



**HUMBOLDT COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS
REGULAR SCHEDULED MEETING**

AGENDA

DATE: Tuesday, April 26, 2022

TIME: 5:00 p.m.

LOCATION: *In accordance with Assembly Bill 361 and District Resolution 2022-04, public meetings will be conducted both in person at 5055 Walnut Drive in Eureka, California, and telephonically through Zoom.*

The HCSD Boardroom is open to the public during open session segment(s) of the meeting. If you cannot attend in person and would like to speak on an agenda item including Public Participation, please join through the Zoom website (<https://zoom.us>) then clicking "Join A Meeting" and enter the following Meeting ID and prompts for passcode and audio. Access may also be achieved by telephone only by dialing 1-669-900-9128 followed by the Meeting ID and Passcode below:

Meeting ID: 828 6461 1272 Passcode: 042940

Zoom participation protocol:

- Please use the MUTE function when not speaking*
- Please use the "RAISE HAND" feature when wishing to be acknowledged for participation. Raise Hand feature is located in the lower right portion of the screen via the "REACTIONS" icon.*
- Please do not speak out of turn; wait for the Board President to call upon you to share.*

A. CALL TO ORDER AND ROLL CALL

B. PLEDGE OF ALLEGIANCE

C. CONSENT CALENDAR

1. Approval of April 26, 2022 Agenda *Pgs 1-2*
2. Approval of Minutes of the Regular Meeting of April 12, 2022 *Pgs 3-7*

D. REPORTS

1. General Manager
 - a) GM Report *Pgs 9-10*
2. Engineering
 - a) Engineering Department Update *Pg 11*

3. Superintendent

a) March 2022 Operations/Maintenance Report

Pg 13

4. Finance Department

5. Legal Counsel

6. Director Reports

7. Other

E. PUBLIC PARTICIPATION **

**Members of the public will be given the opportunity to comment on items not on the agenda. Please use the information set forth above to participate via Zoom. The Board requests that speakers please state their name and where they are from, be clear, concise and limit their communications to 3 to 5 minutes. At the conclusion of all oral communications, the Board or staff may choose to briefly respond with information in response to comments; however, the Brown Act prohibits discussion of matters not on the published agenda. Matters requiring discussion, or action, will be placed on a future agenda.

F. NON-AGENDA

G. NEW BUSINESS

1. Consideration of Fiscal Year 22/23 Salary Adjustment for HCSD's Non-represented (Management) Employees

Pg 15

2. Consideration of Selecting a Candidate to Serve as a Regular and Alternate Special District Member on the Local Agency Formation Commission (LAFCo)

Pgs 17-19

H. OLD BUSINESS

I. ADJOURNMENT

Next Res: 2022-05

Next Ord: 2022-02

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Brenda Franklin at (707) 443-4558, ext. 210. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102 – 35.104 ADA Title II).

Pursuant to §54957.5(a) of the California Government Code, any public record writings relating to an agenda item for an open session of a regular meeting of the Board of Directors, not otherwise exempt from public disclosure, are available for public inspection upon request at the District offices located at 5055 Walnut Drive, Monday through Friday (holidays excepted) during regular business hours.

DRAFT – MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
HUMBOLDT COMMUNITY SERVICES DISTRICT

The Board of Directors of the Humboldt Community Services District met in Regular Session at 5:00 p.m. on Tuesday, April 12, 2022, in person and via tele/video conference in accordance with AB 361 and HCSD Resolution 2022-03.

A. CALL TO ORDER AND ROLL CALL

Present upon roll call were Directors Benzonelli, Bongio, Gardiner, Hansen, and Matteoli. Staff in attendance: General Manager Williams (GM), Superintendent Latham, Finance Manager Montag (FM), Assistant Engineer Adams (AE), Employee Association (EA) President Mitchell, and EA VP Paddock.

B. PLEDGE OF ALLEGIANCE

President Bongio invited those present to join him in the Pledge of Allegiance.

