

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

DATE: June 8, 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 approval of minutes from May 25, 2011 Board of Commissioners meeting.
- b. Consideration of payment to Kelly-O'Hern Associates for LP RMT Berth 2) tidelands line corner set. \$750.00
- c. Consideration of payment to Fortuna Iron Company for Travelift fuel tank fabrication. \$1,376.20
- d. Consideration of agreement with US Fish and Wildlife Services for *Spartina* eradication.
- e. Consideration of approval one-year extension to Permit Number 09-08 for maintenance dredging of the Chevron Eureka Marine Terminal.

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

- a. First Reading of FY2011/12 Budget

8. New Business

- a. Consideration of approval of Employment Agreement with Daniel Berman to fill the Director of the Conservation Division position.
- b. Consideration of approval of Agreement for Port Marketing and Consulting Services with Wilson Lacy.
- c. Consideration of approval of State of California Purchase Card Program Master Services Agreement (DGS MSA 5-06-99-01).
- d. Consideration of approval of redistricting comment letter.

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)

- Conference with Real Property Negotiator
Negotiating parties: David Hull, Chief Executive Officer; Paul Brisso, District Counsel

Under Negotiation:

- 1. Potential terms for District property acquisition from Pacific Gas and Electric Company.
- 2. Potential lease terms of District property to Timber Heritage Association

12. Adjourn Executive Closed Session

13. Call to Order Regular Session

14. Report on Executive Closed Session

15. Adjournment

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

June 8, 2011

PRESENT:

Commissioner Curless
Commissioner Wilson
Commissioner Higgins
Commissioner Marks

ABSENT:

Commissioner Pellegrini

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

President Wilson asked Director of Administrative Services to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR

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

CEO REPORT

- ❖ 5/31: CEO and Commissioner Pellegrini met with PG&E representatives on the King Salmon Canal dredging project.
- ❖ CEO met with TJS representatives, engineers and regulators on the pre-permitting for the ERTN and potential lease of Redwood Marine Terminal Berth 1.
- ❖ CEO attended the Regional Sediment Management workgroup meeting.
- ❖ 6/7: CEO, Commissioners Higgins and Wilson and District Counsel met with representatives from the Timber Heritage Association (THA) to discuss the Samoa Shops complex.

DISTRICT COUNSEL REPORT

District Counsel reported he participated in the meeting with the THA representatives and said it was a very constructive first meeting.

STAFF REPORT: None

COMMISSIONERS AND ADVISORY COMMITTEE REPORTS

Commissioner Wilson:

- ❖ Attended the Regional Sediment Management workgroup meeting that was largely attended by regulators and interagency representatives. He said the discussion centered on how to manage the half million yards of sediment that comes into Humboldt Bay each year.
- ❖ Attended the THA meeting.
- ❖ Reported the Manila Friends of the Dunes will host a sand sculpture festival on June 19.

Commissioner Higgins:

- ❖ Attended the THA meeting.
- ❖ Had a successful trip fishing off the Reel Steel charter boat.

Commissioner Marks:

- ❖ Stated the Samoa Peninsula Fire District is taking steps to create a Community Services District.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS

A. FIRST READING OF FY 2011/12 BUDGET.

District Treasurer stated there was one change to the budget since it was presented to the Board during the Public Hearing on May 25. Due to the Board's approval of extended hours at the Fields Landing Boat Yard, \$2,400 has been added to Revenue and Expenses increased \$1,600. Also a line item titled Mariculture Management Fund was added to Fund Balance Reservations to reserve 25% of future mariculture tideland lease revenues set aside for permitting expenses, as required by the Headwaters Fund grant for the aquaculture expansion project. District Treasurer read the budget summary as follows: Revenue \$2,180,909; Operating Expenses \$1,920,381; Non-Operating Expenses \$259,623; Excess Revenues Over Expenses \$905.

President Wilson stated during the THA lease meeting there was discussion about the long-term management of the historic Samoa Shops complex. He requested a line item under Expenses for ongoing management of the Samoa Shops complex to account for staff time. CEO suggested an Expenses line item "Samoa Shops Planning Expense" of \$2,000 to be offset by a transfer from Fund Balance Reservation Recreational Enhancement.

