903	55,004	58,701	112,998	138,349	89,781	46,165	27,484	30,000
Interest Expense	(46,367)	(46,221)	(46,682)	(46,855)	(46,855)	(46,855)	(56,232)	(49,915)	-	(64,670)	(59,286)
Net Income (Loss)	390,325	208,478	212,392	316,709	576,154	188,236	179,848	54,386	90,192	(12,701)	(140,385)



McKinleyville Community Services District
Parks & Recreation, Measure B Assessment, & General Fund
Historical Analysis
Fiscal Years Ended (Ending) June 30, 2002-2012

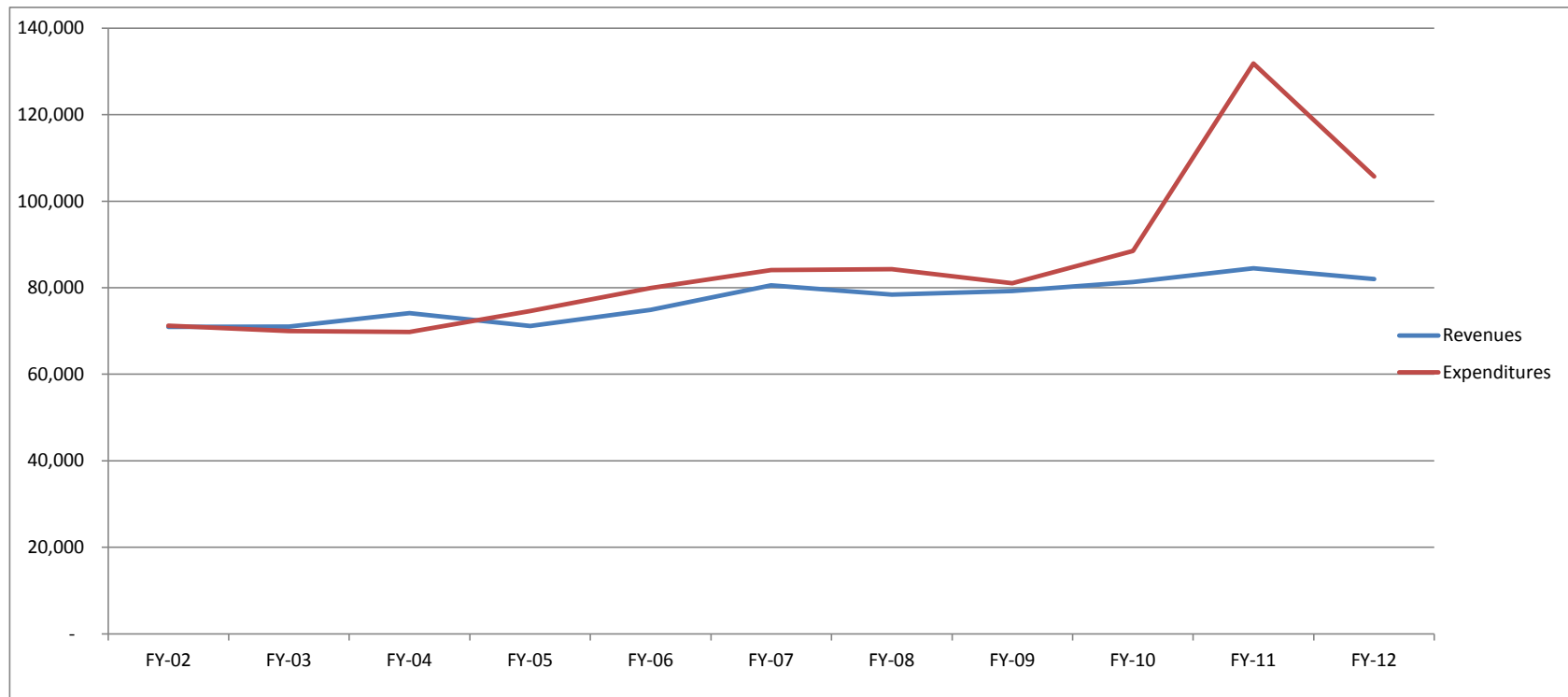
	Fiscal Year Ended (Ending) June 30,										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget
Revenues											
Programs	213,377	241,011	234,189	244,304	267,216	266,947	301,191	283,861	265,596	263,409	310,400
Rentals	51,344	53,694	59,710	64,572	68,961	76,128	68,175	57,921	56,953	60,224	54,450
Property Taxes	272,089	281,973	291,306	217,475	281,141	403,353	508,445	486,297	460,625	489,314	530,000
Measure B Assessment	171,707	175,350	182,969	183,832	185,245	190,263	194,044	193,724	201,114	209,068	210,000
State Bonds & Grants	-	104,477	131,265	55,312	154,722	126,913	67,983	47,097	-	12,000	-
Other Revenue	145,516	120,879	72,416	158,510	88,180	97,129	103,849	87,824	98,611	84,902	285,636
Interest Revenue	29,611	21,330	10,351	13,184	13,617	21,698	34,943	30,308	18,992	5,889	12,000
Total Revenues	883,644	998,714	982,206	937,189	1,059,083	1,182,430	1,278,630	1,187,032	1,101,891	1,124,806	1,402,486
Expenditures											
Salaries & Benefits	326,365	380,587	463,148	492,992	481,106	510,737	554,654	624,909	612,125	738,710	811,036
Other Expenditures	177,970	164,285	168,953	127,539	126,480	148,624	187,830	165,891	180,202	311,230	220,191
Debt Service	222,599	222,172	210,213	210,992	210,992	210,992	210,992	191,609	191,609	255,320	-
Capital Expenditures	100,452	206,460	257,755	256,000	219,503	62,614	79,115	19,138	186,355	27,559	470,000
Total Expenditures	827,387	973,504	1,100,070	1,087,524	1,038,082	932,968	1,032,591	1,001,547	1,170,291	1,332,819	1,501,227
Excess (Deficit)	56,258	25,210	(117,864)	(150,336)	21,001	249,462	246,039	185,485	(68,400)	(208,013)	(98,741)



FY 2012-13 Budget
Exhibit 7

McKinleyville Community Services District
Streetlight Fund
Historical Analysis
Fiscal Years Ended (Ending) June 30, 2002-2012

	Fiscal Year Ended (Ending) June 30,										
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget
Revenues	70,946	71,040	74,138	71,173	74,911	80,560	78,413	79,207	81,317	84,510	82,000
Expenditures											
Salaries & Benefits	18,267	19,381	21,422	23,080	24,651	26,088	29,860	28,060	29,290	39,195	34,881
Other Expenditures	34,166	31,641	29,276	32,471	36,234	34,937	37,101	36,219	38,663	67,679	45,817
Debt Service	18,790	18,984	19,055	19,055	19,055	19,055	17,305	16,746	17,305	23,056	-
Capital Expenditures	-	-	-	-	-	4,000	-	-	3,271	1,857	25,000
Total Expenditures	71,223	70,006	69,754	74,607	79,940	84,080	84,266	81,025	88,529	131,787	105,698
Excess (Deficit)	(277)	1,035	4,385	(3,433)	(5,029)	(3,520)	(5,853)	(1,818)	(7,212)	(47,277)	(23,698)



McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.9 **Approve LDA Partners as the successful bidder for Architecture and Planning Services for the Teen & Community Center Request for Proposal (RFP)**

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

TYPE OF ACTION: **Voice Vote**

Recommendation:

The Staff recommends the Board:

- Award the bid for Architecture and Planning Services to LDA Partners for an amount not to exceed \$182,500.
- Include a 10% project contingency of \$18,250
- Authorize the General Manager to sign the necessary documents to allow the award of the contract and the notice to proceed

Discussion:

In 2012, property owners in McKinleyville supported Measure B - Renewal for Parks, Open Space, and Recreational Facilities. Measure B provides funding for the construction of a Teen and Community Center and also for the maintenance of existing and future parks and facilities.

The FY 2011/12 Parks & General Fund Capital Improvement Budget includes funding for the Architecture and Planning Services for the new facility.

MCSD drafted a Request for Proposal (RFP) held a Pre-bid meeting to answer any questions interested firms might have regarding the project.

The deadline to submit proposals was February 15, 2012. Staff reviewed the proposals with the assistance of Bonnie Oliver, a local Architect. We received three (3) proposals and held interviews with two (2) firms (one of the proposals was determined to be non-responsive.)

LDA Partners submitted a bid amount of \$182,500 and the bid was determined to be responsive, responsible and was received on time. Their bid, based on time estimates, would be billed hourly, not to exceed the bid amount and includes a \$13,000 allowance for reimbursable expenses. (The bid from Freeman Architects was 10% of their estimate of project construction costs.)

Staff was extremely impressed with their staff during the interview. They have direct experience with similar projects and understood the importance of working with staff and members of the community throughout the design process. LDA would also bring a fresh design perspective to the project, which could be an important key to how the center is received by the local teen community.

Our goal is to enter into an agreement with LDA Partners so that we can hold a kick off meeting, which is currently planned for Tuesday, May 15, 2012.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

<u>Respective Firm</u>	<u>Associated Cost</u>
Freeman Architects	\$176,170
LDA Partners	\$182,500
Pacific Affiliates	\$125,920

Environmental Requirements:

None

Exhibits/Attachments

- Request for Proposal
- LDA Partners proposal submittal
- LDA hours estimate for Architectural work

PHYSICAL ADDRESS:

1656 SUTTER ROAD
McKINLEYVILLE, CA 95519

MAILING ADDRESS:

P.O. BOX 2037
McKINLEYVILLE, CA 95519



MAIN OFFICE:

PHONE: (707) 839-3251
FAX: (707) 839-8456

PARKS & RECREATION OFFICE:

PHONE: (707) 839-9003
FAX: (707) 839-5964

REQUEST FOR PROPOSAL
Architecture and Planning Services
Teen/Community Center

December 15, 2011

The McKinleyville Community Services District (MCSD) is issuing a Request for Proposal (RFP) to provide interested consultants with sufficient information to enable them to prepare and submit proposals for consideration by MCSD for Architectural Services and Planning for the new Teen/Community Center Addition to the McKinleyville Activity Center at 1705 Gwin Road, McKinleyville, CA 95519. This project will include design and engineering for the new Teen/Community Center Addition building and related remodeling to the existing Activity Center building as well as site design and engineering required for the new Teen/Community Center and existing Activity Center property.

Sealed Proposals: Contractor will deliver eight copies (8), **the original and seven (7) copies**, to the following address:

McKinleyville Community Services District
1656 Sutter Road (or mailed to P.O. Box 2037)
McKinleyville, CA 95519
Attn: Jason Sehon, Parks & Recreation Director

By 2:00 PM on Wednesday, February 15, 2012

Proposals received after the above cited time will be considered a late bid and are not acceptable unless waived by the MCSD General Manager.

- The envelope shall be clearly marked "RFP – Teen/Community Center".
- A non-mandatory pre-bid meeting is scheduled for January 10, 2012 at 2:00 PM at the McKinleyville Center, 1705 Gwin Road, McKinleyville, CA 95519.
- Please direct questions regarding this RFP to Jason Sehon, McKinleyville Parks and Recreation Director at (707) 839-9003 or jason@mckinleyvillecsd.com.

Thank you for your interest.

Bidder's Company Name:

REQUEST FOR PROPOSAL
ARCHITECTURE AND PLANNING SERVICES

FOR A

NEW TEEN/ COMMUNITY CENTER

ADDITION TO THE

McKINLEYVILLE ACTIVITY CENTER

1705 Gwin Road, McKinleyville, CA

McKinleyville Community Services District

1656 Sutter Road

McKinleyville, CA 95519

McKinleyville Community Services District

P.O. Box 2037 1656 Sutter Road
McKinleyville, CA 95519

REQUEST FOR PROPOSAL
Architecture and Planning Services
Teen/Community Center

December 15, 2011

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- Please direct questions regarding this RFP to Jason Schon, McKinleyville Parks and Recreation Director at (707) 839-9003 or jason@mckinleyvillecsd.com.

Thank you for your interest.

PROPOSAL INFORMATION

Definitions	“Bidder”	An individual or business submitting a bid to the McKinleyville Community Services District.
	“Consultant”	One who contracts to perform services in accordance with a contract.
	“MCSD”	McKinleyville Community Services District
	“A/E”	Architectural / Engineering

PROPOSAL TERMS

A. MCSD reserves the right to reject any and all proposals received as a result of this RFP. If a proposal is selected, it will be the most advantageous regarding price, quality of service, the Consultant’s qualifications, experience and capabilities to provide the specified service and other factors that the MCSD may consider. MCSD does not intend to award a contract fully on the basis of any response made to this proposal; MCSD reserves the right to consider proposals for modifications at any time before a contract would be awarded and negotiations would be undertaken with that contractor whose proposal is deemed the best to meet MCSD’s specifications and needs.

B. MCSD reserves the right to reject any or all proposals in whole or in part, to waive or not waive informalities or irregularities in bids or bidding procedures, and to accept or further negotiate cost, terms or conditions of any bid if determined by MCSD’s sole judgment to be in the best interests of MCSD, even though not the lowest bid.

C. Proposals must be signed by an official authorized to bind the bidder to its provisions for at least a period of 90 days. Failure of the successful bidder to accept the obligation of the contract may result in the cancellation of any award.

D. In the event it becomes necessary to revise any part of the RFP, addenda will be provided to all RFP recipients who register contact information with MCSD. Deadlines for submission of RFPs may be adjusted to allow for revisions. The entire proposal document with any amendments should be returned. To be considered, eight copies, **the original and 7 copies**, must be at the MCSD office on or before the date specified.

E. Proposals should be prepared simply and economically, providing straight forward, concise description of the bidder’s ability to meet the requirements of the RFP. Proposals shall be typewritten. No erasures are permitted. Mistakes may be crossed out and corrected and must be initialed in ink by the person signing the proposal.

F. Bidders may withdraw a proposal that has been submitted at any time up to the proposal closing date and time. To accomplish this, a written request signed by an authorized representative of the bidder must be submitted to the RFP contact. The bidder may submit another proposal at any time up to the proposed closing date and time.

G. MCSD is not liable and will not pay for any costs incurred by any bidder for the preparation and delivery of the RFP responses, nor will they be liable for any costs incurred prior to the execution of an agreement, including but not limited to presentations by RFP finalists to MCSD staff, community evaluators and board members.

H. A standard MCSD Services Agreement will be executed between MCSD and the selected consultant (see Appendix A)

PROPOSAL SPECIFICS

I. Description and Purpose of Proposed Work

This New Teen/Community Center Addition to the existing McKinleyville Activity Center will include the new Teen/Community Center building with approximately 7000 square foot conditioned area as well as remodeling to the existing McKinleyville Activity Center building as required for functionally and structurally connecting the two facilities. New parking areas, landscaping, walkways and an exterior patio are to be included as well as modification to existing site features on the adjacent MCSD properties as required by the new work.

Also included in the work is the facilitation of the merging of the lot, APN 510-401-25 to APN 510-401-15, 17, 19 & 21 (Pierson Park). Fees paid to the County of Humboldt for the processing and recording of this merger will be paid by MCSD.

MCSD will provide the bidders with program drawings: a preliminary / conceptual floor plan and preliminary exterior elevations of the proposed building (see Appendix B). A geotechnical soils report for the construction site has been prepared and is included in Appendix C.

II. Scope of Services

MCSD wishes to obtain the services of a qualified architectural firm in preparing the design plans, construction documents, engineering, etc., necessary for the accomplishment of this project. This proposal must include all phases from schematic design, design development, construction drawings, construction cost estimates, construction bidding coordination, construction administration and closeout.

This bid must include proposed design pricing for all necessary consultants and engineering. The bid must also include providing three-dimensional computer renderings of the proposed building for informational and fundraising use on the MCSD website.

The following phases are important milestones for MCSD:

PHASE 1: REVIEW OF EXISTING DOCUMENTS / PLANS

In this phase the selected design professional consultant is to review the existing McKinleyville Activity Center's design, construction and materials, and review the

preliminary program drawings and reports for the proposed Teen/Community Center facility. (MCSD's record construction plans for the existing McKinleyville Activity Center will be made available to the consultant.)

The design professional is also to meet with MCSD project team to review the specific activities to be conducted in the new facility and finalize project programming. (At least two meetings are anticipated, one for the project start up and one for follow-up input and review.) The design professional will be responsible for preparing minutes of all meetings, documenting topics discussed, actions taken and actions required and provide copies to the MCSD project team members.

PHASE 2: DESIGN DEVELOPMENT / 3-D RENDERINGS

In this phase the selected consultant is to prepare design development site and landscape plans, floor plans, exterior elevations and schematic building sections of the proposed design. The selected consultant will be responsible to meet with the MCSD project team to review the proposed design and provide feedback. Final design development drawings are to be of a quality and detail required to generate 3-dimensional computer renderings of the new Teen/Community Center for use on the MCSD website for public information and fundraising efforts. The design development drawings and computer renderings are also to be used by the consultant for a presentation to the McKinleyville Community Services District Board of Directors.

The design professional will be responsible for preparing minutes of all meetings, documenting topics discussed, actions taken and actions required and provide copies to the MCSD project team members.

A Statement of Probable Construction Cost is to be provided at the completion of the Design Development Phase.

PHASE 3: FINAL PLANS, SPECIFICATIONS AND BIDDING DOCUMENTS

In this phase the selected consultant will prepare final plans, specifications and bidding documents for the new Teen/Community Center. The selected consultant will be required to work closely with MCSD staff in preparing suitable plans, specifications and bidding documents. The new Teen/Community Center facility will require cable infrastructure to be installed for computers, telecom, intercom, printers and a video surveillance system. The consultant will be responsible to meet with the MCSD staff to review proposed equipment and systems. There must be plans provided at specific increments for owners review, markup and feedback.

A Statement of Probable Construction Cost is to be provided when the Construction Documents are 90% complete and should consist of advising MCSD of any adjustments that need to be made prior to issuing the Construction Documents for bidding. Any costs relating to revisions required to be made are the responsibility of the consultant A/E team and not MCSD.

The design professional consultant will be responsible for preparing minutes of all meetings, documenting topics discussed, actions taken, and actions required and provide copies to the MCSD project team members.

Letting the project for bid, along with advertising, will be the responsibility of MCSD. The design professional consultant will be responsible for providing electronic and reproducible copies of the bidding documents (plans, specifications, etc.) and any addendums to the bid documents. The consultant will not be responsible for the reproduction of the bidding documents.

PHASE 4: CONSTRUCTION ADMINISTRATION

In this phase the consultant will be responsible for construction administration during the construction phase of the project. This phase will last through the entire construction phase and into the occupancy phase. The following list is only a summary of the main responsibilities required during this phase. County of Humboldt Plan Check and Building Permit fees are to be paid by MCSD.

- Contractor interviews
- Weekly project meetings
- Building permit coordination
- Pay application review
- Submittal review
- Shop drawing review
- Request for Information (RFI) answering
- Prepare Change Orders and Construction Change Directives
- Weekly reports to MCSD
- Monthly status presentations to the MCSD Board of Supervisors
- Schedule reviews
- Preparation of as-built drawings
- Closeout and turnover

III. Project Control

1. The consultant will meet with selected representatives on a regular basis or as determined necessary by the MCSD Project Manager to review progress and provide necessary guidance to the consultant in solving problems which may arise.
2. Although there will be continuous liaison with the project team, the MCSD Project Manager will meet as often as required with the consultant's project manager for the purpose of reviewing progress and providing necessary guidance.
3. The consultant will on a regular basis, submit brief written summaries of the work accomplished during the reporting period, work to be accomplished during the subsequent reporting period, real or anticipated problems and notification of any significant deviation from previously agreed upon work plans.

4. Within 10 working days of the award of contract, the consultant will submit to the MCSD Project Manager for approval a work plan which includes the following:
 - a. The names and titles of personnel assigned to the project for the consultant and sub-consultants.
 - b. The project breakdown showing subprojects, activities and tasks
 - c. The time-phased plan for completing the project.

IV. Submittal Process and Details

Proposals should include the following:

1. Consultant's name, address, and name of primary contact person.
2. Provide a brief overview of your company including type of ownership, number of years in business and number of employees. Furnish your business philosophy, mission statement, management structure, organization chart.
3. Provide samples of related / comparable past projects that would serve as examples of experience and expertise necessary for this project. For each project identify the current staff working for the Consultant who have actually worked on the project. This is important because in many consultants' lists of past projects, the individuals who actually worked on the project may no longer be employed by the Consultant.
4. The bidding Consultant is encouraged to include any recommended initial changes or improvements to the provided preliminary/conceptual plans (Appendix B), based on your professional insight and experience. This should include a revised preliminary /conceptual floor plan that would address any proposed changes or improvements. Bidder's conceptual design recommendations will be a factor in the review of your proposal.
5. Provide a description of the specific staff which will comprise the project team for this assignment. Include names, company names and contact phone numbers of up to three current customers this design team is working with.
6. Document your expected workload during the project period (i.e. readiness to serve) and evidence of ability to work within tight time constraints. Provide a draft of your proposed project schedule should you be awarded the contract.
7. Provide the name, location and availability of intended sub-consultants. (While MCSD does not require consultants to be local firms, availability to discuss design questions is a primary concern.) A/E consultants are to be licensed in the State of California.
8. Provide a proposed fee structure for the work to be performed, including costs from all anticipated subcontractors. Provide a cost statement identifying hourly rates and expenses for this project. (This contract will include no reimbursable expenses.)
This information must be included in the proposal.

9. Provide a description of any work or services that would be performed “pro bono” as a charitable donation to McKinleyville Parks and Recreation.
10. Provide a list of client references.
11. Indicate any professional organizations to which you belong and describe any design awards that may be applicable.
12. Minimum Insurance Standard Guidelines / General Liability Requirements of \$1,000,000 and Professional Liability coverage with a minimum limit of \$1,000,000 each occurrence.
13. Identify and briefly describe any on-going legal proceedings or pending legal proceedings (arbitration, complaint or court action) filed by an owner or contractor against your firm for any project for which you provided architectural services in the past 5 years.

It is not the intent of this RFP to solicit an overly long response, but it is important that the firm's experience/expertise be adequately described. It will, for example be much more useful to address abilities and current staff expertise directly comparable to this project than to include an exhaustive list of all projects completed by the firm. MCSD staff will review the submitted proposals and will select firms to meet within an interview format to discuss the project and consultant qualifications in greater detail. The selected consultant will meet with MCSD to negotiate final compensation for the project, and prepare a contractual agreement between MCSD and the consultant, as soon after the final selection as is reasonable. A separate sealed estimate of breakdown of hours of the project team may be requested.

V. Preliminary schedule

A project schedule shall be provided demonstrating the time elements in weekly intervals. This project schedule must consider all major elements and their relations, as described in the Scope of Services. Please submit your proposal to meet the following proposed schedule:

Pre-bid walkthrough date	January 10, 2012
Deadline for proposals	February 15, 2012
Complete review of proposals/ Selection of firms to interview	March 30, 2012
Candidate Interviews	April 4–20, 2012
Contract Award	May 1, 2012
Kick off meeting	May 15, 2012
Construction Bidding	1 st quarter 2013
Construction begins	2 nd quarter of 2013

VI. Selection Process

The MCSD Project Team will make the final selection for the contract award. Prior to final selection, a short list of up to three firms may be selected and required to present additional information, make presentations and be interviewed by the MCSD Evaluation and Selection Project Team.

If an award is made as a result of this RFP, it shall be awarded to the consultant whose proposal is deemed most advantageous by MCSD with regard to price and other factors including but not limited to responses to RFP submittal requirements, demonstrated technical ability and expertise, financial stability, reference calls and/or recommendations, memberships, licenses or any other applicable certifications, presentations to the MCSD Evaluation and Selection Project Team and others (if applicable), work/product samples and any additional criteria deemed appropriate by MCSD which would lend itself to establishing the consultant's viability to perform the work as outlined in this RFP.

MCSD shall attempt to negotiate a contract with the consultant with the consultant who offered the most advantageous proposal at a price which MCSD determines is fair and reasonable. If MCSD is unable to negotiate a satisfactory contract with the firm selected at a price MCSD deems fair and reasonable, negotiations with that firm shall be formally terminated and MCSD shall select the next best proposal and continue until an agreement is reached or the process is terminated.

SIGNATURE PAGE

Proposed costs must be provided; the selected consultant will meet with MCSD to negotiate final compensation for the project and prepare a contractual agreement between MCSD and the consultant. The undersigned agrees to enter into an agreement with MCSD to provide the services described for:

\$ _____

_____ (above amount in words)

Signature

Date

Print Name

Title

Company Name

Type of Business (Corporation, Partnership,
Sole Proprietorship, LLC)

Company Address

City

State

Zip

Telephone #

Fax #

Email

Federal Tax ID #

The above individual is authorized to sign on behalf of the company submitting the proposal. This bid is valid for 90 days from the date of the above signature. The Contractor/ Consultant will be required to provide insurance certificates and sign a Standard McKinleyville Community Services District Service Contract (Appendix A).

Note: Please include this completed form in your proposal. Thank you.

