

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

DATE: March 28, 2019

TIME: Executive Closed Session – 6:00 PM
Regular Session – 7:00 PM

PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 at least 24 hours in advance of the meeting.

1. **Call to Order at 6:00 P.M.**
2. **Move to Executive Closed Session**
 - 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 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.
 - 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.

1. **Call to Order Regular Session at 7:00 P.M. and Roll Call**
2. **Pledge of Allegiance**
3. **Report on Executive Closed Session**
4. **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. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. 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. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.

5. **Consent Calendar**
 - a) Approval of Meeting Minutes for February 28, 2019
 - b) Receive District Financial Reports for November 2018
 - c) Receive District Financial Reports for December 2018

Agenda for March 28, 2019 Regular Board Meeting

- d) Approval of Contract with Executive Director Larry Oetker
- e) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Tony Sepulveda, dba Shellback Sportfishing
- f) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Sherry Klassen, dba Reel Steel Sportfishing.
- g) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Andrew Smyth, dba North Coast Sportfishing.
- h) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Matt Dallam, dba Northwind Charters.
- i) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Gary Blasi, dba Full Throttle Sportfishing.
- j) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Mike Stratman, dba Redwood Coast Fishing.
- k) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Marc Schmidt, dba Coastline Charters.

10. Communications and Reports

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Others - Update on Intertidal Mariculture Environmental Impact Report

11. Unfinished Business

- a) **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.**

Recommendation: Staff recommends the Board: 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.

Summary: Harbor District operations at Shelter Cove, include but are not limited to, maintaining the State tidelands, boat ramp, breakwater, fish cleaning station, boat storage, and boat launching. The Harbor District's operations are in transition and we are in the process of planning major renovations associated with the fish cleaning operations and discontinuing direct boat launching services. The Harbor District has been working closely with the Shelter Cove Resort Improvement District (SCRID) and a group of local fishermen that are in the process of forming a non-profit organization called "Shelter Cove Fishing Preservation Incorporated" (SCFPI).

- b) **Emergency Shoaling Conditions Near Buoy #9**

Recommendation: Staff recommends the Board: Receive updates and provide direction as appropriate.

- c) **Woodley Island Marina and Fields Landing Boat Yard Proposed Dredging**

Recommendation: Staff recommends the Board: Receive updates and provide direction as appropriate.

12. New Business

- a) **Approve Mutual Conflict of Interest Waiver**

Recommendation: Staff recommends the Board: Approve the Mutual Conflict of Interest Waiver.

Agenda for March 28, 2019 Regular Board Meeting

Summary: It is requested that the consent of both the Humboldt Bay Harbor, Recreation and Conservation District and California Redwood Company to The Mitchell Law Firm, LLP's continued representation of the District and CRC in unrelated matters, and the exclusive representation of the District regarding the contemplated acquisition of a fee or easement interest in real property owned by CRC.

b) Accept the Audit Report for the 2017-2018 Fiscal Year.

Recommendation: Staff recommends the Board: Accept the Audit Report for the 2017-2018 Fiscal Year.

Summary: Independent auditors report prepared by Harshwal & Company LLP for the fiscal year ending June 30th, 2018.

12. Administrative and Emergency Permits

13. Adjournment