



Humboldt County Association of Governments
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Eureka, CA, 95501
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www.hcaog.net

AGENDA ITEM NO 7a
PAC meeting of
November 21, 2013

DATE: November 14, 2013
TO: HCAOG Policy Advisory Committee
FROM: Marcella Clem, Executive Director
SUBJECT: **McKinleyville Community Services District (MCSD) Request for Membership on the Technical Advisory Committee (TAC)**

STAFF REPORT

Contents:

- Staff Summary
- Letter from MCSD
- TAC Roster
- TAC By-Laws

Staff's Recommended PAC Action:

1. Introduce the item as an action Item;
2. Allow staff to present the item;
3. Receive public comment;
4. Consider the request for membership and forward a recommendation to the HCAOG Board.
5. Recommended motion:

"I move that the PAC recommend that the HCAOG Board concur with the Technical Advisory Committee recommendation denying the request for membership from the McKinleyville Community Service District."

or

"I move that the PAC recommend the HCAOG Board approve the request for membership from the McKinleyville Community Service District and direct staff to submit revised TAC Bylaws at the December meeting."

Director Dennis Mayo, President of the McKinleyville Community Services District (MCSD) Board of Directors sent the attached letter requesting representation of an MCSD staff person on the HCAOG's Technical Advisory Committee (TAC). The TAC advises the HCAOG Board of Directors on technical matters. This seventeen member committee consists of representatives of public works transportation staff of each of the member jurisdictions, Native American tribes and Rancherias, transit managers, Caltrans and the California Highway Patrol. The TAC functions at a staff level role to review comment and advise the HCAOG Board on matters related to transportation and relevant regional issues, in carrying out their regional duties.

The TAC considered the request for membership at their September 12th meeting. They have recommended denial of the request based on the following reasons:

- HCAOG is a Transportation Planning Agency and MCSD does not have public road maintenance responsibilities.
- No funds will be allocated directly to MCSD, but through the County instead.
- MCSD has every potential for involvement with HCAOG through county representatives, Tom Mattson on the TAC and Supervisor Sundberg on the Board.
- The addition of MCSD could skew the vote on where resources go.
- The addition of MCSD will set a precedent for other Community Service Districts to request membership.

Greg Orsini, General Manager of MCSD provided the following comments at the TAC's October 10th meeting:

- MCSD's intent is to participate in HCAOG through membership on the TAC, consistent with Article 3.00 (Responsibility) of TAC Bylaw's to "to function at a staff level role to review, comment, and advise the Association on matters related to transportation and relevant regional issues, in carrying out their regional duties"
- MSCD is unique to other Community Service Districts in the region. MSCD serves a population of approximately 17,000. It is the third largest community in the county.
- MCSD maintains four miles of trails and five miles of roads that the public access.

The TAC's current Roster and Bylaws are provided for your review and consideration.

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RECEIVED

AUG 09 2013

CAO

Humboldt County Association of Governments
Technical Advisory Committee
611 Street, Suite B
Eureka, CA 95501

August 7, 2013

RECEIVED
AUG 14 2013

Re: Technical Advisory Committee Member

HUMBOLDT COUNTY
ASSOCIATION OF GOVERNMENT

To whom it may concern:

This letter expresses the desire of McKinleyville Community Service District (MCSD) to participate on the Technical Advisory Committee (TAC) of Humboldt County Association of Governments (HCAOG). As a primary provider of services to a large constituency of Humboldt County; our goals and objectives mirror those of HCAOG members and fit within the definition of the committee.

The District boundaries encompass 12,140 acres ranging from North Bank road on the south to Patrick Creek on the north. MCSD is an independent governmental unit organized under the Community Services District Law, pursuant to Title 6 Division 3 of the Government Code Section 61000, et seq. MCSD's principal activities include water, sewer, parks, recreation, street lighting and open space maintenance services. McKinleyville is the third largest community in Humboldt County after Eureka and Arcata with a population nearing 17,000. We currently have over 5,300 active water services and 4,470 active sewer connections. There is no comparable district to MCSD with the same size and scope of services. A seat on the TAC will allow MCSD to better serve the residents of McKinleyville and Humboldt County by participating in the conversations about the transportation choices and priorities that enhance quality of life, improve access to jobs and promote transportation mobility.