NON-COLLUSION CERTIFICATE

I certify that this response is made without prior understanding, agreement or connection with any corporation, firm or person submitting an offer for this Request for Proposal, and is in all respects fair and without collusion or fraud.

The below signed bidder has not divulged to nor discussed or compared his/her response with other bidders and has not colluded with any other bidder or any other parties to this RFP whatsoever. Note: No premiums, rebates or gratuities to any employee or agent are permitted with, prior to, or after any delivery of materials and/or services. Any such violation will result in the cancellation of services as applicable.

Signature

Date

Print Name

Title

Company Name

Company Address

City

State

Zip

The above individual is authorized to sign on behalf of the company submitting the proposal.

Note: Please include this completed form in your proposal. Thank you.

**McKinleyville Community Services District
PO Box 2037, McKinleyville California 95519
Telephone (707) 839-3251 - FAX (707) 839-8456**

Professional Services Agreement

This Professional Services Agreement (this "Agreement") is made and entered between the parties listed below as of the date(s) set forth below. For your protection, make sure that you read and understand all provisions before signing. The terms recited as sections a through t on Pages 2 & 3 are incorporated in this document and, along with this page, constitute material terms and conditions of the Agreement between the parties.

TO: _____ DATE: _____

Agreement No. _____

The undersigned Consultant offers to furnish the following services (the "Services"):

As described in the proposal submitted by Consultant dated DATE HERE, which is attached hereto as **Exhibit A** and incorporated herein by reference. The Services shall be provided on a time and materials basis not to exceed the amounts described in **Exhibit B**, which is attached hereto and incorporated herein by reference. The scope of work for this project includes the following:

Contract price \$

Completion date _____

Payment Intervals:

Monthly

Instructions: Sign and return original. Upon acceptance by McKinleyville Community Services District, a copy will be signed by its authorized representative and promptly returned to you. Insert below, the names of your authorized representative(s).

Accepted: McKinleyville CSD

Consultant:

(Business Name)

By Norman Shopay

By _____

Title _____

Title _____

Other authorized representative(s):

Other authorized representative(s):

Gregory Orsini

Consultant agrees with McKinleyville Community Services District that:

a.

Indemnification. To the fullest extent permitted by law and consistent with California Civil Code §2782.8(a), Consultant will defend, indemnify and hold harmless McKinleyville Community Services District, its directors, officers, employees, and authorized volunteers (collectively "District") from and against all claims, demands and damages of all persons and entities that arise out of, pertain to, or relate to the Consultant's negligent acts or omissions, recklessness, or willful misconduct in the performance (or non-performance) of the Services under this Agreement. Consultant shall not be obligated to defend or indemnify the District from and against all claims, demands and damages that arise out of, pertain to, or relate to the District's own negligent acts or omissions, recklessness, or willful misconduct or the negligent acts or omissions, recklessness, or willful misconduct of others.

b.

Standard of Care. In providing the Services under this Agreement, Consultant shall exercise that degree of skill and care ordinarily used by other reputable members of Consultant's profession, practicing in the same or similar locality and under similar circumstances.

c.

Workers Compensation Insurance. By his/her signature hereunder, Consultant certifies that he/she is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that Code, and that Consultant will comply with such provisions before commencing the performance of the professional services and work under this Agreement. Consultant and sub-consultants will keep workers' compensation insurance for their employees in effect during all Services covered by this Agreement.

d.

Professional Liability Insurance. Consultant will file with McKinleyville Community Services District, before beginning professional services, a certificate of insurance satisfactory to the McKinleyville Community Services District evidencing professional liability coverage of not less than \$1,000,000 per claim and annual aggregate, requiring 30 days notice of cancellation (10 days for non-payment of premium) to McKinleyville Community Services District. Coverage is to be placed with a carrier with an A.M. Best rating of no less than A:-VII, or equivalent, or as otherwise approved by McKinleyville Community Services District. The retroactive date (if any) is to be no later than the effective date of this Agreement. Consultant shall maintain such coverage continuously for a period of at least three years after the completion of the contract Services. Consultant shall purchase a one-year extended reporting period i) if the retroactive date is advanced past the effective date of this Agreement; ii) if the policy is canceled or not renewed; or iii) if the policy is replaced by another claims-made policy with a retroactive date subsequent to the effective date of this Agreement. In the event that the Consultant employs other consultants (sub-consultants) as part of the Services covered by this Agreement, it shall be the Consultant's responsibility to require and confirm that each sub-consultant meets the minimum insurance requirements specified above prior to the commencement of any Services by the sub-consultant.

e.

Insurance Certificates. Consultant will file with McKinleyville Community Services District, before beginning professional services, certificates of insurance satisfactory to McKinleyville Community Services District evidencing general liability coverage of not

less than \$1,000,000 per occurrence (\$2,000,000 general and products-completed operations aggregate (if used)) for bodily injury, personal injury and property damage; auto liability of at least \$1,000,000 for bodily injury and property damage each accident limit; workers' compensation (statutory limits) and employer's liability (\$1,000,000) (if applicable); requiring 30 days (10 days for non-payment of premium) notice of cancellation to McKinleyville Community Services District. The general liability coverage is to state or be endorsed to state "such insurance shall be primary and any insurance, self-insurance or other coverage maintained by McKinleyville Community Services District, its directors, officers, employees, or authorized volunteers shall not contribute to it". The general liability coverage shall give McKinleyville Community Services District, its directors, officers, employees, and authorized volunteers insured status using ISO endorsement CG2010, CG2033, or equivalent. Coverage is to be placed with a carrier with an A.M. Best rating of no less than A-:VII, or equivalent, or as otherwise approved by McKinleyville Community Services District. In the event that the Consultant employs other consultants (sub-consultants) as part of the Services covered by this Agreement, it shall be the Consultant's responsibility to require and confirm that each sub-consultant meets the minimum insurance requirements specified above.

- f. **Renewal Certificates.** If any of the required coverages expire during the term of this Agreement, the Consultant shall deliver the renewal certificate(s) including the general liability additional insured endorsement to McKinleyville Community Services District at least ten (10) days prior to the expiration date.
- g. **General Manager Authority.** Consultant shall not accept direction or orders from any person other than the General Manager or the person(s) whose name(s) is (are) inserted on Page 1 as "other authorized representative(s)" on behalf of McKinleyville Community Services District.
- h. **Payment Intervals.** Payment, unless otherwise specified on Page 1, is to be 30 days after acceptance of a written invoice by McKinleyville Community Services District.
- i. **Permits and Licenses.** Permits and licenses required by governmental authorities in connection with Consultant's services will be obtained at Consultant's sole cost and expense, and Consultant will comply with applicable local, state, and federal regulations and statutes including Cal/OSHA requirements.
- j. **Amendments and Modifications.** Any change in the scope of the professional Services to be done, method of performance, nature of materials, work provided or price thereof, or to any other matter materially affecting the performance or nature of the Services will not be paid for or accepted unless such change, addition or deletion is approved in advance, in writing by a supplemental Agreement executed by McKinleyville Community Services District. Consultant's "authorized representative(s)" has (have) the authority to execute such written change for Consultant.
- k. **Warranties.** Consultant represents and warrants that it is now, and will remain for the duration of its Services, properly licensed, qualified, experienced, and equipped to perform the Services. Consultant also represents and warrants that the Services shall be completed in strict accordance with this Agreement. Consultant further represents and warrants that the Services and the sale or use of the Services shall not infringe, directly or indirectly, on any valid patent, copyright or trademark, and Consultant shall, at Consultant's sole cost and expense, indemnify, defend and hold harmless McKinleyville

Community Services District from and against any and all claims and causes of action based on alleged or actual infringements thereof. These warranties shall survive the expiration or termination of this Agreement, and are in addition to any warranties provided by law. No payment to Consultant for any Services performed hereunder (including, without limitation, final payment) shall constitute a waiver of any Claims by McKinleyville Community Services District against Consultant relating to the Services.

- i. **Ownership of Drawings and Samples.** Consultant shall submit promptly for all drawings, details, samples and other data required or specifically requested by McKinleyville Community Services District in connection with provision of the Services, and such drawings, details, samples and other data created in connection with performance of the Services and provision of the work shall constitute the property of the McKinleyville Community Services District.
- m. **Compliance with Law/Safety.** In performance of the Services, Consultant shall, at its expense, exercise due professional care, comply strictly with, and cause all sub-consultants to comply strictly with, all laws, orders, rules and regulations of governmental authorities, including those relating to the storage, use or disposal of hazardous wastes, substances or materials, and including the procurement and payment for all necessary permits, certificates and licenses required in connection with the Services. If either Consultant or McKinleyville Community Services District receives notice of any violation by Consultant of any laws relating to Consultant or McKinleyville Community Services District receives notice of any violation by Consultant of any laws relating to Consultant's (or sub-consultants) services or work provided hereunder, such party shall promptly inform the other party in writing of the existence thereof. Consultant shall comply with all applicable laws relating to safety, including without limitation the Occupational Safety and Health Act of 1970 as it may be amended from time to time, and all regulations and standards issued pursuant thereto. Consultant shall conform to the current prevailing standards of safety practice and shall observe and comply with all policies, procedures, rules and regulations of McKinleyville Community Services District.
- n. **Equal Opportunity.** In the performance of the Services there shall be no discrimination on account of race, religion, sex, sexual orientation, age or national origin and Consultant shall comply with applicable federal, state and local laws and regulations pertaining to fair employment practices, including without limitation the provisions of Executive Order 11246 as amended by the President of the United States and the rules and regulations issued pursuant thereto, unless exempted.
- o. **Termination.** McKinleyville Community Services District may, at its option, terminate this Agreement without cause at any time. If at the time of any such termination, any Services have already been provided by Consultant but are unpaid for, McKinleyville Community Services District's only obligation, if Consultant is not in default, shall be to pay for such Services actually provided by Consultant prior to the date of termination. Upon receipt of notice of termination, Consultant shall immediately stop all performance hereunder except as otherwise directed by McKinleyville Community Services District, and if Consultant is not in default, McKinleyville Community Services District shall pay to Consultant (a) the prorata portion of the agreed price based on the percentage completion of the Services which was satisfactorily completed at the time of termination, and (b) the actual net costs incurred by Consultant directly connected with the Services that was not completed prior to the date of termination; provided, however, that under no circumstances shall the total under (a) and (b) exceed the contract price stated on page one (1) of this Agreement, above. Upon such payment, title to any such items or uncompleted Services shall, at McKinleyville Community Services District's option, pass to McKinleyville Community Services District.

- p. **Default.** Upon any default by Consultant hereunder, or in the event of proceedings by or against Consultant in bankruptcy or for the appointment of a receiver or trustee or an assignment for the benefit of creditors, McKinleyville Community Services District may, at its option, terminate this Agreement without penalty or liability (except for payment for any Services completed and accepted by McKinleyville Community Services District). Consultant shall be liable to McKinleyville Community Services District for all expenses incurred by McKinleyville Community Services District in finishing the Services and any damage incurred through any default, which at the option of McKinleyville Community Services District, may be charged against any amounts due from McKinleyville Community Services District to Consultant hereunder, but Consultant's liability hereunder shall not be limited thereby and such liability shall survive the expiration or termination of this Agreement. Any remedies provided for in this Agreement are cumulative and shall be in addition to, and not in limitation of, any other rights and remedies that may be available at law or in equity. Neither party shall be in default of this Agreement until such party has received three (3) days written notification (except in the instance of a health or safety concern, in which case failure to immediately remediate the health or safety violation shall be grounds to declare a default of this Agreement), and an opportunity to cure, or in the case of an alleged default which requires more than three (3) days to cure, a reasonable time so long as the alleged defaulting party commences the remediation of the default immediately, and thereafter diligently prosecutes the same to completion.
- q. **Notices.** Notices, requests, demands, and other communications hereunder shall be in writing and delivered personally, sent by reputable overnight courier or mailed by first class, United States mail, with postage prepaid, to McKinleyville Community Services District, **PO Box 2037, McKinleyville California 95519, Attention: Norman Shopay**, and to Consultant at the address set forth below its signature, or at any other address that may be given by either party to the other in the manner provided above. Notices delivered personally or sent by overnight courier shall be deemed delivered upon receipt. Notices delivered by mail shall be deemed delivered upon the earlier of (i) receipt or (ii) the date three (3) U.S. mail delivery days after the notice was placed in the United States mail as provided above.
- r. **Headings.** All section headings are provided for convenience only, and shall not be deemed to constitute material terms and conditions of this Agreement.
- s. **Interpretation.** Both Consultant and McKinleyville Community Services District are deemed to have jointly participated in the negotiation and preparation of this Agreement. Consequently, both Consultant and McKinleyville Community Services District are considered to have drafted this Agreement in equal parts and, if any ambiguity is found to exist, all rules of law and evidence requiring ambiguities to be interpreted to the detriment of the drafting party shall not apply.
- t. **Attorneys Fees and Venue for Disputes.** If litigation becomes necessary to enforce the terms and provisions of this Agreement or as a result of any breach by Consultant or District of this Agreement, the prevailing party in any such litigation shall be entitled to recover reasonable attorney's fees and costs. The Humboldt County Superior Court for the State of California shall have exclusive jurisdiction over any dispute arising out of this Agreement or Consultant's provision of Services hereunder, and shall serve as the venue for any such dispute. All parties expressly consent to this designation of jurisdiction and venue.



Reference: 011034.040

December 9, 2011

Mr. Norman Shopay
General Manager
McKinleyville Community Services District
P.O. Box 2037
McKinleyville, CA 95519

**Subject: Preliminary Geotechnical Report for a Proposed Addition to the
McKinleyville Activity Center, 1685 Gwin Road, McKinleyville, California;
APN 510-401-025**

Dear Mr. Shopay:

This report documents the results of the geotechnical investigation conducted in November 2011 by SHN Consulting Engineers & Geologists, Inc. (SHN). This letter report is intended to provide findings, conclusions, and recommendations related to general geotechnical aspects of project design and construction. This report is also intended to satisfy the requirements of the Humboldt County Building Department for the proposed project.

1.0 Site Location

Address: 1685 Gwin Rd., McKinleyville, California
Assessor's Parcel Number: 510-401-025
Latitude and Longitude: 40.9427, -124.0982
The project location is shown on Figure 1.

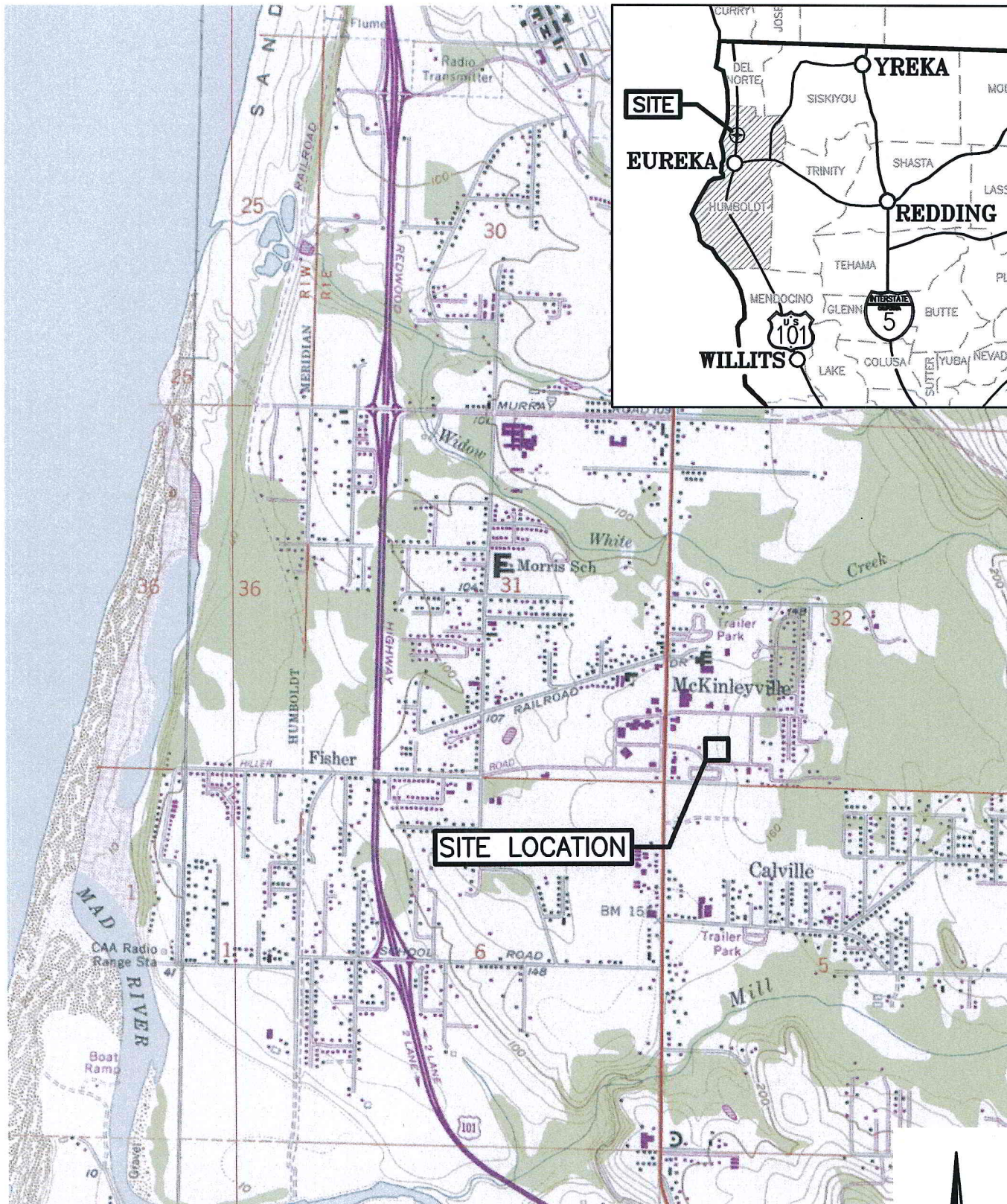
2.0 Project Description

We understand that the project consists of a one-story, approximately 6,790-square foot (97 feet by 70 feet) addition to the existing McKinleyville Activity Center. The proposed location of the addition is on the west side of the existing building and is expected to be contiguous with the existing structure as shown on the site plan, Figure 2. Foundation plans were not developed at the time of this writing and a design team has not been formed. The existing structure is a metal building with loads transferred onto a perimeter footing. Design details, especially depth and width of footings for the existing structure are unknown. We expect that the foundation system for the structure will consist of a concrete slab-on-grade and continuous perimeter footing.

3.0 Field Investigation and Laboratory Testing

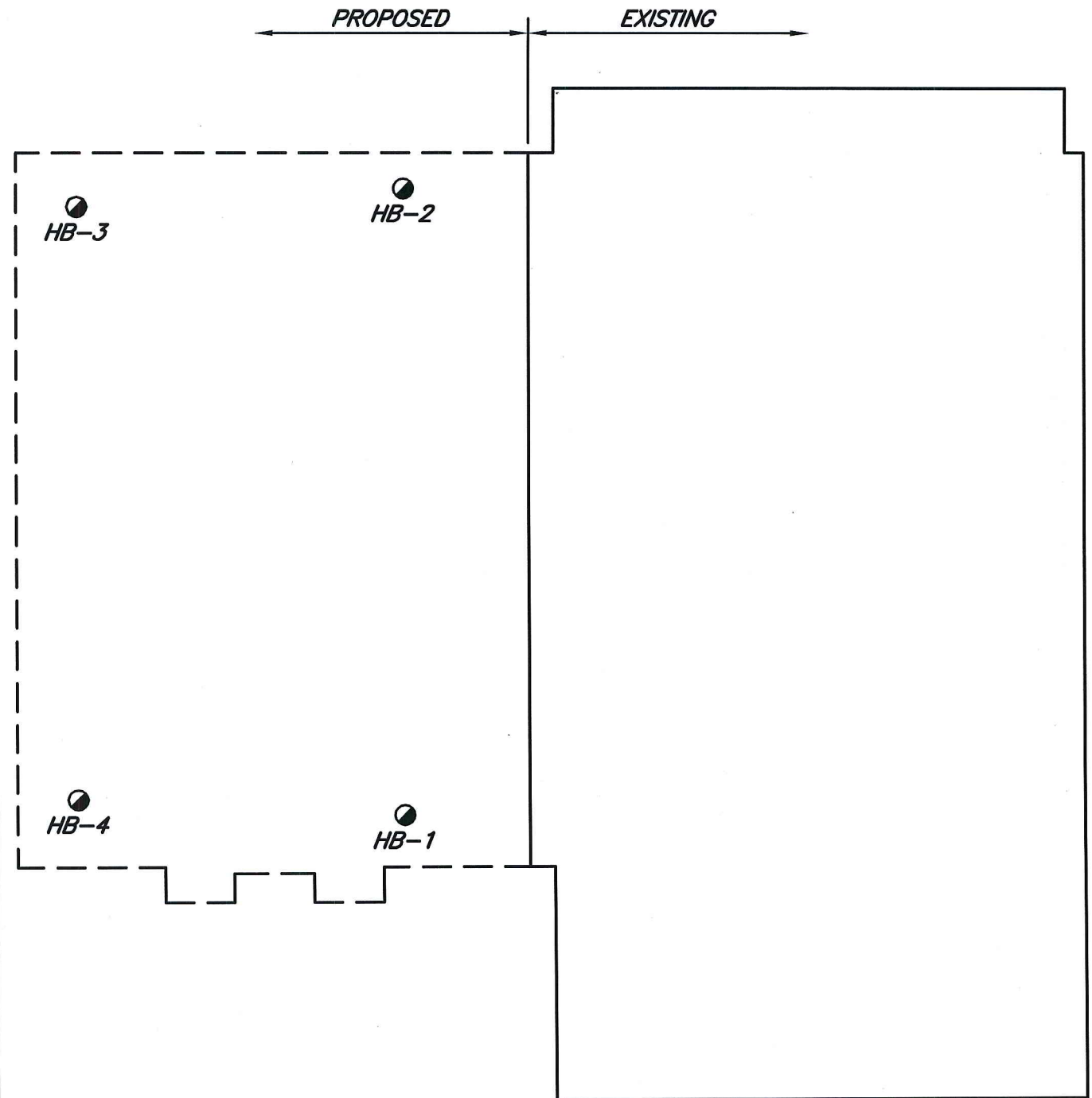
On November 10, 2011, a geologist from SHN evaluated the proposed building site. Four hand-augered borings (HB-1 through HB-4, see Figure 2) were advanced to depths ranging from 4.0 to 6.25 feet below the ground surface (BGS). Soils were logged in general accordance with the Unified Soil Classification System (USCS). Undisturbed samples were collected and laboratory moisture-density tests were conducted. Descriptions of the soil profiles and laboratory test results are presented on the attached field logs (Attachment 1).

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SOURCE: ARCATA NORTH, TYEE CITY
USGS 7.5 MINUTE QUADRANGLES

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EXPLANATION

● **HAND AUGER BORING
LOCATION AND DESIGNATION**

□ **OUTLINE OF PROPOSED
ADDITION**

SOURCE: BASE MAP PROVIDED BY
BONNIE OLIVER ARCHITECT

NOTE: ALL LOCATIONS APPROXIMATE

SH
Consulting Engineers
& Geologists, Inc.

McKinleyville Community Services District
Family Center Soils Report
McKinleyville, California

Site Plan
SHN 011034.040

November 2011

011034-040-SITE

Figure 2

4.0 Site Conditions

The project site is situated on a broad late-Pleistocene-age marine terrace that exists throughout much of the McKinleyville area. The location of the proposed addition, west of the existing structure is generally flat with a small, 1-to 2-foot drop in elevation from soil mounds that exists in the northern portion of the proposed footprint. The surface is grass with a sidewalk within 5 feet of the existing structure.

During our investigation, we encountered varying amounts of fill in HB-1, HB-2, and HB-4. Fill materials consisted of dark brown to dark yellowish brown silty sand with gravel. Depths of the fill ranged from 1.25 feet BGS (HB-1 and HB-2) to 1.5 feet BGS (HB-4).

In general, native soils were encountered at the ground surface in HB-3 and beneath the fill in HB-1, HB-2, and HB-4. Native soil consists of dark brown sandy silt/silty sand (SM/ML) organic topsoil overlying medium dense to dense yellowish brown silty sand (SM) to the maximum depths explored. The dark brown color is attributed to a high concentration of organic material, which is typical of topsoil in the area. The topsoil extends to between 2.25 and 4.25 feet BGS. Descriptions of soils encountered in our borings are presented on the Attachment 1.

Groundwater was not observed during our investigation. Water levels can be expected to fluctuate in response to seasons, storm events, and other factors, and may become higher or lower than indicated by the subsurface observations made.

From our site investigation and our understanding of site geology and soils conditions, we estimate the site can be categorized as a Site Class D (stiff soil profile) in the upper 100 feet, for determining seismic loads for structural design as outlined in the 2010 California Building Code (CBC).

