

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

24 January 2008

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Hunter
Commissioner Higgins

The Closed Session was called to order at 6:05 p.m. Closed Session adjourned at 6:21 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.

District Counsel reported the Closed Session items as follows: Real Property Negotiations – Extension of lease of Samoa Shops property with Timber Heritage Association. No action was taken on this item.

PUBLIC COMMENT

Kaye Strickland commended Commissioner Wilson for adding the removal of dams on the Eel River, as well as the Klamath River, to the Harbor District's 2008 legislative priorities.

Andy Colonna said he has a DVD of the Harbor District's January 10th Board meeting ready for airing on public television. He said he is hopeful Channel 10 will air the February 28th meeting when the Board of Commissioners considers the Redwood Marine Terminal Feasibility Study.

Susan Penn said she would like to participate on any committee, which will be formed as a result of the Harbor District's 2007-2011 Strategic Plan.

CONSENT CALENDAR

President Curless said he had requests to pull Items A and B for further discussion.

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

Item A: Commissioner Higgins made a change to page 4 of the January 10th Board meeting minutes.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF THE JANUARY 10, 2008 BOARD MEETING MINUTES AS CORRECTED. COMMISSIONER HUNTER SECONDED. MOTION CARRIED WITHOUT DISSENT.

Item B: Commissioner Pellegrini asked about the status of replacing the dock piling damaged during the maintenance dredging of Woodley Island Marina. CEO responded the piling has been replaced and was covered under the dredge contractor's insurance.

Commissioner Wilson asked what the "interagency meeting and dredging alternative analysis" entailed and if Pacific Affiliates is still under contract. CEO responded the interagency meeting was a recap of the dredge activities and expenses for the agencies involved, an educational tool. CEO stated if there were a need for long-term consulting for the next dredge cycle, a contract would be needed.

Commissioner Wilson asked about the dredging budget. CEO said the original contract amount with Pacific Affiliates was exceeded years ago due to the delay in the project for the dioxin issue, additional testing, etc. He said Pacific Affiliates' bills have been included on the Consent Calendar as individual items as a result.

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

CEO REPORT

- ❖ 1/15: A total of 139 comments (84 written, 55 oral) were received on the Redwood Marine Terminal Feasibility Study. The comments were sent to TranSystems and they are currently working on the responses. An updated report will be available to the public by mid-February.
- ❖ 1/15: CEO made a presentation to the Headwaters Fund Board on the status of the Redwood Marine Terminal Feasibility Study.
Commissioner Wilson asked if the Harbor District had a contract with Ken Davlin, since he was at the meeting. CEO responded Mr. Davlin was hired by the Board of Commissioners approximately 18 months ago to assist CEO with the Headwaters Fund grant.
- ❖ 1/16: NCRA submitted a joint Prop IB grant application to California Transportation Commission for the Northern Freight Corridor Restoration Project. A summary analysis from CTC indicated that the application is one of four on the project's nomination list for this category of projects.
- ❖ 1/17: CEO chaired a Harbor Safety Committee meeting. The main topic was the discussion of low-light navigation issues. CEO stated law enforcement would begin ticketing for too bright lights and for any vessel not having lights.
- ❖ 1/22: CEO and Commissioner Wilson attended a Humboldt Bay Symposium Steering Committee meeting. The committee put together a draft program for the symposium, which will be held April 24-26, 2008 at the City of Eureka Wharfinger Building.
- ❖ CEO reported the US Coast Guard released the yacht, which had been moored at the Bonnie Gool Dock for several weeks. The foreign vessel was being held until the owners obtained the proper insurance. Pilotage fees were paid to the Harbor District for services by the bar pilots, required to navigate the vessel from dock to dock and through the bay entrance.

Commissioner Hunter asked CEO the status of the Director of Conservation Division and Director of Facility Maintenance. CEO responded the recruitment for the Director of Facility Maintenance ended on January 11th and he will be meeting with the interview panel in the next couple of weeks. The Director of Conservation Division is being advertised currently and will close on February 15th.

