

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

**McKinleyville Business Office
1656 Sutter Rd.
McKinleyville, California**

**Tuesday November 13, 2012
10:00 A.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.

NO CONSENT CALENDAR SCHEDULED

E. NEW BUSINESS

- E.1 Direct staff to draft and publish a formal public announcement regarding the untimely passing of Norman Shopay and statement of MCSD appreciation.
- E.2 Appoint Greg Orsini (or alternative) Interim General Manager
 - a. Field candidate nominations from Board for Interim General Manager Appointment
 - b. Appoint Interim General Manager
- E.3 Direct Staff to prepare a list of ongoing District projects for presentation to the Board for prioritization at a subsequently noticed special meeting of the Board
- E.4 Discuss and set schedule for a memorial in honor of Norman Shopay
- E.5 Discuss and set schedule for subsequent Special Meeting(s) of the MCSD Board of Directors

F. REPORTS

No specific action is required on these items, but the Board may discuss any particular item as required.

NO REPORTS SCHEDULED

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.

I. ADJOURNMENT

Posted 10:00A.M. Monday November 12, 2012

McKinleyville Community Services District

BOARD OF DIRECTORS

November 13, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.1. **Direct staff to draft and publish a formal public announcement regarding the untimely passing of Norman Shopay and statement of MCSD appreciation**

PRESENTED BY: **District Staff**

TYPE OF ACTION: **Voice Vote**

Recommendation:

Staff recommends that the Board directs staff to prepare a second more detailed Public Service Announcement regarding the passing of Norman Shopay.

Discussion:

Attached, please find the preliminary Public Service Announcement (PSA) sent to the McKinleyville Press on Monday, November 12, 2012. Staff is currently in the process of drafting a more detailed PSA for release later this week that will be distributed to all local media and will be made available to others upon request.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- Preliminary Public Service Announcement

Norman Shopay, General Manager of the McKinleyville Community Services District (MCSD), died Saturday, Nov. 10, of an apparent heart attack. He was 61.

Shopay worked for MCSD for three years and was well-liked by staff and community members. Just three days before he passed, Shopay was highly praised by the MCSD Board of Directors, which lauded Shopay for his contributions at the Nov. 7 meeting. "Norman has done an outstanding job," Board President Dennis Mayo said

"Not only will he be missed as the leader of MCSD and as a good friend but also in the community with his efforts in Rotary and on the McKinleyville Municipal Advisory Committee", said Helen Edwards MCSD Board member.

"I have worked for MCSD for 23 years, for 3 different General Managers but Norman brought a perspective to the position I had never experienced and he taught me many things that will forever influence me. On a personal note, Norman was a very unique, caring and gentle man and I will miss our conversations and his sense of humor", said Greg Orsini, Operations Director for MCSD.

Before he was hired by the MCSD in 2009, Shopay lived in Benicia and worked for the state Department of Water Resources. He had more than 20 years of environmental and water experience,

Shopay is survived by his wife Nancy.

The MCSD Board of Directors scheduled a special meeting for 10 a.m. Tuesday, Nov. 13, after the Press went to print, to discuss the situation and appoint an Interim General Manager.

A more detailed press release will be forthcoming. No details regarding services were available at press time.

McKinleyville Community Services District

BOARD OF DIRECTORS

November 13, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.2. Appoint Greg Orsini (or alternative) Interim General Manager

- a. Field candidate nominations from Board for Interim General Manager Appointment**
- b. Appoint Interim General Manager**

PRESENTED BY: Dennis Mayo, President

TYPE OF ACTION: Voice Vote

Recommendation:

Staff recommends that the Board field candidate nominations and appoint an interim General Manager.

Discussion:

Due to the untimely passing of General Manager Norman Shopay, the Board finds it necessary to appoint an interim General Manager in order to maintain continuity of day to day operations of MCSD.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- None

McKinleyville Community Services District

BOARD OF DIRECTORS

November 13, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.3. **Direct Staff to prepare a list of ongoing District projects for presentation to the Board for prioritization at a subsequently noticed special meeting of the Board**

PRESENTED BY: **District Staff**

TYPE OF ACTION: **Voice Vote**

Recommendation:

Staff recommends that the Board direct staff to continue preparing a list of ongoing District projects for presentation to the Board at a later date.

Discussion:

Due to the untimely passing of General Manager Norman Shopay, staff is in the process of preparing a detailed list of ongoing projects and related pertinent contact information so that projects can be prioritized and presented to the Board for approval at a later date.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- None

McKinleyville Community Services District

BOARD OF DIRECTORS

November 13, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.4. Discuss and set schedule for a memorial in honor of Norman Shopay

PRESENTED BY: Dennis Mayo, President

TYPE OF ACTION: Voice Vote

Recommendation:

Staff recommends that the Board schedule a date and venue for a memorial service in honor of Norman Shopay, to be included in the formal Public Service Announcement currently being drafted.

Discussion:

Staff will supply available dates for Azalea Hall or other chosen venues for the service.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

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McKinleyville Community Services District

BOARD OF DIRECTORS

November 13, 2012

TYPE OF ITEM: **ACTION**

ITEM: E.5. Discuss and set schedule for subsequent Special Meeting(s) of the MCSD Board of Directors

PRESENTED BY: District Staff

TYPE OF ACTION: Voice Vote

Recommendation:

Staff recommends that the Board schedule subsequent special meetings as needed to deal with issues arising from Norman Shopay's untimely passing.

Discussion:

Excerpts from the Board Policy Manual regarding Special Meetings (Emergency and Non-Emergency) are attached. The Board may determine whether or not particular issues fall into the category of internal, staff-level processes or require Board action and the scheduling of a Special Meeting.

Alternatives:

Staff's analysis includes the following potential alternative:

- Take no action

Fiscal Analysis:

Not applicable

Environmental Requirements:

Not applicable

Exhibits/Attachments

- Excerpts from the Board Policy Manual

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

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

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

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

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

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

5-3A Notification: Newspapers of general circulation in the District, radio stations and television stations which have requested notice of Special Meetings in accordance with the Ralph M. Brown Act shall be notified by at least one (1) hour prior to the emergency meeting. In the event that telephone services are not working, the notice requirement of one hour is waived, but the Manager, or his/her designee, shall notify such newspapers, radio stations or television stations of the fact of holding the Emergency Special Meeting and of any action taken by the Board, as soon after the meeting as possible.

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