5.0 Geologic Hazards

- The principal geologic hazard at the site is strong to very strong levels of seismic shaking produced by earthquakes generated on the Mad River fault zone, or other regional sources along the north coast. The closest state-designated active faults to the project site are the Mad River fault, about 4,000 feet to the southwest, and the McKinleyville fault, about 5,000 feet to the northeast,
- The project site is not located within an Alquist Priolo Fault Hazard Zone.
- The project site is located on a flat lying surface, and we conclude that it has a negligible risk of slope instability or creep.
- The project site is not within a 100-year flood zone.
- We conclude that risk of liquefaction and lateral spreading are negligible to low due to the Pleistocene age of any underlying sand layers that may exist.
- The tsunami risk is considered negligible.

6.0 Conclusions and Discussion

Based on the results of our field and laboratory investigations, it is our opinion that the project site can be developed as proposed. The addition should be designed and built in accordance with the

Mr. Norman Shopay

Geotechnical Report for a Proposed Addition to the McKinleyville Activity Center, 1685 Gwin Road, McKinleyville, California; APN 510-401-025

December 9, 2011

Page 3

2010 CBC and the preliminary recommendations within this report. We do not expect the structure to contribute or be subject to substantial geologic hazards throughout the economic life span of the project.

The primary geotechnical site considerations are undocumented fill that was encountered in three of our borings and underlying organic topsoil. The latter is susceptible to compression that could result in excessive total and differential settlement of the proposed foundation system. These soils are typical of soils encountered in the McKinleyville area. To our knowledge, the fill is undocumented and is, therefore, considered inadequate for uniform support of the concrete slab in its existing condition.

The upper topsoil typically is of relatively low density and tends to be compressible when subjected to foundation loads. The material is unsuitable for reuse as structural fill. Typical recommendations where these conditions are encountered in the past have included:

- extend footing excavations down through the darker colored topsoil, into competent light-colored native soil; and
- remove the unsuitable topsoil and replace it with structural fill or weak sand cement slurry to support conventional shallow foundations.

No high plasticity clayey soils were encountered, therefore the risk of adverse consequences to the structure from expansive soils is considered low.

7.0 Recommendations

7.1 Seismic Design Criteria

We recommend that the proposed structure be designed and built to withstand strong seismic shaking. The minimum standard for construction of the structure should be in accordance with the 2010 California Building Code for the most seismically active areas.

Based on the Site Class and the latitude and longitude, we calculated the design spectral response acceleration parameters S_s , S_1 , F_a , F_v , S_{MS} , S_{M1} , S_{DS} , and S_{D1} using the United States Geological Survey (USGS) seismic calculator program, "Seismic Hazard Curves, Response Parameters, Design Parameters: Seismic Hazard Curves, and Uniform Hazard Response Spectra," v. 5.1.0, dated February 10, 2011. The resulting design spectral response acceleration parameters are presented in Table 1.

Table 1	
Seismic Design Criteria	
Latitude	40.9427
Longitude	-124.0982
Site Class	D
S_s	2.690
S_1	1.051
F_a	1.0
F_v	1.50
S_{MS}	2.690
S_{M1}	1.576
S_{DS}	1.793
S_{D1}	1.051
Occupancy Category	II
Seismic Design Category	E

7.2 Site Preparation and Grading

In developing site grading recommendations, two options are envisioned:

1. Keep the site grade at about the existing grade, which will minimize importing fill. This will result in a finished floor slab lower than that of the existing building. However, the existing fill must be excavated and replaced as structural fill.
2. Raise the site grade to be equal to that of the existing building. This will result in excavating and compacting the existing fill and importing clean fill. This will also result in deeper foundations to the competent soils that were encountered below the organic topsoil.

There are utilities adjacent to the existing building that should be identified and relocated. As appropriate, notify Underground Service Alert (1-800-624-2444) prior to commencing site work, and use this location service and other methods to avoid injury or risk to life from underground and overhead utilities, and to avoid damaging them.

If site grades will not change appreciably (not including pavement or concrete slab and underlying base): Foundations are to be extended to the underlying non-organic native soil, regardless of site grade. To support the concrete slab, we recommend that existing fill be removed and replaced to a sufficient depth so that a relatively uniform 12 inches of compacted structural fill provides the support for the concrete slab-on-grade. There may be areas where additional fill is placed over existing fill to achieve site grade. Where that occurs, we recommend that the existing surface be proof-rolled to detect any soft areas and to induce compression of loose fill. The existing fill is suitable for reuse as structural fill; topsoil is not suitable.

If site grade is to be raised: This will extend the depth of foundations and the width of foundation excavations. The existing undocumented fill should be excavated and may be reused as structural fill prior to importing clean fill. Undocumented fill should be excavated for a distance of 5 feet beyond the proposed addition area, measured at the bottom of the excavation. This material may be reused as structural fill. A firm and unyielding surface should be established before additional structural fill is placed to raise site grade .

Structural fill may be required to raise the grades to support the floor slab. Structural fill material should consist of relatively non-plastic (Liquid Limit less than 40, Plasticity Index less than 14) material containing no organic material or debris, and no individual particles over 6 inches across. If gravel is used, it should be well graded, to include a variety of particle sizes to minimize relatively large void spaces, into which fine grained soils can migrate. We suggest the use of well-graded granular soils (sand, gravel) for fill, because these soils are relatively easy to moisture condition and compact.

Structural fill should be placed to design grades and compacted to a minimum of 90% of the maximum relative dry density as determined by the current American Society for Testing and Materials-International (ASTM) D1557 test method.

7.3 Foundations

Foundations should be sized, reinforced, and embedded at least to the minimum values in the 2010 California Building Code. However, because the existing topsoil is unsuitable for foundations support, one of the following options should be implemented:

1. Remove topsoil during site grading to expose the underlying yellow-brown native soil that is competent and removed from the site. Structural fill should be used to replace the unsuitable topsoil.
2. Leave topsoil in place and deepen foundations to extend at least 6 inches in the underlying yellow-brown native soil.
3. Leave topsoil in place and deepen foundation excavations to extend to the underlying yellow-brown native soil. The width of the excavation should be twice the width of the assumed perimeter footing. Backfill may consist of structural fill or a weak sand-cement slurry (2-sack mix) that is placed to raise the surface to the minimum foundation depth. Alternately, structural fill can be placed to subgrade elevation to allow foundation excavations to be cut neat into this material.

Foundations in native soil (not topsoil) may be designed so they do not exceed an allowable bearing capacity of 2,500 pounds per square foot (psf) for dead plus live loads. This value may be increased by one-third to account for the short-term effects of wind and/or seismic loading. Settlement estimates are provided under "Section 6.0: Conclusions and Discussion," above.

Any backfill soils placed alongside footings should be compacted to a minimum of 90% per the ASTM D 1557 test method.

A horizontal friction coefficient of 0.35 may be used for the footing-soil contact. Frictional resistance may be calculated in conjunction for short-term loadings (such as, lateral foundation resistance in response to wind or earthquake loadings). On the basis that structural fill will provide this temporary resistance, an allowable lateral passive pressure represented by an equivalent fluid weighing 300 pounds per cubic foot is appropriate.

The ground surface around the structure perimeter should be sloped away, or other design measures implemented to provide positive surface water drainage away from perimeter foundation areas.

We are not aware of design or construction details regarding the foundation system for the existing structure. Specifically, the depth of embedment of the perimeter footing and supporting soil (native competent soil, topsoil, structural fill) are not known. This determination should be made to assist the structural engineer in design if the new addition is to be tied into the existing structure.

7.4 Slabs-on-Grade

Concrete slabs-on-grade may be supported directly on at least 6 inches of crushed rock over structural fill that is placed in accordance with this report. If a moisture-sensitive floor covering is anticipated for the building, a vapor barrier should be used to minimize transmission of soil moisture and gas (methane, radon) up through floor slab. Typically, vapor barrier thickness

Mr. Norman Shopay

Geotechnical Report for a Proposed Addition to the McKinleyville Activity Center, 1685 Gwin Road, McKinleyville, California; APN 510-401-025

December 9, 2011

Page 6

should be 10 to 15 mils. The vapor barrier shall be in accordance with ASTM E-1745, "Standard Specifications for Vapor Barrier Retarders used in Contact with Soil or Granular Fill under Concrete Slabs." The product should be installed in accordance with the manufacturer's recommendations. There are many manufacturers that provide this product including, but not limited to, Sto-Cote Products (TU-TUFF), Griffolyn Company (T-65), 10 to 14 mil Stego Wrap, or any polyethylene vapor reduction membrane at least 10 mils in thickness. The membrane should be overlapped at least 12 inches and taped at joints. Concrete typically is poured directly on the vapor barrier, which has the added benefit of allowing a shorter concrete bleeding time and preventing water from leaving the concrete and wetting the subgrade. It is a common practice to cover the membrane with a few inches of sand to protect the membrane during construction, especially if the membrane is thin (around 10 mil) and to aid in concrete curing. Whether or not a sand layer is placed above the membrane, the membrane should be protected from tearing or puncture during construction.

8.0 Closure and Limitations

The analyses, conclusions, and recommendations contained in this report are based on site conditions that we observed at the time of our investigation, data from our subsurface explorations and laboratory tests, our current understanding of proposed project elements, and on our experience with similar projects in similar geotechnical environments. We have assumed that the information obtained from our limited subsurface explorations is representative of subsurface conditions throughout the site.

If the scope of the proposed construction, including the proposed loads, grades, or structural locations, changes significantly from that described in this report, our recommendations should also be reviewed.

If there is a substantial lapse of time between the submission of our report and the start of work at the site, or if conditions have changed due to natural causes or construction operations at or adjacent to the site, we should review our report to determine the applicability of the conclusions and recommendations considering the changed conditions and time lapse. This report is applicable only to the project and site studied.

The conclusions and recommendations presented in this report are professional opinions derived in accordance with current standards of professional practice. No representation, express or implied, of warranty or guarantee is included or intended. Our recommendations are tendered on the assumption that design of the improvements will conform to their intent.

The field work was conducted to investigate the site characteristics specifically addressed by this report. Assumptions about other site characteristics, such as hazardous materials contamination, or environmentally sensitive or culturally significant areas, should not be made from this report.

Mr. Norman Shopay

Geotechnical Report for a Proposed Addition to the McKinleyville Activity Center, 1685 Gwin Road, McKinleyville, California; APN 510-401-025

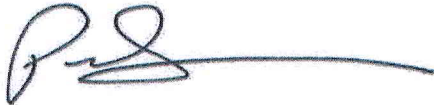
December 9, 2011

Page 7

This report concludes our work on the project in accordance with our current agreement. If you have any questions, please call either of us at 707-441-8855.

Sincerely,

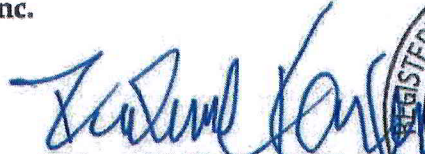
SHN Consulting Engineers & Geologists, Inc.



Paul R. Sundberg
Staff Geologist

PRS:RWH/JPB:lms

Attachment 1. Field Boring Logs



Richard W. Hanford, P.E., G.E.*
Senior Geotechnical Engineer



References Cited

ASTM E-1745, "Standard Specifications for Vapor Barrier Retarders used in Contact with Soil or Granular Fill under Concrete Slabs."

California Building Standards Commission. (2010). *2010 California Building Code-Title 24 Part 2, Two-Volumes*. Based on International Building Code (2009) by the International Code Council. Sacramento:California Building Standards Commission.

United States Geologic Survey. (February 10, 2011). "Seismic Hazard Curves, Response Parameters, Design Parameters: Seismic Hazard Curves, and Uniform Hazard Response Spectra," v. 5.1.0. NR:USGS.

---. (NR). Arcata North and Tyee City 7.5-Minute Quadrangles. NR:USGS.

Attachment 1

Field Boring Logs



CONSULTING ENGINEERS
& GEOLOGISTS

METHOD OF SOIL CLASSIFICATION

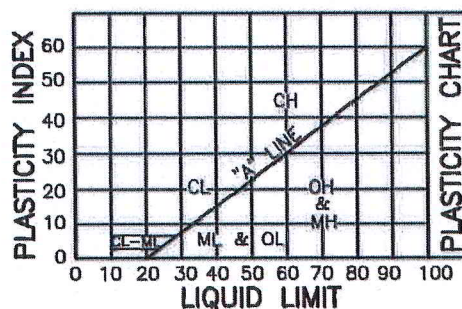
MAJOR DIVISIONS		SYMBOLS	TYPICAL NAMES
COARSE GRAINED SOILS (MORE THAN 1/2 OF SOIL >NO. 200 SIEVE SIZE)	<u>GRAVELS</u> (MORE THAN 1/2 OF COARSE FRACTION > NO.4 SIEVE SIZE)	GW	WELL GRADED GRAVELS OR GRAVEL-SAND MIXTURES, LITTLE OR NO FINES
		GP	POORLY GRADED GRAVELS OR GRAVEL-SAND MIXTURES, LITTLE OR NO FINES
		GM	SILTY GRAVELS, GRAVEL-SAND-SILT MIXTURES
		GC	CLAYEY GRAVELS, GRAVEL-SAND-CLAY MIXTURES
	<u>SANDS</u> (MORE THAN 1/2 OF COARSE FRACTION < NO.4 SIEVE SIZE)	SW	WELL GRADED SANDS OR GRAVELLY SANDS, LITTLE OR NO FINES
		SP	POORLY GRADED SANDS OR GRAVELLY SANDS, LITTLE OR NO FINES
		SM	SILTY SANDS, SAND-SILT MIXTURES
		SC	CLAYEY SANDS, SAND-CLAY MIXTURES
FINE GRAINED SOILS (MORE THAN 1/2 OF SOIL <NO. 200 SIEVE SIZE)	<u>SILTS & CLAYS</u> LIQUID LIMIT LESS THAN 50	ML	INORGANIC SILTS AND VERY FINE SANDS, ROCK FLOUR, SILTY OR CLAYEY FINE SANDS OR CLAYEY SILTS WITH SLIGHT PLASTICITY
		CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS, SANDY CLAYS, SILTY CLAYS, LEAN CLAYS
		OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
	<u>SILTS & CLAYS</u> LIQUID LIMIT GREATER THAN 50	MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS
		CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
		OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTY CLAYS, ORGANIC SILTS
		HIGHLY ORGANIC SOILS	

CLASSIFICATION CHART

CLASSIFICATION CHART

CLASSIFICATION	U.S. STANDARD SIEVE SIZE
BOULDERS	ABOVE 12"
COBBLES	12" TO 3"
GRAVEL COARSE FINE	3" TO NO. 4 3" TO 3/4" 3/4" TO NO. 4
SAND COARSE MEDIUM FINE	NO. 4 TO NO. 200 NO. 4 TO NO. 10 NO. 10 TO NO. 40 NO. 40 TO NO. 200
SILT & CLAY	BELOW NO. 200

GRAIN SIZE CHART



CONSISTENCY OF FINE GRAINED SOILS		DENSITY OF COARSE GRAINED SOILS	
CLASSIFICATION	COHESION (PSF)	CLASSIFICATION	STANDARD PENETRATION (BLOW COUNT)
VERY SOFT	0-250	VERY LOOSE	0-4
SOFT	250-500	LOOSE	4-10
MEDIUM STIFF	500-1000	MEDIUM	10-30
STIFF	1000-2000	DENSE	30-50
VERY STIFF	2000-4000	VERY DENSE	50+
HARD	4000+		

MOISTURE CLASSIFICATIONS

DRY
DAMP
MOIST
WET

BASED ON UNIFIED
SOILS CLASSIFICATION
SYSTEM



BORING LOG KEY

SAMPLE TYPES



DISTURBED
SAMPLE
(BULK)



HAND
DRIVEN TUBE
SAMPLE



1.4" I.D.
STANDARD
PENETRATION
TEST SAMPLE
(SPT)



2.5" I.D.
MODIFIED
CALIFORNIA
SAMPLE
(SOLID WHERE RETAINED)



CORE
BARREL
SAMPLE
(NOT RETAINED)



CORE
BARREL
SAMPLE
(RETAINED)

SYMBOLS



INITIAL WATER LEVEL



STABILIZED WATER LEVEL



GRADATIONAL CONTACT



WELL DEFINED CONTACT

SS

SPLIT SPOON



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Proposed Teen/Family Center

JOB NUMBER: 011034.040

LOCATION: SE Corner of Proposed Addition

DATE DRILLED: 11/10/2011

GROUND SURFACE ELEVATION: Approx 152 Feet MSL

TOTAL DEPTH OF BORING: 6.0 Feet

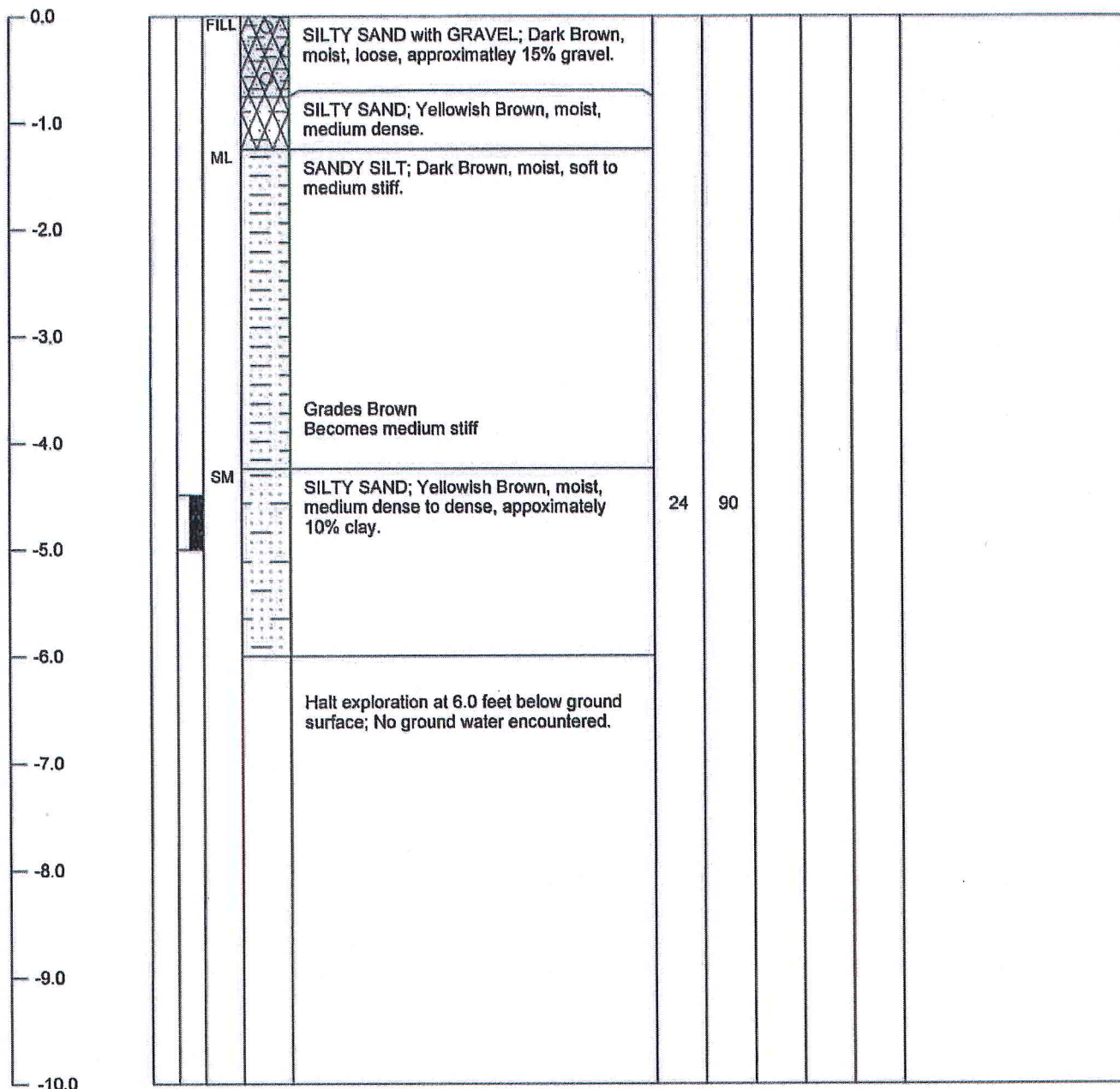
EXCAVATION METHOD: 3" Hand Auger

SAMPLER TYPE: 2.5-inch thin-walled tube

LOGGED BY: PRS

**BORING
NUMBER
HB-1**

DEPTH (FT)	BULK SAMPLES TUBE SAMPLE	USCS	PROFILE	SOIL DESCRIPTION (ASTM D 2488)	% Moisture	Dry Density (pcf)	Unc. Com. (pcf)	U.C. (pcf) by P.P.	% Passing 200	REMARKS
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The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

FIELD LOG

Page Number 1 of 1



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Proposed Teen/Family Center

JOB NUMBER: 011034.040

LOCATION: NE Corner of Proposed Addition

DATE DRILLED: 11/10/2011

GROUND SURFACE ELEVATION: Approx 150 Feet MSL

TOTAL DEPTH OF BORING: 5.5 Feet

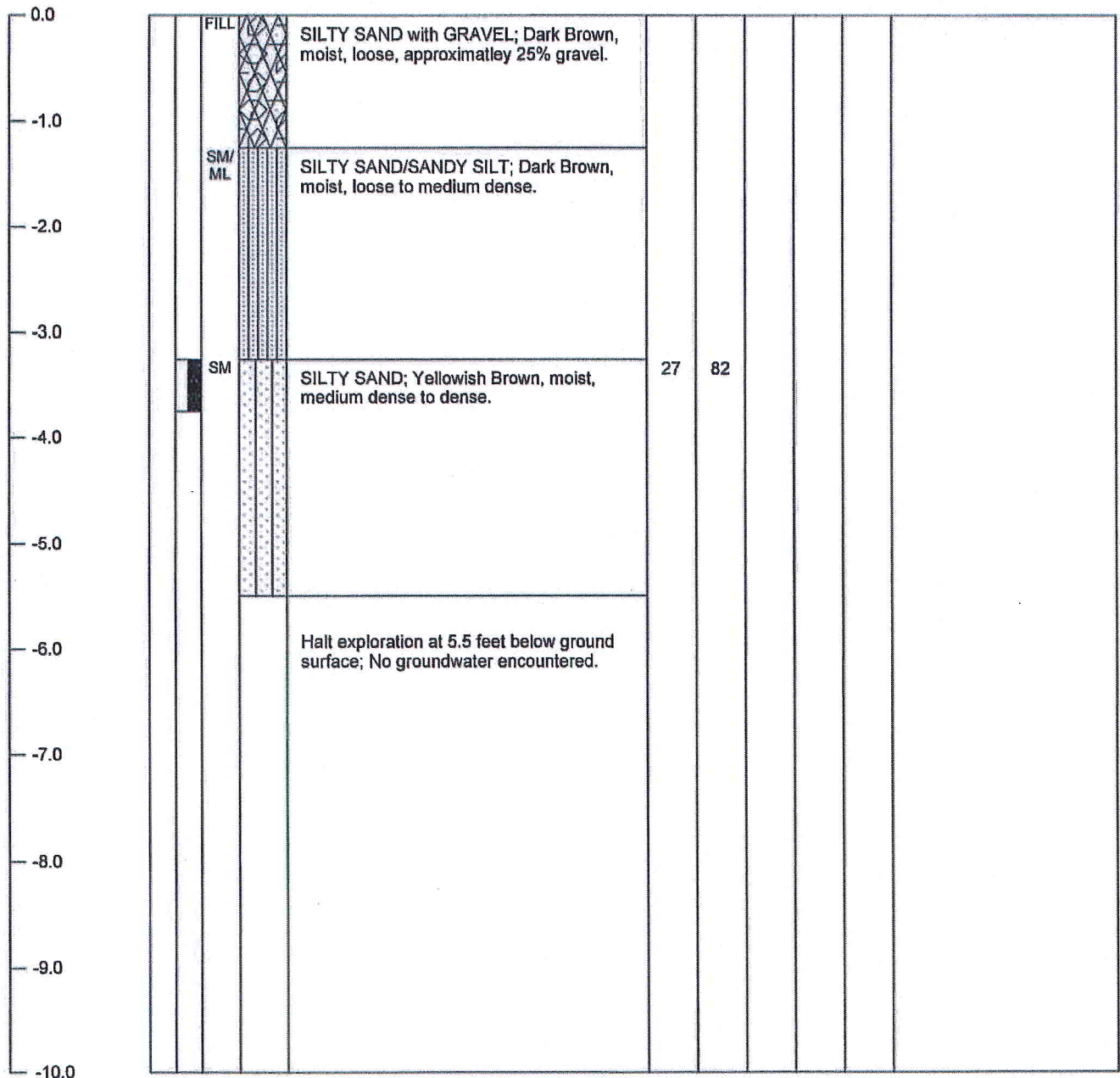
EXCAVATION METHOD: 3" Hand Auger

SAMPLER TYPE: 2.5-inch thin-walled tube

LOGGED BY: PRS

**BORING
NUMBER
HB-2**

DEPTH (FT)	BULK SAMPLES TUBE SAMPLE	USCS	PROFILE	SOIL DESCRIPTION (ASTM D 2488)	% Moisture	Dry Density (pcf)	Unc. Cor. (pcf)	U.C. (pcf) by P.P.	% Passing 200	REMARKS
---------------	-----------------------------	------	---------	-----------------------------------	------------	-------------------	-----------------	--------------------	---------------	---------



The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

FIELD LOG

Page Number 1 of 1



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Proposed Teen/Family Center

JOB NUMBER: 011034.040

LOCATION: NW Corner of Proposed Addition

DATE DRILLED: 11/10/2011

GROUND SURFACE ELEVATION: Approx 150 Feet MSL

TOTAL DEPTH OF BORING: 4.0 Feet

EXCAVATION METHOD: 3" Hand Auger

SAMPLER TYPE: 2.5-inch thin-walled tube

LOGGED BY: PRS

**BORING
NUMBER
HB-3**

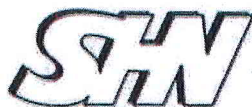
DEPTH (FT)	BULK SAMPLES TUBE SAMPLE	USCS	PROFILE	SOIL DESCRIPTION (ASTM D 2488)	% Moisture	Dry Density (pcf)	Unc. Cor. (pcf)	U.C. (pcf) by P.P.	% Passing 200	REMARKS
---------------	-----------------------------	------	---------	-----------------------------------	------------	-------------------	-----------------	--------------------	---------------	---------

0.0			SM	SILTY SAND; Dark Brown, moist, loose.						
-1.0										
-2.0										
-3.0				SILTY SAND; Yellowish Brown, moist, medium dense to dense.	25	86				
-4.0										
-5.0				Halt exploration at 4.0 feet below ground surface; No groundwater encountered.						
-6.0										
-7.0										
-8.0										
-9.0										
-10.0										

The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

FIELD LOG

Page Number 1 of 1



Consulting Engineers & Geologists, Inc.

