



**Mission statement of McKinleyville Community Services District:**  
*“Provide McKinleyville with safe and reliable water, wastewater, lighting, open space, parks and recreation, library services, and other appropriate services for an urban community in an environmentally and fiscally responsible manner.”*

**NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE  
MCKINLEYVILLE COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS  
WILL BE HELD  
THURSDAY, JULY 22, 2021 AT 5:30 PM**

**LOCATION: MCSD Conference Room  
1656 Sutter Road  
McKinleyville, California**

**Or**

**TELECONFERENCE Via ZOOM & TELEPHONE:  
Use ZOOM MEETING ID: 868 5984 4205 (<https://us02web.zoom.us/j/86859844205>) or DIAL  
IN TOLL FREE: 1-888-788-0099 (No Password Required!)**

**Participation information**

To participate in person, please come to the MCSD Conference Room. Masks will be required for those who are unvaccinated.

To participate via teleconference, please use the toll-free number listed above, or join through the internet at the Zoom App with weblink and ID number listed above.

The public may also submit written comments to the Board Secretary at:  
[comments@mckinleyvillecsd.com](mailto:comments@mckinleyvillecsd.com) up until 4:30 p.m. on Wednesday, July 21, 2021.

All Public Comment received before the above deadline will be provided to the Board at 9 a.m. on Thursday, July 22, 2021 in a supplemental packet information that will also be posted on the website for public viewing.

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**AGENDA**  
**5:30 p.m.**

**A. CALL TO ORDER**

- A.1 Roll Call
- A.2 Pledge of Allegiance
- A.3 Approval of the Agenda

**B. 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.*

## **D. CONTINUED AND NEW BUSINESS**

- |     |  |               |
|-----|--|---------------|
| D.1 | Ratify Vote from July 7, 2021 of Second Reading and Adoption of Ordinance No. 2021-05 Adding Section 68.04 to Regulation 68, Latent Powers of Article VI: Miscellaneous, Addressing Library Powers of the MCSD Rules and Regulations (Action)                      | <b>Pg. 3</b>  |
|     | Attachment 1 – Ordinance No. 2021-05   | <b>Pg. 5</b>  |
|     | Attachment 2 – Regulation 68 (Tracked Changes)   | <b>Pg. 7</b>  |
| D.2 | Ratify Vote from July 7, 2021 of First Reading of Ordinance No. 2021-06 Adding Article VII: Water Conservation Establishing Rules and Regulations for Rationing Water During a Water Shortage Emergency and Establishing Penalties for Violations Thereof (Action) | <b>Pg. 9</b>  |
|     | Attachment 1 – Ordinance No. 2021-06   | <b>Pg. 11</b> |
|     | Attachment 1a – Exhibit A to Ordinance No. 2021-06   | <b>Pg. 14</b> |
|     | Attachment 2 – Water Shortage Plan Presentation Slides   | <b>Pg. 21</b> |
| D.3 | Ratify Vote from July 7, 2021 of Appointment of Philip Heidrick for Vacant Position on the Park and Recreation Committee (PARC) (Action)   | <b>Pg. 27</b> |
|     | Attachment 1 – Application to PARC – Phil Heidrick   | <b>Pg. 29</b> |
| D.4 | Ratify Vote from July 7, 2021 for the Approval of the Memorandum of Understanding (MOU) for Central Avenue Right of Way Landscape Maintenance with Humboldt County Department of Public Works (DPW)  | <b>Pg. 31</b> |
|     | Attachment 1 – Central Avenue Memorandum of Understanding  | <b>Pg. 33</b> |
| D.5 | Ratify Vote from July 7, 2021 of Attendance to the California Special District's Association (CSDA) 2021 Annual Conference August 30-September 2, 2021, in Monterey, California (Action)   | <b>Pg. 37</b> |
|     | Attachment 1 – CSDA Conference Complete Brochure   | <b>Pg. 39</b> |

## **E. ADJOURNMENT**

**Posted 5:00 pm on July 15, 2021**

*Pursuant to California Government Code Section 54957.5, this agenda and complete Board packet are available for public inspection on the web at [McKinleyvillecsd.com/minutes](http://McKinleyvillecsd.com/minutes) or upon request at the MCSD office, 1656 Sutter Road, McKinleyville. A complete packet is also available for viewing at the McKinleyville Library at 1606 Pickett Road, McKinleyville. If you would like to receive the complete packet via email, free of charge, contact the Board Secretary at (707)839-3251 to be added to the mailing list.*

*McKinleyville Community Services District will, on request, make agendas available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals who need this agenda in an alternative format or who need a disability-related modification or accommodation in order to participate in the meeting should contact the Board Secretary at (707) 839-3251. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements for accommodations.*

# McKinleyville Community Services District

## BOARD OF DIRECTORS

July 22, 2021

TYPE OF ITEM: **ACTION**

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**ITEM: D.1**                      **Ratify Vote from July 7, 2021 of Second Reading and Adoption of Ordinance 2021-05 Adding Section 68.04 to Regulation 68, Latent Powers, of Article VI: Miscellaneous, Addressing Library Powers of the MCSD Rules and Regulations**

**PRESENTED BY:**              **April Sousa, Board Secretary**

**TYPE OF ACTION:**          **Roll Call Vote**

### **Recommendation:**

Staff recommends that the Board review the provided material, discuss, take public comment, and ratify the vote from July 7, 2021 of second reading and adoption of Ordinance No. 2021-05 (**Attachment 1**) Adding Section 68.04, by title only.

### **Discussion:**

As the Board may recall, the Latent Powers Committee brought forth a list of recommendations in February of 2021, which the Board directed staff to complete. To date, the Board has completed the recommendations regarding policies on homeless services and clarification regarding the relationship between MCSD and the McKinleyville Municipal Advisory Committee (MMAC). Staff is now prepared to bring the next item forward for consideration. This item is in regard to the latent power of Library Services.

In 1995, MCSD held a special election to ascertain the public's desire for the acquisition of Library Powers. The vote was held and achieved a 78.65% approval. In researching the process since this vote, it was discovered that certain finalizations procedures may not have been followed through to completion by the Local Agency Formation Commission (LAFCo).

MCSD has exercised its authorities of Library Powers since the 1995 vote, which include authorization to acquire sites for, construct, and maintain library buildings, and to cooperate with other governmental agencies for library services. Ordinance No. 2021-05 (**Attachment 1**) further clarifies this acquisition of powers, as confirmed by LAFCo, in accordance with California Government Code section 61106(a).

Ordinance No. 2021-04 added regulation 68: Latent Powers to the Rules and Regulations and became effective May 7, 2021. Ordinance No. 2021-05 amends Rule 68.01 and adds 68.04. These modifications can be seen through the **Attachment 2** – Regulation 68 (Tracked Changes).

The first reading of this Ordinance was conducted at the June 2, 2021 Board meeting.

A second reading and adoption of this Ordinance was conducted at the July 7, 2021 Board meeting. Motion by Director Couch, seconded by Director Binder with a roll call vote of the following: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo; Nays: none; Absent: none.

**Alternatives:**

Staff analysis consists of the following potential alternative

- Take No Action

**Fiscal Analysis:**

Not applicable. The District currently maintains the McKinleyville Library building at Pierson Park and will continue to do so. No additional expenses or revenues are anticipated to result from this formalization of Library latent powers.

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

- Attachment 1 – Ordinance No. 2021-05
- Attachment 2 – Regulation 68 (Tracked Changes)

**ORDINANCE NO. 2021-05****AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT  
ADDING SECTION 68.04 TO REGULATION 68, LATENT POWERS OF ARTICLE VI:  
MISCELLANEOUS, ADDRESSING LIBRARY POWERS OF THE MCSD RULES AND  
REGULATIONS**

**WHEREAS**, the McKinleyville Community Services District (MCSD) recently discussed and appointed an ad-hoc subcommittee to review the District's Latent Powers; and

**WHEREAS**, the Latent Powers Committee recommended, later approved by the full MCSD Board, to clarify existing and future Latent Powers of the District; and

**WHEREAS**, the District wishes to clarify their powers and authorities relating to Library services and operations; and

**WHEREAS**, in 1995, MCSD held a special election to determine the public's desire for the authorization of Library Powers to acquire sites for, construct and maintain library buildings, and to cooperate with other governmental agencies for library services; and

**WHEREAS**, the November 7, 1995 election achieved a 78.65% approval; and

**WHEREAS**, the Local Agency Formation Commission (LAFCo) approved the activation of the latent library authorities enabled in the Government Code subject to a vote of the electorate within MCSD; and

**WHEREAS**, based upon the successful results of the 1995 election, LAFCo determined in 1995 through their Resolution No. 92-02, approval of the activation of MCSD's Library Powers; and

**WHEREAS**, while a certificate of completion was not executed after the election, LAFCo has determined that MCSD has complied with subsection (a) of Government Code 61106; and

**WHEREAS**, MCSD's library powers were in effect prior to Government Code 61002(h) which defines "Latent Power" as services and facilities authorized by Part 3 9commencing with Section 61100) that the Local Agency Formation Commission has determined, pursuant to subdivision (i) of Section 56425, that a district did not provide prior to January 1, 2006; and

**WHEREAS**, with such compliance may move forward with subsection (b) of Government Code 61106, ordering the exercising of latent library powers.

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

**Rule 68:01: Introduction** – is revised to include Library powers in the current list of services provided.

**Rule 68:04: Library Powers and Authorization**, is added to Regulation 68, Latent Powers, of Article VI of the District's adopted Rules and Regulations to read as follows:

**Rule 68.04: LIBRARY POWERS AND AUTHORIZATION**

In accordance with California Government Code section 61106(a), McKinleyville CSD has fulfilled the requirements for the approval to exercise the latent power of Library services to the community of McKinleyville. These powers, voted on by 78.65% approval at the November 7, 1995 General Election, includes the authorization to acquire sites for, construct and maintain library buildings, and to cooperate with other governmental agencies for library services.

