

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

December 18, 2008

PRESENT:

Commissioner Pellegrini
Commissioner Curless
Commissioner Wilson
Commissioner Higgins
Commissioner Hunter

The Closed Session was called to order at 6:30p.m. Closed Session adjourned at 6:45 p.m.

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

Humboldt County Supervisor Jimmy Smith led those present in the Pledge of Allegiance.

District Counsel reported on Closed Session. The Board of Commissioners allowed the filing of a late claim and voted to approve a payment of \$338.94 to Christopher Fonda for damages to a vessel moored at Woodley Island Marina.

PUBLIC COMMENT

Susan Penn said she recently had trouble with an electrical box her boat was plugged into; but she notified the office and within three days the problem was fixed. Her boat sustained no damages.

CEO stated currently the District's maintenance personnel are taking a system-wide approach on the dock electrical boxes and are repairing those in need.

County Supervisor Jimmy Smith said the fishermen can travel safely through the entrance to Humboldt Bay thanks to the Board of Commissioners' dedication to keeping the bar and entrance dredged. He said he knows how expensive it is, but is much appreciated by the fishermen. Supervisor Smith also apologized for not being able to participate on the Humboldt Bay Management Plan Advisory Committee, but said Don Tuttle will be the County's representative on the committee. He said there were many long Task Force meetings, but the end result is better information to help with land parcels, invasive species, business development and synchronization with recreation and conservation. Supervisor Smith thanked the Board of Commissioners for all their hard work.

CONSENT CALENDAR

Commissioner Higgins asked for item D of the Consent Calendar to be removed for discussion.

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

CEO explained the importance of the Shelter Cove portion of the statewide project to develop standardized sampling methodology for biological assessment of Areas of Special Biological Assessment.

COMMISSIONER HIGGINS MOVED FOR THE APPROVAL OF THE ITEM D OF THE CONSENT CALENDAR. COMMISSIONER PELLEGRINI SECONDED.

Commissioner Wilson asked how Dr. Raimondi was hired. CEO stated Dr. Raimondi was hired by the State Water Resources Control Board.

President Hunter moved Item 10. New Business (a) Consideration of accepting for filing annual audit for FY 2007/08 to take place after Advisory Committee reports.

CEO REPORT

- ❖ 12/10: The first Humboldt Bay Management Plan Advisory Committee meeting was held.
- ❖ 12/11: Water Trails meeting was held and discussion centered around the transition from planning to implementation.
- ❖ 12/10: CEO met with Jeff Zander, recently hired RREDC Executive Director.
- ❖ 12/16: Five migratory dock floats were recovered from the Samoa beaches and are being stored at the Redwood Marine Terminal.
- ❖ 12/18: CEO participated in a RAMP conference call to discuss the status of the project to return the Harbor Maintenance Tax to its intended purpose
- ❖ CEO participated in Prop. 1b Port Security Grant discussions with other California Ports and the State's Office of Homeland Security. CEO stated last year the Harbor District was awarded a grant for \$586,000 and this year the District's grant may be up to \$2.4 million for port security enhancements.
- ❖ 12/18: CEO also participated in a dioxin work group meeting which is working to create standard sampling protocols for Humboldt Bay.

DISTRICT COUNSEL REPORT: None

STAFF REPORT: None

COMMISSIONERS REPORTS

Commissioner Pellegrini

- ❖ Attended the annual Employee Recognition Dinner on December 6th. She said the District staff is a dedicated, intelligent group of people who work very hard.
- ❖ Said the recent passing of a friend brought to mind the importance of being nicer to each other and to work together to get things done for the community.
- ❖ Reported it is still crab season. She wanted to remind everyone there has been no fatalities in the fishing community since the deepening of the bar and entrance to Humboldt Bay.

Commissioner Curless:

- ❖ Said Les Westfall, a friend of the Harbor District and the bay community, passed away.
- ❖ Said he, too, enjoyed meeting all the District staff at the Employee Recognition Dinner.

Commissioner Wilson:

- ❖ Reported his bathroom at home is being remodeled, which is why he is currently growing a beard.
- ❖ Attended a luncheon for the American Society of Civil Engineers. Troy Nicolini, NOAA, gave a presentation on weather modeling.
- ❖ Met with local labor council.

Commissioner Higgins:

- ❖ Stated the Collaborative Fisheries Venture is moving right along; the goal is to collect fish data collaboratively with sport and commercial fishermen to be a benefit with MLPAs and the long term management of fisheries.
- ❖ Reported the Economic Development Committee met and that he feels there is broad local interest in how to make business happen around the bay.
- ❖ Expressed concern that talk about Redwood Marine Terminal infrastructure funding was premature. CEO explained a request had been received from local legislators asking for a list of economic stimulus projects.