812 West Wabash, Eureka, CA 95501 ph. (707) 441-8855 fax. (707) 441-8877

PROJECT: Proposed Teen/Family Center

JOB NUMBER: 011034.040

LOCATION: SW Corner of Proposed Addition

DATE DRILLED: 11/10/2011

GROUND SURFACE ELEVATION: Approx 152 Feet MSL

TOTAL DEPTH OF BORING: 6.25 Feet

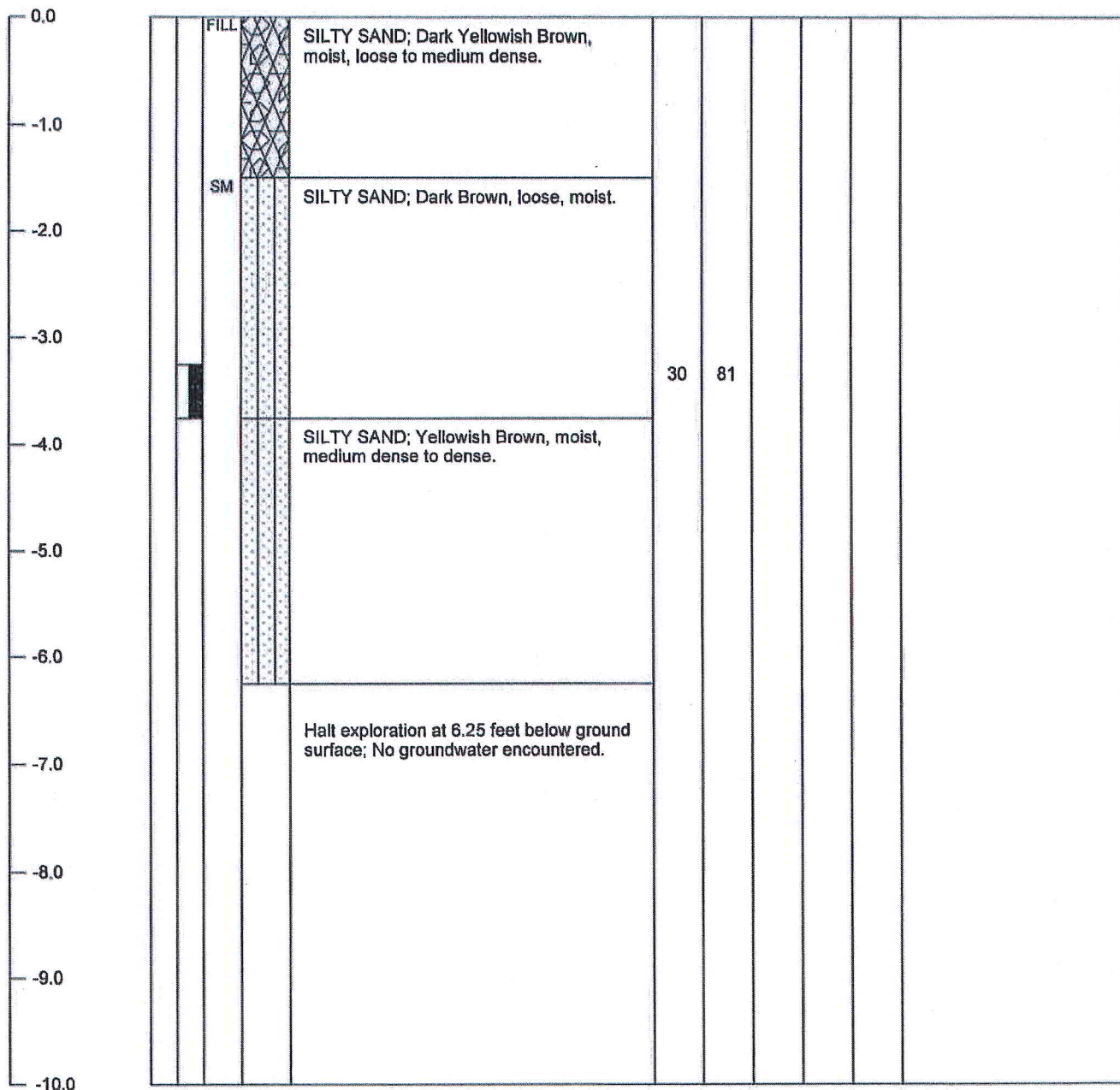
EXCAVATION METHOD: 3" Hand Auger

SAMPLER TYPE: 2.5-inch thin-walled tube

LOGGED BY: PRS

**BORING
NUMBER
HB-4**

DEPTH (FT)	BULK SAMPLES TUBE SAMPLE	USCS	PROFILE	SOIL DESCRIPTION (ASTM D 2488)	% Moisture	Dry Density (pcf)	Unc. Cor. (psf)	U.C. (psf) by P.P.	% Passing 200	REMARKS
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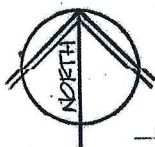


The log and data presented are a simplification of actual conditions encountered at the time of drilling at the drilled location. Subsurface conditions may differ at other locations and with the passage of time.

FIELD LOG

Page Number 1 of 1

← GWIN ROAD →



PRELIMINARY FLOOR PLAN

SCALE: 1/4" = 1' - 0"

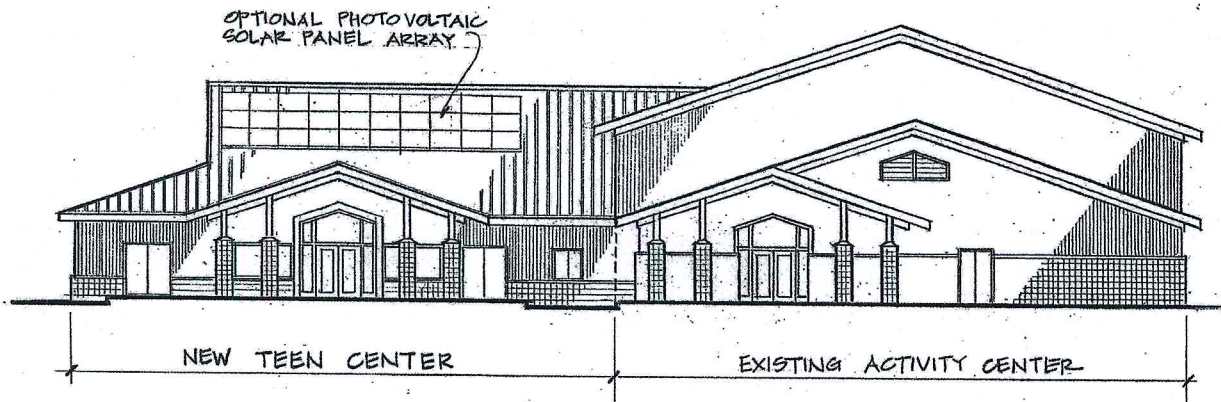
TEEN / COMMUNITY CENTER
ADDITION TO THE EXISTING ACTIVITY CENTER

McKINLEYVILLE COMMUNITY SERVICES DISTRICT



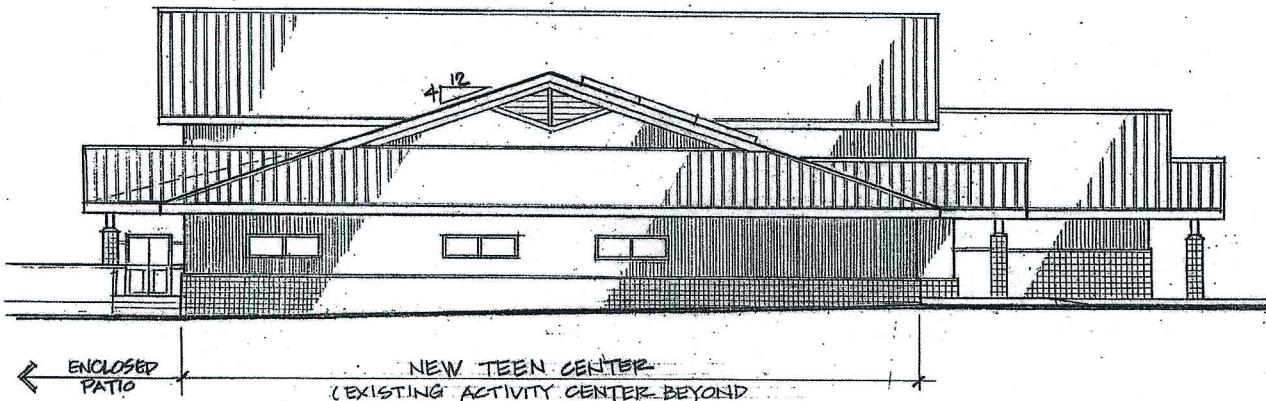
BONNIE L. OLIVER
ARCHITECT

1953 COTTONWOOD AVE
McKINLEYVILLE, CA 95519
(707) 839-8829



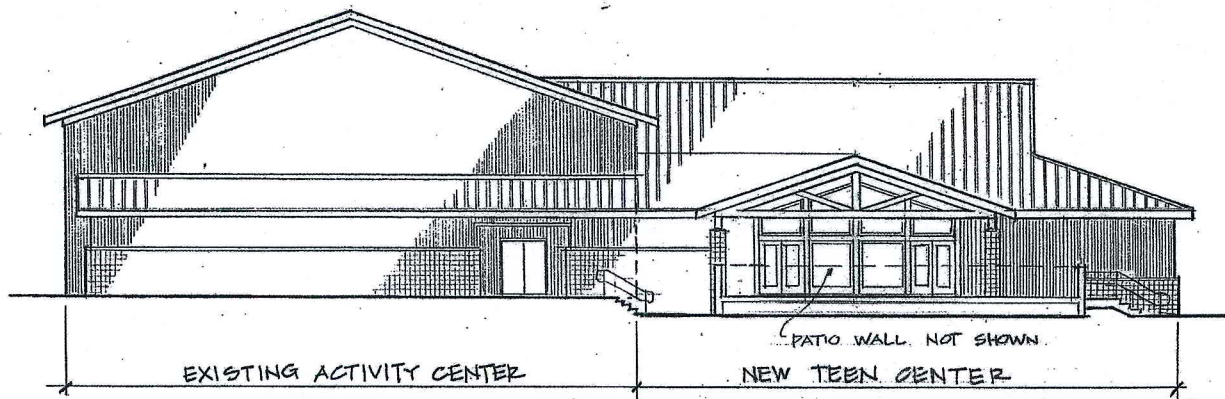
PRELIMINARY SOUTH ELEVATION

SCALE: $\frac{1}{16}'' = 1'-0''$



PRELIMINARY WEST ELEVATION

SCALE: $\frac{1}{16}'' = 1'-0''$



PRELIMINARY NORTH ELEVATION

SCALE: $\frac{1}{16}'' = 1'-0''$

TEEN/COMMUNITY CENTER
ADDITION TO THE EXISTING ACTIVITY CENTER
 MCKINLEYVILLE COMMUNITY SERVICES DISTRICT





McKinleyville Teen Center

Scope of Work, per trade

19 April 2012

Architectural

Phase I – Building Assessment

- Assessment of existing facilities with regard to function & layout, Title 24 accessibility compliance, building code concerns, additional items that may need to be resolved prior to design.
- Coordination of up to 3 meetings with the Teens / Public to define spatial criteria and facilities. Design program with the District and community representatives to further define space requirements and building systems necessities. Notification to the Public about meeting times & dates shall be the responsibility of the District.
- Review and evaluate existing program elements for the facility.
- Based upon findings identified within the building assessment and program meetings, prepare conceptual space plans based upon Owner's program requirements and concepts. Revise conceptual space plan(s) as required to achieve "approved" plan. *Proposal contemplates two (2) plan revisions maximum to achieve "approved" plan.*
- Prepare schematic design drawings based upon the approved Conceptual Plan
- Incorporation of District comments into Schematic Design Documents.
- Incorporate required changes from Schematic Design Review

Phase II – Schematic Design, Design Development & Construction Documents

- Prepare and further develop approved Schematic Drawings to greater detail to achieve complete Construction Document package.
- Based upon an "approved" design, prepare construction documents consisting of the following:
 - Architectural and Construction Documents and Specifications
 - Interior Design and Documents
 - On Site Civil Engineering and Documents and Specifications
 - Site Remediation Documents and Specifications
 - Landscape Design and Documents and Specifications
 - Kitchen layout & Design Documents
 - Structural Engineering and Documents and Specifications
 - Mechanical and Plumbing Engineering and Documents and Specifications
 - Electrical Engineering and Documents and Specifications
- Make Plan Check corrections per Bldg Dept comments as required.
- Provide 1 Value engineering Session with the District and the local construction community.
- Presentation of final Construction Documents and Specifications for Bid.
- Provide clarification to Bid items, respond to bidding inquiries, prepare addenda as required.

Phase III - Construction Administration

- Assist the Owner during in their solicitation of contractor bids as necessary to assure accurate interpretation of the drawings.
- Assist the District in administration of the Bid.
- Coordinate with District's Project Manager with regard to Construction Administration and support services.
- Process all submittals, respond to Contractor inquiry's, review Change Order Requests with due diligence to the District.
- Proposal limits Construction Administration to hours billed against service. Additional Construction Administration to be billed on an hourly basis as identified in this Proposal.

Civil

The proposed site civil work and survey work will include boundary survey, existing conditions mapping, grading/drainage design, on-site utility coordination, project management, coordination with the design team, and plan check coordination for the base design. The proposed scope of work is outlined below:

Phase I:

Review of Existing Documents

- A. Review the existing plans and documents for the existing McKinleyville Activity Center. Assist in up to one meeting with the design team
- B. Conduct a property boundary survey of APN 510-401-025 (Parcel 4 per 27 Parcel Maps 89 & 90), including encumbering easements as disclosed in a current preliminary title report to be provided by MCSD.
- C. Produce existing conditions topographic survey of APN 510-401-025 and a portion of APN 510-401-015 sufficient to tie in to the existing gymnasium location and grades. Mapping will be provided at a scale of 1 inch = 40 feet, and a contour interval of 1 foot.
- D. Prepare land descriptions for the purpose of merging APNs 510-401-025 and 510-401-015.
- E. Project Management: Project management will be limited to up to one team meeting with MCSD and the Architect, general communications will be through the Architect (phone, email), invoicing, and interaction with regulators. SHN estimates that Project Management can be completed on a time and expenses basis, for a time expended allowance of \$1,000. This fee is based on a project timeline of one month for this task.

Design Development

- A. Prepare preliminary plans for design development:
 - a. Site Civil Layout. Review site plan (by others) and create site civil layout showing locations of civil improvements based on the existing survey control. The site plan will include the dimensioned layout of all proposed improvements.
 - b. Grading/Drainage Plan including:
 - i. Preliminary stormwater conveyance calculations, design, and management. We anticipate the design facilities will comply with the County of Humboldt for post development flows, but will be conveyed to an existing stormwater treatment and detention facility.
 - ii. The grading and drainage plan will show preliminary finish grades of sidewalks, parking areas, driveways, and connections to existing

sidewalks and buildings roads based on the established finished floor elevation of the existing and ADA requirements. The grades will be adequate for use in creation of 3-D renderings

- B. Attendance at coordination meetings with project team
- C. Submittal of Preliminary Plans for review and up to one revision
- D. Project Management: Project management will include participating in up to three conference calls with MCSD and the Architect, general communications will be through the Architect (phone, email), conducting site visits, invoicing, and interaction with regulators. SHN estimates that Project Management can be completed on a time and expenses basis, for time expended allowance fee of \$1,500. This fee is based on a project timeline of two months.

Phase II

Construction Documents & Specifications

- A. Prepare final plans including:
 - a. Site Civil Layout. Review site plan (by others) and create site civil layout showing locations of civil improvements based on the existing survey control. The site plan will include the dimensioned layout of all proposed improvements.
 - b. Grading/Drainage Plan including:
 - i. Stormwater conveyance final calculations. We will utilize low impact design by incorporating permeable pavements, grass swales, detention facilities, and other techniques to mimic the natural hydrologic cycle and reducing stormwater volume.
 - ii. The grading and drainage plan will show designed finished grades of sidewalks, parking areas, driveways, and connections to existing sidewalks and roads based on the established finished floor elevation of the proposed building and ADA requirements. Details of driveways, sidewalks, construction Best Management Plans (BMPs), drainage facilities, and A/C paving will be included as needed.
 - c. Utility Plans, The utility plan will show designed sewer, water, and fire protection connections from existing approved facilities to within 5 feet of the proposed buildings. Task includes:
 - i. Coordination with MEP Engineers
 - ii. Identification of site water and wastewater utilities
 - iii. Details of connections, valves, trench sections, and other appurtenances
 - d. Erosion and Sediment Control Plan in accordance with County of Humboldt requirements
 - e. Miscellaneous detail sheets, up to two
- B. Attendance at up to three coordination meetings with project team
- C. Preparation of technical specifications and construction cost estimate for site civil work
- D. Submittal of 90% and 100% design packages
- E. Our deliverable is anticipated to be the preparation of up to six plan sheets and specifications as described above, up to one revision of the site plan, and the coordination and plan submittal to Architect.
- F. Project Management: Project management will include participating in bi-weekly conference calls with MCSD and the Architect, general communications will be with the Architect (phone, email), conducting site visits, invoicing, and interaction with regulators. SHN estimates that Project Management can be completed on

a time and expenses basis, for time expended allowance fee of \$2,000. This fee is based on a project timeline of three months.

Phase III

Construction Administration

- A. SHN will provide assistance during the bidding process. Our services are limited to the following:
 - a. Attend pre-bid meeting
 - b. Respond to Requests for Information (up to 3)
 - c. Prepare bid addenda if needed
- B. SHN will provide assistance during the construction phase. Our services are limited to the following:
 - a. Attend pre-construction meeting
 - b. Respond to Requests for Information (up to 3)
 - c. Review and respond to submittals (up to 4)
 - d. Prepare change orders and construction change orders if needed (up to 2)
 - e. Preparation of record drawings based on red line markups from the Contractor and/or MCSD.
- C. Project Management Project management will include participating in bi-weekly conference calls with MCSD and the Architect, general communications with MCSD and the Architect (phone, email), conducting site visits, invoicing, and interaction with regulators. SHN estimates that Project Management can be completed on a time and expenses basis, for time expended allowance fee of \$1,500. This fee is based on a project timeline of six months.

Exclusions

No services are included in this scope of service other than those specifically set forth in the scope described above. Items that are specifically excluded from the scope of services include, but are not limited to:

- 1. Preparation of Record of Survey and monumentation of property corners
- 2. Stormwater detention and treatment sizing
- 3. Traffic analysis
- 4. Soils investigation/testing and related specifications
- 5. Off-Site Improvements
- 6. Preparation of Stormwater Pollution Prevention Plan
- 7. Environmental review, planning, and special permits
- 8. Special inspections and materials testing

Structural

We are pleased to submit this proposal for structural engineering services for the subject project. We understand that the project will be as follows:

- 1. Project will be a one story +/- 7,500 sq.ft. teen/ community center addition to an existing activity center.
- 2. The addition will be adjacent to an existing pre-engineered metal building. The addition will be structurally separate from the existing building.
- 3. Building is to be Type 5B and sprinkled.
- 4. Structure framing is anticipated to be wood framed with metal plated wood truss framed roof.
- 5. Foundations are assumed to be conventional spread and continuous footings. It appears that the site does slope and the foundations will require integral foundation/retaining walls on two sides to account for the lower exterior grade.

6. The exterior wall elevations are assumed to be flat with architectural features (popouts, window treatments, cornices, architectural features, etc.) to be formed with additional stud framing.

Phase II

It is our understanding that our scope of work is as follows:

1. Provide design calculations and construction documents to obtain building permit, to obtain bids, and for the construction of the structural work.
2. Review and coordinate with building architectural, mechanical, plumbing, and electrical design.
3. Structural specifications will be CSI 3 part written specifications to be incorporated into the project specifications. We will base the specifications on your format.
4. Assist in coordination with engineered structural systems such as metal plated wood trusses, etc.
5. Provide written response to structural plan check comments.

Phase III

1. The following submittal review will be provided:
 - a. Structural steel shop drawings.
 - b. Rebar steel shop drawings.
 - c. Concrete mix design.
 - d. Structural masonry submittals.
 - e. Metal plated wood trusses.

Exclusions

1. We reserve the right to review this proposal should there be a change in scope of the project or construction budget.
2. An evaluation of the existing pre-engineered metal building is excluded from this proposal. This is based upon keeping the addition seismically separate from the existing structure. In the event that the District should direct the design of the addition to "attach" or request other additions to the existing facility which would require structural modifications to the pre-engineered metal building, we can provide a separate proposal to provide these services.
3. Engineered systems - engineering, drawings, and certification by others.
4. Additional construction support other than the submittal review as described above will be provided for on an hourly basis.
5. Soils report and foundation design criteria by others. It is anticipated that in accordance with CBC 1802.2, a geotechnical report providing foundation design criteria, seismic criteria, and retaining wall design criteria will be required.
6. Documentation of record drawings are not part of this proposal.

Mechanical / Plumbing

This Scope of Work includes mechanical and plumbing design for the McKinleyville Teen Center which is an approximate 7,500-square-foot addition to the existing Community Center.

- Construction documents and specifications will be created for the HVAC and plumbing systems.
- Phases of work will include design, design development, construction documents, bidding, and typical construction administration services.

- Services will be performed in collaboration with the Architect, and other project consultants, in the character and sequence required to coordinate our effort with the project schedule.
- Deliverables will be suitable for competitive bid and submission to the Reviewing Agency.
- It is our expectation that the building expansion will require increased service capacity for water, wastewater, and gas. It is assumed that water, wastewater, and gas site utilities will be designed by the Civil Engineer to within 5 feet of the building.

Phase II

Basic Design Services

- Attend two design meetings with the design team.
- Calculate HVAC loads, identify major equipment, and prepare mechanical and plumbing outline specification.
- Prepare recommended HVAC unit and water heater locations, and air duct and plumbing layouts.
- Recommend equipment and fixture schedules describing selected types and physical configurations. Provide a brochure of selected fixtures.

Construction Documents Phase

- Prepare construction documents to include HVAC, ventilation, and plumbing systems including drawings and specifications, coordinated with lighting, architectural, structural, civil, and electrical.
- Perform envelope and mechanical Title 24 calculations; prepare conformance documents.
- Prepare mechanical and plumbing specifications.
- Attend one design meeting with the design team.
- Respond to Reviewing Agency comments.
- Prepare addenda, if required.
- Respond to Contractor questions regarding bid.

HVAC Design

ArcSine's design documents will include:

- Selection of HVAC equipment
- Duct routing and design
- Heating and cooling load calculations
- Equipment schedules
- Title 24 Energy Report

This Scope of Work includes a 2-hour allowance for coordination with the Architect to determine suitable locations of all HVAC equipment.

ArcSine's design will include design of routing for the following:

- Sanitary waste and vent.
- Domestic cold and hot water supply.
- Natural gas.

This Scope of Work includes a 2-hour allowance for coordination with the Architect to determine location of all items requiring plumbing and piping.