MCSD has assumed these latent library powers since this election. The McKinleyville Library, as constructed in 1997, is maintained by McKinleyville CSD staff. McKinleyville CSD works in partnership with Humboldt County to provide library services to the community of McKinleyville.

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 June 2, 2021 and passed and adopted by the Board of Directors on \_\_\_\_\_, upon the motion of Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ and by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

\_\_\_\_\_  
Dennis Mayo, Board President

\_\_\_\_\_  
April Sousa, CMC, Board Secretary

Where the service is expected to cost more than \$5,000 staff shall secure informal proposals from firms known to have the required expertise. Where the service is expected to cost less than \$5,000 staff shall negotiate an agreement with the apparent best qualified consultant.

## REGULATION 68 – LATENT POWERS

**Rule 68.01: INTRODUCTION** – This regulation will detail and clarify the Latent Powers of the District. The State of California Government Code, Title 6, Division 3, Part 3, Chapter 1, Section 61100, states “within its boundaries, a district may do any of the following:” and then lists in its subsections various latent powers. As detailed in the 2009 adopted Municipal Service Review (MSR) prepared by the Humboldt County Local Agency Formation Commission (LAFCo), the District currently provides the following services:

- Water,
- Wastewater,
- Parks and Recreation,
- Street Lighting,
- Open Space, and
- Stormwater Detention Basins
- Library

**Rule 68.02: EXERCISING LATENT POWERS** – The process for activation of latent powers per the Cortese-Knox-Hertzber Act consists of the following steps:

1. Government Code Section 61106(a) If a Board of Directors desires to exercise a latent power, the district shall first receive the approval of the local agency formation commission, pursuant to Article 1.5 (commencing with Section 56824.10) of Chapter 5 of Part 3 of Division 3.
2. Government code Section 61106(b) After receiving approval of the Local Agency Formation Commission, the Board of Directors may, by ordinance, order the exercise of that power.
3. Latent powers activation does not require an election unless sufficient written protest during the protest hearing process was received.
4. A certificate of completion should be recorded to certify the exercise of new and/or different functions.

### **Rule 68.03: SERVICES FOR THOSE EXPERIENCING HOMELESSNESS –**

The Board and Staff of McKinleyville CSD are sensitive to the impact homelessness has on our community. As a California Special District, McKinleyville community Services District has specific authorities. With that in mind, MCSD has no authority or funding to serve those experiencing homelessness in our community. To address unmet needs in McKinleyville, MCSD can offer facilities to third parties to serve those experiencing homelessness in the community. This includes, but is not limited to, Parks, buildings, and undeveloped property owned by MCSD. The process for accessing an agreement with MCSD can be found in Article IV, Regulation 45: Permits, Fees and Deposits, of

the MCSD Rules and Regulations. Any third party interested in utilizing MCSD facilities for the care, support, or locating the homeless population will be required to apply for a permit consistent with these rules and regulations. Any request for these services will be reviewed on a case-by-case basis and will require action by the MCSD Board of Directors. A facility use agreement that lays out specifics, including cost and term, will be required, and must be approved by the Board in an open, public meeting.

**Rule 68.04: LIBRARY POWERS AND AUTHORIZATION**

In accordance with California Government Code section 61106(a), McKinleyville CSD has fulfilled the requirements for the approval to exercise the latent power of Library services to the community of McKinleyville. These powers, voted on by 78.65% approval at the November 7, 1995 General Election, includes the authorization to acquire sites for, construct and maintain library buildings, and to cooperate with other governmental agencies for library services.

MCSD has assumed these latent library powers since this election. The McKinleyville Library, as constructed in 1997, is maintained by McKinleyville CSD staff. McKinleyville CSD works in partnership with Humboldt County to provide library services to the community of McKinleyville.

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# McKinleyville Community Services District

## BOARD OF DIRECTORS

July 22, 2021

TYPE OF ITEM: **ACTION**

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**ITEM: D.2**                      **Ratify Vote from July 7, 2021 of First Reading of Ordinance No. 2021-06 Adding Article VII: Water Conservation Establishing Rules and Regulations for Rationing Water During a Water Shortage Emergency and Establishing Penalties for Violations**

**PRESENTED BY:**              **James Henry, Operations Director**

**TYPE OF ACTION:**          **Roll Call Vote**

**Recommendation:**

Staff recommends that the Board review the provided material and presentation, take public comment, and ratify the vote from July 7, 2021 to amend Stage 5 and the first reading of Ordinance No. 2021-06, by title only.

**Discussion:**

Water shortage contingency plans (WSCP) have been required as part of the water contingency analysis specified by the California Water Code 10632 since the early 1980s for urban water suppliers. The McKinleyville Community Services District is in the process of updating their existing WSCP, which is also a part of the Urban Water Management Plan (UWMP), in accordance with the California Water Code and California Urban Water Management Planning Act of 1983 (AB 797), including amendments made per the Water Conservation Bill of 2009 (SBX7-7). The overall intent of the WSCP and UWMP are to provide a framework for long term water planning and to inform the public of long-term resource planning that ensures adequate water supplies for existing and future demands. The goal of developing a WSCP is to prepare in advance a response for various water shortage conditions. These shortages could be caused by droughts or other natural forces, system interruptions or failures, chronic maintenance deferral, dropping groundwater levels, or regulatory action.

The MCSD Water Continency Plan has been previously an ordinance that was not codified within the MCSD Rules and Regulation. This "Ordinance 10" was originally adopted in 1977, amended by Ordinance 11 shortly after and then amended again in 2015 through resolution.

At this time, it is recommended to codify the District's WSCP requirements into the MCSD Rules and Regulations and incorporate current required updates to the WSCP at the same time.

Ordinance 2021-06 (**Attachment 1**) adds Article VII to the District Rules & Regulations to address Water Conservation, and includes the Water Contingency Plan, and will have room for the addition of rules in the future if needed.

Exhibit A to the Ordinance (**Attachment 1.a**) is Article VII in its entirety.

At the July 7, 2021 Board meeting, a motion to Amend Stage 5 by removing the portion stating “except for designated drought resistant landscaping approved by the District” from the fourth bullet of the stage was made by Director Couch and seconded by Director Orsini with a roll call vote of the following: Ayes: Binder, Clark-Peterson, Orsini, and Mayo; Nays: none; Absent: none.

A first reading of Ordinance 2021-06 was conducted at the July 7, 2021 Board meeting. Motion by Director Orsini and seconded by Director Couch with a roll call vote of the following: Ayes: Binder, Clark-Peterson, Orsini, and Mayo; Nays: none; Absent: none.

**Alternatives:**

Staff analysis consists of the following potential alternative

- Take No Action

**Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

- Attachment 1 – Ordinance No. 2021-06
- Attachment 1.a – Exhibit A to Ordinance No. 2021-06
- Attachment 2 – Water Shortage Contingency Plan Presentation

**ORDINANCE NO. 2021-06**  
**AN ORDINANCE OF THE MCKINLEYVILLE COMMUNITY SERVICES DISTRICT**  
**ADDING ARTICLE VII: WATER CONSERVATION ESTABLISHING RULES AND**  
**REGULATIONS FOR RATIONING WATER DURING A WATER SHORTAGE**  
**EMERGENCY AND ESTABLISHING PENALTIES FOR VIOLATIONS THEREOF**

**WHEREAS**, Article X, Section 2 of the California Constitution declares that waters of the State are to be put to beneficial use, that waste, unreasonable use, or unreasonable method of use of water be prevented, and that water be conserved for the public welfare; and

**WHEREAS**, conservation of current water supplies and minimization of the effects of water supply shortages that are the result of drought are essential to the public health, safety and welfare; and

**WHEREAS**, regulation of the day or time of certain water use, manner of certain water use, design of rates, method of application of water for certain uses, installation and use of water-saving devices, provide an effective and immediately available means of conserving water; and

**WHEREAS**, California Government Code section 61100, subdivision (a) incorporates Water Code sections 71000 et seq., including section 71640, into the Community Service District Law; and

**WHEREAS**, California Water Code section 71610.5 authorizes the District to undertake a water conservation program to reduce water use and may require, as a condition of new service, that reasonable water-saving devices and water reclamation devices be installed to reduce water use; and

**WHEREAS**, pursuant to Water Code section 71640, municipal water districts may restrict the use of district water during a drought emergency or other water shortage condition and may prohibit the wastage of district water or the nonessential use of district water during such periods for any purpose other than household uses or other restricted uses as the District determines to be necessary; and

**WHEREAS**, pursuant to Water Code section 71641 and Government Code section 6061, the District must publish in a newspaper of general circulation any ordinance setting forth the restrictions, prohibitions, and exclusions determined to be necessary under Water Code section 71640 within 10 days after its adoption, even though the ordinance is effective upon adoption; and

**WHEREAS**, Water Code section 71644 establishes that, from the publication of an ordinance pursuant to section 71641 until the repeal of the ordinance or end of the emergency, it is a misdemeanor punishable by up to 30 days in county jail and/or a fine

of up to \$600 for any person to use or apply water from the District contrary to or in violation of any restriction or prohibition; and

**WHEREAS**, the adoption and enforcement of a comprehensive water conservation program will allow the District to delay or avoid implementing measures such as water rationing or more restrictive water use regulations pursuant to a declared water shortage emergency as authorized by California Water Code sections 350 et seq.; and

**WHEREAS**, the District has previously adopted a comprehensive water conservation program in 1977 through Ordinance 10, amended with Ordinance 11 also in 1977, and further amended in 2015 through Resolution 2015-09; and

**WHEREAS**, the District desires to incorporate and codify this water conservation program within its Rules and Regulations with necessary updates.

