

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

DATE: April 12, 2012

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 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 (Public Employment) and Government Code Section 54956.8 (Conference with Real Property Negotiator)
 1. Public employment, position of Chief Executive Officer
 2. Conference with Real Property Negotiator
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Patrick Higgins, Commissioner; Richard Marks, Commissioner; Patricia Tyson, Interim Chief Executive Officer

Under Negotiation:
 - 1) Potential lease terms of property to Freshwater Tissue Company.
 - 2) Potential lease terms of property to TJS Leasing and Holding Company, Inc.
 - 3) Potential lease terms of property to Taylor Mariculture, Inc.
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.

Agenda for April 12, 2012 Regular Board Meeting

7. Communications and Reports

- a. Interim 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

- a. Consideration of adoption of FY 2012/13 Preliminary Budget.

10. New Business

- a. Consideration of Agreement between the Humboldt Bay Harbor, Recreation and Conservation District and the Humboldt State University Sponsored Programs Foundation for the Humboldt Bay Physical Oceanographic Real Time System (HB PORTS) Operation and Maintenance Services.
- b. Consideration of Amendment 1 to the Access Agreement for Groundwater Monitoring at Redwood Marine Terminal Berth 2
- c. Consideration of Memorandum of Understanding with Cal Fire for use of conservation camp crews for invasive Spartina control.
- d. Consideration of Employment Contract with Jack Crider for the position of Humboldt Bay Harbor, Recreation and Conservation District Chief Executive Officer.

11. Administrative and Emergency Permits

12. Adjournment

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

April 12, 2012

PRESENT

Commissioner Dale
Commissioner Newman
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:08 P.M.

President Wilson adjourned the Executive Closed Session at 6:20 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:02 P.M.

District Counsel reported on the Executive Closed Session as follows: Public employment, Chief Executive Officer; Potential lease terms of property to Taylor Mariculture, Inc. – no action to report.

President Wilson asked Mike Kellogg to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR: None

INTERIM CEO REPORT

- ❖ Reviewed the Requests for Qualifications (RFQ) for the Samoa Industrial Waterfront Transportation Access Plan with Commissioner Wilson and Captain Petrusha; they would like to include the new CEO in the process, so a decision on the consultants to interview will be delayed for the time being.
- ❖ Reported that the dredge *Essayons* is scheduled to be in Humboldt Bay April 19 to dredge the bar and entrance channels.
- ❖ Attended a Staff Budget meeting on April 9.
- ❖ Said Director of Facility Maintenance and Dockmaster are in Nanaimo, BC attending the 38th Annual Pacific Coast Congress Harbormasters and Port Managers Conference.
- ❖ Stated the kitchen remodel is complete.
- ❖ Reported that the next regular Board meeting is scheduled for April 26, which is the first day of the Humboldt Bay Symposium.

DISTRICT COUNSEL REPORT

- ❖ No report.

STAFF REPORT

Director of Conservation reported on the following:

- ❖ Humboldt Bay Symposium will take place on April 26 and 27 with the keynote speaker as Dr. Charles Lester of the California Coastal Commission as there will also be a presentation by Dr. Russ Schnell of NOAA and a history of Humboldt Bay will be presented. Reported the draft agenda, registration form and poster can be found on the District's website; and thanks those who have helped plan the Symposium. Commissioner Higgins asked how much the fee was for the Humboldt Bay Symposium. Director of Conservation reported that the cost is \$30.00 for both days

which includes lunch. He said at the reception/Poster Session on the first night oysters will be provided by Humboldt Bay Oyster and that GHD will be providing appetizers.