Building Department Coordination:

This Scope of Work includes a 2-hour allowance for contacting the Building Department

during design, and after submission addressing routine Building Department plan check comments.

Phase III

Construction Administration Phase

Services During Construction will be performed as directed by the Architect. Below is a list of possible services:

- Review mechanical and plumbing shop drawings, testing documentation, and operation and maintenance manuals.
- Assist Architect in generation of clarifications and change orders, if required.
- Respond to field questions from Contractor and inspecting authorities.
- Perform job site visits as requested.
- Generate punchlist at the job site inspections, including final punchlist review.

Services During Bid & Construction:

- Services During Bid: This Scope of Work includes a 2-hour allowance to answer bidder questions by telephone. Work items performed in excess of stated allowance will be billed as Additional Services to the Owner.
- Services During Construction: This Scope of Work includes a 4-hour allowance for submittal reviews, construction observation, etc. Services during construction will be performed as directed by the Architect. Work items performed in excess of stated allowance will be billed as Additional Services to the Owner.

Exclusions

- Site utility design for wastewater, supply water, and gas.
- Coordinate with the local Fire Department to locate the fire system riser and/or Fire Department connections.
- Design of complete building-wide fire sprinkler system. This shall be "Design Build" per industry standard. Our office will provide specifications for the design build criteria as part of the Project Manual.
- Construction cost estimating.
- Witness final testing of HVAC systems and preparation of reports of results.
- Services During Bid in excess of allowance stated.
- Services During Construction in excess of allowance stated.
- Changes or revisions required as a result of changes in the established basic design or in previously approved documents.
- Changes required by Contractor substitutions, or other changes beyond the control of the Engineer.
- Changes resulting from discovery of concealed conditions at the site during construction.
- Additional design or engineering not included in the Basic Services or Detailed Work Items listed above.

Electrical

This Scope of Work includes electrical and lighting design for the McKinleyville Teen Center which is an approximate 7,500-square-foot addition to the existing Community Center.

- Electrical construction documents and specifications will be created for the power, lighting, fire alarm, and telephone systems.

- Phases of work will include schematic design, design development, construction documents, bidding, and typical construction administration services.
- Services will be performed in collaboration with the Architect, and other project consultants, in the character and sequence required to coordinate our effort with the project schedule.
- Deliverables will be suitable for competitive bid and submission to the Reviewing Agency.
- Electrical Specifications will be provided in book form (8-1/2"x11").

Phase II

Basic Design Service

- Attend two design meeting with the design team.
- Visit site to determine the existing conditions.
- Calculate loads, develop single-line main distribution diagram, identify major components, and prepare electrical outline specification.
- Perform preliminary utility coordination.
- Prepare recommended convenience receptacle and telephone layouts.
- Recommend a light fixture schedule describing selected fixture and lamp types, physical configurations, and photometric performance. Provide catalog cuts for selected fixtures.
- Recommended lighting and control/operating schemes.

Construction Documents Phase

- Prepare construction documents to include power and signal systems and complete connections of all lighting systems, including drawings and specifications, coordinated with lighting, architectural, structural, civil, landscape, and mechanical.
- Provide lighting fixture layouts indicating luminaire placement by type and mounting conditions for interior and exterior locations.
- Prepare lighting calculations to ensure compliance with design criteria, lighting levels, and energy consumption. Perform interior and exterior Title 24 calculations; prepare conformance documents.
- Prepare electrical specifications.
- Attend one design meeting with the design team.
- Respond to Reviewing Agency comments.
- Prepare addenda, if required.
- Respond to Contractor questions regarding bid.

Site Power Distribution

- Prepare site plan showing utility infrastructure.
- Coordinate with the power company for service equipment requirements.
- Write a confirming letter to the utility stating our understanding of the requirements.
- Prepare and forward preliminary utility service request forms to the Owner.

Building Power Distribution

Design of power distribution system will include a main switchboard which will subfeed distribution panels. Distribution panels will be located throughout the building as needed for efficient branch circuit wiring.

- Receive specific equipment loads and building layout. Provide power distribution for specific equipment.
- Provide power distribution design for interior spaces such as offices, restrooms, equipment rooms, storage rooms, etc.

- Receive electrical load information from mechanical and plumbing system designers and provide power distribution design.
- Prepare panelboard schedules.
- Provide electrical load calculations and short-circuit calculations.
- Prepare a one-line diagram.
- Size and locate electrical service entrance on plan views.
- Sketch elevations and details of power equipment.

Building Peripheral Systems

- Telephone & Data: The Owner will provide required telephone & data locations. ArcSine's design will include boxes and raceways from the boxes to points above ceiling elevation for "future" locations. Current designated telephone cable and CAT 6 cabling will be specified from the respective boxes to a central hub location or existing backboard. A #6 copper ground wire will be included from the electrical service entrance to the telephone backboard. "Future" Wallboxes will have blank coverplates, which will later be replaced as telephones are installed (typically by a system vendor).

Building Lighting Design

Lighting for this building will comply with Title 24 requirements and efficiently use the allowable lighting energy budget.

- Exit, emergency, and egress lighting will be designed to comply with NFPA Fire and Life Safety requirements.
- Exterior building lighting will use cutoff luminaires to provide illumination at exits and entrances of building.

Building Department Coordination

This Scope of Work includes a 2-hour allowance for contacting the Building Department during design, and after submission addressing routine Building Department plan check comments.

Phase III

Construction Administration Phase

Services During Construction will be performed as directed by the Architect.

- Review electrical shop drawings, testing documentation, and operation and maintenance manuals.
- Assist Architect in generation of clarifications and change orders, if required.
- Respond to field questions from Contractor and inspecting authorities.
- Perform job site visits as requested.
- Generate punchlist at the job site inspections, including final punchlist review.

Services During Bid & Construction

- Services During Bid: This Scope of Work includes a 2-hour allowance to answer bidder questions by telephone. Work items performed in excess of stated allowance will be billed as Additional Services to the Owner.
- Services During Construction: This Scope of Work includes a 4-hour allowance for submittal reviews, construction observation, etc. Services During Construction will be performed as directed by the Architect. Work items performed in excess of stated allowance will be billed as Additional Services to the Owner.

Exclusions

- Construction cost estimating.
- Fire alarm system design.
- Security system design.
- Witness final testing of electrical systems and preparation of reports of results.
- Services During Bid in excess of allowance stated.
- Services During Construction in excess of allowance stated.
- Changes or revisions required as a result of changes in the established basic design or in previously approved documents.
- Changes required by Contractor substitutions, or other changes beyond the control of the Engineer.
- Changes resulting from discovery of concealed conditions at the site during construction.
- Additional design or engineering not included in the Basic Services or Detailed Work Items listed above.

GENERAL PROJECT EXCLUSIONS

Scope of work for this proposal shall **not** include:

- Any permit or plan check fees required by this work.
- All reproduction costs.
- Design of dry public utility connections (phone, cable, data/network, power), To be by Utility.
- Modular or freestanding furniture design.
- Building Hazardous Materials Investigations or Removal.
- Any testing or inspections required before, during or after construction of the proposed facilities.
- Preparation of as-built documents. Provisions for the Contractor to provide both hard copy & electronic as-builts will be included within the Project Manual.
- Revisions to plans beyond the initial revisions contemplated herein. Any revisions beyond those contemplated will be performed on an hourly basis, in accordance with the schedule listed herein.
- Additional services beyond those listed herein.
- On-site verification of utilities, hidden building components etc. Our office will confirm significant building components, but destructive investigations are excluded from the Scope of Work. *It is our intention to rely on the existing drawings or those provided by the District.*
- LDA Partners cannot assume responsibility for construction means, methods, techniques, sequences or procedures, safety precautions, programs connected with the work, or for acts and omissions by the Contractor, subcontractors, or others.
- Additional services caused by project delays or interruption.
- Fire sprinkler design and documents *(To be design build.)*
- LEED Documentation or Commissioning.
- Construction Administration support services to be provided hourly with the Not to Exceed Allowance. Additional services beyond this allowance shall be billed as an additional service.

FEE SCHEDULE

The proposed services will be billed hourly from the not-to exceed amounts listed below in accordance with the hourly fee schedule.

Proposed Fee Schedule:

Phase #1 – Pre-Design/ Design Development:

Architectural: \$15,000

Civil: \$14,500

Subtotal: \$29,500

Phase #2 – Construction Documents:

Architectural: \$61,500

Civil: \$20,000

Structural: \$15,000

Mechanical/ Electrical: \$20,500

Subtotal: \$117,000

Phase #3 – Construction Administration (NTE): \$23,000

Reimbursable Allowance (all phases): \$13,000

Subtotal: \$36,000

Total Proposed Base Fee: \$182,500

Reimbursable Expenses

Reimbursable expenses are listed as an allowance and are in addition to the compensation for basic services and shall include the actual expenditures made by the Architect and his employees in the interest of the project, at cost plus 15%, which are itemized as follows:

Reproduction Costs

Shipping/Postage

Telephone Charges

Computer Plotting

Mileage/Travel

Proposed Reimbursable Allowance: \$ 13,000

Unused portions of the allowance will be credited back to the District.

Cost of Services

Hourly services shall be provided at the schedule stipulated below:

Architect

Principal Architect: \$175.00/hour

Project Manager: \$145.00/hour

Draftsperson: \$115.00/hour

Clerical/Staff: \$105.00/hour

Civil Engineering

Principal Engineer \$175/hour

Project Engineer \$103/hour

Sr. Drafter	\$82/hour
Drafter	\$58/hour
Administrative	\$54/hour
Survey Crew	Prevailing Wage

Structural Engineering

Principal Structural Engineer	\$150/hour
Structural Engineer	\$130/hour
Sr. Drafter	\$90/hour
Drafter	\$70/hour
Administrative	\$55/hour

Mechanical / Electrical Engineering

Principal Engineer	\$170/hour
Senior Programmer/ Engineer	\$148/hour
Staff Programmer / Engineer :	\$109/hour
Assistant Engineer	\$80/hour
Designer	\$135/hour
Drafter	\$85/hour
Administrative	\$60/hour
CADD Operator / Technician	\$70/hour
Administrative	\$50/hour

Itemized Expenses for Reimbursable

24 x 36 Plot:	\$5.00
30 x42 Plot:	\$7.50
Mileage:	\$0.55 / mile

Errata

All work will be billed on a monthly basis for service performed to date. All monthly billings not paid within 30 days shall be considered past due, and shall accrue interest from the 31st day at a rate of 1-1/2% per month or 18% per annum.

The Architect, may at his discretion terminate services if payments are not made within 60 days.

The Owner agrees to defend, indemnify, and hold the Architect, his employees, and consultants harmless from any claim or third party claim related to services for the investigation of or remedial work related to asbestos, toxic, hazardous, and/or dangerous materials resulting from the services provided by the Architect pursuant to this Agreement.

Should any litigation be commenced between the parties hereto concerning any provision of this Agreement or the rights and obligations of either in relation thereto, the party, the Owner, or the Architect, prevailing in such litigation shall be entitled, in addition to such other relief as may be granted, to a reasonable sum as and for attorney's fees and court costs as incurred in such litigation, as determined by a court of competent jurisdiction.

Teen / Community Center



Hours By Team Members	
Team Lead	10
Team Member 1	8
Team Member 2	6
Team Member 3	4
Team Member 4	2
Team Member 5	1
Team Member 6	1
Team Member 7	1
Team Member 8	1
Team Member 9	1
Team Member 10	1
Team Member 11	1
Team Member 12	1
Team Member 13	1
Team Member 14	1
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Team Member 99	1
Team Member 100	1

		LDA Partners, LLP				SHN Engineering			JH Lawder Engineering		ArcSine Engineering		
#	T A S K	Principal Architect	Project Manager	Drafter	Clerical	Principal	Project Manager	Clerical	Principal	Project Engineer	Principal	Project Engineer	TOTALS HRS.
	I. Conceptual - Programming												
1	Goals & Objectives	2	1										3
2	Review Existing Information		1										1
	Building Assesment	2	2										4
	Site Assesment	2	2										4
	Code Review	2	2										4
3	Public Meeting #1	6	6										12
4	Design Criteria	4	1	1									6
5	Space Plan	2		2									4
6	Site Program		6										6
7	Public Meeting No. 2	6	6										12
8	Basis of Design	2	5	1									8
9	Incorporate Revision	2	4		1								7
10	Building Elevations / Sections	2	4	1									7
11	Codes & Standards	2	2										4
12	Public Meetign #3	6	6										12
13	Prelim. Cost Estimate	2			1								3
	Subtotal Conceptual - Programming	42	48	5	2	0	0	0	0	0	0	0	97
	COST	\$ 7,350	\$ 6,960	\$ 575	\$ 210	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 15,095
	Cost by Trade				\$ 15,095			\$ -		\$ -		\$ -	
	II. SD, DD, Construction Documents												
1	Confirm Program w/ Concept Plan	2	6		1								9
2	Research environmental materials & costs	5	3		1								9
3	Material & equipment review	5	3										8
5	Finalize Schematic Design Drawings, Space Plans	5	12	4									21
6	Confirm all work to date with decision makers.	1	1										2
7	Design Development Documents	8	6		1								15
8	Construction Documents	18	80	48									146
9	Value Engineering Session	8			1								9
10	Interiors	4	24	11	2								41
11	Landscape	2	18	12									32
12	Coordination w/ trades	18	40	15	2								75
13	Specifications	24			2								26
14	Plan Check Corrections	2	8	8	1								19
15	Misc.	2	5	5	5								17
	Subtotal Space Planning	104	206	103	16	0	0	0	0	0	0	0	429
	COST	\$ 18,200	\$ 29,870	\$ 11,845	\$ 1,680	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$61,595
	Cost by Trade				\$ 61,595			\$ -		\$ -		\$ -	
	III. Construction Administration												
1	Submittal Review	20	20		2								
2	RFI response	20	20		2								
3	Site Review	24	24		2								
4	Change Order Relew	3	3		2								
5	Misc.	2	2		1								
	Subtotal Space Planning	69	69	0	9	0	0	0	0	0	0	0	147
	COST	\$ 12,075	\$ 10,005	\$ -	\$ 945	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$23,025
	Cost by Trade				\$ 23,025			\$ -		\$ -		\$ -	
	Hourly Rate	\$ 175.00	\$ 145.00	\$ 115.00	\$ 105.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
	TOTAL COST	\$ 37,625	\$ 46,835	\$ 12,420	\$ 2,835	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 99,715
	Hours are estimates only and are subject to change.												

McKINLEYVILLE COMMUNITY SERVICES DISTRICT
Board Agenda Background - Department Report
May 2, 2012

AGENDA ITEM: F.2.A.
PRESENTED TO: MCSD Board of Directors
FROM: Colleen Trask, Finance Director
SUBJECT: Support Services Department Report

BUDGET STATUS

We have brought the draft operating budget for both the General Fund and the Enterprise Funds for review by the Board this month. The final budget for the new Fiscal Year will be submitted to be Board for approval in June.

FINANCIAL POLICIES AND PROCEDURES

The District's Expenditure Control Guidelines are currently under review. The Supervisory Manual is scheduled for review later in May.

WATER & SEWER RATE STUDY

Willdan has provided a rate comparison calculation spreadsheet, and the front office staff is training on calculating the new rates so we can answer questions from customers about how their rates will change when the new rate schedule is implemented on July 1.

OTHER PROJECTS

We have started to convert some of the Support Services Department printouts to electronic format, where such conversion will not hamper customer service. We are researching the scanning of older documents for electronic preservation.

McKINLEYVILLE COMMUNITY SERVICES DISTRICT

Board Agenda Background: Department Report

April 25, 2012

To: MCSD Board

From: Gregory P Orsini, Operations Director

Subject: Agenda Item: F.2.B. –May 2, 2012 Board Meeting
Operations Department – March 2012 Report

Progress in achieving the Board's adopted FY11-12 Goals are summarized in the following narrative:

Water Department:

◇ **Water Statistics:**

The district pumped 35.6 million gallons of water in March.

Four water quality complaints were investigated and rectified in March.

No service line leaks were reported or repaired in March.

No water service installations were completed in March.

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

◇ **Double Check Valve Testing:**

Routes 5 and 6 testing was completed in March accounting for 85 devices.

◇ **Valve Exercising Program:**

The Annual Valve Exercise Program was completed in March totaling 2026 valves being exercised. Each valve was cycled closed and then reopened. All information was documented on the designated form. All deficiencies were documented to generate a work order for repairs ex: valve can buried, valve does not operate correctly, etc.

◇ **Hydrant Maintenance:**

Fire hydrant painting has started. The hydrants will be prepped and painted with two coats of yellow paint per District Specification. As of March, 10% of the 437 hydrants were completed. Due to inclement weather, hydrant painting did not occur after the second week.

Hydrant flow testing took place to verify the system pressures and flows for the water master plan and water model. The data derived from these flow tests will be compared to the model results to verify the validity of the model.

◇ **Water Facility Maintenance:**

The Pressure Reducing Valve Stations were inspected and exercised as part of the normal semiannual maintenance. Readings were recorded from the Pressure Reducing Valve gauges and adjustments were made where needed.

Observations were also made on the appearance of the stations and condition of paint.

Site trimming was completed at the Grant Ramey Booster Station and Tank 3 site.

◇ **Water and Sewer Pump Motors:**

Semi-annual amp and meg checks were conducted on all pump and fan motors.

Corrections are made to balance the motors during this process if needed. This maintenance is conducted to monitor the condition and efficiency of motors.

Indications of the life expectancy can be determined and repairs made on motors before they have a catastrophic failure.

◇ **New Construction Inspections:**

Loren Ave Mainline, Manhole on Murray is installed and the mainline was bored

across Murray Ave. No progress for some time; VanEaton Subdivision has been completed and waiting for asbuilts and Santos Subdivision, All of our facilities are completed, one tie in is pending.

Waste Water Statistics:

37.7 million gallons of wastewater were collected and pumped to the W.W.M.F and 38 million gallons of waste water was treated and discharged to the Mad River in March.

No sewer services were completed in March.

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

◇ **WWMF Maintenance:**

A blower exhaust cover brackets were replaced at the WWMF. This was noted during monthly inspections which generated the work order for repairs.

◇ **Sewer Lift Station Maintenance:**

Pump 2 at the Hiller Sewer Package Station was rebuilt and is back in service. New bearings, seals, impeller and a wear plate were installed. These repairs were all conducted in house returning this pump to like new condition at a considerable cost savings.

The air relief on Pump 2 at the B Street Package Station was repaired. The air relief was discovered stuck in the closed position during the weekly inspections. Staff pulled the air relief, removed the debris, replaced the O-Rings and placed it back in service. Pump 1 air relief at the Hiller Package Station received the same service.

A thorough wash down and touch up painting was conducted and continues on the piping in the Fischer Lift Station drywell.

Site trimming was completed at the Letz Sewer Lift Station, at the Fischer Sewer Lift Station, the WWMF, and all three package stations.

◇ **Hydro- Cleaning**

Quarterly notifying and hydro-cleaning took place in March. 12,000 feet of sewer main was cleaned using high pressure water from the Vac-Con. Grease and grit build up is monitored on each pull and noted on the report. Problem areas are hydro-cleaned quarterly, areas of concern are cleaned semiannually and areas that have ever backed up but are not considered problem areas or areas of concern are cleaned annually.

◇ **Street Light Department:**

No street light maintenance was conducted during March.

Promote Staff Training and Advancement: Semi-annual respirator fit testing was performed on qualified staff. This is done with irritant smoke to verify respirators are fitted correctly and are operational.

Special Notes:

The review of all bid documents for the Norton Road Tank Painting Project was completed. The Board approved the selection of Advanced Industrial Service for the recoating and Bay Area Coating Consultants for the coating inspection. The contracts were drawn up and were signed.

The tanks were isolated to allow Tank 2B to supply the distribution system to prevent wasting 637,000 gallons of water. The remaining water was then drained at a calculated rate and monitored to avoid flooding the drainage area.

Norton Tank 2B was drained to allow access for the recoating project. The tanks

were isolated to allow Tank 2B to supply the distribution system to prevent wasting 637000 gallons of water. The remaining water was then drained at a calculated rate and monitored to avoid flooding the drainage area. Work also continued on the required documentation for the Painting Contract and the Professional Services Agreement for the coating inspector. Bonding and insurance information has arrived and is order.

Work began 19 with inside of the roof being sandblasted and inspected for the proper blast profile. As of the end of March the roof was painted and appropriate inspections being conducted.

The Annual Report to the Regional board was completed and mailed in March. The report recaps all the monitoring data presented in both tabular and graphical format that includes summaries of monitoring and discharge/ disposal records. Any data collected that is not required in the monthly monitoring reports is also included. A comprehensive discussion of the facilities compliance is also included and planned upgrades are discussed.

The annual budget process has started. The preliminary CIP budget was prepared and presented to the Board in March. Staff is in the process of developing the operating budget. This includes forecasting revenues and expenditures. The budget will be presented to the Board at the May meeting.

The District is in the process of creating a water model to replicate the existing characteristics of the distribution system, booster pumps and reservoirs. Once complete the model can be used simulate any number of situations and will be an important tool for predicting the impact of growth on the system, aid in the engineering of upcoming upgrades and planning for future capitol improvements.

McKINLEYVILLE COMMUNITY SERVICES DISTRICT
Board Agenda Background - Department Report
May 2, 2012

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

GRANT OPPORTUNITIES:

Proposition 84 – Statewide Park Development:

Project: Build a 3-acre community park in the southern area of McKinleyville.

Status: **Application denied.**

Proposition 84 – Statewide Park Development:

Project: Acquire 60-acres in the north area of town and construct a trail system through the forest.

Status: **Application denied.**

Habitat Conservation Fund:

Projects: Build new trails and make improvements to existing trails.
Remove invasive plants from wetlands and riparian areas.

Status: Staff is working on the application process.

Coast Central Credit Union – Community Investment Program:

Project: Playground replacement.

Status: **Awarded \$10,000 towards the replacement of the tot lot at Pierson Park.**

Land and Water Conservation Fund:

Project: Build a covered picnic area at Pierson Park.

Status: Application submitted, pending approval.

McKinleyville Land Trust

Project: Replaced damaged fire truck spring rocker at Hiller Park.

Status: **Application approved in the amount of \$395.00.**

PARKS & RECREATION MASTER PLAN:

At its April 19, 2012 Recreation Advisory Committee (RAC) Meeting, members felt it would be a good idea to postpone bringing the Parks & Recreation Master Plan to the MCSD Board of Directors for one more month. RAC members thought it would be a good idea to review recent changes one last time before presenting recommendations to the Board.

The item will be brought back to the Board to consider adoption at its June 6, 2012 meeting.

TEEN & COMMUNITY CENTER UPDATE:

Staff is continuing to develop a Youth Advisory Council with students in the McKinleyville area. The intention is to select a group of students who will work with staff on the architectural design process in addition to what type of amenities will be installed at the new facility. Staff will also work with teens to discover what type of leisure and recreation program offerings they prefer.

Information regarding the Architecture and Planning Services will be discussed on item E.9 at the May 2, 2012 Board meeting.

The sign below has been installed at the future site of the Teen & Community Center:



Below, please find a preliminary schedule for the Teen & Community Center:

- | | | |
|---|--|---------------------------------|
| • | Deadline for proposals | February 15, 2012 |
| • | Complete review of proposals/
Selection of firms to interview | March 30, 2012 |
| • | Candidate Interviews | April 4–20, 2012 |
| • | Contract Award | May 1, 2012 |
| • | Kick off meeting | May 15, 2012 |
| • | Construction Bidding | 1 st quarter 2013 |
| • | Construction begins | 2 nd quarter of 2013 |

YOUTH SPORTS:

Our Youth Basketball season (3rd - 12th grades) was a success and now we are moving into Pee Wee Basketball (K - 2nd grades).

Our next Kindersports program for youth ages 3-5 begins Saturday, April 28, 2012.

SPECIAL EVENTS:

Our Annual Humboldt Hoops Youth 3 on 3 Basketball Tournament was a success with 35 teams registered. More than 150 youth from all over Humboldt County participated in this years' tournament.

Our annual special event CandyLand was also a great success. Hundreds of families participated in the event the day before Easter.

SKATE PARK UPDATE:

The Recreation Advisory Committee (RAC) has discussed the Skate Park Right of Entry Agreement for the past three (3) months. A recommendation by the RAC will be brought to the Board at its May 2, 2012 meeting.

CALIFORNIA CONSERVATION CORPS (CCC):

MCSD has a contractual agreement with the CCC where in exchange for us providing space for the use of the Pierson Park Trailer and the parking lot at Pierson Park, the CCC provides MCSD with 5 ½ weeks of crews. The estimated value of this agreement is \$25,000.

Most recently, the CCC worked at Hiller Park to prepare for baseball and softball season.

SHERIFF WORK ALTERNATIVE PROGRAM (SWAP):

MCSD and County staff worked out an agreement to keep a SWAP crew working twelve (12) days per year. In addition, the County has agreed to provide between two (2) and five (5) individual SWAP members to report to work for MCSD each Saturday. This partnership is still working very well.

