

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

DATE: August 25, 2011
TIME: 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 Regular Session at 7:00 p.m. and Roll Call
2. Pledge of Allegiance
3. 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.

4. 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 payment to Pacific Affiliates for services related to the final Woodley Island Marina maintenance dredging beach monitoring. \$11,683.84
- b. Consideration of approval of Task Order 6 to Oscar Larson and Associates for engineering services related to the termination of power for the Building #14 demolition project. \$ 3,100.00
- c. Consideration of approval of travel for CEO to attend and present at the Pacific Coast Shellfish Growers Association in Salem, OR, on September 19-22, 2011.
- d. Consideration of approval of travel for CEO to attend the California Association of Port Authorities meeting in Oakland, CA September 29-30, 2011.
- e. Consideration of approval of one-year extension to Permit No. 10-02 to the US Fish and Wildlife Service *Spartina* Eradication.

Agenda for August 25, 2011 Regular Board Meeting

5. 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

6. Non Agenda

7. Unfinished Business

8. New Business

- a. Consideration of adoption of Resolution 2011-14 Commending the City of Eureka for the Completion of the Fisherman's Terminal Building.
- b. Consideration of approval of agreement with HT Harvey and Associates for services related to the Aquaculture Expansion Project.
- c. Consideration of approval of agreement with Moffat and Nichol for design and permitting services related to the Water Trails Project.
- d. Consideration of adoption of Resolution 2011-15 Accepting Grant Funds from the CA Department of Boating and Waterways for Disposal of Derelict Vessels.

9. Administrative and Emergency Permits

10. Adjourn to Closed Session

11. Call Executive Closed Session to Order

- a. **Move to Executive Closed Session pursuant to the provisions of the California Government Code Section 54956.8 (Conference with Real Property Negotiator); and 94957 (public employee evaluation)**

1. Conference with Real Property Negotiator

Negotiating Parties: David Hull, Chief Executive Officer; Paul Brisso, District Counsel

Under Negotiation:

- 1) **Potential lease terms for District property acquisition from Pacific Gas and Electric Company.**
- 2) **Potential lease terms of property to Timber Heritage Association.**
- 3) **Potential lease terms of District property to TJS Leasing and Holding Company, Inc.**
- 4) **Potential lease terms of District property to Taylor Mariculture, Inc.**
- 5) **Potential lease terms of District property to Freshwater Tissue Company**

2. Public Employee Performance Evaluation

Title: Chief Executive Officer

- 12. Adjourn Executive Closed Session**
- 13. Call to Order Regular Session**
- 14. Report on Executive Closed Session**
- 15. Adjournment**

**ADDENDUM TO
A G E N D A
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
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8. New Business

- e. Consideration of approval of grant agreement with the County of Humboldt for the Aquaculture Expansion Project.

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

August 25, 2011

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Higgins
Commissioner Marks

President Wilson called the regular meeting of the Board of Commissioners to order at 7:00 p.m.

President Wilson asked Alan Bobillot, District Director of Facilities Maintenance, to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR

Commissioner Pellegrini asked for Item (c) to be pulled for further discussion.

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

Item (c): Commissioner Pellegrini asked for a report on the item to approve travel for CEO to present at the Pacific Coast Shellfish Growers Association in Salem, OR on September 19-22, 2011. CEO reported Greg Dale, Coast Seafoods, invited him to participate on a panel at the conference to talk about the aquaculture expansion project. Commissioner Pellegrini said she thought it was relevant that President Wilson go to the conference since he has worked hard for the aquaculture expansion project. Commissioner Higgins agreed as President Wilson has more entrepreneurial experience. President Wilson said he would check his calendar to make sure he could attend.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF DISTRICT REPRESENTATION AT THE PACIFIC COAST SHELLFISH GROWERS ASSOCIATION CONFERENCE IN SALEM, OR ON SEPTEMBER 19-22, 2011. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- ❖ 8/16: CEO and Director of Conservation had a follow-up meeting with PG&E environmental representatives on the King Salmon Canal dredging project. An eelgrass survey will be done next week.
- ❖ 8/24: CEO participated in a Marine Highway M5 market assessment conference call. The market analysis is being done now; next phase is operational.
- ❖ 8/25: District Planner and Director of Conservation met with representatives of local regulatory agencies on sea level rise planning.
- ❖ Maintenance staff is currently renovating A-dock end tie and work is expected to be completed next week.
- ❖ Director of Maintenance has been focusing on energy efficiency options for the District and has completed the vast majority of projects recommended by Redwood Coast Energy Authority.