C. CONSENT CALENDAR

1. Approval of April 12, 2022 Agenda
2. Approval of Minutes of the Regular Meeting of March 22, 2022

DIRECTOR MATTEOLI MOVED, DIRECTOR BENZONELLI SECONDED, TO ACCEPT AND APPROVE THE APRIL 12, 2022 CONSENT CALENDAR. MOTION CARRIED UPON THE FOLLOWING ROLL CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, HANSEN, MATTEOLI
NOES: NONE
ABSENT: NONE

D. ACWA/JPIA PRESENTATION

1. Executive Committee Member Bruce Rupp Refund Check Presentation

Mr. Rupp summarized the workers' compensation premium refund process, congratulated District management and staff on their execution of safety practices, and announced the \$7,202 refund.

E. CORRESPONDENCE

1. Humboldt Local Agency Formation Commission; Proposed Fiscal Year 2022-23 Budget

Received and filed after brief discussion.

F. REPORTS

1. General Manager

DRAFT – MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
HUMBOLDT COMMUNITY SERVICES DISTRICT
Continued; April 12, 2022

a) GM Report

- Drought – The Governor issued Executive Order N-7-22 directing the Waterboard to require all Urban Water Suppliers statewide to implement Stage 2 water supply shortage restrictions regardless of local water supply by mid-May.
- Open Office – The District re-opened its doors to the public on April 4.
- Hazard Mitigation Grants – Final applications for the current round of Hazard Mitigation Grant applications were completed April 8, 2022.
- Outreach Page – The District established a new page on its website that currently contains a variety of sewer related information – who owns what, homeowner maintenance, what not to flush etc.
- Cal Poly Humboldt – the GM and AE judged a local water treatment system competition for engineering students at Cal Poly Humboldt. From there a team was selected to compete at the American Society of Civil Engineers Mid-Pacific Student Symposium and Engineering Competition at UC Davis wherein they won first place.

2. Engineering

a) Capital Improvement Projects (CIP) Update

- Park Street Steel Main Replacement (SMR) – Completion of final paving has been hampered by the rain. Once finished staff will repair additional pavement damage from the March leaks.
- District Office Building Exterior Repairs – Replacement of deteriorated siding and inefficient windows on the West side of the building will commence upon completion of Park Street.
- Hemlock Sewer Reversal – Research and investigation continues in order to determine the feasibility of utilizing the City of Eureka sewer line abandoned as a result of the Martin Slough Interceptor (MSI) project as a gravity line to route flows from Cutten to the MSI.

3. Superintendent

a) March 2022 Construction Operations Report

- Water service line leak repairs/replacements: Erin Court, Cedar Street, Williams Street, and Edgewood Road
- Water main leak repairs on Myrtle, Pigeon Point, 18th Street, two locations on Park
- Construction of steel water main line replacement on Park Street
- Installation of 2-inch fire service on Quaker

DRAFT – MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
HUMBOLDT COMMUNITY SERVICES DISTRICT
Continued; April 12, 2022

- Flow testing fire hydrants in Myrtle town and one on Walnut
- Sewer main and lateral line repairs on Union

4. Finance Department

a) March 2022 Check Register

FM reported the only unusual expenses for March were those involving thefts from the yard. FM also apprised the Board that the District's sewer arrearages application has been accepted wherein funding is anticipated within 3-5 weeks. Customer's still maintaining balances due once the arrearage program is complete will have several additional state/federal programs to solicit for funding.

6. Director Reports

Director Gardiner expressed appreciation for District staff's professional assistance during the recent discovery of a water leak at his premises. For customer clarity, requested the usage graph contained in the monthly billings include the full word consumption, not an abbreviation.

G. PUBLIC PARTICIPATION

President Bongio invited the public to address the Board on any item not listed on the agenda or issues generally affecting District operations, which are within the jurisdiction of the Board. None

I. NEW BUSINESS

1. Consideration of Resolution No, 2022-04 Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, and authorizing the Continue Use of Virtual Meetings for Another 30 Days

GM reviewed the report emphasizing the necessity in order to conduct virtual meetings until the Governor rescinds the State of Emergency.