**NOW THEREFORE**, the Board of Directors of the McKinleyville Community Services District does hereby ordain the following:

**Section 1. ARTICLE VII: WATER CONSERVATION** is added to the MCSD Rules and Regulations as attached in Exhibit A.

**Section 2. Definitions.** For the purpose of this Ordinance the following terms, phrases, words, and their derivations shall have the meaning given herein and if not already within the Rules and Regulations Definitions found in Rule 1 shall be added. The word "shall" is always mandatory and not merely directory.

- a) **"District"** is McKinleyville Community Services District.
- b) **"Board of Directors"** is the elected Board of Directors of the McKinleyville Community Services District.
- c) **"Customer"** is any person using water supplied by the McKinleyville Community Services District.
- d) **"Manager"** is the General Manager of the McKinleyville Community Services District.
- e) **"Person"** is any person, firm, partnership, association, corporation, company, or organization of any kind.
- f) **"Water"** is water from the McKinleyville Community Services District.
- g) **"Outdoor surface"** is any patio, porch, veranda, driveway, or sidewalk.

**Section 3. Publication.** Within ten (10) days of adoption, the District will publish in a newspaper of general circulation this ordinance setting forth the restrictions, prohibitions, and exclusions determined by the District to be necessary.

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 July 7, 2021 and passed and adopted by the Board of Directors on \_\_\_\_\_, upon the motion of Director \_\_\_\_\_ and seconded by Director \_\_\_\_\_ and by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Attest:

\_\_\_\_\_  
Dennis Mayo, Board President

\_\_\_\_\_  
April Sousa, CMC, Board Secretary

## Exhibit A

### Article VII: Water Conservation

#### Regulation 80 – Water Shortage Contingency Plan

##### Rule 80.01 – Introduction

This regulation details the provisions of the Water Shortage Contingency Plan (WSCP). The rules and regulations of this plan were originally adopted in 1977 through Ordinance 10, and subsequently were amended through Ordinance 11 in 1977 and Resolution 2015-09 in 2015. Prior to 2021, these rules and regulations were stand alone. In 2021, the rules and regulations for the WSCP were codified.

##### Rule 80.02 – Declaration of Water Shortage Emergency

The provisions of the WSCP shall take effect upon a declaration of a water shortage made by a resolution of the McKinleyville Community Services District (MCSD) Board of Directors (the Board). Recommendation for the implementation of the WSCP shall be brought to the Board of Directors whenever the District General Manager, upon engineering analysis of District water supplies, information received from the wholesale water provider, Humboldt Bay Municipal Water District (HBMWD), or due to regulatory requirements, notices, or orders, finds and determines that a water shortage emergency exists or is imminent within the MCSD water service area and a declaration of a water shortage is made by a resolution of the MCSD Board of Directors, and they shall remain in effect for the duration of the water shortage set forth in the resolution.

Stage	Demand Reduction Goals
Stage 1 – Voluntary Consideration	Up to 10%
Stage 2 – Voluntary Conservation	Up to 20%
Stage 3 – Mandatory Conservation	Up to 30%
Stage 4 – Emergency Water Shortage	Up to 40%
Stage 5 – Emergency Mandatory Rationing	Up to 50%
Stage 6 – Critical Water Shortage Emergency Rationing	Greater than 50%

##### Rule 80.03 - Application

The provisions of this Regulation shall apply to all customers using water both in and outside the McKinleyville Community Services District, regardless of whether any customer using water shall have a contract for water service with the McKinleyville Community Services District.

##### Rule 80.04 - Determination of Stage of Action Necessary

This Regulation is to be implemented during times of declared water shortages or declared water shortage emergencies. It establishes six stages of response actions to be implemented in times of shortage, as set forth in Rule 80.07: Water Shortage Contingency Plan Shortage Stages, with increasing restrictions on water use in

response to worsening drought conditions or decreasing available supplies. The MCSD Board of Directors, upon recommendation by the Manager, shall determine and declare by resolution the stage of response action necessary. Notice of such determination shall be published in a newspaper of general circulation and shall be effective within five (5) days from the date the declaration is made.

**Rule 80.05 – Waste of Water Prohibited**

No water furnished by the District shall be wasted. Waste of water includes, but is not limited to, the following:

- a) Permitting water to escape (run to waste) down a gutter, ditch, or surface drain.
- b) Failure to repair a controllable leak of water.
- c) Failure to put to reasonable beneficial use any water withdrawn from the District's system.

**Rule 80.06 – Prohibition of Non-Essential Use of Water**

No water furnished by the District shall be used for any purpose declared to be non-essential by this Regulation for the following stages of action as determined by the Board of Directors after considering specific triggers consistent with the Water Shortage Contingency Plan for the MCSD Service Area.

**Rule 80.07 – Water Shortage Contingency Plan Shortage Stages**

Six standard water shortage stages corresponding to progressive ranges of up to 10, 20, 30, 40 and 50 percent and greater than 50 percent reduction in use.

Stage 1	Voluntary Consideration	Up to 10% Reduction
Achieve up to 10% reduction in water usage compared to the corresponding billing period in the previous calendar year (prior to declaration of the most recent water shortage emergency) by encouraging voluntary consideration, enforcement of water wasting regulations and water conservation regulations, requesting customers to make conscious efforts to conserve water. Voluntary actions include:		
<ul style="list-style-type: none"> <li>• Water conservation is requested of all customers.</li> </ul>		
<ul style="list-style-type: none"> <li>• Use water efficient indoor devices.</li> </ul>		
<ul style="list-style-type: none"> <li>• Installation of low-flow shower heads, low-flush toilets, and faucet aerators.</li> </ul>		

<b>Stage 2</b>	<b>Voluntary Conservation</b>	<b>Up to 20% Reduction</b>
Achieve up to 20% reduction in water usage by encouraging voluntary conservation, request restaurants to serve water only upon request, encourage private sector to use alternate source and encourage night irrigation. Additional voluntary actions include:		
<ul style="list-style-type: none"> <li>• Use of hose-end shutoff nozzles on all garden and utility hoses.</li> </ul>		
<ul style="list-style-type: none"> <li>• Refrain from washing cars, boats, trailers, or other vehicles except by hose with shutoff nozzle and bucket.</li> </ul>		
<ul style="list-style-type: none"> <li>• Promptly repair all leaks in plumbing fixtures, water lines, and sprinkler systems.</li> </ul>		

<b>Stage 3</b>	<b>Mandatory Conservation</b>	<b>Up to 30% Reduction</b>
From and after the date that the Board of Directors, by resolution, determines that Stage 3, Mandatory Conservation actions are to be implemented, in addition to the voluntary action in prior Stages, the following uses are declared to be non-essential:		
<ul style="list-style-type: none"> <li>• Outdoor irrigation of ornamental landscapes or turf with potable water is only allowed on Sundays, Tuesdays, Thursdays, and Saturdays.</li> </ul>		
<ul style="list-style-type: none"> <li>• Application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.</li> </ul>		
<ul style="list-style-type: none"> <li>• Use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculation system.</li> </ul>		
<ul style="list-style-type: none"> <li>• The use of a hose that dispenses potable water to wash a motor vehicle or for any other purpose, except where the hose is fitted with a shutoff nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.</li> </ul>		
<ul style="list-style-type: none"> <li>• Washing sidewalks, driveways, parking areas, tennis courts, patios, or other exterior paved areas except by public agency for the purpose of public safety.</li> </ul>		



Stage 4	Emergency Water Shortage	Up to 40% Reduction
From and after the date that the Board of Directors, by resolution, determines that Stage 4, Emergency Water Shortage actions are to be implemented, in addition to the actions in prior Stages, the following uses are declared to be non-essential:		
<ul style="list-style-type: none"> <li>Watering any portion of a golf course other than the tees and greens except where private well or recycled water supply is used.</li> </ul>		
<ul style="list-style-type: none"> <li>Fire hydrant water unless authorized by the District, except by fire protection agencies for fire suppression purposes, or for other authorized uses including storm drain maintenance, and street sweeping purposes. Water/sewer flushing, and fire flow testing are authorized only if coordinated and performed at the same time.</li> </ul>		
<ul style="list-style-type: none"> <li>Promptly repair all leaks in plumbing fixtures, water lines, and sprinkler systems.</li> </ul>		

Stage 5	Emergency Mandatory Rationing	Up to 50% Reduction
From and after the date that the Board of Directors, by resolution, determines that Stage 5, Emergency Mandatory Rationing actions are to be implemented, in addition to the actions in prior Stages, the following uses are declared to be non-essential:		
<ul style="list-style-type: none"> <li>Outdoor irrigation is prohibited unless total water use is reduced by 50% from the same billing period from the previous calendar year (prior to declaration of the most recent water shortage emergency).</li> </ul>		
<ul style="list-style-type: none"> <li>Any leaks that are not repaired within 24 hours after discovery will result in water shut-off.</li> </ul>		
<ul style="list-style-type: none"> <li>Operating a hotel, motel, or other commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets, and linens.</li> </ul>		
<ul style="list-style-type: none"> <li>Planting any new landscaping, <del>except for designated drought resistant landscaping approved by the District.</del> (Couch/Orsini – July 7 – Unanimous)</li> </ul>		
<ul style="list-style-type: none"> <li>Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time of the day or night during the period of March 1 through September 30, when a Stage 5 is in progress.</li> </ul>		
<ul style="list-style-type: none"> <li>Use of water for any outdoor washing purpose including commercial car washing, window washing, and paint preparation.</li> </ul>		
<ul style="list-style-type: none"> <li>Washing of cars, boats, trailers, or other vehicles.</li> </ul>		
<ul style="list-style-type: none"> <li>Automated commercial car washes without a water recycling system.</li> </ul>		
<ul style="list-style-type: none"> <li>Street cleaning or dust control with potable water.</li> </ul>		

<ul style="list-style-type: none"> <li>• Filling or to top off any swimming pools, outdoor spas, wading pools, and ornamental water features.</li> </ul>
<ul style="list-style-type: none"> <li>• Use of water from a fire hydrant except for fighting fires and human consumption.</li> </ul>

Stage 6	Critical Water Shortage Emergency Rationing	> 50% Reduction
<p>From and after the date that the Board of Directors, by resolution, determines that Stage 6, Critical Water Shortage Emergency Rationing actions are to be implemented, in addition to the voluntary action in prior Stages, the following uses are declared to be non-essential:</p>		
<ul style="list-style-type: none"> <li>• Agricultural irrigation.</li> </ul>		
<ul style="list-style-type: none"> <li>• Outdoor irrigation.</li> </ul>		
<ul style="list-style-type: none"> <li>• Any leaks that are not repaired immediately will result in water shut-off.</li> </ul>		
<ul style="list-style-type: none"> <li>• Bulk water sales.</li> </ul>		

**Rule 80.08. Enforcement**

The General Manager and all employees of the McKinleyville Community Services District have the duty and are authorized to enforce the provisions of this Ordinance and shall have all the powers and authority contained in California Penal Code Section 836.5, including the power to issue written Notice of Violations and Administrative Citations.

