

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

**July 14, 2016**

**PRESENT:**

Commissioner Doss  
Commissioner Higgins  
Commissioner Wilson  
Commissioner Marks

**ABSENT:**

Commissioner Dale

President Higgins called the Executive Closed Session to order at 6:12 p.m.

President Higgins adjourned Executive Closed Session at 6:53 p.m.

President Higgins called the regular meeting of the Board of Commissioners to order at 7:05 p.m.

President Higgins asked Commissioner Marks to lead the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Conference with Real Property Negotiators: PG&E Property transfer – no action taken.

**PUBLIC COMMENT**

Pete Oringer spoke to the Board on behalf of the Land-Bridge Alliance. He said the Board spoke of the feasibility study at their last meeting and thanked the Board for showing support of the East-West Rail line study. A study will utilize date of other studies, including the Harbor District's study, which was done during a worldwide financial meltdown. This study will consider many options that the other study was not able to obtain. The Board's contribution of \$10,000 will support the \$69,000 match. Land-Bridge Alliance is a non-profit charged with collecting the match required for the final grant. Mr. Oringer looks forward to the Board's participation in the effort.

**CONSENT CALENDAR:** None

**COMMUNICATIONS AND REPORTS**

**EXECUTIVE DIRECTOR REPORT**

- ❖ The final step for approval by the Coastal Commission of the Woodley Island Fish Market – removal of the three District-owned conex boxes in the Work/Storage Yard.
- ❖ Both Director of Facility Maintenance and Dockmaster offices have been moved out of the security trailers and back in the main office.
- ❖ Sediment testing of Fields Landing mitigation results indicate NO contamination found.
- ❖ Meeting with PG&E, will modify King Salmon Fisherman Channel into Phases to match mitigation – piling removal only for entrance?
- ❖ Meeting with Coast Guard regarding the low depth at their dock at the marina, rafting barge helps, but only 6" bottom clearance at -1.7 tide. Coast Guard wants to help with dredge permit.
- ❖ Shelter Cove – Revenues \$38,000; 800 Launches.
- ❖ Board of Supervisors Meeting on CDI/Interim Use on Tuesday, July 19 at 1:30 p.m.

**STAFF REPORTS:**

Director of Facility Maintenance:

- ❖ Redwood Terminal 2 roof – up to 30 people are working to replace the roof. Siding is being replaced. There have been no real surprises. District staff is making minor repairs. Getting close to completion. Doors are up and in place; 6 are fully operational.

## DISTRICT COUNSEL, DISTRICT PLANNER AND DISTRICT TREASURER REPORT

### District Treasurer:

- ❖ Meeting with auditors and Director of Facility Maintenance next week to set up audit schedule and talk about preliminary issues.
- ❖ Mona, from his office, will be stepping in during Bookkeeper's absence to run payroll and some account payable.

## COMMISSIONER AND COMMITTEE REPORTS:

### Commissioner Doss:

- ❖ Met with PG&E regarding King Salmon and the need for dredging. State agencies have made the overall project cost prohibitive and work overload by their demands
- ❖ Timber Heritage Association hosted the Arcata Chamber Mixer. It was a great opportunity to see the results of the living/working museum. The speeder schedule is very active.
- ❖ The Junior Rodeo has been going on the last couple of days in Fortuna; his daughter is a participant. The program is getting increasingly more successful; very family oriented. Thank you to those who put on the rodeo for the community.

### Commissioner Higgins:

- ❖ The Humboldt Bay Symposium will be held October 21-22; science, policy and issues for Humboldt Bay will be presented.
- ❖ Board of Supervisors meeting on CDI/Interim Use – hoping for a positive outcome on July 19.
- ❖ Presented videos on fish in Eel River and associated creeks.

### Commissioner Wilson:

- ❖ There is a concept in the community that the Harbor District is wanting to be a part of the cannabis market at the Redwood Terminal 2 site. The Harbor District is bound by contractual obligation on the New Market Tax Credits project not to participate in any cannabis-related activity.

### Commissioner Marks:

- ❖ Will attend the Board of Supervisors meeting on July 19 to listen to the discussion about CDI/Interim Use.
- ❖ Met with PG&E regarding Fisherman Channel at King Salmon.
- ❖ People talk about creating jobs around Humboldt Bay. 78 people are working at Redwood Terminal 2 and being paid prevailing wage.

**OTHER:** None

**NON AGENDA:** None

## UNFINISHED BUSINESS

### A. SECOND READING AND ADOPTION OF BUDGET FOR FY 2016/17.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF SECOND READING AND ADOPTION OF BUDGET FOR FY 2016/17. COMMISSIONER MARKS SECONDED.

Executive Director stated the staff structure was left the same, even though there has been some turnover, because no decision has been made by the Board to replace, restructure, etc.

COMMISSIONER WILSON MADE A FRIENDLY AMENDMENT TO HIS MOTION TO REVISE PROFESSIONAL SERVICES TO DELETE "POTENTIAL RAIL STUDY UPDATE" AND REPLACE WITH "TRANSPORTATION (MARINE/ROADS/RAIL) STUDY SUPPORT". COMMISSIONER MARKS SECONDED THE FRIENDLY AMENDMENT.

