

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

**DATE:** August 10, 2023

**TIME:** Closed Session – 4:00 P.M.  
Regular Session – 6:00 P.M.

**PLACE:** Wharfinger Building # 1 Marina Way, Eureka, CA 95501

*The Wharfinger Building is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at (707) 443-0801 at least 24 hours in advance of the meeting.*

- 1. Call to Order Closed Session at 4:00 P.M.**
- 2. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the closed session items. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Closed Session Agenda. 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.*

**3. Move to Closed Session**

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Property: 364 Vance Avenue, Samoa, Humboldt County APN 401-112-021-000; and APN 401-112-024-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Humboldt Bay Development Association.  
Under negotiation: price and terms of payment
- b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Title: Executive Director
- c) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Title: Deputy Director
- d) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Title: Director of Administrative Services
- e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Title: Development Director

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**f) CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Larry Oetker, Executive Director; Ryan Plotz, District Counsel

Unrepresented employee: Deputy Director

**4. Call to Order Regular Session at 6:00 P.M. and Roll Call**

**5. Pledge of Allegiance**

**6. Report on Closed Session**

**7. 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.*

**8. Consent Calendar**

- a) Adopt Minutes for July 13, 2023 Regular Board Meeting
- b) Adopt Minutes for July 27, 2023 Special Board Meeting
- c) Approve Employment Contract Renewal for Director of Administrative Services
- d) Approve Employment Contract Renewal Marina Manager
- e) Consider Approving a Contract Amendment with Redwood Community Action Agency in the Amount of \$119,392 with a contingency of up to 10% for an expanded Scope of Services for the Samoa Peninsula Beautification Project

**9. Communications, Reports and Correspondence Received**

- a) Correspondence Received
- b) Executive Director's Report
- c) Staff Reports
- d) District Counsel and District Treasurer Reports
- e) Commissioner and Committee Reports

**10. Unfinished Business – None**

**11. New Business**

- a) Consider Adopting Resolution 2023-15, A Resolution Authorizing the Submission of a US Department of Transportation FY 2023-2024 Multimodal Project Discretionary Grant Opportunity for the Humboldt Offshore Wind Terminal Project for the Construction of a Phase of a New Heavy Lift Multipurpose Terminal to Support the Offshore Wind Industry**

*Recommendation:* Staff recommends the Board: Adopt Resolution 2023-15, authorizing staff to submit a grant application and authorizing the Executive Director to sign an associated Letter of Commitment to the US Department of Transportation for the FY 2023-2024 Multimodal Project Discretionary Grant Opportunity (MPDG) for the Humboldt Offshore Wind Terminal Project.

*Summary:* A supplemental staff report to this staff report will be issued on 8/8/23 or sooner to clarify total grant amount, matching funds, and proposed project elements.

- b) Consider Approval of a Project Labor Agreement with the State Building and Construction Trade Council of the State of California, Building and Construction Trades Council of Humboldt and Del Norte Counties, and the Signatory Craft Councils and Unions**

*Recommendation:* Staff Recommends that the Board: Approve the Project Labor Agreement.

*Summary:* The District's Offshore Wind Subcommittee and the State Building and Construction Trades Council have come to agreement on a Project Labor Agreement for the New Terminal Project (Attachment 1). The project is projected to require a significant amount of assistance from both the Federal and State Governments. On February 4, 2022, President Biden issued an Executive Order on Use of Project Labor Agreements For Federal Construction Projects which requires project labor agreements for federally funded projects of more than \$35 Million.

- c) Consider Awarding an Audit Contract for the Humboldt Bay Harbor, Recreation and Conservation District to Harshwal & Company LLP**

*Recommendation:* Staff Recommends that the Board award a contract to Harshwal & Company LLP to audit its financial statements for the fiscal years ending 6/30/2023, 6/30/2024 and 6/30/2025, with the option to extend the contract an additional two fiscal years ending 2026 and 2027.

*Summary:* On May 23, 2023 the Harbor District released an RFP for Auditing Services. Harshwal & Company LLP is the only firm to respond to the request for proposals. The proposed not-to-exceed price is \$20,500 for the first year, increasing annually by 5%.

**d) Consider Adopting Resolution 2023-14 Establishing Findings Relative to Humboldt Bay Harbor, Recreation and Conservation District Permit 2023-03; a CEQA Exemption; and Conditional Approval of Permit 2023-03 for the Caltrans Eureka Slough Bridges Geotechnical Investigation Project**

*Recommendation:* Staff recommends that the Board receive a staff report, receive public comment, and adopt Humboldt Bay Harbor, Recreation, and Conservation District Resolution No. 2023-14 which includes:

- Establishing Findings Relative to the Permit Application for the Caltrans Eureka Slough Bridges Geotechnical Investigation Project and the California Environmental Quality Act Exemption
- Approving Permit 2023-03 with conditions for the Caltrans Eureka Slough Bridges Geotechnical Investigation Project

*Summary:* The Caltrans Eureka Slough Bridges Geotechnical Investigation Project (Project) will characterize subsurface conditions to support the design and construction of the proposed replacement of northbound and southbound Eureka Slough Bridges on U.S. Highway 101. The geotechnical investigation includes drilling and performing geophysical surveys for the proposed bridge alignments at or near the proposed foundation locations. Up to six (6) geophysical surveys would occur. No earthwork would be required to access or perform the proposed surveys. Up to 22 borings would be drilled. Depending on location, the borings would be advanced through the existing bridge deck, highway pavement surface, median strip, or vegetated area adjacent to the approach embankments. A majority of the work locations would be accessed along the highway shoulders and median and through the Eureka Slough Bridges bridge decks within the existing Caltrans right of way.

**12. Future Agenda Items**

**13. Adjournment**