MCSD has a variety of remedies to help ensure compliance. These remedies begin with education regarding the restrictions and information about resources available from MCSD to assist in complying with regulations. The remedies also include an escalating series of actions, including:

1. Notice of Violation.
2. Administrative Citations up to \$500
3. Referral to MCSD’s Legal Counsel for civil or criminal prosecution.
4. Shut off-of water service.

(a) **Notice of Violation.** If any person fails or refuses to comply with this Ordinance, the MCSD General Manager shall provide that person with written notice of the violation and an opportunity to correct the violation. The written notice shall:

1. Be posted or presented at the site of the noncompliance;
2. State the time, date, and place of violation;
3. State a general description of the violation;
4. State the means to correct the violation;
5. State a date by which correction is required [period for compliance will be shortened depending on applicable water supply shortage level];
6. State the possible consequences of failing to correct the violation; and,

7. Include appeal and hearing rights and procedures.
  8. A copy of the written notice shall be mailed to the address of the violation, to the party who is billed for the water, or to the owner of the property, as appropriate.
- (b) **Administrative Citations.** Failure to correct the Notice of Violation within the time specified in the written notice will result in one or more of the following actions after providing appropriate due process:
1. Any penalties, surcharges or increased charges incurred by MCSD for excessive use by customers shall be passed on to the customers causing the excessive use of water.
  2. Impose an Administrative Citation of not more than one hundred dollars (\$100) for a first violation, two hundred dollars (\$200) for a second violation, and five hundred dollars (\$500) for each additional violation occurring within the calendar year.
  3. Place a flow restricting device on the meter. Payment of MCSD's charges for installing and/or removing any flow restricting device and for disconnecting and/or reconnecting service is the responsibility of the customer.
  4. Each day that a violation occurs is a separate offence.
- (c) **Administrative Hearing.** Any person wishing to appeal a Notice of Violation or Administrative Citation, shall, within fifteen (15) days of receipt thereof; file a written request for an administrative hearing with the MCSD Board of Directors. A hearing on the matter shall be held before the MCSD Board of Directors during the next available Board meeting. The decision to terminate water service is not taken lightly and will occur when all other enforcement measures have not been effective. MCSD will consider all the following as part of its decision regarding appropriate remedies to employ and on whether to grant an appeal:
- Drought Response Level in effect.
  - Prior enforcement remedies applied.
  - Public health and safety.
  - Amount of water being used in violation.
  - Impact of the violation
- (d) **Final Decision.** The appeal decision by the MCSD Board of Directors shall detail the final penalties or surcharges up to and including termination of water service. If the original Notice of Violation recommended the termination of water service, it shall be at the General Managers discretion on whether water service is terminated while the appeal is waiting to be heard by the Board. The General Manager shall use the above criteria to arrive at their decision.

The Final Decision of the hearing shall be issued within (30) days of the conclusion

of the hearing and shall be delivered by first class mail, postage paid, to the parties.

**Rule 80.09. Variances**

Applications for a variance from the provisions of this Ordinance may be made to the General Manager. The General Manager may grant a variance to permit a use of water otherwise prohibited by this ordinance if the General Manager determines that the variance is reasonably necessary to protect the public health and safety and/or economic viability of commercial operation. Any decision of the General Manager under this section may be appealed to the MCSD Board of Directors.



**McKinleyville**  
COMMUNITY SERVICES DISTRICT

**McKinleyville**  
Community Services District  
**2020 Water Shortage Contingency Plan**

Updates, Revisions, and New Requirements for the 2020 Urban Water Management Plan

July 7, 2021

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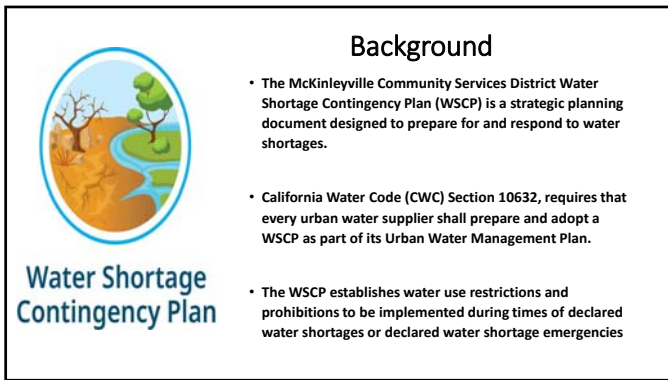
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**Water Shortage Contingency Plan**

### Background

- The McKinleyville Community Services District Water Shortage Contingency Plan (WSCP) is a strategic planning document designed to prepare for and respond to water shortages.
- California Water Code (CWC) Section 10632, requires that every urban water supplier shall prepare and adopt a WSCP as part of its Urban Water Management Plan.
- The WSCP establishes water use restrictions and prohibitions to be implemented during times of declared water shortages or declared water shortage emergencies

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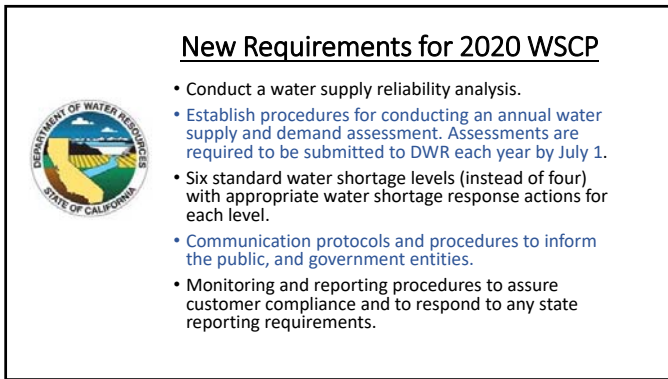
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**New Requirements for 2020 WSCP**

- Conduct a water supply reliability analysis.
- Establish procedures for conducting an annual water supply and demand assessment. Assessments are required to be submitted to DWR each year by July 1.
- Six standard water shortage levels (instead of four) with appropriate water shortage response actions for each level.
- Communication protocols and procedures to inform the public, and government entities.
- Monitoring and reporting procedures to assure customer compliance and to respond to any state reporting requirements.

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### Water Supply Reliability Analysis & Annual Water Supply and Demand Assessment

- Urban water suppliers must now prepare and submit an Annual Water Supply and Demand Assessment to Department of Water Resources by July 1<sup>st</sup> each year.
- MCS D's water demands are a function of residential and commercial customer usages.
  - Billing records and reports will be utilized to evaluate and report demands
- The daily allocation to MCS D form HBMWD is 2.6 MGD
- The Average Daily Demand for MCS D water system is 1.42 MGD
- The Maximum Daily Demand for the MCS D water system is 2.52 MGD



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### Six Standard Water Shortage Levels

Stage	Demand Reduction Goals
Stage 1 - Voluntary Consideration	Up to 10%
Stage 2 - Voluntary Conservation	Up to 20%
Stage 3 - Mandatory Conservation	Up to 30%
Stage 4 - Emergency Water Shortage	Up to 40%
Stage 5 - Emergency Mandatory Rationing	Up to 50%
Stage 6 - Critical Water Shortage Emergency Rationing	≥ 50%

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### Stage 1 Voluntary Consideration 10% Reduction



Water shortage voluntary water consideration is requested of all customers including the specific voluntary measures below:

- Water conservation is requested of all customers.
- Use water efficient indoor devices.
- Installation of low-flow shower heads, low-flush toilets, and faucet aerators.
- Request reduction in outdoor irrigation of ornamental landscapes.

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## Stage 2 Voluntary Conservation 20% Reduction



Water shortage voluntary conservation is in place. Water uses indicated below are nonessential and are requested to be implemented:

- Request the use of hose-end shutoff nozzles on all garden and utility hoses.
- Refrain from washing cars, boats, trailers, or other vehicles except by hose with shutoff nozzle and bucket.
- Promptly repair all leaks in plumbing fixtures, water lines, and sprinkler systems.
- Request reduction in outdoor irrigation of ornamental landscapes.

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## Stage 3 Mandatory Conservation 30% Reduction



Water shortage mandatory conservation. In addition to the restricted water uses in earlier stages, water uses indicated below are nonessential and are prohibited:

- Outdoor irrigation of ornamental landscapes or turf with potable water is only allowed on Sundays, Tuesdays, Thursdays, and Saturdays.
- Application of potable water to outdoor landscapes in a manner that causes runoff such that water flows onto adjacent property, non-irrigated areas, private and public walkways, roadways, parking lots, or structures.
- Use of potable water in a fountain or other decorative water feature, except where the water is part of a recirculation system.
- The use of a hose that dispenses potable water to wash a motor vehicle or for any other purpose, except where the hose is fitted with a shutoff nozzle or device attached to it that causes it to cease dispensing water immediately when not in use.
- Washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by public agency for the purpose of public safety.

