

**ADDENDUM TO  
A G E N D A  
REGULAR MEETING OF THE BOARD OF COMMISSIONERS  
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

**DATE:** January 13, 2011

**TIME:** 6:00 p.m. 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 the provisions of the California Government Code Section 54957.6 (Negotiations with Represented Employees)
    - 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
  
9. Unfinished Business
  - a. Consideration of Approval of Sixth Extension and Amendment of Agreement with the International Longshore and Warehouse Union, AFL-CIO, Local 14, Unit A.

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

**DATE:** January 13, 2011

**TIME:** 7:00 p.m. Regular Session

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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 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.*

4. **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. Consideration of approval of minutes from the December 13, 2010 Board meeting.
- b. Consideration of approval of travel for District's CEO to attend the Winter CMANC meeting. January 19-21, 2011.
- c. Consideration of travel for District's Director of Maritime Commerce to attend West Coast Corridor Coalition meeting January 14, 2010.
- d. Consideration of approval of expenses for inspection of Travelift by Marine Travelift, Inc. \$850.00

5. **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

*Agenda for January 13, 2010 Board Meeting*

**6. Non Agenda**

**7. Unfinished Business**

**8. New Business**

- a. Consideration of Receiving and Filing the annual audit for the year ending June 30, 2010.
- b. Consideration of Amendment 1 to Agreement with HT Harvey & Associates for ecological consulting services.
- c. Consideration of adopting Resolution 2011-01 Establishing Legislative Priorities for the 2011 Legislative Session.
- d. Consideration of approval of 2011 Extension of Tide and Submerged Lands Lease Between Lessor Humboldt Bay Harbor, Recreation and Conservation District and Assignee/Lessee Estate of G.A. Hunter.

**9. Administrative and Emergency Permits**

**10. Adjournment**



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

January 13, 2011

**PRESENT:**

Commissioner Pellegrini  
Commissioner Curless  
Commissioner Wilson  
Commissioner Higgins  
Commissioner Marks

President Curless called the Executive Closed Session to order at 6:07 p.m.

President Curless adjourned the Executive Closed Session to order at 6:14 p.m.

President Curless called the regular meeting of the Board of Commissioners to order at 7:04 p.m.

President Curless asked former Commissioner Dennis Hunter to lead 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:** None

**CONSENT CALENDAR**

Commissioner Wilson asked to have Item (c) pulled from the Consent Calendar for further discussion.

COMMISSIONER WILSON MOVED FOR APPROVAL OF THE REMAINDER OF THE CONSENT CALENDAR.

Commissioner Pellegrini asked to have Item (b) pulled from the Consent Calendar for further discussion.

COMMISSIONER WILSON AMENDED HIS MOTION AND MOVED FOR THE APPROVAL OF THE REMAINDER OF THE CONSENT CALENDAR, ITEMS (A) AND (D). COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

Item (b): Commissioner Pellegrini asked CEO where the Winter CMANC Meeting was going to be held. CEO responded Marina Del Rey. Normally the meeting is held in the Bay Area, but due to a high level US Army Corps of Engineers meeting being held in Southern California it was decided to hold the CMANC meeting there in order to attract more Corps participation.

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

Item (c): Commissioner Wilson asked if the Director of Maritime Commerce could call in to the West Coast Corridor Coalition meeting. CEO stated he could, but there are several places on the agenda where it would be beneficial to attend in person to take part in the discussion. Commissioner Higgins asked that the Director of Maritime Commerce report to the Board of Commissioners on this meeting.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF ITEM (C) OF THE CONSENT CALENDAR. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

## CEO REPORT

- ❖ 1/5: CEO met with Paul Taylor, Taylor Mariculture, and toured Berth 2 in preparation for their permit application for a mariculture facility.
- ❖ 1/6: CEO and Commissioners Pellegrini and Wilson attended the aquaculture expansion committee meeting.
- ❖ 1/12: CEO, and Commissioners Pellegrini and Marks met with representatives from the Humboldt Bay Municipal Water District to discuss the surplus of water since the closure of the local pulp mills.
- ❖ 1/13: CEO met with Commissioners Curless and Wilson, District Treasurer and Director of Administrative Services on the FY 2011/12 Budget.
- ❖ CEO has been working on the marine highway project, trying to get the RFP out in early February.
- ❖ Met with the Sea Scouts. There is renewed interest through the Humboldt Yacht Club. The Harbor District continues to be the charter holder.
- ❖ Federal Budget update: The Continuing Resolution will continue until March 4. At that time, Congress will pass either a short-term or long-term continuing resolution or an Omnibus bill, which would be better for the Harbor District because it provides program guidance and not just a dollar amount to be split up arbitrarily.
- ❖ State Budget update: The Governor's Budget was out on Jan 10. As proposed, it contains \$12-14 billion in cuts and presupposes an extension of the tax increases at the June election, which is something the Republicans might block even getting to the ballot. Elimination of enterprise zones and Redevelopment agencies is a possibility, which would affect cities, as well as the state, as these are the job creators and business attraction tools. At this point, there is not too much of a hit yet on Special Districts.

**DISTRICT COUNSEL REPORT:** None

**STAFF REPORT:** None

## COMMISSIONERS AND ADVISORY COMMITTEE REPORTS

Commissioner Pellegrini:

- ❖ Asked for clarification on some of the items on the December Check Listing.
- ❖ Said she had received requests for additional lighting on some of the existing docks in the bay now that there is decreased ship traffic and the docks are not being used at night. The dark docks create a navigation hazard. CEO stated this would be a topic of discussion at the Harbor Safety Committee meeting.
- ❖ Attended the aquaculture expansion committee meeting with Commissioner Wilson.
- ❖ Attended the Humboldt Bay Municipal Water District meeting with Commissioner Marks.

