

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

DATE: March 14, 2024

TIME: Closed Session – 5:00 P.M.
Regular Session – 6:00 P.M.

PLACE: Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501

How to Observe and Participate in the Meeting:

Observe: Members of the public can attend the meeting in person or observe the meeting on Zoom at the following link: <https://us02web.zoom.us/j/6917934402>

Meeting ID: 691 793 4402

One tap mobile

(669) 900-9128, 6917934402#

Public members observing on Zoom will not be able to participate or provide comment.

Members of the public who may wish to provide public comment during the meeting must attend in person.

The Meeting Room 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 5:00 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: 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: Chris Mikkelsen, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. Under negotiation: price and terms of payment.

Agenda for March 14, 2024 Regular Board Meeting

- 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 the February 8, 2024, Regular Board Meeting
- b) Receive District Financial Reports January 2024
- c) Consider Approval of the First Amendment to the Project Labor Agreement By and Between the Humboldt Bay Harbor, Recreation and Conservation District and State Building Trades Council of California, Building and Construction Trades Council of Humboldt and Del Norte Counties, and the Signatory Craft Councils and Unions
- d) Authorize the Execution of an Extension to the Agreement to Stay Loan and Rent Payment Obligations Between the Harbor District and the Humboldt Bay Development Association
- e) Consider Accepting Application for Filing for Harbor District Permit 2024-01: Billboard Repair

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

a) Receive Status Update Regarding the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project

Recommendation: Receive the report and provide direction.

Summary: The Board has requested a monthly update regarding the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project. Updates may include project schedule, budget, funding opportunities, tasks completed, tasks underway, upcoming tasks, the latest overall project strategy, and agreements with Crowley Wind Services. This report will provide an update for the month of March 2024.

11. New Business

a) Green Port Presentation from Blue Lake Rancheria

Recommendation: Receive a report on Green Port Possibilities on the North Coast

b) Consideration of Initial 2024-2025 District Budget Preparation Schedule

Recommendation: Staff recommends the Board direct Staff to implement the proposed 2024-2025 Budget Preparation Schedule.

Summary: The Budget is prepared annually under the direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors no later than August 1st.

12. Future Agenda Items

- a) Resolution regarding Missing and Murdered Indigenous Persons
- b) Piling Removal Program Concept
- c) FY 2024-2025 Budget

13. Adjournment

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

February 8, 2024

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 – 5:02 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: Chris Mikkelsen, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. Under negotiation: price and terms of payment.

- b) 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: Chris Mikkelsen, Executive Director; Ryan Plotz, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.

- c) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One case. Facts and circumstances involve allegations by California River Watch of certain violations of the Clean Water Act or other related laws arising from the District's Fields Landing facilities.

- d) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: One case

REGULAR SESSION – 6:02 P.M.

ROLL CALL

PRESENT: BENSON
 DALE
 HIGGINS

KULLMANN
NEWMAN

ABSENT: NONE
QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON SPECIAL CLOSED SESSION: Item D on Closed Session agenda was tabled to a future meeting; no reportable action taken on the remainder of items.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on the regular session meeting agenda: No one.

CONSENT CALENDAR

- a) Adopt Minutes for January 11, 2024 Regular Board Meeting
- b) Receive District Financial Reports December 2023
- c) Charter Agreement Renewal for Reincke Marine Fabrications to operate a Bed & Breakfast at Woodley Island Marina

COMMISSIONER KULLMANN MOVED ACCEPT CONSENT CALENDAR ITEMS A-C.

COMMISSIONER NEWMAN SECONDED.

VOICE 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. Letter and Command Coin from USCG
- 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. No one commented.

- IV. Chair Dale moved the discussion back to the Commission.
- V. Discussion item only, no formal action was taken.

NEW BUSINESS

Commissioner Higgins moved that item 11c. be moved to 11a. Chair Dale reordered the agenda.

a) Receive a report from Redwood Coast Energy Authority on the Benefits of the RES-BCT Solar Arrangement

- I. Mike Avcollie and Sally Regli from Redwood Coast Energy Authority 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. Commission agreed this was an operational and management decision that does not require board direction.
- V. Presentation only, no formal action was taken.

b) Presentation of Brown Act and Board Procedures as presented by Ryan Plotz, District Counsel

- I. District Counsel 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. Presentation only, no formal action was taken.

c) Consider Adopting Resolution 2024-03, A Resolution Designating Business Matters, Appointment and Authorization for the Humboldt Bay Harbor, Recreation and Conservation District for Calendar Year 2024

- 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 BENSON MOVED TO ADOPT RESOLUTION 2024-03, A RESOLUTION DESIGNATING BUSINESS MATTERS, APPOINTMENT AND AUTHORIZATION FOR THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICTR FOR CALENDAR YEAR 2024.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN

Noes: NONE

Absent: NONE

Abstain: NONE

COMMISSIONER KULLMANN MOVED TO ADOPT THE SALARY SCHEUDLE FOR FY 2023-2024.

COMMISSIONER NEWMAN SECONDED.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Draft Minutes for February 8, 2024 Regular Board Meeting

Ayes: BENSON, DALE, HIGGINS, KULLMANN, NEWMAN
Noes: NONE
Absent: NONE
Abstain: NONE

FUTURE AGENDA ITEMS

- a) PIDP Grant Contract (expected by August 2024)
- b) Presentation of INFRA (MEGA) Grant
- c) Resolution regarding Missing and Murdered Indigenous Persons
- d) Piling Removal Program Concept
- e) Presentation from Commissioner Higgins on Geomorphology
- f) Presentation on Water Infrastructure on Peninsula
- g) How to go about adopting Wiyot place names on signage and other documents
- h) Fire Boat Presentation
- i) Recognition of Volunteers

ADJOURNMENT – 7:24 P.M.

APPROVED BY:

RECORDED BY:

Aaron Newman
Secretary of the Board of Commissioners

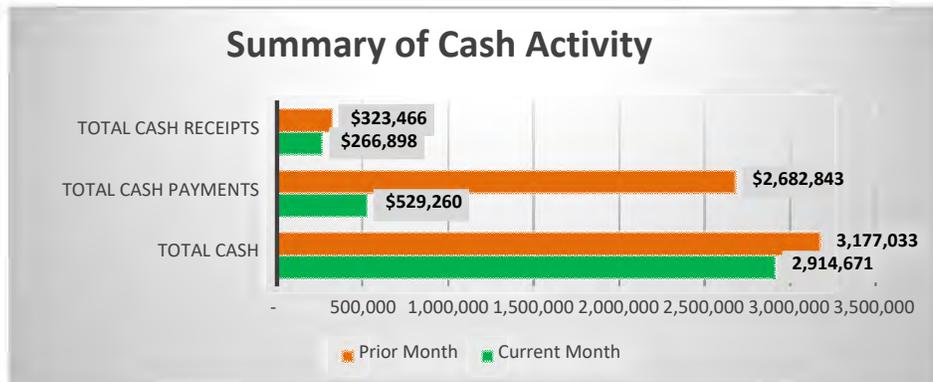
Mindy Hiley
Director of Administrative Services

HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT

Monthly Cash Flow Analysis

For The Months Ended January 31, 2024 and December 31, 2023

	<u>1/31/24</u>	<u>12/31/23</u>
<u>Account Balances</u>		
Checking	\$ 130,169	\$ 232,566
Savings	1,990,645	2,150,252
County Treasury	792,462	792,462
Cash on hand	1,395	1,753
Total Cash	<u>2,914,671</u>	<u>3,177,033</u>
Less: Restricted cash for Marina surcharges	(489,187)	(459,975)
Unrestricted Cash	<u>2,425,484</u>	<u>2,717,058</u>
Less: Unexpended grant proceeds and Nordic deposits included in cash above	(876,571)	(880,618)
Cash Available (Deficit), excluding Marina surcharges	<u>1,548,913</u>	<u>1,836,440</u>
<u>Change in Cash Balance</u>		
Balance, Beginning of Month	\$ 3,177,033	\$5,536,410
Monthly Deposits	266,898	323,466
Monthly Payments	(529,260)	(2,682,843)
Balance, End of Month	<u>\$ 2,914,671</u>	<u>\$3,177,033</u>
<u>Monthly Expenses Summary</u>		
Significant Individual Expenses:		
Redwood Community Action Agency	\$ 165,963	
Woodley Island Marina maintenance dredging		\$1,484,854
Moffat & Nichol expenditure		719,278
Flagstar Public Funding Loan Payment - Interest only	139,721	
PNC Bank Loan Payments - Principal		173,717
PNC Bank Loan Payments - Interest		59,986
Third payroll in month		29,760
Sub-total, Significance/Unusual Expenses	<u>305,684</u>	<u>2,467,595</u>
General operating expenses and other misc. expense	223,576	215,248
Total Cash Payments	<u>\$ 529,260</u>	<u>\$2,682,843</u>
<u>Monthly Deposits Summary</u>		
Significant Individual Revenues:		
CA Energy Commission	\$ 63,497	
CalTrans-Office of Clean CA Local Grant		\$ 70,159
Crowley Wind Services, Inc.	25,000	25,000
Sub-total, Significant/Unusual Revenues	<u>88,497</u>	<u>95,159</u>
General revenues	178,401	228,307
Total Cash Receipts	<u>\$ 266,898</u>	<u>\$ 323,466</u>



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Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

03/08/24

As of January 31, 2024

Accrual Basis

	Jan 31, 24
ASSETS	
Current Assets	
Checking/Savings	
10000 · PETTY CASH ON HAND	29.17
10100 · CHANGE FUND ON HAND	400.00
10111 · COIN MACHINE FUND	730.00
10200 · CASH IN BANK, CHECKING	7,978.10
10200.1 · Cash in PNC, Checking	122,210.44
10400 · CASH IN COUNTY - FUND 2720	756,161.55
10500 · CASH IN COUNTY - FUND 3872	36,300.78
10600.1 · Cash in bank, Tariff PNC	1,931,352.58
10700.1 · Cash in bank, Water PNC	59,292.52
10901 · UNEXPENDED MARINA SURCHARGES	489,186.69
10903 · RESTRICTED CASH	-489,186.69
Total Checking/Savings	2,914,455.14
Accounts Receivable	
12000 · ACCTS RECEIVABLE	1,303,184.71
Total Accounts Receivable	1,303,184.71
Other Current Assets	
12100 · ALLOW FOR BAD DEBTS	-418,101.27
12200 · TAXES RECEIVBLE	714,285.63
12300 · INTEREST RECEIVBLE	19,620.00
12600 · Note Receivable - NMTC	5,849,375.00
12700 · PREPAID EXPENSES	105,908.12
1499 · Undeposited Funds	115.00
Total Other Current Assets	6,271,202.48
Total Current Assets	10,488,842.33
Fixed Assets	
CAPITAL ASSETS, NET	
14910 · SAMOA PROPERTY	208,149.00
14930 · TOWN OF SAMOA PROPERTY	3,007,851.23
14940 · BAY STREET PROPERTY	35,000.00
15000 · AUTOMOTIVE EQUIPMENT	95,639.08
15100 · OFFICE EQUIPMENT	193,303.88
15200 · OPERATING EQUIPMENT	314,098.74
15600 · MARINA	10,529,004.29
15700 · FL BOAT BLDG & REPAIR FACILITY	4,302,259.53
15800 · SHELTER COVE	2,386,247.10
15900 · DREDGING COSTS	215,226.78
16000 · KING SALMON	15,143.99
16100 · MARINA DREDGE, CONSTR IN PROGRES	1,351,140.12
16400 · REDWOOD DOCK PROPERTY	3,010,194.30
16500 · HOMELAND SECURITY EQUIPMENT	2,254,007.60
16600 · TABLE BLUFF LIGHTHOUSE	361.44
16700 · AQUAPONICS PILOT FACILITY	96,036.61
16800 · REDWOOD TERMINAL 2	2,613,169.43
16900 · Dredge	1,215,423.27
17000 · ACCUMULATED DEPRECIATION	-18,989,614.17
Total CAPITAL ASSETS, NET	12,852,642.22
14800 · SHIPWRECK PROPERTY	50,088.05
14900 · DOG RANCH PROPERTY	7,507.70
Total Fixed Assets	12,910,237.97
Other Assets	
18700 · Deferred Lease Asset	3,679,190.00
19000 · Deferred Outflows of PERS	702,529.00
Total Other Assets	4,381,719.00

Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

03/08/24

As of January 31, 2024

Accrual Basis

	Jan 31, 24
TOTAL ASSETS	27,780,799.30
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
20000 · ACCOUNTS PAYABLE	423,632.87
Total Accounts Payable	423,632.87
Credit Cards	
20112 · US Bank Visa	4,322.40
Total Credit Cards	4,322.40
Other Current Liabilities	
Payroll tax & Withholding Liab	
2100 · PAYROLL LIABILITIES	-2,772.38
21000 · WAGE GARNISHES	372.46
21100 · FEDERAL WITHHOLDING TAX	1,432.30
21200 · STATE WITHHOLDING TAX	931.56
21300 · STATE UNEMPLOYMENT TAX	1,717.98
21400 · SOCIAL SECURITY/MEDICARE TAX	-1,109.18
21600 · PERS CARE/MEDICAL INSURANCE	13,386.08
21700 · PERS RETIREMENT	5.60
21800 · STATE DISABILITY INSURANCE	-420.71
21900 · UNION DUES DEDUCTIBLE	74.76
Total Payroll tax & Withholding Liab	13,618.47
20200 · NOTES PAYABLE	173,717.33
20400 · ACCRUED WAGES PAYABLE	37,333.75
20500 · ACCRUED INTEREST	22,465.14
20600 · ACCRUED VACATION PAYABLE	68,682.94
20800 · DEPOSITS ON HAND	
20801 · KEY DEPOSITS ON HAND	17,980.00
20802 · PLUG DEPOSITS ON HAND	1,330.00
20803 · SLIP DEPOSITS ON HAND	52,092.96
20804 · STORAGE DEPOSITS	4,199.15
20806 · LEASE SECURITY DEPOSIT	101,698.42
20807 · STORAGE DEPOSIT - REDWOOD DOCK	2,943.31
20808 · WAIT LIST DEPOSIT	5,150.00
Total 20800 · DEPOSITS ON HAND	185,393.84
24000 · Ground Lease Deferred Income	3,906,000.00
24002 · Groundlease Current Def Income	120,184.62
27201 · Deferred Inflows - OPEB	3,223.00
28000 · DEFERRED INCOME	163,450.39
28400 · DEFERREDINCOMECalTrans Spartina	866,523.57
Total Other Current Liabilities	5,560,593.05
Total Current Liabilities	5,988,548.32
Long Term Liabilities	
24001 · Gound Lease Amortization	-424,391.45
24003 · Groundlease Current Offset	-120,184.62
25500 · OPEB Liability	169,351.00
25700 · BOND PAYABLE 2014 REFINANCING	1,447,641.17
25800 · BBVA Loan Payable	908,007.88
25900 · LESS CURRENT PORTION	-173,717.33
26100 · Rate Stabilization Fund	5,454,000.00
27000 · Net Pension Liability	1,408,435.00
27200 · Deferred Inflows of PERS	115,823.00
27202 · Deferred Inflows - Leases	3,545,298.00
Total Long Term Liabilities	12,330,262.65
Total Liabilities	18,318,810.97

Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

As of January 31, 2024

	Jan 31, 24
Equity	
30500 · INVESTMENT IN FIXED ASSETS	9,299,245.07
30900 · RESTRICTED FUND BALANCE	
30901 · Restricted Fd Bal-Curr Yr Chang	-1,400,168.63
30900 · RESTRICTED FUND BALANCE - Other	1,887,090.07
Total 30900 · RESTRICTED FUND BALANCE	486,921.44
31200 · GENERAL FUND BALANCE	
31000 · FUND BALANCE - TIDELANDS TRUST	-931,218.23
31201 · General Fund-Change is Restrict	1,400,168.63
31200 · GENERAL FUND BALANCE - Other	1,010,372.61
Total 31200 · GENERAL FUND BALANCE	1,479,323.01
3900 · RETAINED EARNINGS	-63.45
Net Income	-1,803,437.74
Total Equity	9,461,988.33
TOTAL LIABILITIES & EQUITY	27,780,799.30

2:32 PM

Humboldt Bay Harbor, Recreation & Conservation District

03/08/24

Profit & Loss

Accrual Basis

January 2024

	Jan 24	Jul '23 - Jan 24
Ordinary Income/Expense		
Income		
Donations		
46519 · Donations - Lighthouse	0.00	5.00
Total Donations	0.00	5.00
Dredging Revenue		
41318 · Dredging Surcharge - T	25,865.53	137,641.32
Total Dredging Revenue	25,865.53	137,641.32
Fees		
40108 · PERMITS-T	450.00	2,900.00
40808 · Pilotage Services - T	157.68	1,584.69
41308 · Moorage - T	0.00	11.20
41308.1 · Poundage - T	842.66	3,987.07
41818 · Late Charges/Interest - T	5,550.00	43,825.00
41819 · Late Charges/Interest - NT	525.00	819.77
45608 · Chevron - Ports O&M - T	0.00	16,175.00
Total Fees	7,525.34	69,302.73
Float Replacement Account		
41418 · Float Replacement	8,271.38	43,382.40
Total Float Replacement Account	8,271.38	43,382.40
Grant Revenue		
Harbor Grants		
45208.1 · Harbor Grants, Gov't - T	0.00	6,531.39
Total Harbor Grants	0.00	6,531.39
Total Grant Revenue	0.00	6,531.39
Harbor Surcharge		
40908 · Harbor Improvement Surcharge-T	32,813.12	79,391.68
Total Harbor Surcharge	32,813.12	79,391.68
Interest Revenue		
43108 · Interest Income - T	5,084.11	68,256.13
43109 · Interest Income - NT	583.33	4,083.31
43309 · Interest On Del Accts - NT	45.35	103.54
Total Interest Revenue	5,712.79	72,442.98
Other Revenue		
45908 · Other Revenue - T	3.00	4.00
45909 · Other Revenue - NT	756.20	157,507.15
46008 · Recovery of Bad Debt - T	0.00	1,000.00
Total Other Revenue	759.20	158,511.15
Rent Income		
40218 · Slip Rents - T	63,709.00	335,242.34
40318.1 · Transient Rentals - T	3,357.80	20,184.15
40518 · Equipment Rent - T	389.16	3,438.42
40519 · Equipment Rent - NT	0.00	350.00
40809 · Yard Rent - NT	1,021.20	8,258.40
41108 · Rents, Tidelands Leases - T	53,383.50	290,739.97
41309 · Storage - NT	9,510.80	39,745.83
41409 · Upland Rent - NT		
41409.2 · Redwood Terminal 2 - NMTC	0.00	0.00
41409 · Upland Rent - NT - Other	105,245.75	754,338.26
Total 41409 · Upland Rent - NT	105,245.75	754,338.26
Total Rent Income	236,617.21	1,452,297.37

Humboldt Bay Harbor, Recreation & Conservation District

Profit & Loss

January 2024

	Jan 24	Jul '23 - Jan 24
Sales		
40119 · Concession Sales - NT	0.00	2,980.75
Total Sales	0.00	2,980.75
Tax Revenue		
43509 · Property Tax Revenues	110,000.00	770,000.00
45009 · Other Federal Tax Revenue	0.00	12.57
Total Tax Revenue	110,000.00	770,012.57
Utility Surcharge		
40409 · Utility Surcharge - NT	2,452.47	21,798.54
40418 · Utility Surcharge, Marina Dock	7,082.64	32,355.41
Total Utility Surcharge	9,535.11	54,153.95
47019 · Returned Check Charges	0.00	35.00
52708.1 · Discount	0.35	141.82
Total Income	437,100.03	2,846,830.11
Gross Profit	437,100.03	2,846,830.11
Expense		
Accounting/Auditing Services		
52500 · Accounting Fees - T	5,887.50	32,232.38
52508 · Accounting Fees - NT	1,962.50	12,454.12
Total Accounting/Auditing Services	7,850.00	44,686.50
Advertising & Promotion		
51000 · Advertising & Promotion - NT	93.75	617.79
51008 · Advertising & Promotion - T	0.00	521.45
Total Advertising & Promotion	93.75	1,139.24
Bad Debts		
51308 · Bad Debts - T	2,679.60	28,498.80
Total Bad Debts	2,679.60	28,498.80
Communications		
51400 · Communications - NT	1,662.84	12,128.59
51408 · Communications - T	173.61	1,187.84
Total Communications	1,836.45	13,316.43
Conference & Meetings		
51500 · Conferences & Meetings - NT	568.63	10,362.77
51508 · Conferences & Meetings - T	77.89	904.76
Total Conference & Meetings	646.52	11,267.53
Dredging Expense		
55608 · Dredging Expense - T	4,925.00	86,709.71
56708 · Dredging - GT	0.00	573,688.75
56718 · Dredging - MT	0.00	918,528.75
Total Dredging Expense	4,925.00	1,578,927.21
Dues, Subscriptions & Licences		
51600 · Dues & Subscriptions - NT	3,427.03	22,434.61
51608 · Dues & Subscriptions - T	0.00	1,686.50
Total Dues, Subscriptions & Licences	3,427.03	24,121.11
Elections & Government Fees		
51700 · Elections & Prop Tax Assess-NT	0.00	44,296.98
Total Elections & Government Fees	0.00	44,296.98
Engineering Services		

