

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

DATE: January 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 54956.8 (Conference with Real Property Negotiator)
 1. Conference with Real Property Negotiator
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Patricia Tyson, Interim Chief Executive Officer

Under Negotiation:
 - 1) Potential lease terms for District property acquisition from Pacific Gas & Electric Company.
 - 2) Potential lease terms of property to California Redwood Company.
 - 3) Potential lease terms of property to Freshwater Tissue Company.
 - 4) Potential lease terms of property to Timber Heritage Association.
 - 5) Potential lease terms of District property to TJS Leasing and Holding Company, Inc.
 - 6) Potential lease terms of District property to Taylor Mariculture, Inc.
 - 7) Potential acquisition of approximately 570 acres of north bay tidelands currently owned by Eugene Gabrych.
2. Adjourn 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.

Agenda for January 12, 2012 Regular Board Meeting

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 payment to MD's Tree Service for services related to pole removal at Redwood Marine Terminal Berth 1. \$1,860.00

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

10. New Business

- a. Consideration of approval of Amendment and Extension of Lease No. PRC 3640.1 to Pacific Gas And Electric Company.
- b. Consideration of approval of Agreement with Humboldt Community Services District for relinquishing ownership and maintenance of the water distribution system located onsite at the Fields Landing Boat Building and Repair Facility owned by Humboldt Bay Harbor, Recreation and Conservation District.
- c. Consideration of approval of Reimbursable Agreement between the US Department of Commerce National Oceanic and Atmospheric Administration National Ocean Service Center for Operational Oceanographic Products and Services and the Humboldt Bay Harbor, Recreation and Conservation District for the Installation of NOAA's Humboldt Bay Physical Oceanographic Real-Time System (PORTS).
- d. Consideration of an overall scope for the grant funded Samoa Industrial Waterfront Transportation Access Plan and approval to contract with Planwest Partners for Project Management and Plan Development.

11. Administrative and Emergency Permits

12. Adjournment

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

January 12, 2012

PRESENT

Commissioner Newman
Commissioner Dale
Commissioner Wilson
Commissioner Higgins
Commissioner Marks

President Wilson called the Executive Closed Session to order at 6:04 P.M.

President Wilson adjourned the Executive Closed Session at 6:58 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:05 P.M.

District Counsel reported on the Executive Closed Session as follows: Potential lease terms of property to California Redwood Company, Freshwater Tissue Company, and Taylor Mariculture, Inc. – no action taken.

President Wilson asked George Williamson to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR

Commissioner Wilson stated he was asked by District Staff to remove the sole Item 6A from the Consent Calendar.

COMMISSIONER DALE MOVED FOR REMOVAL OF ITEM 6A FROM THE CONSENT CALENDAR.
COMMISSIONER MARKS SECONDED.

Director of Conservation explained the bid from MD's Tree Service was for the topping of some poles with lighting and removal of one of the poles to the dock surface at Redwood Marine Terminal Berth One. He said since these poles have Osprey nests on them, he had been advised by a representative of the California Coastal Commission that the District would need to go through the permit process with them. Director of Conservation also reported the Department of Fish and Game would like to see these Osprey nests relocated when they are not being occupied. He said providing a nesting platform or shortening the poles could be an option, although he thought the District would like the option of re-establishing lighting if the dock was going to be used more extensively in the future.

Commissioner Wilson summarized that instead of removal of Item 6A from the Consent Calendar, it would probably be better to table the item.

COMMISSIONER DALE MOVED TO TABLE ITEM 6A OF THE CONSENT CALENDAR.
COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

INTERIM CEO REPORT

- ❖ Said the December check listing is included in the Board's packet.
- ❖ Reported that the USCG Cutter Aspen fixed Buoy 22 this morning, just in time for crab season.
- ❖ Stated Recreational Boaters of California is requesting letters to Governor Brown in opposition to the proposal of eliminating the Department of Boating and Waterways. Said the Department has given many grants to the District.

Commissioner Higgins reported that this topic was included in last year's Legislative Priorities, and that the Interim CEO can write the letter.

Commissioner Dale said he thought the proposal to eliminate the Department of Boating and Waterways has already been done.

Commissioner Higgins stated he thought maybe it could be saved.

Commissioner Wilson said Interim CEO should write the letter requesting Governor Brown not eliminate the Department of Boating and Waterways.

- ❖ Updated the Board on the status of the Homeland Security grant funded projects: Surveillance Cameras are being installed; Side Scan Sonar, Communications Upgrades and Buoys have been received; Fire and Work boats are in progress.
- ❖ Reported proposal requests are going out this week for Port Security Vehicles and Laptops.
- ❖ 01/09 – Attended a CalTrans Training Workshop on grant-funded programs, such as the TEA-21 program.
- ❖ Met at the Samoa Cookhouse location with Commissioner Wilson, three CalTrans representatives, and George Williamson to get a visual idea of the access plan project for the Samoa Industrial Waterfront funded by the TEA-21.
- ❖ Reported it is time for Commissioners to complete Ethics Training that is required every two years.

DISTRICT COUNSEL REPORT

- ❖ Stated he worked with District Staff on leases and outgoing proposal requests.

STAFF REPORT

Director of Conservation said he submitted a letter of intent as a pre-proposal grant application to Collaborative Fisheries Research West for Collaborative Fisheries projects. He reported the first Committee meeting for the Humboldt Bay Symposium had taken place. Director of Conservation asked the Board for direction to possibly submit a pre-proposal grant letter to NOAA to enhance expansion, feasibility, and permitting of a shellfish hatchery.

Commissioner Wilson asked the Board if they had any objections to Director of Conservation submitting a pre-proposal grant letter to NOAA, and said Director of Conservation could proceed.

