

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

DATE: June 11, 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.

- a. Move to Executive Closed Session pursuant to paragraph 9 of the Agenda, Executive Closed Session involving the provisions of the California Government Code Sections 54956.5, 54953 et seq., 54956.8, 54956.9, 54956.95, 54957, 54957.1, 54957.6 and 54957.7 as set forth in the Executive Closed Session of paragraph 12 hereafter.**

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.

8. Communications and Reports

- a. Chief Executive Officer's Report
- b. District Counsel's Report
- c. Staff Reports
- b. Commissioner Reports
- e. Advisory Committee Reports
- f. Other
 - 1. Presentation by Sean McLaughlin, Access Humboldt

9. Non Agenda

10. Unfinished Business

- a. First Reading of Proposed FY 2009/10 Budget.
- b. Consideration of Resolution 2009-06 Establishing Findings relevant to Humboldt State University's Application for the Humboldt Bay Aquatic Center Floating Dock Project.
- c. Consideration of Permit No. 09-03 to Humboldt State University for the Humboldt Bay Aquatic Center Floating Dock Project.

11. New Business

- a. Consideration of approval of letter regarding North Coast Marine Protected Area planning.
- b. Consideration of approval of Permit and Agreement with Randy Thornton dba *Telstar** Charters to Operate a Charter Sportfishing Business from Woodley Island Marina.

10. Administrative and Emergency Permits

11. ADJOURNMENT

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

June 11, 2009

PRESENT:

Commissioner Curless
Commissioner Pellegrini
Commissioner Wilson
Commissioner Higgins
Commissioner Hunter

The Closed Session was called to order at 6:05 p.m. Closed Session adjourned at 6:55 p.m.

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

Kaye Strickland led those present in the Pledge of Allegiance.

District Counsel reported on the items discussed during Closed Session: Status of negotiations with the Harbor District employee union. No action was taken.

PUBLIC COMMENT

David Elsebusch thanked the Board of Commissioners for the succinctness of the agenda format. He said there is now a clear description of the items of discussion for Closed Session. He also reiterated his feeling the Board of Commissioners should receive a monthly listing of District disbursements.

Kaye Strickland said she appreciated the recent "My Word" written by Commissioner Hunter. She said the California Transportation Committee will meet in Eureka on June 24 and she stressed the need for balanced transportation modes.

Melvin McKinney said he thought Commissioner Hunter's newspaper article did not answer the question of why a RFQ for the Redwood Marine Terminal was distributed when there is no one waiting to use the dock.

Carlos Quilez said the community needs a concrete answer on the funding source for the Redwood Marine Terminal environmental documentation.

Leroy Marsh reported the Navy League is performing repair work on the LCI. Some of the supplies and parts needed to do the work are too large to be brought in by truck; therefore, between June 25-26 an Army LCU will be delivering the necessary items.

CONSENT CALENDAR: None

CEO REPORT

- ❖ The RFQ for the Redwood Marine Terminal environmental documentation has been distributed, the next step in the modernization of the site. The funding source has not yet been identified.
- ❖ RFP for copier bids has been distributed.
- ❖ The Harbor District has been offered a grant from CA Dept. of Fish & Game for an oil spill supply container for Shelter Cove, similar to the one just approved for Woodley Island. The Board of Commissioners will consider approval later in this meeting.
- ❖ CEO read a portion of a letter received from Will Kempton, Director of CalTrans, detailing the importance of Humboldt Bay to the State's transportation system and pledging his department's support for continued harbor operations in Humboldt Bay.
- ❖ The Humboldt Bay Management Plan Advisory Committee meeting was held.
- ❖ 6/3-5: CEO attended AAPA and AgTransportation Coalition meetings in San Francisco.

Commissioner Higgins asked why the discussion about fuel barge tariffs was not an item on this agenda. CEO stated this has typically been a part of the budget discussions. CEO also stated Larry Mallon, District's maritime counsel has been asked to assist in review of the concept.

DISTRICT COUNSEL REPORT

District Counsel reported he has been working with District staff and the Human Resources committee on District business.