Humboldt Bay Harbor, Recreation & Conservation District

Profit & Loss

03/08/24

January 2024

Accrual Basis

	Jan 24	Jul '23 - Jan 24
52400 · Engineering Fees - NT	2,372.50	51,553.10
52408 · Engineering Fees - T	271.25	4,410.00
Total Engineering Services	2,643.75	55,963.10
Fuel		
50400 · IMPUTED AUTO VALUE G/A	60.00	840.00
51200 · Automotive, Fuel- NT	444.02	3,633.21
51208 · Vessel Fuel	0.00	1,852.79
51218 · Automotive, Fuel - T	504.02	4,169.95
Total Fuel	1,008.04	10,495.95
Grant Expenses		
Conservation Grant Expenses		
54408.3 · Conservation Grant Exp	0.00	13,039.59
Total Conservation Grant Expenses	0.00	13,039.59
Harbor Grant Expenses		
54408.1 · Harbor Grant Exp	329.88	1,007,001.85
Total Harbor Grant Expenses	329.88	1,007,001.85
Recreation Grant Expenses		
54408.2 · Recreation Grant Exp	-33,149.96	-42,774.26
Total Recreation Grant Expenses	-33,149.96	-42,774.26
Total Grant Expenses	-32,820.08	977,267.18
Insurance		
51800 · Insurance - NT	12,943.80	72,365.09
51808 · Insurance - T	0.00	19,766.50
Total Insurance	12,943.80	92,131.59
Interest Expense		
55108 · Interest Expense - T	143,877.00	168,813.00
55109 · Interest Expense - NT	7,624.00	53,368.00
Total Interest Expense	151,501.00	222,181.00
Legal Services		
52300 · Legal Fees - NT	5,716.50	20,895.64
52308 · Legal Fees - T	1,757.50	6,007.86
Total Legal Services	7,474.00	26,903.50
Maintenance - Equipment		
51209 · Automotive, Repairs - NT	563.19	8,821.69
52710 · Repairs & Maint, Equip - NT	724.57	2,125.06
52718 · Repairs & Maint, Equip - T	52.05	508.94
Total Maintenance - Equipment	1,339.81	11,455.69
Maintenance - Facilities		
52708 · Repairs & Maint, Facilities - T	10,007.60	45,269.86
52719 · Repairs & Maint, Facilities - N	1,952.97	31,137.66
Total Maintenance - Facilities	11,960.57	76,407.52
Maintenance - IT		
57008 · Maintenance, IT Equip - T	1,326.50	6,803.03
57009 · Maintenance, IT Equip - NT	312.50	2,865.11
Total Maintenance - IT	1,639.00	9,668.14
Maintenance Supplies		
52008 · Maintenance Supplies - T	29.84	298.08
52010 · Maintenance Supplies - NT	2,852.72	9,677.75

Humboldt Bay Harbor, Recreation & Conservation District

03/08/24

Profit & Loss

Accrual Basis

January 2024

	Jan 24	Jul '23 - Jan 24
Total Maintenance Supplies	2,882.56	9,975.83
Office Supplies		
51900 · Office Supplies - NT	5,242.45	29,096.74
51908 · Office Supplies - T	1,683.81	5,485.00
Total Office Supplies	6,926.26	34,581.74
Other Expenses		
55418 · Other Expenses - T	0.00	325.00
55419 · Other Expenses - NT	0.00	7,500.00
Total Other Expenses	0.00	7,825.00
Other Professional/Outside Serv		
52109 · Outside Services, Other - NT	0.00	1,801.17
52110 · OUTSIDE SERVICES M/A	0.00	250.00
52118 · Outside Services, Other - T	540.00	2,917.00
Total Other Professional/Outside Serv	540.00	4,968.17
Permits		
51610 · Permits - NT	0.00	171.66
51618 · Permits - T	0.00	13,593.00
Total Permits	0.00	13,764.66
Personnel Expenses		
Commissioners Fees		
50200 · Commissioner's Salaries - NT	2,100.00	14,700.00
50208 · Commissioner's Salaries - T	900.00	6,300.00
Total Commissioners Fees	3,000.00	21,000.00
Contract Temporary Services		
50318 · Contract Temporary Services - T	0.00	13,518.18
Total Contract Temporary Services	0.00	13,518.18
Payroll Burden		
50500 · Payroll Benefits, Other - NT	31,885.28	229,441.94
50508 · Payroll Benefits, Other - T	9,119.90	68,410.79
6560 · Workers' Comp	3,331.55	27,435.65
Total Payroll Burden	44,336.73	325,288.38
Salaries/Wages		
50100 · Salaries & Wages - NT	68,965.14	660,421.84
Total Salaries/Wages	68,965.14	660,421.84
Total Personnel Expenses	116,301.87	1,020,228.40
Planning Services		
52200 · Planning Fees - NT	0.00	25,598.91
52208 · Planning Fees - T	0.00	1,902.50
Total Planning Services	0.00	27,501.41
Rent Expense		
52600 · Rent Expense - NT	756.00	756.00
54308 · Redwood Terminal 2 Lease Expens	3,115.97	6,308.57
Total Rent Expense	3,871.97	7,064.57
Small Tools		
52800 · Small Tools - NT	0.00	802.17
52808 · Small Tools - T	162.78	162.78
Total Small Tools	162.78	964.95
Utilities		

Humboldt Bay Harbor, Recreation & Conservation District

03/08/24

Profit & Loss

Accrual Basis

January 2024

	Jan 24	Jul '23 - Jan 24
52909 · Utilities - NT	10,793.97	119,890.29
52918 · Utilities - T	5,332.83	36,440.15
53000 · Water, Sewer, & Refuse - NT	11,842.29	84,369.21
53008 · Water, Sewer, & Refuse - T	5,034.18	51,207.51
Total Utilities	33,003.27	291,907.16
57018 · Bank Service Charges	399.85	2,758.49
Total Expense	343,236.80	4,650,267.85
Net Ordinary Income	93,863.23	-1,803,437.74
Net Income	93,863.23	-1,803,437.74

