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

December 4, 2014

PRESENT:

Commissioner Newman
Commissioner Marks
Commissioner Wilson
Commissioner Higgins

ABSENT:

Commissioner Dale

President Marks called the Executive Closed Session to order at 6:05 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 7:01 p.m.

President Marks led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Status of Conference with Real Property Negotiators: DG Fairhaven ocean outfall use agreement; Exclusive Right to Negotiate with Renewable Energy Technologies, LLC for Sale and Lease Agreement for boiler and other related ancillary power generation facilities at Redwood Terminal 2 property; Freshwater Tissue Company Notice of Retaining Parcel C per the Option Agreement; and Exclusive Right to Negotiate with Coast Seafoods Company for the East end of the Warehouse at Redwood Terminal 2 – No action taken on any of these items.

PUBLIC COMMENT: None

CONSENT CALENDAR: None

COMMUNICATIONS AND REPORTS

EXECUTIVE DIRECTOR’S REPORT:

❖ Update of Samoa Pellets project was tabled to December 18, 2014 Board meeting.
❖ Met with Dave Parson, Regional Water Quality Control Board, who has been assigned to help develop the dredge sediment management plan for Humboldt Bay.
❖ Shelter Cove ASBS water samples for the 4th quarter of 2014 – 10 samples will be taken by Director of Facility Maintenance during a storm event. The cost will be $700-$1,000.
❖ “Name that Boat” contest for the District’s fire boat, Port Authority boat and the dredge and tender will be organized.
❖ Pat O’Shea from Shelter Cove told Executive Director he will stop the tractor operations and fish buying operations unless the landlord amends the lease and invests in the marina buildings.
❖ An Eelgrass mitigation bank at King Salmon has good potential – an engineer should be hired to do a conceptual design. PG&E is interested in working with the District on this.

Commissioner Higgins said the Shelter Cove boat ramp and fish cleaning station should be a topic on the next agenda. He said the Resort Improvement District should be a more cooperative partner.
STAFF REPORTS:

Director of Facility Maintenance
- The lean-to on the side of Redwood Terminal 2 warehouse will be removed by the Cal Fire work group.
- Maintenance work on the dredge will start next week.
- Working with SHN Engineers on the field sampling and will take over sampling duties at the landfill. Will provide final reporting to the State. A similar water sampling process will take place at Shelter Cove.
- The one-ton crane has been installed at Berth 1. Once the cement cures, the crane will be powered-up and should be operational in 2-3 weeks.

Director of Harbor Operations
- Working with US Army Corps of Engineers on the dredge cycles for 2015. The work plane is $2.8 million for the interior and channels; budget is $1.8 million.
- Working with Bruce Conner on the local contacts for cruise ship planning.
- Working with Adam Wagschal on the water quality sampling for the mariculture pre-permitting project.
- The majority of the clean-up has been done for the marine debris removal.
- Three out of four PORTS buoys are operational – working with HSU on the maintenance.
- A chip ship will enter port tomorrow at the California Redwood Dock.

District Planner
- Had a meeting with Regional Water Quality Control Board this morning. Good discussion on beneficial reuse management plan.
- Had the King Salmon community meeting at Fields Landing Boat Yard regarding the dredge. Discussed the dredge schedule, assignments get through the permit process and other details.
- Submitted a request to the City of Eureka regarding the conversion of the District’s maintenance building to a seafood market.
- Working on compiling a data base of all the District properties.

District Treasurer
- Have been meeting and talking with auditors.
- Discussed bond refunding issues with lender.

DISTRICT COUNSEL REPORT: None.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Newman:
- Crab season opened December 1st; looks like it might be a short season.

Commissioner Marks:
- Met with Pat O’Shea; said Mr. O’Shea has a positive attitude even though the tractor operation is costly.
- Said there was good information at the dredge meeting with the King Salmon community.

