

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

**DATE:** December 3, 2009

**TIME:** 6:00 p.m. Executive Closed Session  
7:00 p.m. Regular Session

**PLACE:** Woodley Island Marina Meeting Room

*The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 five (5) working days in advance of the meeting.*

**1. Call to Order at 6:00 p.m.**

**Move to Executive Closed Session pursuant to the provisions of the California Government Code Section 54957.6 (Negotiations with Represented Employees)**

**1. Conference with Labor Negotiator**

Agency Negotiator: Chief Executive Officer, District Counsel, District Treasurer, two (2) or less of the members of the Board of Commissioners.

Employee organization: As recognized by the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District, including International Longshore and Warehouse Union, Local 14A.

- 2. Adjourn Executive Closed Session**
- 3. Call to Order Regular Session at 7:00 p.m. and Roll Call**
- 4. Pledge of Allegiance**
- 5. Report on Executive Closed Session**
- 6. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on various issues not itemized on this agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on an item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

**7. Consent Calendar**

*Note: All matters listed under the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion. There will be no separate discussion of these items. If discussion is required, that item will be removed from the Consent Calendar and considered separately.*

- a. Approval of minutes from the November 12, 2009 Board of Commissioners meeting.
- b. Consideration of support letters for Marine Life protection Act (MLPA) Initiative Regional Stakeholder nominations.
- c. Consideration of approval of purchase of replacement computer server for the District office from Nylex.Net \$4,033.10

**8. Communications and Reports**

- a. Chief Executive Officer's Report
- b. District Counsel's Report
- c. Staff Reports
- d. Commissioner Reports
- e. Advisory Committee Reports
- f. Other

**9. Non Agenda**

**10. Unfinished Business**

**11. New Business**

- a. Consideration of adoption of Resolution 2009-13 Commending Dennis Hunter for 20 Years of Service as Commissioner of the Humboldt Bay Harbor, Recreation and Conservation District.
- b. Consideration of Fifth Extension and Amendment of Agreement with the International Longshore and Warehouse Union AFL-CIO Local 14, Unit A.
- c. Consideration of process for filling Division 1 Commissioner potential vacancy.

**10. Administrative and Emergency Permits**

**11. ADJOURNMENT**



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

**December 3, 2009**

**PRESENT:**

Commissioner Pellegrini  
Commissioner Curless  
Commissioner Wilson  
Commissioner Higgins  
Commissioner Hunter

**ABSENT:**

None

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

President Hunter asked Commissioner Pellegrini to lead those present in the Pledge of Allegiance.

District Counsel reported there was no Executive Closed Session.

Commissioner Pellegrini asked for a moment of silence for the victims of a automobile accident that involved Captain Zach and one of his crewmen.

**PUBLIC COMMENT:**

David Elsebusch made the Board aware that there are 2-3 vacancies on the Headwaters Fund Board and encouraged President Hunter to apply.

Louis Robinette commented that transportation is his background and that he recently sent a letter to the Board of Supervisors commenting on the future of Humboldt Bay. He also noted that he had recorded a program on the history of Humboldt Bay that he loaned to the District's CEO to copy for the District's files.

Yvonne Evenson noted that she is President Hunter's daughter and that she recalled when she went to vote with President Hunter in his first Harbor District Board election in 1989. She added that she was proud of him then and is proud of him and his 20 years service to the District today.

Kaye Strickland noted that she was here 30 years ago when Woodley Island Marina was first envisioned and that she considers it "her" marina. She said she hated to see President Hunter leave office, but congratulated Richard Marks on his election to fill President Hunter's Division 4 seat and asked that he take care of "her" marina.

Melvin McKinney predicted that within a year, no one might be able to live in the City of Eureka due to the proposed water rate increases.

Ted Kuiper thanked President Hunter for being a great leader and listener.

President Hunter congratulated Richard Marks for being elected to take his seat as 4<sup>th</sup> Division Commissioner and offered to help in any way.

Richard Marks thanked President Hunter for 20 years of service to the District and other community service organizations.

Rob McBeth also thanked Dennis Hunter for his service.

## CONSENT CALENDAR

Commissioner Pellegrini pulled item B for further discussion.

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

Item B: Commissioner Pellegrini noted that the District had received a request to be added to the District's list of MLPA Initiative Regional Stakeholder nominations from Jacque Hostler of the Trinidad Rancheria.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF STAFF RECOMMENDATION WITH THE ADDITION OF JACQUE HOSTLER. COMMISSIONER WILSON SECONDED. MOTION CARRIED WITHOUT DISSENT.

## CEO REPORT

- ❖ 11/19: CEO chaired Humboldt Bay Harbor Safety Committee.
- ❖ CEO noted that over the past few weeks he, Director of Maritime Commerce Wilson Lacy and Director of Facility Maintenance Alan Bobillot have worked with various subcontractors responsible for moving the large engines for the PG&E powerplant project to ensure that they could be moved through the District's Fields Landing property. It was estimated that moving the engines from Schneider Dock to Fields Landing may commence within approximately 10 days.
- ❖ CEO noted that he, Wilson Lacy and District Counsel Paul Brisso continue to work with Taylor Mariculture on a possible exclusive right to negotiate agreement for a portion of the Redwood Marine Terminal property.
- ❖ CEO and Director of Conservation, Adam Wagschal, met with Humboldt Area Saltwater Angler, State Lands Commission representatives and CA Department of Fish and Game representatives regarding the status of the proposed Humboldt Offshore Reef project. Some progress continues to be made by the Ships to Reefs organization.
- ❖ CEO reported that comments have been received from various coastal local government and tribal agencies and the final MOA to establish a North Coast Local Agency Coastal Coordination Committee will be distributed for agency action.
- ❖ Adam Wagschal coordinated the first MPA external array proposal meeting and reportedly made good progress.

