

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

23 February 2006

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Hunter
Commissioner Ollivier

ABSENT:

Commissioner Wilson

The Closed Session was called to order at 6:07 p.m. Closed Session adjourned at 6:47 p.m.

The regular meeting of the Board of Commissioners was called to order by President Pellegrini at 7:01 p.m.

Commissioner Curless led those present in the Pledge of Allegiance.

District Counsel reported on the items discussed during Closed Session: real property negotiations regarding the Redwood Dock property; real property negotiations and potential liability regarding the lease with Evergreen Pulp and the Louisiana-Pacific tideland leasehold improvement removal. District Counsel stated an Exclusive Right To Negotiate Agreement (ERTN) has been received for a portion of the Redwood Dock property. Provisions are included in the ERTN for consideration of a proposal by the Timber Heritage Museum and for reimbursement to the Harbor District for appraisal costs. No action was taken on the items of discussion.

PUBLIC COMMENT

Penny Elsebusch said she was disappointed there was nothing on the agenda regarding the County of Humboldt's Redevelopment Agency Draft EIR. Comments are due on March 3, 2006 and Ms. Elsebusch said she had hoped the Board of Commissioners would have written a letter of "no support" to the County.

David Elsebusch said that in the February 7, 2006 minutes, it states CEO met with Dan Johnson regarding the Samoa Town Master Plan. Mr. Elsebusch wondered about CEO's questions and Mr. Johnson's answers. Mr. Elsebusch also commented on the lengthy discussion at the February 7th meeting regarding Resolution 2006-02. He said it appeared to be contentious and it should be posted on the Harbor District website. President Pellegrini asked how this could be beneficial to the public. Mr. Elsebusch said he thought it would stimulate interest since it sounded as if Humboldt Baykeeper was trying to "blackmail" the District.

CONSENT CALENDAR

Commissioner Hunter stated contrary to what the February 7th minutes reported, he is not currently out of town.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR.

COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- √ 2/9: CEO; Mike Knight, City of Eureka; Katherine Super, Toxicologist; and Dave Schneider, Project Manager from Pacific Affiliates attended the California Coastal Commission meeting and spoke during the agenda items to consider the permits for the Maintenance Dredging Project for the Harbor District and the City of Eureka. The Commission voted to grant both permits, with stated conditions. CEO said the conditions were similar to those applied to the 1998 and 1988 permits. CEO also stated this permit was essentially the same permit that was requested in 2004 and that the delays caused by Humboldt Baykeeper added nothing to the project, yet cost the public \$125,000 for additional testing for alleged toxins and likely a delay of one year. Because of these delays, the dredging will be put off until

- November 2006; and in the meantime, recreational, commercial and port security vessels likely will suffer and public facilities will continue to be damaged over the next 9 months.
- ✓ 2/8-9: CEO attended the CMANC meeting in San Diego and participated in a panel discussion on maintenance dredging.
 - ✓ CEO has been working with Washington DC lobbyist Will Edington to request federal appropriation support from Congressman Thompson and Senators Feinstein and Boxer.
 - ✓ CEO has been working with CAPA on Goods Movement issues.
 - ✓ 2/14: CEO attended a meeting sponsored by OES and FEMA regarding the December 31, 2005 storm damage recovery.
 - ✓ 2/14-15: California Conservation Corps' workers removed many pampas grass plants out of the longshore entrance road to Redwood Dock.
 - ✓ 2/17: President Pellegrini, Commissioner Ollivier and CEO met with Port of Oakland officials and took them on a tour of port facilities. Dates are being considered for a return visit when they can meet with the full Board of Commissioners and when Harbor District officials can meet with the Port of Oakland Board.
 - ✓ 2/22: CEO made a Powerpoint presentation to the Humboldt Bay Kiwanis about port activities.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT

Administrative Assistant stated the budget schedule for the FY 2006/07 Budget as follows: 3/23 – Draft budget prepared – workshop; 4/13 – Adoption of preliminary budget; 4/14 – 30-day public notice sent to newspaper; 5/25 – public hearing; 6/8 – First Reading; 6/22 – Second Reading and Adoption of Final Budget for FY 2006/07.

