

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

10 September 2007

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Hunter
Commissioner Ollivier

The Closed Session was called to order at 6:02 p.m. Closed Session adjourned at 6:12 p.m.

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

Commissioner Hunter led those present in the Pledge of Allegiance.

District Counsel reported the Closed Session items as follows: Real Property Negotiations – Shelter Cove fish cleaning station. No action was taken on this item.

PUBLIC COMMENT

Bill Thorington, Director of Friends of the Eel River, stated recently he was at a meeting where Commissioner Ollivier stated the information contained in the Harbor Revitalization Plan is no longer valid. He said Commissioner Ollivier said there is a new report currently in progress and Mr. Thorington asked when that report would be available to the public.

CEO stated the report in question is the Redwood Dock Marine Terminal Feasibility Study and will be available within a couple of months. Commissioner Hunter said it is important to the Board that the public have the most up-to-date information possible.

Mr. Thorington then said he wanted to clarify the Friends of the Eel River's position and that is they are not opposed to the railroad or harbor development, but are concerned with the protection of the river and its resources. Friends of the Eel River's website is www.eelriver.org.

Commissioner Wilson asked if there was a draft of the Redwood Dock Marine Terminal Feasibility Study available and whether the Harbor Revitalization Plan is obsolete. CEO responded the consultants are in the market assessment/evaluation phase at this time and have not started on the recommendations yet. CEO also stated the Harbor Revitalization Plan contains some outdated information; however it still contains much information and is the best information there is to date.

CONSENT CALENDAR

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER OLLIVIER SECONDED.

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

COMMISSIONER HUNTER AMENDED HIS ORIGINAL MOTION AND MOVED FOR THE APPROVAL OF ITEMS A, C AND D OF THE CONSENT CALENDAR. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

Commissioner Wilson asked why Pacific Affiliates is still receiving payments since the maintenance dredging projected has been completed. CEO responded Pacific Affiliates is nearing the end of the post-dredge monitoring for the season.

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

CEO REPORT

- Ø 8/15: Wilson Lacy, Director of Maritime Commerce, started work at the Harbor District office.
- Ø 8/16: Strategic Plan Advisory Committee meeting. The draft plan will be available for public review and input soon.
- Ø 8/16: Security camera installation at Fields Landing Boat Yard was completed.
- Ø 8/19: Memorial service and tree planting held for Jeff Robinson. Jeff's family sincerely appreciated all that was done to honor him.
- Ø 8/23: CEO and other District staff met with USCG Capt. Uberti regarding port security issues.
- Ø 8/24: President Curless and CEO met with Rick Martin of the North Coast Air Quality Board.
- Ø 8/30: CEO was interviewed by Brian Papstein for Talk Shop on KINS radion.
- Ø 8/30: CEO took Wilson Lacy to the Chamber of Commerce Board meeting for introduction.
- Ø 8/31: Ecosystem Based Management Core Team meeting.
- Ø 9/5: CEO presented an update on District projects and introduced Wilson Lacy to the Citizens for Port Development.
- Ø 9/5: CEO attended Hazard Mitigation Steering Committee meeting.
- Ø 9/5: CEO attended Coastal Commission reception.
- Ø 9/6: CEO met with Karyn Gear, California Coastal Conservancy, in Shelter Cove and discussed the possibility to purchase the portion of Mario's Marina property where the fish cleaning station is located. CEO stated the next step is to have an appraiser assess the value of the property.
- Ø 9/7: CEO attended the Coastal Commission meeting in Eureka. The Fields Landing debris removal permit was issued.
- Ø Expo preparation on target for 9/29.
- Ø Pacific Coast Congress of Harbor Masters and Port Managers (PCC) conference hosted by the Harbor District will begin October 2nd. Dockmaster Suzie Howser is on the Board of PCC.
- Ø Bellingham Marine's contractor will be here next week to begin work of replacing the breakwater floats damaged in the December 2005 storm.
- Ø CEO stated the public is invited to the Humboldt Bay Aquatics Center dedication on 9/26 at noon.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT

Director of Administrative Services reported Misty Schmidt, Harbor District Clerk, delivered a baby girl, Arianna Marie Schmidt, on August 26th. Both mom and baby are doing great.

COMMISSIONER REPORTS

Commissioner Pellegrini reported the commercial salmon season opened with a 30 fish/day limit. She said it is assumed the season will be a short one because there are so many fishermen participating.

Commissioner Wilson referred to a letter sent to the Board of Commissioners by Cynthia Elkins of the Center for BioDiversity. He remarked on the organization's concern with the Shelter Cove fish cleaning station and water quality. Commissioner Wilson said he spoke with Karyn Gear at the Coastal Commission reception regarding bundling funds for property acquisition and water monitoring.

Commissioner Wilson spoke with Bill Bertain of RAPIT regarding talk about rail lines between Arcata to Blue Lake to Red Bluff. Commissioner Wilson said he had received e-mails from concerned constituents living on or near the rail lines.

Commissioner Hunter said one of the big projects being discussed during the Strategic Plan meetings has been maintenance dredging and the huge cost to the Harbor District if beach disposal is not allowed. He said there was an article in a marine magazine showcasing "Piranha" dredges and he thought it would be beneficial if the Harbor District could afford to buy its own dredge to use locally.

Commissioner Ollivier said the Port of Coos Bay owns its own dredge and that the state of Oregon is port-friendly, while it seems California is not. Commissioner Ollivier said he will be attending a NCRA meeting in Healdsburg on September 19th.

President Curlless reported he attended the Labor Day picnic sponsored by local unions. President Curlless stated he attended the September 5th Citizens for Port Development meeting and later that day held his campaign press conference at Woodley Island.

ADVISORY COMMITTEE REPORTS

Commissioner Hunter reported the next Strategic Plan Advisory Committee meeting will be held on September 20th at 6 p.m. and urged the public to attend. He said the committee wants a thorough review of the draft plan prior to presenting it to the Board of Commissioners.

Commissioner Wilson said there is a working draft already and said he had asked at the beginning of this process for a meeting with the advisory committee and the Board of Commissioners prior to the working draft being developed. He said the full Board should be involved in the process of developing the Harbor District's mission and vision statements.

Commissioner Hunter responded when the process of organizing the Strategic Plan Advisory Committee began, each Commissioner had the opportunity to recommend people/constituents to the committee and then the whole Board voted on the committee members. Commissioner Wilson said he did not feel people are well represented by their elected officials. Commissioner Hunter stated he felt the Board works from the public in, not the Board out.

Commissioner Wilson said he would like to have Board discussion to review how the Board appoints the advisory committees. He said the Brown Act is very clear on its definition of ad hoc and standing committees and he believes the Board's advisory committees are actually standing committees. He asked the District Counsel to review the status of advisory committees with CSDA's legal counsel and report back to the Board. District Counsel responded that action would actually be a violation of the Brown Act in that he was being asked to do something that was not scheduled for discussion during this Board meeting. Commissioner Wilson then asked that this subject appear on the Board's next agenda for discussion. Commissioner Pellegrini stated this information had been previously given to the Board by District Counsel. Commissioner Wilson asked for periodic updates to the process of appointing Board committees.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF APPROVAL OF RESOLUTION 2007-10 FOR THE ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS.

CEO reported there are 9 candidates for the Board of Directors to the Special District Risk Management Authority (SDRMA) Board. Since the Harbor District is a member of SDRMA, the Board of Commissioners has been asked to participate in the election and nominate three candidates, including one local candidate, John Woolley. Commissioner Hunter stated the RREDC Board also nominated Mr. Woolley, along with Tony Sedano and Jean Bracy.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF RESOLUTION 2007-10 FOR THE ELECTION OF DIRECTORS TO THE SPECIAL DISTRICT RISK MANAGEMENT AUTHORITY BOARD OF DIRECTORS, NOMINATING JOHN WOOLLEY, TONY SEDANO AND JEAN BRACY. COMMISSIONER PELLEGRINI SECONDED.

Commissioner Wilson asked Mr. Woolley why the Board of Commissioners should nominate Mr. Sedano and Ms. Bracy. Mr. Woolley responded he was one of the founding members of SDRMA when he was working with the Manila CSD and small special districts had no cost-effective avenue for their insurance needs. Now the organization has grown to a \$60 million public agency. He said Mr. Sedano

was also a part of the start-up team and he does not know Ms. Bracy, but has been told she would do a very good job.

District Counsel said it is important to have someone like Mr. Woolley on the Board, someone who knows the area, knows the Harbor District and will advocate for us.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER OLLIVIER - AYE

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF ACCEPTING FOR FILING PERMIT APPLICATION NO. 07-07 TO THE COUNTY OF HUMBOLDT FOR THE RYAN SLOUGH BRIDGE/MYRTLE AVENUE IMPROVEMENT PROJECT.

COMMISSIONER PELLEGRINI MOVED TO ACCEPT FOR FILING PERMIT APPLICATION NO. 07-07 TO THE COUNTY OF HUMBOLDT FOR THE RYAN SLOUGH BRIDGE/MYRTLE AVENUE IMPROVEMENT PROJECT. COMMISSIONER OLLIVIER SECONDED.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF AGREEMENT WITH MCBAIN AND TRUSH, INC. FOR WETLAND DEMONSTRATION PROJECT MAPPING SERVICES.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF AGREEMENT WITH MCBAIN AND TRUSH, INC. FOR WETLAND DEMONSTRATION PROJECT MAPPING SERVICES. COMMISSIONER OLLIVIER SECONDED.

CEO reported these mapping services are part of a grant project to assess wetlands throughout California as a part of the State Wetlands Demonstration Project. Chad Roberts, is leading a north coast team of wetland biologists on this project. Brian Powell of McBain and Trush will start immediately on the maps for use by the team in early October.

Commissioner Hunter asked Commissioner Pellegrini to amend her motion to add "Not to Exceed \$6,335."

COMMISSIONER PELLEGRINI MOVED TO AMEND HER ORIGINAL MOTION AND MOVED FOR THE APPROVAL OF MCBAIN AND TRUSH, INC. FOR WETLAND DEMONSTRATION PROJECT MAPPING SERVICES, NOT TO EXCEED \$6,335. COMMISSIONER OLLIVIER SECONDED THE AMENDED MOTION.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF EXTENSION OF PERMIT 2005-03 TO EUREKA FOREST PRODUCTS FOR MAINTENANCE DREDGING.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF EXTENSION OF PERMIT 2005-03 TO EUREKA FOREST PRODUCTS FOR MAINTENANCE DREDGING. COMMISSIONER OLLIVIER SECONDED.

Commissioner Wilson asked CEO to request the applicant to submit a description of the need for an extension at the time the extension is requested. CEO stated this project is not complete and that is why an extension is requested.

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:

RECORDED BY:

____Signature on File_____
Ronnie Pellegrini
Secretary

____Signature on File_____
Patricia L. Tyson
Director of Administrative Services