

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

**DATE:**            **October 25, 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 Section 54956.8 (Conference with Real Property Negotiator)

1. Conference with Real Property Negotiator

Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Jack Crider, Chief Executive Officer

Under Negotiation:

❖ Samoa Access Plan road easement negotiations with Freshwater Tissue 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. 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.*

**7. 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 the August 8, 2012 Board meeting.
- b. Consideration of approval of minutes from the August 23, 2012 Board meeting.

**Agenda for October 25, 2012 Regular 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
  - 1. Presentation by George Williamson, Planwest Partners, Inc. on the Woodley Island RV Park Preliminary Feasibility Study
  - 2. Presentation by Jennifer Savage, Ocean Conservancy

**9. Non Agenda**

**10. Unfinished Business**

**11. New Business**

- a. Consideration of approval of Authorization to Provide Professional Services with Planwest Partners, Inc. to prepare and file the General Plan Petition with the City of Eureka for the Woodley Island RV Park.
- b. Consideration of approval of extension of Permit No. 08-03 to Coast Seafoods Company for Shellfish Culture Feasibility Study.
- c. Consideration of purchase of the FSM.Net Marina Management Software modules for the Woodley Island Marina from Professional Software, Inc.
- d. Consideration of approval of the Insurance Rights Buyout Agreement with Jack Alderson.
- e. Consideration of approval of the Memorandum of Understanding for Operations of the Humboldt Bay Harbor, Recreation and Conservation District Fireboat with the City of Eureka.

**12. Administrative and Emergency Permits**

**13. Adjournment**

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

**October 25, 2012**

**PRESENT**

Commissioner Newman  
Commissioner Dale  
Commissioner Wilson  
Commissioner Marks  
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:10 p.m.

President Wilson adjourned the Executive Closed Session at 6:45 p.m.

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

Russ Gans, present in the absence of District Counsel, reported on the Executive Closed Session as follows: Samoa Access Plan road easement negotiations with Freshwater Tissue Company: no action to report.

President Wilson asked Lawrence La Branche to lead those present in the Pledge of Allegiance.

**PUBLIC COMMENT:** None

**CONSENT CALENDAR**

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

**CHIEF EXECUTIVE OFFICER REPORT**

- ❖ Congratulated Director of Facility Maintenance on his recent wedding.
- ❖ Recently had a meeting regarding creating loop access for the Samoa Industrial Waterfront Transportation Access Plan.
- ❖ Attended a meeting at the Shelter Cove Resort Improvement District with Commissioner Marks; Shelter Cove Resort Improvement District is willing to help financially to save the fish cleaning station.
- ❖ Said the last time Woodley Island Marina was dredged was 2006 and dredge spoils were disposed of on the Samoa beach; the District has been told beach disposal cannot happen again and have been looking at different options. One of the options for dredge spoils disposal is to access the offshore HOODS.

Ken Bates stated the City of Santa Barbara uses beach disposal and local hotels with beachfront property ask for the spoils to be disposed on their beach. CEO said if Humboldt Bay had more sand than mud, it might work.

**STAFF REPORT**

Director of Administrative Services

- ❖ Said the District is doing well overall; keeping with its Budget projections for the year.



Director of Conservation

- ❖ Attended aquaculture expansion work group meetings.
- ❖ Has been working on a marine debris removal grant application with the Wiyot Tribe.
- ❖ Reported Redwood Marine Terminal Building 14 demolition is scheduled for November.
- ❖ Stated the Coastal Commission met in Eureka last month and awarded a Sea Level Rise Grant; the District will be working with the successful grantee.

Commissioner Wilson asked if anyone knew who owned the floats that will be addressed in the Marine Debris Removal Grant.

Ken Bates said the floats/marine debris are sections of dock built by a City of Eureka engineer in the 1950's. When the City rebuilt their docks, they gave them away to various individuals for their use as floating docks.

**DISTRICT COUNSEL REPORT:** None

**COMMISSIONER AND COMMITTEE REPORTS**

Commissioner Newman

- ❖ No report.

Commissioner Dale

- ❖ No report.