Commissioner Wilson
- Said the meeting regarding the dredge process with the King Salmon community was beneficial – and the tour of the dredge was appreciated by the attendees.
Commissioner Higgins

- Shared a salmon report video.
- Said the Eel River is gaining an ecological balance.
- Attended a school program at Covelo to get the students involved in taking care of the health of the river.
- Said there is an amazing array of talent available for the Deputy Director position.
- Editorials have been negative on the attraction of cruise ships; with the organizational ability of Bruce Conner, getting a cruise ship here looks to be positive.
- Expressed his feeling about the negative press on Commissioner Newman. He said the Harbor District has more capabilities now because of Commissioner Newman’s participation and he advised Commissioner Newman not to be distracted, he is a valuable member of the Board.

NON AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS:


Drew Ciocca, Sutter Securities, and Cameron Weist, bond counsel, reported credit has been approved, combining and refinancing the harbor deepening loan and the CA Dept. of Boating and Waterways loan for building the marina. Approximately $112,000 will be saved through this refinancing.

Mr. Weist stated in this instance the trustee will be eliminated, saving the District over time. If capital needs arise, it will be easier for the District to get credit at lower rates. This resolution will approve the form of legal document.


ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF USE AGREEMENT WITH DG FAIRHAVEN FOR THE OCEAN OUTFALL LINE.

Executive Director reported there have been two inspections and the end of the outfall pipe must be marked. Further negotiations with DG Fairhaven are needed. The terms of the agreement being proposed are: 15 year agreement, $82,000 per year with a 2.5% CPI on year 4. Years 1-3 paid in advance at $240,000. Continuation after year 4 is acceptable with notice; 12 one-year
options. The use must be compatible with the District’s discharge. Included in the agreement is a land easement for access to the pipeline. The total value is $1,371,235.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF USE AGREEMENT WITH DG FAIRHAVEN FOR THE OCEAN OUTFALL LINE. COMMISSIONER NEWMAN SECONDED.

President Marks stated this agreement is part of the partnership with the tenant and the District needs revenue to maintain the asset.

Karen Brooks asked if the District can get out of the agreement is a better deal comes along. She also asked if the expense is included in the budget. Executive Director replied one dive is included for $20,000. Ms. Brooks then asked how much will be spent this year on diving expense. Executive Director replied approximately $30,000 will be spent on two dives. Ms. Brooks then asked if the revenue is included in the General Fund and if there is a separate account. Executive Director said the revenue is put into the General Fund and there is not a separate account.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVAL OF EXCLUSIVE RIGHT TO NEGOTIATE WITH RENEWABLE ENERGY TECHNOLOGIES, LLC FOR SALE AND LEASE AGREEMENT OF THE DISTRICT’S AHLSTROM CHEMICAL RECOVERY BOILER AND RELATED ANCILLARY POWER GENERATION FACILITIES.

This item was tabled until the December 18, 2015 Board of Commissioners Meeting.

D. CONSIDERATION OF APPROVAL OF FRESHWATER TISSUE COMPANY RETAINING PARCEL C PER THE OPTION AGREEMENT.

Executive Director reported this will allow Freshwater Tissue Company to retain Parcel C. They will have to pay the value share of $320,000 or the District will exercise the purchase option of $2.5 million and sell it back to Freshwater Tissue Company for $550,000. Freshwater Tissue Company must provide a bona fide business venture and use the property within six months.

No decision was made by the Board of Commissioners.

E. CONSIDERATION OF EXCLUSIVE RIGHT TO NEGOTIATE WITH COAST SEAFOODS COMPANY FOR THE EAST END OF THE WAREHOUSE AT REDWOOD TERMINAL 2.

Executive Director reported the ERTN will be effective for 180 days. A $5,000 fee will be credited towards a lease if approved. The area of the warehouse is 10,000 sf, with an option for an additional 10,000 sf. He said Coast Seafoods’ intent is to develop a shellfish hatchery in association with a Redwood Terminal 2 berth and to have a lease completed before the ERTN expires. The revenue from the lease will be $3,500/month and $7,000/month when the expansion is approved.

COMMISSIONER HIGGINS MOVED FOR THE EXCLUSIVE RIGHT TO NEGOTIATE WITH COAST SEAFOODS COMPANY FOR THE EAST END OF THE WAREHOUSE AT REDWOOD TERMINAL 2. COMMISSIONER NEWMAN SECONDED.

Kent Sawatzky asked if Taylor Mariculture also pays $0.35/sf.

Sebastian Elrite asked how many square feet are available. Executive Director replied 160,000.

MOTION CARRIED WITHOUT DISSENT.
ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 8:00 p.m.

APPROVED BY: 

[Signature]

Patrick Higgins, Vice President
For Greg Dale, Secretary

RECORDED BY: 

[Signature]

Patricia Tyson
Director of Administrative Services
PRESENTER:
Commissioner Marks  
Commissioner Wilson  
Commissioner Higgins

ABSENT:
Commissioner Newman  
Commissioner Dale

President Marks called the Executive Closed Session to order at 6:00 p.m.

Craig Spjut, President of the Building and Construction Trades Council of Humboldt County, asked the Board to consider incorporating wording regarding building trades and apprenticeship programs when negotiating contracts for the pulp mill site improvements.

The Board of Commissioners then convened to Executive Closed Session.

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 7:01 p.m.

Commissioner Wilson led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Status of Conference with Real Property Negotiator: DG Fairhaven ocean outfall use agreement; Sale of Boiler a Redwood Terminal 2 Property; Tideland Lease with Humboldt Bay Municipal Water District - No action taken. District Counsel also reported Conference with Real Property Negotiator: ERTN with Renewable Energy Technologies, LLC is also listed under New Business on this agenda. This item will be pulled and no action was taken in Executive Closed Session.

PUBLIC COMMENT
Kent Sawatzky said the County Board of Supervisors are considering campaign reform. He asked if the Harbor District has campaign limitations.

CONSENT CALENDAR

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

COMMUNICATIONS AND REPORTS

EXECUTIVE DIRECTOR'S REPORT:

- Nehalem River Dredge – Executive Director reported the County tax issue has been resolved; the need for extra pipe has been resolved; $25,000 will be held for setup and operations; $91,000 balance has been paid.
  - Vern Scovell thanked the Board for their business. He said the dredge is a fine machine, but not pretty. He has taken a lot of pride in the dredge and it will do quality work.
- Steve Calanog, USEPA, gave the Board a status update on the first setback, the first accident. A subcontractor employee fell 15' into caustic sludge and then went through emergency decontamination. The employee was released from the hospital three hours later with minor chemical burns and abrasions. Mr. Calanog said during the accident investigation the workers were not wearing fall protection equipment, had no fall protection training and had an inadequate
Health and Safety Plan. He said work has been stopped and advisors were brought in for assistance. Mr. Calanog said they will remobilize the first week of January when the workers will have had more training, will wear the required equipment and there will be safety oversight. He said he wanted to give the Board a personal update as he takes this situation very seriously. The Board expressed their gratitude for the expeditious response to help the injured employee and thanked Mr. Calanog for his report.

- Pre-permitting proposals committee – Greg Seiler and Cedar Reuben from the Headwaters Fund Board, Miles Slattery from City of Eureka, Adam Wagschal from HT Harvey, Commissioners Newman and Higgins and Executive Director. The first meeting will be held November 16; committee will determine the ranking criteria. Letters will be sent to the 13 proposers requesting additional information and interviews will be forthcoming.
- Coastal Regional Sediment Management Plan – A draft plan has been in existence since May 2012. There are many findings in the plan, similar to those of sea level rise and beneficial use reports. The US Army Corps of Engineers would like the Harbor District to be the lead agency for implementation of the plan; a final report and funding should be available by September 30, 2015.

STAFF REPORTS:

Director of Facility Maintenance
- Berth 1 – repairs include decking, stringers, piling caps, preparations for installation of a fisherman’s crane. Electricity has been restored, allowing for unloading crab pots.
- Tenant shower facility – removal of fiberglass and tile – complete project estimated at $2,000
- Redwood Terminal 2 – roofing repairs
- Fields Landing Boat Yard – moving the dredge inside the building next week; preparing for open house for King Salmon residents.

