

ORDINANCE NO. 2024-01
AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT
AMMENDING REGULATION 46, 47, and 48 OF THE MCSD RULES AND
REGULATIONS

WHEREAS, the McKinleyville Community Services District (the District), in partnership with Green Diamond Resource Company, and Trust for Public Lands has acquired 599 acres of timberlands to become the McKinleyville Community Forest

WHEREAS, the Board of Directors authorizes the formation of a standing Community Forest Committee to provide the Board of Directors and staff with recommendations regarding the use, management and operation of the community forest; and

WHEREAS, staff has proposed standards of use and safety guidelines for the McKinleyville Community Forest; and

WHEREAS, standards of safety are in the best interest of the community, the District, and the long term ongoing use, operation, and sustainability of the McKinleyville Community forest.

NOW, THEREFORE, the Board of Directors of the McKinleyville Community Services District ordains as follows:

REGULATION 46 – COMMUNITY FOREST COMMITTEE

RULE 46.01. FORMATION OF COMMUNITY FOREST COMMITTEE – the Board of Directors authorizes the formation of a Community Forest Committee to provide the Board of Directors and staff with recommendations regarding the use, management and operation of the community forest.

Rule 46.02. MEMBERSHIP - the McKinleyville Community Services District Community Forest Committee shall consist of 11-15 members consisting of:

- (a) Two (2) non-voting members shall be members of the District Board.
- (b) The remaining nine to thirteen (9-13) members will be regular voting members. Of the regular voting members, one (1) will be a member of the Parks and Recreation Committee, one (1) will be the MCSD General Manager, one (1) one will be MCSD's Parks & Recreation Director, one (1) will be MCSD's Operations Director, one (1) will be a MCSD Recreation Coordinator, one (1) will be a member of the McKinleyville Municipal Advisory Committee, at least one (1) will be a Forester, at least one (1) will be a representative from an appropriate natural resource service agency, at least one (1) will be a field expert in forest management, natural resources or biology, At least one (1) will be a member of the public who is a resident of the MCSD and is to be appointed by the MCSD Board of Directors. The remaining open seats up to 15 members may be filled by additional McKinleyville residents, field experts and/or tribal community representatives.

- (c) Any citizen, residing in the service area of the McKinleyville Community Services District, may apply to the District Board for appointment to fill appropriate vacant seats on the Community Forest Committee.

Rule 46.03. APPOINTMENT - the committee members shall be appointed as follows:

- (a) The Board of Directors shall announce each vacancy and shall state they are seeking applicants, setting forth the qualifications, if any required.
- (b) The Board of Directors shall interview each applicant, after which a majority of the Board of Directors, may select the most qualified to fill the vacancy.

Rule 46.04. MEMBER QUALIFICATIONS - all members not representing a specific entity or expertise shall be resident elects of the McKinleyville Community Services District.

Rule 46.05. TERMS OF OFFICE -the committee members shall serve terms as follows:

- (a) Appointment of District Board Members shall be for a term of one (1) year. Such member shall be a non-voting member and shall be appointed by the MCSD Board President in January each year.
- (b) Appointment of field experts shall be for a term of two (2) years.
- (c) Terms of the non-Board of Director committee members shall be staggered so that no more than two (2) membership terms shall expire in any given year.
- (d) The annual expiration date of appointment shall be December 31st.

Rule 46.06. REMOVAL - members of the Committee may be removed by a majority vote of the District Board of Directors.

Rule 46.07. ABSENCES - if any member of the Committee is absent without prior notification to the Parks & Recreation Director for three (3) regular consecutive meetings, or 40% of scheduled meetings, the Parks & Recreation Director shall certify that fact to the Board of Directors and the Board of Directors shall thereafter declare the position on the Committee to be vacant and proceed to fill the position by appointment.

Rule 46.09. OFFICERS - the MCSD Directors will serve as Chairperson and Vice-Chairperson of the Committee. The MCSD Directors for this committee will be appointed by the MCSD Board President annually.

