

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

13 November 2003

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Fritzsche
Commissioner Hunter
Commissioner Ollivier

The Closed Session was called to order at 6:00 p.m. District Counsel reported the items of discussion: Simpson Pulp Mill lease, the Simpson Samoa lease, the USACOE audit of the Harbor Deepening Project records, and the August 2003 claim for damages by Ray and Barbara Vasconcellos.

Closed session adjourned at 6:40 p.m.

The regular meeting of the Board of Commissioners was called to order by President Hunter at 7:00 p.m. Roll call was taken. President Hunter led those present in the Pledge of Allegiance.

District Counsel reported the following items were discussed during Closed Session: Simpson Pulp Mill lease, the Simpson Samoa lease, the USACOE audit of the Harbor Deepening Project records, and the August 2003 claim for damages by Ray and Barbara Vasconcellos. No action was taken.

President Hunter thanked everyone for their support since his mother's passing and noted that a memorial service will be held on Saturday, November 15, 2003 at 2:00 p.m. at the Wharfinger Building.

PUBLIC COMMENT

Kaye Strickland noted that she went to a recent "Save the Madaket" meeting. She passed out an information sheet and petition relevant to the Madaket.

Pete Oringer discussed the Port of Oakland discussions and suggested the Port of Oakland be an item on each agenda for public updates. He said that a relationship with the Port of Oakland would be a major move for Humboldt Bay and could help the railroad also. Pete suggested that the District Board use community resources to present this information to the public.

Leroy Marsh passed out a recent article from Sea Classics magazine about saving the USS Sterett. He also reported that recently a LST was brought back from Greece to Evansville, Indiana. A ten-day visit brought in more than \$1 million. Leroy stated that plans had changed as far as trying to bring the USS Sterett to Humboldt Bay. He said the donation program through the Navy was too difficult, but if the USS Sterett was placed in Humboldt Bay the Navy would retain jurisdiction and he could be made custodian of the vessel.

David Elsebusch stated he supported the USS Sterett placement in Humboldt Bay and encouraged the Harbor District to support the idea.

CONSENT CALENDAR

COMMISSIONER PELLEGRINI MOVED TO APPROVE THE CONSENT CALENDAR.
COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- 10/23-24: Jerry Bridges, Maritime Director for the Port of Oakland, met with CEO, Commissioners Ollivier and Pellegrini, local business people, terminal operators, and toured local terminals. Mr. Bridges' trip was sponsored by Ken Davlin, Woody Murphy and Andy Westfall. Vee Sorenson also helped organize the visit. His visit has led to the trip to Oakland to be discussed later on the agenda.
- 10/23: California Coastal Conservancy awarded the Harbor District \$100,000 for engineering and environmental documentation on the Shelter Cove Breakwater.
- 10/28: CEO gave a talk on the Harbor District's Park Street Marsh Restoration Project to the SACER Group.
- 10/30: OSPR paid for CEO to go to Sacramento to attend a Harbor Safety Committee Summit discussion on statutory charges, member charges, by-laws and future directions. Discussion also included expanding the Humboldt Bay Harbor Safety Committee to include Crescent City and Point Arena.
- 11/03: The Madaket was arrested by federal marshals and towed to Woodley Island Marina.
- 11/06: CEO conducted the Harbor Safety meeting at which by-laws, proposed anchoring regulations and a review and update of the Harbor Safety Plan were discussed.
- 11/12: CEO and Commissioner Ollivier attended a Foreign Trade Zone meeting where the website and FTZ marketing was discussed.
- 11/12: CEO attended a presentation by CalPine to Fire Safety officials.
- CEO reported that Brian Papstein has used the Adopt-the-Bay program to adopt the lighthouse on Woodley Island. He and his son designed a lighthouse stamp for stamping lighthouse passports and would like to meet with a couple of commissioners to discuss restoration opportunities. President Hunter appointed Commissioners Fritzsche and Pellegrini to the Lighthouse Advisory Committee.

DISTRICT COUNSEL'S REPORT

District Counsel reported that an article appeared in the Sacramento Bee reporting that Governor Davis has appointed Bob Hight, Director of the Department of Fish and Game, to a superior court judge position in Sacramento.

District Counsel also reported that the Port of Sacramento is in the red approximately \$3 million. He stated that 29 out of the 30 years the Harbor District has been operational it has enjoyed a positive end of year balance.

STAFF REPORT: None

COMMISSIONER REPORTS

Commissioner Pellegrini presented the Harbor District a picture of the entrance of Humboldt Bay as it appeared in a 1934 newspaper article. The article stressed the importance of Humboldt Bay to the sport and commercial fishermen.

Commissioner Pellegrini stated she felt the visit by Jerry Bridges of the Port of Oakland was very informational and it exceeded her expectations. She thanked Andy Westfall, Woody Murphy, Ken Davlin, and Vee Sorenson for their help in organizing the visit and John Driscoll for his story in the Times-Standard that led to the contact with MARAD. Commissioner Pellegrini stated that periodic updates will be given.

Commissioner Pellegrini attended the Humboldt Bay Stewards meeting and listened to the CalPine presentation. She asked President Hunter to appoint a LNG Advisory Committee. President appointed Commissioners Ollivier and Pellegrini to the LNG Advisory Committee.

Commissioner Pellegrini reported she and Commissioner Ollivier attended the CPD meeting and gave an update on the Port of Oakland.

Commissioner Pellegrini reported the buy-back program for trawlers was approved by the federal government. Out of the 92 total vessels, 36 were from Congressman Mike Thompson's district. Eleven vessels are from Woodley Island Marina and a total of 19 are from Humboldt Bay. Commissioner Pellegrini stated it is unknown what will happen to vessels once the buy-back has been completed.

