

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

**10 August 2006**

**PRESENT:**

Commissioner Pellegrini  
Commissioner Curless  
Commissioner Wilson  
Commissioner Hunter  
Commissioner Ollivier

The Closed Session was called to order at 6:02 p.m. Closed Session adjourned at 6:58 p.m.

The regular meeting of the Board of Commissioners was called to order by President Pellegrini at 7:02 p.m.

District Counsel led those present in the Pledge of Allegiance.

District Counsel reported on the items discussed during Closed Session: real property negotiations: Fields Landing property including potential use of dock; status of Redwood Dock/Samoa Shops including extending ERTN with CUE, IV, dredge line access agreement with Sequoia Investments XI, LLC, Shelter Cove Fish Cleaning station, use of Redwood Terminal property; and personnel issues including status of hiring for unfilled position. No action was taken on these items during Closed Session.

**PUBLIC COMMENT:** None

**CONSENT CALENDAR**

Commissioner Hunter asked for Item A of the Consent Calendar to be pulled for discussion.

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

Commissioner Hunter stated in Item A under his report the name of St. Joseph Hospital CEO was spelled incorrectly. The correct spelling of the CEO is Joe Marks.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF ITEM A OF THE CONSENT CALENDAR TO INCLUDE THE CORRECTION. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**CEO REPORT**

- ∨ Dredge Yaquina will be in Humboldt Bay August 22<sup>nd</sup> and their survey crew will arrive August 14<sup>th</sup>. The last time the Corps dredges were here the work on the shoaling in the entrance to the bay was not completed due to the imposed time restrictions.
- ∨ Humboldt Bay Management Plan – copies of the Final EIR have been distributed to local libraries, participating agencies and those who commented on the Draft EIR. The Final EIR is also available on the Harbor District's website. The Board of Commissioners at the August 24<sup>th</sup> meeting will consider the Final EIR for adoption.
- ∨ Shelter Cove Draft EIR comment period started August 9<sup>th</sup> and will end September 22<sup>nd</sup>.
- ∨ Table Bluff Lighthouse – Hamanaka Painting has worked steadily on stripping the lighthouse and will have the project completed by August 18<sup>th</sup>.
- ∨ The Port of Long Beach newsletter has reported the vessel Westwood Pomona made its inaugural run to Long Beach and is the first container ship in the short sea shipping project.
- ∨ Redwood Dock – CEO reported a fire occurred last week on the west side of the dredge disposal site. More k-rails will be placed around the property to prevent the dumping of abandoned cars.
- ∨ Park Street property – the fence along the street has been repaired and "No Trespassing" signs posted to prevent motorcycles and ATVs from riding through the marsh area.

**DISTRICT COUNSEL'S REPORT:** None

**STAFF REPORT:** None

**COMMISSIONER REPORTS**

Commissioner Curless reported he has received calls from Shelter Cove residents about the breakwater rehabilitation project and he said the callers have been satisfied with the progress.

Commissioner Curless reported the Humboldt County Fair started today.

Commissioner Wilson reported discussion is ongoing between staff, RCAA employees and Coastal Conservancy representatives on funding an implementation plan for water trails around Humboldt Bay.

Commissioner Wilson reported a workshop will be held on creating vibrant communities and recommended the District attend.

Commissioner Hunter suggested the Board of Commissioners begin work on the five-year Strategic Plan once the Humboldt Bay Management Plan is adopted. President Pellegrini asked Commissioners Hunter and Curless if they would serve as the Advisory Committee for the Strategic Plan. Both agreed to serve and to develop a timeline for development of the Strategic Plan to present to the Board.

President Pellegrini reported the Department of Commerce declared a West Coast fisheries failure, the first time a failure has been declared prior to the end of the season. She said this is positive for the fishermen since it would assure economic assistance would be available.

**ADVISORY COMMITTEE REPORTS**

The Board of Commissioners agreed Advisory Committee reports had been covered in Commissioner Reports.

**OTHER:** None

**NON-AGENDA:** None

**UNFINISHED BUSINESS:** None

**NEW BUSINESS**

**A. CONSIDERATION OF EXTENSION OF EXCLUSIVE RIGHT TO NEGOTIATE WITH CUE IV, LLC FOR THE SAMOA SHOPS PROPERTY.**

District Counsel reported the extension would allow the ERTN to continue through September 30, 2006. All particulars of the original ERTN would remain the same.

COMMISSIONER HUNTER MOVED FOR THE EXTENSION OF EXCLUSIVE RIGHT TO NEGOTIATE WITH CUE IV, LLC FOR THE SAMOA SHOPS PROPERTY. COMMISSIONER CURLESS SECONDED.

Kaye Strickland asked if the Timber Heritage Association could still be involved and how many acres is the parcel. District Counsel replied the extension continues to allow Timber Heritage Association to make proposals to the Harbor District and the Harbor District to negotiate without violating the ERTN with CUE IV, LLC. District Counsel also stated the property is approximately 5 acres, but is not a separate legal parcel and may require a lot line adjustment.