Commissioner Wilson suggested a Help Wanted advertisement be placed in the Arcata Eye. Jennifer Savage of the Arcata Eye said they offer free Help Wanted advertisements.

- ❖ CEO was notified by the Shelter Cove Resort Improvement District there was a rock out-cropping over the boat ramp right of way creating an impending hazard. The Harbor District has a process that allows the CEO to approve emergency purchases. CEO spoke with President Curless, District Counsel and approved Wilcox Construction to blast the rock yesterday with the assistance from the Shelter Cove Volunteer Fire Department.

DISTRICT COUNSEL REPORT

District Counsel reported he researched the Public Contract Code on emergency issues and the Harbor District policy regarding emergency purchases regarding the rock removal issue. He said the rock threatened the Harbor District right of way and was actually in the right of way.

Commissioner Higgins suggested minimal erosion control of the hillside.

STAFF REPORT: None

COMMISSIONER REPORTS

Commissioner Pellegrini invited everyone to the 15th Annual Dancing and Delectables at Eureka High School on Saturday, January 26th.

Commissioner Pellegrini met recently with a Karuk gentleman who also went to Omaha for the meeting of Berkshire Hathaway and the Klamath Dam removal issue.

Commissioner Pellegrini suggested everyone watch the Discovery Channel on January 26th to see the program on Mike Rowe and slime eel fishing.

Commissioner Wilson asked when the written comments on the Redwood Marine Terminal Feasibility Study would be posted on the website.

Commissioner Wilson asked to have a discussion on airing Board of Commissioners meetings on public access television on a future Board meeting.

Commissioner Hunter said cable access to Woodley Island would be the biggest deterrent. He said the meetings might have to be recorded and played at a future time.

Commissioner Wilson said he attended the Humboldt Bay Symposium Steering Committee meeting and the amount of work to be done is daunting. He said the symposium is going to be a great benefit for the public.

Commissioner Wilson said he would be attending the Arcata Chamber of Commerce dinner.

Commissioner Hunter said President Curless, CEO, Wilson Lacy and he met with representatives from Goldman Sachs regarding the port and facilities.

Commissioner Hunter reported it has not been a good crab season this year. The weather has not been good.

Commissioner Hunter said regarding transportation, the County of Humboldt is still waiting to hear from Delta Airlines on whether they will be offering service here.

Commissioner Hunter said he would be attending the Eureka Chamber of Commerce dinner on January 31st.

Commissioner Higgins asked for any "agenda considerations" to be discussed at the beginning of the meetings. District Counsel stated unless there are emergency provisions to be considered, under the Brown Act the Board of Commissioners is precluded from making any changes to the agenda once it is published.

Commissioner Higgins suggested study sessions for the Board would be beneficial on important topics, such as the Redwood Marine Terminal Feasibility Study.

Commissioner Higgins asked when committee structure is considered. CEO replied usually committees are appointed on an issue-by-issue basis. Commissioner Higgins asked for committee assignments to be put on the next Board of Commissioners meeting agenda.

Commissioner Hunter said there are two main committees to be assigned: the committee to implement and monitor the issues developed in the Strategic Plan and the committee to implement and monitor the policies developed in the Humboldt Bay Management Plan.

ADVISORY COMMITTEE REPORTS: None

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF LEASE EXTENSION AGREEMENT WITH THE TIMBER HERITAGE ASSOCIATION FOR THE SAMOA SHOPS.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF LEASE EXTENSION AGREEMENT WITH TIMBER HERITAGE ASSOCIATION FOR THE SAMOA SHOPS.
COMMISSIONER WILSON SECONDED.

Commissioner Higgins said clustering the Timber Heritage Museum next to the Samoa Cookhouse and the Maritime Museum makes sense and he has been talking to Zeke Grader, who would like to put a fishing museum there as well. He said he favors a long-term lease, not the one-year lease presented.

Commissioner Wilson agreed with Commissioner Higgins, favoring a long-term lease. He said it could help with grant funding if the entity can show longevity for their project.