President Hunter congratulated Commissioner Curless on his successful aggressive campaign.

Commissioner Fritzsche attended a CSU meeting in San Diego on Shelter Island, a dredge spoils island. He reported that the Unified Port District of San Diego had adopted an ordinance prohibiting beaching or running ashore any boats on the shoreline of San Diego Bay without a written authorization. He asked CEO if this was due to an environmental concern. CEO stated he would contact the port and inquire.

Commissioner Fritzsche attended a luncheon meeting with CalPine and HSU President Richmond. CalPine's main goal for the meeting was to establish a linkage with HSU for any environmental assessments or scientific assistance that may be needed while developing their proposal for Humboldt Bay.

Commissioner Ollivier stated he is excited about the results of the election and will continue working diligently on projects beneficial to Humboldt Bay and Humboldt County. He stated his participation on the Foreign Trade Zone (FTZ) committee is beneficial because the FTZ is a major project that ties in with other shipping projects. He thanked CEO for his participation in the FTZ process. Commissioner Ollivier also stated a relationship with the Port of Oakland may be positive to rail reactivation. Large retail stores may be able to take advantage of the railroad and FTZ. Commissioner Ollivier also stated that Jerry Bridges was excited about the amount of vacant land along Humboldt Bay.

President Hunter added that he is pleased with the progress and the Harbor District's balance of harbor, recreation and conservation. Pete Oringer noted that the Harbor District should speak of the balance more often since there are those in the community that don't want to acknowledge the Harbor District's efforts to balance harbor, recreation and conservation.

ADVISORY COMMITTEE REPORTS : None

OTHER: None

UNFINISHED BUSINESS

1. CONSIDERATION OF AUTHORIZING PHASE 4 OF THE FIELDS LANDING BOAT BUILDING AND REPAIR FACILITY RE-ROOF PROJECT WITH OSCAR LARSON AND ASSOCIATES.

CEO reported that Oscar Larson and Associates (OLA) were previously retained by the Harbor District to analyze and design a new roof for the Travelift Building at the Fields Landing Boat Yard. At the October 21, 2003 Board meeting, the Board approved an agreement with O&M Industries to replace the roof which was the end of "Phase 3 – Design" of the OLA contract. Phase 4 of the OLA contract covers construction inspection and administration duties.

COMMISSIONER CURLESS MOVED TO AUTHORIZE PHASE 4 OF THE FIELDS LANDING BOAT BUILDING AND REPAIR FACILITY RE-ROOF PROJECT WITH OSCAR LARSON AND ASSOCIATES. COMMISSIONER OLLIVIER SECONDED.

Commissioner Fritzsche asked if the payment was to be made in one lump sum and CEO responded affirmatively.

David Elsebusch stated he thought \$17,500 was too much money and asked if there was an occupant for the property.

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

1. CONSIDERATION OF ADOPTION OF RESOLUTION 2003-09 REJECTING CLAIM AGAINST HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT BY BARBARA VASCONCELLOS.

District Counsel noted the claim was due to a "slip and fall" incident on Woodley Island.

COMMISSIONER PELLEGRINI MOVED FOR THE ADOPTION OF RESOLUTION 2003-09 REJECTING CLAIM AGAINST HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT BY BARBARA VASCONCELLOS. COMMISSIONER OLLIVIER SECONDED. ROLL CALL VOTE WAS TAKEN:

COMMISSIONER PELLEGRINI – AYE
COMMISSIONER CURLESS – AYE
COMMISSIONER FRITZSCHE – AYE
COMMISSIONER HUNTER – AYE
COMMISSIONER OLLIVIER – AYE

MOTION CARRIED WITHOUT DISSENT.

2. CONSIDERATION OF APPROVAL OF TRAVEL FOR CEO TO ATTEND MEETINGS WITH CRUISE THE WEST AND PORT OF OAKLAND, NOVEMBER 16-18, 2003.

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF TRAVEL FOR CEO TO ATTEND MEETINGS WITH CRUISE THE WEST AND PORT OF OAKLAND, NOVEMBER 16-18, 2003. COMMISSIONER FRITZSCHE SECONDED.

CEO reported that the Cruise the West meeting in Seattle is a precursor to the SeaTrade conference in Florida in the Spring. At this meeting, itineraries for the cruise ships will be put together to take to the SeaTrade meeting. On November 18th, CEO and Jerry Bridges will meet with a MARAD representative to see what MARAD can provide in the way of assistance in developing the relationship with Port of Oakland.

Pete Oringer asked who will be the main contact, Harbor District, City of Eureka or Conventions and Visitors Bureau, for the cruise ship lines. President Hunter responded that the three entities form a strong allegiance and that it would make sense for the CEO (Port Director) to be the main contact.

MOTION CARRIED WITHOUT DISSENT.

3. CONSIDERATION OF ACCEPTING FOR FILING PERMIT 03-04 FOR RECLAMATION DISTRICT #768 FOR ROUTINE MAINTENANCE, REPAIR AND RESTORATION OF HUMBOLDT LEVEE.

COMMISSIONER OLLIVIER MOVED TO ACCEPT FOR FILING PERMIT 03-04 FOR RECLAMATION DISTRICT #768 FOR ROUTINE MAINTENANCE, REPAIR AND RESTORATION OF HUMBOLDT LEVEE. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS

CEO reported that an administrative permit had been issued to Anna Clarke to enter the Gerald O. Hansen Wildlife Area to study *Alderia modesta*.

The Regular Meeting of the Board of Commissioners adjourned at 8:17 p.m.

APPROVED BY:

RECORDED BY:

Signature on File
Ronnie Pellegrini, Secretary

Signature on File
Patricia L. Tyson, Admin. Assistant