COMMISSIONERS AND ADVISORY COMMITTEE REPORTS

Commissioner Newman:

- ❖ Said the price of crab this year has been agreed on at \$3.00 per pound, which is quite an improvement over last year's price of around \$1.60.
- ❖ Met with Carrie Pomeroy of the Sea Grant Extension program about possible future hydrokinetic energy projects.

Commissioner Dale:

- ❖ No report.

Commissioner Wilson:

- ❖ Said he attended a meeting at the Sea Grant office with many people from the science and restoration community regarding economics studies relative to the restoration of estuarine areas and their impacts on fisheries. Stated restoration projects typically do not ask for input from fisheries, so their input will have value.
- ❖ Met with Commissioner Dale, Director of Conservation and Adam Wagshal of H.T. Harvey and Associates about aquaculture pre-permitting projects. Reported the next step is finding potential lease sites that are not already leased.
- ❖ Was interviewed on KMUD Radio Station's Monday Morning Magazine.

Commissioner Marks:

- ❖ Wished the commercial fishermen a safe crab season.
- ❖ Reported there has been an escalation of people jumping into Humboldt Bay off the Samoa Bridge.
- ❖ Stated the article about sea level rise by Aldaron Laird in the *North Coast Journal* was great, and a topic that would have to be addressed by the District Board.

Commissioner Higgins:

- ❖ Said he was also very pleased with the article in the *North Coast Journal*.
- ❖ Reported the District's advertisement for a CEO Search was recently in the *North Coast Journal*.
- ❖ Caught a steelhead.
- ❖ Stated the CEO Search Committee has done its job and the advertisement for the District's vacant position is in many newspapers on the West Coast, as well as on the District's website. Said the Committee will bring three candidates before the Board when the time comes.

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF APPROVAL OF AMENDMENT AND EXTENSION OF LEASE NO. PRC 3640.1 TO PACIFIC GAS AND ELECTRIC COMPANY.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF AMENDMENT AND EXTENSION OF LEASE NO. PRC 3640.1 TO PACIFIC GAS AND ELECTRIC. COMMISSIONER MARKS SECONDED.

Interim CEO reported this is an extension of a lease for power lines over the Mad River Slough.

District Counsel said the original 1966 lease was made with California State Lands.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF AGREEMENT WITH HUMBOLDT COMMUNITY SERVICES DISTRICT FOR RELINQUISHING OWNERSHIP AND MAINTENANCE OF THE WATER DISTRIBUTION SYSTEM LOCATED ONSITE AT THE FIELDS LANDING BOAT BUILDING AND REPAIR FACILITY OWNED BY HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

COMMISSIONER MARKS MOVED FOR APPROVAL OF AGREEMENT WITH HUMBOLDT COMMUNITY SERVICES DISTRICT FOR RELINQUISHING OWNERSHIP AND MAINTENANCE OF THE WATER DISTRIBUTION SYSTEM LOCATED ONSITE AT THE FIELDS LANDING BOAT BUILDING AND REPAIR FACILITY OWNED BY HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT. COMMISSIONER DALE SECONDED.

Director of Facility Maintenance stated the Humboldt Community Services District will do the work that is needed before relinquishing the system to the Harbor District, and that the system is completely on Harbor District property.

District Counsel reported he is also Counsel for the Humboldt Community Services District, and has not been involved with this transfer.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVAL OF REIMBURSABLE AGREEMENT BETWEEN THE US DEPARTMENT OF COMMERCE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NATIONAL OCEAN SERVICE CENTER FOR OPERATIONAL OCEANOGRAPHIC PRODUCTS AND SERVICES AND THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT FOR THE INSTALLATION OF NOAA'S HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL-TIME SYSTEM (PORTS).

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF REIMBURSABLE AGREEMENT BETWEEN THE US DEPARTMENT OF COMMERCE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION NATIONAL OCEAN SERVICE CENTER FOR OPERATIONAL OCEANOGRAPHIC PRODUCTS AND SERVICES AND THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT FOR THE INSTALLATION OF NOAA'S HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL-TIME SYSTEM (PORTS). COMMISSIONER MARKS SECONDED.

Interim CEO reported this system is for current meters and is being funded from a Homeland Security grant, a federal purchase where no bids are taken. She said there is an existing agreement with Chevron to pay for the maintenance and that the agreement with the HSU Foundation for the maintenance is pending.

District Counsel stated he looked at the components of this agreement.

Commissioner Higgins said that more current information equates to safer barges.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF AN OVERALL SCOPE FOR THE GRANT FUNDED SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN AND APPROVAL TO CONTRACT WITH PLANWEST PARTNERS FOR PROJECT MANAGEMENT AND PLAN DEVELOPMENT.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF AN OVERALL SCOPE FOR THE GRANT FUNDED SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN AND APPROVAL TO CONTRACT WITH PLANWEST PARTNERS FOR PROJECT MANAGEMENT AND PLAN DEVELOPMENT. COMMISSIONER MARKS SECONDED.

Commissioner Wilson stated George Williamson of Planwest Partners has been chosen for project management and plan development. He reported that the District's next step will be a Request for Qualifications or Request for Proposals for a surveyor, engineer and transportation planner.

Sid Berg asked if this project went out for bid.

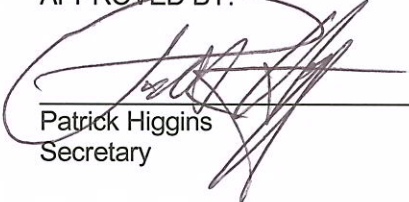
Commissioner Wilson reported it was not required to go out for bid, and that the District chose the most qualified, inexpensive person in the area at the recommendation of the District Planner. He said that the first report is due to CalTrans by January 22, and the first invoice for work performed must be submitted by March 2012.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 7:50 P.M.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk