

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

**DATE:** March 29, 2012

**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 five (5) working days in advance of the meeting.*

1. Call to Order at 5:00 p.m.
  - a. Move to Executive Closed Session pursuant to the provisions of the California Government Code Section 54957 (Public Employment) and Government Code Section 54956.8 (Conference with Real Property Negotiator)
    1. Public employment, position of Chief Executive Officer
    2. Conference with Real Property Negotiator  
Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Patrick Higgins, Commissioner; Richard Marks, Commissioner; Patricia Tyson, Interim Chief Executive Officer  
  
Under Negotiation:
      - 1) Potential lease terms for District property acquisition from Pacific Gas & Electric Company.
      - 2) Potential lease terms of property to Freshwater Tissue Company.
      - 3) Potential lease terms of property to TJS Leasing and Holding Company, Inc.
      - 4) Potential lease terms of property to Taylor Mariculture, Inc.
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**

*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 February 9, 2012 Board of Commissioners meeting.
- b. Consideration of approval of minutes from the February 17, 2012 Board of Commissioners meeting.

*Agenda for March 29, 2012 Regular Board Meeting*

**7. Communications and Reports**

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

**8. Non Agenda**

**9. Unfinished Business**

**10. New Business**

- a. Consideration of Resolution 2012-07 A Resolution to enter into a contract and accept funds from the California Department of Fish and Game for Secretariat Services for the Harbor Safety Committee of the Humboldt Bay Area.
- b. Consideration of Vote for Special District Representative of the Humboldt County Local Agency Formation Commission (LAFCo).
- c. FY2012/13 Budget Workshop.

**11. Administrative and Emergency Permits**

**12. Adjournment**



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

**March 29, 2012**

**PRESENT:**

Commissioner Newman  
Commissioner Dale  
Commissioner Wilson  
Commissioner Marks  
Commissioner Higgins

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

President Wilson adjourned the Executive Closed Session to order at 6:45 p.m.

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

President Wilson led those present in the Pledge of Allegiance.

District Counsel reported on the Executive Closed Session as follows: Potential lease terms of property to Freshwater Tissue Company, TJS Leasing and Taylor Mariculture, Inc. – No action taken. Under Government Code section 54957, Public Employment, the action was taken to place on the April 12, 2012 agenda for open meeting: Consideration of a contract of employment with Jack Crider for the position of Chief Executive Officer. Crider was the #1 selection/choice of the community-based search committee, they made their recommendation to the Commission; the Commission reviewed all of the applications and has met with Mr. Crider. The Commission concurs with the community search committee and are in final stages of negotiation with Mr. Crider on a contract. Consideration of that contract will be at the April 12, 2012 meeting. That action to place that contract on the agenda was a unanimous decision and all five of the Commissioners were present.

**PUBLIC COMMENT**

Erika Blackwell and Travis Clohessy thanked the Board for allowing them the opportunity to attend the World Aquaculture Conference in Las Vegas and invited the Board to attend an aquaculture forum on April 17 hosted by Humboldt State University.

**CONSENT CALENDAR**

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR.  
COMMISSIONER MARKS SECONDED. MOTION CARRIED WITHOUT DISSENT.

**INTERIM CEO REPORT**

- ❖ Participated in a webinar sponsored by the Federal Highway Administration on what is expected when contracting for consulting services using federal tax dollars.
- ❖ The RFQs for the Samoa Industrial Waterfront Transportation Access Plan were due last Friday, March 23. Nine packets were received. Commissioner Wilson, Captain Petruscha and Interim CEO will review and rank the submittals.
- ❖ Attended the SDRMA Safety Claims Day in Sacramento on Tuesday. Attendance at the workshop allows a discount on the Property/Liability premiums and is an opportunity to network with other special districts, learn about new laws or reminders about old ones on Workers Compensation, property and liability insurance.

Interim CEO gave the Director of Conservation's report in his absence:

- ❖ The 2012 Humboldt Bay Symposium will be April 26 and 27. Registration information will be on the District's website soon. We are excited to have Charles Lester, Executive Director of the California Coastal Commission as a keynote speaker.
- ❖ NOAA is proposing a new Eelgrass Mitigation Policy, which is currently out for public comment. The Director of Conservation will prepare draft comments for the Commissioners to consider. It appears that the policy as proposed will increase the scale of mitigation required for projects that may impact eelgrass, as well as require mitigation for impacts to potential eelgrass habitat. The public comment period extends to early May for this proposed Policy.
- ❖ The Fish and Game Commission will be meeting at the Red Lion Inn in Eureka on Wednesday, April 11 and will be accepting comments on the Draft Environmental Impact Report (DEIR) for the North Coast Marine Protected Areas.
- ❖ The Director of Conservation has prepared a draft comment letter on the DEIR for the Commissioners to consider. The comment period closes April 16. The proposal developed by local stakeholders remains the "Preferred Alternative", which is a credit to the efforts of the community to work together on this difficult issue, as well as a credit to the Department and the Commission for their respect of this effort.

