

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

July 28, 2016

PRESENT:

Commissioner Doss
Commissioner Higgins
Commissioner Wilson
Commissioner Marks

ABSENT:

Commissioner Dale

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

President Higgins asked Pete Oringer to lead the Pledge of Allegiance.

PUBLIC COMMENT

Pete Oringer thanked the Board for considering allocating funds in next year's budget to the Land Bridge Alliance. He announced the Timber Heritage Association's Annual Salmon, Oyster, Ales and Rails fund raiser on August 27. There will be tours of the facility including the upgrades. Mr. Oringer asked Commissioner Wilson if he will be at the Bayside Grange breakfast on Sunday to help clean dishes.

Kent Sawatsky spoke about potential funding for the District. The Cannabis industry is moving more towards being accepted. Humboldt County has 90% of the potential tax. Entities such as the District do not own properties for that. He suggested a portion of the tax should go to municipalities and other government entities and the District should prepare their argument for that.

Bob Figas thanked Pete Oringer and Timber Heritage Association for their improvements to the facility. He said there is about 50' around the Redwood Dock and the ship turnaround that needs to be dredged before he can enter into contracts.

CONSENT CALENDAR: None

COMMUNICATIONS AND REPORTS

EXECUTIVE DIRECTOR REPORT

- ❖ CDI Interim Use – Coastal Commission meeting requested for September; local staff is saying October or November – waiting on the County's submittal.
- ❖ Revised King Salmon Fisherman's Channel permit application to match 500 pile removal mitigation with entrance channel dredging.
- ❖ King Salmon Canal Captains meeting expected for August 10.
- ❖ Inspection of Redwood Marine Terminal 2 books by New Market Capital – Jimmy Tran to compare paid funds to completed work. Grand Opening of Redwood Marine Terminal 2 scheduled for September.
- ❖ Shelter Cove – 922 launches, \$8,200 storage, \$5,200 charters; approximately \$45,000 revenue to date.
- ❖ Solar companies interviews tomorrow – Commissioners Higgins and Marks and Matt from Redwood Energy Authority.

STAFF REPORTS:

Director of Facility Maintenance:

- ❖ Continuing repairs and cleanup of Redwood Marine Terminal 2 – siding will be complete in three weeks; roofing complete by September. Maintenance staff is working with the roofing contractors to keep costs down; separating lighting in warehouses, looking into exterior lighting needs.
- ❖ Hag Fish operations is growing and operator is asking for improved pump (more water), using a larger pump from old mill to accommodate.

- ❖ Reorganizing work yard/storage, utilizing the space at Redwood Marine Terminal for equipment storage.
- ❖ Dredge will be performing sea trials in August to satisfy warranty contract.
- ❖ Fields Landing Board Yard has increased activity; Small boat yard storage area is 90% full.
- ❖ Shelter Cove tractor operations is busy, looking for more qualified help.
- ❖ Revisiting the District's Illness and Injury Prevention Program, working with the SDRMA safety consultant.

Director of Harbor Operations:

- ❖ Entrance Channel dredging completed to date; new draft restriction of 36'; Dredge ESSAYONS will return late August/early September for seven days; awaiting new soundings finished last week.
- ❖ Two ships last month: log ship – Schneider Dock and chip ship – California Redwood Company
- ❖ Performed sediment sampling for practice at Public Marina site – waiting for final lab bids.
- ❖ MSRC Lease Renewal completed at Fields Landing Boat Yard – five-year lease.

DISTRICT COUNSEL, DISTRICT PLANNER AND DISTRICT TREASURER REPORT

District Counsel:

- ❖ Currently reviewing District's Conflict of Interest Ordinance for compliance with State law.

District Planner:

- ❖ Recirculated Coast Seafoods permit EIR to required agencies and individuals and required postings. Comments will be received through the end of August and will be compiled early September.
- ❖ After the Board of Supervisors took positive action on the interim use ordinance, staff is anxious to get this item in front of the Coastal Commission for consideration, most likely in October.
- ❖ Working with PG&E on sampling permit for King Salmon.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Doss:

- ❖ Also announced the Salmon, Oysters, Ales and Rails fund raiser. One of the draws to be a member of that group is the potential to create jobs around the bay. He said THA is well-focused, well-organized. The locomotive that was once at Sequoia Park is now housed in the Round House.
- ❖ Participated in Fortuna Rodeo Parade – Bill Branstetter was the Grand Marshall.
- ❖ Attended the Harbor Working Group luncheon yesterday. Rick Tippett, Transportation Engineer for Trinity County, was the guest speaker and he spoke on the upcoming transportation study.
- ❖ Attended a boat ride with Mr. Tippett and Commissioner Marks yesterday morning.

Commissioner Higgins:

- ❖ Experienced the boat launch service in Shelter Cove – well organized. People were very grateful for the District's involvement at the Cove.
- ❖ Article in the local papers about the Humboldt Bay's dredging dilemma. The Eel River is a large participant in the sediment growth and needs to be considered when discussing dredging with the Corps of Engineers.
- ❖ Involved in discussions with the prospect for solar energy at Redwood Terminal 2.

Commissioner Wilson:

- ❖ Unable to be at the Bayside Grange on Sunday.
- ❖ Met with Rick Tippett, the Transportation Engineer of Trinity County.
- ❖ Interviewed potential District Engineers with Commissioner Dale.
- ❖ Gave two tours of Redwood Terminal 2

Commissioner Marks:

- ❖ Met with Rick Tippett, Trinity County, as well.
- ❖ Attended a meeting about dredge spoils.
- ❖ Said he is pleased to know Mr. Figas is still interested in Redwood Dock.
- ❖ Met with a group of former machine workers from the old pulp mill. They were excited to hear about the improvements at the facility.

