

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

9 June 2004

PRESENT:

Commissioner Curless
Commissioner Hunter
Commissioner Ollivier

ABSENT:

Commissioner Pellegrini
Commissioner Fritzsche

The Closed Session was called to order at 6:05 p.m. District Counsel reported the items of discussion: Simpson Samoa lease, Louisiana-Pacific North Coast Exports lease, Louisiana-Pacific pulp mill lease, and the Café Marina lease.

Closed Session adjourned at 6:42p.m.

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

District Counsel reported the following items were discussed during Closed Session: Simpson Samoa lease, Louisiana-Pacific North Coast Exports lease, Louisiana-Pacific pulp mill lease, and the Café Marina lease. No action was taken on these items.

PUBLIC COMMENT

Penny Elsebusch told the Board of Commissioners she was disappointed that no one from the Harbor District attended the Humboldt Bay Stewards meeting on June 7th. She said that the County of Humboldt and City of Eureka were both represented by some of their elected officials. She also suggested the Board read an article in *Inbound Logistics*, issue March 2004, which infers that shipping customers are now controlling loading and unloading activity in the ports through building of terminals specific to their use.

Kaye Strickland also stated she was disappointed that the Harbor District was not represented at the Humboldt Bay Stewards meeting. She stated that the comments heard at that meeting are the same comments that have been heard for years and were similar to those coming from the Harbor Revitalization Plan Visioning Forum held on April 28th. Kaye also stated that between 1974 and the late 1980's the Harbor District and the City of Eureka had only three meetings and the Citizens for Port Development group have continued throughout the years to assist in the improvement of the interaction between the two agencies.

David Elsebusch stated he thought the Board of Commissioners made an error in judgment by not attending the Humboldt Bay Stewards meeting. He also asked who is going to pay for the "wish list" created by the public at these meetings. Mr. Elsebusch stated that the Board of Commissioners should be concerned about the Grand Jury's dealings with Fortuna Councilmember Debi August and he said it was unfortunate that SB 1272 did not go forward as it dealt with conflicts of interest for elected boards. Mr. Elsebusch did say that he thought the Harbor District Board Meeting minutes were a very detailed accounting of the meetings.

CONSENT CALENDAR

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF THE CONSENT CALENDAR.
COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- CEO reported the next Harbor Revitalization Plan advisory committee meeting is scheduled for June 16th at 3:30 p.m. at the Eureka City Council Chambers. He said the 53-page report on the results of the Visioning Forum on April 28th will be presented. Betsy Watson, facilitator of the Visioning Forum, will give a report on the findings and there will also be time allotted for public comment. The report will also be available on the Harbor District website within a few days.
- CEO reported that Conservation Specialist Jeff Robinson has represented the Harbor District at several elementary schools recently because May was Ocean Month.
- Annual Lupin removal in the Gerald O. Hansen Wildlife Area is ongoing.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT

Administrative Assistant presented the Monthly Management and Treasurer's Reports for the month of April 2004.

COMMISSIONER REPORTS: None

ADVISORY COMMITTEE REPORTS

Commissioner Hunter reported that he and Commissioner Fritzsche as the Finance Advisory Committee met with CEO, District Treasurer and Administrative Assistant and Dennis Ciocca of Sutter Securities regarding refinancing the Harbor Deepening Project loans.

Commissioner Hunter stated that as part of the Harbor Revitalization Plan Advisory Committee he is anxious to see the report from Betsy Watson on the results of April's Visioning Forum.

Commissioner Ollivier reported that he and President Pellegrini met with Steve Dolfini regarding the Café Marina lease.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS

A. FIRST READING OF FY 2004/05 BUDGET.

Vice President Hunter thanked the staff for the positive evolutions of the budget over the past several years.

CEO stated that District Treasurer is continuing to work with the County Auditor-Controller to determine the amount of tax revenue that can be estimated for 2004/05. This was the first reading of the FY 2004/05 budget. No action was necessary.

B. CONSIDERATION OF SECOND READING AND ADOPTION OF ORDINANCE 17 – AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND ENFORCEMENT PROCEDURES FOR THE ANCHORING, SECURITY AND DISPOSITION OF VESSELS IN HUMBOLDT BAY.

CEO reported that upon the approval of this ordinance, it will be published in a local newspaper and will be effective thirty days from the date of publication.