DISTRICT COUNSEL REPORT

District Counsel stated at the last meeting CEO made reference to the clean recordkeeping of the Director of Facilities Maintenance complimented by County Environmental Health. District Counsel said that type of compliment is very positive and virtually unheard of.

STAFF REPORT

Director of Administrative Services presented the July Check Listing Report.

COMMISSIONERS AND ADVISORY COMMITTEE REPORTS

Commissioner Pellegrini:

- ❖ Reported Aaron Newman, Division 1; Greg Dale, Division 2 and Patrick Higgins, Division 5, will be the new Commissioners. They all ran unopposed; the Harbor District will not have to pay election fees for 2011.

Commissioner Curless:

- ❖ Attended the Fortuna City Council meeting where rails and trails was discussed heatedly. The Council voted to support the railroad.
- ❖ Attended the Strategic Plan Public Outreach meeting at the Humboldt Area Foundation. He said there were good comments made by the public.

Commissioner Wilson:

- ❖ Attended the Strategic Plan Public Outreach meeting. He said it was a different format where both the Board and staff participated with the public. He said he received comments from the public that they appreciated the face-to-face contact with the Board.

Commissioner Higgins:

- ❖ Thanked the Board for their work on the Strategic Plan and said Roger James and Mary Gelinis are very good facilitators.
- ❖ Said he was humbled he drew no opposition in his run for Division 5 Commissioner and is pleased to be joined by Greg Dale and Aaron Newman.

Commissioner Marks:

- ❖ Said the death of the mama whale in the Klamath River was a sad loss.
- ❖ Reported he witnessed a sailboat stuck in the bay mud in Arcata Bay.
- ❖ Stated there was a good turnout of kayakers at the Strategic Plan Public Outreach meeting. One of the comments he heard was about adding houseboats to the marina to increase revenue.
- ❖ Reported Manila Community Services District is considering absorbing the entire peninsula in their district.

OTHER

Alan Bobillot, District Director of Facilities Maintenance, said he enjoyed participating in the Strategic Plan Public Outreach meeting. He said there were questions about the District's PG&E bill and how to reduce costs. He is currently working with Redwood Coast Energy Authority on a program to replace interior and exterior lighting, which should save the District approximately \$3,000 annually. The furnace to the main office has been changed to be more energy efficient; boilers have been tuned up and turned down. The

marina boat slips are being monitored for any "hot" spots and parking lot lights are coming on later and turned off sooner. The final walk-through will be next week.

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF ADOPTION OF RESOLUTION 2011-14 COMMENDING THE CITY OF EUREKA FOR THE COMPLETION OF THE FISHERMAN'S TERMINAL BUILDING.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2011-14 COMMENDING THE CITY OF EUREKA FOR THE COMPLETION OF THE FISHERMAN'S TERMINAL BUILDING. COMMISSIONER CURLESS SECONDED.

President Wilson read the resolution, which he will read at the dedication on September 1 at 2 p.m.

Commissioner Pellegrini said it is a momentous occasion for this building to be completed. It is a big deal for the local fishing industry and gives an option for the fishermen to locally sell their catch.

Commissioner Marks said he feels it will bring traffic and commerce to Eureka, which means tax dollars.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HIGGINS – AYE
COMMISSIONER MARKS - AYE

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF AGREEMENT WITH HT HARVEY AND ASSOCIATES FOR SERVICES RELATED TO THE AQUACULTURE EXPANSION PROJECT.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF AGREEMENT WITH HT HARVEY AND ASSOCIATES FOR SERVICES RELATED TO THE AQUACULTURE EXPANSION PROJECT. COMMISSIONER MARKS SECONDED.