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## Stage 4 Emergency Water Shortage 40% Reduction



Emergency water shortage. In addition to the restricted water uses in earlier stages, water uses indicated below are nonessential and are prohibited:

- Watering any portion of a golf course other than the tees and greens except where private well or recycled water supply is used.
- Fire hydrant water unless authorized by the District, except by fire protection agencies for fire suppression purposes, or for other authorized uses including storm drain maintenance, and street sweeping purposes. Water/sewer flushing, and fire flow testing are authorized only if coordinated and performed at the same time.
- Require the repair of leaks in plumbing fixtures, water lines, and sprinkler systems. Excessive leaks that are not repaired may result in water service being discontinued.

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### Stage 5 Water Shortage Emergency Mandatory Rationing 50% Reduction

**Water shortage emergency mandatory rationing. In addition to the restricted water uses in earlier stages, water uses indicated below are nonessential and are prohibited:**

- Outdoor irrigation is prohibited unless the total water use is reduced by 50% from the same billing period from the previous calendar year (prior to declaration of the most recent water shortage emergency).
- Any leaks that are not repaired within 24 hours after discovery.
- Operating a hotel, motel, or other commercial lodging establishment without offering patrons the option to forego the daily laundering of towels, sheets, and linens.
- Planting any new landscaping, except for designated drought resistant landscaping approved by the District.
- Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time of the day or night during the period of March 1, through September 30, when a stage 5 is in progress.
- Use of water for any outdoor washing purpose including commercial car washing, window washing, and paint preparation.
- Washing of cars, boats, trailers, or other vehicles.
- Automated commercial car washes without a water recycling system.
- Street cleaning and dust control with potable water.
- Filling or top off of any swimming pools, outdoor spas, wading pools, and ornamental water features.
- Use of water from a fire hydrant except for fighting fires and human consumption.



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### Stage 6 Critical Water Shortage Emergency Rationing > 50% Reduction

**Critical water shortage emergency rationing. In addition to the restricted water uses in earlier stages, water uses indicated below are nonessential and are prohibited:**

- Agricultural Irrigation.
- Outdoor Irrigation.
- Any leaks that are not repaired immediately.
- Bulk water sales.
- Use of water from a fire hydrant except for fighting fires and human consumption.



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### Communication Protocols

**Ways MCSD will communicate to the public, and local, regional, and state governments.**

- Mail Stuffers
- Social Media Posts
- MCSD Website
- Phone Calls and E-mails
- Interactive Voice Response
- Media and News Outlets



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## Other New Requirements



### Drinking Water Emergency Response Plan

- Pursuant to the requirements of the recently enacted America's Water Infrastructure Act of 2018, MCSD's Drinking Water Emergency Response Plan outlines procedures for response to emergencies caused by natural hazards, malevolent acts, or other unavoidable circumstances.

### Seismic Risk Assessment

- Beginning January 2020, CWC Section 10632.5 mandates urban water suppliers to include in their UWMPs a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities. *The Humboldt County Operational Area Hazard Mitigation Plan, McKinleyville Community Services District 2019.*

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## Fiscal Consequences

Revenue	FY 2019-2020	20% Volumetric Reduction	30% Volumetric Reduction	40% Volumetric Reduction	50% Volumetric Reduction	≥ 50% Volumetric Reduction
Water Sales	\$1,600,740	\$1,020,094	\$1,155,512	\$1,190,445	\$1,625,371	\$1,825,312
Other Revenue	\$540,954	\$112,765	\$68,668	\$68,573	\$20,477	\$20,441
<b>TOTAL Annual Revenue</b>	<b>\$2,141,694</b>	<b>\$1,132,859</b>	<b>\$1,224,180</b>	<b>\$1,259,018</b>	<b>\$1,645,848</b>	<b>\$1,845,753</b>

Expenses	FY 2019-2020	20% Volumetric Reduction	30% Volumetric Reduction	40% Volumetric Reduction	50% Volumetric Reduction
Fixed Expenses (T&A, Admin)	1,057,082	1,057,082	1,057,082	1,057,082	1,057,082
Cost of Water	1,053,103	874,462	765,173	655,863	546,563
Other Expenses	429,420	351,532	307,381	263,644	219,761
CF Revenue	793,000	793,000	793,000	793,000	793,000
<b>TOTAL Annual Expense</b>	<b>\$2,939,005</b>	<b>\$2,996,077</b>	<b>\$2,930,636</b>	<b>\$2,686,589</b>	<b>\$2,536,406</b>

Excess	\$402,113	20% Volumetric Reduction	30% Volumetric Reduction	40% Volumetric Reduction	50% Volumetric Reduction
Anticipated Short Fall 12-Months		\$8,423	\$147,334	\$136,845	\$246,357
Anticipated Short Fall 6-Months		\$4,211	\$73,617	\$68,423	\$123,179
Anticipated Short Fall 3-Months		\$2,106	\$36,809	\$34,211	\$61,584



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## Any Questions

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# McKinleyville Community Services District

## BOARD OF DIRECTORS

July 22, 2021

TYPE OF ITEM: **ACTION**

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**ITEM: D.3**                      **Ratify Vote from July 7, 2021 of Appointment of Applicant Phil Heidrick for Vacant Position on the Park And Recreation Committee (PARC)**

**PRESENTED BY:**              **Lesley Frisbee, Parks & Recreation Director**

**TYPE OF ACTION:**          **Roll Call Vote**

### **Recommendation:**

Staff recommends that the Board consider the information provided, air questions, take public comment and ratify the vote from July 7, 2021 of the appointment of Phil Heidrick to the Parks and Recreation Committee (PARC) for a four (4) year term as a regular voting member.

### **Discussion:**

It is the duty of the Board of Directors to vet and select the most qualified candidates to become members of the PARC. The Board of Directors is obligated to interview all candidates, discuss the candidates' qualifications, and select most qualified candidates to serve on the committee by majority vote.

There are currently two (2) regular openings, one (1) student opening and two (2) alternate openings on the PARC. Staff has posted sufficient notice through local media and at District facilities of the vacancies for the PARC.

Mr. Phil Heidrick submitted an application (**Attachment 1**) June 3, 2021. Mr. Heidrick is a 30 year McKinleyville resident and a 23 year employee for the California Conservation Corps. He has been a volunteer coach for the Parks & Recreation Dept. in past years and has extensive knowledge and experience in land management practices.

Mr. Heidrick attended the PARC meeting on June 17<sup>th</sup> and met the current committee members, many of whom already knew him. At the June 17, 2021 PARC meeting the committee voted unanimously to recommend that the MCSD Board of Directors appoint Mr. Heidrick to the PARC.

On July 7, 2021, the Board voted the appointment of Phil Heidrick with the following vote:

**Motion by:** Director Clark-Peterson; **Second:** Director Binder

**Roll Call:** Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo Nays: None Absent: None

### **Alternatives:**

Staff analysis consists of the following potential alternative: Do not appoint Phil Heidrick to the PARC and continue soliciting applications for vacant seats.

### **Fiscal Analysis:**

Not applicable

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

- Attachment 1 – Application to PARC- Phil Heidrick



## McKinleyville Community Services District Parks and Recreation Committee (PARC) Application

Name Philip Heidrick Date 6/3/2021

Home Phone (707) 616-6747 Cell Phone (707) 616-6747

Mailing Address 1920 Acacia Court McKinleyville, CA 95519

Permanent Address 1920 Acacia Court McKinleyville, CA 95519

Email Address phil.heidrick@gmail.com

### Areas of Experience and Qualifications

What knowledge, skills and experience will you bring to the Parks & Recreation Committee? (You may attach a resume or additional page if necessary).

I have been a resident of McKinleyville for 30 years. I have been employed with the California Conservation Corps in Humboldt County for the past 23 years. I have extensive knowledge in managing public lands, building and maintaining hiking trails, managing invasive plants, supervising employees, and working as part of a management board making group decisions.

Can you commit to 2-4 hours of volunteer time per month?  YES  NO

Please describe why you want to participate as a member of the Parks and Recreation Committee.

As a 30 year resident of McKinleyville and raising two children here I have been very active as a coach for Parks and Rec as well as helping Parks and Red professionally through a partnership with the California Conservation Corps. I have an extensive knowledge of the resources available and the need of the community. I love McKinleyville and I want to give back to my community.

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# McKinleyville Community Services District

## BOARD OF DIRECTORS

July 22, 2021

TYPE OF ITEM: **ACTION**

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**ITEM: D.4**                      **Ratify Vote from July 7, 2021 for the Approval of the Memorandum of Understanding (MOU) for Central Avenue Right of Way Landscape Maintenance with Humboldt County Department of Public Works (DPW)**

**PRESENTED BY:**              **Lesley Frisbee, Parks & Recreation Director**

**TYPE OF ACTION:**          **Roll Call Vote**

### **Recommendation:**

Staff recommends that the Board review the information provided and ratify the vote from July 7, 2021 authorizing the Board President to execute the MOU between MCSD and Humboldt County Department of Public Works for the landscape maintenance within the County right of way along Central Avenue.

### **Discussion:**

In June 2016, the Board approved an MOU between MCSD and the Humboldt County Dept. of Public Works for the landscape maintenance within the County right of way along Central Ave. The MOU is to be reviewed and renewed every five years and expires on June 30, 2021. There have been no changes to the existing MOU and the intent is to renew it for the next five years.

