

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

DATE: December 11, 2018

TIME: Executive Closed Session – 5:30 PM
Special Session – 7:00 PM

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 at least 24 hours in advance of the meeting.

1. **Call to Order at 5:30 P.M.**
2. **Swearing In Elected Commissioners for District 3 and District 4 pursuant to California Elections Code Section 10265**
3. **Move to Executive Closed Session**
 - a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 and 401-112-024 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.
 - b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND EMPLOYMENT CONTRACT RENEWAL pursuant to Government Code section 54957(b)(1).
 1. Title: Executive Director – Larry Oetker
4. **Call to Order Special Session at 7:00 P.M. and Roll Call**
5. **Pledge of Allegiance**
6. **Report on Executive Closed Session**
7. **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.
8. **Consent Calendar**
 - a) Receive District Financial Reports for October 2018
 - b) Approve Meeting Minutes of October 4, 2018 Special Board Meeting
 - c) Approve Meeting Minutes of November 15, 2018 Special Board Meeting
9. **Communications and Reports**
 - a) Executive Director's Report
 - b) Staff Reports
 - c) District Counsel and District Treasurer Reports
 - d) Commissioner and Committee Reports
 - e) Others

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10. Non Agenda

11. Unfinished Business

12. New Business

a) Receive a Presentation “Fishing Community Sustainability Planning for Eureka and Shelter Cove” from Humboldt State University

Summary: The goal of this project is to conduct the socioeconomic data collection, data analysis, and collaborative planning activities necessary to develop Fishing Community Sustainability Plans for the ports of Eureka and Shelter Cove located in Humboldt County on the California North Coast. Project team leaders have been working collaboratively with these fishing communities for several years and the proposed project is a direct response to a need expressed by local fishermen in previous research engagements. Both communities have experienced substantial declines in participation, revenue, and critical physical infrastructure related to their fisheries and both are looking for ways to plan for a better and more resilient future.

b) Authorize the Executive Director to Execute a Contract Between the Harbor District and the Shelter Cove Fishing Preservation Incorporated for Janitorial Services Associated with the Fish Cleaning Station, Sublease the Mario’s Marina Property, and the Transfer of Two Tractors.

Recommendation: Staff recommends the Board: authorize the Executive Director to Execute a Contract between the Harbor District and the Shelter Cove Fishing Preservation Incorporated for janitorial services associated with the Fish Cleaning Station and the transfer of two tractors.

Summary: Harbor District operations at Shelter Cove, include but are not limited to, maintaining the State tidelands, boat ramp, breakwater, fish cleaning station, boat storage, and boat launching. The Harbor District’s operations are in transition and we are in the process of planning major renovations associated with the fish cleaning operations and discontinuing direct boat launching services. The Harbor District has been working closely with the Shelter Cove Resort Improvement District (SCRID) and a group of local fishermen that are in the process of forming a non-profit organization called “Shelter Cove Fishing Preservation Incorporated” (SCFPI). The Harbor District and SCFPI have tentatively agreed to transfer the janitorial services associated with the fish cleaning station as well as a sublease of the Mario’s Marina property as outlined in the attached Term Sheet.

The Harbor District has received grant funds from the State of California to discontinue discharging fish offal directly into the ocean. Current plans are to either pretreat the fish waste and discharge it into the wastewater treatment system operated by SCRID or to implement a fish waste composting operation. The preferred disposal option by both SCRID and Harbor District staff is to implement a pilot composting operation.

c) Award a Contract to the Lowest Responsive and Responsible Bidder for the Brownfield Debris Pile Removal Project at Redwood Marine Terminal II

Recommendation: Staff recommends the Board: Award the Debris Pile Removal Contract for Redwood Marine Terminal II to the lowest responsive and responsible qualified bidder.

Summary: The District released a Request for Proposals for Debris Pile Removal – Redwood Marine Terminal II (RMTII) on November 9, 2018, with a bid opening at 2:00pm December 7, 2018 in the Woodley Island Marina Conference Room. Work comprises segregation of three (3) debris piles generated from demolition of site structures at RMT II, with a total estimated volume of 2,400 cubic yards (cy). The piles contain building materials that include reinforced and unreinforced concrete rubble, brick, tile, roofing materials, equipment parts (such as, pressure regulators, valves, etc.), and scrap metal. Work includes segregation of the material, stockpiling, crushing for onsite placement, and transportation for offsite disposal and recycling of said materials deemed unsuitable for placement at the RMT II. This work is funded in part by a U.S. Environmental Protection Agency (USEPA) Brownfield Cleanup Grant.