2:31 PM

Humboldt Bay Harbor, Recreation & Conservation District

Account QuickReport

03/08/24

As of January 31, 2024

Accrual Basis

Type	Date	Num	Name	Memo	Amount
10200.1 - Cash in PNC, Checking					
Liability Check	01/02/2024	ACH	PERS Unfunded Accrue...	2233447024 C.M...	-444.96
Check	01/03/2024		QuickBooks Payroll Serv...	Created by Direct...	-1.75
Liability Check	01/03/2024	E-pay	Employment Developme...	499-0307-3 QB T...	-1,651.65
Liability Check	01/03/2024	E-pay	Internal Revenue Service	94-2262845 QB ...	-4,313.16
Bill Pmt -Check	01/04/2024	DD	Howser, Suzie	January Health I...	-757.82
Liability Check	01/04/2024		QuickBooks Payroll Serv...	Created by Payro...	-22,656.45
Liability Check	01/05/2024	ACH	CalPERS 457 Program	450348	-1,690.75
Bill Pmt -Check	01/05/2024	ACH	CalPERS 457 Program	457Match 01/05/...	-300.00
Liability Check	01/05/2024	ACH	PERS Unfunded Accrue...	2233447024	-5,115.55
Liability Check	01/05/2024	ACH	California State Disburse...	200000002073316	-500.76
Liability Check	01/05/2024	ACH	State Disbursement Unit	0230000067964	-233.53
Bill Pmt -Check	01/05/2024	2724	101Netlink	January 2024	-170.00
Bill Pmt -Check	01/05/2024	2725	314intermedia		-60.00
Bill Pmt -Check	01/05/2024	2726	Advanced Security Syste...	WIM	-216.00
Bill Pmt -Check	01/05/2024	2727	Alber's Tractor & Ag Work	PO #2077 Bay St...	-400.00
Bill Pmt -Check	01/05/2024	2728	California State Lands C...	Sublease of an E...	-2,201.51
Bill Pmt -Check	01/05/2024	2729	Campton Electric Supply		-375.41
Bill Pmt -Check	01/05/2024	2730	CAPA	Membership Due...	-2,456.79
Bill Pmt -Check	01/05/2024	2731	City of Eureka (Sewer)	2001-901804-02	-2,582.36
Bill Pmt -Check	01/05/2024	2732	City of Eureka (Water)	2001-901802-01	-5,733.27
Bill Pmt -Check	01/05/2024	2733	Coldwell Banker Comme...		-790.36
Bill Pmt -Check	01/05/2024	2734	Englund Marine Supply	PO#2073	-769.98
Bill Pmt -Check	01/05/2024	2735	Eureka Oxygen Company		-100.00
Bill Pmt -Check	01/05/2024	2736	Flagstar Public Funding ...	500420001	-139,721.00
Bill Pmt -Check	01/05/2024	2737	Friends of the Dunes	Section 2.1 of Ag...	-7,500.00
Bill Pmt -Check	01/05/2024	2738	Humboldt Bay Municipal ...	9002.001 RMT2	-1,255.99
Bill Pmt -Check	01/05/2024	2739	Humboldt Community Se...	3165	-18.00
Bill Pmt -Check	01/05/2024	2740	Humboldt Waste Manag...	20218	-170.33
Bill Pmt -Check	01/05/2024	2741	Matthew Bender & Co., I...	Harbor & Nav Co...	-436.25
Bill Pmt -Check	01/05/2024	2742	Mission Uniform & Linen	299313	-685.38
Bill Pmt -Check	01/05/2024	2743	Napa Auto Parts	24290	-92.10
Bill Pmt -Check	01/05/2024	2744	Network Help To Go		-625.00
Bill Pmt -Check	01/05/2024	2745	North Coast Laboratories...	FLBY	-273.00
Bill Pmt -Check	01/05/2024	2746	Pacific Gas & Electric (8...	0074698259-4	-6,232.75
Bill Pmt -Check	01/05/2024	2747	Pacific Gas & Electric (N...	2072047	-805.95
Bill Pmt -Check	01/05/2024	2748	Planwest Partners, Inc.		-9,253.46
Bill Pmt -Check	01/05/2024	2749	Platt Electric Supply	217917	-500.66
Bill Pmt -Check	01/05/2024	2750	PPG Architectural Finishes		-142.91
Bill Pmt -Check	01/05/2024	2751	Reincke Marine Fabricati...	Maintenance Sto...	-756.00
Bill Pmt -Check	01/05/2024	2752	Security Lock & Alarm		-123.48
Bill Pmt -Check	01/05/2024	2753	Standard Insurance Com...	ST 908447 0001	-172.60
Bill Pmt -Check	01/05/2024	2754	State Water Resource C...		-21,626.00
Bill Pmt -Check	01/05/2024	2755	Times Printing Co	Business Cards	-131.98
Check	01/05/2024	2756	US Bank Corporate Pay...		-9,329.97
Bill Pmt -Check	01/05/2024	2757	Redwood Community Ac...		-33,118.17
Bill Pmt -Check	01/05/2024	2759	Shafer's Ace Hardware #...	21586	-7.29
Bill Pmt -Check	01/05/2024	2758	Redwood Community Ac...	PO 1759 07/01-0...	-132,844.92
Check	01/05/2024		QuickBooks Payroll Serv...	Created by Direct...	-1.75
Bill Pmt -Check	01/08/2024	DD	Mell, Doug	January Health I...	-757.82
Liability Check	01/11/2024	E-pay	Employment Developme...	499-0307-3 QB T...	-2,057.23
Liability Check	01/11/2024	E-pay	Internal Revenue Service	94-2262845 QB ...	-5,356.44
Liability Check	01/11/2024	E-pay	Employment Developme...	499-0307-3 QB T...	-151.07
Liability Check	01/18/2024		QuickBooks Payroll Serv...	Created by Payro...	-27,484.25
Liability Check	01/19/2024	2760	Operating Engineers Loc...	94-2262845	-228.96
Liability Check	01/19/2024	ACH	PERS Unfunded Accrue...	2233447024	-5,612.99
Liability Check	01/19/2024	ACH	CalPERS 457 Program	450348	-1,068.69
Bill Pmt -Check	01/19/2024	ACH	CalPERS 457 Program	457Match 01/19/...	-325.00
Bill Pmt -Check	01/19/2024	ACH	PERS Unfunded Accrue...	2233447024	-7,930.50
Liability Check	01/19/2024	ACH	California State Disburse...	200000002073316	-500.76
Liability Check	01/19/2024	ACH	State Disbursement Unit	0230000067964	-233.53
Liability Check	01/19/2024	2761	Franchise Tax Board		-100.00
Bill Pmt -Check	01/19/2024	2762	314intermedia		-110.00
Bill Pmt -Check	01/19/2024	2763	Amazon Business (Invoi...	ANG2R6J1Z77S1	-297.80
Bill Pmt -Check	01/19/2024	2764	B & B Portable Toilets	RWD	-133.44
Bill Pmt -Check	01/19/2024	2765	California Redwood Co.	Red Tank Electri...	-770.89
Bill Pmt -Check	01/19/2024	2766	David L. Moonie & Co., L...		-7,204.50
Bill Pmt -Check	01/19/2024	2767	Fortuna Iron	PO#2071 WIM ...	-4,875.00
Bill Pmt -Check	01/19/2024	2768	Humboldt Recycling, LLC.		-42.20

