

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

December 11, 2018

The Humboldt Bay Harbor, Recreation and Conservation District met in special session on the above date at 5:30 P.M. Closed Session, 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

Elected Commissioners Stephen Kullmann for District 3 and Richard Marks for District 4 Took Oath of Office

CLOSED SESSION – 5:30 P.M.

The Commission met in closed session to discuss the following item:

- 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 Paul Brisso, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.
- b) PUBLIC EMPLOYEE PERFORMANCE EVALUATION AND EMPLOYMENT CONTRACT RENEWAL pursuant to Government Code section 54957(b)(1).
 1. Title: Executive Director – Larry Oetker

OPEN SESSION – 7:04 P.M.

ROLL CALL:

PRESENT: DALE
MARKS
KULLMANN
HIGGINS

ABSENT: DOSS

QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON EXECUTIVE CLOSED SESSION

- a) No Action to report out on.
- b) By unanimous vote (Commissioner Doss absent), Board directed District Counsel to prepare an Employment Contract extension for Executive Director Larry Oetker. Terms of the Contract to include:
 - Term of four years, 2019-2022
 - Effective January 1, 2019, salary increase to \$135,000 for years 1 and 2 of Contract
 - Effective January 1, 2021, salary increase to \$145,000 for years 3 and 4 of Contract
 - Three weeks of paid vacation
 - Twelve days of Management leave

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

CONSENT CALENDAR

- a) Receive District Financial Reports for October 2018
- b) Approve Meeting Minutes of October 4, 2018 Special Board Meeting
- c) Approve Meeting Minutes of November 15, 2018 Special Board Meeting
 - I. COMMISSIONER DALE MOVED TO APPROVE THE CONSENT CALENDAR. COMMISSIONER HIGGINS SECONDED.
 - II. Chair Marks opened the item to public comment. No members of the public commented.
 - III. Chair Marks moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: MARKS, KULLMANN, HIGGINS, DALE
Noes: NONE
Absent: DOSS
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. District Counsel reported on one item of litigation and status of Property Taxes for Redwood Marine Terminal II.
- d) **Commissioner and Committee Reports**
 - I. Commissioners reported on their recent activities.
- e) **Others**
 - I. None

Non Agenda - None

UNFINISHED BUSINESS - None

NEW BUSINESS

- a) **Receive a Presentation "Fishing Community Sustainability Planning for Eureka and Shelter Cove" from Humboldt State University**
 - I. Professor Laurie Richmond of Humboldt State University presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: No public comment.
 - IV. Chair Marks thanked Professor Richmond on behalf of the Board.

- b) **Authorize the Executive Director to Execute a Contract Between the Harbor District and the Shelter Cove Fishing Preservation Incorporated for Janitorial Services Associated with the Fish Cleaning Station, Sublease the Mario's Marina Property, and the Transfer of Two Tractors.**
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: Jake Mitchell commented.
 - IV. Chair Marks moved the discussion back to the Commission.
 - V. COMMISSIONER HIGGINS MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE CONTRACT. COMMISSIONER KULLMANN SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, HIGGINS, DALE
Noes: NONE
Absent: DOSS
Abstain: NONE

- c) **Award a Contract to the Lowest Responsive and Responsible Bidder for the Brownfield Debris Pile Removal Project at Redwood Marine Terminal II**
 - I. Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: No public comment.
 - IV. Chair Marks moved the discussion back to the Commission.
 - V. COMMISSIONER HIGGINS MOVED TO AWARD THE DEBRIS PILE REMOVAL CONTRACT TO KERNEN CONSTRUCTION. COMMISSIONER DALE SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, HIGGINS, DALE
Noes: NONE

Absent: DOSS
Abstain: NONE

- d) **Authorize the Executive Director to Execute a Memorandum of Understanding between the Harbor District and Principle Power Inc., Aker Solutions Inc., EDPR Offshore North America LLC, and Redwood Coast Energy Authority**
- I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: Jake Mitchell, Todd Reinke, Jen Kalt, and Susan Penn commented.
 - IV. Chair Marks moved the discussion back to the Commission.
 - V. COMMISSIONERS KULLMANN AND DALE WERE APPOINTED TO A SUBCOMMITTEE TO WORK WITH STAFF ON DEVELOPING A RENEWABLE ENERGY HUB IN HUMBOLDT BAY.
 - VI. COMMISSIONER DALE MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE MOU. COMMISSIONER HIGGINS SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, HIGGINS, DALE
Noes: NONE
Absent: DOSS
Abstain: NONE
- e) **Approve the 2019 Calendar Year Meeting Schedule for Regular Board Meetings and Consideration of Setting Special Meeting Dates in November and December**
- I. Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: No public comment.
 - IV. Chair Marks moved the discussion back to the Commission.
 - V. COMMISSIONER DALE MOVED TO APPROVE THE 2019 CALENDAR YEAR MEETING SCHEDULE FOR REGULAR BOARD MEETINGS AND SET THE DATES FOR SPECIAL MEETINGS IN NOVEMBER AND DECEMBER. COMMISSIONER HIGGINS SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, HIGGINS, DALE
Noes: NONE
Absent: DOSS
Abstain: NONE
- f) **Consideration of Acceptance of Permit Application 2018-01 for Filing**
- I. Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: No public comment.
 - IV. Chair Marks moved the discussion back to the Commission.
 - V. COMMISSIONER HIGGINS MOVED TO ACCEPT PERMIT APPLICATION 2018-01 FOR FILING. COMMISSIONER KULLMANN SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, HIGGINS, DALE
Noes: NONE
Absent: DOSS
Abstain: NONE
- g) **Consideration of Employment Contract Renewal with Larry Oetker, Executive Director**
- I. This item was discussed in the Report on Closed Session. District Counsel will bring a new employment contract to the Board for approval at the next regular session.

ADMINISTRATIVE AND EMERGENCY PERMITS

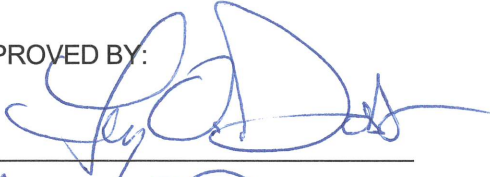
- a) **Administrative Permit A-2018-04 Repair/Replacement of Aids to Navigation in Humboldt Bay**

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- I. Staff presented the item.
- II. As a notification item only, no action was taken.

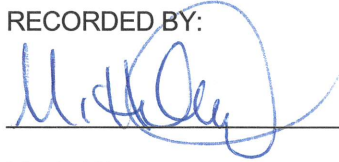
12. ADJOURNMENT – 9:15 P.M.

APPROVED BY:



Larry O. Doss
Secretary

RECORDED BY:



Mindy Hiley
Director of Administrative Services