

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

DATE: March 28, 2013

TIME: 6:00 p.m. Executive 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 24 hours 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 Sections 54956.8 (Conference with Real Property Negotiator) and 54957.6 (Negotiations with Represented Employees)
 1. Conference with Real Property Negotiator
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Richard Marks, Vice President; Jack Crider, Chief Executive Officer

Under Negotiation:
Freshwater Tissue Company property purchase negotiations
 2. Conference with Labor Negotiator
Agency Negotiators: Chief Executive Officer, District Counsel, 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. **Report on Executive Session**
6. **Public Comment**

Note: This portion of the Agenda allows the public to speak to the Board on the 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 any 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 for each speaker 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.

Agenda for March 28, 2013 Regular Board Meeting

7. Consent Calendar: None

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 the minutes from the January 24, 2013 Annual Board meeting.

8. Communications and Reports

- a. Chief Executive Officers Report
- b. Staff Reports
- c. District Counsel's and District Treasurer's Reports
- d. Commissioner and Committee Reports
- e. Other

9. Non Agenda

10. Unfinished Business

11. New Business

- a. Discussion of 2013 Permit Fees at Woodley Island Marina to Operate a Charter Service.
- b. Consideration of Application and Permit for Use of Woodley Island for Redwood Sports Car Club to have their car show on June 8, 2013.
- c. Consideration of Application and Permit for Use of Woodley Island for Crater Lake Council Boy Scouts of America for their multi-day scouting event June 24-29, 2013.
- d. Consideration of Letter of Support for AB 416 which would create the Local Emission Reduction Program.
- e. Consideration of Letter of Support for California Sea Grant.

12. Administrative and Emergency Permits

13. Adjournment

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

March 28, 2013

PRESENT

Commissioner Dale
Commissioner Newman
Commissioner Marks
Commissioner Higgins

ABSENT

Commissioner Wilson

Vice-President Marks called the Executive Closed Session to order at 6:00 p.m.

Vice-President Marks adjourned the Executive Closed Session at 7:00 p.m.

Vice-President Marks called the Regular Meeting of the Board of Commissioners to order at 7:05 p.m.

Vice-President Marks asked Commissioner Higgins to lead those present in the Pledge of Allegiance.

District Counsel reported out of the Executive Closed Session as follows: Freshwater Tissue property purchase negotiations – approved amended access agreement to allow District to gather information and take water samples from existing wells; 4 – 0 vote with Commissioner Wilson absent. The Board voted to enter into an agreement with LACO Associates to analyze samples; 4 – 0 vote with Commissioner Wilson absent. The Board voted to sign an engagement letter with law firm for evaluation of environmental risks 4 - 0 vote with Commissioner Wilson absent. Conference with Labor Negotiator – no action to report.

PUBLIC COMMENT: None

CONSENT CALENDAR

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER DALE SECONDED.

CEO said Ken Bates gave to Staff prior to this meeting an addendum for the January 24 minutes.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE JANUARY 24, 2013, MINUTES WITH AMENDMENT. COMMISSIONER NEWMAN SECONDED.

Commissioner Dale said he is concerned that Mr. Bates' amendment request includes Commissioner Wilson's name and comments and he is not present to approve them.

COMMISSIONER DALE MOVED TO TABLE MINUTES FROM THE JANUARY 24, 2013, ANNUAL BOARD MEETING. COMMISSIONER HIGGINS SECONDED.

Ken Bates, Humboldt Fisherman's Marketing Association, reported he has no objection to the January 24, 2013 minutes being tabled; his concern is so anyone reading the minutes would understand that the City's Local Coastal Plan is what is being referenced in the minutes.

MOTION CARRIED WITHOUT DISSENT.

COMMUNICATIONS AND REPORTS

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Travelled with Commissioner Wilson to Washington, D.C. and met with legislative delegates; presented a binder to show them the projects the District has been working on and where grant money has been spent. Stated District lobbyist Will Edington also took a few binders and will meet with others they did not have time to meet. Reported they talked of many subjects: Homeland Security grants; the fire boat saving 200 jobs in the first six months of its acquisition; PORTS; Brownfields Phase One funding and the possible Freshwater Tissue Company property purchase; mariculture and jobs.
- ❖ Thanked Army Corps of Engineers for ten days additional dredging funding; \$1.6 million short this year on dredging funds; the North jetty could be breached by one major storm; Congressman Huffman letter joined in as co-sponsor on the Harbor Maintenance Trust Fund bill.

STAFF REPORTS

Director of Facility Maintenance

- ❖ Toured the Freshwater Tissue Company property and viewed it from a maintenance standpoint.
- ❖ Is moving forward with docks gates, with additional cameras and lights on the docks.
- ❖ Reported the first water monitor was installed on D-dock today to try to reduce sewer bill costs.
- ❖ Stated 60 new electric dock pedestals were shipped today to Woodley Island Marina.

Bar Pilot John Powell

- ❖ Said PORTS has been removed from Buoys Two and Nine temporarily for dredging; earlier this week, the USCGC Aspen relocated Buoys 2, 5 and 9 for the same purpose.
- ❖ Reported a log ship is due on Easter Sunday.

Director of Conservation

- ❖ Stated the MPA Monitoring Draft RFP public comment period runs until April 10; District office should receive a copy shortly.
- ❖ Said the Final EIR completed by the Coastal Conservancy on the removal of *Spartina densiflora* is available; the Conservancy will be certifying it at one of their upcoming meetings.
- ❖ Is working with Humboldt County Environmental Health to find solutions to dumping around the Bay.
- ❖ Has been working with a new local Sea Grant representative to get applications submitted on a couple of grant opportunities.
- ❖ Reported there was an OSPR half-day training and drill for many local agencies.