Humboldt Bay Harbor, Recreation & Conservation District

Account QuickReport

As of January 31, 2024

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	01/19/2024	2769	K&L Gates LLP	2074259.00001	-444.00
Bill Pmt -Check	01/19/2024	2770	Miller Farms Nursery	48722	-117.45
Bill Pmt -Check	01/19/2024	2771	Mitchell Law Firm, LLP		-1,924.00
Bill Pmt -Check	01/19/2024	2772	North Coast Journal	Facilities Coordin...	-73.75
Bill Pmt -Check	01/19/2024	2773	Pacific Gas & Electric (3...	6598073494-4	-259.87
Bill Pmt -Check	01/19/2024	2774	Pierson Building Center	1297	-313.26
Bill Pmt -Check	01/19/2024	2775	Recology Eel River	061097997	-519.24
Bill Pmt -Check	01/19/2024	2776	Recology Humboldt Cou...	061218064	-837.49
Bill Pmt -Check	01/19/2024	2777	Recology Humboldt Cou...	A0060000265	-2,564.65
Bill Pmt -Check	01/19/2024	2778	Shelter Cove Resort Imp...	SC 11/28-12/27/...	-151.80
Bill Pmt -Check	01/19/2024	2779	SHN Consulting Enginee...		-7,665.80
Bill Pmt -Check	01/19/2024	2780	StewTel, Inc.		-347.22
Bill Pmt -Check	01/19/2024	2781	Tenera Environmental Inc.	20236001	-2,270.50
Bill Pmt -Check	01/19/2024	2782	Valley Pacific Petroleum ...	114137	-1,075.21
Bill Pmt -Check	01/19/2024	2783	Wiyot Tribe	Received 1-4-2024	-4,047.10
Bill Pmt -Check	01/19/2024	2784	World Oil Enviromental S...	15055	-105.00
Bill Pmt -Check	01/19/2024	2785	Zerlang and Zerlang Mari...	PO# 2078 Pull W...	-4,925.00
Check	01/19/2024	2786	Olsen, Garrett (Todd)	Tenant Refund	-163.80
Bill Pmt -Check	01/23/2024	ACH	Verizon Wireless		-432.66
Bill Pmt -Check	01/23/2024	ACH	Pacific Gas & Electric (1...	Acct #06704919...	-3,658.62
Check	01/30/2024		QuickBooks Payroll Serv...	Created by Direct...	-3.50
Liability Check	01/30/2024	E-pay	Employment Developme...	499-0307-3 QB T...	-1,939.58
Liability Check	01/30/2024	E-pay	Internal Revenue Service	94-2262845 QB ...	-4,906.18
Bill Pmt -Check	01/31/2024	2787	Howser, Suzie	February Health I...	-757.82
Bill Pmt -Check	01/31/2024	2788	Mell, Doug	February Health I...	-757.82
Check	01/31/2024			Service Charge	-374.53
Total 10200.1 · Cash in PNC, Checking					-525,223.92
TOTAL					-525,223.92

COMMISSIONERS

1st Division

Aaron Newman

2nd Division

Greg Dale

3rd Division

Stephen Kullmann

4th Division

Craig Benson

5th Division

Patrick Higgins

Humboldt Bay
Harbor, Recreation and Conservation District
(707)443-0801
P.O. Box 1030
Eureka, California 95502-1030



STAFF REPORT
HARBOR DISTRICT MEETING
March 14, 2024

TO: Honorable Board President and Harbor District Board Members

FROM: Chris Mikkelsen, Executive Director

DATE: March 7, 2024

TITLE: Consider Approval of the First Amendment to the Project Labor Agreement By and Between the Humboldt Bay Harbor, Recreation and Conservation District and State Building Trades Council of California, Building and Construction Trades Council of Humboldt and Del Norte Counties, and the Signatory Craft Councils and Unions

STAFF RECOMMENDATION: Staff Recommends that the Board Approve the First Amendment to the Project Labor Agreement (PLA).

SUMMARY: This First Amendment includes clerical corrections to sections XIX and Attachment D of the PLA, clarifying the commencement and termination dates and correcting a zip code that contained a typographical area. Excepting the noted corrections, no other further modifications have been made, and all of the terms and provisions of the Agreement shall remain unmodified and in full force and effect.

ATTACHMENTS:

A. First Amendment to the Project Labor Agreement By and Between The Humboldt Bay Harbor, Recreation and Conservation District and State Building Trades Council of California, Building and Construction Trades Council of Humboldt and Del Norte Counties, and the Signatory Craft Councils and Unions

FIRST AMENDMENT TO
PROJECT LABOR AGREEMENT
BY AND BETWEEN
THE HUMBOLDT BAY, RECREATION, AND CONSERVATION DISTRICT
AND
STATE BUILDING TRADES COUNCIL OF CALIFORNIA,
BUILDING AND CONSTRUCTION TRADES COUNCIL
OF HUMBOLDT AND DEL NORTE COUNTIES
AND THE SIGNATORY CRAFT COUNCILS AND UNIONS

FIRST AMENDMENT TO PROJECT LABOR AGREEMENT

THIS FIRST AMENDMENT TO PROJECT LABOR AGREEMENT (this “Amendment”) is made effective as of March ___, 2024, by and between the Humboldt Bay Harbor, Recreation, and Conservation District, a California special district (the “District”), and the “Signatory Unions” (as defined in the PLA), to amend certain provisions of the Project Labor Agreement for the Humboldt Bay Offshore Wind and Heavy Lift Terminal Project.

RECITALS

WHEREAS, the District and the Signatory Unions (collectively, the “Parties”) executed that written Project Labor Agreement (“PLA”) relating to the District’s contemplated Humboldt Bay Offshore Wind and Heavy Lift Terminal Project (the “Project”). All capitalized terms not defined in this Amendment shall have the meaning given to each in the PLA;

WHEREAS, the District and the Signatory Unions desire to amend the PLA on the terms and conditions set forth below.

NOW, THEREFORE, for valuable consideration (the receipt and sufficient of which are acknowledged, the Parties agree as follows:

1. **Amendment to Article XIX: Term of the PLA.** Article XIX is hereby amended in its entirety as follows:

“This Agreement shall be effective on October 1, 2023, and shall terminate upon the Developer’s acceptance of all Project work performed under this Agreement.”

2. **Amendment to Attachment D to the PLA.** Attachment D of the PLA shall be replaced in its entirety with a new “Attachment D” that is attached to this Amendment. The Parties agree that the new Attachment D hereto shall be substituted into the original PLA such that the original PLA includes the new Attachment D.

3. **No Further Modification; Conflict.** Except as set forth in this Amendment, all of the terms and provisions of the Agreement shall remain unmodified and in full force and effect. In the event of any conflict between the terms, covenants and conditions of the Agreement, and the terms, covenants and conditions of this Amendment, the terms, covenants and conditions of this Amendment shall govern and control.

4. **Counterparts; Signatures.** This Amendment may be signed in two or more counterparts. When at least one such counterpart has been signed by each party, this Amendment shall be deemed to have been fully executed, each counterpart shall be deemed to be an original,

and all counterparts shall be deemed to be one and the same agreement. This Amendment may be executed by a party's signature transmitted by facsimile or by electronic means, and copies of this Amendment executed and delivered by means of faxed or electronic signatures shall have the same force and effect as copies hereof executed and delivered with original signatures. All parties hereto may rely upon faxed or electronic signatures as if such signatures were originals. All parties hereto agree that a faxed or electronic signature page may be introduced into evidence in any proceeding arising out of or related to this Amendment as if it were an original signature page.

SIGNATURE PAGES FOLLOWS THIS PAGE

THE UNION OFFICIALS signing this Amendment warrant and represent that they are authorized to collectively bargain on behalf of the organizations whom they represent and the members of such organizations.