- ❖ Said the roof of Building 14 at the Redwood Marine Terminal collapsed almost completely in the recent windstorm. He reported that three more osprey nests had eggs hatch and some of the osprey have gotten in the building, so it will probably be June before the building can be demolished.
District Counsel asked if the District had submitted an insurance claim for the wind damage, which could help pay for demolition costs.
- ❖ Attended a meeting with Commissioner Dale, US Army Corps of Engineers and National Marine Fisheries regulatory staff regarding the Corps' permitting in the Bay for aquaculture operations and the possible benefits of using a national permit; said there is a meeting next week with regulatory agencies on the aquaculture project.
- ❖ NOAA Fisheries has a draft policy to increase eelgrass mitigation requirements out for public comment. If the District wishes to comment on the draft policy, it will appear on the next Board Meeting Agenda.
- ❖ There is a meeting with Erica Guevara-Blackwell on aquaculture innovation on April 17 at the HSU Aquatic Center.
- ❖ District staff is pursuing a possible grant opportunity from NOAA for shellfish research. The pre-proposal was submitted in January and received favorable feedback.

Captain Petrusha said he will be travelling with Captain Powell and Director of Facility Maintenance to a mid-build meeting on the fire boat. He stated the dredge *Essayons* will be in Humboldt Bay around April 19. Captain Petrusha said that he and Captain Powell will be riding along the first day to review what they believe to be the critical areas for dredging. Commissioner Dale reported that he would like to go as well.

COMMISSIONERS REPORTS

Commissioner Newman:

- ❖ Attended a California Fish and Game meeting at the Red Lion and spoke on behalf of the District in support of the Marine Life Protection Act (MLPA).

Commissioner Dale:

- ❖ Stated that Director of Conservation did a great job hosting the US Army Corps of Engineers meeting and that Congressman Mike Thompson's office is attempting to streamline the process for permitting with USACE.
- ❖ Attended a Budget Meeting with District staff.
- ❖ Commissioner Higgins asked Commissioner Dale what his opinion was on eelgrass mitigation. Commissioner Dale stated that the concept of an eelgrass mitigation policy was developed in southern California and works well for that area, but he does not believe it is practical for northern California. Stated he will share his thoughts with Director of Conservation and put the item on the agenda.

Commissioner Wilson:

- ❖ No report.

Commissioner Marks:

- ❖ Attended a meeting on April 12 with Supervisor Mark Lovelace about the possibility of American Airlines coming to Humboldt County. Stated the deal was reported dead in the *Times-Standard*, but that it may still happen.

Commissioner Wilson said that Humboldt County is still working on this deal, although it could possibly be with another airline. He stated they are looking at which airline routes are better for economic development.

- ❖ Stated that California Redwood Company is working on a chip export facility it hopes to have in operation by December 2013 that would create approximately 25 jobs.

Commissioner Higgins:

- ❖ Reported there is a Prosperity meeting on April 20, although the location is uncertain at the moment since the meetings outgrew the Humboldt Area Foundation.
- ❖ Stated there is a forum regarding the Eel River on April 14 that is sponsored by Friends of the Eel River.
- ❖ Said there will be a Water Day for education on the Eel River and its recovery project.
- ❖ Reported on April 23 there will be a meeting on restoring wildlife and marshes at the D Street Community Center in Arcata.

ADVISORY COMMITTEE REPORTS

- ❖ Commissioner Higgins stated the 2012 Humboldt Bay Symposium is coming together and that there will be something of interest for everyone with capable speakers on many Bay subjects.

NON-AGENDA: None

UNFINISHED BUSINESS

A. CONSIDERATION OF ADOPTION OF FY 2012/13 PRELIMINARY BUDGET.

Interim CEO stated once the Board adopts the preliminary budget, the 30-day public comment period will begin. The next Budget Meeting will be the Public Hearing on May 24.

Commissioner Higgins said he wanted to commend District staff and Commissioner Dale for coming up with good ideas for this year's budget. He stated the idea of charging tenants for their electric use should be researched.

Commissioner Wilson stated that he would like a review of employee health insurance in the future.

Commissioner Dale asked if a Resolution will be needed to increase the slip fees a small percent every year according to the Consumer Price Index (CPI) or if the governing Ordinance can be changed. District Counsel said that all rate increases will need a resolution at the beginning of the Fiscal Year.

Interim CEO suggested that the annual rate increases will be a minimum of 2% and a maximum of 5%.

