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

February 28, 2019

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date at 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

CLOSED SESSION – 6:00 P.M.
The Commission met in closed session to discuss the following items:

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 pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Steven Mueller. Under negotiation: price and payment terms.

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, 401-111-006 pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Craig Compton, California Redwood Company. Under negotiation: price and payment terms.

c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential sublease of District's lease interest by District under lease between the District and Mario's Marina LLC dated April 1, 2016 for the real property commonly known as Mario's Marina in Shelter Cove, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Shelter Cove Fisherman's Preservation, Inc. Under negotiation: price and payment terms.

d) CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION (Gov. Code section 54956.9). Name of Case: Humboldt Fishermen's Marketing Association, Inc. and The Trinidad Bay Fishermen’s Marketing Association, Plaintiffs, v. The Humboldt Bay Harbor, Recreation, and Conservation District, et al., Defendants, Humboldt County Superior Court Case No. DR 180648.

e) PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND EMPLOYMENT CONTRACT RENEWAL pursuant to Government Code section 54957(b)(1).
   1. Title: Executive Director – Larry Oetker

OPEN SESSION – 7:05 P.M.

ROLL CALL:
PRESENT: DALE
         MARKS
         HIGGINS
         KULLMANN
         DOSS

ABSENT: NONE
QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON EXECUTIVE CLOSED SESSION

a) District Counsel, Ryan Plotz reported that the Board will continue negotiations on the potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, parcel numbers 401-112-021 and 401-112-024.

b) District Counsel, Ryan Plotz reported that the Board will continue negotiations on the potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, parcel number 401-111-006.

c) District Counsel, Ryan Plotz reported that the Board will continue negotiating the terms of the potential sublease of District's lease interest by District under lease between the District and Marion's Marina LLC for the real property commonly known as Mario's Marina in Shelter Cove, Humboldt County.
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d) District Counsel, Ryan Plotz provided an update on the existing litigation on the Case: Humboldt Fishermen’s Marketing Association, Inc. and The Trinidad Bay Fishermen’s Marketing Association, Plaintiffs, v. The Humboldt Bay Harbor, Recreation, and Conservation District.
e) The Board approved the amendment to the Employment Contract Renewal for Executive Director Larry Oetker regarding termination and severance pay; Counsel was directed to prepare amended contract.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting’s agenda: None.

CONSENT CALENDAR

a) Approval of Meeting Minutes for January 24, 2019 Regular Board Meeting
b) Approval of Meeting Minutes for February 11, 2019 Special Board Meeting
c) Approval of Meeting Minutes for February 21, 2019 Emergency Board Meeting
d) Receive District Financial Reports for November 2018  Item continued to March 28, 2019 meeting.
   I. COMMISSIONER KULLMANN MOVED TO APPROVE THE CONSENT CALENDAR ITEMS A-C.
      COMMISSIONER HIGGINS SECONDED.
   II. Chair Dale opened the item to public comment. No members of the public commented.
   III. Chair Dale moved the discussion back to the Commission.
   VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
   Ayes:   MARKS, KULLMANN, DOSS, DALE, HIGGINS
   Noes:   NONE
   Absent: NONE
   Abstain: NONE

COMMUNICATIONS AND REPORTS

a) Executive Director’s Report
   I. Executive Director presented Executive Director’s Report.

b) Staff Reports
   I. Staff presented on recent District activities.

c) District Counsel and District Treasurer Reports
   I. None

d) Commissioner and Committee Reports
   I. Commissioners reported on their recent activities.

NON-AGENDA - None

UNFINISHED BUSINESS - None

NEW BUSINESS

   I. Executive Director presented the item.
   II. The Commission discussed the item.
   III. Chair Dale opened the item to public comment. No public comment.
   V. Chair Dale moved the discussion back to the Commission.
   VI. COMMISSIONER HIGGINS MADE A MOTION TO ADOPT RESOLUTION 2019-02. COMMISSIONER KULLMANN SECONDED.
      ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
      Ayes:   MARKS, KULLMANN, DALE, DOSS, HIGGINS
      Noes:   NONE
      Absent: NONE
      Abstain: NONE

b) Adopt Resolution 2019-03. A Resolution Recognizing Suzie Howser on her Retirement.
   I. Executive Director presented the item.
II. The Commission discussed the item.
III. Chair Dale opened the item to public comment. No public comment.
V. Chair Dale moved the discussion back to the Commission.
VI. COMMISSIONER DOSS MADE A MOTION TO ADOPT RESOLUTION 2019-03. COMMISSIONER KULLMANN SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DALE, DOSS, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE

I. Executive Director presented the item.
II. The Commission discussed the item.
III. Chair Dale opened the item to public comment. No public comment.
V. Chair Dale moved the discussion back to the Commission.
VI. COMMISSIONER MARKS MADE A MOTION TO ADOPT RESOLUTION 2019-04. COMMISSIONER KULLMANN SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DALE, DOSS, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE

I. Executive Director presented the item.
II. The Commission discussed the item.
III. Chair Dale opened the item to public comment. No public comment.
V. Chair Dale moved the discussion back to the Commission.
VI. COMMISSIONER HIGGINS MADE A MOTION TO ADOPT RESOLUTION 2019-05. COMMISSIONER KULLMANN SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DALE, DOSS, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE

e) Update on the District’s Efforts to Build a New Multipurpose Dock at Redwood Marine Terminal I to Support Proposed Offshore Wind Energy Development.
I. Executive Director presented the item.
II. The Commission received the update.
III. Chair Dale opened the item to public comment. Scott Frazier and Phil Ayers commented.
IV. Chair Dale moved the discussion back to the Commission.
V. No formal action was taken.

f) Consideration of Harbor District Sponsorship at the Gold Level for the 2019 Humboldt Bay Symposium
I. Staff presented the item.
II. The Commission discussed the item.
III. Chair Dale opened the item to public comment. No public comment.
IV. Chair Dale moved the discussion back to the Commission.
V. COMMISSIONER HIGGINS MADE A MOTION TO BE A GOLD LEVEL SPONSOR. COMMISSIONER MARKS SECONDED.
COMMISSIONER KULLMANN ABSTAINED AS A MEMBER OF THE ORGANIZING COMMITTEE. VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, DALE, DOSS, HIGGINS
Noes: NONE
Absent: NONE
Abstain: KULLMANN
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Administrative and Emergency Permits - None

Adjournment – 9:00 P.M.

APPROVED BY:  

[Signature]
Larry Doss  
Secretary of the Board of Commissioners

RECORDED BY:  

[Signature]
Mindy Hiley  
Director of Administrative Services