

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

10 May 2007

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Hunter
Commissioner Ollivier

The Closed Session was called to order at 6:03 p.m. Closed Session adjourned at 6:37 p.m.

President Curless called the regular meeting of the Board of Commissioners to order at 7:00 p.m.

Commissioner Wilson led those present in the Pledge of Allegiance.

District Counsel reported the Closed Session items as follows: Real Property Negotiations – Shelter Cove Fish Cleaning Station and Fields Landing negotiations.

PUBLIC COMMENT

David Elsebusch suggested the Board of Commissioners send a letter opposing SB964 amendments, which amends the Brown Act. He said it was an awful thing that the League of California Cities sent out “propaganda” against the original wording of the bill and the Governor better sign the bill because it deters concurrence between Board members prior to a meeting.

Mr. Elsebusch asked President Curless to pull Items (b), (c), and (e) of the Consent Calendar.

Pete Oringer said he attended a trails stakeholder meeting and there was a lot of good information exchanged. Mr. Oringer also said there has been recent discussion to resolve who owns the rail right-of-ways around Humboldt Bay and elsewhere. He also thanked Commissioner Pellegrini for the efforts she extended in Omaha for the local fishermen and Warren Buffett’s response was predictable in that he does not take a direct hand in running the corporations he owns.

CONSENT CALENDAR

President Curless pulled Items (b), (c) and (e) for further discussion.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF ITEMS (A), (D) AND (F) OF THE CONSENT CALENDAR. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

Item (b): David Elsebusch said the agenda report does not explain what storage container was chosen. CEO explained.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF ITEM (B) OF THE CONSENT CALENDAR. COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

Item (c): David Elsebusch asked what the net effect of the SeaGrassNet membership would be. Conservation Specialist, Jeff Robinson, explained this type of eelgrass monitoring is the first of its kind in California and is consistent with the policies of the Humboldt Bay Management Plan. He also stated the information will be useful in the Harbor District’s permit process. NOAA, US Fish and Wildlife Service and Department of Fish and Game employees will take part in the training by Fred Short, leading world expert on eelgrass.

Commissioner Hunter stated the Board of Commissioners is always asked what the Harbor District is doing for conservation and this is one way to take a leadership role. Commissioner Hunter complimented Conservation Specialist on his efforts.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF ITEM (C) OF THE CONSENT CALENDAR. COMMISSIONER OLLIVIER SECONDED. MOTION CARRIED WITHOUT DISSENT.

Item (e): David Elsebusch asked if this item to approve bar pilot navigation simulation development was just another opportunity for bragging rights for the Harbor District. He also asked if the pilots had to pay for this type of training themselves prior to becoming Harbor District employees. CEO responded the information from this training will be helpful to the Redwood Marine Terminal Feasibility Study consultants. For the last two years, CEO has been trying to get grant funding from the State for this project with no success. The District needs the information now, thus the request.

Damien Mooney, Chairman of the local ILWU, said it has been announced one additional ship per month will be coming to Humboldt Bay and the additional pilot fees will offset the pilot expenses.

Penny Elsebusch asked if the cost would be less expensive the next time the pilots need the training because the set-up would already be in place.

Commissioner Wilson asked if it is feasible to move away from the dependence on two bar pilots and possibly add more pilots. CEO stated at this point the pilots are riding together because there is an average of only one ship per month in Humboldt Bay; however, when there are more ships, they will travel alone.

Commissioner Wilson said it would be a good idea to think about adding an apprentice pilot. Commissioner Ollivier responded there would be a need for additional pilots with additional shipping. Commissioner Wilson asked what would happen if there was only one full-time pilot in Humboldt Bay. CEO stated the Pilotage Advisory Committee wrestled with that thought and concluded there should be a minimum of two on an emergency basis and until another pilot could be found. He said there is no budget for additional pilots and temporary assistance may come from San Francisco.

Pete Oringer asked if there is a ride-along program for apprentice pilots. Commissioner Pellegrini responded there would be liability issues and CEO stated there would be security issues as well.

Pete Oringer asked about the pilots' other duties as Harbor District employees. CEO stated the pilots have taken over the position as facility security officers for the Redwood Dock facility and have rewritten and updated the entire security plan, they have worked on the simulator information, conferred with Corps of Engineers on dredging issues, conducted bay tours using the District's bay boat and are working on a plan for other port security needs.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF ITEM (E). COMMISSIONER PELLEGRINI SECONDED. MOTION CARRIED WITHOUT DISSENT.