CEO reported this item goes with Item (E), the approval of the Headwaters Grant that funds this contract.

Greg Dale said President Wilson deserves much credit for working hard to get this grant for the aquaculture industry.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVAL OF AGREEMENT WITH MOFFAT AND NICHOL FOR DESIGN AND PERMITTING SERVICES RELATED TO THE WATER TRAILS PROJECT.

CEO reported this agenda item is a continuation of the District's long commitment to developing water trails within Humboldt Bay. This proposed action is a direct follow up to the results from a previous CA

Coastal Conservancy grant that developed conceptual water trails; developed, printed and distributed a water trails map for Humboldt Bay; and identified and prioritized water trail infrastructure improvements.

In this agenda item, Moffatt and Nichol (with subcontractors of Winzler and Kelly) are recommended to conduct design and permitting services for the three high priority water trail infrastructure projects identified in the previous Conservancy grant. These include improvements to Arcata boat launching site at the foot of South G Street; improvements to the District's "F-Dock Canoe/Kayak launch"; and water trail improvements to the Humboldt County launch ramp in Fairhaven. All work is covered by a \$92,000 grant from the CA Coastal Conservancy. Staff recommended the Board of Commissioners approve the agreement with Moffat and Nichol for design and permitting services related to the Water Trails Project.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF AGREEMENT WITH MOFFAT AND NICHOL FOR DESIGN AND PERMITTING SERVICES RELATED TO THE WATER TRAILS PROJECT. COMMISSIONER CURLESS SECONDED.

Commissioner Higgins why the contract is not made directly with Winzler & Kelly. CEO replied Moffat and Nichol does the design, Winzler & Kelly does the CEQA work. This is the same team that permitted and designed the Shelter Cove Breakwater Rehabilitation Project.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF ADOPTION OF RESOLUTION 2011-15 ACCEPTING GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR DISPOSAL OF DERELICT VESSELS.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2011-15 ACCEPTING GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR DISPOSAL OF DERELICT VESSELS. COMMISSIONER PELLEGRINI SECONDED.

CEO stated this resolution satisfies a formality of Boating and Waterways in order to access funds from their abatement program for recreational vessels only. The destruction of the vessel will be put out to bid within a couple of months; then the vessel will be destroyed and removed from District property. CEO said the application for the funds was due in April of 2010; the funds are just now being granted.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HIGGINS – AYE
COMMISSIONER MARKS - AYE

MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF APPROVAL OF GRANT AGREEMENT WITH THE COUNTY OF HUMBOLDT FOR THE AQUACULTURE EXPANSION PROJECT.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF GRANT AGREEMENT WITH THE COUNTY OF HUMBOLDT FOR THE AQUACULTURE EXPANSION PROJECT. COMMISSIONER CURLESS SECONDED.

CEO commended Dawn Elsbree of the Headwaters Fund for getting the agreement prepared to present at this meeting.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Board of Commissioners adjourned to Executive Closed Session at 7:53 p.m.

President Wilson adjourned the Executive Closed Session at 9:57 p.m.

President Wilson called to order the Regular Meeting of the Board of Commissioners at 9:58 p.m.

District Counsel reported the Executive Closed Session as follows: Conference with Real Property Negotiator regarding potential lease terms of District property to Timber Heritage Association, potential lease terms of District property to TJS Leasing and Holding Company, potential lease terms of District property to Taylor Mariculture, Inc. and potential lease terms of District property to Freshwater Tissue Company – No action taken. Also Public Employee Performance Evaluation – No action taken.

The Regular Meeting of the Board of Commissioners was adjourned at 9:58 p.m.

APPROVED BY:



Ronnie Pellegrini, Secretary

RECORDED BY:



Patricia L. Tyson
Director of Administrative Services