STAFF REPORT: None

COMMISSIONERS REPORTS: None

ADVISORY COMMITTEE REPORTS: None

Commissioner Pellegrini:

- ❖ Working with Commissioner Hunter on on-going labor negotiations.
- ❖ Along with Commissioner Higgins is representing the Board of Commissioners on the North Coast Local Interest Work Group for the MPA. The last meeting was on June 1. Commissioner Higgins said there is consideration by the Work Group to form a committee of elected officials and citizens uniting in action to determine what would be beneficial for there area.
- ❖ Serves on the Humboldt Bay Management Plan Advisory Committee with Commissioner Wilson to develop strategies for implementing the Management Plan policies.

Commissioner Higgins:

- ❖ The next District Economic Development Committee meeting will be held on June 24. Plans are underway for Access Humboldt to record this meeting, which will focus on light industry opportunities around Humboldt Bay.

OTHER

Presentation by Sean McLaughlin, Access Humboldt

Sean McLaughlin, Access Humboldt, gave a presentation to the Board of Commissioners on the available services and costs for recording the Harbor District Board of Commissioners meetings.

Discussion between the Board of Commissioners and audience followed.

The Board of Commissioners directed the CEO to work with Access Humboldt and requested Access Humboldt develop a proposal to record and air District Board meetings via television and internet.

NON-AGENDA: None

UNFINISHED BUSINESS

A. FIRST READING OF PROPOSED FY 2009/10 BUDGET.

CEO gave a PowerPoint presentation to the Board of Commissioners, detailing how the budget would be balanced for the 2009/10 fiscal year.

Commissioner Higgins gave a PowerPoint presentation to the Board of Commissioners detailing budget concerns.

President Hunter stated this is the First Reading of the 2009/10 Budget and Consideration of the Second Reading and Adoption will be at the next Board of Commissioners meeting on June 22.

Commissioner Pellegrini stated some of the District employees are making huge sacrifices.

Commissioner Curlless said he appreciated staff's efforts during this difficult budget process.

Commissioner Higgins asked if \$500 per District Economic Development meeting could be allocated to videotape the meetings.

Commissioner Pellegrini said she is not against the idea, but the Board of Commissioners just approved a freeze on the employees' wages for 2009/10.

Carlos Quilez said the District has been losing money for many years and it is time to operate the District in the 21st Century, not the 1980's.

Bill McBroome said he has lived at Woodley Island Marina for 20 years and said he pays his bills within his means. He urged the Board of Commissioners to hold the budget as tight as possible.

Kaye Strickland thanked Commissioner Higgins for his PowerPoint presentation and thoughts for discussion. She said it will be a slow turnaround for the economy, but she urged all to have a positive outlook.

Richard Marks said he would like to see more public access to the District Board of Commissioners meetings and urged the Board to approve the expense.

Melvin McKinney said the Board of Commissioners should consider incentives for industries to locate in Humboldt Bay. He said tideland leases are a source of low-cost revenue.

David Elsebusch said he objects strongly to putting bar pilots on fuel barges because the expense would be passed on to the public. He also asked why the Board of Commissioners continues to employ the Director of Maritime Commerce when there is nothing to market and nothing in the near future. He said selling the District's assets, such as the Fields Landing Boat Yard and Woodley Island Marina would provide revenue.

Penny Elsebusch said she agreed there should be no bar pilots on the fuel barges.

President Hunter asked CEO what would be the additional cost to the consumer putting bar pilots on the fuel barges. CEO responded 2/10 of a cent per gallon.

Bill McBroome said the real issue is safety, which would be the reason to put the bar pilots on the fuel barges.

Commissioner Pellegrini said she spoke with some of the fuel suppliers and said they are convinced that until the long-term shoal management issue is fixed, it is necessary to have bar pilots on the fuel barges.

Jessica Puccinelli said videotaping the District Board of Commissioners meetings is a good idea and a good way of advertising.

Commissioner Wilson said he would like to see a staff report for the next meeting listing those things affected by the budget.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF THE FIRST READING OF PROPOSED FY 2009/10 BUDGET, ACCEPTING STAFF RECOMMENDATIONS AND CHANGES. COMMISSIONER HIGGINS SECONDED.

Commissioner Wilson said there have been significant compromises made in this budget and he appreciates the extra time allowed to decide the direction in which to move the Harbor District. He said he would like to see the change to an Economic Development Director from the Director of Maritime Commerce.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF RESOLUTION 2009-06 ESTABLISHING FINDINGS RELEVANT TO HUMBOLDT STATE UNIVERSITY'S APPLICATION FOR THE HUMBOLDT BAY AQUATIC CENTER FLOATING DOCK PROJECT.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF RESOLUTION 2009-06 ESTABLISHING FINDINGS RELEVANT TO HUMBOLDT STATE UNIVERSITY'S APPLICATION FOR THE HUMBOLDT BAY AQUATIC CENTER FLOATING DOCK PROJECT. COMMISSIONER HIGGINS SECONDED.