Commissioner Wilson

- ❖ Reported he went to the opening of the Stockton Marine Highway, but it was delayed at the last minute due to labor negotiations. Stated he got a tour and saw the barges and cranes that were recently purchased.
- ❖ Said he had a request from a Commissioner to take a closer look at potential benefits of a railroad in Humboldt County ; appointed himself and Commissioner Newman to work on this subject together.

Commissioner Marks

- ❖ Accompanied CEO to Shelter Cove and said the residents were concerned about the possibility of the elimination of the fish cleaning station. CEO is working with the owner of the property on which the fish cleaning station stands. Said if the District had to pay for removal of fish waste, the Shelter Cove Resort Improvement District should help with expenses. Commissioner Marks stated there was a recommendation to send a letter to the regulatory agencies to let them know what kind of environmental impacts would occur if the pipe was not there.

Commissioner Higgins

- ❖ Saw almost two thousand salmon in the Eel River.
- ❖ Visited the Port of Oakland and does not wish to see that level of development in Humboldt County.

## OTHER

- ❖ Presentation by Jennifer Savage, Ocean Conservancy, on tsunami debris.
- ❖ Presentation by George Williamson, Planwest Partners, Inc., on the Woodley Island RV Park Preliminary Feasibility Study

**NON AGENDA:** None

**UNFINISHED BUSINESS:** None

## NEW BUSINESS

### A. CONSIDERATION OF APPROVAL OF AUTHORIZATION TO PROVIDE PROFESSIONAL SERVICES WITH PLANWEST PARTNERS, INC. TO PREPARE AND FILE THE GENERAL PLAN PETITION WITH THE CITY OF EUREKA FOR THE WOODLEY ISLAND RV PARK.

Commissioner Dale asked if the RV Park had to contain 65 units as stated in the study and wanted to know how many would be the minimum number of RV's for the project to be feasible. George Williamson of Planwest Partners reported that while he was not sure of the exact number, he estimated if the District limited the number of RVs to 30 or 40, it would no longer be productive.

Pete Oringer asked if provisions for a dump station and individual sewer hookups were in the Plan. Mr. Williamson said there is currently a bilge pump station on Woodley Island, so he thought the RV Park would probably tie into that.

Ken Bates asked if the Coastal Commission needed a 50-foot or bigger setback from the Wildlife Preserve, how would it affect this project. Mr. Williamson stated he estimates about ten percent of the southerly sites could be affected by setbacks.

Lawrence LaBranche asked if the District had considered three issues he found significant: evacuation in the case of a tsunami, sea level rise, and location of the amateur radio field day, an annual gathering on Woodley Island. Mr. Williamson reported he was involved in the Samoa Town Master Plan development a few years ago and worked through tsunami and sea level rise issues for permanent habitats; he thought working around these issues could be done.

Kevin Collins asked when the RV Park Feasibility Report was prepared, did it include figures from local RV parks and were the facilities surveyed. Mr. Williamson said the Report did include local figures with a 20 to 40 percent occupancy rate, dependent on the season; he stated he did survey the local facilities.

CEO stated the figures in the Report are conservative.

Jim Clark asked if the District had considered non-RV campers. Mr. Williamson said the direction given to him by the District was to consider RV use only.

Becky Patterson asked if the storage areas on the island will be eliminated and if there would be more bathroom and laundry facilities built to accommodate the extra use. Mr. Williamson stated the RV Park Feasibility Report did eliminate the storage areas and the existing facilities on Woodley Island were the only ones considered in the Report since so many RVs are self-contained units.

Carol Krueger reported it appeared as though the sites of the proposed RV Park cut into the Wildlife Preserve and asked if the boundaries would have to be adjusted. Mr. Williamson said while the City of Eureka General Plan would have to be petitioned for planned changes, the Wildlife Preserve should not be affected.



Kim McCollough asked if the existing trees on Woodley Island would be cut down. Mr. Williamson stated that while that information is not included in the Report, he thought every effort would be made to retain all the trees.

Susan Penn reported on page 23 of the RV Park Feasibility Study it appeared that two of the proposed use areas are zoned Natural Resource. Mr. Williamson said the Report refers to discrepancies between zoning and the General Plan; he thought the zoning was more accurate.

