

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

**25 March 2004**

**PRESENT:**

Commissioner Pellegrini  
Commissioner Curless  
Commissioner Hunter  
Commissioner Ollivier

**ABSENT:**

Commissioner Fritzsche

The Closed Session was called to order at 6:00 p.m. District Counsel reported the items of discussion: the Simpson Samoa lease, the Harbor District audit of the US Army Corps of Engineers Harbor Deepening Project records, the August 2003 claim for damages by Ray and Barbara Vasconcellos, Café Marina Lease and the Humboldt Bay Forest Products lease.

Closed Session adjourned at 6:55p.m.

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

District Counsel reported the following items were discussed during Closed Session: the Simpson Samoa lease, the Harbor District audit of the US Army Corps of Engineers Harbor Deepening Project records, the August 2003 claim for damages by Ray and Barbara Vasconcellos, Café Marina Lease and the Humboldt Bay Forest Products Lease. No action was taken on these items.

**PUBLIC COMMENT**

Kaye Strickland commented that the Citizens for Port Development (CPD) supported feasibility study of an LNG facility on Humboldt Bay, even though she personally opposed the idea. She also said she objected to the reference of "mob mentality" when referring to the Eureka City Council meeting on March 16<sup>th</sup> where the Council heard public comment on the Exclusive Right to Negotiate with Calpine Corporation for the Samoa Airport property. She said a more appropriate word might be "spirited." Kaye also stated CPD would continue to look for the "right" kind of economic development for Humboldt Bay.

Penny Elsebusch remarked that she too attended the Eureka City Council meeting on March 16<sup>th</sup> and stated she was disappointed that an independent study on an LNG facility on Humboldt Bay did not go forward.

David Elsebusch stated that he also spoke at the Eureka City Council meeting on March 16<sup>th</sup>. He was relieved that Calpine decided not to pursue Humboldt Bay for their facility.

Maggie Herbelin reported that on March 29<sup>th</sup> the Humboldt Bay Stewards will be putting on a workshop entitled "Keeping Community Cohesiveness." She also stated that the Humboldt Bay Stewards were asked to sponsor a workshop, as a result of the Humboldt Bay Symposium that would concentrate on sediment management of Humboldt Bay. Maggie also informed the Board that the Humboldt Bay Stewards would be sponsoring other community meetings.

**CONSENT CALENDAR**

COMMISSIONER HUNTER MOVED TO APPROVE THE CONSENT CALENDAR.  
COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

## **CEO REPORT**

- CEO reported that he and Commissioner Curless attended the CMANC Washington Week conference along with the AAPA Spring Conference in Washington DC and just returned this afternoon after a week-long trip. Will Edington, Washington DC lobbyist, had arranged meetings for CEO and Commissioner Curless with legislative aids of Senators Boxer, Feinstein and Congressman Thompson. CEO reported that the focus of the CMANC meeting was to promote the return of the Corps of Engineers' full funding for port maintenance. During the AAPA meeting, Tom Ridge, Director of Homeland Security, spoke on homeland security and the grant programs available to implement the requirements for security.  
Commissioner Curless stated he saw McGregor Scott, US Attorney and District Counsel's son in Washington DC, invited him to the Golden State Reception and introduced him to the representatives of the ports in Mr. Scott's district. Commissioner Curless also met with Congressman Nick Rahall, a member of the Appropriations Committee, and met a friend of his from Ferndale who was attending another conference in Washington DC.
- The dredge Yaquina arrived in Humboldt Bay on March 20<sup>th</sup> and the dredge Essayons was scheduled to arrive today.
- 3/16: CEO met with Corps of Engineers staff regarding reconnaissance study for shoal management.
- A delegation from New Zealand was scheduled to arrive today and will stay for approximately one week. The purpose of their visit is to celebrate the City of Eureka and City of Nelson, New Zealand becoming sister cities.
- CEO reported that he had received a letter from the EAST program director at Eureka High School thanking Jeff Robinson, Conservation Specialist for his contribution to the program.

