

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

DATE: November 4, 2021

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

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/3432860852>

Meeting ID: 343 286 0852
One tap mobile
(669) 900-9128, 343 286 0852# US

Consistent with Executive Orders N-25-20 and N-29-20, the Board of Commissioners meeting location will not be physically open to the public. Members of the public may observe and participate in the meeting via Zoom or teleconference using the information set forth above.

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 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.

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

4. Call to Order Special Session at 6:00 P.M. and Roll Call

5. Pledge of Allegiance

Agenda for November 4, 2021 Special Board Meeting

6. Review Applicants for Vacant 1st District Board of Commissioner Seat and Appoint Candidate to Fill Seat for the Remainder of Former Commissioner Larry Doss's Term

Recommendation: Staff recommends that the Board review the applicants and appoint a candidate to fill the empty District 1 seat.

Summary: Larry Doss announced his resignation publicly on October 14, 2021. The Humboldt Bay Harbor, Recreation and Conservation District may appoint a replacement to serve the remainder of the existing term.

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. 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. Callers can "raise their hand" by pressing *9 and unmute themselves by pressing *6.*

8. Consent Calendar

- a) **Receive District Financial Reports for September 2021**
- b) **Charter Agreement Renewal for Kevin Pinto dba Jenna Lee's Seafood to Operate a Business at Woodley Island Marina**

9. Correspondence Received

- a) **Letter from the Humboldt-Del Norte County Medical Society Regarding Health and Safety Impacts of Transporting and Shipping Coal**

10. Business

- a) **Consider Appointing New Vice President of Board of Commissioners**
- b) **Review the progress on Removing the Hazardous Waste at RMT II and the County Department of Health & Human Services Proposed Settlement Offer Case No. UPA21-002 Regarding Hazardous Material Storage and Reporting and Provide Direction as may be appropriate**
- c) **Consider Adopting Resolution 2021-14: A Resolution Establishing Findings Relevant to Permit 2021-04; a CEQA Exemption; and Conditional Approval of Permit 2021-04 for Tuluwat Island Dock Repair Project**

Agenda for November 4, 2021 Special Board Meeting

Recommendation: Staff recommends that the Board: Adopt Resolution No. 2021-14 and consent to read by title only; A Resolution Establishing Findings Relevant to Permit 2021-04; a California Environmental Quality Act Exemption; and Conditional Approval of Permit 2021-04 for the Tuluwat Island Dock Repair Project.

Summary: The U.S. Fish and Wildlife Service (USFWS) applied for a Harbor District permit for the Tuluwat Island Dock Repair Project. The project proposes to repair an existing dock serving USFWS parcels and a private residence on Tuluwat Island (APNs 405-021-011, 405-021-006). The project goal is to replace rotten, broken or otherwise failing parts of the dock. The project will remove/pull and replace between 10-14 creosote pilings with nine 10" hollow steel tubes and involves replacement of the decking to maintain safety and functionality. The size of the renovated dock would be the same size and in the same location as the existing dock.

d) Consider Adopting Resolution 2021-15 Approving Permit 2021-05 for the City of Eureka Fisherman's Terminal Pile Replacement Project

Recommendation: Staff recommends that the Board: Adopt Resolution No. 2021-15 A Resolution Establishing Findings Relative to Permit 2021-05; a California Environmental Quality Act Exemption; and Conditional Approval of Permit 2021-05 for The Fisherman's Terminal Piling Replacement Project.

Summary: The City of Eureka applied for a Harbor District permit for the Fisherman's Terminal Piling Replacement Project. The Harbor District Board is to consider issuing a permit. The purpose of the Project is to repair the loading and unloading dock at the Fisherman's Terminal, located at the terminus of C Street in Eureka, California at 40.8057°N, 124.1703°W, Assessor's Parcel Numbers (APNs) 001-011-013 and 0001-111-015, by replacing failed and failing fender pilings. The project involves the replacement of existing deteriorated/damaged wooden pilings with plastic composite pilings of the same size in the same location of the existing pilings.

11. Adjournment