## DISTRICT COUNSEL REPORT

None

STAFF REPORT: None

## COMMISSIONERS REPORTS

Commissioner Pellegrini:

- ❖ Reported that her family is being courted to be on America's Strictest Parents television program.

Commissioner Curless:

- Stated he couldn't top Ronnie's report so he had no report

Commissioner Wilson:

- Reported his regrets for not attending the last Board meeting but needed to attend to some family obligations.



Commissioner Higgins:

- ❖ Reported he attended the Wave Connect project and that the discussions are getting interesting.
- ❖ Reported he attended NCRA Board meeting and gave a short presentation (in packet) to their Board regarding their loan repayment towards the end of December.

Commissioner Hunter:

- No report

### **ADVISORY COMMITTEE REPORTS**

Commissioner Pellegrini:

- Reported that she attended the MPA external array meeting and that Adam Wagschal did a great job. She also noted that it seemed that everyone was working together.

Commissioner Higgins:

- Reported that he also attended the MPA external array meeting. He also noted that the District's Economic Development Committee meeting is taking a break and will reconvene in January to look at how business can work together on the west side of the bay.

Commissioner Wilson:

- Reported that he attended the Humboldt Bay Management Plan Advisory Committee. He also reported that he is working with a HSU professor to develop a mariculture land use plan as a class project. He also reported that he was pleased that Taylor Mariculture is showing interest in Humboldt Bay.

Commissioner Hunter:

- Noted that the HR Committee had not had a chance to meet since the last meeting. Also noted that he was glad that Commissioner Higgins supported development on the west side of the bay as some industry that uses water will likely address the potential high water rates that Melvin Mckinney mentioned in his public comment. H also congratulated Mike Wilson on being elected to a second term representing the District's 3<sup>rd</sup> Division.

**OTHER:** None

**NON-AGENDA:** None

**UNFINISHED BUSINESS:** None

### **NEW BUSINESS**

President Hunter stated that he was moving New Business items B&C up on the agenda. President Hunter recommended that Item B be tabled until next meeting as the HR Committee has not met with Union representatives.

President Hunter also stated that he would remove Item C as Commissioner Pellegrini has opted to stay on the Board of Commissioners.

Commissioner Pellegrini thanked everyone for the overwhelming support that she received supporting her and asking her to stay on the Board and felt she owed it to her constituents to finish out her term.

**A. CONSIDERATION OF RESOLUTION 2009-13 COMMENDING DENNIS HUNTER FOR 20 YEARS OF SERVICE AS COMMISSIONER OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

President Hunter jokingly stated that this was not a conflict of interest and therefore he would not recuse himself for this item.

CEO presented and read aloud Resolution 2009-13. CEO also presented President Hunter with copies of minutes and photos from his 20 years of service as Division 4 District Commissioner.

President Hunter thanked CEO David Hull, Director of Administrative Services Patti Tyson, District Counsel Paul Brisso, District Treasurer Mark Wetzel and all the District staff for their help and good work. President Hunter also thanked all the District Commissioners that he has worked with both past and present.

President Hunter continued that he felt that all the elected officials on the Harbor District Board come here with different ideas but that all have the same passion and believe that the bay offers all kinds of opportunities and that the Harbor District is critical to keeping those opportunities going. President Hunter thanked his family for all of there support and stated that he would make good on a promise he made to return to District Board meetings and sit in the audience.

**COMMISSIONER WILSON MOVED FOR THE APPROVAL OF RESOLUTION 2009-13 COMMENDING DENNIS HUNTER FOR 20 YEARS OF SERVICE AS COMMISSIONER OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT. COMMISSIONER HIGGINS SECONDED.**

Commissioner Pellegrini stated that she had great respect for President Hunter and thanked him for helping and mentoring her as Commissioner. She also thanked him for all of his other community service and that she hoped he would continue to be a friend.

Commissioner Curless stated that he and President Hunter have worked together for 18 years on the District's Board of Commissioners and recounted several successful and interesting trips that they took together on behalf of the District when President Hunter would fly them to the meetings. Commissioner Curless stated that he was going to miss President Hunter on the Board.

Commissioner Wilson commended President Hunter for always being gracious and friendly toward everyone and for being a good mentor. He continued that President Hunter was always generous with his time and providing good advice. Commissioner Wilson thanked President Hunter and stated that he too will miss him.

Commissioner Higgins stated that he was always impressed with President Hunter's generosity and community service at the District, Easter Seals and others.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI - AYE  
COMMISSIONER CURLESS - AYE  
COMMISSIONER WILSON - AYE  
COMMISSIONER HIGGINS - AYE  
COMMISSIONER HUNTER - ABSTAIN

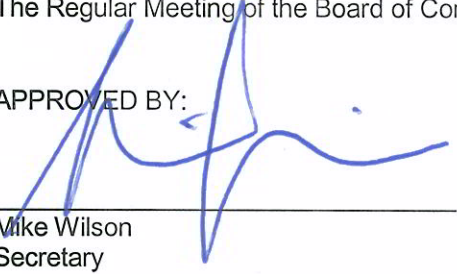
MOTION CARRIED.

**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

President Hunter closed his last and final District Board meeting with the statement "*and that's the way it was, December 3, 2009.*"

The Regular Meeting of the Board of Commissioners adjourned at 8:10 p.m.

APPROVED BY:

  
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Mike Wilson  
Secretary

RECORDED BY:

\_\_\_\_\_  
David Hull  
Chief Executive Officer