**DISTRICT COUNSEL'S REPORT:** None

**STAFF REPORT:** None

## **COMMISSIONER REPORTS**

President Pellegrini reported that Harbor District staff, as well as staff from the City of Eureka and County of Humboldt, will be working together to reconvene the Harbor Revitalization Plan Advisory Committee in order to revisit the issues presented in the Harbor Revitalization Plan. President Pellegrini stated that Commissioners Fritzsche and Hunter are the Harbor District representatives on the committee.

Commissioner Curless reported that while in Washington DC he and CEO met with the Assistant Secretary of the Army JP Woodley. Mr. Woodley will tour Humboldt Bay in April in response to concerns about the shoaling problem. He also reported that there is still a possibility the dredge Wheeler will be docked in Humboldt Bay.

Commissioner Hunter reported that if Commissioner Fritzsche were in attendance at this meeting that we would report that if Humboldt State University's men's basketball team wins their game tonight, the next game would be televised on Saturday, March 27<sup>th</sup> in the morning.

Commissioner Hunter reported he attended a meeting with Corps of Engineers representatives and the Humboldt Bay bar pilots to discuss the shoal management study.

Commissioner Hunter stated he received a letter from Governor Arnold Schwarzenegger thanking him for his letter of support for Commissioner Fritzsche to be appointed to the California Coastal Commission.

President Pellegrini reported that earlier in the week one of HSU's row teams flipped their boat. The US Coast Guard rescued four of the rowers and the vessel Susan T picked up the other four.

**ADVISORY COMMITTEE REPORTS:** None

**OTHER:** None

**NON-AGENDA:** None

**UNFINISHED BUSINESS**

**A. CONSIDERATION OF AGREEMENT WITH JULIE MAASHOFF TO MOVE BARGE.**

District Counsel stated one of the provisions of the agreement is that prior to the signing of the agreement, Ms. Maashoff will present evidence of liability insurance which would hold the Harbor District harmless in case of an accident while the barge is being moved off the property at the Fields Landing Boat Yard. District Counsel reported that Ms. Maashoff had delivered Certificates of Insurance from two different trucking companies prior to this meeting and that it had not been decided which trucking company would be moving the barge.

Robert Belisomi, who will be doing the work on the barge, responded that Wayne Hooper Trucking would be moving the barge. District Counsel suggested Ms. Maashoff also be listed as an additional insured on the trucking company's policy and also stated that the barge would not be moved until the insurance was in place.

COMMISSIONER HUNTER MOVED TO ENTER INTO AN AGREEMENT WITH JULIE MAASHOFF TO MOVE THE BARGE SUBJECT TO THE CONDITION OF INSURANCE BEING INSTITUTED AND BEING IN EFFECT AS OF MARCH 26, 2004 AND THAT THE HARBOR DISTRICT AND JULIE MAASHOFF BE LISTED AS ADDITIONAL INSURED AND THAT THE PRESIDENT OF THE BOARD OF COMMISSIONERS BE AUTHORIZED TO SIGN AGREEMENT. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**NEW BUSINESS**

**A. CONSIDERATION HARBOR DISTRICT REPRESENTATIVE ON LAFCO.**

Commissioner Curless reported that his term as the Harbor District representative on the Local Agency Formation Commission (LAFCO) will soon expire.