Director of Harbor Operations
- Working on mariculture pre-permitting project.
- Attended the West Coast Harbor Safety Summit in Napa.
- Working with SHN on the pre-dredge surveys
- Waiting for weather window to reinstall the PORTS system.
- Worked with other District staff on marine debris removal.

Mitch White – Taylor Mariculture
- Reported on their new installation at Berth 2. Nursery wrap has been installed in order to raise smaller seas that go into the flupsy. Water is being pumped up the pipes into the room for larvae setting. Rafts constructed by Taylor Shellfish in Washington were staged at the Fields Landing Boat Yard, launched and floated. He said the District staff at the boat yard are very professional.

District Planner
- October 28 – Harbor District hosted an agency pre-permitting meeting on the phased dredging project. All regulatory agencies attended and they discussed eelgrass mitigation and environmental review.
- November 18 – The King Salmon community is invited to the Fields Land Boat Yard to see the dredge and learn about the dredge schedule. He said there has been good collaboration between PG&E and the Harbor District.
- Cal Biz program – Last week he responded in collaboration with Humboldt County to a business interested in locating here. The company produces monocrystalline sapphires for LED lights.
- Working with the City of Eureka Community Development Director on the plans for a seafood market on Woodley Island.
- The Harbor District and the City of Eureka are working together on the surveying of 13 Humboldt Bay sites needing to be dredged.
- Said the City’s General Plan Update is a good opportunity to look at land uses for marine-based resources. District Planner will work with Commissioners Wilson and Marks on this issue.
- Met with County staff regarding the Samoa Shops lot line adjustment and Coastal Development Plan for Timber Heritage Association. He sent THA some recommendations for a local independent qualified planner to help them through the process.
DISTRCT COUNSEL REPORT: None.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Higgins:
- Attended a mariculture pre-permitting project committee meeting. He said it is a complex task, ranking the proposals; there is great disparity in the proposals.
- 10/11: counted 2,450 fish in the lower Eel River.
- Counted seven (7) green sturgeon on the Eel River by the River Lodge.

Commissioner Marks:
- 11/12: Attended a NCRA Board meeting – the Rails with Trails project will be finished by January in Ukiah.
- Recently the Harbor District placed a B&B toilet on District property on Samoa “Dignity Dump”.

OTHER

Larry Goldberg, from the Governor’s Office on Planning and Research, spoke about Civic Spark, working with local government on adaptation and mitigation for climate change. The Harbor District qualifies to participate as a local government. The goals are to mitigate energy use and lower carbon footprints. He asked the Board to consider applying for a Coastal Conservancy grant for climate change adaptation strategies for coastal development.

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. CONSIDERATION OF APPROVAL OF CONSERVATION CAMP PROGRAM – MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR PREPARATION AND PAINTING OF THE HARBOR DISTRICT DREDGE.

Director of Harbor Operations reported the District is qualified to use CalFire maintenance crews. The cost is $225/day for 10-15 people; District personnel must be on site and District supplies the tools.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONSERVATION CAMP PROGRAM – MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR PREPARATION AND PAINTING OF THE HARBOR DISTRICT DREDGE. COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF CONSERVATION CAMP PROGRAM – MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR DEMOLITION OF “LEAN-TO” SHED AND WIND BARRIER AT THE REDWOOD TERMINAL 2 SITE.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONSERVATION CAMP PROGRAM – MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION FOR DEMOLITION OF “LEAN-TO” SHED AND WIND BARRIER AT THE REDWOOD TERMINAL 2 SITE. COMMISSIONER WILSON SECONDED.

Executive Director reported all required permits have been obtained.