Public Comment: None

IT WAS THEN MOVED BY DIRECTOR MATTEOLI, SECONDED BY DIRECTOR HANSEN TO ADOPT RESOLUTION NO. 2022-04 MAKING FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 54953, AS AMENDED BY ASSEMBLY BILL 361, AND AUTHORIZING THE CONTINUED

DRAFT – MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
HUMBOLDT COMMUNITY SERVICES DISTRICT
Continued; April 12, 2022

USE OF VIRTUAL MEETINGS. MOTION CARRIED UPON THE FOLLOWING
ROLL CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, HANSEN, MATTEOLI
NOES: NONE
ABSENT: NONE

2. Consideration of Employees Association (EA) Requests for Adjustments to the Memorandum of Understanding (MOU) for Fiscal Year 2022/2023

GM summarized the EA requests for an 8.5% Cost-of-Living Adjustment (COLA) and a two-hour minimum pay for all afterhours call-outs elaborating that the Consumer Price Index reports an 8.1% and 8.7% increase from February and March 2021 to 2022. The fiscal impact of \$98,000 is projected to be less than 0.8% of the District's operating budget. It is estimated the two-hour minimum pay for call-out situations will increase annual overtime expenses approximately \$6,600.

Public Comment: None

Discussion ensued elaborating upon the necessity to retain qualified staff in order to continue to provide superior services, consideration of McKinleyville CSD's approval of an 8.3% COLA and Humboldt Bay Municipal Water District's pending recommendation to its board for an 8.5% COLA, and identifying the District as the only water agency in Humboldt County that does not provide a 2-hour minimum for call-out events.

IT WAS THEN MOVED BY DIRECTOR GARDINER, SECONDED BY DIRECTOR HANSEN, TO APPROVE AN 8.5% COLA AND 2-HOUR MINIMUM FOR CALL OUT EVENTS FOR MEMBERS OF THE HCSD EMPLOYEES ASSOCIATION AND INSTRUCT THE GM TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) FOR FISCAL YEAR 2022/2023 ACCORDINGLY. MOTION CARRIED UPON THE FOLLOWING ROLL CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, HANSEN, MATTEOLI
NOES: NONE
ABSENT: NONE

3. Consideration of selecting Colantuono, Highsmith & Whatley, PC as Special Counsel

Director Hansen announced his recusal from participation due to his position as Deputy Public Works Director for the City of Eureka and left the meeting.

DRAFT – MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF THE
HUMBOLDT COMMUNITY SERVICES DISTRICT
Continued; April 12, 2022

GM, referring to a previous closed session evaluation of candidates for special counsel, requested the selection of Colantuono Highsmith and Whatley, PC to assist with contract negotiations with the City of Eureka.

Public Comment: None

IT WAS THEN MOVED BY DIRECTOR GARDINER, SECONDED BY DIRECTOR MATTEOLI TO AUTHORIZE THE GM TO ENGAGE THE SERVICES OF COLANTUONO HIGHSMITH AND WHATLEY, PC AS SPECIAL COUNSEL TO ASSIST THE DISTRICT IN CONTRACT NEGOTIATIONS WITH THE CITY OF EUREKA. MOTION CARRIED UPON THE FOLLOWING ROLL-CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, MATTEOLI
NOES: NONE
RECUSED: HANSEN

K. ADJOURNMENT

There being no further business, IT WAS MOVED BY DIRECTOR GARDINER, SECONDED BY DIRECTOR MATTEOLI, TO ADJOURN. MOTION CARRIED UPON THE FOLLOWING ROLL CALL VOTE:

AYES: BENZONELLI, BONGIO, GARDINER, MATTEOLI
NOES: NONE
ABSENT: HANSEN

THE BOARD ADJOURNED ITS REGULAR MEETING OF APRIL 12, 2022 AT 5:47 P.M.

