

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

DATE: July 23, 2020

TIME: Regular Session - 7:00 P.M.

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/3432860852>

Meeting ID: 343 286 0852
One tap mobile
(669) 900-9128, 343 286 0852# US

1. Call to Order Regular Session at 7:00 P.M. and Roll Call

2. Pledge of Allegiance

3. Public Comment

*Note: This portion of the Agenda allows the public to speak to the Board on the **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 any 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 for each speaker 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.*

4. Consent Calendar

- a) Adopt Minutes for June 25, 2020 Regular Board Meeting
- b) Adopt Minutes for July 16, 2020 Special Board Meeting
- c) Approve audit contract for one-year extension with Harshwal & Company, LLP

5. Communications and Reports

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Others

6. Unfinished Business

- a) **Consider Adopting Amendment NO. 7 to Ordinance 6, An Ordinance Establishing Procedures for the Conduct of Meetings, Elections of Officers and the Passage or Approval of Ordinances and Resolutions for the Humboldt Bay Harbor, Recreation and Conservation District and Adopting Resolution 2020-09 Business Matters**

Recommendation: Staff recommends the Board:

- 1) Adopt Amendment NO. 7 to Ordinance 6, An Ordinance Establishing Procedures for the Conduct of Meetings, Elections of Officers and the Passage or Approval of Ordinances and Resolutions for the Humboldt Bay Harbor, Recreation and Conservation District, and consent to read by title only.
- 2) Adopt Resolution 2020-09 Business Matters.

Summary: The District currently meets on the 4th Thursday at 7:00 pm. Ordinance 6 has been amended 6 times since 1976 and has shifted from two meetings per month to one meeting per month and the meeting dates have changed from the 2nd and 4th Thursdays to 1st and 3rd Thursdays and back to the 4th Thursday only. The meeting

Agenda for July 23, 2020 Regular Board Meeting

times have also varied from 7:00 pm to 7:30 pm and back to 7:00 pm. The meeting format requirements have also changed over the years going from a rough outline to the current detailed agenda format requirements. There are no specific requirements outlined in the Harbors and Navigation Code or other State law which requires a specific meeting date, time, or agenda format. The requirements for open meetings are outlined in the Brown Act with other specific noticing requirements in other State Laws specific actions of the District.

7. New Business

a) Consider Approving the Collective Bargaining Agreement Between the District and the Operating Engineers Local Union NO. 3, AFL-CIO

Recommendation: Staff recommends the Board:

- 1) Authorize the Board President to sign the Collective Bargaining Agreement.
- 2) Direct Staff to prepare a similar merit-based step system for management employees similar to what is included in the classified employees Collective Bargaining Agreement and to bring it back for Board consideration.

Summary: The District's classified employees are currently represented by the Operating Engineers Local Union NO. 3 (OE-3). Under the previous Bargaining Agreement, the employees were represented by the Longshoreman's Union, however the employees petitioned the State and voted to become members of OE-3. The District's Labor relations committee met weekly with the employees and OE-3 representatives weekly for the last several months and are happy to report that we have reached agreement.

8. Permits

a) Consider Approving Resolution 2020-08 Adopting an Initial Study/ Mitigated Negative Declaration, a Mitigation Monitoring and Reporting Program, and Establishing Findings Relative to the Permit Application for the PG&E Pipeline Maintenance Project and Approve Permit 2019-02

Recommendation: Staff recommends the Board:

- 1) Approve Resolution No. 2020-08 Adopting an Initial Study/ Mitigated Negative Declaration, Adopt a Mitigation Monitoring and Reporting Program, and Establish Findings Relative to the Permit Application for the PG&E Pipeline Maintenance Project.
- 2) Approve Permit 2019-02 for the PG&E Pipeline Maintenance Project.

Summary: Pacific Gas & Electric (PG&E) filed an application with the Harbor District for the proposed PG&E Pipeline Maintenance Project on April 25, 2019. As a result of ongoing coordination between PG&E, landowners and agencies, the project design was refined and an application amendment with project description and design revisions was submitted on May 1, 2020. The Project includes pipeline maintenance at three separate locations (identified by PG&E as R-354, R-519, and RT-102) along the eastern boundary of the City of Eureka, California within Humboldt County. The R-354 Project site is located furthest north along Freshwater Slough approximately 0.5 miles upstream from its confluence with Eureka Slough. The R-519 Project site crosses Ryan Slough, just north of the Myrtle Avenue Bridge. The RT-102 Project site is located west of Mitchell Road along Ryan Creek within the McKay Community Forest; this site is outside the Harbor District Management Plan Area, however, it is included in the application as part of the PG&E Pipeline Maintenance Projects and is included in the CEQA review for the Project.

9. Adjournment