

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

DATE: June 14, 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 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 (Public Employee Evaluation of Performance)
 1. Conference with Real Property Negotiator
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Patrick Higgins, Commissioner; Jack Crider, Chief Executive Officer

Under Negotiation:

- 1) Potential lease terms of property to Taylor Mariculture, Inc.
- 2) Potential lease terms of property to Timber Heritage Association.
- 3) Potential lease terms for District property acquisition from Pacific Gas & Electric Company.

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.

- | | |
|---|------------|
| a. Consideration of purchase of dock electrical meter pedestal from Power Pedestal | \$1,020.00 |
| b. Consideration of payment to Industrial Electric Arcata, Inc. for repair of 2-ton hoist | \$3,181.57 |
| c. Consideration of payment to Thomas Home Center for District office kitchen remodel | \$7,921.70 |
| d. Consideration of the purchase of a defibrillator from AED Superstore | \$1,735.00 |

Agenda for June 14, 2012 Regular Board Meeting

7. 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

❖ Presentation by Martha Spencer on the Humboldt County General Plan Update.

8. Non Agenda

9. Unfinished Business

10. New Business

- a. Consideration of Agreement for Professional Services with LACO Associates for services related to the Samoa Industrial Waterfront Transportation Access Plan.
- b. Consideration of Samoa Shops 2012 Lease Extension Agreement with Timber Heritage Association.
- c. Consideration of extension of Permit 07-05 to the Wiyot Tribe for the Tuluwat Village Restoration
- d. Consideration of tideland lease with Taylor Mariculture, LLC for a mariculture facility at Berth 2.
- e. Consideration of Portable Kayak Storage Racks Rental Agreement with Lost Coast Rotaract.
- f. Discussion of new Areas of Special Biological Assessment (ASBS) regulations.
- g. First Reading of the FY 2012/13 Budget.

11. Administrative and Emergency Permits

12. Adjournment

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

June 14, 2012

PRESENT

Commissioner Newman
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

ABSENT

Commissioner Dale

President Wilson called the Executive Closed Session to order at 6:05 P.M.

President Wilson adjourned the Executive Closed Session at 6:35 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:01 P.M.

District Counsel reported on the Executive Closed Session as follows: Public employee evaluation of performance was not discussed; Potential lease terms of property to Taylor Mariculture, Inc. and Timber Heritage Association - no action to report, although both leases appear on the regular Agenda; Potential lease terms for District property acquisition from Pacific Gas & Electric Company – no action to report.

President Wilson asked Pete Oringer to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT: None

CONSENT CALENDAR

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

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Reported the Fields Landing Boat Yard now has extended hours – 6:00 A.M. – 9:00 P.M.
- ❖ Said the Fields Landing trailer and boat storage area is now ready to lease and the public is being informed it is available by signs being displayed.
- ❖ Reported lettering has been placed on the District's new Ford Rangers displaying the its logo.
- ❖ Placed "Stay off the rocks" signs along Woodley Island's Embarcadero.
- ❖ Continues to work on updating the office with a more professional look.
- ❖ Said the new office for the District's Bar Pilots should be completed next week and they will be moving in; said the Woodley Island Ship Shop is happy about their rent being decreased by half due to the District's need to remove some space from the Ship Shop to create a Bar Pilot office.
- ❖ Stated Security Guards for Woodley Island will be moved into security trailers, possibly in August.
- ❖ Reported District Staff is excited to install the side scan sonar on the District's new Port Security Boat.
- ❖ Has been reviewing administration and operation goals.

DISTRICT COUNSEL REPORT: None

STAFF REPORT

Director of Conservation said the Marine Protected Areas were approved at the recent California Department of Fish and Game meeting.

Director of Facility Maintenance stated CEO is jumping right into his position and is keeping the Maintenance Department busy.

Director of Administrative Services reported the First Annual Fisherman's Appreciation Barbecue was well attended.

District Treasurer said he is working with CEO and Director of Administrative Services on newly-formatted monthly financial statements and they should be available at the next meeting.

COMMISSIONER REPORTS

Commissioner Higgins

- ❖ Recently travelled to Barstow and said he is glad he resides here on the Coast in Humboldt County.
- ❖ Stated salmon fishing is going very well with people getting their limits within 20 minutes when the wind dies down.

Commissioner Marks

- ❖ No report.

Commissioner Wilson

- ❖ Just came back from camping.

Commissioner Marks

- ❖ No report.

Commissioner Newman

- ❖ Went to the Department of Fish and Game meeting; reported he and Commissioner Dale were on the committee that negotiated for two years to meet the guidelines established by the Legislature; said the regulations are bittersweet as a fisherman.

Commissioner Higgins stated he would like the District to collect more data on fish populations so that more fishing areas will stay open.

OTHER

Presentation by Tom Hofweber on the Humboldt County General Plan Update.

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

- A. CONSIDERATION OF AGREEMENT FOR PROFESSIONAL SERVICES WITH LACO ASSOCIATES FOR SERVICES RELATED TO THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN.**

COMMISSIONER MARKS MOVED FOR APPROVAL OF AGREEMENT FOR PROFESSIONAL SERVICES WITH LACO ASSOCIATES FOR SERVICES RELATED TO THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN. COMMISSIONER HIGGINS SECONDED.

District Counsel said there should be a "not to exceed" amount added to the motion; the amount of \$224,687.00 was agreed on per the estimates for Phases One and Two provided by LACO Associates.