Debbie Provolt said she appreciates seeing "Rail" in the budget. She is a member of Land-Bridge Alliance and appreciates the financial and verbal support of the Board. It would be helpful to have the minutes of the First Reading when considering the Second Reading. She asked about the District's Workers Compensation rate and the change in the Ex Mod. Director of Administrative Services replied when the number and dollar amount of workers compensation claims are reduced, the experience modification is reduced causing a reduction in premiums.

Pete Oringer asked how to set up a liaison to gain some guidance with the Land-Bridge Alliance in light of the dollars allocated to the feasibility study. He also said online availability of meeting agenda with minutes would be helpful.

MOTION CARRIED WITHOUT DISSENT.

Commissioner Wilson said he wanted to clarify the Board has not committed anything yet to the grant.

## **NEW BUSINESS**

### **A. FIRST READING OF AMENDMENT 6 TO ORDINANCE 6, AN ORDINANCE ESTABLISHING PROCEDURES FOR THE CONDUCT OF MEETINGS, ELECTION OF OFFICERS AND THE PASSAGE OR APPROVAL OF ORDINANCES AND RESOLUTIONS FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.**

Executive Director stated currently the Ordinance 6 requires regular meetings to be held on the 2<sup>nd</sup> and 4<sup>th</sup> Thursdays January – October, 2<sup>nd</sup> Thursday in November and the 1<sup>st</sup> and 3<sup>rd</sup> Thursdays in December. If a regular meetings falls on a holiday, it will be held the next succeeding Thursday. The proposal is as follows: One regular meeting per month on the 4<sup>th</sup> Thursday. If it falls on a holiday, such as Thanksgiving, the Board can call a Special meeting to conduct time sensitive business. Executive Director said having one set Board Meeting per month on the 4<sup>th</sup> Thursday gives flexibility for additional meetings.

Debbie Provolt said one meeting per month is plenty. If a meeting is cancelled due to a holiday, it would be two months before the next one is held, which is too long. Special meetings should be held in the evening. She suggested putting Commissioner Reports at the end of the meetings and Staff Reports should be prior to Public Comment so the public can have an opportunity to comment. Recently, discussion has been about public comment: what it can be and what the Board can comment on; but the public can say anything they want and they can ask a question of the Board and the Board can decide whether to answer. The Board cannot take action on something not on the agenda, but the public's suggestions can be put on future agendas.

Scott Frazier said it appears the Board will have at least 12 Special meetings and it is hard to know when the meetings are scheduled. He suggested the Board consider having a regular meeting if the District is as busy as it appears to be.

Executive Director said all meetings will be noticed; 72 hours in advance for regular meetings and 24 hours in advance for Special meetings.

### **B. CONSIDERATION OF ADOPTION OF RESOLUTION 2016-14 RECOGNIZING PATRICIA TYSON ON HER RETIREMENT.**

Executive Director stated Ms. Tyson started as Administrative Assistant on May 12, 1997, was promoted to Director of Administrative Services and served for several months as Interim Chief Executive Officer. She was the Human Resources officer, event planner, everyone's "go to" person, providing counseling on the "appropriate behavior" for the office. Ms. Tyson has been a tremendous asset to the Harbor District and will be missed.

President Higgins read Resolution 2016-14 aloud. He thanked Ms. Tyson for her tremendous dedication and efforts during District transition periods.

Ms. Tyson thanked the Board and Executive Director for the recognition and the opportunities given to her during her years at the Harbor District.

COMMISSIONER DOSS MOVED FOR THE ADOPTION OF RESOLUTION 2016-14 RECOGNIZING PATRICIA TYSON ON HER RETIREMENT. COMMISSIONER WILSON SECONDED.

Commissioner Wilson said Ms. Tyson's work, dedication to her work and the people and her professionalism is all true. There have been trials and tribulations here at the District and there was a time when her personal integrity was crucial during the transition to a new Chief Executive Officer, it was meaningful and helped all in the organization. Commissioner Wilson said he appreciated very much those times; they were not easy. He thanked Ms. Tyson and said it has been wonderful to have her at the District.

Commissioner Marks said Ms. Tyson was the calm in the storm during the transition between Chief Executive Officers; she never wavered from the idea that everything would be alright. These were hard times, but she took the initiative to be the Interim Chief Executive Officer. Commissioner Marks said he will miss Ms. Tyson greatly.

Pete Oringer said he appreciated the respect and courtesy Ms. Tyson extended to the public.

Director of Facility Maintenance said the staff received a lot of motherly advice from Ms. Tyson and she will be missed.

District Treasurer said he has worked with Ms. Tyson for the entire time she has been with the District; it has been a great journey. She has taken on all that has been given to her and she has grown into the rolls; always helpful. District Treasurer will miss Ms. Tyson.