Commissioner Higgins asked if the MPA Monitoring Draft RFP has only a 14-day public comment period; there have been many questions and he would like to see them use baseline data to maintain access since there are many data gaps. Commissioner Higgins stated if there are problem spots, the District needs to respond.

Director of Conservation there is a short time frame for public comment which closes before the next meeting; and since the intent of the Commission has been clearly laid out, a response letter will be forthcoming.

Bill McBroome asked where he could get this information. Director of Conservation stated the District office should have a copy by next week and he hopes to get a link on the website.

DISTRICT COUNSEL REPORT: None

COMMISSIONER AND COMMITTEE REPORTS

Commissioner Dale

- ❖ Met with CeNCOOS representatives; they have been monitoring and reporting on ocean conditions through installed water quality devices and putting the information online. Reported they are placing more of these devices around the world to predict weather and conditions; the device, which has provided information over the last ten years, was stolen from Woodley Island Marina.
- ❖ Is now a member of CeNCOOS.
- ❖ Toured the top of the boiler at the pulp mill; reported it is the tallest building between San Francisco and Portland. Said he is impressed with the maintenance on the building.

Commissioner Marks

- ❖ Reported he toured the top of the boiler for the second time, although he worked at the pulp mill for over 30 years; he stated the boiler is in good condition.
- ❖ Attended the Humboldt Bay Harbor Working Group meeting with Commissioner Newman and CEO; said Land Bridge Alliance members were there supporting the feasibility study for the East-West rail.

Commissioner Higgins

- ❖ Said Steelhead season closes March 31.
- ❖ Stated there is a Water Day conference on Saturday and there will be reports presented on fish runs; encouraged those that cannot attend to watch on Access Humboldt.
- ❖ Is interested in reconvening the Economic Development Committee.
- ❖ Attended a meeting regarding Halibut and gathering data.

Bill McBroome asked when tenants could expect the dock gates to be completed and if Security Guards would be removed at that point. Director of Facility Maintenance reported gates should be completed on the docks in about one month. CEO said there will most likely still be Security but at random times and understands this is an important issue for the tenants.

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. DISCUSSION OF 2013 PERMIT FEES AT WOODLEY ISLAND MARINA TO OPERATE A CHARTER SERVICE.

CEO stated this Item is for discussion only and explained the current fee schedule for charter boats; reported there are five annual renewals coming up soon.

Commissioner Dale asked if the District expects more than five charter boats this year and if there are additional expenses for those tenants.

CEO said there is a \$25.00 fee every month the boats operate and eventually, electricity will be metered.

Commissioner Higgins stated this discussion is constructive and fair; rate increases are not usually well- received, but are logical.

Commissioner Newman reported the summer charter operations are a great asset to the area.

Tim Klassen, owner of Reel Steel Charter, asked what the \$25.00 fee covered and said in some marinas, charter boat operations get more than just a sign for advertisement; said commercial fishermen receive the services the charter boats do and are not charged. Mr. Klassen stated the charter boat operators are hoping the fuel costs do not go up too much as well.

B. CONSIDERATION OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR REDWOOD SPORTS CAR CLUB TO HAVE THEIR CAR SHOW ON JUNE 8, 2013.

COMMISSIONER DALE MOVED FOR APPROVAL OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR REDWOOD SPORTS CARE CLUB TO HAVE THEIR CAR SHOW ON JUNE 8, 2013. COMMISSIONER HIGGINS SECONDED.

CEO reported the event happens annually.

Ken Bates said he is glad the community can still have activities on the Island.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR CRATER LAKE COUNCIL BOY SCOUTS OF AMERICA FOR THEIR MULTI-DAY SCOUTING EVENT JUNE 24-29, 2013.

COMMISSIONER DALE MOVED FOR APPROVAL OF APPLICATION AND PERMIT FOR USE OF WOODLEY ISLAND FOR CRATER LAKE COUNCIL BOY SCOUTS OF AMERICA FOR THEIR MULTI-DAY SCOUTING EVENT JUNE 24-29, 2013. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF LETTER OF SUPPORT FOR AB 416 WHICH WOULD CREATE THE LOCAL EMISSION REDUCTION PROGRAM.

COMMISSIONER HIGGINS MOVED FOR LETTER OF SUPPORT FOR AB 416 WHICH WOULD CREATE THE LOCAL EMISSION REDUCTION PROGRAM. COMMISSIONER NEWMAN SECONDED.

Director of Conservation reported this is an extension of an existing program that has helped exchange older equipment to more efficient, newer pieces; this is a State program in the Assembly.

Commissioner Higgins stated with Humboldt Bay being a smaller Port than one such as Oakland, there is less pollution.

Ken Bates said he urges the Commissioner to pass this Motion; many boats have been able to upgrade old equipment.

MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF LETTER OF SUPPORT FOR CALIFORNIA SEA GRANT.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF LETTER OF SUPPORT FOR CALIFORNIA SEA GRANT. COMMISSIONER DALE SECONDED.

Commissioner Newman stated Sea Grant is a great program that does much fisheries research.

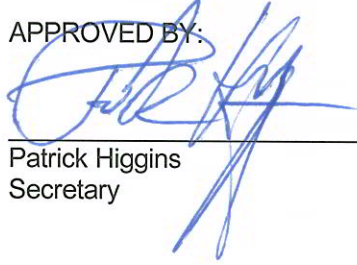
MOTION CARRIED WITHOUT DISSENT.

Minutes
Regular Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation and Conservation District
March 28, 2013
Page 5 of 5

ADMINISTRATIVE AND EMERGENCY PERMITS: None

Vice-President Marks adjourned the Regular Meeting of the Board of Commissioners at 8:10 P.M.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk