

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

**March 9, 2023**

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date, Closed Session met at 5:00 P.M., Regular Session met at 6:00 P.M. at the Woodley Island Marina meeting room, 601 Startare Drive, Eureka, CA 95501. Commissioner Higgins participated remotely with access to the public at the Eel River Recover Project office located at 44960 US-101 Unit 6, Laytonville, CA 95454.

**CLOSED SESSION – 5:03 P.M.**

**PUBLIC COMMENT:** The following individuals addressed the Commission regarding subject matters on the closed session meeting agenda: No one.

**BUSINESS**

- 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. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: All or Portions of Humboldt County Assessor Parcel Nos.: 401-112-024-000, 401-031-040-000, 401-031-078-000, and 401-031-083-000, and portions of the tidelands along the Samoa Peninsula adjacent to Redwood Marine Terminal I. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. Under negotiation: price and terms of payment.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Samoa Pacific Group, LLC. Under negotiation: price and terms of payment.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-054-000, 401-031-061-000, 401-112-013-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: California Redwood Company. Under negotiation: price and terms of payment.
- e) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-071-000 and 401-112-029-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Sniper Enterprises, LLC. Under negotiation: price and terms of payment.

**REGULAR SESSION – 6:04 P.M.**

**ROLL CALL**

**PRESENT:** BENSON  
DALE  
KULLMANN  
HIGGINS  
NEWMAN

**ABSENT:** NONE

**QUORUM:** YES

**PLEDGE OF ALLEGIENCE**

**REPORT ON SPECIAL CLOSED SESSION:** No reportable action.

**PUBLIC COMMENT:** The following individuals addressed the Commission regarding subject matters not on the regular session meeting agenda: Kathy Rodriguez and Pat Hooven.

**CONSENT CALENDAR**

- a) Adopt Minutes for February 9, 2023 Regular Board Meeting
- b) Receive District Financial Reports for December 2022
- c) Receive District Financial Reports for January 2023

COMMISSIONER HIGGINS MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-C.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN

Noes: NONE

Absent: NONE

Abstain: NONE

**COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED**

- a) Correspondence Received – None.
- b) Executive Director’s Report
  - I. Executive Director presented Executive Director’s report and stated there would a special meeting on March 29<sup>th</sup> or 30<sup>th</sup>.
- c) Staff Reports
  - I. Staff presented on recent District activities.
- d) District Counsel and District Treasurer Reports
  - I. No Report.
- e) Commissioner and Committee Reports
  - I. Commissioners reported on recent activities and subcommittees.

**UNFINISHED BUSINESS**

**a) Consider Authorizing Executive Director to Enter into an Agreement with the City of Eureka Regarding Marketing For Cruise Ships**

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Scott Adair and Lonyx Landry commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER HIGGINS MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE CITY OF EUREKA REGARDING MARKETING FOR CRUISE SHIPS.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: BENSON, DALE, KULLMANN, NEWMAN

Noes: NONE

Absent: HIGGINS (LOST POWER ON HIS REMOTE CONNECTION)

Abstain: NONE

**NEW BUSINESS**

**a) Consider Adopting Resolution 2023-05, A Resolution Concerning Offshore Wind Development Off the West Coast of the United States and Around Humboldt Bay**

- I. District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Alicia Bixler, Nancy O'Hara, Carla Osborn, Lonyx Landry, Amy Jester, Robin Grey-Stewart, Scott Adair and Jake McMaster commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER HIGGINS MOVED TO ADOPT RESOLUTION 2023-05, A RESOLUTION CONCERNING OFFSHORE WIND DEVELOPMENT OFF THE WEST COAST OF THE UNITED STATES AND AROUND HUMBOLDT BAY AFTER SOME MINOR LANGUAGE EDITS.

COMMISSIONER BENSON SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN

Noes: NONE

Absent: NONE

Abstain: NONE

**b) Consideration of Initial 2023-2024 District Budget Preparation Schedule**

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. Discussion only, no formal action was taken.

**c) Consider Adopting Resolution 2023-04, A Resolution Accepting Funds from the California Department of Fish and Wildlife, Office of Spill Prevention and Response for Oil Spill Prevention and Response Equipment, and to Authorize the Executive Director to execute the Grant Agreement**

- I. District Staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER NEWMAN MOVED TO ADOPT RESOLUTION 2023-04, A RESOLUTION ACCEPTING FUNDS FROM THE CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE, OFFICE OF SPILL PREVENTION AND RESPONSE FOR OIL SPILL PREVENTION AND RESPONSE EQUIPMENT, AND TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE GRANT AGREEMENT.

COMMISSIONER KULLMANN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: BENSON, DALE, KULLMANN, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

**d) Authorize the Executive Director and/or Board President to Review and Execute Closing Documents as a part of the Chase Community Capital New Market Tax Credit Loan related to the Harbor District and the Humboldt Bay Development Association**

- I. Executive Director and District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Leroy Zerlang commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER KULLMANN MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR AND/OR THE BOARD PRESIDENT TO REVIEW AND EXECUTE CLOSING DOCUMENTS AS A PART OF THE CHASE COMMUNITY CAPITAL NEW MARKET TAX CREDIT LOAN RELATED TO THE HARBOR DISTRICT AND THE HUMBOLDT BAY DEVELOPMENT ASSOCIATION.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: BENSON, DALE, KULLMANN, NEWMAN

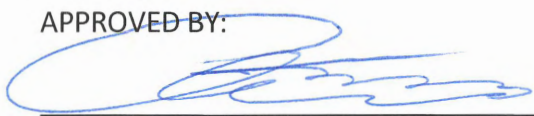
Noes: NONE

Absent: HIGGINS

Abstain: NONE

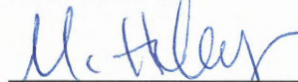
**ADJOURNMENT – 8:30 P.M.**

APPROVED BY:



Aaron Newman  
Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley  
Director of Administrative Services