Monte Provolt asked who is taking down the barrier. Executive Director replied the USEPA will tip it down and County’s HazMat team will be available if necessary due to the creosoted wood. Mr. Provolt said the District should consider using local labor more often.
MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF PROFESSIONAL SERVICES AGREEMENT WITH S. BRUCE CONNER TO PROVIDE SERVICES TO MARKET EUREKA/PORT OF HUMBOLDT BAY TO BLUE WATER CRUISE SHIPS REPOSITIONING TO AND FROM ALASKA.

Executive Director said Mr. Conner is the Cruise Marketing Director in Astoria. He has relationships with cruise itinerary planners. Mr. Conner will be the main ship agent for Port of Humboldt Bay, working on excursions and working directly with the ship captains.

The contract is for one year. The Harbor District, City of Eureka and County of Humboldt will all pay $10,000 for a total of $30,000.

Commissioner Higgins said this is a grounded plan and shows the District’s ability to work congenially with the City and County.

Commissioner Wilson said the District has paid money for cruise ship recruitment in the past with no results. This is good plan.

Commissioner Marks said this collaborative project needs an ambitious and energetic person.

Sebastian Elrite said he would like to work with Mr. Conner on Humboldt Bay tours.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF PROFESSIONAL SERVICES AGREEMENT WITH S. BRUCE CONNER TO PROVIDE SERVICES TO MARKET EUREKA/PORT OF HUMBOLDT BAY TO BLUE WATER CRUISE SHIP’S REPOSITIONING TO AND FROM ALASKA. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF APPROVAL OF EXCLUSIVE RIGHT TO NEGOTIATE WITH RENEWABLE ENERGY TECHNOLOGIES, LLC FOR SALE AND LEASE AGREEMENT OF THE DISTRICT’S AHLSTROM CHEMICAL RECOVERY BOILER AND RELATED ANCILLARY POWER GENERATION FACILITIES.

This item was pulled, no action taken.

E. CONSIDERATION OF APPROVAL OF TIDELAND LEASE TO HUMBOLDT BAY MUNICIPAL WATER DISTRICT FOR THE WATER PIPELINE CROSSING OF MAD RIVER SLough.

Executive Director reported there are three pipelines across the mad River Slough that were permitted in the 1960’s and the permits remain in place. It is time to update the lease.

Staff recommended a new tideland lease with no cost to Humboldt Bay Municipal Water District. This item will be brought back to the Board at their next meeting.

This item was tabled; no action taken.

ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 8:22 p.m.

APPROVED BY: 

Greg Dale 
Secretary

RECORDED BY:

Patricia Tyson 
Director of Administrative Services
MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

October 23, 2014

PRESENT:
Commissioner Newman
Commissioner Dale
Commissioner Marks
Commissioner Wilson
Commissioner Higgins

President Marks called the Executive Closed Session to order at 6:06 p.m.

Pete Johnston reported he, Larry Doss and CEO met yesterday to discuss the agreement between Timber Heritage Association and the Harbor District. He said he believes THA has proven to be a viable organization and is happy the agreement is further along than they expected. THA had been focusing on moving large equipment to the Roundhouse property and that is done; it is time to refocus on the agreement.

Larry Doss told the Board he appreciates their offer of the property and hopes to further discuss some of the agreement’s ambiguities.

The Board of Commissioners then convened to Executive Closed Session.

President Marks adjourned the Executive Closed Session at 6:35 p.m.

President Marks called the regular meeting of the Board of Commissioners to order at 7:03 p.m.

Commissioner Wilson led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Status of Conference with Real Property Negotiator: Timber Heritage Association purchase of Redwood Marine Terminal Berth 1 Roundhouse Real Property and Sale of Boiler at Redwood Terminal 2 property. No action taken on either item.

PUBLIC COMMENT: None

CONSENT CALENDAR

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

COMMUNICATIONS AND REPORTS

EXECUTIVE DIRECTOR’S REPORT:

- USEPA is mobilizing on the pulp mill site to remove the sludges. There is a large shear to cut the tanks apart. The tanks will be transported to Klamath Falls.
  - Steve Calanog, USEPA, is overseeing the cleanup process. The liquors transport was completed last month – 650 truckloads with no incident. The next phase is the sludge removal and transport; this will take 4-5 months. Commissioner Higgins asked if the rain creates any problems. Mr. Calanog said they are monitoring the rainfall; a manageable problem.