Commissioner Curless asked if a zoning change would be required for any type of change in use of the property. President Wilson said a zoning change would not be required for the current use, but could be for any future change in use.

NEW BUSINESS

A. CONSIDERATION OF APPROVAL OF EMPLOYMENT AGREEMENT WITH DANIEL BERMAN TO FILL THE DIRECTOR OF THE CONSERVATION DIVISION POSITION.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF EMPLOYMENT AGREEMENT WITH DANIEL BERMAN TO FILL THE DIRECTOR OF THE CONSERVATION DIVISION POSITION.
COMMISSIONER HIGGINS SECONDED.

Commissioner Higgins said Mr. Berman has the skill set needed based on his previous experience as the Director of Morro Bay National Estuary Program. Adam Wagschal set a high standard and we are fortunate Mr. Berman applied for the position.

Daniel Berman told the Board of Commissioners he is excited with the opportunity to work for the Harbor District and to work in the same field as he did in Morro Bay.

CEO stated the motion should include Mr. Berman's salary of \$65,000.

COMMISSIONER MARKS AND COMMISSIONER HIGGINS ACCEPTED THE FRIENDLY AMENDMENT. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF AGREEMENT FOR PORT MARKETING AND CONSULTING SERVICES WITH WILSON LACY.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF AGREEMENT FOR PORT MARKETING AND CONSULTING SERVICES WITH WILSON LACY. COMMISSIONER CURLESS SECONDED.

President Wilson stated the Harbor District has a seat on the West Coast Corridor Coalition and Wilson Lacy has been the District's representative. He said it is important that participation is maintained and at a reasonable cost because the marine highway has been one of the Board's strategic objectives.

CEO stated the motion should contain the words "NOT TO EXCEED \$7,000".

COMMISSIONER HIGGINS AND COMMISSIONER CURLESS ACCEPTED THE FRIENDLY AMENDMENT. MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVAL OF STATE OF CALIFORNIA PURCHASE CARD PROGRAM MASTER SERVICES AGREEMENT (DGS MSA 5-06-99-01).

CEO reported the CAL-Card program is a VISA card program used by many public agencies due to the internal controls, limitations that can be set for individual users and accounting ease.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF STATE OF CALIFORNIA PURCHASE CARD PROGRAM MASTER SERVICES AGREEMENT (DGS MSA 5-06-99-01). COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF APPROVAL OF REDISTRICTING COMMENT LETTER.

President Wilson stated there are no North Coast meetings scheduled to discuss redistricting and other agencies have written letters to legislators requesting local meetings to give an opportunity for local participation.

COMMISSIONER MARKS MOVED FOR THE APPROVAL TO SEND A LETTER STRONGLY STATING THE BOARD'S OPPOSITION TO EAST-WEST REDISTRICTING AND TO MAINTAIN THE CONTIGUOUS COASTAL COUNTIES DISTRICTING. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Board of Commissioners adjourned to Executive Closed Session at 7:27 p.m.

President Wilson adjourned the Executive Closed Session at 8:36 p.m.

President Wilson called to order the Regular Meeting of the Board of Commissioners at 8:36 p.m.

District Counsel reported the Executive Closed Session as follows: Conference with Real Property Negotiator regarding potential terms for District property acquisition from Pacific Gas and Electric Company and potential lease terms of District property to Timber Heritage Association – No action taken.

Minutes
Regular Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation and Conservation District
June 8, 2011
Page 4 of 4

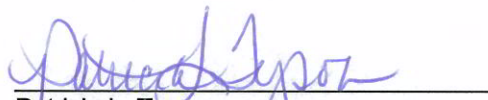
The Regular Meeting of the Board of Commissioners was adjourned at 8:37 p.m.

APPROVED BY:



Mike Wilson, President for
Ronnie Pellegrini, Secretary

RECORDED BY:



Patricia L. Tyson
Director of Administrative Services