CEO REPORT

- Ø 5/12: CEO acknowledged this date marks the Administrative Assistant's 10th anniversary with the Harbor District.
- Ø 5/1-2: CEO attended CMANC meeting and State Maritime Month event in Sacramento. He said he participated on a joint select committee for ports to provide educational information to legislators.
- Ø 5/8: CEO and Rich Trygar met with Kamal Ajuha from Air Quality Resources Control Board to discuss port truck volumes.
- Ø 5/10: Ecosystem-Based Management meeting, using Humboldt Bay Management Plan as framework.
- Ø 5/9: Hazard Mitigation Plan meeting to determine a pre-planned response to natural disasters in order to be eligible for FEMA funds. The County expects this comprehensive plan to be finished by Fall.
- Ø 5/8: CEO toured the Boating Instruction and Safety Center.
- Ø CEO reported the WRDA bill is now closer to approval than ever since 2000.
- Ø CEO received a letter from the EPA thanking Conservation Specialist for his recent work on the CRAM wetland assessment training.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT: None

COMMISSIONER REPORTS

Commissioner Pellegrini reported she and her two daughters participated in a delegation to Omaha, Nebraska last week. Berkshire-Hathaway, owned by Warren Buffett, was holding its annual stockholder meeting. Commissioner Pellegrini spoke in front of 27,000 people to tell Mr. Buffett of the hardship the four Klamath River dams owned by Pacificorp, one of Mr. Buffett's corporations, are creating for the fishermen on the west coast. She said Mr. Buffett did not respond to her question and she shared many newspaper and magazine articles, which criticized Mr. Buffett for his non-response.

Commissioner Pellegrini stated her daughter is graduating from middle school on June 14th, a scheduled Board meeting, and asked if the meeting could be moved to June 13th.

Commissioner Wilson thanked Commissioner Pellegrini for representing Humboldt County at the Berkshire-Hathaway meeting.

Commissioner Wilson reported he attended an interagency and landowners meeting regarding a trail between Eureka and Arcata. He said it was a productive meeting. Commissioner Wilson also reported the Ecosystem-Based Management Advisory Committee will hold a meeting next week.

Commissioner Hunter encouraged everyone to attend the Strategic Plan Advisory Committee meeting on May 14th. It is the second in the series of outreach meetings and will focus on conservation.

Commissioner Ollivier reported FEMA recently forgave a \$650,000 loan to NCRA it had issued years ago.

ADVISORY COMMITTEE REPORTS

Commissioner Hunter introduced Dennis Sheridan and Brady Arthur of TranSystems, consultants for the Redwood Marine Terminal Feasibility Study. Mr. Sheridan and Mr. Arthur stated they have had initial meetings with port staff, assessed the facility and are now in their information-gathering phase. They said the next phase would be to pursue marketing and are not yet ready to make any recommendations to the Board.

Commissioner Hunter said he is very impressed with the consultants' work thus far and looks forward to their finished product.

Commissioner Pellegrini reported the Human Resources Advisory Committee met and is presenting their finished product at this meeting.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS

A. CONSIDERATION OF APPROVAL OF STAFFING REORGANIZATION.

CEO related the history of the Harbor District's staff organization and reorganizations, the main changes being to clerical and maintenance staff. The Human Resources Advisory Committee and staff have been working on the reorganization plan for two years, which addresses the District's needs into the next five years. CEO then made a PowerPoint presentation highlighting the existing organization chart and the one being proposed.

Damien Mooney asked how many union positions are there currently and how many will there be in the future. CEO responded there are currently 8 union positions, a potential for 12 currently and 13 with the reorganization.

Commissioner Wilson said there appeared to be too many directors and not enough support staff. Commissioner Pellegrini responded theoretically every Director has the potential for support staff if more revenue is received. Commissioner Hunter stated not every director on the reorganization chart has support staff. CEO said the number of support staff/clerks would be assessed with the needs of management.

Commissioner Ollivier said CEO and port operations would be the key to bringing in revenue for the other Harbor District programs. He said he was excited the Harbor District is part of the increased activity in the port. Several west coast ports have failed, some are coming back due to similar changes.

Commissioner Hunter stated last year the Board of Commissioners made the decision to hire two pilots and the costs had to be weighed against the option of closing the port; but the Board took the investment route and is now seeing an increase in shipping into the port. He said this was an investment chance taking into consideration the three areas needing District funding support, namely harbor, recreation and conservation.