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 currently have one (1) position through the Cal Works program that is working with the Parks & Recreation 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 County's umbrella.

GRAFFITI & VANDALISM UPDATE:

Nothing to report.

McKinleyville Community Services District

BOARD OF DIRECTORS

May 2, 2012

TYPE OF ITEM: **INFORMATION**

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

PRESENTED BY: Norman Shopay

TYPE OF ACTION: None

1. Cost Savings Related to District Activities – The following is a summary of some of the recent cost savings opportunities District staff has identified.

• Volunteers:	\$ 500 (labor)
• SWAP crews:	\$ 3,000
• CalWORKS: Parks	\$ 2,750
• Site Prep for Hiller Sports Complex	\$ 3,000
• Volunteers (Humboldt Hoops)	\$ 600
• Volunteers (Candy land)	\$ 400
• Coast Central Grant	\$10,000
• Cal Recycle Grant	\$18,000
• Humboldt Area Fund	\$ 395

Total cost savings for April 2012 is \$38,645

The cumulative cost saving to the District to date from July 1, 2011 is \$204,400

District staff are acknowledged and commended for their continued efforts in looking for cost savings and Grant opportunities that result in real savings for the District, rate payers, and the community.

2. Norton Tank Painting - Recoating at Norton continues with completion of blasting to the inner shell. All welded seams will be brush painted and the entire inner surface sprayed. The inside should be completed except floor by the end of the weekend.

3 Emergency Water Line Crossing over the Mad River – Construction continues on the bridge. One vault has been constructed. The second vault will be constructed in the spring. After this is completed the entire water line in the bridge will be tested.

4. Water and Sewer Rate Study – Revised notices were mailed to the public. A copy of the revised notice was also placed on the MCSD Web site. The item will be brought back to the Board on June 6, 2012.

5. Alternate Water Tank Location – Staff has identified a potential alternate water tank location other than Murray Road. The Murray Road site was determined to have significant potential seismic risk based on the proximity to active faults. It is not a good location to place a water tank. We have identified a more suitable site location at Hewitt Ranch. We are also looking at additional options North of the airport.

6. Measure B, Teen Center – Recommendation to negotiate and contract with Architect is discussed in this month's agenda.

7. Fiscal Year 2012/2013 budget – Staff continues to work on next year's budget. The draft budget will be presented at the Board meeting. Any Board member who would like to discuss the draft budget in more detail at the District office should contact me to schedule a day and time. It is anticipated that the complete final budget will be brought to the Board at the June Board meeting for approval.

8. ACWA Legislative Committee Meeting – Will be attending and participating in ACWA legislative committee meeting. A copy of the various legislative items are attached.

9. Town Hall Meeting - Humboldt County has released the Draft Environmental Impact Report for the Humboldt County General Plan Update. Comments are due on May 17, 2012. As a service provider, I would like to know what concerns the community about the Environmental Impact Report (EIR) related to the General Plan update. Therefore, I am in the process of scheduling a "Town Hall Meeting" in order to:

- Discuss the California Environmental Quality Act (CEQA) process related to the EIR;
- Provide some tips on how to make more relevant comments;
- Encourage the preparation and submission of comments; and
- Provide an opportunity for community members to provide input and ask questions, so that MCSD can better prepare our comment document.

It is recognized that a few members of the Public will use this as an opportunity to criticize the desire to allow more community input into the process, and will also attempt to restrict and limit the scope of what MCSD reviews and what the District provides comments on. However, it is my opinion that it is truly in the community's best interest to be proactive in the process and not allow individuals with a consistent pattern of negative agendas to intimidate, control, and restrict the efforts for the overall greater good of our community.

Copies of the Draft Environmental Impact Report is available on the internet at www.planupdate.org.

I will be scheduling the Town Hall Meeting for May 14, 2012 at Azalea Hall.

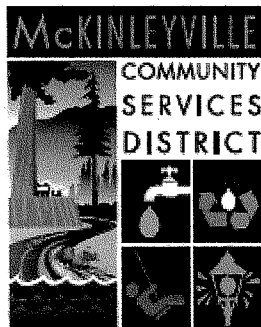
10. Request for Proposal (RFP) for Waste Water Management Facility (WWMF) Upgrade Design – MCSD completed a 20 Year Wastewater Facilities Plan (Plan), in January 2012. The plan identified a series of upgrades to the District's existing wastewater treatment plant including portions of the effluent disposal system. The District has released a RFP on April 25, 2012 to begin the process to select a qualified consulting team to complete the planning and design process, and ultimately, provide engineering assistance through construction of the proposed improvements. Proposals are due on June 13, 2012. Staff expects to bring a recommendation back to the Board in July in anticipation of awarding a contract in August 2012. A copy of the RFP is available on the MCSD Web site.

PHYSICAL ADDRESS:

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

March 28, 2012

RE: MONTHLY MONITORING REPORT

Dear Lisa:

Enclosed is the Monthly Monitoring Report for February 2012 for McKinleyville Community Services District Wastewater Management Facilities WDID NO. 1B82084OHUM, operating under Order Number WQ 2011-0008-DWQ.

The normal discharge of effluent was 29 days discharge to M-002 Mad River. The required monitoring and water quality constituents that were tested and were reported were in compliance in February.

The requirement for BOD is 45 mg/L, 604 lbs/day and 65% removal for the monthly average and a weekly average limit of 65 mg/L and 873 lbs/day. With four weekly tests in February, that constitutes seven criteria. The BOD results for February are in compliance.

The requirement for NFR is 83 mg/L and minimum of 65% removal for the monthly average. With four weekly tests in February, that constitutes three criteria. The NFR results for February 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 February 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 February are as follows. Median was <1.8 and a Maximum of <1.8. Four samples were collected in the month of February and were in compliance.

Monthly River Monitoring was conducted in February.

Acute Toxicity testing was conducted in February. The result for Rainbow Trout was 100% and the survival of *C. dubia* was 80% for a median of 90%.

Chronic Toxicity testing was conducted in January and there were issues with the Algae test. The Regional Board was contacted and Lisa Bernard authorized a retest of the Algae, it was conducted in February and results were 1TUc.

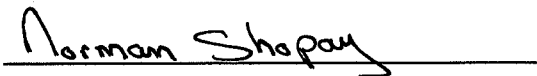
Annual California Toxic Rule/ semiannual Constituents of Concern testing was completed in February and the lab results are enclosed.

EXHIBITS:

- A. January 2011 Wastewater Management Facilities spreadsheet with the daily, weekly, monthly, and quarterly monitoring records for monitoring location M-001.
- B. Disposal Flows and Location Data Sheet.
- C. River CFS and Discharge Dilution work sheet
- D. BOD and TSS work sheet.
- E. River Monitoring work Sheet for R-001 and R-002
- F. Acute Toxicity lab report
- G. Chronic Toxicity lab report follow up for Algae
- H. Semi Annual Pollutants of Concern/ Annual CTR

"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.

A handwritten signature in black ink, reading "Norman Shopay", is written over a horizontal line.

NORMAN SHOPAY, GENERAL MANAGER

ENCLOSURES

FILE

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

YEAR: 2012

DATE	INFLUENT FLOW M.G.D.	EFFLUENT FLOW M.G.D.	EFFLUENT MAXIMUM GPM	RIVER CFS	INFLUENT MONITORING		EFFLUENT MONITORING		pH	(°C) TEMP	B.O.D. mg/L	NFR mg/L	AMMONIA	CL ₂ RES.	RIVER CL ₂ RES	SETTLABLE SOLIDS	TOTAL COLIFORM
					B.O.D. mg/L	N.F.R. mg/L											
1	1.196	1.415	598	1560					7.2	12.1			28	2.6	0.00		3X5
2	1.144	1.220	572	1470					7.2	11.4			28	0.2	0.00		
3	1.098	1.090	549	1240	290	290			7.3	10.4	25	35	34	6.3	0.00	<0.1	
4	1.152	1.251	576	1120					7.3	10.8				1.2	0.00		
5	1.196	1.313	598	1020					7.4	11.5			30	0.5	0.00		
6	1.102	1.255	551	940					6.9	12				6.7	0.00		<1.8
7	1.092	1.255	546	876					6.9	12.2			28	1.5	0.00		
8	1.106	1.232	553	905					7.4	11.5			24	2.7	0.00		
9	1.094	1.062	547	837					7.1	12.0			24	2.0	0.00		
10	1.016	1.041	784	800	270	250			7.3	12.1	48	47	28	0.1	0.00	<0.1	
11	1.078	1.105	814	876					7.1	11.9				0.1	0.00		
12	1.137	1.089	770	876					7	11.9			28	0.2	0.00		
13	1.178	1.061	747	3060					7.1	11.4			32	2.7	0.00	<1.8	
14	1.091	1.127	853	2050					6.8	10.8			24	1.0	0.00		
15	1.091	1.223	850	1530					7.2	9.8			28	1.8	0.00		
16	1.064	1.220	855	1400					6.7	9.4			28	1.8	0.00		
17	1.018	1.190	850	1260	280	300			7.1	10.9	47	44	28	1.4	0.00	<0.1	
18	1.089	1.018	734	1300					6.8	10.4				2.9	0.00		
19	1.061	0.970	685	1160					6.8	9.8				3.2	0.00		
20	1.055	0.961	680	1060					7.1	10.8			26	1.8	0.00		
21	0.994	0.962	679	1040					7.4	11.5			30	1.1	0.00	<1.8	
22	0.993	0.935	687	1010					7.0	12.2			20	1.6	0.00		
23	0.953	0.863	636	965					7.1	11.6			36	2.8	0.00		
24	0.961	0.865	612	885	260	220			7.0	11.8	28	31	26	3.0	0.00	<0.1	
25	0.998	0.888	625	923					6.8	10.5			36	2.7	0.00		
26	1.068	0.878	618	931					6.8	9.5			34	3.4	0.00	<1.8	
27	1.008	0.873	615	856					7	9.5			32	1.9	0.00		
28	1.011	0.903	706	791					6.8	10.2			32	5.2	0.00		
29	1.055	0.938	715	1700					6.8	9.6					0.00		

MONTHLY TESTS			
DATE	TDS	AMMONIA	NITRATE
2/14/2012	260	18.0	ND
			BORON
			200

Semi-Annual Tests		Value in ug/l
Bis phthalate		DNG
alpr-BHC		ND
4,4'-DDT		ND
carbon tetrachloride		DNG

Quarterly Tests		Value in ug/l
Dichlorobromomethane		N/A
Bromodim		N/A
Chlorobromomethane		N/A
Chlorodim		N/A

30 DAY AVERAGE

SPILLS:			
None to report			
BOD	BOD	BOD	NFR
mg/L	LB/DAY	% Removal	LB/DAY
37	328	87	347
			% Removal
			85

ACUTE TOXICITY	
DATE	% Survival
2/7/2012	100%
2/7/2012	80%
Median	90%

Rainbow Trout
C. dubia

Indicates Permit Exceedance

CHRONIC TOXICITY	
TESTED	SURVIVAL
Minnow	N/A
C. Dubia	N/A
Algae	1
	TLC

SIGNATURE: 

REMARKS:

Total Coliform	
Monthly	Median
<1.8	
Daily	
Maximum	<1.8



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April 20, 2012

TO: ACWA STATE LEGISLATIVE COMMITTEE

FROM: Darci McDermott, State Legislative Department

SUBJECT: State Legislative Committee Bill Packet #1

Below is bill packet #1 for the State Legislative Committee meeting on May 4, 2012. **The meeting will begin at 10:00 a.m. in the ACWA board room.**

If you have questions or concerns regarding any of the bills in the packet, please contact the advocate assigned to the bill prior to the meeting.

The State Legislative Committee will meet on the following dates in 2012:

- May 4, 2012
- June 1, 2012
- June 15, 2012
- July 6, 2012
- August 10, 2012
- October 26, 2012 – Annual Planning Meeting

Excused Absences and Designation of an Alternate

Active participation by members appointed to the ACWA State Legislative Committee is critical to the success of its mission as described in the ACWA Bylaws (bylaws) and the ACWA Committee Guidelines (guidelines). Therefore, regular attendance is essential. The ACWA committee guidelines state that two unexcused absences from the committee will constitute a resignation of the committee member. The committee member should submit a request for an excused absence to ACWA's Director, State Legislation prior to the committee meeting.

The State Legislative Committee Chair has been asked to provide clarification as to whether a committee member not able to attend a meeting is authorized to designate an alternate to act on behalf of the committee member. ACWA bylaws and committee guidelines do not provide for designation of alternates for committee members. The committee's long-standing practice, however, has been and will continue to be to allow a member of the committee with an excused absence to designate an alternate. The committee member will be required to secure the concurrence of the appropriate ACWA Region Chair for the alternate. The committee member should provide the name of the alternate to ACWA's Director, State Legislation prior to the committee meeting. The alternate will be authorized to fully participate in all discussions of the committee and to vote on issues before the committee. Committee members, including alternates, act on behalf of the region for which they were appointed to represent.

State Legislative Committee's Guidelines for

Taking Positions on Legislation

(Last Revised January 2012)

Background

A number of controversial bills are introduced each year in the California Legislature. It is always important to understand how ACWA takes positions on legislation. An explanation of that process follows, including details on ACWA's State Legislative Committee's Annual Planning Meeting.

State Legislative Committee: A Definition

ACWA's State Legislative Committee (the Committee) is a standing and limited committee composed of not more than four representatives from each of ACWA's ten geographically-based regions, for a total of not more than forty members. Representatives are: (1) nominated by an ACWA member agency; (2) recommended from that pool of candidates by the Chair of the respective region (in most cases in consultation with the region's board) to the ACWA President; and (3) appointed by ACWA's President for a two-year term.

The Role of ACWA Members and the Committee's Annual Planning Meeting

To establish priorities for the legislative session, each summer the Committee notifies all ACWA member agencies via announcements in ACWA News, via e-mail and through a direct letter to the agency General Manager that the Committee is accepting proposals for legislation to review and consider for sponsorship or support. ACWA's State Legislative Department compiles the proposals, completes a thorough analysis of each submission, and provides it to Committee members with a recommendation for action. The Committee then reviews the proposals in the fall at its annual planning meeting and determines legislative priorities for the following year, including which proposals will or will not be sponsored or supported by ACWA.

Committee Meetings

During the regular legislative session, which begins in January of odd-numbered years, the Committee meets approximately every three weeks, for a total of ten meetings a year, to review legislation. Special meetings may be called on an as-needed basis. ACWA positions on legislation are determined by a vote of the Committee (i.e., Committee members and approved alternates) based on analyses and recommendations prepared by ACWA legislative staff. Analyses are sent to members of the Committee and other ACWA members, as requested, in one or more electronic mailings before each Committee meeting. The Committee discusses each bill during its meetings and votes on positions to guide ACWA staff advocacy efforts on the legislation.

ACWA's Positions on Legislation

The Committee takes positions on legislation that, if enacted, would impact ACWA members. The Committee may take the following positions on legislation: Watch (neutral), Support, Support if Amended, Favor, Oppose, Oppose Unless Amended, and Not Favor. ACWA's legislative staff testifies at hearings and lobbies legislators and staff through meetings and

member agency contacts on all positions except Watch, Favor and Not Favor. For Favor and Not Favor positions, written communication of ACWA's position is provided to the legislator.

Positions are not normally taken on legislation if member agencies are on opposite sides of an issue. Exceptions include legislation that, if enacted, would establish poor precedent if applied broadly to ACWA member agencies.

If a particular bill requires further review before consensus on an official ACWA position can be determined, policy subcommittees may be formed to assist the Committee's review of proposed legislation.

Amendment Development Process

If the Committee takes an Oppose Unless Amended or Support if Amended position, the Committee will typically discuss the concepts for the amendments at the meeting. Then a Committee Member(s) or ACWA's legislative staff, in consultation with Committee Members as needed, will develop the amendments after the meeting.

In some situations, a Committee Member, staff or a guest may develop an amendment set for consideration by the Committee at the meeting. In order to facilitate an informed decision by the Committee, it is the Committee's policy to have proposed written amendment sets available for review by the Committee as soon as is feasible. Therefore, absent extenuating circumstances, proposed written amendments should be provided to ACWA staff for distribution to the Committee at least forty-eight hours in advance of the Committee meeting. If extenuating circumstances exist so that a guest cannot provide an amendment set to staff 48 hours in advance of the meeting, a guest may ask a Committee member to present the amendment set (as opposed to guests distributing amendment sets at the meeting without any prior vetting).

Information Sharing

To provide adequate information to the entire ACWA membership, the Committee sponsors an annual Legislative Symposium, provides state legislative updates in ACWA News, posts positions and other information on ACWA's Web site at www.acwa.com, and sends out advisories and alerts on key legislation. ACWA's legislative department is available to provide specific information on bills, and Committee members are encouraged to communicate ACWA positions on priority legislation at the region level. ACWA's State Legislative Department appreciates being informed by ACWA members of positions taken by ACWA members on legislation.

For more information, contact Cindy Tuck, ACWA's State Legislative Director, at 916.441.4545 or cindy@acwa.com.

ACWA State Legislative Committee

Friday, May 4, 2012
10:00 a.m.

AGENDA

- | | |
|--|--------------------------|
| I. Welcome | Paul Bartkiewicz, Chair |
| II. Self-Introduction | Members, Guests, Staff |
| III. Executive Director's Report | Tim Quinn |
| a. Federal Issues | |
| b. Delta Plan, Delta Stewardship Council | |
| c. Other | |
| IV. Water Bond Update | Tim Quinn and Cindy Tuck |
| V. State Budget Update | Wendy Ridderbusch |
| VI. CALAFCO – Sponsored Proposals | Cindy Tuck |
| VII. Review of Bill Packets # 1 and #2 | Cindy Tuck |
| VIII. Other Business | |
| IX. Adjourn | |

Next Meeting: Friday, May 25, 2012

Location: ACWA Board Room

BILL PACKET #1

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ASSEMBLY BILLS:

AB 1578 Indian Valley Watermaster District

Author: Logue

Introduced: 02-02-2012

Amended: 03-29-2012

Sponsor: Plumas County

Supporters:

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Watch

Summary: Existing law provides for the establishment of watermaster service areas by the Department of Water Resources (DWR) for the purposes of ensuring the most practical and economic supervision of the distribution of water. Existing law specifies that upon the submission of a specified petition to a court in which a relevant judicial decree has been entered, the court may appoint a public agency as a watermaster to replace the watermaster appointed by the DWR.

As introduced, this bill would create a watermaster district to be known as the Indian Valley Watermaster District (IVWD). The bill would generally specify the powers and purposes, as well as the boundaries, of the IVWD. The bill would prescribe the composition of the Board of Directors of the IVWD. The bill would require the IVWD to provide watermaster service on behalf of water right holders whose place of use under an appointed decree is a parcel of real property within the IVWD boundaries. The bill would authorize the IVWD to enter into an agreement to provide watermaster service to water right holders whose place of use is an eligible parcel. The bill would require the Board of Directors of the IVWD to provide for the preparation of regular audits of their accounts and records and specified annual financial reports.

Summary of Amendments: As amended on March 29, 2012, the bill would define the “Indian Valley Service Area.”

Staff Comments: According to the Author’s Office, Plumas County requested the creation of a local watermaster district in response to increasing watermaster rates over the last five years. Plumas County hopes to rein in those costs and ensure a certain measure of local control with the creation of a watermaster district.

There are no ACWA member agencies in Plumas County. ACWA has supported past efforts to create local watermaster districts, including AB 1580 (La Malfa) in 2007 that created the Scott Valley and Shasta Valley Watermaster District and SB 516 (Aanestad) in 2007 that created the Shasta-Tehama County Watermaster District.

Recommended Position: Watch

AB 1669 Groundwater: Nitrate at Risk Area Fund

Author: Perea

Introduced: 02-14-2012

Amended: 04-09-2012

Sponsor:

Supporters:

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: NYC

Summary: Existing law establishes the State Water Resources Control Board (SWRCB) and authorizes the SWRCB to adopt regulations to carry out its powers and duties. Under existing law, the Porter-Cologne Water Quality Control Act (Porter-Cologne), the SWRCB is required to formulate and adopt state policy for water quality control.

Existing law, the California Safe Drinking Water Act, requires the State Department of Public Health (DPH) to administer provisions relating to the regulation of drinking water to protect public health, including, but not limited to, conducting research, studies, and demonstration programs relating to the provision of a dependable, safe supply of drinking water, enforcing the Federal Safe Drinking Water Act, adopting enforcement regulations, and conducting studies and investigations to assess the quality of water in domestic water supplies.

This bill would establish the Nitrate at Risk Area Fund, to be administered by the SWRCB and, upon appropriation by the Legislature, moneys in the fund would be available for the purposes of developing and implementing sustainable and affordable solutions for disadvantaged communities in areas reliant on nitrate-contaminated groundwater as their source of drinking water, as determined by the SWRCB and the DPH.

Summary of Amendments: AB 1669 was gutted and amended on April 9, 2012. The summary above reflects the current status of the bill.

Staff Comments: AB 1669 is in response to UC Davis' March report on nitrate contamination in California's drinking water (please see groundwaternitrate.ucdavis.edu). The UC Davis report will serve as the foundation of the SWRCB's own report to the Legislature on nitrate contamination as required by SB X2 1 (Perata, 2008). ACWA had a "support" position on SB X2 1.

AB 1669 would establish a Nitrate at Risk Area Fund with the goal of providing funding for disadvantaged communities that are reliant on nitrate-contaminated groundwater. The bill does not specify a funding source for the Nitrate at Risk Area Fund. According to the Author's Office, the funding details are still being developed, but they expect that Proposition 84 dollars could play a role. The UC Davis report lists "[w]ater use fees, groundwater pumping fees, bottled water fees, crop fees, and fertilizer fees" as potential future funding options to improve drinking water supplies in areas affected by groundwater nitrate contamination. The report concludes that a fee on nitrogen fertilizer is the "most promising revenue source."

ACWA should carefully watch the development of AB 1669 to ensure that inappropriate fees on ACWA member agencies do not become part of the funding for this new program.

Recommended Position: Watch

AB 1715 Underground Storage Tanks

Author: Smyth

Introduced: 02-16-2012

Amended: 03-29-2012

Sponsor: Author

Supporters:

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Watch

Summary: Existing law generally regulates the storage of hazardous substances in underground storage tanks (USTs), including requiring USTs that are used to store hazardous substances to meet certain requirements. The State Water Resources Control Board (SWRCB) is required to develop and implement a local oversight program for the abatement of, and oversight of the abatement of, unauthorized releases of hazardous substances from USTs by local agencies that apply for this authority. The local agency's cleanup, abatement, or other actions under that program are required to be consistent with procedures adopted by the SWRCB and be based on clean-up standards specified by the SWRCB or a California Regional Water Quality Control Board (Regional Board).

This bill would require the SWRCB to recommend to the Legislature appropriate standards and measurements for judging a local agency's compliance with those clean-up standards. The bill would also delete obsolete references to the Santa Clara Valley Water District's implementation of a local oversight program.

Summary of Amendments: AB 1715 was introduced as a spot bill. The summary above reflects the current status of the bill.

Staff Comments: Assembly Member Smyth is working closely with Assembly Member Wieckowski on his AB 1701 which would provide for state certification of cities and counties to oversee the cleanup of USTs. ACWA has a "watch" position on AB 1701.

AB 1715 would start the process to establish consistent standards and measurements for evaluating a local agency's compliance with UST clean-up criteria.

The deleted provisions regarding the Santa Clara Valley Water District were suggested by Legislative Counsel because the code sections became inoperative in 2005.

According to Assembly Member Smyth's office, AB 1715 is intended as a placeholder to provide a vehicle for new UST cleanup language later in the session if such a need arises.

Recommended Position: Watch

AB 1736 Local Government: open meetings.

Author: Smyth

Introduced: 02-16-12

Amended: 03-29-12

Sponsor: County of Los Angeles

Supporters:

Opposition:

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: NYC

Summary: The Ralph M. Brown Act requires each legislative body of a local agency to provide the time and place for holding regular meetings and requires that all meetings of a legislative body be open and public. Under the act, all persons are permitted to attend any meeting of the legislative body of a local agency, unless a closed session is authorized. Under the act, the legislative body of a local agency is authorized to hold closed sessions with the Attorney General, district attorney, agency counsel, sheriff, or chief of police, or their respective deputies, or a security consultant or a security operations manager, on matters posing a threat to the security of public buildings, a threat to the security of essential public services, as specified, or a threat to the public's right of access to public services or public facilities.

This bill would authorize the legislative body of a local agency to hold these closed sessions with the Governor. The bill would make a conforming change to a related provision. This bill contains other related provisions and other existing laws.

Summary of Amendments:

Staff Comments: According to the author, the impetus for this bill arises from a controversial September 26, 2011 closed session meeting between the Governor and the Los Angeles County Board of Supervisors. According to the Los Angeles County District Attorney's Office, which opposed the closed session, the Board met with "a number of public officials from state and local agencies, including the Governor of the State of California, in closed session to conduct a conference regarding potential threats to public services or facilities' arising from the impact of AB 109, legislation that is commonly referred to as 'realignment' of the criminal sentencing and corrections system in California."