Rule 46.10. MEETINGS - the Committee shall hold regularly scheduled meetings in the Conference Room of the District Office, or at such other place within the District as may be designated by the Committee, and may hold such additional meetings as it may deem necessary or expedient. All meetings must be noticed in compliance with state and federal laws.

Rule 46.11. TIME/LOCATION OF MEETINGS - the time of the regular meetings shall be as established from time to time by the committee members.

Rule 46.12. QUORUM - a majority of the Committee shall constitute a quorum for the purpose of transacting business of the Committee.

Rule 46.13. RECORDS - written records of all the proceedings, findings, determinations and transactions of the Committee shall be kept, which record shall be a public record and a copy of which record shall be filed with the District Secretary.

Rule 46.14. PURPOSE -The committee's purpose is to assist the District in the development, operation and management of the Community Forest. This is a working committee. Members are expected to not only attend regular meetings of the committee, but to also dedicate time and expertise to matters pertaining to the development, operation and maintenance of the Community Forest in service to the McKinleyville community.

Rule 46.15 POWERS AND DUTIES - the Community Forest Committee shall have the following powers and duties:

- (a) To serve in an advisory capacity to the Board of Directors and District Staff in all matters pertaining to the management and operation of the community forest property owned by the District;
- (b) To make recommendations to the Board of Directors and District Staff with respect to the provisions of the annual budget for community forest management and operation;
- (c) To recommend to the Board of Directors acceptance or rejection of offers of donations of money, personal property and real property to be used for management and/or operation of the community forest;
- (d) To recommend to the Board of Directors a comprehensive forest management and operating plan;
- (e) To recommend for adoption by the Board of Directors rules and regulations for the use and improvement of the District's community forest property;
- (f) To recommend to the Board of Directors and District staff policies for the development and improvement of community forest amenities and attributes in service to the community's needs; and
- (g) To perform research, data gathering and analysis for matters pertaining to the development and management of the Community Forest; and
- (h) To perform duties related to fundraising for the development, operation and maintenance of the Community Forest; and
- (i) To participate in community work efforts related to the development, operation and maintenance of the Community Forest; and
- (j) To perform such other duties relating to community forest matters as may be prescribed by the Board of Directors.

REGULATION 47-COMMUNITY FOREST USE & GUIDELINES

RULE 47.01. DAY USE ONLY- there is to be no camping or overnight use of any portion of the Community Forest property without express written permission from the McKinleyville Community Services District.

RULE 47.02. MOTORIZED AND ELECTRIC VEHICLE USE PROHIBITED-Public recreation use of the Community Forest Property does not include use or operation of any motorized or electric vehicle. Recreational use must be done via pedestrian use, non-motorized/non-electric bicycle or horseback. Operation of non-motorized vehicles within the community forest property must comply with existing Rule 41.04 of these Rules & Regulations

RULE 47.03. AT OWN RISK USE-Recreational Use of the Community Forest Property is at participant's own risk.

RULE 47.04. FIRES PROHIBITED-use of fire is prohibited within the Community Forest property

RULE 47.05. COMMUNITY FOREST USE AND GUIDELINES - the guidelines and regulations for the use, operation, management, budgeting, watershed and environmental protection, forest management planning and practices, trail management and planning, and other uses of the community forest will be established by either existing or new Ordinance and will be consistent with other MCSD Recreation and Park System operations and regulations.

REGULATION 48-ENFORCEMENT

Rule 48.01. VIOLATIONS - any violation of these rules and regulations relating to the use of District facilities located within the recreation and parks system is a misdemeanor, punishable by law.

This Ordinance shall take effect and be in full force and effective thirty (30) days after its passage.

Introduced at a regular meeting of the Board of Directors held on March 6, 2024 and passed and adopted by the Board of Directors on April 3, 2024, upon the motion of Director Orsini and seconded by Director Biterman and by the following roll call vote:


AYES: Binder, Biterman, Couch, Mamp, & Orsini

NOES:

ABSTAIN:

ABSENT:

Attest:



Joey Blaine, Board Secretary



Scott Binder, Board President