The MOU has been submitted to County Public Works for their review and approval by the Board of Supervisors. At this time, no comments have been received from County Staff.

The existing MOU has been previously reviewed and approved by MCSD General Counsel. If County Staff or the Board of Supervisors ends up having any suggested edits, we will bring them back to the MCSD Board and Legal Counsel for review. Anticipating no desired edits by the County, MCSD Staff is seeking Board review and approval to expedite the final overall approval and MOU execution.

This MOU was approved through a motion by Director Orsini and seconded by Director Clark Peterson with the following roll call vote: Ayes: Binder, Clark-Peterson, Couch, Orsini, and Mayo; Nays: none; Absent: none.

### **Alternatives:**

Staff analysis consists of the following potential alternative

- Take No Action

**Fiscal Analysis:**

\$10,000 of shared cost will be provided by the County of Humboldt, however, the property owners are assessed for the maintenance of their frontage on Central Avenue, above that amount.

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

- Attachment 1 – Central Avenue Memorandum of Understanding



**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
McKINLEYVILLE COMMUNITY SERVICES DISTRICT and  
THE COUNTY OF HUMBOLDT DEPARTMENT OF PUBLIC WORKS**

**FOR LANDSCAPE MAINTENANCE WITHIN THE COUNTY RIGHT OF WAY ALONG  
CENTRAL AVENUE IN McKINLEYVILLE, CA**

This Memorandum of Understanding (MOU) is entered into effective July 7, 2021, by and between the McKinleyville Community Services District, herein referred to as (MCSD), the County of Humboldt Department of Public Works herein referred to as (DPW).

The term of this agreement shall commence on the above date and shall terminate on June 30, 2026.

**Purpose and Background:**

The purpose of this MOU is to establish MCSD and DPW respective roles, duties and responsibilities that each party hereby agrees to perform and undertake with respect to maintaining and landscaping the Central Avenue Open Space Maintenance Zone (OSMZ), located along Central Avenue, a County right of way.

This cooperation serves the mutual interest of both parties and the public.

The Central Ave OSMZ extends north along Central Avenue, a County right of way, from the intersection of Central Avenue and Anna Sparks Way to the intersection of Central Avenue and 110 feet north of Bates Avenue. Located within the Central Avenue OSMZ are 77 parcels that front Central Avenue. (See Attachment 1 for the site map).

Historically and currently, the maintenance and landscaping of the Central Avenue OSMZ is accomplished through a cooperation of MCSD and DPW.

MCSD and DPW hereby wish to continue this cooperative relationship under the terms and conditions set forth below.

Nothing in this MOU shall alter, amend, or otherwise affect the rights and responsibility of those property owners owning property that fronts Central Avenue within the Central

Avenue OSMZ. Those property owners remain responsible for maintaining the condition of the sidewalk along the linear footage of their respective properties.

**Respective Roles, Duties and Responsibilities of MCSD and DPW:**

**Section A: As to MCSD:**

1. MCSD agrees to initiate and complete proceedings pursuant to the Landscape and Lighting Act of 1972 for the levy of a real property assessment for the maintenance and landscaping of the Central Avenue OSMZ.
2. MCSD agrees to coordinate with the Sheriff's Department for the scheduling of Sheriff's Work Alternative Crews ("SWAP"). Under this agreement with the Sheriff's Department the Sheriff's Department agrees to provide to MCSD a SWAP crew on a monthly basis to assist with maintenance and landscaping as set forth more particularly below.
3. MCSD agrees to coordinate with the DPW for the removal of green waste from the Babler Road site. MCSD shall provide the County with at least 2 weeks notice of when assistance is required.
4. MCSD agrees to provide landscape maintenance within the Central Avenue OSMZ, including weeding, pruning, planting, mulching, and trail repair on an as needed basis.
5. MCSD agrees to hang and remove Central Avenue banners twice annually.

**Section B: As to the DPW:**

1. The DPW agrees to reimburse MCSD up to \$10,000 annually for costs incurred by MCSD to provide landscape maintenance as set forth in Section A above. This reimbursement includes, but is not limited to, landscape materials for the Central Avenue OSMZ, including without limitation, replacement plantings, shrubbery, and trees as required. Funds may also be used to hire private contract labor if SWAP labor is not available.
2. MCSD shall submit periodic invoices to the DPW for payment and the DPW agrees to promptly tender payment to MCSD. The DPW agrees to increase the \$10,000 maximum reimbursement limit annually based upon the Consumer Price Index prepared by the United States Department of Labor, Bureau of Labor

Statistics using the weighted average of Consumer Price Indexes (All Urban Consumers for the State of California) for the period of April of the prior year to April of the current year.

3. The DPW agrees to provide personnel, equipment and dump trucks to haul green waste away from Babler Road upon request from MCSD twice per year. MCSD shall provide the County with at least 2 weeks notice of when assistance is required.
4. The DPW agrees to maintain its Central Avenue right of way and control the issuance of encroachment permits authorizing the removal of trees and shrubs.
5. DPW agrees to provide to MCSD a SWAP crew on a monthly basis, as available, to assist with maintenance and landscaping of the Central Avenue Open Space Maintenance Zone

**Section D: MCSD, DPW Further Agree and Acknowledge that:**

1. This MOU and the rights, duties, and responsibilities set forth herein are contingent and conditioned upon successful completion of proceedings pursuant to the Landscape and Lighting Act of 1972 for the levy of an assessment and the continued approval of the Central Avenue OSMZ by the affected property owners.
2. This MOU shall remain effective unless and until the Central Avenue OSMZ is dissolved. The County and MCSD acknowledge that MCSD will seek reauthorization to continue the Central Avenue OSMZ every five (5) years from the affected property owners.
3. The General Manager of MCSD, the Director of Public Works of the County agree to review the status of this MOU every five (5) years, within one (1) month of the affected property owners' re-authorizing the Central Avenue OSMZ.
4. This MOU may be revised or modified only with the written consent of both parties.

**SIGNATURES**

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Dennis Mayo, Board President  
McKinleyville Community Services District

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Thomas K. Mattson, Director of Public Works  
Humboldt County

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# McKinleyville Community Services District

## BOARD OF DIRECTORS

July 22, 2021

TYPE OF ITEM: **ACTION**

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**ITEM: D.5**                                      **Ratify Vote from July 7, 2021 Attendance to the California Special District's Association (CSDA) 2021 Annual Conference, August 30-September 2, 2021, in Monterey, California**

**PRESENTED BY:**                              **April Sousa, Board Secretary**

**TYPE OF ACTION:**                              **Roll Call Vote**

**Recommendation:**

Staff recommends that the Board review the information provided for the California Special Districts Association (CSDA) Annual Conference in Monterey, CA, take public comment, and ratify the vote from July 7, 2021 authorizing interested Board members to attend.

**Discussion:**

The 2021 CSDA Annual Conference will be held in person in Monterey, CA August 30-September 2, 2021. The leadership conference for special districts will cover special district governance, trends, issues, and legislation.

The conference is designed for special district leaders from across the state to meet with industry suppliers, hear from the best in special district-specific topics with over 30 breakout session options, network with peers. CSDA encourages Directors and General Managers to attend the annual conference. The opportunity to gain knowledge and inspiration is invaluable to the leadership and staff of special districts.

Additionally, those who have not taken the SDLF Governance training will be given an opportunity to fulfill the SDLF (Special District Leadership Academy) Module 1: Governance Foundations, for an additional charge.

A few things to consider. The Conference is scheduled to take place during the September Board meeting (September 1, 2021). At this time, the Governor has stated that his Executive Order N-29-20, which changed certain Brown Act requirement regarding open public meetings and teleconferencing, will sunset and be rescinded on September 30,2021. Assuming this timeline stays consistent, any Directors who attend the conference could teleconference via zoom into the meeting without having to abide by specific Brown Act requirements such as posting at the Board Members teleconference location and requiring accessibility to the public for such teleconference meetings.

Travel to the conference will have its challenges as well. While there is a way to fly from Humboldt County (ACV) to Monterey (MRY), the cost of the flight is higher than it would have been pre-COVID, and the timing of the flight is very inconvenient. While round trip would cost around \$616 per Board Director attending, the trip to Monterey will take 4 hours with one stop in San Francisco (SFO) but the return flight will be a total of 22 hours with two stops in San Diego (SAN) and San Francisco (SFO) – a 15-hour overnight layover at SFO.

Travel could also be accomplished with Board Directors carpooling in a District car or via personal transportation.

This item was considered and authorized through a motion from Director Couch and seconded by Director Orsini with the following roll call vote: Ayes: Binder, Couch, Clark-Peterson, Orsini, and Mayo; Nays: none; Absent: none.

As of the date of this special meeting, three (3) Board members have been registered to attend: Directors Binder, Orsini, and Mayo.

**Alternatives:**

Staff analysis consists of the following potential alternative

- Take No Action

**Fiscal Analysis:**

The cost for early conference registration is \$625 (on/before July 30, 2021). Additional meal per diem will be around \$229 per person for meals not provided through the conference. Hotel room reservations for the conference begin at \$214 per night for a total of \$856, not including tax, and are based on availability. In order to book a hotel room, you must first register for the conference to obtain a CSDA room reservation code. Board Directors may travel using the District Car. Approximate cost for travel and attendance to the conference is around \$1,710 per attendee. For those wishing to take the Pre-Conference SDLF Module 1, an additional charge of \$225 will be assessed. Flights would cost on average \$616 per Board Director, with costs going up the closer to the date of the Conference. A total of \$17,500 has been budget for Director travel in the 2021/22 Fiscal Year Budget.

