

AGENDA
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

DATE: April 20, 2010
TIME: 6:00 p.m. Closed Session
7:00 p.m. Regular Session
PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 five (5) working days in advance of the meeting.

1. **Call to Order at 6:00 p.m.**
 - a. **Move to Executive Closed Session pursuant to the provisions of the California Government Code Section 54957.6 (Negotiations with Represented Employees)**

1. Conference with Labor Negotiator

Agency Negotiator: Chief Executive Officer, District Counsel, District Treasurer, two (2) or less of the members of the Board of Commissioners.

Employee organization: As recognized by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District, including International Longshore and Warehouse Union, Local 14A.

2. **Adjourn Executive Closed Session**
3. **Call to Order Regular Session at 7:00 p.m. and Roll Call**
4. **Pledge of Allegiance**
5. **Public Comment**

Note: This portion of the Agenda allows the public to speak to the Board on various issues not itemized on this agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on an item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.

6. **Consent Calendar**

Note: All matters listed under the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion. There will be no separate discussion of these items. If discussion is required, that item will be removed from the Consent Calendar and considered separately.

- a. Consideration of approval of minutes from March 17, 2010 Board meeting.
- b. Consideration of approval of minutes from March 31, 2010 Board meeting.
- c. Consideration of approval of minutes from April 8, 2010 Board meeting.

Agenda for April 20, 2010 Board Meeting

- d. Consideration of approval of travel expenses to attend CA Maritime Leadership Symposium, May 5-6, 2010, Sacramento California
- e. Consideration of one-year extension to Permit No. 06-03 to Pacific Gas and Electric Company for the Natural Gas Line 137B Gannon Slough Erosion Control Project.
- f. Consideration of accepting for filing Permit application No. 10-01 to the US Coast Guard for aids to navigation replacement.

7. Communications and Reports

- a. Chief Executive Officer's Report
- b. District Counsel's Report
- c. Staff Reports
- d. Commissioner Reports
- e. Advisory Committee Reports
- f. Other

8. Non Agenda

9. Unfinished Business

10. New Business

- a. Consideration of ballot to fill vacancy of Special District Representative and Alternate Special District Representative on the Humboldt Local Agency Formation Commission.
- b. Consideration of adoption of Illness and Injury Prevention Program.
- c. Consideration of directing District Staff to pursue sponsorship of a Marine Highway Grant Project with Humboldt Maritime Logistics as per the Final Rule of America's Marine Highway Program, 46 CFR Part 393.
- d. Consideration of Access Agreement with Santa Maria Shipowning (SMS) and Trading Company, Inc. for the Fields Landing Boat Yard.

9. Administrative and Emergency Permits

10. ADJOURNMENT

**MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

April 20, 2010

PRESENT:

Commissioner Curless
Commissioner Pellegrini
Commissioner Wilson
Commissioner Higgins
Commissioner Marks

ABSENT:

None

President Curless called the Executive Closed Session to order at 6:05 p.m. Executive Closed Session adjourned at 6:50 p.m.

President Curless called the regular meeting of the Board of Commissioners to order at 7:09 p.m.

President Curless led those present in the Pledge of Allegiance.

Russ Gans, attending in District Counsel's absence, reported on the Executive Closed Session as follows: Status of negotiations with the Harbor District labor union – No action taken.

PUBLIC COMMENT: None

CONSENT CALENDAR

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- ❖ 4/12: Commissioner Higgins, CEO and Director of Maritime Commerce met with Stas Margaronis to discuss the Access Agreement for the Fields Landing Marine Terminal property.
- ❖ 4/13-14: CEO and representatives of Assemblymember Chesbro's office met with representatives from the Governor's Office of Economic Development to discuss AB2637, a bill that, if passed, could allow the Humboldt Bay Bar Pilots to become a part of the San Francisco Pilot Association under the State's Board of Pilot Commissioners.
- ❖ 4/19: CEO and the Bar Pilots travelled to Sacramento to support AB2637, scheduled for the Assembly's Transportation Committee.
- ❖ Director of Conservation had a successful first effort in fish sampling at Trinidad and Redding Rock for the grant-funded Collaborative Fisheries Research Project.
- ❖ 4/22-23: The Humboldt Bay Symposium 2010 will be held. CEO reported there is a broad spectrum of speakers for several subjects.

DISTRICT COUNSEL REPORT: None

STAFF REPORT: None

COMMISSIONERS REPORTS

Commissioner Pellegrini:

- ❖ Reported the Humboldt Women for Commercial Fishing will hold a May Day Dinner on May 1 for local fishermen, their families and crew. Their new logo and local marketing materials for "Humboldt Wild Seafood" will be unveiled.
- ❖ Reported she and Director of Maritime Commerce met with Garry Eagles, Humboldt County Office of Education, regarding the potential for maritime high school courses, which could be part of the HROP program. She said Dr. Eagles and his staff were enthusiastic and supportive.
- ❖ Said the information she asked for on the pressure washer included as a budget purchase was received and she understands it will be used as a steam cleaner for the oil water separator.

Commissioner Wilson:

- ❖ Reported he has been on several local radio and television stations promoting the Humboldt Bay Symposium 2010.