Director of Facility Maintenance reported as follows:

- ❖ The Fields Landing Boat has been very busy lately and he foresees a profitable year.
- ❖ The Maintenance staff has refurbished a 3-axle trailer that was donated to the Harbor District.
- ❖ Director of Facility Maintenance and the two Bar Pilots travelled to Seattle to have a mid-build conference at Munson regarding the Port Authority Security boat.
- ❖ Tomorrow the Director of Facility Maintenance and Captain Powell will travel to Moose Boats for a meeting on the Fire Boat.
- ❖ The kitchen is currently being remodeled.
- ❖ The metal has been delivered to rebuild the metal brackets for C-dock, which is a major project for the Maintenance Department.

**DISTRICT COUNSEL REPORT:** None

### **COMMISSIONERS AND ADVISORY COMMITTEE REPORTS**

Commissioner Newman:

- ❖ Stated this year's salmon season should be a great season; PFMC endorsed the best option for Humboldt Bay's commercial and recreational fishing.

Commissioner Dale:

- ❖ There will be an aquaculture expansion meeting tomorrow focusing on pre-permitting requirements. Avoiding eelgrass will be a critical aspect.
- ❖ The Budget Committee met on Monday with District staff regarding the budget. The staff presented many positive ideas.

Commissioner Wilson:

- ❖ Toured Humboldt Bay and had dinner with the Ambassador of Taiwan and other local representatives. The Ambassador was pursuing economic partnerships and was interested in the seafood production in Humboldt Bay.
- ❖ Was part of the CMANC delegation in Washington DC. He and Washington DC lobbyist Will Edington met with representatives of Congressman Thompson and Senator Feinstein. The main topic of discussion was the use of the harbor maintenance tax.



Commissioner Marks:

- ❖ Thanked Commissioner Wilson for representing the Harbor District in Washington DC
- ❖ Reported he also toured with the Taiwanese Ambassador. The Ambassador noticed the various transportation issues surrounding Humboldt Bay.
- ❖ Attended a Prosperity 2012 meeting at the Labor Temple. He said the projects discussed were parallel to those of the District.

Commissioner Higgins:

- ❖ Reported he completed his required ethics training online.
- ❖ Attended a Humboldt Bay Action Plan meeting. Another meeting will be held on April 20.
- ❖ Reported an eloquent letter to the Department of Fish & Game regarding the MLPA has been drafted by Director of Conservation. He noted Commissioners Dale and Newman were on the Regional Stakeholder Group.
- ❖ Attended a very productive budget meeting with Commissioner Dale and District staff.
- ❖ Is looking forward to the Humboldt Bay Symposium on April 26 and 27.

Commissioner Wilson:

- ❖ Attended a RREDC Board meeting where the American Airlines deal with County of Humboldt was discussed.

**OTHER:** None

**NON-AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF RESOLUTION 2012-07 A RESOLUTION TO ENTER INTO A CONTRACT AND ACCEPT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME FOR SECRETARIAT SERVICES FOR THE HARBOR SAFETY COMMITTEE OF THE HUMBOLDT BAY AREA.**

COMMISSIONER HIGGINS MOVED FOR THE ADOPTION OF RESOLUTION 2012-07 A RESOLUTION TO ENTER INTO A CONTRACT AND ACCEPT FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND GAME FOR SECRETARIAT SERVICES FOR THE HARBOR SAFETY

COMMITTEE OF THE HUMBOLDT BAY AREA. COMMISSIONER MARKS SECONDED. ROLL CALL VOTE WAS TAKEN:

COMMISSIONER NEWMAN – ABSTAINED  
COMMISSIONER DALE – AYE  
COMMISSIONER WILSON – AYE  
COMMISSIONER MARKS – AYE  
COMMISSIONER HIGGINS – AYE

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF VOTE FOR SPECIAL DISTRICT REPRESENTATIVE OF THE HUMBOLDT COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO).**

COMMISSIONER HIGGINS NOMINATED BRUCE EMAD. MOTION DIED FOR LACK OF A SECOND.

COMMISSIONER DALE NOMINATED JEFF PAULI. COMMISSIONER NEWMAN SECONDED THE MOTION CARRIED WITHOUT DISSENT. MOTION CARRIED WITHOUT DISSENT.

**C. FY2012/13 BUDGET WORKSHOP.**

District Treasurer reported the FY2012/13 Budget summary as follows: Revenue \$2,150,349; Operating Expenses \$2,009,376; Non-Operating Expenses \$236,213; Excess Revenues (Under) Expenses (\$95,240).

Interim Chief Executive Officer presented a PowerPoint on the budget and then presented the Budget Committee's (Commissioners Dale and Higgins) recommendations: Adopt a resolution that would increase Marina slip rents annually on July 1, by the CPI with a specified minimum/maximum amount; Increase tideland lease payments annually by the CPI with a specified minimum/maximum amount. Also upon renewal, increase the payment automatically 3-5%; update the District's Fee Schedule; Advertise the Fields Landing Boat Yard services – both in publications and on-line; and research the staff's ideas for increasing revenues – may not be realized in 2012-13.

Board discussion followed, primarily on rate increases.

The Preliminary Budget will be considered and adopted by the Board at the April 12 meeting.

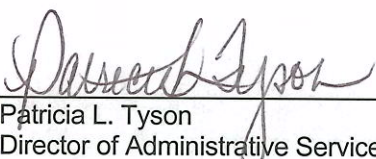
ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 8:54 p.m.

APPROVED BY:

  
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Patrick Higgins  
Secretary

RECORDED BY:

  
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Patricia L. Tyson  
Director of Administrative Services