**Environmental Requirements:**

Not applicable

**Exhibits/Attachments:**

- Attachment 1 – CSDA Conference Complete Brochure

**ATTENDEE  
BROCHURE**

**LEARN & NETWORK WITH  
DISTRICT PEERS**

**IN ONE PLACE!**

**CALIFORNIA  
SPECIAL  
DISTRICTS  
ASSOCIATION**

**20  
21**

**YOU ARE A...**

**SPECIAL DISTRICT**

**HERO**



**2021 CSDA ANNUAL CONFERENCE  
& EXHIBITOR SHOWCASE**

**AUGUST 30-SEPTEMBER 2 MONTEREY, CA**



# ATTENDEE BROCHURE

## SPECIAL DISTRICT POWERS **ACTIVATE**

In 2020 and 2021, special district staff and elected officials were called on to be the HEROES of their communities by providing essential services to Californians through difficult times.

Come together with other special district heroes for a three day, must-attend education and networking event. Develop new partnerships. Participate in inspiring and motivating keynote sessions. Walk away with strategies, new connections, and innovative ideas to help you and your district in good times and challenging times.

### TWO DYNAMIC KEYNOTES



Kevin Brown

Jason Hewlett



**THE CSDA ANNUAL  
CONFERENCE & EXHIBITOR  
SHOWCASE IS THE ONE  
CONFERENCE SPECIAL  
DISTRICT LEADERS CAN'T  
AFFORD TO MISS!**





## Breakout Session Information

Choose from over 35 breakout sessions for your needs and the needs of your district. Topics include: pensions, ethics, harassment prevention, prevailing wage, Brown Act, community outreach and engagement, governance, legislative and legal updates and much, much more!

Check the conference website for full breakout session details.



CSDA will follow all state and local COVID-19 guidelines at the 2021 Annual Conference and Exhibitor Showcase. These may include masking and social distancing at the following locations:

- Monterey Conference Center
- Monterey Marriott
- The Portola Hotel & Spa



Room reservations for the CSDA Annual Conference and Exhibitor Showcase begin at \$214 plus tax and are based on availability. In order to book a hotel room, you must first register for the conference to obtain a CSDA room reservation link.



## Credit Incentive Points

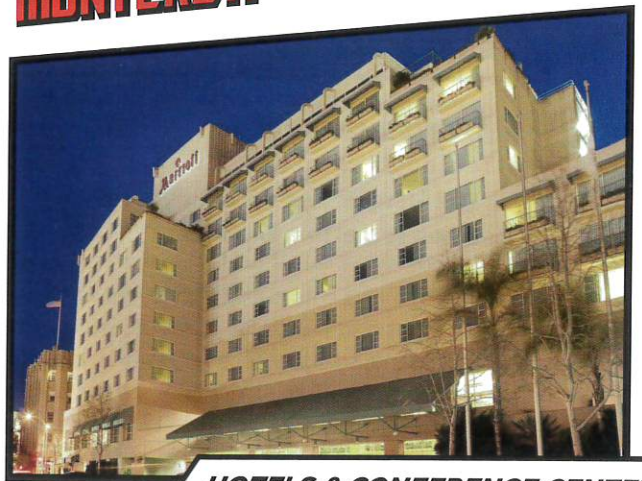
Special District Risk Management Authority (SDRMA) is committed to establishing a strategic partnership with our members to provide maximum protection, help control losses, and positively impact the overall cost of property/liability and workers' compensation coverage through the Credit Incentive Program. Credit incentive points (CIPs) can be earned based on an agency's attendance at the CSDA Annual Conference & Exhibitor Showcase, reducing SDRMA members' annual contribution amounts.

# 35

breakout sessions



**THIS YEAR'S CONFERENCE WILL BE HELD IN AMAZING MONTEREY!**



**HOTELS & CONFERENCE CENTER**



**Monterey Marriott**  
350 Calle Principal  
Monterey, CA 93940

**Portola Hotel & Spa**  
2 Portola Plaza  
Monterey, CA 93940

**Conference Center**  
1 Portola Plaza  
Monterey, CA 93940

# 07

pre-conference events



amount of fun



**Kevin Brown**

**OPENING KEYNOTE**

**Tuesday, August 31**

**“The Hero Effect – Being your best when it matters the most!”**

In a fresh and entertaining style, Kevin shares ideas, strategies and principles that will inspire and equip participants to show up every day and make a positive difference. At the heart of Kevin’s message is a simple, yet powerful philosophy for life that drives every thought, every action and ultimately every result we achieve both personally and professionally. Your team will be motivated to reach beyond what is required and do something remarkable!

This program is designed to help participants:

- Achieve greater results by eliminating “ordinary” thinking and mastering the habit of excellence.
- Own the moments that matter (and they all matter) by taking responsibility for their attitude, their actions and their results.
- Create meaningful relationships and deliver an extraordinary experience for every “customer” at work and at home.



**Jason Hewlett**

**SORMA SPONSORED KEYNOTE**

**Wednesday, September 1**

**“The Promise – Becoming Legendary Leaders.”**

With humor, heart, and absolute clarity, Jason hilariously brings legends of stage, music, and comedy to life to help leaders discover their very own signature moves and redefine their promise and commitment to their teams and organizations.

In 2021 our world is different, but foundational values remain the same: To deliver on our promises, to be accountable to expectations and exceed them, and to always give 100% in every interaction. In Jason’s entertaining and educational presentation, utilizing the legends of stage for establishing what a promise looks like from a performance level, participants will be enlightened, energized, and entertained in a keynote unlike any other. Music, comedy, stories, and powerful insights will leave attendees talking about the promise in their own lives, business, and how everyone can up their game in 2021.

**YOU ARE A...  
SPECIAL DISTRICT  
HERO**



# PRE-CONFERENCE PROGRAM EVENTS TO HELP YOU POWER UP!



## PRE-CONFERENCE PROGRAM EVENTS

**MONDAY, AUGUST 30, 2021**

**9:00 a.m. – 3:30 p.m.**

### [Pre-Conference Workshops]

#### Special District Leadership Academy Module 1: Governance Foundations\* -

As the core curriculum of CSDA's Special District Leadership Academy, this workshop serves as the "foundation" for the series on effective governance of special districts. It is specifically designed for special district board members and meets the requirement for six hours of governance training for Special District Leadership Foundation programs.

#### So, You Want to Be a General Manager? \*

This is a practical career development workshop for senior executives and emerging leaders in special districts. This action-oriented workshop includes group and panel discussions on the journey, roles, and skill sets of a general manager; identifying general manager opportunities; developing positive relations with the board, staff, and peer agency executives; and leadership best practices.

**10:00 a.m.**

#### SDLF Scramble for Scholarships Golf Tournament\*

Pacific Grove Golf Links

**12:30 – 3:30 p.m.**

### [Pre-Conference Workshop]

#### The Board and General Manager Working Together to Optimize the District – a 5-Step Program for Assuring Optimal Performance\*

Optimizing district performance is always a goal. The five systematic steps that will be presented in detail are:

- a frank assessment of district position, status and outlook
- a realistic look at communications between the board and general manager
- an honest appraisal of the third rails of your organizational model
- policies that support best practices
- clearly setting the organizational vector

*The instructor will use in-class exercises and assessment tools for each step for assessment purposes. Come prepared to have open dialogue about how to get and keep your district performing at the highest levels.*

**1:30 – 3:30 p.m.**

#### Certified Special District Manager (CSDM) Exam, Special District Leadership Foundation (Optional)

**3:45 – 5:15 p.m.**

#### Chapter Roundtable Discussion (Optional, no fee, must be attending annual conference)

*\*Separate registration and payment required. Space is limited and on a first-come, first-served basis.*