Commissioner Hunter:

- ❖ Attended a Chamber of Commerce Board meeting. A presentation was given by a Humboldt Bay Municipal Water District (HBMWD) representative about the impacts of a loss of service in Samoa due

to the shut-down of Evergreen Pulp. He asked CEO to talk with Carol Riesche, HBMWD General Manager, to see how the Harbor District can work with them on this important issue.

ADVISORY COMMITTEE REPORTS

Commissioners Pellegrini and Wilson attended the first Humboldt Bay Management Plan Advisory Committee meeting on December 10th. The next three meetings will be held the first Wednesday of the month from 6-8 p.m.

President Hunter reported the Human Resources Advisory Committee will meet early next year because it will be time to begin negotiations with the employee union.

10. NEW BUSINESS

A. CONSIDERATION OF ACCEPTING FOR FILING ANNUAL AUDIT FOR FY 2007/08.

District Treasurer introduced Kim McReynolds, CPA of Demello, McAuley, McReynolds and Holland, LLP. Ms. McReynolds performed the audit on the Harbor District's financial records for the fiscal year 2007/08. She said there were no findings for this audit year and the audit was considered a clean, unqualified one.

David Elsebusch said this report is very timely and very well done. He asked for the auditor to be given a copy of his complaint to the IRS regarding how the District's Treasurer and Counsel are paid and for an opinion of the auditor.

President Hunter stated several years ago Bill McAuley, CPA reviewed this issue and came back with a finding of no violation of IRS law. District Counsel stated he also spoke with Mr. McAuley and he told District Counsel he disagreed with Mr. Elsebusch's complaint.

COMMISSIONER PELLEGRINI MOVED TO ACCEPT FOR FILING ANNUAL AUDIT FOR FY 2007/08. COMMISSIONER HIGGINS SECONDED. MOTION CARRIED WITHOUT DISSENT.

OTHER

Presentation on 2008 District Year in Review

CEO gave a PowerPoint presentation to the Board of Commissioners on the progress made on the Management Objectives in the 2007-2011 Strategic Plan during 2008. CEO reviewed each objective and commented on how that objective had been met or is being met.

The Board thanked CEO for his insightful presentation and said they appreciated the update.

NON-AGENDA: None

NEW BUSINESS

B. CONSIDERATION OF AGREEMENT WITH WINZLER AND KELLY FOR SERVICES RELATED TO REACTIVATING THE SAMOA (LP) UPLAND DREDGE DISPOSAL SITE.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF AGREEMENT WITH WINZLER AND KELLY FOR SERVICES RELATED TO REACTIVATING THE SAMOA (LP) UPLAND DREDGE DISPOSAL SITE, NOT TO EXCEED \$12,400. COMMISSIONER WILSON SECONDED.

Commissioner Pellegrini said this could be used for disposal for dredging of Woodley Island Marina and City of Eureka sites.

Yoash Tilles and Pat Kaspari, Winzler & Kelly, were present. Mr. Tilles said this does not replace the ocean disposal site and the facility can be expanded in the future.

MOTION CARRIED WITHOUT DISSENT.

C. CONSIDERATION OF AGREEMENT WITH SHN CONSULTING ENGINEERS AND GEOLOGISTS, INC. FOR SERVICES RELATED TO THE PREPARATION OF A TREATED PILING SAMPLING, HANDLING, AND DISPOSAL ALTERNATIVE PLANNING AS PART OF THE REMOVAL OF STORM DAMAGE AND DEBRIS FROM THE FIELDS LANDING MARINE TERMINAL.

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D. CONSIDERATION OF APPROVAL OF AMENDMENT NO. 3 TO PERMIT AND AGREEMENT TO OPERATE A DINGHY DOCK AT WOODLEY ISLAND MARINA BY THE HUMBOLDT YACHT CLUB.

COMMISSIONER PELLEGRINI MOVED FOR THE APPROVAL OF AMENDMENT NO. 3 TO PERMIT AND AGREEMENT TO OPERATE A DINGHY DOCK AT WOODLEY ISLAND MARINA BY THE HUMBOLDT YACHT CLUB. COMMISSISONER CURLESS SECONDED. MOTION CARRIED WITHOUT DISSENT.

ADMINISTRATIVE AND EMERGENCY PERMITS: None

The Regular Meeting of the Board of Commissioners adjourned at 8:35 p.m.

APPROVED BY:

RECORDED BY:

____Signature on File_____
Roy Curless
Secretary

____Signature on File_____
Patricia L. Tyson
Director of Administrative Services