Submitted, Board Secretary

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Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service for our customers

MEMORANDUM

TO: Board of Directors
FROM: Terrence Williams, General Manager
DATE: April 22, 2022
SUBJECT: General Manager Report for April 26, 2022 Board Meeting

Earth Day

To me, Earth Day is an occasion to celebrate the planet that has supported life for 3.5 billion years. Earth is the only planet that we know of where intelligent life exists. Another unique aspect of earth is the abundance of water. Ours is the only planet in the solar system where liquid water exists on the surface. Water is necessary to sustain the biological processes that support life as we know it. In the absence of water there can be no life on earth. Happy Earth Day.

Drought

As was reported during our last meeting on April 12, on March 28, 2022 Governor Newsom issued executive order N-7-22 (<https://www.gov.ca.gov/wp-content/uploads/2022/03/March-2022-Drought-EO.pdf>). Among other things, this executive order requires the Waterboard to consider adopting emergency regulations. In response the Waterboard has released a draft of the emergency regulations on April 20, 2022. The following are excerpts from the draft emergency regulation that are pertinent to HCSD.

Each urban water supplier shall submit to the Department of Water Resources a preliminary annual water supply and demand assessment no later than June 1, 2022, and submit a final annual water supply and demand assessment to the Department of Water Resources no later than the deadline set by section 10632.1 of the Water Code.

Each urban water supplier that has submitted a water shortage contingency plan to the Department of Water Resources shall implement by June 10, 2022, at a minimum, the demand reduction actions identified in the supplier's water shortage contingency plan for a shortage level of up to twenty percent (Level 2).

To prevent the unreasonable use of water and to promote water conservation, the use of potable water is prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites.

The use of water is not prohibited by this section to the extent necessary to ensure the health of trees and other perennial non-turf plantings or to the extent necessary to address an immediate health and safety need.

General Manager's Report to the Board of Directors for April 26, 2022 Board Meeting

The annual water supply and demand assessment will require coordination with Humboldt Bay Municipal Water District (HBMWD) because we purchase about 2/3 of our supply from them. The remainder of that report will pertain to the District's wells and will be developed in-house. Further, in order to comply with their water shortage contingency plan Level 2 demand reduction actions, HBMWD must initiate a public education and outreach program that emphasizes conservation, in coordination with the seven municipal customers. HCSD is one of those municipal customers. HBMWD's water shortage contingency plan is available online for review (<https://www.hbmwd.com/files/03d84a5c2/UWMP-2020+final.pdf>). Section 8.12 of the plan indicates the mechanism for coordination with the municipal customers through the Water Task Force as well as the responsibilities of the Water Task Force. Section 8.12 is copied below for convenience.

8.1.2 Coordination

Coordination in implementing this Water Shortage Contingency Plan is assured through the activation of the Water Task Force. The first task force was formed in 1977. This task force is convened as necessary to address drought conditions or other significant events which could result in a water supply shortfall. The Task Force is comprised of representatives of the District and each of its wholesale customers. The Water Task Force's responsibilities include:

1. Review the status of the water supply and forecasts.
2. Recommend specific actions in accordance with this plan and each entity's own water shortage plan.
3. Assure that priority of allocations meets legal requirements of consistency and non-discrimination.
4. Coordinate media releases and public announcements.
5. Coordinate interaction with regulatory agencies such as the California Department of Water Resources, Fish and Wildlife, and California Department of Public Health.
6. Review and make recommendations about requests for waivers from, or exceptions to, actions taken pursuant to this plan

In December of 2020, the HCSD Board appointed Director Joe Matteoli to the Water Task Force with the General Manager as the alternate. As this process gets underway, please expect to attend some meetings with the Water Task Force to help coordinate this effort.

