

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

**October 14, 2021**

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. both via video conference with a teleconference option.

**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.

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker
- b) PUBLIC EMPLOYEE APPOINTMENT Title: Director of Development
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of lease of real property in Samoa Peninsula, Humboldt County, with Assessor’s Parcel Numbers, 401-031-055-000, 401-031-070-000, 401-031-054-000, 401-031-061-000, 401-112-013-000, 401-031-071-000, and 401-112-029-000, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Town of Samoa, Green Diamond, Sniper Properties. Under negotiation: price and payment terms.
- 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. Facts and circumstance include potential administrative enforcement action by County of Humboldt arising from cleanup of District’s property.

**REGULAR SESSION – 6:02 P.M.**

ROLL CALL:

PRESENT:       DALE  
                  DOSS  
                  HIGGINS  
                  KULLMANN  
                  MARKS

ABSENT:        NONE

QUORUM:       YES

**PLEDGE OF ALLEGIENCE**

**REPORT ON CLOSED SESSION:** No reportable action.

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

**CONSENT CALENDAR**

- a) Receive District Financial Reports for August 2021
- b) Adopt Minutes for September 9, 2021 Special Board Meeting
- c) Cancel Regular Meeting on November 11, 2021 due to Veterans Day
- d) Approve Employment Agreement with Rob Holmlund as Director of Development

COMMISSIONER HIGGINS MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-C AND PULL ITEM D FOR DISCUSSION.

COMMISSIONER DALE SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

- I. Rob Holmlund introduced himself to the Board.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Mike Nelson commented.

COMMISSIONER HIGGINS MOVED TO ACCEPT CONSENT CALENDAR ITEM D.

COMMISSIONER DALE SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

COMMISSIONER HIGGINS MOVED TO REORGAINZE THE AGENDA AND DISCUSS ITEM 11A.  
COMMISSIONER DALE SECONDED.

Chair Kullmann opened the item to public comment. No one commented.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DOSS, HIGGINS, KULLMANN, MARKS

Noes: DALE

Absent: NONE

Abstain: NONE

**NEW BUSINESS**

- a) **Accept Resignation From 1<sup>st</sup> District Commissioner Larry Doss and Provide Direction to Staff on Filling the Board Vacancy**
  - I. Chair Kullmann presented the item.
  - II. The Commission discussed the item.

- III. Chair Kullmann opened the item to public comment. No one commented.
- IV. Chair Kullmann moved the discussion back to the Commission.  
COMMISSIONER HIGGINS MOVED TO ACCEPT RESIGNATION FROM 1<sup>st</sup> DISTRICT  
COMMISSIONER LARRY DOSS.  
COMMISSISONER MARKS SECONDED.  
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.  
Ayes: DOSS, HIGGINS, KULLMANN, MARKS  
Noes: DALE  
Absent: NONE  
Abstain: NONE

**FORMER COMMISSIONER LARRY DOSS LEFT THE MEETING**

**COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED**

- 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 recent activities and subcommittees.
- e) Correspondence Received
  - I. None.

**UNFINISHED BUSINESS**

- a) **Consider Authorizing the Release of Request for Qualifications for Engineering Services and Preparation of CEQA/NEPA Environmental Documents for the 168-Acre New Multipurpose Heavy Lift Dock and Upland Facilities to Support the Emerging Offshore Wind Industry**
  - I. Executive Director presented the item.
  - II. The Commission discussed the item.
  - III. Chair Kullmann opened the item to public comment. No one commented.
  - IV. Chair Kullmann moved the discussion back to the Commission.  
COMMISSIONER MARKS MOVED TO AUTHORIZE THE RELEASE OF REQUEST FOR  
QUALIFICTIONS FOR ENGINEERING SERVICES AND PREPARATION OF CEQA/NEPA  
ENVIRONMENTAL DOCUMENTS FOR THE 168-ACRE NEW MULTIPURPOSE HEAVY LIFT  
DOCK AND UPLAND FACILITIES TO SUPPORT THE EMERGING OFFSHORE WIND INDUSTRY.  
COMMISSIONER HIGGINS SECONDED.  
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.  
Ayes: DALE, HIGGINS, KULLMANN, MARKS  
Noes: NONE  
Absent: NONE  
Abstain: NONE

**NEW BUSINESS**

**b) Review the progress on Removing the Hazardous Waste at RMT II and the County Department of Health & Human Services Notification of Filing of an Administrative Enforcement Order Regarding Hazardous Material Storage and Reporting and Provide Direction as may be appropriate**

- I. Executive Director and District Staff presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. No one commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Discussion only, no action was taken.

**c) Consider Adopting Resolution No. 2021-13, A Resolution to Authorize the Execution of a Grant Agreement and Accept Funds From the California Natural Resources Agency Department of Parks and Recreation Division of Boating and Waterways for the Surrendered and Abandoned Vessel Exchange Program**

- I. Chair Kullmann presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. No one commented.
- IV. Chair Kullmann moved the discussion back to the Commission.

COMMISSIONER HIGGINS MOVED TO ADOPT RESOLUTION NO. 2021-13, A RESOLUTION TO AUTHORIZE THE EXECUTION OF A GRANT AGREEMENT AND ACCEPT FUNDS FROM THE CALIFORNIA NATURAL RESOURCES AGENCY DEPARTMENT OF PARKS AND RECREATION DIVISION OF BOATING AND WATERWAYS FOR THE SURRENDERED AND ABANDONED VESSEL EXCHANGE PROGRAM.

COMMISSIONER MARKS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

**d) Consider Adopting Resolution No. 2021-16 A Resolution of the Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District Making Findings Pursuant to Government Code Section 54953, as Amended by Assembly Bill 361, and Authorize the Continued Use of Virtual Meetings**

- I. Chair Kullmann presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. No one commented.
- IV. Chair Kullmann moved the discussion back to the Commission.

COMMISSIONER MARKS MOVED TO ADOPT RESOLUTION NO. 2021-16 A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT MAKING FINDINGS PURSUANT TO GOVERNMENT CODE SECTION

**Adopted Minutes for October 14, 2021 Regular Board Meeting**

54953, AS AMENDED BY ASSEMBLY BILL 361, AND AUTHROIZE THE CONTINUED USE OF VIRTUAL MEETINGS.

COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

**FUTURE AGENDA ITEMS**

- a) Advertise Bar Pilot Recruitment
- b) Green Diamond Shared Services Agreement
- c) Wake Ordinance Amendment
- d) Anchoring Ordinance Amendment
- e) Brown Act Training
- f) Discussion on the Health of the Ocean – Long Fin Smelt
- g) Resolution for Great Redwood Trail and Anti-Coal Resolution
- h) Election of Vice President to Replace Larry Doss
- i) Select Replacement for District 1

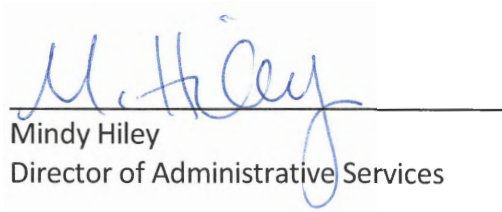
**ADJOURNMENT – 7:24 P.M.**

**APPROVED BY:**



Patrick Higgins  
Secretary of the Board of Commissioners

**RECORDED BY:**



Mindy Hiley  
Director of Administrative Services