

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

DATE: May 24, 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 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 (Public Employee Evaluation of Performance)**
 1. **Conference with Real Property Negotiator**

Negotiating Parties: Paul Brisso, District Counsel; Mike Wilson, Board President; Patrick Higgins, Commissioner; Jack Crider, Chief Executive Officer

Under Negotiation:

 - 1) **Potential lease terms of property to Taylor Mariculture, Inc.**
 - 2) **Potential lease terms of property to Timber Heritage Association.**
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.

Agenda for May 24, 2012 Regular Board Meeting

7. 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

8. Non Agenda

9. Unfinished Business

10. New Business

- a. Consideration of Agreement for Professional Services with Kelly-O'Hern Associates Professional Land Surveyors to provide services to prepare portions of Plan Development for the Samoa Industrial Waterfront Transportation Access Plan.
- b. Consideration of agreement with LACO Associates for services relative to the Samoa Industrial Waterfront Transportation Access Plan.
- c. Consideration of Permit for Charter Services with Northwind Charters to provide charter services from Woodley Island Marina.
- d. Consideration of tideland lease with Taylor Mariculture, LLC for a mariculture facility at Berth 2.
- e. Public Hearing on FY 2012/13 Budget.

11. Administrative and Emergency Permits

12. Adjournment

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

May 24, 2012

PRESENT

Commissioner Newman
Commissioner Dale
Commissioner Wilson
Commissioner Marks
Commissioner Higgins

President Wilson called the Executive Closed Session to order at 6:10 P.M.

President Wilson adjourned the Executive Closed Session at 6:29 P.M.

President Wilson called the Regular Meeting of the Board of Commissioners to order at 7:00 P.M.

District Counsel reported on the Executive Closed Session as follows: Potential lease terms of property to Taylor Mariculture, Inc., Timber Heritage Association – no action to report. He stated that the Board is making progress on the Closed Session items and hopes to have action items on the next agenda.

President Wilson asked Mitch White to lead those present in the Pledge of Allegiance.

PUBLIC COMMENT

Mitch White of Taylor Mariculture thanked Interim CEO for a job well done during a transitory period in the District; he stated Director of Conservation has done a great job since he has been with the District.

CONSENT CALENDAR: None

CHIEF EXECUTIVE OFFICER REPORT

- ❖ Said he has completed his administrative and operation analysis and discussed the confidential report with the two assigned committee members (Commissioners Newman and Higgins); implementation will begin June 1.
- ❖ Reported he interviewed three consultant companies for the Samoa Industrial Waterfront Transportation Access Plan with Commissioner Wilson and Captain Tim Petrusha; LACO Associates was selected for further negotiations.
- ❖ Stated he travelled to Shelter Cove this week with Director of Conservation and Commissioners Dale and Higgins to observe District staff performing their annual maintenance and meet with representatives of the Resort Improvement District.
- ❖ Said he has met with many people in the community and will continue.
- ❖ Reported the First Annual Fishermen Appreciation Barbecue will be June 9, and that it will be open to the public.

DISTRICT COUNSEL REPORT: None.

STAFF REPORT

Director of Conservation reported on the following:

- ❖ Went with CEO and Commissioners Dale and Higgins to Shelter Cove; they observed sand covering the launch pad at low tide and the fishermen reported there is now a small high-tide launch window due to the sand on the breakwater.
- ❖ Attended a meeting regarding Areas of Biological Significance (ASBS).

- ❖ Hosted a meeting about illegal trash dumping in the vicinity of Jackson Ranch Road that is going into Liscom Slough.
- ❖ District hosted a meeting last week with California Fish and Game regarding possible halibut catch limits; data has not been collected and the District has offered to assist with collection.
- ❖ Reported LYDAR data is online; he said it should be useful for sea level rise information and flood levels.
- ❖ Said that the final MLPA meeting will be held next week.
- ❖ A letter has been sent by the District to the State Lands Commission asking them to clarify the tidelands jurisdiction under two billboards that many in the community would like to see removed.

Director of Facility Maintenance reported on the following:

- ❖ The District's Port Security Boat has arrived and staff has conducted sea trials.
- ❖ Stated the Fields Landing boat and trailer storage is open for business.
- ❖ Went to Shelter Cove for annual maintenance.
- ❖ Has been working with Bar Pilots on installation of the side scan sonar on the new Port Security Boat.
- ❖ Said E-dock will need repairs that will probably start this summer.

Director of Administrative Services reported she met with LACO Associates and met with District Treasurer to develop formats for monthly financial statements.

COMMISSIONER REPORTS

Commissioner Newman

- ❖ No report.

Commissioner Dale

- ❖ Went to Shelter Cove with Commissioner Higgins, CEO and Director of Conservation; reported there is sand buildup on the breakwater that may have to be remedied.

Commissioner Wilson

- ❖ Reported the Hiksari' Trail ground breaking will take place next weekend.
- ❖ Asked Commissioners to speak to CEO if they had questions regarding tonight's CEO report; stated Commissioners Newman and Higgins are on the committee to work with the CEO on his recommendations.

Commissioner Marks

- ❖ Heard on the radio there will be paddle instruction for rowing eight-man boats to row in June.
- ❖ Heard from friends that the abalone in Mendocino are good.

Commissioner Higgins

- ❖ Caught limits on the *Reel Steel* today even though conditions were challenging.
- ❖ Went to Shelter Cove and observed that wave patterns may be different this year than normal, which could have made the sand build up on the breakwater.
- ❖ Attended a Rails to Trails meeting.

