

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

September 25, 2014

PRESENT:

Commissioner Newman
Commissioner Marks
Commissioner Higgins

ABSENT:

Commissioner Dale
Commissioner Wilson

President Marks called the Executive Closed Session to order at 6:01 p.m.

President Marks adjourned the Executive Closed Session at 6:50 p.m.

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

Commissioner Higgins led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: There was an error on the agenda: There was no item for Public Employee Performance Evaluation. Status of Conference with Real Property Negotiator: Timber Heritage Association purchase of Redwood Marine Terminal Berth 1 Roundhouse Real Property - No action taken.

PUBLIC COMMENT

Kent Sawatzky met with Tom Leroy of the Pacific Watershed Association regarding coho restoration in the Glendale area. With the approval of local landowners, it may be possible to put in a pond instead of a hatchery.

CONSENT CALENDAR

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

COMMUNICATIONS AND REPORTS

CEO REPORT:

- ❖ Travelled to Vancouver, WA to attend the Seagrass Conference and Trade Show. Several tenants investing in Humboldt Bay were present. The District's Mariculture Pre-Permitting project was acknowledged and CEO was able to hand out copies of the RFP for mariculture tenants.
- ❖ Liquors continue to be trucked from Redwood Terminal 2. To date, 648 truckloads have left the facility.
- ❖ Visited Astoria during the time when a Norwegian Cruise Line ship (950') was in port with 3,500 passengers. CEO talked with the captain and interviewed staff, gathering information to use when researching cruise ship activity for Humboldt Bay.

STAFF REPORTS:

Director of Facility Maintenance:

- ❖ Attended HSU's annual giveaway of surplus items for public agencies, police and fire.
- ❖ Assisted in removing floats which were creating navigation hazards.
- ❖ Acquired a crane from former Commissioner Dennis Hunter. It will be used at Berth 1 for loading crab pots.
- ❖ Repairing the end of D-dock. Maintenance staff is building the weldments and plan to rebuild many floats in the marina.

District Planner

- ❖ Reported on the progress of the Mariculture Pre-Permitting project and the beneficial reuse of dredge material.

DISTRICT COUNSEL REPORT: None.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Newman:

- ❖ Glad to see the rain – it is helpful to the rivers.

President Marks:

- ❖ Not so happy to see the rain – it creates havoc with softball season.
- ❖ Attended CMANC meeting in San Francisco. Met the new Brigadier for the US Army Corps of Engineers.

Commissioner Higgins:

- ❖ Attended an aquaponics conference at Humboldt State University.
- ❖ The Eel River is now moving out of the drought stage.
- ❖ October 11 and 26 will be river dives, as part of the Eel River Recovery, as long as there is no more rain.

OTHER: None

UNFINISHED BUSINESS

A. CONSIDERATION OF ADOPTING RESOLUTION 2014-12 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY SIERRA PACIFIC INDUSTRIES FOR PERMIT 14-04 FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT.

COMMISSIONER HIGGINS MOVED FOR ADOPTING RESOLUTION 2014-12 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY SIERRA PACIFIC INDUSTRIES FOR PERMIT 14-04 FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT. COMMISSIONER NEWMAN SECONDED.

The motion was withdrawn until Item 9(b) was considered.

B. CONSIDERATION OF ADOPTING THE MITIGATED NEGATIVE DECLARATION (DATED SEPTEMBER 18, 2014) FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT.

COMMISSIONER HIGGINS MOVED FOR ADOPTING THE MITIGATED NEGATIVE DECLARATION (DATED SEPTEMBER 18, 2014) FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT. COMMISSIONER NEWMAN SECONDED.

District Planner stated there were two (2) comments on the Mitigated Negative Declaration and the responses from Pacific Affiliates, the project manager, are included the MND. Cory Mattson of Pacific Affiliates said he spoke with USEPA regarding dioxins and USEPA said the sediments are not substantially contaminated.

CEO said there are no real standards at this time and the Regional Water Quality Control Board needs to be clearer on their standards.

