

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

December 14, 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.

CLOSED SESSION – 5:00 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. 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.

- b) Public Employee Appointment: Facilities Coordinator

REGULAR SESSION – 6:01 P.M.

ROLL CALL

PRESENT: BENSON
 DALE
 HIGGINS
 KULLMANN
 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: Tod Reincke, Heidi Moore-Guynup, Bill Rich and Carol Vander Meer.

CONSENT CALENDAR

- a) Adopt Minutes for November 9, 2023 Regular Board Meeting

Adopted Minutes for December 14, 2023 Regular Board Meeting

- b) Receive District Financial Reports for October 2023
- c) Review and Approve a Lease Agreement Darrel Pitcher
- d) Approval of Emergency Repairs for USCG Dock Power
- e) ~~Approval of Engagement Letter with K&L Gates for Legal Counsel~~
COMMISSIONER KULLMANN MOVED TO PULL AGENDA ITEM E FOR DISCUSSION AND
MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-D.
COMMISSIONER NEWMAN SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN
Noes: NONE
Absent: NONE
Abstain: NONE

- e) Approval of Engagement Letter with K&L Gates for Legal Counsel
Executive Director and legal counsel presented the item.
The Commission discussed the item.
Chair Dale opened the item to public comment. No one commented.
Chair Dale moved the discussion back to the Commission.
COMMISSIONER HIGGINS MOVED ACCEPT AGENDA ITEM E.
COMMISSIONER BENSON 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
 - 1. Ballots for Humboldt No. 1 Fire Protection District for 11 parcels
 - 2. Letter from Mark Wetzal, David L. Moonie & Co, LLP
- b) Executive Director's Report
 - I. Executive Director presented Executive Director's report.
- c) Staff Reports
 - I. Staff presented reports.
- 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) **Receive Status Update Regarding Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project**
 - I. District staff presented the item.
 - II. The Commission discussed the item.

- III. Chair Dale opened the item to public comment. Lonyx Landry, Heidi Moore-Guynup, Carol Vander Meer, Kimberly Rich, Sebastian Elrite, Bill Rich, Torri Polizzi, Mica O'Herlihy and Matt Simmons commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. Discussion item only, no formal action was taken.

NEW BUSINESS

a) Consider Adopting Resolution 2023-23, A Resolution Fixing the Employer Contribution Under the Public Employees' Medical and Hospital Care Act at an Equal Amount for Employees and Annuitants

- 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.

COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2023-23, A RESOLUTION FIXING THE EMPLOYER CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN, NEWMAN

Noes: BENSON

Absent: NONE

Abstain: NONE

b) Consider Adopting Resolution 2023-24, A Resolution Fixing the Employer Contribution Under the Public Employees' Medical and Hospital Care Act at an Unequal Amount for Employees and Annuitants

- 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.

COMMISSIONER HIGGINS MOVED TO ADOPT RESOLUTION 2023-24, A RESOLUTION FIXING THE EMPLOYER CONTRIBUTION UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT AT AN UNEQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN

Noes: NONE

Absent: NONE

Abstain: NONE

c) Consider Awarding a Contract with SHN for Design and Construction Services at Fields Landing Boat Yard

- I. Executive Director presented the item.

- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Tod Reincke commented; a letter from Jennifer Kalt was presented.
- IV. Chair Dale moved the discussion back to the Commission.
COMMISSIONER HIGGINS MOVED TO AWARD A CONTRACT TO SHN FOR DESIGN AND CONSTRUCTION SERVICES AT FIELDS LANDING BOAT YARD.
COMMISSIONER BENSON SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN
Noes: NONE
Absent: NONE
Abstain: NONE

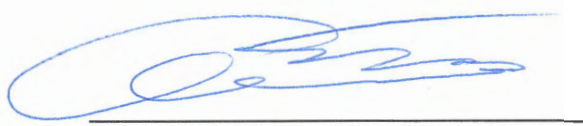
FUTURE AGENDA ITEMS

- a) Green Terminal Strategy for the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal
- b) Staff reach out to the Humboldt Bay Municipal Water District regarding the water line on the Samoa Peninsula; forward CEQA notice to Board of Commissioners; inform Board if there is a public meeting regarding the water line
- c) Outreach
- d) MMIP
- e) Provide the letter from the Pacific Coast Shellfish Growers Association regarding Herpes Virus to the Board of Commissioners, perhaps get input from the Department of Fish and Wildlife on the virus
- f) Relocation plan for subtidal leases
- g) Clarify the entity who regulates/enforces ballast water exchanges and how that process works
- h) Community Benefits Table regarding the Offshore Wind Heavy Lift Marine Terminal

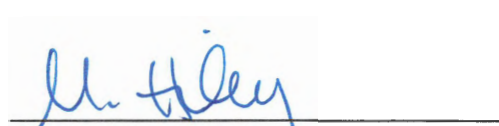
ADJOURNMENT – 7:26 P.M.

APPROVED BY:

RECORDED BY:



Aaron Newman
Secretary of the Board of Commissioners



Mindy Hiley
Director of Administrative Services