

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

**DATE:** May 9, 2013  
**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 24 hours 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 Sections 54956.8 (Conference with Real Property Negotiator) and 54957.6 (Negotiations with Represented Employees)
    1. Conference with Real Property Negotiator  
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Richard Marks, Vice President; Jack Crider, Chief Executive Officer  
  
Under Negotiation:  
Freshwater Tissue Company property purchase negotiations
    2. Conference with Labor Negotiator  
Agency Negotiators: Chief Executive Officer, District Counsel, 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 Session**
6. **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.*

**Agenda for May 9, 2013 Regular Board Meeting**

**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 Officers Report
- b. Staff Reports
- c. District Counsel's and District Treasurer's Reports
- d. Commissioner and Committee Reports
- e. Other
  - 1. Presentations by Humboldt State University Students
    - i. Building Coastal Resilience Through Adaptive Sea Level Rise Planning – Kerry Mcnamee, Evan Wisheropp, Christopher Weinstein, Andrew Nugent
    - ii. Fields Landing Waterfront Revitalization Plan – Kara Houston, Julia Acker, Stephanie Calderon, Nichole Crossland

**9. Non Agenda**

**10. Unfinished Business**

**11. New Business**

- a. Consideration of Agreement for Auditing Services with Hunter, Hunter & Hunt to perform the annual audit of the Harbor District financial records for Fiscal Years ending 2013, 2014 and 2015.
- b. Consideration of adoption of Resolution No. 2013-05, A Resolution to Enter into a Contract and Accept Funds from the California Department of Fish and Wildlife for Secretariat Services for the Harbor Safety Committee of the Humboldt Bay Area.
- c. Consideration of Letter of Support for AB 277(Hall) to support ratification of the Wiyot Tribe compact with the State of California.

**12. Administrative and Emergency Permits**

**13. Adjournment**

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

**May 09, 2013**

**PRESENT**

Commissioner Newman  
Commissioner Wilson  
Commissioner Marks  
Commissioner Higgins

**ABSENT**

Commissioner Dale

President Wilson called the Executive Closed Session to order at 6:00 P.M.

President Wilson adjourned the Executive Closed Session at 7:00 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:03 P.M.

President Wilson asked Director of Conservation to lead those present in the Pledge of Allegiance.

In the absence of District Counsel, CEO reported out of the Executive Closed Session as follows:  
Freshwater Tissue property purchase negotiations; Conference with Labor Negotiator – no action to report.

**PUBLIC COMMENT:** None

**CONSENT CALENDAR:** None

**COMMUNICATIONS AND REPORTS**

**CHIEF EXECUTIVE OFFICER REPORT**

- ❖ Attended a stakeholder meeting regarding the Samoa Industrial Waterfront Transportation Access Plan where many property owners attended; the meeting was to discuss the preferred alternative route, which property owners seemed satisfied with.
- ❖ Stated Director of Facility Maintenance rebuilt the fish cleaning station at the end of the breakwater on Woodley Island; does not prefer this location because it is not visible from the offices where Staff can supervise its use. CEO said he would prefer it to be near the work dock.

**STAFF REPORTS**

Director of Conservation

- ❖ Has been working on many topics: Water Trails, Aquaculture, MPA Monitoring, Sediment Reuse Study, Coastal Regional Sediment, Fish Waste, Hog Island Oyster Company, Schneider Dock Dredging, PG & E Power Plant, and Spartina Control.

Bar Pilot Tim Petrusha

- ❖ Reported the Fire Boat has been undergoing its yearly maintenance.
- ❖ Received a call from the Coast Guard yesterday to say there was a floating piling creating a navigation hazard; towed it to Fields Landing.

CEO stated the District has been getting many calls that require response from the Coast Guard. Commissioner Wilson asked what typically happens to a boat that is removed from the Bay by District Staff. Bar Pilot Tim Petrusha said legal notices are sent out and if the owner does not respond, the District could auction or destroy it. Commissioner Wilson reported sometimes the District has to spend money to do away with someone else's garbage.

- ❖ Has been working on alternative locations for the Humboldt Aquaculture Innovation Center in case the Coastal Commission does not issue a waiver.