Commissioner Wilson:

- ❖ Attended the aquaculture expansion committee meeting.
- ❖ Attended the FY2011/12 Budget Committee meeting. Projections through 2018 were discussed, including moderate shipping projections. Dredging Woodley Island Marina will be a huge expense; Harbor District purchase of a dredge should be considered, possible partnership with the City of Eureka. Commissioner Wilson asked CEO to discuss with Eureka City Manager.

Commissioner Higgins:

- ❖ Stated the North Coast Local Agency Coastal Coordination Committee meeting scheduled for earlier today was cancelled and rescheduled for January 18. He will meet with Adam Wagschal to discuss a regional proposal for obtaining grant funds for monitoring fisheries and providing data.



Commissioner Marks:

- ❖ Has been working with Commissioner Curless on union negotiations.
- ❖ Stated the Samoa Peninsula Fire Department is being counseled by LAFCO to become a community services district. Dan Johnson, owner of the town of Samoa, is concerned about sewage issues that are the responsibility of the Harbor District.
- ❖ Met with Commissioner Pellegrini, CEO and representatives of the Humboldt Bay Municipal Water District on the surplus of water, a unique situation.

Commissioner Curless:

- ❖ Met with Commissioner Marks on union negotiations.
- ❖ Was happy to tell Mr. Hunter that the Shelter Cove Breakwater Rehabilitation Project has been completed.

**OTHER:** None

**NON-AGENDA:** None

**UNFINISHED BUSINESS**

**A. CONSIDERATION OF SIXTH EXTENSION AND AMENDMENT OF AGREEMENT WITH THE INTERNATIONAL LONSHORE AND WAREHOUSE UNION, AFL-CIO, LOCAL 14, UNIT A.**

This item was tabled.

**NEW BUSINESS**

**A. CONSIDERATION OF RECEIVING AND FILING THE ANNUAL AUDIT FOR THE YEAR ENDED JUNE 30, 2010.**

COMMISSIONER WILSON MOVED FOR APPROVAL OF RECEIVING AND FILING THE ANNUAL AUDIT FOR THE YEAR ENDED JUNE 30, 2010. COMMISSIONER MARKS SECONDED.

Kim McReynolds, CPA, from Demello, McAuley, McReynolds and Holland, LLP, stated the audit was given a qualified opinion. She recommended raising the capitalization threshold and updating the equipment inventory.

MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF 2011 EXTENSION OF TIDE AND SUBMERGED LANDS LEASE BETWEEN LESSOR HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AND ASSIGNEE/LESSEE ESTATE OF G.A. HUNTER.**

President Curless moved this item to this place in the agenda.

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF 2011 EXTENSION OF TIDE AND SUBMERGED LANDS LEASE BETWEEN LESSOR HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AND ASSIGNEE/LESSEE ESTATE OF G.A. HUNTER. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

Dennis Hunter said there has been a lot of clean up of the property and they are in the process of marketing the property to sell. He said he would keep the Board of Commissioners informed.

**B. CONSIDERATION OF AMENDMENT 1 TO AGREEMENT WITH HT HARVEY & ASSOCIATES FOR ECOLOGICAL CONSULTING SERVICES.**

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF AMENDMENT 1 TO AGREEMENT WITH HT HARVEY & ASSOCIATES FOR ECOLOGICAL CONSULTING SERVICES. COMMISSIONER HIGGINS SECONDED.

Commissioner Wilson said the amendment approves the transfer of hours that originally were to be spent on *Spartina* removal to work on aquaculture expansion activities. Since *Spartina* removal was grant funded, Commissioner Wilson noted that the additional hours requested under this amendment would be paid for from District funds. The outcome of the aquaculture expansion project is to acquire new tideland leases as well as to expand aquaculture in Humboldt Bay.

Commissioner Higgins asked CEO about the progress on hiring a new Director of Conservation. CEO responded once the union negotiations are complete and the benefits have been finalized, he would begin the hiring process.

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF ADOPTING RESOLUTION 2011-01 ESTABLISHING LEGISLATIVE PRIORITIES FOR THE 2011 LEGISLATIVE SESSION.**

COMMISSIONER WILSON MOVED FOR THE APPROVAL OF ADOPTING RESOLUTION 2011-01 ESTABLISHING LEGISLATIVE PRIORITIES FOR THE 2011 LEGISLATIVE SESSION. COMMISSIONER MARKS SECONDED.

Commissioner Higgins stated the resolution was powerful and allowed flexibility while indicating the Board's policy emphasis. However, he said it was out of date on what is favored direction and the course of the Harbor District needs to be redesigned since it does not have a realistic business emphasis. He also suggested the Board discuss the future of NCRA.

The Board discussed several changes to the resolution.

COMMISSIONER WILSON ACCEPTED THE FRIENDLY AMENDMENTS. COMMISSIONER MARKS SECONDED. ROLL CALL VOTE WAS TAKEN:

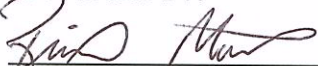
COMMISSIONER PELLEGRINI – AYE  
COMMISSIONER CURLESS – AYE  
COMMISSIONER WILSON – AYE  
COMMISSIONER HIGGINS – AYE  
COMMISSIONER MARKS – AYE

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 8:08 p.m.

APPROVED BY:



Richard Marks  
Secretary

RECORDED BY:



Patricia L. Tyson  
Director of Administrative Services