

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

8 March 2007

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Hunter
Commissioner Ollivier

The Closed Session was called to order at 6:02 p.m. President Curless asked David Elsebusch to excuse himself in order for the Board to convene into Closed Session. Mr. Elsebusch took exception because he wanted to comment on a Closed Session item. Closed Session adjourned at 6:11 p.m.

President Curless called the regular meeting of the Board of Commissioners to order at 7:00 p.m.

President Curless led those present in the Pledge of Allegiance.

In the absence of District Counsel, CEO reported on the items discussed during Closed Session: Potential Litigation – status of the Newby barge Anchorage Ordinance violation; Real Property Negotiations – Redwood Dock property. CEO announced Timber Heritage Association completed all the conditions of their lease and were given keys to the property today. No action was taken on these items.

PUBLIC COMMENT

President Curless apologized to David Elsebusch, stating he (President Curless) was incorrect in his understanding of the Brown Act rules governing Closed Session and apologized for the misunderstanding. Mr. Elsebusch thanked President Curless for his comments.

CONSENT CALENDAR

Commissioner Wilson asked for Item A of the Consent Calendar to be pulled for further discussion.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF ITEM B OF THE CONSENT CALENDAR.
COMMISSIONER HUNTER SECONDED. MOTION CARRIED WITHOUT DISSENT.

Commissioner Wilson asked why there would be a separate billing from Pacific Affiliates to pick up items off the Samoa beach resulting from the dredge activity. CEO responded either due to the dredge's efficiency or a "messy" decade, the dredge has picked up numerous items (shackles, cables, etc.), which have pumped through and dumped on the beach. Every Sunday, Harbor District personnel pick up the debris resulting from the dredging of the marina. The City of Eureka has personnel to pick up their debris. The invoice represents the consultant's crew's time during the first few cleanups before the Harbor District took over the task.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF ITEMS A OF THE CONSENT CALENDAR.
COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- 2/27: Redwood Dock Advisory Committee met to discuss the RFQ submittals. Three submittals were received and the committee selected two to interview next week.
- 2:27: The first Strategic Plan meeting was held. The focus of the meeting was to discuss the Strategic Plan process with the committee members. The next meeting will be held on March 15 at 6 p.m. in the Woodley Island Meeting Room.
- CEO stated he expects to present a resolution for the Board's consideration at their next meeting, which will support the County's improvements at the Fields Landing Boat Ramp.
- The maintenance dredging is progressing on schedule; the dredge is working between docks E & F. To date, approximately 80,000 cubic yards have been removed from the marina.

Commissioner Wilson said he had heard a truck was stuck on the beach near the dredge outfall pipe. CEO reported a report was turned in by the owner of the truck and the information has been given to District Counsel.

- Comments were due March 6, 2007 on Coast Seafoods' Mitigated Negative Declaration. CEO reported comments have been received from EPIC/Baykeepers, State Lands Commission and Dept. Fish & Game.
- 3/1-2: CEO attended CAPA meeting, where legislation relative to port activity was reviewed. He said it was also a good opportunity to meet with Omar Benjamin, who took Jerry Bridges' place at the Port of Oakland. They discussed the Port of Oakland's relationship with Humboldt Bay, CAPA and the California ports, one of cooperation and team-oriented.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT

Administrative Assistant reported she attended the Notary class in Rohnert Park and passed the exam, renewing her commission for another four years.

COMMISSIONER REPORTS

Commissioner Pellegrini reported two letters in support of the 303(d) listing of Humboldt Bay were sent to the State Water Resources Control Board (SWRCB), one from Humboldt Baykeepers and one from California Coastkeeper Alliance/Pacific Coast Federation of Fishermen's Associations (PCFFA) with Zeke Grader as the signer for PCFFA. She said it was interesting the two letters were very similar; and since the local fishermen do not support the Humboldt Baykeepers due to the delay they caused to the maintenance dredging of the marina, she wondered why PCFFA would be in agreement with the Baykeepers. Commissioner Pellegrini stated when asked, Mr. Grader said "I was tricked." She said Mr. Grader is going to write a letter to the SWRCB asking them to remove PCFFA as a signer on the letter since PCFFA does not support the items in the letter and is going to send a letter to the editor of the Times-Standard stating his name was misused and PCFFA is withdrawing its name in support of the 303(d) listing.

Commissioner Pellegrini stated the media has given full coverage to her idea of putting her family up for "adoption" on Ebay. She said the LA Times ran a story as well as the local papers. She said feedback has been received from fishermen in other parts of the United States who have said her story gives them hope. Hurricane Katrina wiped out the fishing on the eastern side of the Gulf of Mexico and Hurricane Rita destroyed the fishing on the western side. The federal government assisted the fishermen whose boats were ready to fish; and if the damage to the boats was less than \$10,000, grants were available. If the amount of damage was more than \$10,000, there was little interest from the government. Therefore, many of the fishermen were unable to continue fishing for their income. Commissioner Pellegrini said she was happy her story gave encouragement to fishermen throughout the United States.