Commissioner Dale stated that next year there will be an additional expense in the for the loan repayment for the electrical dock boxes. He said that there is also no maintenance funds budgeted for Woodley Island or the District's other facilities.

Commissioner Higgins reported that with salmon season beginning on May 1, the new trailer storage in Fields Landing should be popular.

Commissioner Wilson stated that all Commissioners seem to like the direction the Budget is taking and are happy with District staff's contributions.

NEW BUSINESS

A. CONSIDERATION OF AGREEMENT BETWEEN THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AND THE HUMBOLDT STATE UNIVERSITY SPONSORED PROGRAMS FOUNDATION FOR THE HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL TIME SYSTEM (HB PORTS) OPERATION AND MAINTENANCE SERVICES.

COMMISSIONER MARKS MOVED FOR APPROVAL OF AGREEMENT BETWEEN THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AND THE HUMBOLDT STATE UNIVERSITY SPONSORED PROGRAMS FOUNDATION FOR THE HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL TIME SYSTEM (HB PORTS) OPERATION AND MAINTENANCE SERVICES. COMMISSIONER HIGGINS SECONDED.

Captain Petrusha said the purchase of the PORTS system was made possible through a Proposition 1B grant and that Chevron will be paying \$30,000.00 annually for five years to the District for maintenance, which the District will pay to HSU.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF AMENDMENT 1 TO THE ACCESS AGREEMENT FOR GROUNDWATER MONITORING AT REDWOOD MARINE TERMINAL BERTH 2.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF AMENDMENT 1 TO THE ACCESS AGREEMENT FOR GROUNDWATER MONITORING AT REDWOOD MARINE TERMINAL BERTH 2. COMMISSIONER MARKS SECONDED.

Director of Conservation reported there was an agreement with SHN last fall for monitoring, and that they now wish to install groundwater monitoring wells to further their study. There will be no additional cost.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF MEMORANDUM OF UNDERSTANDING WITH CAL FIRE FOR USE OF CONSERVATION CAMP CREWS FOR INVASIVE SPARTINA CONTROL.

COMMISSIONER MARKS MOVED FOR APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH CAL FIRE FOR USE OF CONSERVATION CAMP CREWS FOR INVASIVE SPARTINA CONTROL. COMMISSIONER DALE SECONDED.

Director of Conservation said this is a very cost effective source of labor for this project.

Commissioner Wilson reported that the methods used for the Spartina control are new and asked if there is available data on the efficacy of the methods.

Director of Conservation stated the level of effort required to control Spartina by mechanical means on the Humboldt Bay National Wildlife Refuge seems to be going down every year, so the agencies involved are hopeful that this trend will continue.

Commissioner Dale said he has seen Spartina in the mudflats in Humboldt Bay as well.

Director of Conservation reported there is Spartina throughout areas in Humboldt Bay, and the Refuge project is a pilot project for control.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF EMPLOYMENT CONTRACT WITH JACK CRIDER FOR THE POSITION OF HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT CHIEF EXECUTIVE OFFICER.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF EMPLOYMENT CONTRACT WITH JACK CRIDER FOR THE POSITION OF HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT CHIEF EXECUTIVE OFFICER. COMMISSIONER NEWMAN SECONDED.

Commissioner Wilson said the District has not had a CEO in seven to nine months, and that the search was started after five to six months. He reported there were 27 applications, but that five names stood out that were put forward in the process, and one ended up truly shining. Commissioner Wilson stated that he met with District staff last week to give them the news; and he thanked the Interim CEO for a great job. He said that Mr. Crider has experience in conservation, fish biology and getting business on docks; he said he is self-assured, mellow and knowledgeable.

Commissioner Higgins commended the committee and he is excited about Jack Crider coming from the Ports of Astoria and Tillamook.

Commissioner Marks thanked President Wilson for doing so much extra work with no pay increase during the interim period, and said he went beyond the call of duty.

MOTION CARRIED WITHOUT DISSENT.

Commissioner Wilson welcomed Jack Crider to the District.

Jack Crider thanked the Commissioners and said he is excited to work with them and the District staff.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:16 P.M.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk