

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

9 August 2007

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Hunter
Commissioner Ollivier

ABSENT:

Commissioner Wilson

The Closed Session was called to order at 6:13 p.m. Closed Session adjourned at 6:21 p.m.

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

Commissioner Ollivier 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 Evergreen Pulp easement. No action was taken on these items.

President Curless stated Agenda Item 10(a) would be moved to this point in the meeting.

NEW BUSINESS

A. CONSIDERATION OF APPROVAL OF RESOLUTION 2007-09 IN THE MEMORY OF JEFF ROBINSON.

Commissioner Pellegrini requested CEO read the resolution aloud, which he did. CEO then presented the framed resolution to Karen Schubert, Jeff Robinson's wife.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF RESOLUTION 2007-09 IN THE MEMORY OF JEFF ROBINSON. COMMISSIONER OLLIVIER SECONDED.

CEO stated a memorial service would be held at 1:00 p.m. August 19, 2007 at the Wharfinger Building. CEO also read a portion of the State Assembly's Daily Journal, submitted by Assemblymember Berg, stating on July 19, 2007 the Assembly adjourned in the memory of Jeff Robinson.

ROLL CALL VOTE WAS TAKEN:

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

MOTION CARRIED WITHOUT DISSENT.

PUBLIC COMMENT

David Elsebusch asked why the attorney was required to travel with CEO and President Curless to see the fish cleaning station in Shelter Cove. President Curless responded District Counsel went to Shelter Cove to meet with a property owner who is interested in donating a parcel of property to the Harbor District.

CONSENT CALENDAR

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

CEO REPORT

- Ø 8/7: Strategic Plan meeting was held. Commissioners Curless and Hunter attended.
- Ø 8/8-9: District hosted Wetland Demonstration Project intercalibration workshop.
- Ø 8/9-10: the surveillance system is being installed at the Fields Landing Boat Yard, which will save the Harbor District approximately \$70,000 per year on security expenses.
- Ø The Maintenance Department completed the laundry room renovation in May and June and recently completed the Conference Room and main office remodeling to provide space for the new Director of Maritime Commerce, Wilson Lacy, who will begin August 15th.
- Ø 8/9: CEO recorded an interview for KHUM radio station.
- Ø CEO reported six more letters in support of the Shelter Cove Breakwater Rehabilitation Project have been received.
- Ø Commissioner Hunter complimented staff on their steady work through the difficult times recently with the passing of Jeff Robinson. He also thanked Maintenance staff on their work in the Conference Room.

DISTRICT COUNSEL'S REPORT: None

STAFF REPORT: None

COMMISSIONER REPORTS

Commissioner Pellegrini reported she and her daughter Eryn were interviewed for the World's Fair in Spain regarding water issues, specifically the changes of the Klamath River and how fishing families are affected.

Commissioner Pellegrini stated her husband Paul has been fishing for albacore off Coos Bay, Oregon. Port officials in Coos Bay are reporting a MERSK facility and LNG facility will be built in the North Bend area.

Commissioner Pellegrini said EcoTrust has interviewed local fishermen regarding protected fishing grounds. She said the NGO (non-government owned agency) has been tasked with gathering information for the Marine Life Protection Act on the North Coast.

Commissioner Hunter reported he attended the Strategic Plan meeting on August 7th. The information gathered from the public outreach meetings was discussed and comments were received from attendees regarding recreational hunting and fishing in Humboldt Bay. He said there would be another public outreach meeting before the draft Plan is presented to the Board of Commissioners.

Commissioner Curless said he was impressed with the Strategic Plan Committee and their consistent interest in Humboldt Bay.

ADVISORY COMMITTEE REPORTS

Commissioner Hunter reported he and Commissioner Wilson collaborated with CEO on the wording of the resolution presented tonight in honor of Jeff Robinson.

Commissioner Hunter announced the next Strategic Plan meeting would be held on August 16th at 6 p.m.

OTHER: None

NON-AGENDA: None

UNFINISHED BUSINESS: None

NEW BUSINESS

B. CONSIDERATION OF NOMINATION OF DENNIS MAYO TO SERVE ON THE CALIFORNIA MARINE LIFE PROTECTION ACT STATEWIDE INTERESTS GROUP.

COMMISSIONER PELLEGRINI MOVED FOR THE NOMINATION OF DENNIS MAYO TO SERVE ON THE CALIFORNIA MARINE LIFE PROTECTION ACT STATEWIDE INTERESTS GROUP. COMMISSIONER HUNTER SECONDED.

Commissioner Hunter stated Dennis Mayo has been a dedicated member of the Strategic Plan Advisory Committee and will be a good representative on the MLPA Statewide Interests Group.

Melvin McKinney stated Dennis Mayo does not belong on the committee because in the past he has spoken against the MLPA. Mr. McKinney said Mr. Mayo takes the position of the Blue Ribbon Coalition, a renegade group who states public agencies are taking a discriminatory position against fishermen. He recommended the Board of Commissioners know Mr. Mayo's position and that Mr. Mayo does not seem conservation-minded since he repeatedly leaves "Conservation" out of the Harbor District's full title. Mr. McKinney said there was no public notice announcing the availability of the position.

Pete Nichols, Humboldt Baykeepers, said he agrees with Mr. McKinney. He said he likes Mr. Mayo personally, but said it is important to have someone on the committee who thinks more moderately and has a background in science. Mr. Nichols said Mr. Mayo has previously been outspoken about the MLPA and said he thinks the Board of Commissioners might want someone who is more open-minded and conservation-minded.

Diane Beck said she did not know the Harbor District even played a part in the MLPA and said Dennis Mayo is not the man for the job. She read a letter stating her opposition to Mr. Mayo's nomination.

Commissioner Pellegrini stated Mr. Mayo is not representing the Harbor District as such on the MLPA committee. The Board of Commissioners is nominating him for a position.

CEO stated former Commissioner Ron Fritzsche was appointed to the task force as someone who would carry messages to the committee and keep the local people informed as to the MLPA Board's actions/decisions. However, Commissioner Fritzsche was disappointed that the information from the MLPA Board did not reach him in a timely fashion.

Commissioner Pellegrini then stated her husband Paul Pellegrini was previously on the task force and had the same frustration.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF APPROVAL OF FIELDS LANDING BOAT RAMP COOPERATIVE MAINTENANCE AGREEMENT.

CEO stated the Harbor District and the County of Humboldt are cooperating together on the phased rehabilitation of the Fields Landing Boat Ramp. In order for the County to receive grant funding for the project from the State, they require an agreement stating the Harbor District gives the County permission to be on Harbor District property when maintaining the boat ramp.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF FIELDS LANDING BOAT RAMP COOPERATIVE MAINTENANCE AGREEMENT. COMMISSIONER HUNTER SECONDED.

District Counsel stated the agreement was prepared by Harbor District staff and contains standard language for automobile and Workers Compensation insurance. However, the County is self-insured for automobile, liability and Workers Compensation and District Counsel felt the County may ask to change the language.

MOTION CARRIED WITHOUT DISSENT.

D. CONSIDERATION OF AGREEMENT WITH MARIO'S MARINA TO EXTEND LICENSE FOR FISH CLEANING STATION AND TO EXPLORE POSSIBLE REAL PROPERTY SALE AND ACQUISITION.

District Counsel reported approximately 25-30 years ago, the Harbor District obtained a grant from the Coastal Conservancy for the fish cleaning station and it was located on the property owned by Mario Machi. Several years ago, the property was sold and the fish cleaning station continued to operate in its original location. The agreement between the Harbor District and the current property owners will expire in November 2007 and negotiations between the Harbor District, property owners and the Shelter Cove Resort Improvement District to extend the agreement have been ongoing. The property owners' have expressed their desire for the Harbor District to remove the station or they will remove it and charge the costs to the District.

The Harbor District filed a petition with the court to allow a land appraiser to enter the property. At this point the owners said they would grant the extension of the agreement to maintain the fish cleaning station and explore the potential to sell that portion of the property to the Harbor District through grant funding. CEO stated there was a good chance the grant funding could be obtained as the possibility was explored several years ago. He also said the proposed agreement places no obligation on the Harbor District other than to explore the possibility of the purchase of the portion of the property. The marina owners will continue to look for other buyers as well.

CEO stated there is community support to maintain the fish cleaning station at its current location. The Resort Improvement District also passed a resolution urging the Harbor District Board of Commissioners to do whatever they could to keep the fish cleaning station open. The station was built originally in response to community complaints of discarded fish carcasses everywhere and the current residents are concerned that practice would recur if the station were removed.

COMMISSIONER HUNTER MOVED FOR THE APPROVAL OF AGREEMENT WITH MARIO'S MARINA TO EXTEND LICENSE FOR FISH CLEANING STATION AND TO EXPLORE POSSIBLE REAL PROPERTY SALE AND ACQUISITION. COMMISSIONER PELLEGRINI SECONDED.

David Elsebusch asked why the Harbor District has to be involved in this issue. Commissioner Pellegrini stated the Harbor District is a countywide agency and has been involved for decades in Shelter Cove and is currently working with Department of Boating and Waterways to rehabilitate the breakwater.

Kaye Strickland said she felt it would be a huge mistake to let the fish cleaning station be removed.

MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 7:50 p.m.

APPROVED BY:

RECORDED BY:

____Signature on File_____
Ronnie Pellegrini
Secretary

____Signature on File_____
Patricia L. Tyson
Director of Administrative Services