COMMISSIONER HUNTER MOVED FOR THE RECOMMENDATION OF COMMISSIONER CURLESS TO SERVE AS THE HARBOR DISTRICT'S MEMBER TO LAFCO AND TO NOTIFY THE CLERK OF THE LAFCO BOARD OF SUCH RECOMMENDATION. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF AGREEMENT WITH PHILLIP GLENN, DBA *CELTIC CHARTER SERVICE*, TO OPERATE A CHARTER SERVICE AT WOODLEY ISLAND MARINA.**

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF AGREEMENT WITH PHILLIP GLENN, DBA *CELTIC CHARTER SERVICE*, TO OPERATE A CHARTER SERVICE AT WOODLEY ISLAND MARINA. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF AUTHORIZING TASK 2 OF AGREEMENT WITH PACIFIC AFFILIATES FOR ENGINEERING SERVICES RELATED TO MAINTENANCE DREDGING OF WOODLEY ISLAND MARINA.**

CEO explained that included in Task 2 of the agreement are permits for Woodley Island Marina and the dredge disposal site. Pacific Affiliates has submitted a similar proposal to the City, but it has not yet been approved. Upon the City's approval, this agreement will be modified to show the Harbor District will pay for one-half the cost. Mike Knight, City of Eureka, will present this item to the Eureka City Council at one of their meetings in April.

Maggie Herbelin stated that information resulting from the recent symposium suggested dredge spoils might be used in bay restoration.

CEO explained that the dredge spoils have been used for decades around Humboldt Bay for agricultural purposes, ball field construction and wetland restoration. For this dredging project, the dredge material has been considered for use in wetland restoration in Arcata. He said that these types of projects are site and time specific.

COMMISSIONER OLLIVIER MOVED TO TABLE THIS ITEM UNTIL THE COST OF TASK 2 IS SUBMITTED.

**D. CONSIDERATION OF AUTHORIZING THE NORTH COAST SMALL BUSINESS DEVELOPMENT CENTER TO PROCEED WITH PHASE 1 OF THE WEST END DEVELOPMENT BUSINESS OPTION EVALUATION.**

CEO reported that 20 years ago a 2-story commercial space was permitted for the west end of Woodley Island. That parcel of land has never been developed and since the Harbor District has continually searched for additional sources of income, it is timely this resource is researched. Since the planning data from the early 1980's may not be relevant now, staff would like the information to be reviewed and analyzed by Kristin Roach Johnson of the North Coast Small Business Development Center, a division of RREDC, who will then make recommendations of possible uses of the site (e.g. restaurant, hotel, interpretive center).

COMMISSIONER OLLIVIER MOVED FOR AUTHORIZING NORTH COAST SMALL BUSINESS DEVELOPMENT CENTER TO PROCEED WITH PHASE 1 OF THE WEST END DEVELOPMENT BUSINESS OPTION EVALUATION NOT TO EXCEED \$6,000.00. COMMISSIONER HUNTER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**E. CONSIDERATION OF FY 04/05 BUDGET WORKSHOP.**

Mark Wetzel, CPA, District Treasurer, reported the proposed budget is based on conservative projections and he presented the summary of the proposed FY 04/05 Budget as follows: Revenue \$1,864,196; Operating Expenses \$1,435,346; Non-Operating Expenses \$1,706,000; Excess Revenues Under Expenses \$(1,277,150). District Treasurer stated that every year the Harbor District has put aside funds (currently \$1.1 million) in expectation of maintenance dredging of the marina and once the dredging is done, funds will be set aside in subsequent years for the next maintenance dredging project.

CEO presented a PowerPoint program of the proposed FY 04/05 Budget. The presentation included pie charts showing income and expenses split by function of the Harbor District, additional information on tideland lease revenue, Harbor Improvement Surcharge revenue, the current fee schedule of services and expected grant activity for the fiscal year.

President Pellegrini asked that a listing of audited year-end Excess Revenues Under/Over Expenses for the last several years be included with the Budget.

**ADMINISTRATIVE AND EMERGENCY PERMITS: None**

The Regular Meeting of the Board of Commissioners adjourned at 8:40 p.m.

APPROVED BY:

RECORDED BY:

\_\_\_\_Signature on File\_\_\_\_\_  
Ronald A. Fritzsche, Secretary

\_\_\_\_Signature on File\_\_\_\_\_  
Patricia L. Tyson, Admin. Assistant