Dated: _____, 20__

**Humboldt Bay Harbor and
Conservation District**

By: _____

Print Name: Chris Mikkelsen

Print Title: Executive Director

Dated: _____, 20__

**State Building and Construction Trades
Council of California**

By: _____

Print Name: Chris Hannan

Print Title: President

Dated: _____, 20__

**Building and Construction Trades Council
of Humboldt and Del Norte Counties**

By: _____

Print Name: _____

Print Title: _____

[INSERT UNION SIG PAGE]

ATTACHMENT D
U.S. POSTAL SERVICE ZIP CODES

Humboldt County Zip Codes:

95501 95502 95503

95511 95514 95518

95519 95521 95524

95525 95526 95528

95534 95536 95537

95540 95542 95545

95546 95549 95547

95549 95550 95551

95553 95554 95555

95556 95558 95559

95560 95562 95564

95565 95569 95570

95571 95573 95589

COMMISSIONERS

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Eureka, California 95502-1030



STAFF REPORT
HARBOR DISTRICT MEETING
March 14, 2023

TO: Honorable Board President and Harbor District Board Members

FROM: Chris Mikkelsen, Executive Director

DATE: March 8, 2024

TITLE: Authorize the Execution of an Extension to the Agreement to Stay Loan and Rent Payment Obligations Between the Harbor District and the Humboldt Bay Development Association.

STAFF RECOMMENDATION: Staff recommends the Board Authorize the Executive Director to Execute an Extension Agreement to Stay Loan Payments by and between the District and the Humboldt Bay Development Association through June 30, 2024, the end of the fiscal year.

SUMMARY: In March of 2016, the Humboldt Bay Harbor District (District), in partnership with the Humboldt Bay Development Association (HBDA), invested in and entered into a New Market Tax Credit (NMTC) loan fund for ongoing site clean-up and capital improvements of the vacant former Evergreen Pulp Mill. Such an agreement required the District and HBDA to enter into certain credit and lease agreements to carry out the intended improvements.

DISCUSSION: Whereas certain resulting actions left the District as a tenant of HBDA and HBDA as a debtor of the District, and whereas HBDA has faithfully performed all of its obligations and covenants of those certain credit and lease agreements, and whereas the District has faithfully performed all of its obligations and covenants of those certain credit and lease agreements, the parties agreed to stay future loan and rent payments while they work to provide for the orderly dissolution of such. The Agreement To Stay Loan and Rent Payment Obligations expires March 31, 2024, and both parties desire to extend the agreement through the end of the current fiscal year, June 30, 2024.

ATTACHMENTS

- A.** Executed Agreement To Stay Loan and Rent Payment Obligations

AGREEMENT TO STAY LOAN AND RENT PAYMENT OBLIGATIONS

THIS AGREEMENT TO STAY LOAN AND RENT PAYMENT OBLIGATIONS is made effective as of October 12, 2023 ("Effective Date"), by and between the Humboldt Bay Harbor, Recreation, and Conservation District ("District"), a California special district, and the Humboldt Bay Development Association ("HBDA"), a California non-profit corporation. The District, Samoa LLC, and HBDA may be referred to individually as a "Party" or collectively as the "Parties".

RECITALS

WHEREAS, the District is special district formed pursuant to Appendix 2 of the California Harbors and Navigation Code;

WHEREAS, HBDA is a duly formed and operating public benefit corporation, focused on promoting development in and around Humboldt Bay for the benefit of the local community;

WHEREAS, in order to facilitate the rehabilitation of certain real property owned by the District on the Samoa Peninsula, the District caused HBDA to be formed and thereafter partnered with HBDA to obtain New Market Tax Credits loan funds in the principal amount of \$8,680,000.00 ("Loan"), which funds were used to rehabilitate portions of the District's property;

WHEREAS, reference is made to that certain Credit Agreement ("Loan Agreement") dated as of March 9, 2016, by and among New Markets Community Capital XVII, LLC, a Delaware limited liability company ("NMCC"), as lender, CNMC SUB-CDE 69, LLC, a Delaware limited liability company ("CNMC"), as lender, and HBDA, as borrower, dated March 9, 2016, under which HBDA entered into that certain Leasehold Deed of Trust, Security Agreement, Assignment of Rents and Fixture Filing dated March 9, 2016 in favor of NMCC and CNMC (collectively referred to herein as the "Leasehold Mortgage");

WHEREAS, in order to facilitate the receipt of the loan funds, the District leased certain real property to HBDA by way of that Ground Lease dated March 9, 2016, for a period of 65 years (the "Ground Lease"); in turn, to allow the District to possess, manage, and rehabilitate the property, HBDA sub-leased the real property to the District by way of that Operating Lease dated March 9, 2016 (the "Operating Lease");

WHEREAS, pursuant to the Ground Lease, at commencement of the lease term, HBDA made a lump sum payment to the District in the amount of \$3,906,000.00, which HBDA received through the Loan;

WHEREAS, pursuant to the Operating Lease, the District was obligated to pay monthly rent to HBDA in the amounts set forth in Exhibit B to the Operating Lease, which rent payments HBDA used to make payments on the Loan;

WHEREAS, in accordance with the Credit Agreement and the New Market Tax Credit program, HBDA has successfully completed its obligations owed to NMCC and CNMC, and each assigned

to Chase NMTC Samoa Investment Fund, LLC, a Delaware limited liability company ("Samoa LLC"), their collective interest in the Leasehold Mortgage, as more particularly set forth in that Assignment of Leasehold Deed of Trust dated March 10, 2023 ("Assignment"), and recorded as Document Number 2023-005958 in the Official Records of Humboldt County on May 10, 2023;

WHEREAS, pursuant to that NMTC Exit Agreement dated March 10, 2023, and the Fund Interest Purchase Agreement dated March 10, 2023, the District holds a 100% membership interest in Samoa LLC;

WHEREAS, pursuant to that Release of Leasehold Deed of Trust, Security Agreement, Assignment of Rents and Fixture Filing dated March 10, 2023 ("Release and Reconveyance"), and recorded as Document No. 2023-005959 in the Official Records of Humboldt County on May 10, 2023, Samoa LLC fully released and reconveyed to HBDA its interest in Leasehold Mortgage following the Assignment;

WHEREAS, in light of the fact that HBDA has successfully completed its obligations owed to NMCC and CNMC and such lenders have assigned to Samoa LLC all right, title and interest in the Loan, the District, Samoa LLC, and HBDA desire to stay any further Loan payments and any further rent payments under the Operating Lease, while the parties work to provide for the orderly dissolution and winding up of the Ground Lease and Operating Lease.

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Stay in Rental Payments. During the Term of this Agreement and subject to the terms and conditions herein, HBDA agrees to relieve the District of its obligations under the Operating Agreement to make payments of monthly rent. All other terms and conditions of the Operating Lease remain in full force and effect.

2. Stay in Loan Payments. During the Term of this Agreement and subject to the terms and conditions herein, the District and Samoa LLC agree to relieve HBDA of its obligations under the Loan Agreement (all ancillary agreements thereto, including, without limitation, any notes and the Leasehold Mortgage) to make payments on the Loan.