Elk River Crossing

The District maintains a watermain that crosses the Elk River just east of Highway 101. The main conveys water between Pine Hill and Humboldt Hill. Sometimes Humboldt Hill well water is supplied to Pine Hill through this pipeline. Other times, HBMWD water is conveyed to Humboldt Hill through this pipeline. There was a failure on this line during the early morning hours of Tuesday April 19, 2022 that required the main to be taken out of service. The location of the failure is within sensitive saltwater marsh habitat and so the repair work requires public agency coordination and an emergency permit. The point of failure was a deteriorated steel fitting that corroded due to exposure to salt water. Preliminary repairs have been made and testing is underway. If the emergency permit will allow, other critical fittings in the vicinity will be replaced to avoid another failure in the near term. A capital improvement project is being developed to replace this critical infrastructure with a more robust solution.

Humboldt Community Services District

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Engineering Memorandum

TO: Board of Directors
FROM: Benjamin Adams, Assistant Engineer
DATE: April 22, 2022
SUBJECT: Engineering Dept. Status Report for April 26, 2022 Board Meeting

Park Street Steel Main Replacement

The Park Street SMR Project has been delayed due to weather, and emergency repair work. As weather allows, District forces will complete the permanent pavement covering the Park Street SMR project, and repairs to damaged pavement along Park Street that resulted from the water main failure that occurred March 15.

District Office Building Exterior Repairs

District engineering staff is continuing to finalizing drawings, details, and notes, for the construction phase of the Office Exterior Repairs. Thorough planning ensures that construction staff understand the intended design and that issues are thought through before materials are purchased and construction begins. The plans will also be used to verify material quantities for the construction project. Construction of this project will follow the work on Park Street.

Hemlock Sewer Reversal

District staff is continuing coordination efforts with the City of Eureka (CoE) to investigate abandoned CoE sewer piping which may be useful to the District.

To determine whether the District's sewer camera can physically fit into the existing pressure sewer access points, District Maintenance staff are constructing a full scale mock-up of the access points using some of the District's spare fittings. If the robotic camera cannot fit inside the existing pressure sewer access points, the pipe will need to be exposed, and a section of pipe removed to allow sufficient room for the camera, requiring additional coordination with the City.

Vehicle Storage Upgrades

District staff is exploring options which will allow the sewer cleaning vacuum truck to be parked out of the elements while maintaining sufficient yard access for other equipment. The truck is too large to fit inside any of the existing buildings. Developing additional covered storage has the added benefit of freeing up secure storage for other district vehicles and equipment that are more susceptible to theft.

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Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service to our customers

BOARD MEMORANDUM

To: H.C.S.D. Board of Directors
From: Tim Latham, District Superintendent
Date: April 20, 2022
Subject: March 2022 Operations/Maintenance Report

The Operations/Maintenance Department was busy in March with a variety of projects. In addition to the standard operation and maintenance of District facilities, crews continued to do station maintenance and assisted with customer service. All of the stationary and portable generators were tested in order to insure proper operation in the time of need.

Sewer related business included cleaning 7,654 feet of sewer main line and 235 feet of sewer lateral line in various areas throughout the District, cleaning sewer wet wells at the Edgewood Road, Maple Lane, Moore Avenue and Wellington Street sewer lift stations and reviewing sewer filming reports.

Other business included hydrant flushing in the Myrtle town area to gather flow data for the District Engineering Department, preparations for the JPIA annual inspection which occurred on March 24th, attending a trench safety training sponsored by the JPIA and assisting the Construction Department with a water leak on Park Street in the Myrtle town area.

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Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service for our customers

AGENDA REPORT

For HCSD Board of Directors Regular Meeting of: April 26, 2022

AGENDA ITEM: G.1 (New Business)

TITLE: Consideration of Fiscal Year 22/23 Salary Adjustment for HCSD's Non-represented (Management) Employees

PRESENTED BY: Terrence Williams, General Manager

Recommendation:

The General Manager recommends a motion to approve an 8.5% Cost of Living Adjustment (COLA) salary increase for non-represented exempt employee staff effective July 1, 2022 and continuation of all other benefits.

Summary:

The District's Employee Association negotiates with the District's management and Board of Directors for salary and other benefits for the non-management employees of the District. Management employees are excluded from representation by the Employee Association and must negotiate for salary and benefits separately. The non-represented exempt employees include the following positions: Superintendent, Finance Manager, Assistant Engineer, Administrative Services Manager/Board Secretary and the General Manager.