Bar Pilot John Powell

- ❖ Assisted with the towing of the boat stuck in North Bay to Woodley Island Marina, then on to Fields Landing.
- ❖ Requested "likes" on the District's Facebook page.
- ❖ Has been working on District website changes.

Director of Administrative Services

- ❖ Stated the Budget process is ready to begin; requested a Special Meeting next week.

**COMMISSIONER AND COMMITTEE REPORTS**

Commissioner Newman

- ❖ No report.

Commissioner Marks

- ❖ Attended meetings about the Pulp Mill.
- ❖ Attended Budget meetings.
- ❖ Said the Egrets came back to Indian Island around May 1, an annual event.

Commissioner Higgins

- ❖ Has been working with Susan Penn on Wildlife Area enhancement possibilities; maybe Egrets will come to Woodley Island.
- ❖ Attended an MPA Monitoring Enterprise meeting; wants to ensure access to fish is maintained and record data.
- ❖ Hooked two Salmon at Shelter Cove yesterday.
- ❖ Has been working on the Humboldt Bay Power Plant decommissioning since the 1970's.
- ❖ Is happy about the possible Pulp Mill purchase.

Commissioner Wilson

- ❖ Stated the Humboldt Harbor Working Group has been encouraging the Board to adopt a Resolution on the rail; District Board Members have been reviewing the wording.
- ❖ Said many projects the District has gotten involving in have been the result of student projects.

**OTHER**

- ❖ Presentations by Humboldt State University Students
  - Building Coastal Resilience through Adaptive Sea Level Rise Planning – Kerry McNamee, Evan Wisheropp, Christopher Weinstein, Andrew Nugent
  - Fields Landing Waterfront Revitalization Plan – Kara Houston, Julia Acker, Stephanie Calderon, Nichole Crossland

**NON AGENDA**

COMMISSIONER HIGGINS MOVED TO ADD TO THE AGENDA AS NEW BUSINESS ITEM 11(D) THE CONSIDERATION OF TRAVEL EXPENSES FOR CEO AND BAR PILOTS TO TRAVEL TO SAN FRANCISCO, CALIFORNIA, MAY 13 – 15, 2013 FOR SEVERAL MEETINGS. COMMISSIONER MARKS SECONDED.

CEO reported the reason it was not on the Agenda is because the opportunity presented itself after the Agenda was published.

MOTION CARRIED WITHOUT DISSENT.

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF AGREEMENT FOR AUDITING SERVICES WITH HUNTER, HUNTER & HUNT TO PERFORM THE ANNUAL AUDIT OF THE HARBOR DISTRICT FINANCIAL RECORDS FOR FISCAL YEARS ENDING 2013, 2014 AND 2015.**

COMMISSIONER HIGGINS MOVED FOR AGREEMENT FOR AUDITING SERVICES WITH HUNTER, HUNTER & HUNT TO PERFORM THE ANNUAL AUDIT OF THE HARBOR DISTRICT FINANCIAL RECORDS FOR FISCAL YEARS ENDING 2013, 2014 AND 2015. COMMISSIONER MARKS SECONDED.

Commissioner Wilson reported when he has used Hunter, Hunter and Hunt's services, he has found them satisfactory and while not always the least inexpensive, has always been quality work.

Director of Administrative Services stated four bids were received, two local and two from out of the area; while Hunter, Hunter and Hunt was not the lowest bidder, they were the highest rated by the committee.

CEO said the proposals were reviewed by District Treasurer, CEO and Director of Administrative Services.

Commissioner Higgins stated his assent to Commissioner Wilson's statement.

Commissioner Newman said Hunter, Hunter & Hunt seem to be the most qualified.

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF ADOPTION OF RESOLUTION NO. 2013-05, A RESOLUTION TO ENTER INTO A CONTRACT AND ACCEPT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR SECRETARIAT SERVICES FOR THE HARBOR SAFETY COMMITTEE OF THE HUMBOLDT BAY AREA.**

COMMISSIONER NEWMAN MOVED FOR ADOPTION OF RESOLUTION NO. 2013-05, A RESOLUTION TO ENTER INTO A CONTRACT AND ACCEPT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE FOR SECRETARIAT SERVICES FOR THE HARBOR SAFETY COMMITTEE OF THE HUMBOLDT BAY AREA. COMMISSIONER HIGGINS SECONDED.

CEO reported Dockmaster has been providing Secretariat services to the Harbor Safety Committee since 2009; listed them out and they are quite extensive. This contract pays the District \$21,000.

ROLL CALL VOTE WAS TAKEN:  
COMMISSIONER NEWMAN – AYE  
COMMISSIONER DALE – ABSENT  
COMMISSIONER WILSON – AYE  
COMMISSIONER MARKS – AYE  
COMMISSIONER HIGGINS – AYE

**C. CONSIDERATION OF LETTER OF SUPPORT FOR AB 277 (HALL) TO SUPPORT RATIFICATION OF THE WIYOT TRIBE COMPACT WITH THE STATE OF CALIFORNIA.**

COMMISSIONER HIGGINS MOVED FOR LETTER OF SUPPORT FOR AB 277 (HALL) TO SUPPORT RATIFICATION OF THE WIYOT TRIBE COMPACT WITH THE STATE OF CALIFORNIA. COMMISSIONER NEWMAN SECONDED.

Stephen Kullman of the Wiyot Tribe reported AB 277 protects a pristine area near Table Bluff that will be protected instead of developed.

Commissioner Higgins stated he would like to see this letter of support expedited.

MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF TRAVEL EXPENSES FOR CEO AND BAR PILOTS TO TRAVEL TO SAN FRANCISCO, CALIFORNIA, MAY 13 – 15, 2013, FOR SEVERAL MEETINGS.**

CEO said he hopes to be introduced to the San Francisco Bar Pilots while in San Francisco; and speak to the Army Core about dredging; specifically for the dredge *Yaquina* to come to Humboldt Bay to dredge the inner channels.

Commissioner Wilson asked CEO to discuss dredge issues with Washington, D.C. lobbyist, Will Edington.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF TRAVEL EXPENSES FOR CEO AND BAR PILOTS TO TRAVEL TO SAN FRANCISCO, CALIFORNIA, MAY 13 – 15, 2013, FOR SEVERAL MEETINGS. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

President Wilson adjourned the Regular Meeting of the Board of Commissioners at 8:42 P.M.

APPROVED BY:

  
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Patrick Higgins  
Secretary

RECORDED BY:

  
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Kim Farrell  
Clerk

## **PUBLIC NOTICE**

**The Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District announces a Special Board Meeting to be held on Thursday, May 2, 2013 at 2:00 p.m. in the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, California. The purpose of this meeting is to have a Closed Executive Session to discuss Freshwater Tissue Company property purchase negotiations and a Regular Session to consider the purchase of an aquaponics system.**

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

**May 2, 2013**

**PRESENT**

Commissioner Newman  
Commissioner Dale  
Commissioner Wilson  
Commissioner Marks  
Commissioner Higgins

President Wilson called to order the Special Board Meeting of the Board of Commissioners at 2:05 p.m.

**PUBLIC COMMENT:** None

The Board of Commissioners adjourned to Executive Closed Session at 2:10 p.m.

President Wilson adjourned the Executive Closed Session at 3:15 p.m.

President Wilson called to order the Regular Meeting of the Board of Commissioners at 3:16 p.m.

District Counsel reported on the Executive Closed Session as follows: Freshwater Tissue Company property purchase negotiations - No action taken.


**NEW BUSINESS**

**A. CONSIDERATION OF PURCHASE OF CLEAR FLOW AQUAPONIC SYSTEM FROM NELSON AND PADE NOT TO EXCEED \$21,815.00.**

COMMISSIONER HIGGINS MOVED FOR THE PURCHASE OF CLEAR FLOW AQUAPONIC SYSTEM FROM NELSON AND PADE NOT TO EXCEED \$21,815.00. COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

The Special Meeting of the Board of Commissioners was adjourned at 3:23 p.m.

APPROVED BY:

  
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Patrick Higgins  
Secretary

RECORDED BY:

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Jack Crider  
Chief Executive Officer