3. Term. The term of this agreement shall retroactively commence on April 1, 2023, and shall remain in place for a period of twelve full calendar months, concluding on March 31, 2024 ("Term"), unless sooner terminated or extended by mutual agreement of the Parties.

4. Dissolution and Unwinding. During the Term, the Parties agree to work together, in good faith, to reach an agreement to unwind the Ground Lease, Operating Lease, and the Loan Agreement; provided, that nothing in this Agreement obligates either Party to reach an agreement.

5. Authority. Each Party hereto represents and warrants to the other that the individual executing this Agreement has the requisite authority to execute this Agreement.

IN WITNESS WHEREOF, this NMTC Exit Agreement has been duly executed and delivered by the duly authorized person of each party hereto as of the date first above written.

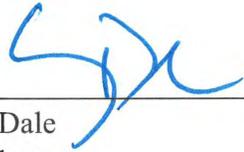
HUMBOLDT BAY DEVELOPMENT
ASSOCIATION, INC., a California nonprofit public
benefit corporation

By: _____

Name: _____

Its: _____

HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT, a California
public entity

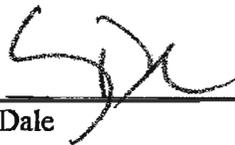
By:  _____
Greg Dale
President

IN WITNESS WHEREOF, this NMTC Exit Agreement has been duly executed and delivered by the duly authorized person of each party hereto as of the date first above written.

HUMBOLDT BAY DEVELOPMENT
ASSOCIATION, INC., a California nonprofit public
benefit corporation

By: 
Name: Richard Marks
Its: Board President

HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT, a California
public entity

By: 
Greg Dale
President

COMMISSIONERS

1st Division: Aaron Newman
2nd Division: Greg Dale
3rd Division: Stephen Kullmann
4th Division: Craig Benson
5th Division: Patrick Higgins

**Humboldt Bay Harbor,
Recreation and Conservation District**
(707)443-0801
P.O. Box 1030
Eureka, California 95502-1030



STAFF REPORT
HARBOR DISTRICT MEETING
March 14, 2024

TO: Honorable Board President and Harbor District Board Members

FROM: Rob Holmlund, Development Director

DATE: March 7, 2023

TITLE: Consider Accepting Application for Filing for Harbor District Permit 2024-01: Billboard Repair

STAFF RECOMMENDATION: Staff recommends that the Board: Accept Permit Application 2024-01 for filing.

SUMMARY: Geoff Wills (Allpoints Advertising, Inc.) applied for a Harbor District Permit for Billboard Repair (Permit 2024-01). Consistent with District Ordinances and the Harbors and Navigation Code, this is a procedural step to accept a permit application to conduct physical improvements within the waters of Humboldt Bay. If the Board chooses to accept the filing of this permit, staff will follow standard procedures to review and evaluate the project. Following that analysis, the project will come before the Board with a staff recommendation for or against approval.

DISCUSSION: Outfront billboard unit #4567A is a legacy structure that was damaged during winter storm conditions in January 2024. Following initial storm damage to supportive beams as shown in Figure 2, more of the support structure has failed and the billboard has collapsed into Humboldt Bay. As the billboard is in the Bay and requires construction that touches the ground (or water) below the high tide line, this project is within Harbor District jurisdiction. The reconstruction work plan includes removal of the existing fallen structure, potentially the removal of the existing uprights if it is determined to be less impactful than leaving the uprights as is, and the installation of six (6) new main posts and six (6) new support posts. The project will also include reconstruction of the billboard itself to the exact specs (12'x40') as the damaged one.

Construction of the existing uprights will require posts made of 6x12 dimensional lumber to be securely driven into the ground to a depth of 10 feet using pile-driving techniques. Pile driving will be performed by an excavator that will enter the Bay from the railroad tracks. Wood will be laid down in the Bay to spread the load of the excavator. The billboard itself will be constructed out of plywood and dimensional lumber as specified by an engineer. Work will be performed by a crew of two to four people using standard cordless tools over a two-week timeframe. No temporary staging will be required as all materials can be staged on the previously mentioned railroad tracks.

The submitted Billboard Repair Application will be available on the Harbor District website:
<https://humboldt-bay.org/public-notice-announcements-information>.

Figure 1. Billboard Unit #4567A prior to storm damage



Figure 2. Billboard Unit #4567A initial storm damage



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Aaron Newman

2nd Division

Greg Dale

3rd Division

Stephen Kullmann

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Craig Benson

5th Division

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STAFF REPORT
HARBOR DISTRICT MEETING
March 14, 2024

TO: Honorable Board President and Harbor District Board Members

FROM: Rob Holmlund, Development Director

DATE: March 7, 2024

TITLE: Receive Status Update Regarding Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project

STAFF RECOMMENDATION: Receive report and provide direction.

SUMMARY: The Board has requested a monthly update regarding the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project. Updates may include project schedule, budget, funding opportunities, tasks completed, tasks underway, upcoming tasks, the latest overall project strategy, and agreements with Crowley Wind Services. This report will provide an update for the month of March 2024.

DISCUSSION: Topics to be covered in the March 2024 monthly update include: ongoing efforts to understand ways in which the District can contribute to the prevention of MMIP-related problems; attendance of the Yurok-hosted Tribal Offshore Wind Summit; attendance of the MMIP Day of Action in Sacramento; status of ongoing meetings with Tribes, fishermen, aquaculture tenants, neighborhood groups; and information about the recently awarded INFRA grant.

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STAFF REPORT - HARBOR DISTRICT MEETING

March 14, 2024

TO: Honorable Board President and Harbor District Board Members

FROM: Mindy Hiley, Director of Administrative Services

DATE: March 5, 2024

TITLE: **Consideration of Initial 2024-2025 District Budget Preparation Schedule**

STAFF RECOMMENDATION: Staff recommends the Board direct Staff to implement the proposed 2024-2025 Budget Preparation Schedule.

SUMMARY: The Budget is prepared annually under the direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors no later than August 1st.

DISCUSSION: Staff recommends that the following schedule be utilized to go through goals, revenue, and expenditures by programmatic activity. These series of meeting would double as strategy sessions which would be used by the Board, Executive Director and District Staff to get a clear understanding of where each activity is financially and what we can reasonably accomplish within our financial means. Staff will work with the Budget Subcommittee to prepare the budget and bring the complete budget to the Board for approval.

Date	Meeting Type	Purpose
April 8	Regular	A) Review Preliminary Budget with Preliminary Goals, Income, and Expenditures: 1. Woodley Island Marina 2. Fields Landing Boat Yard 3. Dredging
May 9	Regular	A) Preliminary Goals, Income, and Expenditures: 1. Redwood Marine Terminal I 2. Redwood Marine Terminal II 3. Shelter Cove
June 13	Regular	A) Preliminary Goals, Income, and Expenditures: 1. Port Operations 2. Conservation and Recreation Programs 3. Administrative Services 4. General Operating and Staffing 5. Follow up discussion from previous budget meeting topics B) Adopt Preliminary Budget
July 11	Regular	Budget Adoption and Transmission to Board of Supervisors