Jeremy Mills said he had some reservations about Mitigation Measure #17, suggesting the research should be done before the project and not after. He said he is concerned the environmental document is not adequate for CEQA and urged the Board of Commissioners not to accept the document.

CEO stated HSU has certified the environmental document.

Commissioner Hunter recused himself and left the room due to the fact his father's estate is an adjoining property owner.

ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER WILSON – ABSTAIN
COMMISSIONER HIGGINS – AYE
COMMISSIONER HUNTER – RECUSED

MOTION CARRIED.

C. CONSIDERATION OF PERMIT NO. 09-03 TO HUMBOLDT STATE UNIVERSITY FOR THE HUMBOLDT BAY AQUATIC CENTER FLOATING DOCK PROJECT.

CEO reported conditions would be added to the Permit to meet the District's satisfaction.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF PERMIT NO. 09-03 TO HUMBOLDT STATE UNIVERSITY FOR THE HUMBOLDT BAY AQUATIC CENTER FLOATING DOCK PROJECT. COMMISSIONER PELLEGRINI SECONDED.

Hawk Martin, a member of the Harbor Safety Committee (HSC), stated there is high traffic area in part of the bay where the dock will be built. He said there are significant safety issues needing to be addressed. The HSC is working with HSU on a safety plan. He said HSU has not participated fully with the HSC. Mr. Martin asked for language to be included in the Permit, which refers to the need for an HSC- approved Best Management Practices safety plan.

CEO stated there would be a condition of the permit stating Best Management Practices will be developed by the Harbor Safety Committee with input from HSU.

COMMISSIONER HIGGINS AMENDED HIS MOTION TO INCLUDE ALL MITIGATION MEASURES AND THE HARBOR SAFETY COMMITTEE'S BEST MANAGEMENT PRACTICES SAFETY PLAN FOR THE FLOATING DOCK. COMMISSIONER PELLEGRINI SECONDED.

MOTION CARRIED WITHOUT DISSENT, COMMISSIONER HUNTER RECUSED.

Commissioner Hunter returned to the room.

NEW BUSINESS

A. CONSIDERATION OF APPROVAL OF LETTER REGARDING NORTH COAST MARINE PROTECTED AREA PLANNING.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF LETTER REGARDING NORTH COAST MARINE PROTECTED AREA PLANNING. COMMISSIONER HIGGINS SECONDED.

Commissioner Wilson thanked Commissioners Pellegrini and Higgins for their work on this very important issue.

MOTION CARRIED WITHOUT DISSENT.

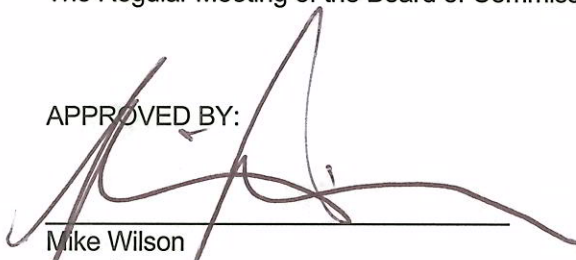
B. CONSIDERATION OF APPROVAL OF PERMIT AND AGREEMENT WITH RANDY THORNTON DBA TELSTAR* CHARTERS TO OPERATE A CHARTER SPORTFISHING BUSINESS FROM WOODLEY ISLAND MARINA.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF PERMIT AND AGREEMENT WITH RANDY THORNTON DBA *TELSTAR* CHARTERS* TO OPERATE A CHARTER SPORTFISHING BUSINESS FROM WOODLEY ISLAND MARINA. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

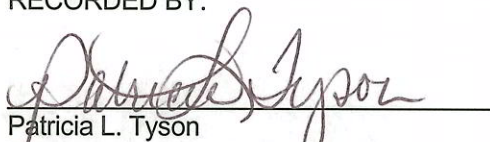
The Regular Meeting of the Board of Commissioners adjourned at 9:36 p.m.

APPROVED BY:



Mike Wilson
Secretary

RECORDED BY:



Patricia L. Tyson
Director of Administrative Services