- Mariculture Pre-Permitting Project – 13 proposals were received; local and non-local, small, startup and larger companies. No proposals were received for the subtidal sites.
  - ED suggested forming a committee to review the proposals: 2 Board members (Commissioners Higgins and Newman), 1 Headwaters Fund member, 1 Eureka City staff or council member. The committee would establish selection criteria, discuss second option sites with proposers and make recommendations to the Board in February 2015.
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- Attended a California Shellfish Initiative Working Group meeting in Santa Rosa. Issues discussed: improve permitting procedures and improve communication with permitting agencies. Assembly Joint Resolution 43 for the expansion and protection of shellfish beds was also discussed.

STAFF REPORTS:

Director of Harbor Operations
- The second log ship of the year, loaded with 3.2 million board feet of logs left Humboldt Bay this week. The next log ship will arrive in late October – early November.
- Has been working with the County and City of Eureka on the Foreign Trade Zone designation.
- Is going to attend the Harbor Safety Committee Summit in Napa next week.
- Has been working on updating the storage leases.

District Planner -
- King Salmon dredging – Working on scheduling the King Salmon Phased dredging Project with PG&E. His planning an agency pre-permitting meeting and will invite representatives from every agency with permitting jurisdiction. Also being planned is the King Salmon resident’s meeting at Fields Landing Boat Yard to discuss the dredging schedule. He said pizza will be served.
- Met with Rob Holmlund, City of Eureka Community Development Director regarding land use changes.
- Reviewing the proposals submitted for the Redwood Terminal 2 improvements.
- Praxis, a fiber optic cable company, toured Redwood Terminal 2.

DISTRICT COUNSEL REPORT: None.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Newman:
- Getting closer to opening of crab season. Testing protocols are being determined.
- Last Friday, he, Commissioner Dale and ED travelled to Nevada to tour the Barrick Corp. mine. US Mine Corp. is interested in the Redwood Terminal 2 site and they appear to be a very community-conscious and safety-oriented company.

Commissioner Dale:
- Attended the Shellfish Initiative Working Group meeting in Santa Rosa.
- Visited the Nevada mine and watched ore processing.

Commissioner Marks:
- Said he is only thinking of softball during this rainy season, not the pulp mill.

Commissioner Wilson:
- Said everyone should visit the First Street Gallery in Eureka and see Cynthia Hooper’s exhibit of Humboldt Bay.

Commissioner Higgins:
- Attended the North coast Land Trust Dinner – the event of the year! He commended Commissioner Newman on his efforts on behalf of the North Coast.
- Doing water temperature probes throughout the Eel River Basin. It is the driest year on record in the last 100 years and it is important to track the water temperatures during these times.
- Counted 2,457 salmon in Eel River’s 12th Street Pool.
- Attended the Round Valley Salmon Festival sponsored by the Eel River Recovery Project.

OTHER: None
UNFINISHED BUSINESS

A. CONSIDERATION OF ADOPTING RESOLUTION 2014-13 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2014-13 WHICH ESTABLISHES FINDINGS RELATIVE TO THE APPLICATION BY MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT. COMMISSIONER DALE SECONDED.

Adam Wagschal, HT Harvey & Associates, and Mike Foget, SHN Engineers, spoke on the project. Water Quality is one of the contributing factors to the project, which is CEQA-exempt due to the fact the improvements and repairs are being made to existing structures with no change to the footprint.

ROLL CALL VOTE WAS TAKEN:
COMMISSIONER NEWMAN – AYE
COMMISSIONER DALE – AYE
COMMISSIONER MARKS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HIGGINS – AYE
MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF GRANTING PERMIT 14-06 TO MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT.