**5:15 - 7:30 P.M. [MONDAY]**

**CONFERENCE OFFICIALLY**

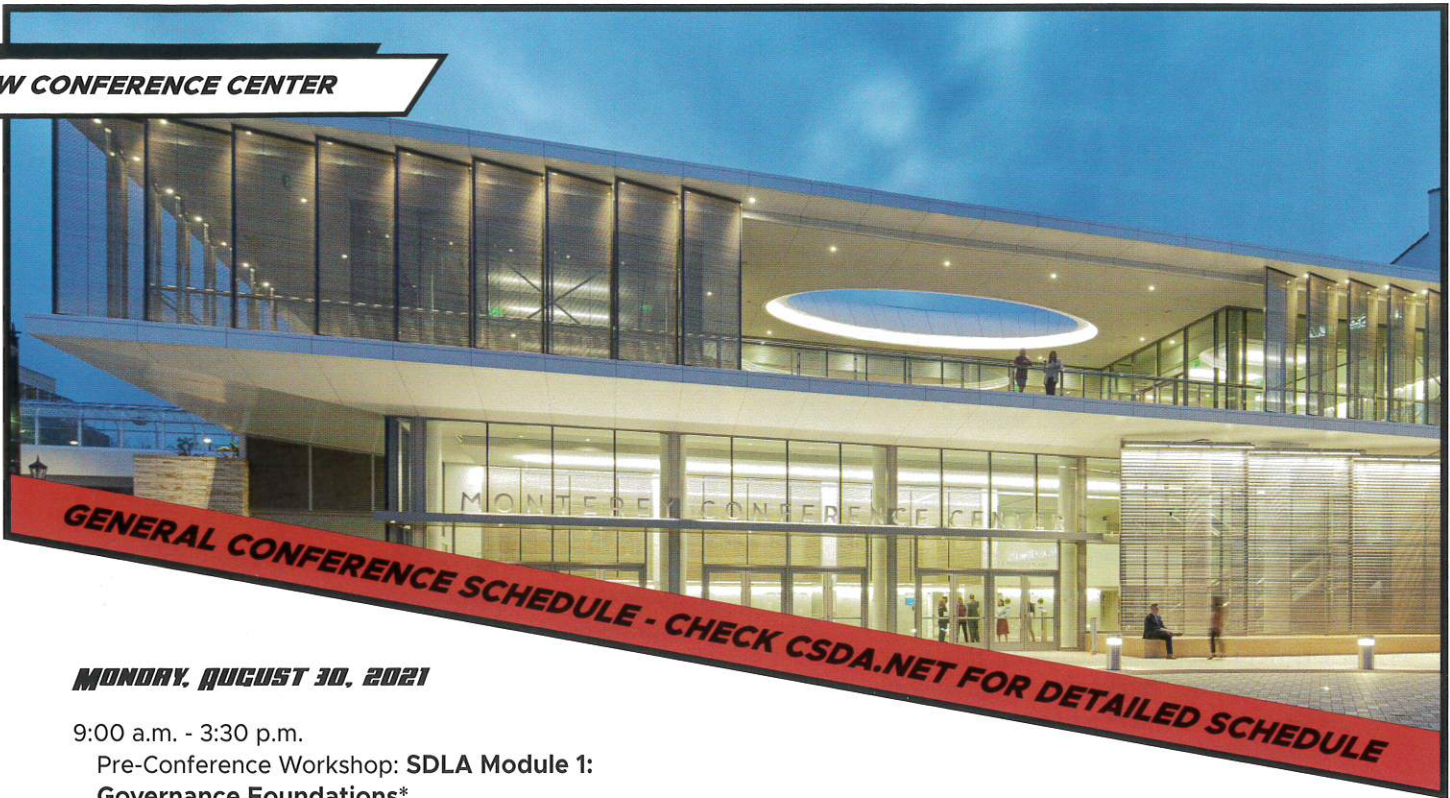
# BEGINS



**President's  
Reception with  
the Exhibitors**

ALL REGISTERED ATTENDEES WELCOME

**NEW CONFERENCE CENTER**



**MONDAY, AUGUST 30, 2021**

9:00 a.m. - 3:30 p.m.

Pre-Conference Workshop: **SDLA Module 1: Governance Foundations\***

Pre-Conference Workshop: **So, You Want to Be a General Manager?\***

10:00 a.m.

**SDLF Scramble for Scholarships Golf Tournament\***

12:30 - 3:30 p.m.

Pre-Conference Workshop: **The Board and GM Working Together to Optimize the District\***

1:30 - 3:30 p.m.

**Certified Special District Manager (CSDM) Exam, Special District Leadership Foundation\***

3:45 - 5:15 p.m.

**Chapter Roundtable Discussion**

5:15 - 7:30 p.m.

**Conference Begins!  
President's Reception with the Exhibitors**

**TUESDAY, AUGUST 31, 2021**

7:30 - 8:30 a.m.

**Continental Breakfast with the Exhibitors**

8:45 - 10:45 a.m.

**Opening General Session: Kevin Brown**

11:00 a.m. - 12:00 p.m.

**Breakout Sessions**

12:15 - 1:30 p.m.

**Lunch with the Exhibitors**

1:45 - 3:00 p.m.

**Breakout Sessions**

**TUESDAY CONT...**

3:45 - 4:45 p.m.

**Breakout Sessions**

5:00 - 6:30 p.m.

**Mix & Mingle in the Exhibit Hall**

**WEDNESDAY, SEPTEMBER 1, 2021**

8:00 - 10:30 a.m.

**SDRMA Full Plated Breakfast and Keynote Speaker: Jason Hewlett**

10:45 a.m. - 12:00 p.m.

**Breakout Sessions**

12:15 - 1:45 p.m.

**Legislative Update Luncheon**

2:00 - 3:15 p.m.

**Breakout Sessions**

3:30 - 5:00 p.m.

**Breakout Sessions**

6:00 - 9:00 p.m.

**SDLF Taste of the City**

**THURSDAY, SEPTEMBER 2, 2021**

8:00 - 10:00 a.m.

**CSDA Closing Breakfast**

\* = optional, advanced registration, additional fee



# 2021 CSDA ANNUAL CONFERENCE ATTENDEE REGISTRATION FORM

one form per attendee, please print

**PLEASE PRINT & INCLUDE  
FORM WITH PAYMENT.**

### Three Ways to Register:

1. REGISTER ONLINE by visiting the CSDA Annual Conference website at [conference.csdanet.net](http://conference.csdanet.net).
2. REGISTER BY FAX your registration form to 916-520-2465.  
All faxed forms must include payment.
3. REGISTER BY MAIL to CSDA, 1112 I Street, Suite 200, Sacramento, CA 95814.  
Check made payable to: California Special Districts Association.

### Not sure if you are a member?

Not sure if you are a member? Contact the CSDA office at 877-924-2732 to find out if your agency or company is already a member. To learn more about the benefits of membership, contact Member Services Director Cassandra Strawn at [cassandras@csda.net](mailto:cassandras@csda.net) or call toll-free 877-924-2732.

### Full conference registration fee includes:

- » President's Reception with the Exhibitors Monday
- » Keynote Sessions
- » Continental Breakfast with the Exhibitors on Tuesday morning
- » Lunch with the Exhibitors on Tuesday
- » Mix and Mingle in the Exhibit Hall on Tuesday
- » SDRMA Full Plated Breakfast on Wednesday
- » Legislative Update Luncheon on Wednesday
- » All Breakout Sessions on Tuesday and Wednesday
- » Taste of the City Reception on Wednesday
- » Closing Breakfast on Thursday

**Full conference GUEST registration includes all meal functions.**

Name:		Title:		
District:				
Address:				
City:	State:	Zip:		
Phone:	Fax:			
Email:	Website:			
Member status: <input type="checkbox"/> Member <input type="checkbox"/> Non-member				
Special Needs (include dietary):				
Emergency Contact:				
Would you prefer to opt out of exhibitor or sponsor emails? <input type="checkbox"/> Yes <input type="checkbox"/> No				
CONFERENCE REGISTRATION FEES		EARLY BIRD (ON/BEFORE JULY 30, 2021)	REGULAR (AFTER JULY 30, 2021)	SUBTOTAL
<input type="checkbox"/> CSDA Member - Full Conference		\$625.00	\$675.00	
<input type="checkbox"/> Non-member - Full Conference		\$940.00	\$1015.00	
<input type="checkbox"/> Guest of a Member - Full Conference (Cannot be from a district/co.) <input type="checkbox"/> Vegetarian		\$300.00	\$325.00	
<input type="checkbox"/> Guest of a Non-member - Full Conference (Cannot be from a district/co.) <input type="checkbox"/> Vegetarian		\$450.00	\$485.00	
<input type="checkbox"/> CSDA Member - One-day registration <input type="checkbox"/> Tues. <input type="checkbox"/> Wed. <input type="checkbox"/> Thurs.		\$350.00 each day	\$375.00 each day	
<input type="checkbox"/> Non-member - One-day registration <input type="checkbox"/> Tues. <input type="checkbox"/> Wed. <input type="checkbox"/> Thurs.		\$510.00 each day	\$565.00 each day	
SEPARATE REGISTRATION FEES		CSDA MEMBER	NON-MEMBER	SUBTOTAL
<input type="checkbox"/> Pre-Conference Workshop: SDLA Module 1: Governance Foundations - Aug. 30		\$225.00	\$340.00	
<input type="checkbox"/> Pre-Conference Workshop: So You Want to be a General Manager? - Aug. 30		\$100.00	\$100.00	
<input type="checkbox"/> Pre-Conference Workshop: The Board and GM Working Together... - Aug. 30		\$150.00	\$225.00	
<input type="checkbox"/> SDFL Scramble for Scholarships Golf Tournament - Aug. 30		\$105.00 (includes lunch)		
<input type="checkbox"/> Taste of the City Reception (Guests only) - Aug. 30		\$ 65.00 CSDA Member Guest	\$ 98.00 Non-member Guest	
<b>TOTAL</b>				
Payment type: <input type="checkbox"/> Check <input type="checkbox"/> Visa <input type="checkbox"/> MasterCard <input type="checkbox"/> AMEX <input type="checkbox"/> Discover				
Account name:		Account Number:		
Expiration date:		Authorized Signature:		

**Cancellations/Substitution Policy:** Cancellations must be in writing and received by CSDA no later than Friday, August 13, 2021. All cancellations received by this date will be refunded less a \$75 processing fee. There will be no refunds for cancellations made after August 13, 2021. Substitutions are acceptable and must be done in writing no later than August 20, 2021 at 5:00 p.m. Please submit any cancellation notice or substitution request to [meganh@csda.net](mailto:meganh@csda.net) or fax to 916-520-2465.

**Consent to Use Photographic Images:** Registration and attendance at, or participation in, CSDA meeting and other activities constitutes an agreement by the registrant to CSDA's use and distribution (both now and in the future) of the registrant or attendee's image or voice in photographs, videotapes, electronic reproductions, and audiotapes of such events and activities.

**Anti-Discrimination and Harassment Policy:** CSDA is dedicated to a harassment-free event experience for everyone. Our Anti-Discrimination and Harassment Policy can be found under "CSDA Transparency" at [www.csdanet.net/about-csda/who-we-are](http://www.csdanet.net/about-csda/who-we-are).



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# ATTENDEE BROCHURE



*GOING TO CONFERENCE  
 IS ALWAYS AN EXCELLENT  
 OPPORTUNITY TO NETWORK,  
 MEET NEW PEOPLE, AND LEARN  
 MORE ABOUT SO MANY TOPICS.  
 I NEVER COME WITHOUT  
 LEARNING SOMETHING NEW  
 TO BENEFIT MY BOARD OR MY  
 COMMUNITY.*

- CRYSTAL SMITH, DIRECTOR  
 EDMONT COMMUNITY SERVICES DISTRICT

**2021 CSDA ANNUAL CONFERENCE  
 & EXHIBITOR SHOWCASE**

**AUGUST 30-SEPTEMBER 2 MONTEREY, CA**



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