David Elsebusch said District Treasurer recently told the Board to stop overspending; the budget is in a deficit. He suggested the Board think of options to increase revenue where spending money is not necessary; the Board cannot continue on the same course. He asked if the Harbor District added staff and more expenses, how can that possibly increase revenue. Mr. Elsebusch stated he is hopeful the plan would be justified because it is a good plan, but suggested to move the timeline and get revenue coming in. The Harbor District is a typical government operation – working so hard they want to be relieved; and Board and staff has accomplished a lot and should be congratulated, but does that necessitate substantial increases.

Commissioner Pellegrini said the director positions will be contract and can be terminated if it is determined there is no need for a particular position.

Commissioner Hunter said when looking at the budget, the Board looks at both sides – revenue and expenses – and considers how to keep expenses down while increasing revenues. He said the Human Resources Advisory Committee feels the reorganization plan is an investment in the future and at no time was there a discussion about relief for the present staff.

Commissioner Wilson asked if the fiscal impacts of the reorganization were taken into consideration when preparing the budget. CEO stated until the first reading of the budget in June, the salaries/wages and payroll burden figures in the budget are stated the same as the last year's budget. Once the April CPI is received, salaries/wages and payroll burden can be adjusted.

David Elsebusch stated there is no second in command position in case Mr. Hull takes a leave of absence. President Curless responded there are several capable employees who can fill in temporarily.

Commissioner Hunter said the reorganization plan has been considered for the last two years and he commended CEO, Administrative Assistant and the union employees for a job well done.

Pete Oringer said it appears the Harbor District is creating a vision and there will be some initial, relatively minor short-term impacts. He suggested a fiscal flow chart be developed to help the public understand the impacts.

Penny Elsebusch said the Board is putting the cart before the horse. She said the feasibility study should be completed before the harbor division is implemented.

Commissioner Ollivier responded the Harbor District is looking at a publicly –owned facility for the first time in Humboldt Bay history and the reorganization chart gives the Board and staff the tools to improve beyond a Victorian Seaport. He thanked Commissioners Hunter and Pellegrini for their time spent to develop the reorganization plan.

MOTION CARRIED WITHOUT DISSENT.

NEW BUSINESS

A. CONSIDERATION OF DEVELOPING A JOINT PROP 1B GRANT APPLICATION WITH NCRA.

CEO reported a joint port and rail advisory committee met to discuss applying for Prop 1B funds for rail and port infrastructure projects. CEO met with several state legislators recently in Sacramento and was told a joint application with NCRA would be more competitive.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF DEVELOPING A JOINT PROP 1B GRANT APPLICATION WITH NCRA. COMMISSIONER PELLEGRINI SECONDED.

Commissioner Wilson asked where the estimates came from and how the funds will be used. CEO replied the application would be tied to the Redwood Marine Terminal consultant's recommendations and NCRA's analysis of their needs.

Commissioner Wilson said the Prop 1B funds are earmarked primarily for corridors of national significance, which did not appear to be the case in this instance. CEO stated there is no question Humboldt Bay is at a disadvantage; but he has received favorable feedback from the director of the California Transportation Commission and believes there is a potential at least for a match of funds. CEO said by making application for the funds, it would show NCRA and the Harbor District are serious about this project and sends a positive message to Sacramento the partnership is in place.

Commissioner Ollivier said NCRA knows how much money is needed to complete the project and is happy to have the Harbor District as a partner.

Commissioner Hunter asked if the Board of Commissioners would have to approve a grant application prior to submittal and CEO responded affirmatively.

Commissioner Pellegrini said she thought Commissioner Wilson had supported the railroad in the past, but his rhetoric sounded differently. Commissioner Wilson said he just wanted accurate figures and information before he could make a decision.

MOTION CARRIED WITH COMMISSIONER WILSON DISSENTING.

B. CONSIDERATION OF APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE AT WOODLEY ISLAND MARINA TO TIM AND SHERRY KLASSEN, DBA *REEL STEEL SPORTFISHING*.

COMMISSIONER OLLIVIER MOVED FOR THE APPROVAL OF PERMIT AND AGREEMENT TO OPERATE A CHARTER SERVICE AT WOODLEY ISLAND MARINA TO TIM AND SHERRY KLASSEN, DBA *REEL STEEL SPORTFISHING*. COMMISSIONER PELLEGRINI SECONDED.
MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 9:26 p.m.

APPROVED BY:

RECORDED BY:

Signature on File
Ronnie Pellegrini, Secretary

Signature on File
Patricia L. Tyson, Admin. Assistant