MOTION CARRIED WITHOUT DISSENT.

**B. CONSIDERATION OF APPROVAL OF AGREEMENT WITH ROY D. GARREN, INC FOR MAINTENANCE DREDGING OF WOODLEY ISLAND MARINA.**

CEO reported the Harbor District, City of Eureka and Pacific Affiliates has successfully negotiated a maintenance dredging contract with Roy D. Garren of Roseburg, OR. The contract is in three separate pieces: Woodley Island Marina, City of Eureka waterfront sites and the common dredge line (cost is split 50/50 by the Harbor District and the City of Eureka). Nehalem River Dredging Company, the same company used in the 1987/88 dredge cycle, will be used in this dredge contract. CEO stated the project will cost approximately \$440,000 more than it would have last year due to increased fuel costs and additional testing required.

CEO also stated the Board of Commissioners will be asked to approve a five-year monitoring program of the dredge spoils at a future meeting.

CEO stated staff recommends approval of the agreement with Roy D. Garren, Inc. for maintenance dredging of Woodley Island Marina and one-half of the cost of mobilization, demobilization and placement of the common dredge line, not to exceed \$2,060,110.

COMMISSIONER CURLLESS MOVED FOR THE APPROVAL OF AGREEMENT WITH ROY D. GARREN, INC. FOR MAINTENANCE DREDGING OF WOODLEY ISLAND MARINA AND ONE-HALF OF THE COST OF MOBILIZATION, DEMOBILIZATION AND PLACEMENT OF THE COMMON DREDGE LINE, NOT TO EXCEED \$2,060,110. COMMISSIONER HUNTER SECONDED.

Commissioner Wilson asked Travis Schneider, Pacific Affiliates, if he was satisfied with the work of Nehalem River Dredging Company. Mr. Schneider responded negotiations were conducted with Roy D. Garren, Inc. due to the work done by Nehalem in 1987/88. He said mobilization will begin as soon as the contract is signed and actual dredging will begin November 1, 2006.

Kaye Strickland asked if the dredge spoils would be deposited on the site to be discussed in Agenda Item C. President Pellegrini responded affirmatively.

Melvin McKinney asked why Site K-13 had not been given full consideration. President Pellegrini responded all sites were given consideration.

MOTION CARRIED WITHOUT DISSENT.

**C. CONSIDERATION OF AUTHORIZING CHIEF EXECUTIVE OFFICER TO EXECUTE A SITE ACCESS AGREEMENT EXTENSION WITH SEQUOIA INVESTMENTS XI, LLC.**

CEO reported due to the fact the dredging was not completed last year, the Site Access Agreement approved last year, similar to the ERTN, has expired.

District Counsel stated there is not cost to the Harbor District for this agreement and a verbal agreement from Sequoia Investments XI, LLC was obtained prior to this meeting.

COMMISSIONER CURLLESS MOVED FOR THE APPROVAL OF AUTHORIZING CHIEF EXECUTIVE OFFICER TO EXECUTE A SITE ACCESS AGREEMENT EXTENSION WITH SEQUOIA INVESTMENTS XI, LLC. COMMISSIONER HUNTER SECONDED. MOTION CARRIED WITHOUT DISSENT.

**D. CONSIDERATION OF APPROVAL OF AGREEMENT WITH TRINITY ASSOCIATES FOR THE PREPARATION OF A HISTORIC ATLAS FOR THE EEL RIVER/HUMBOLDT BAY INTEGRATIVE WETLANDS STRATEGY PROJECT.**

COMMISSIONER OLLIVIER MOVED FOR THE APPROVAL OF AGREEMENT WITH TRINITY ASSOCIATES FOR THE PREPARATION OF A HISTORIC ATLAS FOR THE EEL RIVER/HUMBOLDT BAY INTEGRATIVE WETLANDS STRATEGY PROJECT. COMMISSIONER CURLLESS SECONDED.

Commissioner Hunter asked for the motion to include "Not to Exceed \$39,380."

COMMISSIONER OLLIVIER REVISED HIS MOTION TO APPROVE AGREEMENT WITH TRINITY ASSOCIATES FOR THE PREPARATION OF A HISTORIC ATLAS FOR THE EEL RIVER/HUMBOLDT BAY INTEGRATIVE WETLANDS STRATEGY PROJECT, NOT TO EXCEED \$39,380.  
COMMISSIONER CURLLESS SECONDED.

MOTION CARRIED WITHOUT DISSENT.

**ADMINISTRATIVE AND EMERGENCY PERMITS:** None

The Regular Meeting of the Board of Commissioners adjourned at 7:39 p.m.

APPROVED BY:

RECORDED BY:

\_\_\_\_Signature on File\_\_\_\_  
Roy Curless, Secretary

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