

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

**DATE:** September 24, 2009

**TIME:** 6:00 p.m. Executive Close 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 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. **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.*

6. **Consent Calendar**

**Agenda for September 24, 2009 Board Meeting**

*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 September 14, 2009 Board Meeting.
- b. Consideration of payment to Steve's Septic Service for service at Woodley Island Marina. \$1,200.00

**7. Communications and Reports**

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

**8. Non Agenda**

**9. Unfinished Business**

**10. New Business**

- a. Consideration of approval of Resolution 2009-11 Requesting a Grant in the Amount of \$24,500.00 from the Department of Boating and Waterways for the Development of a Boat Pumpout/Dump Station Facility at Woodley Island Marina.
- b. Consideration of approval of Standard Agreement with the California Department of Boating and Waterways for a \$24,500.00 Clean Vessel Act Grant to develop a Boat Pumpout/Dump Station Facility at 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**

**September 24, 2009**

**PRESENT:**

Commissioner Pellegrini  
Commissioner Curless  
Commissioner Wilson  
Commissioner Higgins  
Commissioner Hunter

President Hunter called the Executive Closed Session to order at 6:03 p.m. Executive Closed Session adjourned at 6:23 p.m.

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

President Hunter asked Commissioner Higgins to lead those present in the Pledge of Allegiance since it was his birthday.

District Counsel reported on the Executive Closed Session as follows: Conference with Labor Negotiator – No action taken.

**PUBLIC COMMENT**

James Robert addressed the Board of Commissioners regarding the permit process for the dock replacement on his property at 27 Sole Street in King Salmon. He said he was told the Harbor District had plans for dock construction and his engineer had tried several times to obtain those plans to use as an example. CEO stated Mr. Roberts' permit application and fee had been received. CEO said he talked with the engineer on the project and had been requested by the engineer to provide a dock design, but the only dock designs the Harbor District might have would be from previous permits; the District does not have standard specifications for this type of project. He said he would speak to the engineer to review the details of the project because it may be that an administrative permit would suffice if the footprint of the dock is staying the same.

Commissioner Wilson said it is rare to have standards for this type of project and this would be true for most permitting agencies.

**CONSENT CALENDAR**

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

**CEO REPORT**

- ❖ Spoke to Dockmaster regarding the problem of tuna carcass/oils washed off boats adhering to fiberglass boats. CEO stated the Harbor Safety Committee is reviewing the concern of fish waste on Humboldt Bay. The OSPR warden is working with Converted Organics on a system to deal with this problem.
- ❖ 9/28: the PG&E engines will be delivered by ship to Schneider Dock. How to transport them to the PG&E plant is being discussed.

**DISTRICT COUNSEL REPORT:** None

**STAFF REPORT**

Director of Administrative Services presented the Management Report for the months of July and August 2009. The report showed fiscal year to date activity compared with the budget adopted for fiscal year 2009/10.

District Treasurer reported on the Prop 1A Securitization Program. Through the Prop 1A suspension, the State will "take away" \$63,000 (8% of the property tax District receives annually) from the Harbor District in two installments, January and April 2010. SB67 is being considered to provide a way for the local agencies to sell their Prop 1A receivables to California Communities, a Joint Powers Authority, who will then issue bonds. The purchase price paid to the local agencies will equal 100% of the amount of the property tax deduction; all transaction costs of issuance and interest will be paid by the State of California and the participating local agencies will have no obligation on the bonds and no credit exposure to the State. If the Harbor District does not participate in this program, the State is not obligated to repay the "take away" until 2013.

District Treasurer reported the enrollment documents must be delivered to the State by November 6, 2009 and includes a resolution that must be passed by the Board of Commissioners.

President Hunter asked District Treasurer to pursue obtaining the documents to process the District's enrollment. This item will be considered on the October 8 agenda.

### **COMMISSIONERS REPORTS**

Commissioner Wilson:

- ❖ Reported the Arcata Boat Ramp Dock Project will be completed as soon as the rest of the hardware is received.

Commissioner Higgins:

- ❖ Handed out copies of an independent report on the NCRA's financial situation and asked for a discussion at the next Board of Commissioners meeting of available options in the event NCRA does not repay the Harbor District loan. After much discussion, it was decided Commissioner Higgins and Commissioner Wilson would review this issue and the Board of Commissioners will wait to have a discussion until after the NCRA Board has had an opportunity to respond to the report. Commissioner Pellegrini suggested Commissioner Higgins and CEO attend the next NCRA Board meeting.

Commissioner Hunter:

- ❖ Reported on September 28 he will present a "Community Comment" on KINS radio.
- ❖ Stated the water quality tests done on the Trinity Lake showed the water will not support the invasive mussels; thereby negating the need for vessel inspections.

### **ADVISORY COMMITTEE REPORTS**

Commissioner Higgins:

- ❖ Reported the next MPA meeting will be held on September 29. He said the committee is in process of developing a strategic plan on standards for marine conservation to circulate to the scientific community.
- ❖ Stated the next Economic Development Committee meeting will be held on September 30 and will focus on the economic benefits of restoration.

Commissioner Pellegrini:

- ❖ Said the response from Secretary Chrisman was disappointing to those people working diligently on the local MLPA North Coast Interest Work Group. Commissioner Higgins said the group will continue to craft a strategy beneficial for this area. He said Rick Starr of the Morro Bay SeaGrant will be invited to speak at an upcoming MLPA Interest Group meeting. Mr. Starr was successful in obtaining grant dollars for collaborative fisheries studies.

Commissioner Higgins:

- ❖ The next Economic Development Advisory Committee meeting will be held on September 30 and will focus on restoration. October's meeting will focus on aquaculture activities.

**OTHER:** None

**NON-AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

- A. CONSIDERATION OF APPROVAL OF RESOLUTION 2009-11 REQUESTING A GRANT IN THE AMOUNT OF \$24,500 FROM THE DEPARTMENT OF BOATING AND WATERWAYS FOR THE DEVELOPMENT OF A BOAT PUMPOUT/DUMP STATION FACILITY AT WOODLEY ISLAND MARINA.**

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF RESOLUTION 2009-11 REQUESTING A GRANT IN THE AMOUNT OF \$24,500 FROM THE DEPARTMENT OF BOATING AND WATERWAYS FOR THE DEVELOPMENT OF A BOAT PUMPOUT/DUMP STATION FACILITY AT WOODLEY ISLAND MARINA. COMMISSIONER PELLEGRINI SECONDED.

ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

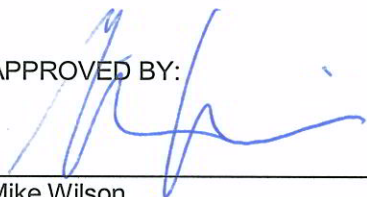
- B. CONSIDERATION OF APPROVAL OF STANDARD AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR A \$24,500.00 CLEAN VESSEL ACT GRANT TO DEVELOP A BOAT PUMPOUT/DUMP STATION FACILITY AT WOODLEY ISLAND MARINA.**

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF STANDARD AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF BOATING AND WATERWAYS FOR A \$24,500.00 CLEAN VESSEL ACT GRANT TO DEVELOP A BOAT PUMPOUT/DUMP STATION FACILITY AT WOODLEY ISLAND MARINA. COMMISSIONER WILSON SECONDED. 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:

  
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Mike Wilson  
Secretary

RECORDED BY:

  
\_\_\_\_\_  
Patricia L. Tyson  
Director of Administrative Services