The requested 8.5% COLA is based upon an average of the past two months Bureau of Labor Statistics West Urban Series ID CUUR0400SA0. With the Board's approval, staff can then enter appropriate calculations into the upcoming draft budget.

Fiscal Impact:

Approximately \$45,000 or 0.4% of the District's annual operating budget.

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Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service for our customers

AGENDA REPORT

For HCSD Board of Directors Regular Meeting of: April 26, 2022

AGENDA ITEM: G.2 (New Business)

TITLE: Consideration of Selecting a Candidate to Serve as a Regular and Alternate Special District Member on the Local Agency Formation Commission (LAFCo)

PRESENTED BY: Terrence Williams, General Manager

Recommendation:

Motion and roll call vote to cast a vote in the Humboldt LAFCo election for HCSD's Director Hansen as a Special District Representative, and Director Benzonelli as Alternate Special District Representative, to the Humboldt LAFCo and instruct the Board Secretary to complete the Official Ballot for return to LAFCo offices.

Summary:

Earlier this year, the Board nominated Director Hansen for election as a special district member, and Director Benzonelli as an alternate special district member to serve on the LAFCO Board for the 2022-2026 term. As outlined in the attached April 15, 2022 LAFCo correspondence, it is requested that the HCSD Board vote for their preferred candidate.

LAFCo requires the ballots be completed and returned no later than June 24.

Fiscal Impact:

None

OFFICIAL BALLOT
INDEPENDENT SPECIAL DISTRICT ELECTION
REGULAR MEMBER

Mark selection directly onto the ballot, voting for no more than one (1) candidate. Ballots must be returned to the LAFCo office at 1125 16th Street, Suite 202, Arcata, CA 95521, on or before June 24, 2022 at 5:00 p.m.

Name of District: _____

Address: _____

Telephone: _____

Please vote for one of the following candidates for REGULAR special district member:

- DAVID COUCH (incumbent alternate member)**
Sponsor: McKinleyville Community Services District
- ED DUGGAN**
Sponsor: Willow Creek Community Services District
- MICHAEL HANSEN**
Sponsor: Humboldt Community Services District
- TROY NICOLINI (incumbent)**
Sponsor: Peninsula Community Services District

The Board hereby selects the above candidate to fill the term beginning on July 1, 2022 and expiring on June 30, 2026, as a regular special district member of the Humboldt Local Agency Formation Commission.

Board action taken on the _____ day of _____, 2022, by the following vote:

A YES: _____

NOSE: _____

ABSTAIN: _____

ABSENT: _____

DISTRICT REPRESENTATIVE:

Signature

Printed Name / Title

OFFICIAL BALLOT
INDEPENDENT SPECIAL DISTRICT ELECTION
ALTERNATE MEMBER

Mark selection directly onto the ballot, voting for no more than one (1) candidate. Ballots must be returned to the LAFCo office at 1125 16th Street, Suite 202, Arcata, CA 95521, on or before June 24, 2022 at 5:00 p.m.

Name of District: _____

Address: _____

Telephone: _____

Please vote for one of the following candidates for ALTERNATE special district member:

- HEIDI J. BENZONELLI**
Sponsor: Humboldt Community Services District
- DAVID COUCH (incumbent)**
Sponsor: McKinleyville Community Services District
- TROY NICOLINI (incumbent regular member)**
Sponsor: Peninsula Community Services District
- C. CAROLINE SNOW**
Sponsor: Willow Creek Community Services District

The Board hereby selects the above candidate to fill the term beginning on July 1, 2022 and expiring on June 30, 2026, as a regular special district member of the Humboldt Local Agency Formation Commission.

Board action taken on the _____ day of _____, 2022, by the following vote:

AYES: _____

NOSE: _____

ABSTAIN: _____

ABSENT: _____

DISTRICT REPRESENTATIVE:

Signature

Printed Name / Title