District Counsel said Ms. Tyson is very well organized, keeps the District's important documents organized. She has a good sense of what needs to be done and when legal advice is needed. She has saved the District money over the years by seeing issues that need addressing early on. She has been a great asset to the District. District Counsel said he has enjoyed working with Ms. Tyson and will miss her.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER DOSS – AYE  
COMMISSIONER DALE – ABSENT  
COMMISSIONER HIGGINS – AYE  
COMMISSIONER WILSON – AYE  
COMMISSIONER MARKS – AYE

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF APPOINTMENT OF PATRICIA TYSON, AN INDEPENDENT CONSULTANT, TO FILL THE CRITICALLY-NEEDED POSITION OF CLERK TO THE BOARD OF COMMISSIONERS AFTER HER RETIREMENT ON AUGUST 1, 2016.**

COMMISSIONER DOSS MOVED FOR THE APPOINTMENT OF PATRICIA TYSON, AN INDEPENDENT CONSULTANT, TO FILL THE CRITICALLY-NEEDED POSITION OF CLERK TO THE BOARD OF COMMISSIONERS AFTER HER RETIREMENT ON AUGUST 1, 2016. COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

**D. DISCUSSION OF RFQ RESPONSES FOR DISTRICT ENGINEER AND SOLAR/BIOMASS CONTRACTOR.**

Executive Director said four interviews for District Engineer will be conducted tomorrow: Manhard Consulting – Praj White, Pacific Affiliates – Travis Schneider, SHN Engineers – Mike Foget and ICF Jones & Stokes – Adam Wagschal.

Three Solar/Biomass consultants will be interviewed in the next several days: Energy Systems Development, Borrego Solar and Atwater Infrastructure. A committee is requested for the interviews.

Commissioner Wilson suggested Matt Marshall of the Energy Commission and Larry Oetker should be on the committee. President Higgins appointed Commissioners Higgins and Wilson, Matt Marshall and Larry Oetker to the committee for the Solar/Biomass interviews.

Commissioner Wilson said he would not be adverse to receiving new proposals.

**E. CONSIDERATION OF APPROVAL OF EMPLOYMENT CONTRACT WITH TIM PETRUSHA.**

Executive Director said Mr. Petrusha serves as Director of Harbor Operations and Bar Pilot and certifies the Private Bar Pilot operations. He supervises the Dockmaster, oversees all tenant leases and supervises all District-owned vessels and operation. Mr. Petrusha has done an excellent job and had a successful evaluation. Executive Director recommends a merit increase of \$5,000 and a renewal of a one-year contract for \$84,269.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF EMPLOYMENT CONTRACT WITH TIM PETRUSHA. COMMISSIONER WILSON SECONDED.

President Higgins said the District is lucky to have Mr. Petrusha; his ability to diversify has been beneficial to the District. He was also impressed with Mr. Petrusha's diplomacy in working in Shelter Cove.

Commissioner Wilson said the District is rewarding professional growth through real experience. Mr. Petrusha's presence is of the caliber of the position.

MOTION CARRIED WITHOUT DISSENT.

**F. CONSIDERATION OF APPROVAL OF EMPLOYMENT AGREEMENT WITH ALAN BOBILLOT.**

Executive Director stated Mr. Bobillot is the Director of Facilities Maintenance and supervises 11 full and part-time employees; supervises the maintenance of all District-owned assets. Mr. Bobillot has shown leadership skills in facilities operations and Executive Director recommended a promotion to Director of Operations and Facilities Maintenance with a \$12,000/year salary increase for the additional responsibilities. Executive Director also recommended an extension of the one-year contract at \$76,207.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF EMPLOYMENT AGREEMENT WITH ALAN BOBILLOT. COMMISSIONER WILSON SECONDED.

Commissioner Marks said he was highly impressed with Mr. Bobillot's abilities when the caustic liquors were being moved from the pulp mill and the old dock needed repairing first.

Mr. Bobillot said the cultivation of knowledge and professionalism that surround him helps him be the person he is. He said he loves his job.

Commissioner Wilson said he is impressed with Mr. Bobillot's "gear head"; he is an amazing project manager.

MOTION CARRIED WITHOUT DISSENT.

**G. CONSIDERATION OF SALARY RAISE FOR DISTRICT BOOKKEEPER PENNY HICKEY.**

Executive Director stated Ms. Hickey has been the District Bookkeeper for 17 years and works in a union position. She has been responsible for all general bookkeeping, payroll, grant accounting, contract management and customer services. Ms. Hickey has accepted additional responsibilities, Human Resources, bank reconciliation and financial statement generation and Executive Director recommended a \$5,000/year raise for additional responsibilities; all other union contract terms will remain the same.

Commissioner Marks asked if the union has been notified. Executive Director responded that the union was notified.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF SALARY RAISE FOR DISTRICT BOOKKEEPER PENNY HICKEY. COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

#### ADMINISTRATIVE AND EMERGENCY PERMITS

##### Administrative Permit to Pacific Gas & Electric Company for Sediment Sampling

Executive Director reported some of the regulatory agencies determined there was an area included in PG&E's current permit requiring further sampling. This is a minor change from what was already approved in the PG&E permit.

The Regular Meeting of the Board of Commissioners adjourned at 8:25 p.m.

APPROVED BY:



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Patrick Higgins, President  
For Greg Dale, Secretary

RECORDED BY:



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Patricia Tyson  
Director of Administrative Services