ADVISORY COMMITTEE REPORTS

Commissioner Newman met with CEO regarding his recommended changes and believes he is right on track.

Commissioner Higgins said Pacific Halibut are a good species for the District to manage or co-manage; reported that no data is collected south of the Oregon border, but yet a closure may be imminent. He stated that if the Department of Fish and Game like the District's management, maybe it can manage data on rockfish.

UNFINISHED BUSINESS: None

NEW BUSINESS

A. CONSIDERATION OF AGREEMENT FOR PROFESSIONAL SERVICES WITH KELLY-O'HERN ASSOCIATES PROFESSIONAL LAND SURVEYORS TO PROVIDE SERVICES TO PREPARE PORTIONS OF PLAN DEVELOPMENT FOR THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN.

COMMISSIONER MARKS MOVED FOR AGREEMENT FOR PROFESSIONAL SERVICES WITH KELLY-O'HERN ASSOCIATES PROFESSIONAL LAND SURVEYORS TO PROVIDE SERVICES TO PREPARE PORTIONS OF PLAN DEVELOPMENT FOR THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN. COMMISSIONER HIGGINS SECONDED.

CEO reported that he is hoping to keep the cost under \$5,000.00 since much of the information is already available.

MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF AGREEMENT WITH LACO ASSOCIATES FOR SERVICES RELATIVE TO THE SAMOA INDUSTRIAL WATERFRONT TRANSPORTATION ACCESS PLAN.

Since there was no agreement available tonight, President Wilson tabled this item to be placed on a future Agenda.

C. CONSIDERATION OF PERMIT FOR CHARTER SERVICES WITH NORTHWIND CHARTERS TO PROVIDE CHARTER SERVICES FROM WOODLEY ISLAND MARINA.

COMMISSIONER HIGGINS MOVED FOR APPROVAL OF PERMIT FOR CHARTER SERVICES WITH NORTHWIND CHARTERS TO PROVIDE CHARTER SERVICES FROM WOODLEY ISLAND MARINA. COMMISSIONER MARKS SECONDED.

Commissioner Higgins stated this is a phenomenal service for people who do not wish to buy a boat.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF TIDELAND LEASE WITH TAYLOR MARICULTURE, LLC FOR A MARICULTURE FACILITY AT BERTH 2.

Since there was no agreement available tonight, President Wilson tabled this item to be placed on a future Agenda.

E. PUBLIC HEARING ON FY 2012/13 BUDGET.

CEO said that since he began his employment after the budget process was started, he is trying not to make many changes but only reduce some expenses. CEO reported that if something is budgeted, it does not mean the money has to be spent; and that he is researching borrowing money for the electric improvements. CEO stated that monthly financial statements will help him and the Board know the District's financial position.

Commissioner Wilson reported there are no professional fees for District staff time set in the current budget for District staff work on projects, such as side scan sonar services.

Director of Administrative Services said that professional staff time is included in the permit fee processing cost based on an hourly rate plus benefits; also, under Humboldt Bay Emergency Response, equipment is not available for use without District Personnel operation.

Ron Derr said he thought the District should cut their costs and pass that savings along to their tenants instead of raising prices often. He stated he does not agree with paying the dredging surcharge that was passed in 2010 since he does not want shipping in the Bay. Mr. Derr asked that the Board to lower Marina fees since it will be starting to charge for electricity.

Commissioner Higgins stated he thanked Mr. Derr for his comments. There was discussion about the City of Eureka and the District's dredging responsibilities.

CEO said it would take about six months to get the dock electrical meters in operation and billing started.

Commissioner Higgins stated Woodley Island Marina's rates are already under other marinas' rates on the West Coast.

Mr. Derr reported that Humboldt County is a depressed area.

Commissioner Wilson said that the Marina was dug from mud flats and marsh so it would go back to its natural state if not dredged.

Commissioner Dale stated the District's costs have increased and it cannot keep absorbing them. He reported the District would rather raise rates a little at a time instead of a big increase every few years.

Director of Facility Maintenance said the electric meters will hopefully be installed by October, with metering beginning in November. He reported there would be a test run of 30 to 60 days so tenants will know approximately what their cost will be; plus, there will be outreach programs to educate on conservation.

Gary Mooslin stated there had been a problem with the electrical service at his slip and cords melted, possibly from electric bleeding.

Director of Facility Maintenance said the District would be doing thorough inspections and the new equipment should require less maintenance.

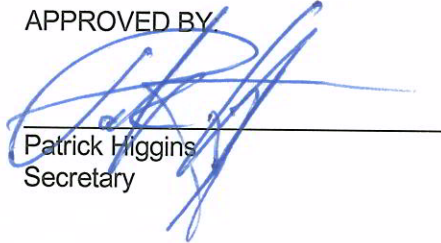
Rex Olander reported the breakwater in Shelter Cove certainly has its problems. He asked if the District would have to hire staff to read the electric meters.

CEO stated he went through this same process at the Port of Astoria and the electric charges decreased after the Port started metering due to the updated electrical equipment. He reported there was less maintenance, but not as much revenue as predicted.

Minutes (Subject to Approval)
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Humboldt Bay Harbor, Recreation and Conservation District
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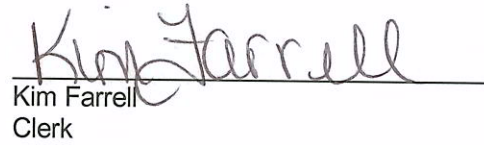
ADMINISTRATIVE AND EMERGENCY PERMITS: None

APPROVED BY:



Patrick Higgins
Secretary

RECORDED BY:



Kim Farrell
Clerk