Kevin Collins asked how many liveaboards currently reside at Woodley Island Marina. Director of Administrative Services stated about 11 or 12.

Tom Sheldrake stated he has many questions of the details of the RV Park Feasibility Study; he also is curious about how the District can afford this project and cannot afford to put in more dock space.

Commissioner Wilson reported Mr. Sheldrake should be on the RV Park Subcommittee.

Rex Olander said the Feasibility Study explains that Woodley Island could be a unique and wonderful experience for the RV tourist; but if an RV Park is built on the Island, it will not be a unique place anymore. He stated he does not believe the restroom and laundry facilities support the population on the Island currently and that an RV Park would make it considerably worse.

Gary Mooslin stated the Feasibility Study reports that the District will have paid security on Woodley Island. He reported that security is currently not on the Island during office hours and that dock gates have been discussed. He asked if 24-hour security was going to be returned.

Lawrence LaBranche asked if the District had considered wireless Internet access for the RV Park; he said their many gadgets could affect Weather Service communications.

Commissioner Higgins asked if there was a date the District had to turn in the request for the General Plan Update. Mr. Williamson reported no date has been scheduled.

CEO said that when District representatives spoke with the County, the County representatives encouraged moving forward.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF AUTHORIZATION TO PROVIDE PROFESSIONAL SERVICES WITH PLANWEST PARTNERS, INC. TO PREPARE AND FILE THE GENERAL PLAN PETITION WITH THE CITY OF EUREKA FOR THE WOODLEY ISLAND RV PARK. COMMISSIONER DALE SECONDED.

Commissioner Higgins stated the District is in a financial bind and was slated for bankruptcy in 2014; he said he is happy to hear ideas for profitable ventures.

Lawrence LaBranche reported he backs the Project, but is concerned about its affects on Amateur Radio and the Weather Service.

Tom Sheldrake said he supports spending the \$10,000 to see if the City and regulating agencies support the project; he asked why the District is not looking at other alternatives for revenue.

Carol Krueger stated she understands the District's need to increase revenue, but wondered about the impact of the RV Park on the aesthetics of Woodley Island, the impact of dogs on the Island, and how Fields Landing or Samoa would factor in as alternatives.

Susan Penn asked the Board not to proceed because the Feasibility Study only included Woodley Island; she asked that they expand the report to include Fields Landing. Ms. Penn said what makes Woodley Island unique is its openness and it will no longer be an exquisite experience.



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Travis Schneider said he owns Shoreline RV Park and has read the RV Park Feasibility Study; he expressed his concerns with a government agency competing with private enterprise. Mr. Schneider stated he assumed the District had experience with derelict tenants and this project would just compound the problem. Mr. Schneider commended George Williamson on doing a good job of researching the benefits of an RV Park. He reported Shoreline RV Park is about the same size, has the same exposure, and generates far less revenue and more expense. Mr. Schneider said he thought the Board should not ask a planner to do this project, but a financial institution; he said he did not break even until his fourth year in business and lost up to \$150,000 per year prior to that. Mr. Schneider stated the density minimum is 24 feet and while the City of Eureka could be a permitting entity, the State Department of Urban Development governs RV parks. Mr. Schneider reported he is also concerned the undercrossing height could be a significant issue with the State.

Ken Bates said while the District has inherited significant financial concerns, he has presented ways multiple times to show the District how to increase revenue. Mr. Bates was concerned about the zoning issues of Woodley Island having to be changed and used the example of large fishing boats that are currently in port generating a lot of revenue, but much noise as well. He is concerned that someone staying in the RV Park will complain about the noise of the fishing vessels or light, especially at night. Mr. Bates said Jack Alderson and the first Commissioners worked hard to get the zoning what it is currently so they could protect the commercial fishing fleet; he stated they wished to protect marine jobs from non-marine complaints.

Kevin Collins reported the upscale people and their RVs that the District is trying to attract to Woodley Island are the same kind of people that practically shut down the Port of Santa Cruz to commercial fishing due to the rule of running no refrigeration after 6:00 p.m. Mr. Collins asked the Board to consider Fields Landing as an option. Mr. Collins asked Commissioner Higgins how far the District is from bankruptcy now since there has been a dredging surcharge instituted; he asked Travis Schneider how many restrooms he had at Shoreline RV Park.

