

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

DATE: August 8, 2012

TIME: 6:00 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. **Closed Executive Session – Cancelled**
2. **Call to Order Regular Session at 7:00 p.m.**
3. **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**

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.

7. **Communications and Reports**

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

8. **Non Agenda**

9. **Unfinished Business**

Agenda for August 8, 2012 Regular Board Meeting

10. New Business

- a. Consideration of Permit Application, including Addendum, for use of Redwood Marine Terminal, Samoa Shops Complex by Clarke Historical Museum/Timber Heritage Association for a fund raising event and reimbursement to Harbor District for use of Harbor District staff to provide security.
- b. Discussion of Amendment No. 5 to Ordinance No. 9, an Ordinance Establishing Rules, Regulations and Enforcement Procedures for the Woodley Island Marina.
- c. First Reading of Amendment No. 5 to Ordinance No. 6, an Ordinance Establishing Procedures for the Conduct of Meetings, Election of Officers and the Passage or Approval of Ordinances and Resolutions for the Humboldt Bay Harbor, Recreation and Conservation District.
- d. First Reading of Amendment No. 3 to Ordinance No. 10, an Amendment to Ordinance No. 10 of the Humboldt Bay Harbor, Recreation and Conservation District Amending and Adjusting the Boundaries of the Election Divisions of the Humboldt Bay Harbor, Recreation and Conservation District.
- e. Consideration of participation in fisheries co-management.
- f. Consideration of draw on line of credit.

11. Administrative and Emergency Permits

12. Adjournment

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

August 8, 2012

PRESENT:

Commissioner Newman
Commissioner Dale
Commissioner Marks
Commissioner Higgins

ABSENT:

Commissioner Wilson

Vice President Marks called the regular meeting of the Board of Commissioners to order at 6:00 p.m.

Commissioner Higgins led those present in the Pledge of Allegiance.

PUBLIC COMMENT

Elaine DuBois spoke to the Board about her concerns with the Shelter Cove fish cleaning station operation and the effect of the oily fish waste on the pelicans. She said the cost of caring for the oiled pelicans averages \$15,000 per month and asked the Board to donate at least \$5,000 to the Humboldt Wildlife Care Center.

The Board told Ms. DuBois that there is an ongoing effort by District staff to rectify the situation. They also suggested local fishermen may be able to help with food for the pelicans.

CONSENT CALENDAR None

CEO REPORT

- ❖ The PORTS project, installation of current meters made possible by a partnership with NOAA and paid for through a Homeland Security grant, is on schedule. Staff from NOAA, HSU and the District are working cooperatively to complete this project. Chevron will pay for the operations and maintenance of the meters for the next five years.
- ❖ Remodeling of the Woodley Island Marina office will begin soon. Dockmaster and Security will be temporarily relocated to one of the District's security trailers.
- ❖ CEO reported there are unspent funds in the Homeland Security grant and is working with CalEMA to see if dock security gates would be eligible.
- ❖ Assessment of the condition of Redwood Marine Terminal Berth 2 shows the deck is in poor condition, but the stringers and structure are in good condition. CEO stated he is looking into how to replace enough of the deck to create a usable facility.
- ❖ Prosperity 2012 – District staff responded to RREDC's request for a list of major projects. Based on the nine Strategic Plan goals developed by the Board, four projects were submitted.
- ❖ CEO reported he is researching an RV Park development on Woodley Island as a revenue source. He has talked with George Williamson of PlanWest Partners, who has had much experience with RV Park development.
- ❖ Reported there will be a meeting on August 28 at 6:00 p.m. to discuss the placement of an artificial reef. The meeting will be held in the Woodley Island Conference Room.
- ❖ Reported two companies are interested in the fish waste at the Shelter Cove fish cleaning station and one proposal has been received.

Director of Conservation reported that meetings will be held on August 13-16 in Fort Bragg, Eureka and Crescent City to discuss the MPA Monitoring Plan adopted by the CA Fish and Game Commission.

DISTRICT COUNSEL REPORT: None

COMMISSIONERS AND ADVISORY COMMITTEE REPORTS

Commissioner Newman:

- ❖ Reported he met with Darren Smith from Eureka High School NJROTC about developing a lesson plan for two maritime classes: one to build skills and leadership and one to serve as an introduction to maritime studies. Commissioner Newman sees the use of Harbor District resources will help the program.

Commissioner Dale:

- ❖ Completed the required Ethics Training along with CEO.
- ❖ Assisted Captain Powell with the installation of the PORTS current meters.

Commissioner Higgins:

- ❖ Reported the fishing has been great!
- ❖ Attended an ad hoc committee meeting on long-term sediment management addressing climate change and sea level rise.
- ❖ Attended the City of Eureka Council Meeting and has some reservations about a resolution they adopted.
- ❖ Said the North Coast Local Agency Coastal Coordination Committee, consisting of North Coast agency representatives, will re-convene soon and one of the main topics for discussion will be North Coast co-management.

Commissioner Marks

- ❖ Said he would like to see dike issues solved using dredge waste.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF PERMIT APPLICATION, INCLUDING ADDENDUM, FOR USE OF REDWOOD MARINE TERMINAL, SAMOA SHOPS COMPLEX BY CLARKE HISTORICAL MUSEUM/TIMBER HERITAGE ASSOCIATION FOR A FUND RAISING EVENT AND REIMBURSEMENT TO HARBOR DISTRICT FOR USE OF HARBOR DISTRICT STAFF TO PROVIDE SECURITY.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL PERMIT APPLICATION, INCLUDING ADDENDUM, FOR USE OF REDWOOD MARINE TERMINAL, SAMOA SHOPS COMPLEX BY CLARKE HISTORICAL MUSEUM/TIMBER HERITAGE ASSOCIATION FOR A FUND RAISING EVENT AND REIMBURSEMENT TO HARBOR DISTRICT FOR USE OF HARBOR DISTRICT STAFF TO PROVIDE SECURITY. COMMISSIONER DALE SECONDED.