Noting that realignment matters were largely financial in nature, the District Attorney's office found that the circumstances of the meeting "lack the urgency and magnitude of a threat to public access to services and facilities contemplated" by the Act. Accordingly, the "implementation of the realignment laws does not constitute a potential threat to public services or facilities as articulated by Government Code Section 54957. Consequently, the closed session conducted was simply not permissible by law."

For ACWA members, this bill would allow the legislative body of the water district to meet with the Governor in response to a "security threat" which could be a feasible scenario. Although, the bill fails to address some of the questions raised by the District Attorney in regards to what constitutes a security threat. The issue that prompted the meeting between the Governor and the Los Angeles County Board of Supervisors was mostly a financial matter and not one of security. But water agencies could certainly imagine various security threats, whether they are man-made or natural disasters, like a plot to destroy an above-ground reservoir or a nefarious plan to poison a groundwater supply, or a security threat to the Delta levees. In such cases it may be necessary

to meet with the Governor under short notice and in behind closed doors in order to address the issue as quickly and as carefully as possible.

Recommended Position: Favor

AB 1783 Public contracts: small business preferences

Author: Perea

Introduced: 02-21-12

Amended: 04-10-12

Sponsor:

Supporters: Coalition of Small
and Disabled Veteran

Opposition:

Businesses
Small Business California
California Small Business
Association
California Asian Pacific
Chamber of Commerce
City of Selma
El Dorado Irrigation District
City of Reedley

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: NYC

Summary: Existing law requires state agencies to give small businesses a 5% preference in contracts for construction, the procurement of goods, or the delivery of services, establishes a procedure by which a business can be certified as a small business by the Department of General Services for the purposes of these preferences , and specifies that a business that has been certified by, or on behalf of, another governmental entity may be eligible for certification as a small business if the certifying entity uses substantially the same or more stringent definitions as those set forth in existing law, as provided.

This bill would revise the small business certification procedure to provide that the Department of General Services has the sole responsibility for certifying and determining eligibility of small businesses and would provide that local agencies have access to the department's list of certified small businesses.

Existing law also authorizes a local agency to provide for a small business preference in construction, the procurement of goods, or the delivery of services, and to establish a subcontracting participation goal for small businesses on contracts with a preference for those bidders who meet the goal. Existing law authorizes each local agency to define a small business for the purposes of these preferences and goals.

This bill would include a certified (at the state level) small business list for local preference and goal purposes and would authorize a local agency to set additional guidelines for these purposes.

Summary of Amendments: N/A

Staff Comments: According to the author, currently, in order to take advantage of business opportunities, such as government contracts, businesses may need to obtain specific and repetitive certifications. The process can be time consuming, burdensome, disruptive and costly.

The state already has a process to determine if a small business meets the requirement to be a certified small business. The bill would alleviate staff workload at local agencies by not requiring a small business to go through a repetitive “certification process.”

ACWA members may benefit from this program as it would simplify the process for local agencies to determine what businesses constitute a “small business.”

Recommended Position: Favor

AB 1961 Coho Salmon: habitat

Author: Huffman

Introduced: 02-23-12

Amended: 04-09-12

Sponsor: CalTrout,
TroutUnlimited, and The
Nature Conservancy

Supporters: Sonoma County
Water Agency

Opposition:

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: Watch

Summary: Existing law requires the Department of Fish and Game to develop and implement a recovery strategy pilot program for the coho salmon and repeals that authority on January 1, 2014, but requires any recovery strategy that has been approved or implemented prior to that date to remain in effect.

Existing law also establishes the Salmon, Steelhead Trout, and Anadromous Fisheries Program Act to protect and increase the naturally spawning salmon, steelhead trout, and anadromous, as defined, fishery resources of the state.

This bill would establish the Coho Salmon Habitat Enhancement Leading to Preservation Act (Coho HELP Act) and require the department to approve a coho salmon habitat enhancement project, as defined, if specified conditions are met as determined by the director of the department, as prescribed. This bill would create the Coho Salmon Recovery Account within the Fish and Game Preservation Fund and permit the department to enter into an agreement to accept funds to achieve the purposes of the Coho Act and deposit those funds into that account. This bill would authorize the department to adopt emergency regulations for the implementation of the Coho Act. This bill would repeal the provisions of the Coho Act on January 1, 2018.

Summary of Amendments: As amended April 9, 2012, the bill would give the director of the Department of Fish and Game 60 days to approve a project as opposed to 30 days in the previous bill. The amendments add several requirements a project must meet before the director may approve the expedited process set forth by the bill. The amendments also add the application requirements for a project to be considered for the expedited process.

Staff Comments: This bill would expedite the approval of projects designed to provide permanent habitat enhancement for Coho salmon, which are native to California.

According to the Author's office Coho salmon have virtually disappeared in some areas of California; in other areas they are teetering on the brink of extinction. They are currently listed under both the federal and state endangered species acts. The California Department of Fish and Game could more efficiently and effectively work with governmental and non-governmental partners to approve immediate on-the-ground habitat restoration projects (such as planting trees to provide more shade) to aid California's struggling Coho salmon populations.

As long as this bill continues to allow for the voluntary involvement of folks who want to help restore the Coho Salmon habitat it could be supportable by the larger water agency community. The potential concern with this concept is that it would somehow evolve into a mandatory participation requirement for Coho needing deep, cool pools of water. Voluntary contribution of water is fantastic, the spectre of forced contribution of water not so much.

Recommended Position: Watch

AB 1971 Metal Theft: damages

Author: Buchanan

Introduced: 02-23-12

Amended: 03-29-12

Sponsor:

Supporters:

Opposition:

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: NYC

Summary: Existing law provides that every dealer in or collector of junk, metals, or secondhand materials, or the agent, employee, or representative of that dealer or collector, who buys or receives any wire, cable, copper, lead, solder, mercury, iron, or brass which he or she knows or reasonably should know is ordinarily used by or ordinarily belongs to a railroad or other transportation, telephone, telegraph, gas, water, or electric light company or county, city, city and county, or other political subdivision of this state engaged in furnishing public utility service without using due diligence to ascertain that the person selling or delivering the same has a legal right to do so, is guilty of criminally receiving that property, and shall be punished by imprisonment as specified, by a fine of not more than \$250, or by both that fine and imprisonment.

Existing law provides that a person commits the crime of vandalism when he or she defaces, damages, or destroys property that is not his or her own. Existing law provides that vandalism is punishable by imprisonment in a county jail for not more than one year, by a fine, as specified, based on the amount of the defacement, damage, or destruction, or by both the fine and imprisonment.

This bill would increase the above fine a maximum of \$1,000.

This bill would also enact a clarifying statement relating to vandalism committed against public transit property and include a statement of legislative intent.

Summary of Amendments: N/A

Staff Comments: According to the author, AB 1971 clarifies that the theft of nonferrous materials (i.e., copper, copper alloys, stainless steel, and aluminum, excluding beverage containers) from

public transit is an act of vandalism. It also increases the maximum fine from \$250 to \$1,000 for someone who knowingly buys copper without verifying that it has been legally obtained.

The issue of metal theft first arose as a serious and costly problem within California as a rash of material was being purloined and then sold to recyclers in 2006. The agricultural industry took the brunt of the initial thefts of irrigation pumps with copper wiring in the Central Valley but then other areas of the state were impacted as well. Then-Assemblyman Tom Berryhill (R-Stanislaus) and Then-Senator Chuck Calderon (D-Whittier) went to war for a year with Berryhill representing the farmers and Calderon representing the recyclers. As a result of the non-productive standoff the two members were eventually able to form a bipartisan coalition and pushed AB 844 through the legislative process after almost a year of intense negotiations with a large and diverse group including law enforcement, local government, agriculture, and the recyclers. The bill which was considered a major accomplishment at the time to curb metal thefts contained several changes to the law at that time including

- the requirement to have sellers show a current i.d. as well as a thumbprint; a photo or video of the seller with the item sold;
- a three-day hold on payment to seller after date of sale; requirement to retain the photo/video of customer on file for two years;
- requirement of recyclers to send copy of all transactions involving this type of material to law enforcement if requested;
- new penalties of not less than \$1,000 (double the previous \$500 fine) or by county jail imprisonment for a minimum of 30 days if a recycler fails to follow the above provisions or who is proven to be knowingly receiving stolen goods. Second failure to adhere to the law would force a \$2,000 fine (again double the previous fine) and imprisonment. Third failure would lead to a \$4,000 fine, county jail, and revocation of the recycler's business license for at least one year.
- New civil penalties allowed by permitting metal theft victims to file against the thief for the actual value of metal stolen and any damage done to property in the act of the theft.

The bill was signed into law by then Governor Schwarzenegger and the heavy news coverage of metal thefts petered out as the law went into effect. As the price of certain metals including copper continued to rise last year, however, metal thefts were catapulted back into the news. In spite of all the mandated reporting requirements and increased penalties and county jail time metal thefts are still occurring and are proving to be quite costly – especially the repetitive nature of the thefts – to water agencies.

Recommended Position: Favor

AB 2069 Sanitation, Sewerage, and Water Charges: Collection

Author: Solorio

Introduced: 02-23-2012

Amended: 04-10-2012

Sponsor: Author

Supporters: Irvine Ranch
Water District (Lead
Proponent); California
Association of Sanitation
Agencies

Opposition:

Assigned to: Wendy Ridderbusch / Rick Morin

Current Position: Favor

Summary: Existing law authorizes various local public entities to prescribe fees or other charges for services and facilities furnished by them in connection with their water, sanitation, storm drainage, or sewerage system, as well as for the privilege of connecting to these sanitation or sewerage facilities. These charges, under specified circumstances, may be collected on the tax roll in the same manner as property taxes and the amount of the charges constitutes a lien against the lot or parcel against which the charge has been imposed, unless the real property has been transferred or conveyed to a bona fide purchaser for value, or a lien of a bona fide encumbrancer for value has been created and attached prior to the date upon which the first installment of the property taxes would become delinquent.

Existing law requires the charges for the above described services and facilities to remain delinquent for 60 days and the imposing entity to provide the assessee with notice of the delinquency, in order for the charges to constitute a lien against the lot or parcel of land for which the service was provided.

As introduced, this bill would instead require the transfer, conveyance, or attachment to occur during the year preceding the date on which the first installment of property taxes that evidence the charges appears on the tax roll, in order to preclude the local public entity's lien from attaching to the real property of the bona fide purchaser or encumbrancer for value.

As introduced, this bill would delete the 60 day delinquency and notice requirements and, instead, authorize the amount of unpaid charges to be secured at any time by filing a specified certificate with the County Recorder's Office. This bill would provide that the amount required to be paid, with interest and a penalty, constitutes a lien on all real property owned by the person or afterwards acquired by him or her before the lien expires.

Summary of Amendments: The April 10, 2012 amendments make mostly technical and cleanup changes to the bill.

Staff Comments: AB 2069 contains various technical changes to existing law that allows sanitation and sewerage systems to collect delinquent charges, unpaid installments of fees or charges, and interest on the general tax rolls.

According to the author's office, AB 2069 would reduce the risk to public agency collections by narrowing the bona fide encumbrance exception, and would give sewer and water agencies the same collection tools that irrigation agencies and public utility districts are already authorized to use. AB 2069 would clarify and limit the bona fide encumbrance exception by declaring in statute that the exception would only apply to the "gap period" after an agency submits the charge for placement on the tax bill and before the tax bill becomes due. Property purchasers use the bona fide encumbrance exception to avoid paying the unpaid tax bills of prior owners that they were unaware of when they purchase the property.

The lead proponent of this bill is the Irvine Ranch Water District (IRWD), an ACWA member agency. IRWD was able to get the contents of this bill into the annual Senate Committee on Governance and Finance omnibus bill (SB 1090). ACWA currently has a "favor" position on SB 1090. The sponsors are moving forward with both bills at this time.

Recommended Position: Favor

AB 2283 Fish and Game

Author: Portantino

Introduced: 02-24-12

Amended: 04-09-12

Sponsor: Author

Supporters:

Opposition:

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: Watch

Summary: Existing law establishes the Department of Fish and Game and sets forth the duties of that department. This bill would rename the Department of Fish and Game the Department of Fish and Wildlife, and would make related changes.

As introduced, this bill would prohibit existing supplies, forms, insignias, signs, logos, uniforms, or emblems from being destroyed or changed as a result of changing the name of the Department of Fish and Game to the Department of Fish and Wildlife, and would require their continued use until exhausted or unserviceable.

Summary of Amendments: As amended on April 9, 2012, the bill would also provide that by January 1, 2013, the Department of Fish and Wildlife may be referred to, where appropriate and as deemed by the Director of Fish and Wildlife, as CAL WILD. This bill would prohibit existing supplies, forms, insignias, signs, or logos from being destroyed or changed as a result of authorization to use CAL WILD, where appropriate, to refer to the Department of Fish and Wildlife, and would require their continued use until exhausted or unserviceable.

Staff Comments: According to the author, while the genesis of the existing name of the Department of Fish and Game originally came from regulating the taking of fish and animals (game) in California in order to protect species from being over-fished or over-hunted, the mission of the Department has over the years substantially changed.

While the Department still regulates the taking of fish, fowl, mammals and other animals, the focus is now on managing these populations and the environments in which they live supporters of this measure agree that having the word “game” in the name of the Department implies that its purpose is to only oversee the killing of animals in the state.

The author declares that times have changed and so should the name of the Department of Fish and Game. The proposed new name, the Department of Fish and Wildlife, more accurately reflects the purpose and vision of this agency of state government.

Recommended Position: Watch

AB 2298 Theft: scrap metal and alloys.

Author: Achadjian and
Ma

Introduced: 02-24-12

Amended: 03-29-12

Sponsor:

Supporters:

Opposition:

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: Watch

Summary: Existing law requires junk dealers and recyclers, as defined, to keep written records of all sales and purchases made in the course of their business. Existing law requires a junk dealer or recycler to allow for periodic inspection by specified persons, including persons authorized by the county sheriff or the head of a city police department, of any premises maintained for purposes of determining compliance with the recordkeeping requirements, and, upon inspection, requires the junk dealer or recycler to produce sales and purchase records.

As introduced, this bill expressed the intent of the Legislature to enact legislation to specifically proscribe the theft of ferrous and nonferrous scrap metals and metal alloys.

Summary of Amendments: As amended March 29, 2012, this bill would, in addition, authorize persons appointed by the head of a county agricultural commission to carry out the periodic inspection of the premises of junk dealers and recyclers.

Staff Comments: The issue of metal theft first arose as a serious and costly problem within California as a rash of material was being purloined and then sold to recyclers in 2006. The agricultural industry took the brunt of the initial thefts of irrigation pumps with copper wiring in the Central Valley but then other areas of the state were impacted as well. Then-Assemblyman Tom Berryhill (R-Stanislaus) and Then-Senator Chuck Calderon (D-Whittier) went to war for a year with Berryhill representing the farmers and Calderon representing the recyclers. As a result of the non-productive standoff the two members were eventually able to form a bipartisan coalition and pushed AB 844 through the legislative process after almost a year of intense negotiations with a large and diverse group including law enforcement, local government, agriculture, and the recyclers. The bill which was considered a major accomplishment at the time to curb metal thefts contained several changes to the law at that time including

- the requirement to have sellers show a current i.d. as well as a thumbprint; a photo or video of the seller with the item sold;
- a three-day hold on payment to seller after date of sale; requirement to retain the photo/video of customer on file for two years;
- requirement of recyclers to send copy of all transactions involving this type of material to law enforcement if requested;
- new penalties of not less than \$1,000 (double the previous \$500 fine) or by county jail imprisonment for a minimum of 30 days if a recycler fails to follow the above provisions or who is proven to be knowingly receiving stolen goods. Second failure to adhere to the law would force a \$2,000 fine (again double the previous fine) and imprisonment. Third failure would lead to a \$4,000 fine, county jail, and revocation of the recycler's business license for at least one year.
- New civil penalties allowed by permitting metal theft victims to file against the thief for the actual value of metal stolen and any damage done to property in the act of the theft.

The bill was signed into law by then Governor Schwarzenegger and the heavy news coverage of metal thefts petered out as the law went into effect. As the price of certain metals including copper continued to rise last year, however, metal thefts were catapulted back into the news. In spite of all the mandated reporting requirements and increased penalties and county jail time metal thefts are still occurring and are proving to be quite costly – especially the repetitive nature of the thefts – to water agencies.

Recommended Position: Favor

AB 2334 California Water Plan: Drinking Water and Wastewater Services

Author: Fong

Introduced: 02-24-2012

Amended: 04-09-2012

Sponsor: California Rural
Legal Assistance

Supporters:

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Watch

Summary: Existing law requires the Department of Water Resources (DWR) to update every five years the plan for the orderly and coordinated control, protection, conservation, development, and use of the water resources of the state, which is known as the California Water Plan. Existing law prescribes the contents of the California Water Plan and requires the DWR to include a discussion of various strategies and information in that plan.

As introduced, this bill would additionally require the DWR to include an analysis of possible mechanisms to address the lack of affordability of drinking water and wastewater services in updates of the California Water Plan.

Summary of Amendments: As amended on April 9, 2012, the bill would require the next update to the California Water Plan (the Plan) to: 1) identify which systems are struggling or failing to meet affordability benchmarks; 2) determine the factors contributing to high costs in these systems; 3) assess existing low-income affordability programs; and 4) propose appropriate subsidy programs to help make water affordable to disadvantaged communities.

Staff Comments: The Author of the bill notes that while energy and telecommunications utilities offer “lifeline” or subsidized services to low-income ratepayers, there is no similar mechanism for low-income water and wastewater users.

The bill does not make a distinction between investor-owned utilities and municipal utilities such as ACWA member agencies. Local governments are constrained by the California Constitution in their ability to offer lifeline or discounted service to water users. Proposition 26 from 2010 restricts local governments from offering discounted, waived, or differential rate fees if other fee payers are subsidizing that discount, waiver, or differential rate. Offering such a discount would move a charge into the “special tax” category, thus requiring a two-thirds vote of the electorate. This reality should be reflected in any analysis of potential programs to provide for water affordability relief.

ACWA could communicate that point to the Author and DWR but maintain a “watch” position on the bill.

Recommended Position: Watch

AB 2539 Water Treatment Devices

Author: Nielsen

Introduced: 02-24-2012

Amended: 03-29-2012

Sponsor: Water Quality
Association; Pacific Water
Quality Association

Supporters:

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Watch

Summary: Existing law requires the State Department of Public Health (DPH) to adopt regulations setting forth the criteria and procedures for certification of specified water treatment devices. Existing law provides that the regulations may adopt, by reference, the testing procedures and standards of one or more independent testing organizations, under certain circumstances. Existing law authorizes the DPH to accept a water treatment device certification issued by an agency of another state, by an independent testing organization, or by the federal government, under certain circumstances.

This bill would require the regulations to adopt, by reference, the testing procedures and standards of one or more independent testing organizations. This bill would require the regulations to specify a testing organization that is accredited by an accreditation body member of the International Accreditation Forum. This bill would require the DPH to accept a water treatment device certification issued by an agency of another state, by a certification body accredited by an accreditation body member of the International Accreditation Forum, or by the federal government, if the standards used to certify the device meet or exceed specified standards.

Summary of Amendments: AB 2539 was introduced as a spot bill. The summary above reflects the current status of the bill.

Staff Comments: AB 2539 would require, instead of allow, the DPH to adopt by reference, the testing procedures and standards of one or more independent testing organizations for purposes of certifying water treatment devices.

According to the sponsors of the bill (the Water Quality Association and the Pacific Water Quality Association are trade organizations that represent the manufacturers and installers of these water treatment devices), the current requirements for DPH to certify water treatment devices are unnecessarily holding up the introduction of products to the market. They assert that large and small companies are withdrawing sales of water treatment devices in California because of the undue delays.

According to the Senate Committee on Health's analysis of AB 2539, DPH sent a letter to manufacturers and certifying bodies for residential water treatment devices on April 5, 2012. In this letter, DPH stated that it is proposing to eliminate the residential water treatment device certification program effective with the passage of the 2012-13 Budget Act. The DPH proposal would modify existing law to require "approval" rather than "certification" of water treatment devices offered for sale in California that make health claims. The proposal would require "approval" by an independent testing organization that has been accredited by the American National Standards Institute (ANSI) or by the federal government. If DPH moves forward with

its proposal to eliminate the certification requirement from existing law, AB 2539 would not be necessary.

Recommended Position: Watch

AB 2595 Desalination

Author: Hall

Introduced: 02-24-2012

Amended: 04-09-2012

Sponsor: CalDesal

Supporters: CSDA; Metropolitan Water District of Southern California; Orange County Water District; San Diego County Water Authority; San Gabriel County Water District; Three Valleys Municipal Water District; WaterReuse; West Basin Municipal Water District

Opposition: California Coastal Protection Network; California Coastkeeper Alliance; Clean Water Action California; Coastal Environmental Rights Foundation; Desal Response Group; Food and Water Watch; Heal the Bay; Marin Water Coalition; Natural Resources Defense Council; Orange County Coastkeeper; Planning and Conservation League; Residents for Responsible Desalination; Sierra Club California; Southern California Watershed Alliance; Surfrider Foundation

Assigned to: Wendy Ridderbusch / Rick Morin

Current Position: Favor

Summary: The Cobey-Porter Saline Water Conversion Law authorizes the Department of Water Resources (DWR), either independently or in cooperation with public or private entities to conduct a program of investigation, study, and evaluation in the field of saline water conversion, to provide assistance to persons or entities seeking to construct desalination facilities, and after submission of a written report and upon appropriation from the Legislature, to finance, construct, and operate saline water conversion facilities. Existing law required the DWR, not later than July 1, 2004, to report to the Legislature, on potential opportunities and impediments for using seawater and brackish water desalination, and to examine what role, if any, the state should play in furthering the use of desalination technology. Existing law required the DWR to convene a Water Desalination Task Force, comprised of representatives from listed agencies and interest groups, to advise the DWR in carrying out these duties and in making recommendations to the Legislature.

The California Ocean Protection Act (the Act) establishes the Ocean Protection Council (the Council) in state government. Existing law requires the Council to coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations, to establish policies to coordinate the collection, evaluation, and

sharing of scientific data related to coastal and ocean resources among agencies, and to identify and recommend to the Legislature changes in law needed to achieve these goals.

This bill would require the Council to report to the Legislature, by December 31, 2013, on opportunities for streamlining the current statewide permitting processes for seawater desalination facilities, including an evaluation of impediments to desalination projects relative to the current permitting process and to recommend potential administrative and legislative actions for streamlining the permitting process *while maintaining current regulatory protections*. The bill would require the Council to convene the Seawater Desalination Permit Streamlining Task Force to review the current permitting processes required by all state regulatory agencies for the planning, design, construction, monitoring, and operation of seawater desalination facilities, to identify opportunities for streamlining the permitting process, and to advise the council in making the report.

Existing law, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Prop 84), authorizes the issuance of general obligation bonds in the amount of \$5,388,000,000, of which \$1,000,000,000 is made available to the DWR, upon appropriation by the Legislature, for grants for projects that assist local public agencies to meet the long-term water needs of the state, including the delivery of safe drinking water and the protection of water quality and the environment. Eligible projects are required to implement integrated regional water management plans that meet certain requirements.

This bill would appropriate \$250,000 of these funds to the DWR to pay the costs of convening the Seawater Desalination Permit Streamlining Task Force and preparation of the report.

Summary of Amendments: The April 9, 2012 amendments clarify the proposed makeup of the Seawater Desalination Permit Streamlining Task Force to include two separate and broadly recognized environmental advocacy groups that focus on coastal protection.

Staff Comments: AB 2595 would direct the Ocean Protection Council to establish a task force to review and assess all currently required permitting processes for the planning, design, construction and operation of desalination facilities. The task force would be required to report back to the Legislature by December 31, 2013, with recommendations to streamline such processes without changing the regulatory standards that protect the environment. The bill would also direct \$250,000 from Prop 84 to the task force to pay for the report.

CalDesal, the sponsors of this bill, cite over 30 major permits or processes that are required from numerous state and federal agencies or departments for an ocean desalination project in California.

Recommended Position: Favor

SENATE BILLS:

SB 1063 Bear Lake Reservoir: Recreational Use

Author: Gaines

Introduced: 02-13-2012

Amended: 04-09-2012

Sponsor: Alpine County

Supporters:

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Favor

Summary: Existing law, with certain exceptions, prohibits recreational use involving bodily contact with water in a reservoir in which water is stored for domestic use and establishes water standards for reservoirs that are exempted from this prohibition.

As introduced, this bill would allow Bear Lake Reservoir to be used for such recreation if it meets certain requirements, including requirements for water treatment, monitoring, and reporting.

Summary of Amendments: As amended on April 9, 2012, the bill would include a sunset provision that would invalidate the law on January 1, 2016. The amendments would also make the bill an urgency statute so that it could go into effect immediately.

Staff Comments: Lake Alpine Water Company supplies drinking water sourced from the Bear Lake Reservoir. AB 1934 (Leslie) from 2004 originally proposed to exempt Bear Lake Reservoir from the prohibition against recreational use and was signed into law. ACWA did not take a position on AB 1934 in 2004. AB 1934 contained a sunset clause that was triggered in 2007. However, no one in Alpine County seemed to have noticed until 2011. SB 1063 would once again provide Bear Lake Reservoir with a qualified exemption.

SB 1063 is very similar to SB 577 (Gaines) from 2011. ACWA had a “favor” position on SB 577, but the bill did not advance. According to the Author’s Office, SB 577 was held up in the Senate Committee on Environmental Quality and did not make the two-year bill deadline.

Recommended Position: Favor

SB 1090 Local Government: Omnibus Bill

Author: Committee on Governance and Finance

Introduced: 02-15-2012

Amended: 04-11-2012

Sponsor:

Supporters: California Central Valley Flood Control Association; Irvine Ranch Water District; Kings River Conservation District

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Favor

Summary: (1) Existing law sets forth the boundary descriptions of every county in the state, including the Counties of Fresno and Merced.

This bill would revise the boundary descriptions for the Counties of Fresno and Merced.

(2) Existing law authorizes the legislative body of a general law city to impose a sidewalk installation charge, as specified, upon an affirmative vote of a majority of all of the electors of the city voting on the proposition at an election called for that purpose. The California Constitution conditions the imposition of a special tax on a city, county, or special district upon the approval of two-thirds of the voters of the city, county, or special district voting on that tax. Existing law implements this provision of the Constitution.

This bill would require the legislative body of a general law city to submit a sidewalk installation charge to the voters and receive a two-thirds vote to approve the charge prior to imposing the charge, thereby conforming these provisions to existing law.

(3) Existing law authorizes the parties to a Williamson Act contract, after approval by the Department of Conservation, in consultation with the Department of Food and Agriculture, to mutually agree to rescind the contract entered into under the Williamson Act in order to simultaneously enter into a solar-use easement that would require that the land be used for solar photovoltaic facilities for a term no less than twenty years, as specified.

This bill would make technical, nonsubstantive changes to these provisions.

(4) Existing law, commencing January 1, 2012, requires any contract executed or renewed between a local agency and an officer or employee of the local agency to include a provision that requires an officer or employee of a local agency who is convicted of a crime involving an abuse of his or her office or position, as defined, to fully reimburse the local agency for specified payments made by that local agency to the officer or employee, as specified. Existing law defines the term "abuse of office or position" to include, among other things, a crime against public justice, including, but not limited to, specified crimes related to bribery or corruption of any judicial officer, juror, referee, arbitrator, or umpire, or to any person who may be authorized by law to hear or determine any question or controversy.

This bill would additionally include within that definition, specified crimes related to bribery or corruption of any executive officer in this state.

(5) The Benefit Assessment Act of 1982 authorizes local agencies, as defined, to impose benefit assessments to finance the maintenance and operation costs of drainage, flood control, street lighting, and streets, roads, or highways, if that local agency is authorized to provide those services.

This bill would authorize a local agency that has imposed an assessment pursuant to these provisions to bring an action in superior court to determine the validity of the assessment, as specified.

(6) The Subdivision Map Act requires a certificate or statement by the city engineer or surveyor, or county surveyor, for specified maps, and requires the official to provide, among other things, his or her registration or license number with expiration date, as specified.

This bill would eliminate the requirement that the official provide the expiration date of his or her registration number or license.

(7) Existing law authorizes various local public entities to prescribe fees or other charges for services and facilities furnished by them in connection with their water, sanitation, storm drainage, or sewerage system, as well as for the privilege of connecting to these sanitation or sewerage facilities. These charges, under specified circumstances, may be collected on the tax roll in the same manner as property taxes and the amount of the charges constitutes a lien against the lot or parcel against which the charge has been imposed, unless the real property has been transferred or conveyed to a bona fide purchaser for value, or a lien of a bona fide encumbrancer for value has been created and attached prior to the date upon which the first installment of the property taxes would become delinquent.

This bill would instead require the transfer, conveyance, or attachment to occur during the year prior to the date on which the first installment of property taxes that evidence the charges appears on the tax roll, in order to preclude the local public entity's lien from attaching to the real property of the bona fide purchaser or encumbrancer for value.

(8) Existing law requires the charges for the above-described services and facilities to remain delinquent for sixty days and the imposing entity to provide the assessee with notice of the delinquency, in order for the charges to constitute a lien against the lot or parcel of land for which the service was provided.

This bill would delete the sixty-day delinquency and notice requirements and, instead, authorize the amount of unpaid charges to be secured at any time by filing a specified certificate in the office of the county recorder. This bill would provide that the amount required to be paid, with interest and a penalty, constitutes a lien on all real property owned by the person or afterwards acquired by him or her before the lien expires.

(9) Existing law provides procedures for the collection of unpaid charges by a water district for water or other services. These unpaid charges become a lien on the parcel of land upon which the water and other services were used, unless the real property has been transferred or conveyed to a bona fide purchaser for value, or a lien of a bona fide encumbrancer for value has been created and attached prior to the date of which the first installment of taxes would become delinquent.

This bill would require the transfer, conveyance, or attachment to occur during the year prior to the date on which the first installment of real property taxes that evidence the charges appears on the tax roll, in order for the water district's lien to not attach to the real property of the bona fide purchaser or encumbrancer for value.

(10) The Property and Business Improvement District (PBID) Law of 1994, requires a management district plan for a PBID to include, among other things, the improvements and activities proposed for each year of operation of the PBID and the maximum cost thereof.

This bill would specify that, if the improvements and activities proposed for each year of operation of the PBID are the same, this requirement may be satisfied if the management plan includes a description of the first year's proposed improvements and activities and a statement that the same improvements and activities are proposed for subsequent years.

The Property and Business Improvement District Law of 1994 also requires a management district plan for a PBID to include, among other things, the total annual amount proposed to be expended for improvements, maintenance and operations, and debt service in each year of operation of the PBID.

The bill would provide that if the total annual amount proposed to be expended in each year of operation of the PBID is not significantly different, the amount proposed to be expended in the initial year and a statement that a similar amount applies to subsequent years may satisfy this requirement. This bill would also authorize this amount to be based upon the assessment rate if the assessment is levied on businesses.

This bill would also correct an erroneous reference within the Property and Business Improvement District Law of 1994.

(11) The Property and Business Improvement District Law of 1994 provides that a city council may adopt a resolution for the disestablishment of a PBID under specified circumstances. Existing law requires, upon the disestablishment of a PBID, any specified remaining revenues to be refunded to the owners of the property or businesses then located and operating within the PBID in which assessments were levied, as specified.

This bill would additionally provide, upon the expiration without renewal of the PBID for the refund of any specified remaining revenues to the owners of property or businesses then located and operating within the PBID in which assessments were levied, as specified.

(12) The Kings River Conservation District Act (the Act) establishes the Kings River Conservation District (KRCD), and authorizes the Board of the KRCD to exclude specific territory within the district, as specified. The Act divides the KRCD into divisions for purposes of elections, and requires the Board of the KRCD to revise the divisions upon adding or removing territory from the KRCD, except that the Board is prohibited from revising the division of districts within the three months immediately following the preceding general election. The Act additionally defines the term "general district election" to mean the election required to be held in the KRCD on the first Tuesday after the first Monday in November in each odd-numbered year.

This bill would repeal this elections provision and would additionally require the KRCD Board to adopt a resolution on or before May 1, 2013 that divides the KRCD into seven electoral districts, as specified. The bill would also set forth the procedure by which the Directors of the Board may be elected, and would require the Board to review the boundaries of the seven districts before November 1 of the year following the year in which each decennial census is taken. The bill would prohibit the Board from making any changes to the division of the KRCD within the 180 days immediately proceeding a general district election. The bill would revise the definition of the term "general district election" to mean the election required to be held in the district on the first Tuesday after the first Monday in November in each even-numbered year. The bill would additionally make conforming changes to the act.

Summary of Amendments: The summary above reflects the current status of the bill as amended on April 11, 2012.

Staff Comments: SB 1090 is the Senate Committee on Governance and Finance's annual omnibus measure. The bill contains various non-controversial changes to the law related to local

government issues. Staff of the Senate Committee on Governance and Finance solicits comments from stakeholders, including ACWA, prior to adding any provision to the omnibus bill to ensure that the contents of the bill are non-controversial. The State Legislative Committee reviewed this proposal before it was introduced and did not have any concerns.

The Irvine Ranch Water District suggested the language summarized above in Item 9. The Kings River Conservation District suggested the language summarized above in Item 12. These ACWA member agencies support the bill.

Recommended Position: Favor

SB 1251 Ocean Protection Council: Aquatic Invasive Species Working Group

Author: Evans

Introduced: 02-23-12

Amended: 04-09-12

Sponsor:

Supporters:

Opposition:

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: Watch

Summary: Existing law establishes the Ocean Protection Council, and prescribes the membership and functions and duties of the council. Existing law requires the council, among other things, to coordinate activities of state agencies that are related to the protection and conservation of coastal waters and ocean ecosystems to improve the effectiveness of state efforts to protect ocean resources within existing fiscal limitations. Existing law also establishes the Wildlife Conservation Board, and prescribes its functions and duties with regard to land preservation and species protection and control. This bill would require the council and the board, upon appropriation of funding by the Legislature, to jointly establish an Aquatic Invasive Species Working Group for the development and implementation of an aquatic invasive species control program, comprised of specified members appointed by the Secretary of the Natural Resources Agency.

This bill was gutted and amended. As introduced, this bill would state the intent of the Legislature to enact legislation to require the Department of Fish and Game to develop a new statewide quagga mussel prevention and management plan dependent on criteria, including, but not limited to, inspection protocols and the tracking of vessels.

Summary of Amendments: As amended April 9, 2012, this bill would prescribe the functions and duties of the working group with regard to the management of aquatic invasive species within different regions of the state. The bill would require the working group, no later than January 1, 2014, to prepare and submit to the Legislature a report containing recommendations for future legislation pertaining to the management of aquatic invasive species in the state.

Staff Comments: With the environment becoming increasingly threatened by additional non-native invasive species such as dressed mussels and invasive aquatic weeds, the author is looking for a larger, proactive solution to address the problem.

As you may recall ACWA sponsored SB 215 (Huff) in 2011 which extended the sunset provision on the existing mussel prevention program scheduled to cease on January 1, 2012. The

original bill which implemented the program, AB 1683 (Wolk) 2007, authorized the Department of Fish and Game (DFG) to conduct inspections, order quarantines, and take other actions necessary to prevent the spread of invasive dreissenid mussels, including quagga and zebra mussels. SB 215 successfully passed through the Legislature and was signed into law by Governor Brown last year.

This year there are several bills making their way through the legislative process which seek to implement their own version of the solution. This bill SB 1251 would create a work group to make a recommendation to the legislature to address the issue at large.

Recommended Position: Watch

SB 1337 Zone 7 Water Agency

Author: DeSaulnier

Introduced: 02-24-2012

Amended: 04-18-2012

Sponsor: Zone 7 Water
Agency

Supporters: Dublin-San
Ramon Services District

Opposition:

Assigned to: Cindy Tuck / Rick Morin

Current Position: Watch

Summary: Existing law, the Alameda County Flood Control and Water Conservation District Act (the District Law), establishes the Alameda County Flood Control and Water Conservation District (the District) and grants to the District authority relating to, among other things, flood control and stormwater. The Board of Supervisors of Alameda County serves as the Board of the District. The District law authorizes the Board of the District to establish zones and provides for the formation of a zone lying, in whole or in part, in Pleasanton or Murray Townships. That zone is required to be governed by a board of seven directors who are elected by the voters residing within that zone. That zone is known as the “Zone 7 Water Agency.”

As amended on April 9, 2012, this bill would remove Zone 7 from the Alameda County Flood Control and Water Conservation District and instead create the Zone 7 Water Agency, as prescribed, with specified authorizations, powers, and duties. This bill would authorize the new Zone 7 to: 1) continue to impose any special taxes based upon assessed value or any other special taxes, assessments, or charges imposed by or on behalf of the former Zone 7; and 2) impose new special taxes or levy assessments, as prescribed. It would require any taxes or assessments to be levied and collected together with taxes for county purposes, as specified. This bill would also authorize the new Zone 7 to designate the county treasury as its treasury.

Summary of Amendments: As amended on April 18, 2012, the definition of “water” was deleted from the bill. A provision stating that a violation of a Zone 7 ordinance would be an infraction was deleted, and other technical changes to the bill were made.

Staff Comments: Currently, Zone 7 Water Agency (an ACWA member agency) is a “dependent” special district as a result of being established as a zone of the Alameda County Flood Control and Water Conservation District. As a result of Zone 7’s remote location in Alameda County, Zone 7 has slowly gained authority to act independent of the District over the years. In 1955, the residents of Zone 7 were authorized to elect their own Board of Directors to govern and control matters that are specific to their boundaries. AB 1125 (Houston) in 2003

granted additional powers to Zone 7 by allowing the Zone 7 Board of Directors to have the sole authority to govern and control matters affecting Zone 7 without further action by the District. ACWA did not take a position on AB 1125.

Zone 7 has been slowly been becoming more independent over the years, and the Agency is seeking the statutory change to truly become “independent.” Given Zone 7’s ability to act independently of the District and Zone 7’s residents’ ability to elect a separate Board of Directors, Senator DeSaulnier believes that legislation to sever Zone 7’s statutory relationship with Alameda County and to create Zone 7 as an independent special district is appropriate.

Zone 7 cites two important reasons for Zone 7 to become an independent special district: 1) the desire to give the residents of Dougherty Valley (in neighboring Contra Costa County) who receive services from Zone 7 the ability to take part in Zone 7 elections and serve on Zone 7’s Board; and 2) a need to facilitate the recruitment and retention of employees.

Zone 7 is in continued negotiations with the County of Alameda regarding the proposed transition. While a formal agreement has not been reached yet, the Author’s Office reports that they are very close.

The Dublin San Ramon Services District (an ACWA member agency) requested that the Author remove the definition of “water” from the bill because it could have been read to grant the power to, among other things, control the source and use of the recycled water supply that exists in that area.

Recommended Position: Favor

SB 1387 Metal Thefts

Author: Emmerson

Introduced: 02-24-12

Amended: 04-16-12

Sponsor: Eastern
Municipal Water District

Supporters: California
Association of Sanitation
Agencies
California Chamber of
Commerce
California District Attorneys
Association
California Special Districts
Association
California State Sheriffs
Association
City of Canyon Lake
East Bay Municipal Utility
District

Opposition: California
Chapters of the Institute of
Scrap Recycling Industries

Assigned to: Wendy Ridderbusch / Antonio Alfaro

Current Position: Support

Summary: Existing law governs the business of buying, selling, and dealing in secondhand and used machinery and all ferrous and nonferrous scrap metals and alloys, also known as "junk."

Existing law requires junk dealers and recyclers to keep a written record of all sales and purchases made in the course of their business, including the name and address of each person to whom junk is sold or disposed of, and to preserve the written record for at least 2 years after making the final entry of any purchase or sale of junk. Existing law provides that the failure to keep a written record as required is punishable as a misdemeanor.

As introduced, this bill would prohibit any junk dealer or recycler from possessing a public fire hydrant, fire department connection including bronze or brass fittings or parts, a public manhole cover or lid, or any part of that cover or lid, or a public backflow device and connections to that device without a written certification from a public agency or utility on their letterhead that owns or previously owned the material and that the entity has sold or is offering the material for sale, and that the person possessing the certificate and identified in the certificate is authorized to negotiate the sale of the material. The bill would make junk dealers and recyclers civilly liable and would also provide that if a junk dealer or recycler lacks the certification described above, the lack of that certification would give rise to the presumption that the property was stolen for purposes of the provisions proscribing receiving stolen property. This bill contains other related provisions and other existing laws.

Summary of Amendments: As amended on March 27, 2012, the language regarding liability was taken out of the bill and inserted into SB 1045 (Emmerson). The amendments of April 11, and April 16, added a co-author and then changed the co-author from Assemblymember Bill Berryhill who had been mistakenly added instead of his brother Senator Tom Berryhill.

Staff Comments: The issue of metal theft first arose as a serious and costly problem within California as a rash of material was being purloined and then sold to recyclers in 2006. The agricultural industry took the brunt of the initial thefts of irrigation pumps with copper wiring in the Central Valley but then other areas of the state were impacted as well. Then-Assemblyman Tom Berryhill (R-Stanislaus) and Then-Senator Chuck Calderon (D-Whittier) went to war for a year with Berryhill representing the farmers and Calderon representing the recyclers. As a result of the non-productive standoff the two members were eventually able to form a bipartisan coalition and pushed AB 844 through the legislative process after almost a year of intense negotiations with a large and diverse group including law enforcement, local government, agriculture, the recyclers, and....The bill which was considered a major accomplishment at the time to curb metal thefts contained several changes to the law at that time including

- the requirement to have sellers show a current i.d. as well as a thumbprint; a photo or video of the seller with the item sold;
- a three-day hold on payment to seller after date of sale; requirement to retain the photo/video of customer on file for two years;
- requirement of recyclers to send copy of all transactions involving this type of material to law enforcement if requested;
- new penalties of not less than \$1,000 (double the previous \$500 fine) or by county jail imprisonment for a minimum of 30 days if a recycler fails to follow the above provisions or who is proven to be knowingly receiving stolen goods. Second failure to adhere to the law would force a \$2,000 fine (again double the previous fine) and imprisonment. Third failure would lead to a \$4,000 fine, county jail, and revocation of the recycler's business license for at least one year.
- New civil penalties allowed by permitting metal theft victims to file against the thief for the actual value of metal stolen and any damage done to property in the act of the theft.

The bill was signed into law by then Governor Schwarzenegger and the heavy news coverage of metal thefts petered out as the law went into effect. As the price of certain metals including copper continued to rise last year, however, metal thefts were catapulted back into the news. In

spite of all the mandated reporting requirements and increased penalties and county jail time metal thefts are still occurring and are proving to be quite costly – especially the repetitive nature of the thefts – to water agencies.

Eastern Municipal Water District is sponsoring this measure which seeks to further protect specific items such as fire hydrants, public manholes, and backflow devices by requiring written authorization to sell and make recyclers civilly liable themselves. Water agencies have jurisdiction over backflow devices other local government like fire districts and cities or counties have jurisdiction over most fire hydrants and manholes in the state. While the bill makes narrow, targeted amendments it is possible that this first attempt to make changes to the groundbreaking 2008 law will attract the original diverse and opinionated coalition and create an opportunity even among the recyclers to reopen this complicated legislative deal.

The issue of civil liability was originally included in SB 1387 (Emmerson), now the companion metal theft bill to SB 1045. Civil liability was relocated to this separate bill because it would have required three policy committee hearings in: Senate Business, Professions, and Economic Development; Senate Public Safety; and Senate Judiciary. Now SB 1387 will only be double-referred to the first and second committee referenced above, and this bill will be single referred to the last one.

Recommended Position: Support

SB 1480 Trapping		
Author: Corbett	Introduced: 02-24-12	Amended: 04-09-12
Sponsor: Born Free USA and the San Francisco Wildlife Center	Supporters: Humane Society of the United States	Opposition:
Assigned to: Wendy Ridderbusch / Antonio Alfaro		Current Position: Not Favor unless Amended

Summary: Existing law, except as specified, requires every person, other than a fur dealer, who traps fur-bearing mammals or nongame mammals, designated by the Fish and Game Commission, or who sells raw furs of those mammals, to have a trapping license from the Department of Fish and Game. Certain persons taking mammals injurious to growing crops *or other property* are exempted from the trapping license requirement, except those persons providing trapping services for profit are required to obtain a trapping license from the department.

Existing law prohibits certain activities related to trapping, as specified.

As introduced, this bill would establish 2 classes of trapping licenses. The bill would authorize a person who has complied with all applicable licensing and license renewal requirements to trap wildlife for recreation or fur to be issued a Class I trapping license. The bill would authorize specified persons trapping wildlife for a profit to be issued a Class II trapping license. The bill would require the department to publish a list of Class II trapping license holders on its website.

The bill would authorize the commission to suspend or revoke a trapping license at a regularly scheduled meeting of the commission on prescribed grounds.

Summary of Amendments: As amended April 9, 2012, this bill would add to those prohibitions the killing of a trapped mammal through certain specified actions. **This bill would prohibit solicitation of trapping business from the public in certain specified situations.** This bill would also prohibit the trapping of bats. This bill would permit certain exceptions to the prohibition against bat trapping where the removal of bats will prevent property damage or protect human health and safety, as prescribed.

Staff Comments: Current Fish and Game Code section 4005 allows the following species to be trapped and killed in any manner at any time: Gophers, House mice, Moles, Rats, and Voles. Gophers are the main culprits in levee holes.

Non-game mammals such as river otters, beavers, and muskrats can also be trapped but must be killed humanely using one of the following methods: firearm, bow and arrow, poison under certain circumstances, with the use of dogs. Some of these animals are also responsible for causing damage to levees.

Water agencies have two methods of dealing with troublesome wildlife that are making holes in levees: (1) water agency staff can trap them and/or (2) a professional trapper (for profit) can be hired to trap them. Water agency staff do not need to obtain a trapping license because they are taking mammals that are injurious to property (levees, etc.) If a water district decides to hire a professional trapper then that particular individual must have the correct license and abide by the methods of killing these animals that are laid out within the Fish and Game Code.

ACWA should try and change the current language on page 3, lines 22-23 of the bill, “(j) *Solicit trapping services business from the public for reasons of health or safety pursuant to Section 4152, 4180, or 4011*” to clarify that solicitation of trapping services due to public safety (integrity of levees, etc.) is not covered under the bill.

As the bill is currently written the concern of agricultural districts in the North Valley is it could make it illegal for them, or farmers within their service areas, to solicit trapping services from businesses. For districts with significant areas of land, and farms of large size, this will be an impediment to the efficient operation of those organizations. Possibly it would mean only employees/owners could trap such mammals, instead of outsourcing that work to businesses which are more capable and experienced in trapping.

Staff spoke to Senator Corbett’s staff and explained that the sponsors are attempting to deal with unscrupulous for-profit trappers that are killing animals under the guise of health and safety reasons: i.e. disease being spread. Health and safety is different and separate from public safety. We should attempt to have this clarified via an amendment. The Author’s office seemed amenable to our concerns and was working with us to accomplish this. They unfortunately chose to include other amendments that do not take care of our member concerns.

According to the Author’s office this bill would institute several consumer notification measures to protect consumers and wildlife from unlawful trapping practices. The bill would require trappers to provide a written contract to consumers to help them make informed choices when they have wildlife problems or property damage, directs the state Department of Fish and Game to maintain a list on its website of licensed trappers to ensure the public can locate licensed

trappers and outlaws the most heinous methods of animal killing, such as drowning and chest crushing, that are considered unnecessarily cruel. “This bill helps consumers find legitimate and experienced trappers,” Corbett said. “It’s time we quit turning a blind eye to the inhumane practices used by some wildlife trappers.”

Recommended Position: Not favor unless amended

SB 1537 Energy: Rates: Net Energy Metering

Author: Kehoe

Introduced: 02-24-2012

Amended: 04-09-2012

Sponsor:

Supporters:

Opposition:

Assigned to: Wendy Ridderbusch / Rick Morin

Current Position: Watch

Summary: Under existing law, the Public Utilities Commission (PUC) has regulatory authority over public utilities, including electrical corporations, while local publicly owned electric utilities are under the direction of their governing board. Existing law, relative to private energy producers, requires every electric utility to develop a standard contract or tariff providing for net energy metering and to make this contract or tariff available to eligible customer generators upon request for generation by a renewable electrical generation facility. An electric utility, upon request, is required to make the contract or tariff for net energy metering available to eligible customer-generators on a first-come-first-served basis until the time that the total rated generating capacity used by eligible customer-generators exceeds five percent of the electric utility's aggregate customer peak demand. With one exception, existing law requires that each net energy metering contract or tariff be identical with respect to rate structure, all retail rate components, and any monthly charges, to the contract or tariff to which the same customer would be assigned if the customer did not use a renewable electrical generation facility, except that eligible customer-generators shall not be assessed standby charges on the electrical generating capacity or the kilowatt hour production of a renewable electrical generation facility.

This bill would prohibit an electric utility, on a percentage basis, from increasing rates and charges for eligible customer-generators by an amount that is greater than those applied to customers in the same rate class that are not eligible customer-generators and require that an electric utility's rate design be consistent with the policy of the state to ensure ongoing, sustainable, and robust growth of distributed customer-generation.

Summary of Amendments: SB 1537 was introduced as a spot bill. The summary above reflects the current text of the bill.

Staff Comments: SB 1537 would provide electricity rate increase protections for utility customers that participate in the net metering program. Net metering allows a customer-generator to reduce its utility bill by “rolling back” its meter for the electricity it produces.

ACWA has reached out to the author’s office for more information but has not heard back at this time.

Recommended Position: Watch