

**AGENDA**  
**SPECIAL MEETING OF THE BOARD OF COMMISSIONERS**  
**HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT**

**DATE:** May 14, 2020

**TIME:** Executive Closed Session 5:00 P.M.  
Special Session 7:00 P.M.

**PLACE:** Join Zoom Meeting  
<https://us02web.zoom.us/j/87613792856>

Meeting ID: 876 1379 2856  
One tap mobile  
+16699009128,,87613792856# US

**Zoom Meeting**

- i. Zoom Public Comment: When the Board of Commissioners announce the agenda item that you wish to comment on, call the conference line and turn off your live stream. Please call (669) 900-9128, enter Meeting ID 876 1379 2856 and press star (\*) 9 on your phone, this will raise your hand. You'll continue to hear the Board Meeting on the call. When it is time for public comment on the item you wish to speak on, staff will unmute your phone. You'll hear a prompt that will indicate your phone is unmuted. Staff will then ask you to state your name and begin your comment. You will have 3 minutes to comment.

**1. Call to Order Closed Session at 5:00 P.M.**

**2. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

**3. Move to Executive Closed Session**

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 and 401-112-024 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: California Marine Investments LLC (Nordic Aquafarms). Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-112-021, 401-111-006, 401-122-011, 401-122-012, 401-031-061, 401-031-070, 401-031-040, and 401-031-055 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Green Diamond Resource Company, Simpson Paper Company and DANCO. Under negotiation: price and payment terms.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Trans Pacific Networks LLC and Inyo Networks Inc. Under negotiation: price and payment terms.

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- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-121-012 and 401-121-010 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: EWP Renewable Corp. Under negotiation: price and payment terms.
- e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker

**4. Call to Order Special Session at 7:00 P.M. and Roll Call**

**5. Report on Executive Closed Session**

**6. Public Comment**

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**7. Business**

**a) Receive Report and Receive Direction from the Board Regarding Districts Response to COVID-19. (Roll Call Vote)**

**Recommendation:** Staff recommends the Board: Receive a report and provide direction as necessary.

**Summary:** On March 11, 2020 Humboldt County Health Officer Teresa Francovich, MD declared a local health emergency. The Maritime Commerce and Commercial Fisheries are essential services. Staff will provide an update on the Harbor District operation and the Board will discuss and take action on items necessary to keep operations functioning during this emergency.

**b) Review and Public Comment on Draft Relocation Plan associated with the Proposed California Marine Investments LLC (Nordic Aquafarms) Lease Agreement at Redwood Marine Terminal II**

**Recommendation:** Staff recommends the Board Direct Staff to: Analyze any public comments and bring the Relocation Plan Back to the Board on May 28<sup>th</sup> for approval.

**Summary** The Draft Plan is a tool used by the Harbor District to identify the needs of the affected business occupants of the Subject Property, assess the availability of potential replacement sites for the businesses, and to put forth the Harbor District's commitment to provide relocation assistance to displaced businesses in accordance with the Harbor District's Relocation Assistance Program for locally funded projects.

**c) Approve a Lease Agreement with DANCO for use of the Harbor District's ocean outfall pipeline for the new Town of Samoa Wastewater Treatment Plant Discharge**

**Recommendation:** Staff recommends the Board Direct Staff to:

1. Execute a lease agreement.
2. Authorize the use of existing utility easements to allow the installation of the discharge pipe from the Town of Samoa to the ocean outfall along Vance Avenue.

**Summary:** The District owns a 1 ½ mile ocean outfall pipe that the State Water Quality Control Board recently approved the discharge of the Town of Samoa's Wastewater Treatment Plant effluent. The lease

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Agreement will be with the Danco until such time as the facility is transferred to the Samoa Community Services District who will be the permanent operator of the Wastewater Treatment Plant. The rate to discharge will be based on the rate study approved by the Board. Staff intends to bring the Rate Study to the Board at your regular meeting in June for approval.

- d) Consider authorizing purchase of and easement, fee title, lease or other real property agreement on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers 401-111-006 from Green Diamond Resource Company and/or Simpson Paper Company.**

*Recommendation:* Staff recommends the Board Direct Staff to: Execute lease, easement, purchase or other real property agreements under the specific terms outlined by the Board.

*Summary:* The utilities on the Samoa Peninsula between the Louisiana Pacific Former Pulp Mill and the Samoa Bridge are primarily private. Over the years the properties and their associated utilities have changed ownership several times. There are several share services agreements, utility easements, and other agreements that have been approved and recorded over the years. The entities have an excellent cooperative relationship and some of the agreements need to be terminated, revised, expanded, and/or new agreements put in place.

**8. Permits**

- a) Consideration of Extension for Permit No. 2018-01: Caltrans Eureka-Arcata Corridor Project**

*Recommendation:* Staff recommends the Board approve extending Permit No. 2018-01 for the Caltrans Eureka-Arcata Corridor Project through May 22, 2021.

*Summary:* Caltrans received Permit 2018-01 on May 23, 2019 and it will expire on May 22, 2020. The permit may be renewed for up to nine years at the discretion of the District. Caltrans has requested an extension.

**9. Adjournment**