MOTION CARRIED WITHOUT DISSENT.

COMMISSIONER HIGGINS MOVED FOR ADOPTING RESOLUTION 2014-12 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY SIERRA PACIFIC

INDUSTRIES FOR PERMIT 14-04 FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT. COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE:

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

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF GRANTING PERMIT 14-04 TO SIERRA PACIFIC INDUSTRIES FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT.

COMMISSIONER NEWMAN MOVED TO GRANT PERMIT 14-04 TO SIERRA PACIFIC INDUSTRIES FOR THE SIERRA PACIFIC DOCK MAINTENANCE DREDGING PROJECT. COMMISSIONER HIGGINS SECONDED.

A Sierra Pacific Industries representative thanked the Board and staff for their time and energy. He said this permit has been 2 ½ years in the making.

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS:

A. CONSIDERATION OF APPROVAL OF CONTRACT WITH SUSTAINABLE WORLD SOLUTIONS, LLC/ROBERT ZACK TO HOLD A GLOBAL MUSIC AND NATURAL FOOD FESTIVAL.

Robert Zack told the Board of Commissioners his vision for the Redwood Terminal 2 property is a place where aquaponics, aquaculture, float platforms, float tanks, sustainable world university, etc. can be promoted. He said these ideas would be promoted through a music/dance/food festival at the site. These types of festivals bring in revenue and calls attention to the area. Mr. Zack said he would like to pursue this concept and discuss it in more detail with the Board, including pro forma budgets, costs, people involved, etc.

Kent Sawatzky said this is a great concept, coastal dependent industrial uses would be promoted. He said it is important to assess the risks, including cash flow.

The Board agreed to move to the next step with Mr. Zack. No contract was considered at this time.

B. CONSIDERATION OF ADOPTION OF RESOLUTION 2014-11, A RESOLUTION AUTHORIZING THE REFUNDING OF THE DISTRICT'S OUTSTANDING LONG-TERM INDEBTEDNESS AND APPROVING AND DIRECTING THE EXECUTION AND DELIVERY OF CERTAIN FINANCING DOCUMENTS IN CONNECTION THEREWITH, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Andrew Ciocca of Sutter Securities suggested the Board table this item until their next meeting. He said he is waiting on finalizing some documents from BBVA, the funding bank.

COMMISSIONER HIGGINS MOVED TO TABLE THE ADOPTION OF RESOLUTION 2014-11, A RESOLUTION AUTHORIZING THE REFUNDING OF THE DISTRICT'S OUTSTANDING LONG-TERM INDEBTEDNESS AND APPROVING AND DIRECTING THE EXECUTION AND DELIVERY OF CERTAIN FINANCING DOCUMENTS IN CONNECTION THEREWITH, AND

PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF RELEASE OF DREDGE PURCHASE FUNDS.

CEO explained the following: the dredge purchase price \$950,000; the District has already paid \$833,753, leaving a balance owing \$116,247. Funds to be held for operational training \$25,000; County property tax \$53,000; generator/pipe \$8,000. CEO recommended \$30,000 to be released towards the dredge purchase.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF THE RELEASE OF \$30,000 TO NEHALEM DREDGE. COMMISSIONER NEWMAN SECONDED.

Kent Sawatzky asked if there had been a search done on lien holders.

District Counsel stated the District is not required to search of liens, but must honor them if there are any. The County property taxes referred to are those assessed while the dredge was in the County for previous dredging activities.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF CONTRACT WITH LACO ASSOCIATES FOR THE FIELDS LANDING PHASE 1.

E. CONSIDERATION OF LOAN APPLICATION TO THE NORTHERN CALIFORNIA COMMUNITY LOAN FUND.

F. CONSIDERATION OF LOAN APPLICATION TO THE COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION FUND.

COMMISSIONER HIGGINS MOVED TO TABLE NEW BUSINESS ITEMS D, E & F. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 7:56 p.m.

APPROVED BY:



Greg Dale
Secretary

RECORDED BY:



Patricia Tyson
Director of Administrative Services