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- d) Authorize the Executive Director to Execute a Memorandum of Understanding between the Harbor District and Principle Power Inc., Aker Solutions Inc., EDPR Offshore North America LLC, and Redwood Coast Energy Authority**

Recommendation: Staff recommends the Board:

1. Authorize the Executive Director to Execute a Memorandum of Understanding between the Harbor District and Principle Power Inc., Aker Solutions Inc., EDPR Offshore North America LLC, and Redwood Coast Energy Authority.
2. Appoint a subcommittee of the Board to work with Staff on developing a renewable energy hub in Humboldt Bay.
3. Authorize the Sub-committee and Executive Director to draft and submit comments to BOEM prior to the January 28th comment period deadline.

Summary: By creating access to economically-priced renewable energy, renewable resource diversification, and enhanced economic activity in coastal areas, floating offshore wind energy development represents tremendous opportunity for the State of California, Humboldt County, and the Port of Humboldt Bay. Wind resource offshore of Humboldt County are particularly strong and the Port of Humboldt Bay is the only deep-water port with substantial port facilities and upland infrastructure to support the assembly and deployment of these large offshore structures. The parties comprising the MOU have made a preliminary assessment of the existing facilities through multiple site visits and recognize that the Port has a high potential to become a hub for offshore wind energy on the West Coast.

- e) Approve the 2019 Calendar Year Meeting Schedule for Regular Board Meetings and Consideration of Setting Special Meeting Dates in November and December**

Recommendation: Staff recommends the Board: Approve the Regular Board Meeting Schedule for calendar year 2019 and approve the recommended dates for Special Board Meetings in November and December to adjust for the holidays.

Summary: Harbor District Ordinance 6 sets the date and time for Regular Board Meetings of the Board of Commissioners as the fourth Thursday of each month at 7:00 pm. The Regular Meeting of November 2019 falls on Thanksgiving Day, and the December 2019 meeting falls the day after Christmas. Ordinance 6 allows the Board to schedule Special Meetings in the instance a Regular Meeting falls on a holiday.

- f) Consideration of Acceptance of Permit Application 2018-01 for Filing**

Recommendation: Staff recommends the Board: accept Permit Application 2018-01 for filing and direct Staff to process the permit application.

Summary: Caltrans has submitted to the District an application for the demolition and replacement of the existing southbound Jacoby Creek Bridge, and replacement of eight (8) tide gates at five (5) locations along the Eureka-Arcata Highway 101 corridor. These two projects are part of the larger Eureka-Arcata Route 101 Corridor Improvement Project to improve safety along the corridor, and are the only locations which require work below the Mean Higher High Water mark within the District's jurisdiction.

- g) Consideration of Employment Contract Renewal with Larry Oetker, Executive Director**

13. Administrative and Emergency Permits

- a) Administrative Permit A-2018-04 Repair/Replacement of Aids to Navigation in Humboldt Bay**

Recommendation: Staff recommends the Board: accept notification of the following Administrative Permit issued by the Executive Director.

Summary: The U.S. Coast Guard proposes to replace four (4) single-pile aids to navigation (ATON) and replace one (1) buoy with a single-pile ATON in Humboldt Bay. Work will be staged from a barge to be spudded or anchored into place at all four corners of the barge at each work site, and supported by small craft as necessary. The single buoy would be removed by a crane mounted on the barge and a refurbished and/or new ATON will be mounted onto a new supporting unpainted steel pile. Each single steel pile will be removed with a vibrator extractor, and the 18-inch diameter replacement steel piles will be driven approximately 30 feet below the mudline

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by a vibratory hammer mounted on the barge. Once in place, the ATON equipment on a 5-foot x 5-foot platform will be mounted on the supporting pile. Piling removal and placement will be conducted using standard Best Management Practices to reduce sediment disturbance and turbidity, and measures will be taken to allow wildlife time to clear the area of work. Peak underwater sound pressure levels will remain below 180 decibels re 1 micropascal squared-second. The work window is July 1 – October 15.

District staff determined that the project is exempt from CEQA pursuant to a Class 1 categorical exemption (Section 15301(d) for restoration or rehabilitation of deteriorated or damaged structures) and a Class 2 categorical exemption (Section 15302 for replacement or reconstruction of existing structures and facilities) which exempt projects where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. A Notice of Exemption will be filed with the County.

14. Adjournment

REGULAR MEETING OF DECEMBER 27, 2018 HAS BEEN CANCELLED