Mr. Schneider said he has two men's and two women's restrooms for 58 sites, but said it is not enough. He said he was unable to build more facilities due to the cost of remodeling the RV Park. Mr. Schneider stated RV guests do not want to walk a long way to use the restroom or shower facilities. He reported check-in and check-out procedures need to be controlled or RV guests will leave without paying and said the rate schedule proposed for the District is higher than those charged at Shoreline RV Park.

Kevin Collins stated he is concerned he will lose the storage area for his gear that he rents on Woodley Island; he does not know where he will store it. Mr. Collins reported the reason commercial fishermen are berthed at Woodley Island is because federal funds were put into the building of the Marina to protect the fleet.

Commissioner Newman said he understands the concerns of the commercial fishermen and after listening to Mr. Schneider's comments, is in favor of tabling.

Commissioner Wilson stated he would like to table this motion and have District Staff work with George Williamson on possibly modifying the Plan; he reported he did not believe the City of Eureka would make a General Plan Update final before the next meeting.

COMMISSIONER HIGGINS OFFERED TO TABLE THIS ITEM UNTIL FURTHER DISCUSSION.  
COMMISSIONER DALE SECONDED.

Commissioner Wilson said District Staff and Board needs to communicate with commercial tenants; he assigned Commissioners Dale and Higgins to assist with this subcommittee. He asked Mr. Williamson if he had an estimated cost to work with the subcommittee. Mr. Williamson stated he estimates the cost to be \$1000.00.



Susan Penn reported she was not sure if the Board was allowed to change the motion since it was not on the Agenda as a specific item.

Commissioner Wilson said it was still related and therefore allowed.

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF APPROVAL OF EXTENSION OF PERMIT NO. 08-03 TO COAST SEAFOODS COMPANY FOR SHELLFISH CULTURE FEASIBILITY STUDY.**

Commissioner Dale recused himself and left the room to avoid a possible conflict of interest.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF EXTENSION OF PERMIT NO. 08-03 TO COAST SEAFOODS COMPANY FOR SHELLFISH CULTURE FEASIBILITY STUDY. COMMISSIONER MARKS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

Commissioner Dale returned.

**C. CONSIDERATION OF PURCHASE OF THE FSM.NET MARINA MANAGEMENT SOFTWARE MODULES FOR THE WOODLEY ISLAND MARINA FROM PROFESSIONAL SOFTWARE, INC.**

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF PURCHASE OF THE FSM.NET MARINA MANAGEMENT SOFTWARE MODULES FOR THE WOODLEY ISLAND MARINA FROM PROFESSIONAL SOFTWARE, INC. COMMISSIONER DALE SECONDED.

Commissioner Wilson asked if this software could be applicable to tideland leases and RV parks. CEO said it could.

MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF THE INSURANCE RIGHTS BUYOUT AGREEMENT WITH JACK ALDERSON.**

CEO stated the District's insurance interferes with Mr. Alderson's additional coverage.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE INSURANCE RIGHTS BUYOUT AGREEMENT WITH JACK ALDERSON. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

**E. CONSIDERATION OF APPROVAL OF THE MEMORANDUM OF UNDERSTANDING FOR OPERATIONS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT FIREBOAT WITH THE CITY OF EUREKA.**

CEO reported this Memorandum of Understanding (MOU) satisfies the requirement of a written document to for cost-sharing with the City for the Fire Boat.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF THE MEMORANDUM OF UNDERSTANDING FOR OPERATIONS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT FIREBOAT WITH THE CITY OF EUREKA. COMMISSIONER DALE SECONDED.



Commissioner Dale asked if the MOU requires the District to have District Staff on the Fire Boat if an emergency occurs.

Bar Pilot Tim Petrusha said if an emergency happens and District Staff is not available, as long as there is a qualified operator from the City, it can be used.

Commissioner Wilson stated the MOU is still not to his liking completely due to responsibility not being delineated, but it is a good start.

MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 9:47 P.M.

APPROVED BY:



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Patrick Higgins  
Secretary

RECORDED BY:



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Kim Farrell  
Clerk