

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

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

**Wednesday, April 20, 2011
7:00 P.M.**

AGENDA

A. CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS TO AGENDA

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

B. APPROVAL OF THE AGENDA

C. PUBLIC HEARINGS

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

NO PUBLIC HEARING SCHEDULED

D. CONSENT CALENDAR

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

- D.1 Consider approval of minutes of the Board of Directors' Regular Meeting of March 16, 2011 **Pg. 5**
- D.2 Consider approval of March 2011 Treasurer's Report **Pg.11**

- D.3 DCV Violations this month. **Pg. 29**
- D.4 Consider Approval of minutes of the Board of Directors Special Meeting of March 17, 2011 **Pg. 30**

E. CONTINUED AND NEW BUSINESS

- E.1 MCSD's Birthday was on April 7th. We are 41 **Pg. 31**
- E.2 Consider appointing one new alternate member to the Recreation Advisory Committee (RAC) **Pg. 32**
- E.3 Determine if the MCSD Board desires to place on a future agenda an item for the reconsideration of the previous MCSD Board decision that approved the Beau Pre Height Development Project for 80 residential units **Pg. 34**
- E.4 Discuss concept of having the Humboldt County Board of Supervisors indorse/reform/agree/continue the McKinleyville Advisory Committee (MAC) **Pg. 44**
- E.5 Discuss temporarily postponing appointing community members to the MCSD Area Planning Commission Formation Committee (APCFC) **Pg. 46**
- E.6 Discussion regarding potential talking points the Board would like to request that Humboldt County Planning Department discuss at a future MCSD Board meeting or meetings **Pg. 48**
- E.7 Discussion regarding potential talking points the Board would like to request that the California Department Housing and Community Development to discuss at a future MCSD Board meeting **Pg. 49**
- E.8 Consider amending budget authority and authorization of early payment of the final obligation to West America Bancorp **Pg. 50**
- E.9 Review preliminary "draft" Water / Sewer and Street Light 2011/2012 budget **Pg. 51**
- E.10 Consider nomination of J. Bruce Rupp to the ACWA HBA Board of Directors **Pg. 55**
- E.11 Review of initial bid results from the RFP for the Emergency Water line in the Mad River Bridge. Approve and execute contract. Authorize funds to complete project **Pg. 59**

E.12 Continued business item: Status report regarding negotiations for acquisition of Real Property Parcel located at 1414 Fischer Road, McKinleyville, California, and following related items:

Pg. 87

- (a) Summary report on MCSD efforts to pursue purchase of subject real property parcel following Board action to seek purchase on or about February 17, 2010;
- (b) Persons appointed to serve as the McKinleyville Community Services District's negotiator(s) following Board action on or about February 17, 2010: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans and/or Paul Brisso, District legal counsel;
- (c) Persons with whom MCSD's appointed negotiator(s) may negotiate pursuant to Board action on or about February 17, 2010: Fernando Lourenco and Jorge Lourenco; and Jill Macdonald

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. Water Task Force ((Mayo, Corbett (alternate))
- g. AdHoc No Drugs & Toxics Down the Drain (Mayo)
- h. Humboldt County Advisory (Edwards/Mayo/Alternate-Corbett)

F.2. STAFF REPORTS

- a. Support Services Department (Steve Edmiston) **Pg. 88**
- b. Operations Department (Greg Orsini) **Pg. 91**
- c. Parks and Recreation Department (Jason Sehon) **Pg. 94**
- d. General Manager (Norman Shopay) **Pg. 97**

F.3. PRESIDENT'S REPORT

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

G. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS

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

H. CLOSED SESSION DISCUSSION

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

H.1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS -
(Per Government Code Section 54956.8) Property: 1414 Fischer Road.
Under Negotiation: Purchase of the above-referenced property. MCSD negotiators: Norman Shopay, General Manager; Steve Edmiston, Finance Director; Greg Orsini, Operations Director; Jason Sehon, Parks and Recreation Director, Russell Gans, District legal counsel. Parties with whom MCSD may negotiate: Fernando Lourenco, Jorge Lourenco. Instructions to negotiators include both price and terms of payment.

H.2 CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION--Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One Case: Claim pursuant to California Tort Claims Act, Claimant: Tom Lurtz Circumstance(s): Saint Maru Water Leak, March 24, 2011-Tom Lurtz, property damage claimant

I. ADJOURNMENT

Posted 5:00 pm on Friday, April 15th, 2011