OTHER: None

NON AGENDA: None

UNFINISHED BUSINESS

A. SECOND READING AND ADOPTION 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.

CEO reported currently Board meetings are held on the 2nd and 4th Thursdays of the month, except for December when they are held on the 1st and 3rd Thursdays. This ordinance would allow for one regular Board meeting on the 4th Thursday of the month with special meetings to be called if there is timely business to conduct or if the Board meeting falls on a holiday.

COMMISSIONER MARKS MOVED FOR THE ADOPTION 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. COMMISSIONER WILSON SECONDED.

Kent Sawatzky said as far as consistency and transparency and the public's opportunity to participate, it would be helpful to have the ordinance amended to state if there were special meetings, they would occur during the normal time frames (Thursday evenings, not lunch time) as has been done in the past. It is hard on the public to get last minute notice on special meetings.

Pete Oringer agreed with Mr. Sawatzky. He also said additional notice, not just the 24 hour notice required for special meetings, with complete agendas would be helpful as well.

ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF AMENDMENT TO DISTRICT COUNSEL CONTRACT.

CEO reported District Counsel has proposed a \$10 per hour rate increase for his time to work on District business and attend meetings, for associate attorneys' work and paralegal services.

COMMISSIONER MARKS MOVED FOR THE APPROVAL OF AMENDMENT TO DISTRICT COUNSEL CONTRACT. COMMISSIONER WILSON SECONDED.

Kent Sawatzky said District Counsel is a “gem” and competent legal counsel. He thanked District Counsel for his service to the District.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF REQUEST FOR PUBLIC INFORMATION CAMPAIGN BUDGET NOT TO EXCEED \$5,000 – COMMISSIONER HIGGINS.

Commissioner Higgins said he asked for this agenda item mainly to carry the District’s position to the Coastal Commission regarding the protection of eelgrass and adapting to climate change, dredging and sediment disposal, Coastal Dependent Industrial Zoning, Aquaculture and shipping, among others. The District would partner with Access Humboldt and Sirius Studios to create two specific films, 30 minutes in length, and short public information films.

Commissioner Wilson said he understands Commissions Higgins’ frustration. If the District is going to put forth a video regarding policies, he does not know what it would be. Also a narrative written by a Commissioner and a staff member with the District seal would make him nervous. Commissioner Higgins said Commissioner Wilson’s concerns are valid and can be met. Commissioner Wilson said he was also not sure about the strategy; Coastal Commission is not necessarily the entity needing the information on all the subjects. But there is a need to get more information to the public.

Commissioner Marks said an educational tool would be a good thing, but cannot be perceived as propaganda. The time frame of one month seems aggressive.

COMMISSIONER MARKS MOVED TO ALLOCATE \$5,000 FOR AN EDUCATIONAL TOOL.
COMMISSIONER WILSON SECONDED.

Commissioner Doss agreed a digital educational tool would be a positive move; don’t forget shipping.

Kent Sawatzky said \$5,000 for outreach makes sense. There is not any hurry regarding the CDI issue since the County has to go through their process prior to going to the Coastal Commission.

Monte Provolt said he was concerned the outreach would become propoganda based on Commissioner Higgins’ comments. He said Commissioner Higgins is not willing to listen to both sides; his ideas are perfectly correct. There was no mention of the \$300,000 feasibility study in any of the conversations. If there is to be money spent on outreach, all sides need to be presented.

Commissioner Wilson suggested a committee be appointed and meet without a budget and bring back a proposal to the Board.

COMMISSIONER MARKS AMENDED HIS MOTION FOR A COMMITTEE TO BE APPOINTED WITHOUT A BUDGET AT THIS TIME. COMMISSIONER WILSON SECONDED.

President Higgins appointed Commissioners Wilson and Doss as the Public Relations Committee.

MOTION CARRIED WITHOUT DISSENT.

C. DISCUSSION OF PROCESS AND TIMELINE TO FILL COMMISSION VACANCY UPON COMMISSIONER WILSON’S RESIGNATION TO TAKE POSITION ON BOARD OF SUPERVISORS.

Commissioner Wilson said his term will expire in December of 2017. After Commissioner Wilson gives his resignation and there is a notice of vacancv, the Board has 60 days to fill the position.

The Notice of Vacancy must be posted in at least three different public locations for at least 15 days. The Board has the discretion on the process of recruitment.

District Counsel said there are three different options: a special election could be called in June 2017, the Board of Supervisors can appoint if the District Board opts to do nothing, or the District Board can do the recruitment. The appointment of a replacement cannot happen until Commissioner Wilson resigns.

Commissioner Wilson suggested the letter of resignation comes out soon with the resignation date in late November. In the meantime, recruitment will take place with a recommendation for appointment to the Board

Kent Sawatzky said he supports the recruitment for a nice, clean transition. Make sure the people who are applying would not be able to serve if they are already serving in an elected position.

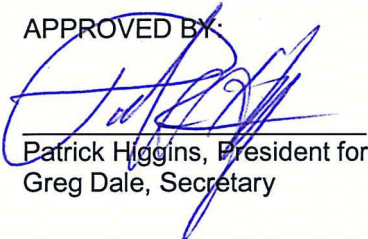
Pete Oringer the Board had a valid discussion and are not under pressure to act quickly. Use the time to codify the process. District Counsel pointed out the archaic rules that exist. Take this as an opportunity and bring back the recommendation for the process.

ADMINISTRATIVE AND EMERGENCY PERMITS

Administrative Permit to Ron Kuhnel to replace forty-foot section of existing floating dock located on APN 405-021-08 Indian Island.

The Regular Meeting of the Board of Commissioners adjourned at 8:28 p.m.

APPROVED BY:



Patrick Higgins, President for
Greg Dale, Secretary

RECORDED BY:



Patricia Tyson