COMMISSIONER REPORTS

Commissioner Curless reported that the kick-off to Fortuna's 100th anniversary celebration held at the River Lodge was a huge success. On the third Wednesday in March, another community activity will be held at the Depot Museum.

Commissioner Hunter reported he attended the Greater Eureka Chamber of Commerce Board meeting where David Tyson, Eureka City Manager, was the guest speaker. Mr. Tyson spoke about the Maintenance Dredging Project, among other city projects, and thanked the Chamber of Commerce for their support of this very important project to the community. Commissioner Hunter said that he will serve on a task force with Ed Crawford of Evergreen Pulp to get the Chamber members input on the use of the Balloon Track.

Commissioner Ollivier said he was impressed with the delegation from the Port of Oakland. He said Kenneth Katzoff, Port of Oakland Board President, volunteered to participate on a committee made up of representatives from Port of Oakland, NCRA and the Harbor District.

President Pellegrini reported she attended the presentation at the National Weather Service office when Troy Nicolini unveiled the new Bar Forecasting Model.

ADVISORY COMMITTEE REPORTS

Commissioner Hunter reported the HR advisory committee met with the employees' union negotiators.

a) Port of Oakland Advisory Committee Update: None

b) Long-Term Sediment Management Study Update

CEO reported the President's budget contains \$4.919 million for Humboldt Bay O&M, but nothing for the shoal management feasibility study. CEO has been working with Washington DC lobbyist Will Edington on a \$500,000 request for the continuance of this study.

OTHER

President Pellegrini introduced Troy Nicolini of the National Weather Service. Mr. Nicolini made a presentation to the Board of Commissioners on the new Bar Forecasting Model that will enhance navigation and safety for mariners. The model is an advanced planning tool that will allow, through the use of computers, the planning of departures and returns. Mr. Nicolini stated he had received a great deal of assistance from Harbor District staff and thanked them. The Bar Forecasting Model can be accessed at www.weather.gov.

Commissioner Hunter suggested the link should be put on the Harbor District's website.

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF APPROVAL OF ENGAGEMENT LETTER FOR SUTTER SECURITIES TO PREPARE THE ANNUAL CONTINUING DISCLOSURE REPORT REQUIRED THROUGH THE SALE OF THE SERIES 2004 REFUNDING BONDS.

District Treasurer stated that this report is a new report resulting from the recent bond refinancing. The report is distributed to bond holders and is prepared annually upon the completion of the annual audit. He said in the future, staff would prefer to prepare the report in-house; but since this is the first exposure to this type of reporting, it is recommended Sutter Securities, Inc. prepare the report and assist staff in the preparation for next year.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF ENGAGEMENT LETTER FOR SUTTER SECURITIES TO PREPARE THE ANNUAL CONTINUING DISCLOSURE REPORT REQUIRED THROUGH THE SALE OF THE SERIES 2004 REFUNDING BONDS. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF APPROVAL OF CONTRACT WITH THEODORE E. ANVICK, DBA ANVICK ENGINEERING FOR ENGINEERING SERVICES RELATIVE TO REDWOOD DOCK BUILDING 14 STORM DAMAGE.

CEO reported due to the December 31st storm, Building 14 sustained structural damage. Mr. Anvick was involved in the previous appraisal and is familiar with the property. The cost of the assessment will be covered by the Harbor District's property insurance. It is also possible that some of the costs will be covered by FEMA since Humboldt County was declared a disaster area under FEMA on February 3, 2006.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF CONTRACT WITH THEODORE E. ANVICK, DBA ANVICK ENGINEERING FOR ENGINEERING SERVICES RELATIVE TO REDWOOD DOCK BUILDING 14 STORM DAMAGE. COMMISSIONER OLLIVIER SECONDED.

David Elsebusch asked if the Board of Commissioners was going to obtain more bids.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 7:54 p.m.

APPROVED BY:

RECORDED BY:

____Signature on File_____
Roy Curlless, Secretary

____Signature on File_____
Patricia L. Tyson, Admin. Assistant