COMMISSIONER DALE MOVED FOR THE APPROVAL OF GRANTING PERMIT 14-06 TO MLRX2, LLC FOR THE MLRX2 STORMWATER IMPROVEMENT AND TIDE GATE PROJECT. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS:

A. CONSIDERATION OF APPROVAL OF EMPLOYMENT AGREEMENT WITH EXECUTIVE DIRECTOR JACK CRIDER.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF EMPLOYMENT AGREEMENT WITH EXECUTIVE DIRECTOR JACK CRIDER. COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF CONTRACT WITH SHN ENGINEERS AND GEOLOGISTS FOR SERVICES RELATED TO PRE-DREDGE SURVEY SERVICES FOR 13 HUMBOLDT BAY FACILITIES.

Executive Director reported an RFP was distributed for survey services for 13 sites in Humboldt Bay needing dredging. He said he is satisfied with SHN's proposal and it will be up to the Harbor District and City of Eureka to make sure they are able to complete the surveys without interruption.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONTRACT WITH SHN ENGINEERS AND GEOLOGISTS FOR SERVICES RELATED TO PRE-DREDGE SURVEY SERVICES FOR 13 HUMBOLDT BAY FACILITIES. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT
C. CONSIDERATION OF APPROVAL OF CONTRACT WITH EUGENE COWAN FOR SERVICES RELATED TO PROVIDING TAX AND LEGAL ADVICE WITH RESPECT TO THE DEVELOPMENT OF THE HUMBOLDT BAY ECO-INDUSTRIAL PARK FACILITIES.

Executive Director reported Humboldt Bay Eco-Industrial Park is the New Market Tax Credits name for Redwood Terminal 2. Twelve providers were interviewed. Initially Nixon-Peabody was chosen; but a potential conflict arose, so their agreement was terminated. Eugene Cowan was the second choice.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF CONTRACT WITH EUGENE COWAN FOR SERVICES RELATED TO PROVIDING TAX AND LEGAL ADVICE WITH RESPECT TO THE DEVELOPMENT OF THE HUMBOLDT BAY ECO-INDUSTRIAL PARK FACILITIES. COMMISSIONER DALE SECONDED. MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF APPROVAL OF CONTRACT WITH UTILITY COST MANAGEMENT, LLC FOR THE CSDA UTILITY BILL PROJECT.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF CONTRACT WITH UTILITY COST MANAGEMENT, LLC FOR THE CSDA UTILITY BILL PROJECT. COMMISSIONER WILSON SECONDED.

Director of Administrative Services reported Utility Cost Management, LLC (UCM) has been working through CSDA with special districts for years, with a proven track record. UCM expertly applies utility regulations to the district’s bills in order to uncover billing errors. They monitor developments in the regulatory environment to ensure that the utility bills are in line with the latest regulations and interpretive decisions. Fees are paid as a percent of savings/findings.

MOTION CARRIED WITHOUT DISSENT.

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

Robert Zack and Ava Stern presented to the Board of Commissioners their vision for a festival highlighting Humboldt Bay and the North Coast. They suggested a $200,000 start-up fee was not out of line.

President Marks assigned Commissioner Wilson to work with he and Executive Director on the contract and details/time frame with Mr. Zack and Ms. Stern.

ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 8:20 p.m.

APPROVED BY:  
Greg Dale  
Secretary

RECORDED BY:  
Patricia Tyson  
Director of Administrative Services
MINUTES
REGULAR MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

October 9, 2014

PRESENT:
Commissioner Newman
Commissioner Dale
Commissioner Marks
Commissioner Wilson
Commissioner Higgins

President Marks called the Executive Closed Session to order at 6:13 p.m.

President Marks adjourned the Executive Closed Session at 6:35 p.m.

President Marks called the regular meeting of the Board of Commissioners to order at 7:04 p.m.

Pete Oringer led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Status of Conference with Real Property Negotiator: Timber Heritage Association purchase of Redwood Marine Terminal Berth 1 Roundhouse Real Property and Public Employee Performance Evaluation: Chief Executive Officer - No action taken.