Commissioner Pellegrini said she read an article in a newsletter distributed by the Native Sons of the Golden West stating a historical monument to the Northwest Pacific Railroad was dedicated in Tiburon.

Commissioner Wilson reported on the birth of his daughter, Nova, weighing 7 lb. 11 oz. He said the flowers sent by the Harbor District Commissioners and staff were appreciated.

Commissioner Hunter said he attended the first Strategic Plan Advisory Committee meeting and was impressed with the members on the committee. He said there would be approximately 12 meetings, consisting of review, outreach and plan development.

Commissioner Hunter reported the Redwood Dock Advisory Committee will interview two of the three firms who responded to the RFQ. The Committee will then make a recommendation to the Board based on the interviews. Commissioner Ollivier stated the two firms are tied to local engineering firms – Winzler & Kelly and SHN Engineering.

President Curless remarked on a recent letter to the editor of the Times-Standard criticizing the District's hiring the two bar pilots. President Curless stated the hiring was necessary in order to retain the current shipping business and to attract future business.

ADVISORY COMMITTEE REPORTS

Commissioner Pellegrini reported the Port of Oakland Advisory Committee would meet next week to discuss the MOU with the Port of Oakland.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. FY 2007/08 BUDGET WORKSHOP.

District Treasurer reported the summary of the Preliminary FY 2007/08 Budget for this Budget Workshop as follows: Revenue \$2,936,663; Operating Expenses \$2,182,600; Non-Operating Expenses \$1,857,333; Excess Revenues under Expenses \$1,103,270; Transfers for Capital Expenditures from Fund Balance Designations \$448,000; and Total after Transfers \$(655,270). District Treasurer stated grant revenue and expenditures are included in the FY 2007/08 Budget. District Treasurer recommended the Finance Advisory Committee meet to discuss long-range planning and revenue options.

Commissioner Hunter stated in years past, the Harbor District's financial performance has been better than what was budgeted. He asked how the District is doing so far this fiscal year. District Treasurer responded the largest expense this year is the maintenance dredging, but he said, once again, it would appear the financial performance would be better than projected.

CEO gave a PowerPoint presentation. Under Tax Revenues, CEO stated the amount is estimated until the time when the Board will consider final adoption. District Treasurer, at that time, will obtain a solid dollar amount from the County of Humboldt. Also, when the Board adopts the budget, the fee schedule for that fiscal year is also adopted. Staff is proposing to not lease the Woodley Island Meeting Room to the public, keeping its use strictly to Harbor District-related activities.

CEO explained the revenues, expenses, grant funded programs and the capital improvements/expenditures for next fiscal year. He explained how the revenue and expenses are divided up into the following categories: Woodley Island Marina, Fields Landing Boat Yard, Tideland Leases, Port of Humboldt Bay, Conservation/Recreation and General.

CEO also stated the Harbor District must plan for maintenance dredging again in 8-10 years. Since the Coastal Commission has stated they will oppose beach disposal in the future, costs of offshore disposal must be considered, which will increase the cost of the project 3-4 times the cost of the current dredge project.

The Commissioners thanked staff for their work on the budget and for making it concise and easily understandable.

David Elsebusch said every year the budget format gets better. He thanked staff for including grant revenue and expenses. He also asked if the Board of Commissioners has given consideration to pursuing wave energy technology. Commissioner Wilson said he would like to see a presentation about the wave energy technology at a future Board meeting.

Andy Colonna asked if the dredge spoils could be taken to North Bay, as has been discussed in the past. CEO stated since the distance to North Bay is twice as far as to the current beach disposal site, an

extra booster pump or two would be needed. Although this option was explored for this dredging episode, after weighing financial and other considerations, City of Arcata staff opted not to pursue this alternative.

Commissioner Wilson said the dredge spoils would be used for wetland restoration. Commissioner Pellegrini asked how the spoils could be sent there and not to the beach. Commissioner Wilson responded the bay mud would be used to raise the level of existing agricultural lands that have subsided.

David Elsebush asked if the current disposal technique is still an arguable proposition for disposal, as far as the Coastal Commission is concerned. He said Supervisor Neely, a Coastal Commission Board member, should be asked to state her opinion on the Coastal Commission's decision of no more beach disposal.

CEO stated the Harbor District is obligated to look at all disposal options and the Coastal Commission should not tie the District's hands as to the disposal of dredge spoils.

ADMINISTRATIVE AND EMERGENCY PERMITS

CEO reported three permits were issued to three groups of HSU students researching marina organisms.

The Regular Meeting of the Board of Commissioners adjourned at 8:45 p.m.

APPROVED BY:

RECORDED BY:

Signature on File
Ronnie Pellegrini, Secretary

Signature on File
Patricia L. Tyson, Admin. Assistant