Commissioner Higgins:

- ❖ Stated the maritime high school idea is timely with the projects being proposed by Stephen Pepper and Stas Margaronis.
- ❖ Met with Stas Margaronis, CEO and Director of Maritime Commerce regarding Mr. Margaronis' project of ship building, using the Fields Landing Marine Terminal property. Tomorrow Commissioner Higgins will meet with Mr. Margaronis and local labor representatives.
- ❖ Will attend the Humboldt Area Saltwater Anglers meeting on Tuesday, April 27.

ADVISORY COMMITTEE REPORTS

Commissioner Higgins:

- ❖ Reported the wave energy committee subgroup is working with the local fisherman to quantify the potential damages resulting from PG&E's 10-year project. He suggested Impact Assessment, Inc. could help gather the information.
- ❖ Stated the final Economic Development Committee meeting will be held on April 29. The committee will discuss their findings. Commissioner Higgins thanked Commissioner Wilson for his hard work and contributions to the findings.
- ❖ Said it is time the MPA oversight committee reconvenes; he feels the MLPA process is not showing signs of reform.

Commissioner Marks:

- ❖ Reported negotiations are ongoing with the District's employee union.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

- A. CONSIDERATION OF BALLOT TO FILL VACANCY OF SPECIAL DISTRICT REPRESENTATIVE AND ALTERNATE SPECIAL DISTRICT REPRESENTATIVE ON THE HUMBOLDT LOCAL AGENCY FORMATION COMMISSION.**

COMMISSIONER WILSON MOVED TO NOMINATE KEVIN MCKINNEY TO FILL VACANCY OF SPECIAL DISTRICT REPRESENTATIVE ON THE HUMBOLDT LOCAL AGENCY FORMATION COMMISSION. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

COMMISSIONER WILSON MOVED TO NOMINATE DAVID COUCH TO FILL VACANCY OF ALTERNATE SPECIAL DISTRICT REPRESENTATIVE ON THE HUMBOLDT LOCAL AGENCY FORMATION COMMISSION. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITH COMMISSIONER PELLEGRINI DISSENTING.

B. CONSIDERATION OF ADOPTION OF ILLNESS AND INJURY PREVENTION PROGRAM.

Director of Administrative Services reported the Illness and Injury Prevention Program is required by OSHA. The Program outlines safety procedures and protects employees as Whistleblowers when reporting a safety hazard.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF THE ILLNESS AND INJURY PREVENTION PROGRAM. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF DIRECTING DISTRICT STAFF TO PURSUE SPONSORSHIP OF A MARINE HIGHWAY GRANT PROJECT WITH HUMBOLDT MARITIME LOGISTICS AS PER THE FINAL RULE OF AMERICA'S MARINE HIGHWAY PROGRAM, 46 CFR PART 393.

COMMISSIONER WILSON MOVED TO DIRECT DISTRICT STAFF TO PURSUE SPONSORSHIP OF A MARINE HIGHWAY GRANT PROJECT WITH HUMBOLDT MARITIME LOGISTICS AS PER THE FINAL RULE OF AMERICA'S MARINE HIGHWAY PROGRAM, 46 CFR PART 393. COMMISSIONER MARKS SECONDED.

Stephen Pepper reported he attended the Marine Highway conference in Baltimore recently. He stated the US Department of Transportation is committed to the marine highway program and published a solicitation program for marine highway projects. The deadline for submitting such projects is June 11, 2010. His first application would be for a project design and then he would be eligible for grant monies, which will be allocated in the summer. The next opportunity would be for TIGER II monies, which are discretionary grant dollars through stimulus funds. MARAD will focus on the projects which are the most beneficial.

Commissioner Marks stated McClellan Mountain Spring Water will be marketing biodegradable bottles in the near future. He asked when the short sea shipping would be ready for transporting goods to San Francisco. Mr. Pepper said it will take 2 – 2 ½ years.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF ACCESS AGREEMENT WITH SANTA MARIA SHIPOWNING (SMS) AND TRADING COMPANY, INC. FOR THE FIELDS LANDING BOAT YARD.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF ACCESS AGREEMENT WITH SANTA MARIA SHIPOWNING (SMS) AND TRADING COMPANY, INC. FOR THE FIELDS LANDING BOAT YARD. COMMISSIONER HIGGINS SECONDED.

Stas Margaronis thanked the Board and staff for all their help with this project. He said he received some good marketing insight from Director of Maritime Commerce. Mr. Margaronis stated it is not an easy effort to build a dry dock, but the Fields Landing property is prime for this operation and he is committed to keeping the boat yard operational. Mr. Margaronis said his project would dovetail with the marine highway concept and he would market it as such.

Mr. Margaronis asked if the Harbor District can collaborate with private companies. Mr. Gans replied the District can transact business defined to a specific project approved by the Board of Commissioners.

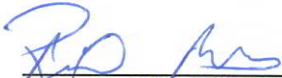
Mr. Margaronis stated the Harbor District would be the lead on the TIGER grant application.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 8:24 p.m.

APPROVED BY:



Richard Marks
Secretary

RECORDED BY:



Patricia L. Tyson
Director of Administrative Services