Marcus Brown thanked the Board of Commissioners for their support. He said a long-term lease is a prerequisite for grant funding. On February 9th, the Timber Heritage Association (THA) is having a meeting to work on a strategic plan for THA.

Pete Oringer said the Harbor District is important to the Timber Heritage Association's mission of preserving the rail culture. He said as a board member of the Conventions and Visitors Bureau, this area lacks a destination market feature such as this type of complex of museums. Mr. Oringer said these projects are essential to job development.

Kaye Strickland said the Mendocino County Railroad Society is reinstating their railroad museum in Willits and dedicating their first session to Hannah Burkhart, who was instrumental in keeping the vision of the restoration of the railroad alive.

David Elsebusch asked why there was a need for a Closed Session discussion. District Counsel responded during Closed Session staff explained the negotiations of the agreement with Timber Heritage Association. He also said rather than take action in Closed Session, which is in the Board of Commissioners legal ability, the Board takes the extra step to bring the item to open session allowing for public participation.

Penny Elsebusch said she favored a long-term lease. She said if either Plan A or Plan B of the Redwood Marine Terminal Feasibility Study is approved by the Board, neither one will be done for at least 5 years, allowing the Timber Heritage Association to stay in the facility longer.

Mike Kellogg said there might be a need for this issue to be re-visited if Timber Heritage Association is going to apply for grant funding.

MOTION CARRIED WITHOUT DISSENT.

B. ELECTION OF OFFICERS.

COMMISSIONER PELLEGRINI NOMINATED A SLATE OF OFFICERS: COMMISSIONER HUNTER, PRESIDENT; COMMISSIONER PELLEGRINI, VICE PRESIDENT; COMMISSIONER CURLESS, SECRETARY. COMMISSIONER HIGGINS SECONDED.

COMMISSIONER WILSON NOMINATED COMMISSIONER WILSON FOR SECRETARY.

David Elsebusch said he thought the Board of Commissioners should follow the Board of Supervisors in their rotation of offices, so there is not a repeat of the same Commissioner in one position.

Commissioner Wilson said there are obvious dissenting opinions on this Board and their needs to be diversity of voices at every level. But he said it seems very cut and dried, 3-2 vote.

Commissioner Hunter said he views the Board as a team, not "us vs. them".

President Curless called for the vote:

COMMISSIONER HUNTER FOR PRESIDENT (UNOPPOSED): ALL AYES

COMMISSIONER PELLEGRINI FOR VICE PRESIDENT (UNOPPOSED): ALL AYES

COMMISSIONER CURLESS FOR SECRETARY: COMMISSIONERS PELLEGRINI, CURLESS AND HUNTER VOTED AYE

COMMISSIONER WILSON FOR SECRETARY: COMMISSIONERS WILSON AND HIGGINS VOTED AYE

OFFICERS FOR 2008: COMMISSIONER HUNTER, PRESIDENT
COMMISSIONER PELLEGRINI, VICE PRESIDENT
COMMISSIONER CURLESS, SECRETARY

Commissioner Pellegrini asked CEO to review the committee history and determine what committees are needed at this time. CEO asked if the Board would like a proposal or recommendation. She also said staff's time constraints should be considered by the Board when discussing committees. Commissioner Higgins suggested the Board discuss and evaluate the different committee needs at the next Board meeting.

Marcus Brown said the Harbor District's Strategic Plan addressed various components of committee structure, public participation, volunteers, etc.

Pete Oringer said by broadening the committee structure to include the public, quality products with varied points of view and consensus will occur.

President Hunter thanked Commissioner Curless for his service as President.

President Hunter said he does not want anyone to think this Board is an automatically "3-2" Board. He said there is a lot of work to do this year and he hopes to see this next year as one of constructive disagreements, compromises and transparency for the benefit of the community.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 8:31 p.m.

APPROVED BY:

RECORDED BY:

__Signature on File_____
Roy Curless
Secretary

__Signature on File_____
Patricia L. Tyson
Director of Administrative Services