Pete Oringer asked why the additional security is being required since the event is the same as last year's. CEO responded the District employee would act more as a safety officer, an observer. There have been safety hazards and hazardous material identified on the property; the District employee would summarize his observations in writing and hopefully there would be no need to have this additional security at future events. This type of participation at such an event provides documentation for the District's liability and permit files.

Mr. Oringer stated \$24 per hour for a District employee is a heavy tariff. Commissioner Marks stated if Timber Heritage Association (THA) can provide proof this would be a financial hardship, the Board would consider waiving the cost; however, Commissioner Higgins said he would not be interested in amending his motion.

Mr. Oringer said he felt the Board's scrutiny at this point, after all the work THA has done for the District on the upgrade to the Samoa Shops Complex buildings, does not seem appropriate. CEO stated it is his intent that the decision to allow future events would rest with him, after the groundwork has been laid through the requirements of this year's event.

MOTION CARRIED WITHOUT DISSENT.

B. DISCUSSION OF AMENDMENT NO. 5 TO ORDINANCE NO. 9, AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND ENFORCEMENT PROCEDURES FOR THE WOODLEY ISLAND MARINA.

CEO reported staff is working on several suggestions for amendments to Ordinance 9. The way the ordinance is written enables people to not follow the rules set forth. The First Reading of the Amendment No. 5 to Ordinance No. 9 will be considered by the Board in an upcoming meeting.

C. FIRST READING OF AMENDMENT NO. 5 TO ORDINANCE NO. 6, AN ORDINANCE ESTABLISHING PROCEDURES FOR THE CONDUCT OF MEETINGS, ELECTION OF OFFICERS AND THE PASSAGE OR APPROVAL OF ORDINANCES AND RESOLUTIONS FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

The Board considered this First Reading. At their next meeting, the Board will consider the Second Reading and Adoption of Amendment No. 5 to Ordinance No. 6.

The Board discussed the necessity of Ordinances, such as this one, for subjects that could be handled with a resolution. Staff and District Counsel will review the District's Ordinances and will make recommendations to the Board in the future.

D. FIRST READING OF AMENDMENT NO. 3 TO ORDINANCE NO. 10, AN AMENDMENT TO ORDINANCE NO. 10 OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT AMENDING AND ADJUSTING THE BOUNDARIES OF THE ELCTION DIVISIONS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

The Board considered this First Reading. At their next meeting, the Board will consider the Second Reading and Adoption of Amendment No. 3 to Ordinance No. 10.

E. CONSIDERATION OF PARTICIPATION IN FISHERIES CO-MANAGEMENT.

CEO reported the process to start the participation in fisheries co-management is to negotiate a contract with a scope of work with Drew Barrett, who is already working with the District on a grant-funded collaborative fisheries project. The Board will then consider approval of the contract.

Commissioner Higgins said he would like to approve a contract at this meeting, not to exceed \$5,000 for a period of no longer than six months.

Commissioner Newman stated he and Commissioner Dale sat on the Regional Stakeholders Group for the MLPA and the process took 30 days to determine areas of No Fishing Allowed. He said one of the appeasements was to state a monitoring process would be developed; but he has a dim view of what would be accomplished through monitoring since the die is already cast. There have been much talk and no changes. Another consideration, Commissioner Newman said, is there are not enough funds to cover the cost of monitoring.

Commissioner Higgins said if the District does not play to compete, there will be no funds given to the District for monitoring. He said the fishing community reacts with arguments that are fear-based and the Harbor District needs to make decisions based on fact.

Commissioner Newman said the MPA is 15% of the California Coast; it is created and a reality. Very little research was done to determine the areas. He said Harbor District money should not be used for this project. The District has other things to use the money for and he feels that not much will result from the money spent.

Commissioner Dale asked how the District came out financially on the current collaborative fisheries grant. CEO responded there were upsides and downsides. Is the District willing to take a risk? He said the District has the right person in Drew Barrett.

Commissioner Dale said his biggest concern is that the work is done here in this community and the money should be spent here. He has mixed emotions about the process, but with the efforts of Commissioner Higgins this community was fortunate to get the array it did.

CEO stated if the Board spearheads this issue, we can ensure a huge proportion of the studies stay in this community.

COMMISSIONER HIGGINS MOVED FOR BOARD APPROVAL OF CEO TO NEGOTIATE A PROVISIONAL CONTRACT, NOT TO EXCEED \$5,000 AND TO BRING BACK TO THE BOARD ON AUGUST 23, 2012 THE CONTRACT AND SCOPE OF WORK FOR APPROVAL. COMMISSIONER NEWMAN SECONDED. MOTION CARRIED WITHOUT DISSENT.


F. CONSIDERATION OF DRAW ON LINE OF CREDIT.

This item was pulled from the agenda; CalEMA paid approximately half of the reimbursement funds the District was expecting in November.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

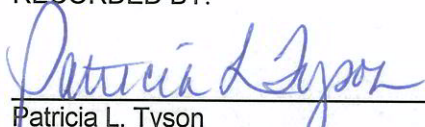
The Regular Meeting of the Board of Commissioners adjourned at 7:28 p.m.

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Patricia L. Tyson
Director of Administrative Services