As the District continues to grow, we will see the increased call for services and demands on existing services, including increased need for roads and transportation. The District will continue to prudently manage and maintain the District's assets, honor the public's trust, and maintain public awareness and confidence in the District's activities.

Participation on the committee ensures our planning process is supportive and cooperative with those governments surrounding and in partnership with MCSD. The District stands ready to provide a qualified and knowledgeable representative from staff who can complement the purpose of the TAC.

Sincerely,

A handwritten signature in cursive script that reads "Dennis Mayo".

Dennis Mayo
Director, Board President

Cc: Ryan Sundberg, Chairman Humboldt County Board of Supervisors

HUMBOLDT COUNTY ASSOCIATION OF GOVERNMENTS

TECHNICAL ADVISORY COMMITTEE (TAC) BY-LAWS

ADOPTED JULY 2009

Article 1.00 - Designation

1.01 - Name

The name of this organization shall be the Technical Advisory Committee, hereinafter referred to in this document as the TAC or Committee, to function in an advisory capacity to the Humboldt County Association of Governments (HCAOG), in its role as the designated Regional Transportation Planning Agency, and hereinafter referred to in this document as the Association. Actions of the Association creating the TAC are directed under the Cooperative Agreement for the Formation of HCAOG, Resolution No. 1.

1.02 - Jurisdiction

The area of jurisdiction for the TAC shall be the entire geographic jurisdictional area of Humboldt County.

Article 2.00 - Purpose

It shall be the purpose of the TAC to advise the Association on all matters general or relevant to the solution of common problems for all local entities, and to qualify cities and the County for the allocation of State and Federal funds necessary to carry out projects on an areawide basis.

Article 3.00 - Responsibility

It is the responsibility of the TAC pursuant to the Memorandum of Understanding executed by the Association and Caltrans, as well as the Association's Cooperative Agreement to function at a staff level role to review, comment, and advise the Association on matters related to transportation and relevant regional issues, in carrying out their regional duties.

Article 4.00 - Membership

4.01 - Committee Composition

The membership of the TAC shall consist of:

- An engineering/planning representative from each of the Association's member entities (8 total)
- A representative from the general public transit providers (3 total)
- A representative from Caltrans District 01
- A representative from the regional office of the California Highway Patrol
- A representative from the Karuk Tribe of California
- A representative from the Trinidad Rancheria
- A representative from the Yurok Tribe
- A representative from the Hoopa Valley Tribe
- A representative from the Blue Lake Rancheria

4.02 - Term of Office

Of the appointments to the TAC, the term of office is indefinite as directed by the appropriate appointing entity.

4.03 - Voting Rights

Each member of the TAC shall be entitled to one vote only and may cast that vote on any issue submitted to a vote for the action of the TAC. Proxy voting and absentee voting shall not be permitted for any item brought before the TAC.

4.04 - Transfer of Membership

Local entities may select within their agency an alternate for representation at meetings of the TAC in their absence.

4.05 - Conflict of Interest

When any member of the TAC has financial interests of benefit, or is a member of an agency, business, or organization with financial interests of benefit, such member shall immediately disclose his/her interest and shall not vote on the issue. Conflicts do not exist in the actions of members which benefit parent entities and do not enrich or profit personal interests.

Article 5.00 - Meetings

5.01 - Regular Meetings

The Committee shall meet regularly on the second Thursday of every month or as necessary, or unless such day falls on a legal holiday, in which event the regular meeting shall be held at the same hour and place on the next succeeding day.

Regular meetings are open to the public. All convened meetings of the TAC are public meetings to be noticed as such by the Association's staff in the same manner as all other regular meetings of the Association's various bodies. All matters and materials related to items under consideration at meeting of the TAC shall be considered public information.

5.02 - Place of Meetings

The Committee shall conduct all of its meetings in a facility to be determined by staff to the Association.