Commissioners Marks and Higgins accepted the Amendment.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF SAMOA SHOPS 2012 LEASE EXTENSION AGREEMENT WITH TIMBER HERITAGE ASSOCIATION.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF SAMOA SHOPS 2012 LEASE EXTENSION AGREEMENT WITH TIMBER HERITAGE ASSOCIATION. COMMISSIONER MARKS SECONDED.

CEO reported one of the main delays was consideration of insurance coverage and that the District's building repair goals should be reviewed.

Mike Kellogg of Timber Heritage Association stated there have been 15 months of discussions with the District to get this lease extension to the Board for consideration.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF EXTENSION OF PERMIT 07-05 TO THE WIYOT TRIBE FOR THE TULUWAT VILLAGE RESTORATION.

Director of Conservation said the work for the Permit is nearly complete and that the Wiyot Tribe mainly needs to finish the cleanup process.

COMMISSIONER HIGGINS MOVED FOR EXTENSION OF PERMIT 07-05 TO THE WIYOT TRIBE FOR THE TULUWAT VILLAGE RESTORATION. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF TIDELAND LEASE WITH TAYLOR MARICULTURE, LLC FOR A MARICULTURE FACILITY AT BERTH 2.

COMMISSIONER MARKS MOVED FOR APPROVAL OF TIDELAND LEASE WITH TAYLOR MARICULTURE, LLC FOR A MARICULTURE FACILITY AT BERTH 2. COMMISSIONER HIGGINS SECONDED.

Director of Conservation said the Permit has been issued for this project and that this lease will be a ten-year term with the option to extend five years. He stated that the District is working with one of the adjoining landowners to provide a more direct access route for Taylor Mariculture to Berth 2. Director of Conservation reported Taylor Mariculture will be doing some infrastructure improvements on Berth 2 that will be deducted from their lease payments.

District Counsel said the dock is a non-exclusive easement and that the District is requiring a guarantee from Taylor Mariculture's corporation, Taylor Shellfish.

Commissioner Higgins stated he is glad to see this project coming to fruition.

Commissioner Marks reported he is glad to see the creation of more jobs.

MOTION CARRIED WITHOUT DISSENT.

E. CONSIDERATION OF PORTABLE KAYAK STORAGE RACKS RENTAL AGREEMENT WITH LOST COAST ROTARACT.

COMMISSIONER MARKS MOVED FOR APPROVAL OF PORTABLE KAYAK STORAGE RACKS RENTAL AGREEMENT WITH LOST COAST ROTARACT. COMMISSIONER HIGGINS SECONDED.

District Counsel said there is no financial burden to the District for this project since the District will collect the annual rent and pay half to Lost Coast Rotaract.

Commissioner Wilson stated he believes kayakers will be happy to have their boats near the water.

MOTION CARRIED WITHOUT DISSENT.

F. DISCUSSION OF NEW AREAS OF SPECIAL BIOLOGICAL ASSESSMENT (ASBS) REGULATIONS.

Director of Conservation said the State Water Quality Control Board (Water Board) established Areas of Biological Significance (ASBS) a few decades ago, but the regulations for not discharging anything into the waters did not get a lot of attention until about ten years ago. He stated one of these areas is Shelter Cove. Director of Conservation reported there are other areas that have been named ASBS and all of them seem to have some kind of discharge, mainly storm water. He said if the discharge does not stop and is not eligible for an exception from the Water Board, there will be a steep cost in the way of sediment and water quality monitoring. Director of Conservation stated since he wrote the report before the Board, he has spoken with key staff of the Water Board; they have referred the District to their enforcement staff and want the pipe with the fish waste to cease the discharge. He reported he is not positive how long it will take the Water Board's Enforcement Staff to contact the District. Director of Conservation said he is talking with other agencies that fall under the same set of requirements from the Water Board hoping the District can possibly team up with them. He stated together the agencies are pressing the Water Board for more time and financial assistance since most agencies' budgets are set for the year.

Commissioner Wilson asked if these requirements are coming from the Regional or State Water Board.

Director of Conservation reported they are coming from the State.

Commissioner Wilson asked if the District is communicating with the Regional Water Quality Control Board on this matter.

Director of Conservation said he is trying to put together a group to greet the new Executive Director for the Regional Water Board and discuss this matter.

Commissioner Higgins stated he is concerned that there will be a huge cost to this project when there is little or no pollution happening.

Pete Oringer asked the Board to outline the revenue stream that would cover the cost of this monitoring; he also asked if there are any revenues from the users of the fish cleaning station.

Commissioner Higgins reported the District may be able to sell fish waste to fishermen or for fertilizer and that the District does not receive any revenue from the fish cleaning station.

CEO said the Shelter Cove Fish Cleaning Station costs the District approximately \$20,000 per year.

Rex Olander asked how that is possible. CEO reported most of the costs incurred involve cleaning, water and electricity.

G. FIRST READING OF THE FY 2012/13 BUDGET.

CEO said the pattern of past budgets has been to show a deficit and that he would like to see the District try to move away from that practice; he stated the biggest change to this budget is the dock electric meters purchase has been changed to a five-year loan.

Commissioner Higgins reported he is more comfortable with the revised budget and thanks District Staff for their contributions.

Commissioner Wilson stated he is glad to see staff fees for staff time spent on specific services were added, such as side scan sonar operation.

ADMINISTRATIVE AND EMERGENCY PERMITS: None


President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:15 P.M.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk