

MINUTES OF THE SPECIAL/REGULAR MEETING OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT HELD ON WEDNESDAY, FEBRUARY 5, 2020 AT 5:30/7:00 P.M. AZALEA HALL, 1620 PICKETT ROAD, MCKINLEYVILLE, CA

Closed Session Meeting

AGENDA ITEM A. CALL TO ORDER:

A.1 Roll Call: The closed session meeting of the Board of Directors of McKinleyville Community Services District convened at 5:34 pm with the following Directors and staff in attendance:

Mary Burke, President
Shel Barsanti, Director
John Corbett, Director
David Couch, Director
Dennis Mayo, Director

Gregory Orsini, General Manager
Colleen Trask, Finance Director
James Henry, Operations Director
Lesley Frisbee, Recreation Director
April Sousa, Board Secretary
Russel Gans, Legal Counsel

A.2 Public Comment and Written Communications: There was no public present for comment.

A.3 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.

- a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Gov. Code 54956.8)
Agency Negotiators: Greg Orsini, General Manager, Russell Gans, Legal Counsel
Parties with Whom Negotiating: Dolores Pialorsi, Trustee
Property: Humboldt County Assessor Parcel Nos. 506-341-017, 508-031-001, 508-081-034 and 508-091-037, located at/near Fischer Road, McKinleyville, Humboldt County, CA
Under Negotiation: Purchase Agreement (Price and Terms of Payment)

- b. PUBLIC EMPLOYEE APPOINTMENT. Title: General Manager. (Government Code § 54957(b)(1)).

A.4 Report Out of Closed Session

General Manager reported the following for item A.3a

Motion: It was moved to proceed with purchasing the property and authorize the General Manager to execute the purchase agreement with Dolores Pialorsi, Trustee.

Motion by: Director Mayo; **Second:** Director Corbett

Motion Summary: Motion passed unanimously

There was nothing to report out for item A.3b

Regular Meeting

AGENDA ITEM A. CALL TO ORDER:

A.1 Roll Call: The regular session of the Board of Directors of McKinleyville Community Services District convened at 7:00 pm with the following Directors and staff in attendance:

Mary Burke, President
Shel Barsanti, Director
John Corbett, Director
David Couch, Director
Dennis Mayo, Director

Gregory Orsini, General Manager
Colleen Trask, Finance Director
James Henry, Operations Director
Lesley Frisbee, Recreation Director
April Sousa, Board Secretary

A.2 Pledge of Allegiance: The Pledge of Allegiance was led by President Burke

After the pledge, President Burke spoke of the passing of former Board Member, George Wheeler, and asked for a moment of silence.

A.3 Additions to the Agenda: There were no additions to the agenda.

A.4 Approval of the Agenda:

Motion: It was moved to adopt the agenda.

Motion by: Director Couch; **Second:** Director Corbett

There were no comments from the Board or Public.

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

AGENDA ITEM B. PUBLIC HEARINGS:

There were no public Hearings

AGENDA ITEM C. PUBLIC COMMENT AND WRITTEN COMMUNICATIONS:

Director Corbett noted the new set up arrangements and asked for a change in the location of a cord so he can stand easier for the pledge.

Operations Director James Henry introduced a new employee, Lance Lair, to the MCSD crew.

AGENDA ITEM D. CONSENT CALENDAR:

- D.1 Consider Approval of the Minutes of the Board of Directors
 - Minutes from Regular Meeting December 4, 2019
 - Draft Minutes from Special Meeting January 10, 2020
 - Draft Minutes from Special Meeting January 11, 2020
- D.2 Consider Approval of November and December 2019 Treasurer's Report
- D.3 Compliance with State Double Check Valve (DCV) Law
- D.4 Consider approval of Budget Modification for 2019-2020 Capital Improvement Plan
- D.5 Consider Approval of a Mainline Extension Agreement for Avelar Subdivision
- D.6 Approve Conveyance of Water and Sewer Facilities Related to the Bo Day/Griffith Subdivision
- D.7 Consider Approval for Association of California Water Agencies (ACWA) Related Travel for Dennis Mayo
- D.8 Consider Approval of Memorandum of Understanding (MOU) between McKinleyville Community Services District (MCSD) and the McKinleyville Chamber of Commerce for Beautification and Decoration within the County Right of Way Along Central Avenue in McKinleyville, CA

Director Corbett asked to remove item D.7 from the Consent Calendar

Motion: It was moved to approve the consent calendar items D.1-D.6 and D.8.

Motion by: Director Corbett; **Second:** Director Couch

There were no comments from the Board or Public.

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

D.7 Consider Approval for Association of California Water Agencies (ACWA) Related Travel for Dennis Mayo

Director Corbet asked if Director Mayo would give regular reports to the board on all ACWA issues and meetings. Director Mayo agreed and noted he was taking a larger role in the Agriculture Committee. There were no comments from the public.

Motion: It was moved to approve the ACWA related travel for Dennis Mayo
Motion by: Director Corbett; **Second:** Director Couch
Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None
Motion Summary: Motion Passed

AGENDA ITEM E. CONTINUED AND NEW BUSINESS:

E.1 Presentation of MCSD Employee of the Year to Kyle Stone

General Manager Orsini gave an overview, and it was noted that James Henry's name was left off the list. He received the award in 2011.

The Board and public gave comments and Kyle gave a short speech. Pictures were taken with the Board.

This was a presentation item. No action taken

E.2 Consider Appointment of Applicants Josh Zender and Kassidy Bertoldi for Vacant Seats on the Recreation Advisory Committee (RAC) and Consider Re-Appointment of John Kulstad

Parks Director Lesley Frisbee gave an overview of the item. It was noted that one applicant, Kassidy Bertoldi, was not present. Applicant Josh Zender spoke on his reasons for applying for the open position on the RAC. The Board took the opportunity to comment and ask questions of Mr. Zender. There was no other public comment.

Motion: Appoint Josh Zender and re-appoint John Kulstad to the Recreation Advisory Committee for a four (4) year term as regular voting members and to invite Kassidy Bertoldi to the March meeting before appointing as an alternate member.

Motion by: Director Corbet; Second: Director Mayo

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

E.3 Presentation from Justin McDonald, Arcata Fire District, regarding Measure R, a Special Tax Proposed for the March 2020 Ballot

Fire Chief Justin McDonald gave information on Measure R, which is a proposed special tax to be voted upon with the March ballot. Clarifying questions from the Board were answered by Chief McDonald, and the public was given the opportunity to also ask questions from the Fire Chief on this measure

This was an informational item only. No action was taken.

E.6 Consideration of Scott Appeal

This item was moved forward on the agenda as there was a member of the public who came to speak on its behalf.

General Manager Orsini gave an overview of the appeal process and initial information on this item. Mr. Scott presented written documentation to the Board regarding the particulars of this appeal. The Board asked clarifying questions of Mr. Scott and further discussion took place regarding the appeal process. There was no other public comment.

Motion: Deny the claim with an option to re-open if new sufficient facts become available.

Motion by: Director Corbett; Second: Director Mayo

Further board comment consisted of asking for further investigation if the incident occurs again.

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

E.4 Approve FY 2018-2019 Audited Financial Statements

Chris Brown, from Fedak and Brown (Auditors) presented the Audited Financials for Fiscal Year 2018-2019 to the Board. The Board asked clarifying questions regarding debt obligations and other items. Director

Corbett asked for a report or letter detailing the significance in dollars or percent of the operating revenue and capital assets. There was no public comment.

Motion: Approve the District's Audited Financial Statements for Fiscal Year 2018-2019.

Motion by: Director Barsanti; Second: Director Corbett

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

E.5 Consideration of Reynolds Claim for Damages

General Manager Orsini gave an overview of the Claim for Damages. Ms. Reynolds had been contacted by the Board Secretary but was not present to speak with the Board on this item. The Board asked clarifying questions and discussion on the District's Rules and Regulations regarding a separate shut off valve on the customer's side of the meter took place. The Board requested that some form of communication (letter or door hanger) be developed to notify residents of this rule when their water is shut off. There was no other public comment.

Motion: Deny the Claim for Damages from Rachele Reynolds.

Motion by: Director Corbett; Second: Director Couch

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

E. 7 Review of Tactical Planning Matrix CY 2020-25

General Manager Orsini gave an overview of the Tactical Planning Matrix. Staff completed suggestions made from the Board when the Matrix was reviewed in the fall. The Board was given an opportunity to comment and ask questions. There was no public comment.

This was an information only item. No action was taken.

E.8 Consider Updates to the MCSD Rules and Regulations regarding Disconnection of Services

The item was presented by General Manager Orsini and discussed by the Board. It was noted that the Policy would be by resolution and that the Ordinance would allow for this change to take place. Language translation requirements were discussed. There was no additional public comment.

Motion: Adopt Resolution No. 2020-01 implementing a policy governing the disconnection of water services for nonpayment of water rates and charges and conduct a first reading, by title only, of Ordinance 2020-01 amending rules 9.05, 10.01, and 10.03 of the MCSD Rules and Regulations.

Motion by: Director Corbett; Second: Director Barsanti

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

E.9 Discuss and Consider Committee Assignments and Appointment of Committee Chairs by the Board President for the 2020 Calendar Year

Board Secretary Sousa presented this item for review and consideration. President Burke asked if anyone was requesting a change. The necessity for some committees was briefly discussed. No action taken as it was asked for this item to be brought back to the March agenda for review and final committee appointments assigned. There was no public comment.

E.10 Review of the 2019 Integrated Pest Management Plan Annual Report

The report was presented by Operations Director James Henry. It was noted by President Burke that plan was something important to the late former Board Director George Wheeler. There was no public comment.

This was an informational only item. No action taken.

E.11 Review Information for the Draft Capital Improvement Plan for the Parks and General Fund, FY2020-21

Finance Director Colleen M.R. Trask gave the overview of this item. Clarification and the relationship of the Quimby Funds to this item was discussed. There was no public comment.

This was an informational only item. No action taken.

E.12 Approve Bid Proposal and Award Ameresco Contract for WWMF Microgrid Project

General Manager Orsini reviewed the item with the Board and answered clarifying questions. There was no public comment.

Motion: Authorize the General Manager to execute the final agreement and associated contract documents for a price not to exceed \$2,065,520, with the addition of a 10% contingency of \$206,552 for a total price of \$2,272,072.00.

Motion by: Director Corbett; Second: Director Mayo

Roll Call: Ayes: Barsanti, Corbett, Couch, Mayo and Burke Nays: None Absent: None

Motion Summary: Motion Passed

AGENDA ITEM F. REPORTS

F.1 ACTIVE COMMITTEE REPORTS

- a. **Recreation Advisory Committee (Couch/Mayo):** Director Couch announced that Johnny Calkins was the new Chair and Scott Binder was the new Vice Chair.
- b. **Area Fund (John Kulstad/Burke):** Did not meet.
- c. **Redwood Region Economic Development Commission (Mayo/Barsanti):** Director Mayo noted a presentation on Jobs and Employment that took place.
- d. **McKinleyville Senior Center Advisory Council (Barsanti/Burke):** AB5 and Independent Contractor status as it involves the Senior Center was a part of this report.
- e. **Audit (Corbett/Barsanti):** The audit was reviewed by the committee and questions answered prior to the meeting's full Board review.
- f. **Employee Negotiations (Couch/Corbett):** Did not meet.
- g. **Water Task Force (Burke):** Did not meet
- h. **AdHoc No Drugs & Toxics Down the Drain (Burke):** Did not meet.
- i. **McKinleyville Municipal Advisory Committee (Burke/Mayo):** Director Burke gave a report and noted continued planning for the Town Center Ordinance.
- j. **Cornerstone Committee (Couch):** Did not meet.
- k. **Groundwater Sustainability Committee (Corbett/Burke):** Did not meet.
- l. **Local Agency Formation Commission (Couch):** Director Couch reported on a planning meeting.

F.2 STAFF REPORTS

- a. **Support Services Department (Colleen M.R. Trask):** Finance Director, Colleen Trask highlighted the PG&E LED project loan was paid off.
- b. **Operations Department (James Henry):** Operations Director, James Henry had nothing further to report.

- c. **Parks & Recreation Department (Lesley Frisbee):** Recreation Director, Lesley Frisbee reported briefly on recent RAC activity including the BMX track and an idea for a pollinating garden.
- d. **General Manager (Greg Orsini):** General Manager Orsini notified the board of funding for Phase 1 of the Sewer Undercrossing Project.

F.3.2 PRESIDENT'S REPORT: President Burke noted the new set up and asked for feedback. She also requested a resolution honoring George Wheeler's service at the next Board meeting.

F.4 BOARD MEMBER COMMENTS, ANNOUNCEMENTS, REPORTS AND AGENDA ITEM REQUESTS: Director Mayo gave a quick ACWA report and also asked to have a future discussion regarding Narcan on the premises.

G. ADJOURNMENT:

Meeting Adjourned at 10:57 p.m.



April Sousa, CMC, Board Secretary