5.03 - Special Meetings

Special meetings may be called whenever necessary for the purpose of the conduct of special business in any of the following ways:

- 1) By the request of the Chair;
- 2) By the request of the Vice-Chair, in the absence of, or inability to act by the Chair;
- 3) By the request of the Association.

5.04 - Notice of Meetings

All meetings of the TAC, being public meetings, shall be noticed in the same manner as all other meetings of the various bodies of the Association in conformance with the Brown Act, as amended. Required notices shall state date, hour, and location of the meeting and shall be posted to TAC members not less than 72 hours in advance of the date of such meetings.

5.05 - Decisions of Committee

All decisions of the TAC shall be made only after an affirmative vote of a majority of its members in attendance provided a quorum is present.

5.06 - Quorum

At any meeting properly called and noticed, a quorum shall consist of eight (8) appointed members.

5.07 - Conduct of Meetings

All points of order otherwise not covered in these By-laws shall be decided by Robert's Rules of Order, revised.

Article 6.00 - Officers

6.01 - Officers

The Officers of the TAC shall be a Chair and Vice-Chair, and any other such officer as deemed desirable.

6.02 - Election and Term of Office

The Officers of the Advisory Committee shall be elected for a one-year term and may be re-elected for a second one-year term.

6.03 - Removal

Any officer elected or appointed by the TAC may be removed by a vote of a quorum of appointed members whenever in the judgement of the Committee the best interests of the TAC would thereby be served.

6.04 - Chair

The Chair shall preside at all meetings of the TAC and may sign all letters, reports, and other communications from the Committee. In addition, the Chair shall perform all duties incidental to the office and such other duties as may be prescribed by the TAC from time-to-time.

6.05 - Vice-Chair

It shall be the duty of the Vice-Chair to represent the Chair in assigned tasks and to substitute in the absence of the Chair. The Vice-Chair shall also perform such other duties as from time-to-time may be assigned by the Chair or the TAC.

Article 7.00 - Amendments

Amendments to these By-laws may be initiated by a two-thirds affirmative vote of appointed TAC members provided the amendment is to further carry out the objectives of the Committee as herein expressed, with the final authority of the HCAOG Board.

Article 8.00 – Sub-Committees

8.01 – Sub-Committees

The TAC shall have the authority to create sub-committee bodies through initiating By-Law amendment pursuant to Article 7.00.

The TAC and/or Association will retain authority to establish and/or dissolve standing or special sub-committees as needed for the conduct of business.

Conduct of business for all TAC Sub-Committees shall be governed through extension of TAC By-Laws in accordance with the Brown Act, as amended. At any meeting properly called and noticed, a quorum shall consist of a simple majority of members.

8.02 – Non-Motorized Sub-Committee

For the purposes of providing advice and recommendations to the TAC and thereby the Association on non-motorized issues, the Non-Motorized Sub-Committee is hereby created with the following membership interests:

- TAC Chairman or designate
- Humboldt County trails representative
- City of Eureka trails representative
- City of Arcata trails representative
- Caltrans regional planning representative
- Additional delegates as needed, approved by the TAC

Entity representatives may be existing entity staff or delegated trails advocacy body. The Sub-Committee shall meet regularly every other month. Meeting dates and times to be determined at initial organizational session following appointment of members.

8.03 – Goods Movement Sub-Committee

For the purposes of providing advice and recommendations to the TAC and thereby the Association on goods movement issues, the Goods Movement Sub-Committee is hereby created with the following membership interests:

- TAC Chairman or designate
- Caltrans
- Regional Maritime interests (Harbor District, Shipping)
- Railroad Interests
- Humboldt County Public Works Aviation Division
- Regional Trucking interest
- Timber Industry representative
- Fishing Industry representative (PFMC)
- Agriculture representative

Representatives shall be solicited from regional Chambers of Commerce for trucking, timber, fishing, shipping, and agriculture interest groups.

The Sub-Committee shall meet regularly every other month. Meeting dates and times to be determined at initial organizational session following appointment of members. Conduct of Sub-Committee business shall be governed through extension of TAC By-Laws.