PUBLIC COMMENT: None

CONSENT CALENDAR

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

COMMUNICATIONS AND REPORTS

CEO REPORT:

- New Market Tax Credits – CEO reported this has been postponed until March/April 2015.
- Eel Grass Workshop – was held on October 6 & 7 and was well attended by experts, regulatory agencies, stakeholders.
- Redwood Terminal 2 Prospective Tenants – US Recyclers, Coast Seafoods Company and US Mine Corp. are looking at the various buildings.

STAFF REPORTS:

Director of Facility Maintenance:

- Refurbishing Berth 1 for use by crab fishermen. Installing a crane donated from the old ice plant by Dennis Hunter.
- Humboldt Bay Municipal Water District is giving the District 500,000 gallons of water to top off the tank at Redwood Terminal 2 final flush water after repairs are done to their lines.
- The dredge will be put in the water next week. Cummins West will be certifying the old engine to retail it after repowering the dredge.
- Maintenance staff are gearing up for crab season.

Director of Harbor Operations

- Took divers out to the outfall pipe and buoys were placed.
- A log ship will be in Humboldt Bay on Sunday.

District Planner - In District Planner’s absence, CEO reported on:

- King Salmon dredging – The dredging will be a phased dredging project. Currently USEPA is preparing the CEQA review. There are two sites available for dewatering the spoils: one at King Salmon and one at Fields Landing. Stillwater Sciences has completed the eelgrass survey. A
community meeting is being planned for mid-November to talk to the King Salmon residents about the dredging schedule. The dredge will be available inside the building for people to see.

- Redwood Terminal 2 contractor proposals – RFPs were requested for the buildings; roof, doors; water, gas and leach fields; alarm system; fencing and gates; and electrical. This was done in order to get estimates of costs for the improvements as part of the New Market Tax Credit program.

District Treasurer
- Ready for the audit to begin – work papers have been prepared.
- Working on the MuniPay model – an affordability model used to determine the amount the District can afford to pay back to USEPA. Originally the model said the District could afford to pay the entire $10 million; however it was determined that amount was based on the District’s ability to raise the taxes of all taxpayers in Humboldt County. Based on the District’s cash balances, it has now been determined that $450,000 is affordable. The District has already spent over $1 million trucking the liquors.
- Issued compiled financial statements (unaudited) as a request of the bond refinancing lenders.

DISTRICT COUNSEL REPORT: None.

COMMISSIONER AND COMMITTEE REPORTS:

Commissioner Newman:
- October 11 – North Coast Regional Land Trust Benefit

Commissioner Dale:
- Attended the Eelgrass Management Workshop. It was well attended, lots of information, lots of comradery.
- Attended the Shellfish Growers conference in Vancouver, WA. Commissioner Wilson did a good job with his presentation on the mariculture pre-permitting project. There is lots of interest of shellfish growers.
- Met with NOAA staff in Washington DC regarding funding for eelgrass monitoring in Humboldt Bay.

Commissioner Marks:
- Attended the Eelgrass Management workshop. He said there was an all-star team of presenters.
- Attended the NCRA Board meeting.

Commissioner Wilson:
- Attended "Wine by the Sea", a fundraiser on October 4th for Friends of the Dunes.
- Attended Arts Alive in Eureka – there is an excellent exhibit about Humboldt Bay at First Street Gallery.

Commissioner Higgins:
- Has been researching pike minnow for the Eel River Recovery Project.

OTHER: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

A. CONSIDERATION OF DISTRICT PERSONNEL POLICIES.

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF THE DISTRICT PERSONNEL POLICIES. COMMISSIONER DALE SECONDED.
Karen Brooks said it is good to see positions changing and keep as much work in-house as possible. She said the policies should be reviewed every year and it is good to be proactive in human resource needs.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None.

The Regular Meeting of the Board of Commissioners adjourned at 8:14 p.m.

APPROVED BY: 

Patricia Tyson
Director of Administrative Services

RECORDED BY: 

Greg Dale
Secretary