

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

August 15, 2018

The Humboldt Bay Harbor, Recreation and Conservation District met in special session on the above date at 10:30 AM. Open Session, in the Meeting Room at the Shelter Cove Resort Improvement District 1 Offices located at 9126 Shelter Cove Road, Whitethorn, CA 95589.

1. OPEN SESSION 10:30 AM

ROLL CALL:

PRESENT: MARKS
HIGGINS
KULLMANN
DALE

ABSENT: DOSS

QUORUM: Yes

2. PLEDGE OF ALLEGIANCE

3. NEW BUSINESS

- a) DISCUSSION OF THE CURRENT OPERATIONS AND THE GENERAL CONCEPT OF FORMALIZING A SHELTER COVE RESORT IMPROVEMENT DISTRICT NO. 1 AND HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT AGREEMENT REGARDING THE REAL PROPERTY IN SHELTER COVER, HUMBOLDT COUNTY, CALIFORNIA COMMONLY KNOWN AS MARIO'S MARINA.
 - I. Executive Director Larry Oetker presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item. Public commenters included: Pete Winkler, Karen Gerber, Joe Collins, Suzie Baxter, anonymous x6, Susan, Kathleen, Michelle Reynolds, Bruce, Evan Piercy, Mary, Julie, Deena Rogers, Dan Hall.
 - IV. Chair Marks proposed that the Harbor District assign two people to be on the subcommittee to work with the Shelter Cove Resort Improvement District. Commissioner Dale and Commissioner Higgins volunteered to be on that committee.

- 4. PUBLIC COMMENT:** The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: anonymous x3, and Dave.

5. CLOSED SESSION –

ROLL CALL:

PRESENT: HIGGINS
KULLMANN
DALE

ABSENT: DOSS

MARKS

QUORUM: Yes

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

- a) Move to Executive Closed Session in a joint meeting with the Board of Directors of the Shelter Cove Resort Improvement District No. 1 pursuant to the provisions of the California Government Code Sections 54956.8 (Conference with Real Property Negotiator)
 - a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential assignment or sublease of the District's leasehold interest in real property in Shelter Cove, Humboldt County, California commonly known as Mario's Marina and related facilities and property, pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: Shelter Cove Resort Improvement District No. 1 staff. Under negotiation: price and payment terms.

Move to Executive Closed Session of the Harbor Bay Harbor, Recreation and Conservation District Commission only pursuant to Government Code section 54956.9

- b. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION: Significant exposure to litigation pursuant to Government Code section 54956.9(b)—One potential case regarding the District's Humboldt Bay Intertidal Mariculture Pre-permitting and Yeung Oyster Farm based upon issues raised by, and communications with, California Audubon and California Waterfowl.

6. REPORT ON EXECUTIVE CLOSED SESSION

7. ADJOURNMENT

APPROVED BY



Patrick Higgins
Secretary

RECORDED BY



George Williamson
District Planner