COMMISSIONER CURLESS MOVED FOR THE ADOPTION OF ORDINANCE 17 – AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND ENFORCEMENT PROCEDURES FOR THE ANCHORING, SECURITY AND DISPOSITION OF VESSELS IN HUMBOLDT BAY. COMMISSIONER OLLIVIER SECONDED. ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF GRANT AGREEMENT WITH THE COUNTY OF HUMBOLDT.

CEO reported this grant of \$45,000 from the Headwaters Fund approved by the County of Humboldt is to assist in the payment of the study of salmonids and other fish species use of eelgrass in Humboldt Bay. This fish communities study is partially funded by the Harbor District, Coast Seafoods and NOAA Fisheries as part of Coast Seafoods permit to operate mariculture in Humboldt Bay. USFWS biologists are conducting the study.

Vice President Hunter suggested that on the agenda, the item should be more descriptive. CEO responded that Harbor District protocol has been to title the agenda item to read the same as the title of the grant/contract/agreement, but that practice can be revised.

COMMISSIONER OLLIVIER MOVED FOR THE APPROVAL OF GRANT AGREEMENT WITH THE COUNTY OF HUMBOLDT. COMMISSIONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

B. CONSIDERATION OF AGREEMENT AND FIRST AMENDMENT TO PERMIT AND OPERATE BOAT RENTAL SERVICES.

CEO reported that Jay Dottle operates Hum-Boats and a water taxi service on F-Dock at Woodley Island Marina. Commissioner Pellegrini, Commissioner Ollivier, Dockmaster and CEO met with Mr. Dottle to discuss his request to move his operation to A-Dock which would be closer to the City's Boardwalk and F Street water taxi stand. Mr. Dottle also requested A-Dock because it would minimize the kayakers interactions with larger vessels in the Eureka Channel.

Kaye Strickland reported that Jay Dottle had asked the Citizens for Port Development to support him in his efforts to protect his business when HSU's Boating Instruction and Safety Center (BISC) begins operation next to the Adorni Center. According to Kaye, Mr. Dottle fears his business will suffer with the competition from the BISC. Kaye said that Burt Nordstrom of HSU told her he would like to talk with Mr. Dottle, but since Mr. Dottle had mentioned litigation to him he was no longer able to have a discussion with Mr. Dottle.

COMMISSIONER CURLESS MOVED FOR THE APPROVAL OF AGREEMENT AND FIRST AMENDMENT TO PERMIT AND OPERATE BOAT RENTAL SERVICES. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF RESOLUTION 2004-09 REQUESTING A GRANT IN THE AMOUNT OF \$37,000 FROM THE DEPARTMENT OF BOATING AND WATERWAYS FOR THE IMPROVEMENT OF THE BOAT LAUNCHING FACILITY LOCATED AT SHELTER COVE, CALIFORNIA.

CEO reported that at the last meeting, the grant with Department of Boating and Waterways (DBAW) was approved. DBAW has now asked that a resolution be passed by the Board of Commissioners to complete the application.

COMMISSIONER OLLIVIER MOVED FOR THE APPROVAL OF RESOLUTION 2004-09 REQUESTING A GRANT IN THE AMOUNT OF \$37,000 FROM THE DEPARTMENT OF BOATING AND WATERWAYS FOR THE IMPROVEMENT OF THE BOAT LAUNCHING FACILITY LOCATED AT SHELTER COVE, CALIFORNIA. COMMISSIONER CURLESS SECONDED.

Commissioner Curless reported he and CEO traveled to Shelter Cove today to meet with Diana Cistaro, co-owner of Mario's Marina, and to view the different facilities adjacent to Mario's Marina and the boat ramp.

David Elsebusch said that one of the suggestions offered at the Humboldt Bay Stewards meeting was to improve the boat launching facilities in Humboldt Bay. He suggested that grants should be researched for this type of project too.

CEO noted that within the past few years the Harbor District has helped the City of Eureka with the design of their new launch ramp at the Eureka Public Marina; partnered with the County of Humboldt to make improvements to the Fields Landing Boat Launch Facility; and worked with the USFWS to permit the Hookton Slough non-motorized boat launch facility and others.

ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 7:45 p.m.

APPROVED BY:

RECORDED BY:

Ronald A. Fritzsche, Secretary

Patricia L. Tyson, Admin. Assistant