

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

DATE: November 12, 2020

TIME: Closed Session – 5:00 P.M.
Regular 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

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 REAL PROPERTY NEGOTIATORS. Terms of potential lease and 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 (APN: 108-171-023-000), Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Mario's Marina and Shelter Cove Fisherman's Preservation, Inc. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 and 401-111-006 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Chris Brungardt, RTI Infrastructure, INC. Under negotiation: price and payment terms.

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- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Number 401-031-061 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director. Negotiating party: Pete Jackson, Green Diamond Resource Company. Under negotiation: price and payment terms.

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

5. Pledge of Allegiance

6. Report on Closed Session

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**. 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.*

8. Consent Calendar

- a) Adopt Minutes for October 8, 2020 Regular Board Meeting
- b) Adopt Minutes for October 28, 2020 Special Board Meeting
- c) Receive District Financial Reports for September 2020
- d) Adopt Amended Minutes to Correct Administrative Error
- e) Accept Donation in the Amount of \$23,000 from Sequoia Investments XI, LLC, Samoa Dunes II, LLC and Samoa Dunes I, LLC towards the acquisition of the Dog Ranch Properties.

9. Communications, Reports and Correspondence Received

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Correspondence Received

10. Unfinished Business

a) Adopt Resolution 2020-15 Establishing User Fees for the Discharge of Effluent Out the 1 ½ Mile RMT II Ocean Outfall Pipe

Recommendation: Staff recommends that the Board: Adopt Resolution NO 2020-15 adopting the fee structure for the discharge of effluent of the ocean outfall for the Samoa Peninsula Wastewater Treatment Plant (WWTP).

Summary: On June 19th, the Board reviewed a draft ocean outfall rate study. The rate study analyzed the District's costs to maintain the 1 ½ mile ocean outfall pipe and to upgrade the pumps, controls, and headworks to discharge up to 30 million gallons per day (MGD) of discharge as well as operation, inspection, and maintenance costs. Resolution NO. 2020-15 only establishes fees for the Samoa WWTP. Fees for the Nordic Aquafarms and other users would continue to be analyzed and fees would come back to the Board for approval.

b) Consideration of Cooperative Management and Law Enforcement Memorandum of Understanding for the Samoa Dunes and Wetlands (aka Dog Ranch).

Recommendation: Staff recommends that the Board: Approve execution of the Cooperative Management and Law Enforcement Memorandum of Understanding for the Samoa Dunes and Wetlands (aka Dog Ranch).

Summary: The Samoa Dunes and Wetlands property is owned by Friends of the Dunes. The Cooperative Management and Law Enforcement Memorandum of Understanding for the Samoa Dunes and Wetlands will allow for cooperative management of the property by federal, state and local agencies. The District would provide up to \$22,500 of funding over three years for management of the property.

11. New Business

a) Discussion Regarding Lease between Harbor District and Mario's Marina and Sublease between Harbor District and Shelter Cove Fishing Preservation Incorporated, Shelter Cove (APN 108-171-023-000)

Recommendation: Staff recommends that the Board: Direct the Executive Director to work with the Shelter Cove Subcommittee, property owner, Shelter Cove Fishing Preservation Incorporated (SCFPI), and Resort Improvement District (RID) to determine the best pathway to ensure that the property benefits the community of Shelter Cove.

Summary: The Harbor District leases an area in Shelter Cove from Mario's Marina that is used for boat storage, launching, fish cleaning and other services that supports commercial and recreational fishing. The area is subleased to and operated by SCFPI. The lease and sublease both expire on March 31, 2020. District staff is seeking Board direction regarding the lease and sublease.

b) Consideration of Term Sheet related to Harbor District Management of the Tuluwat Island Wetland Mitigation Project

Recommendation: Staff recommends that the Board: Approve execution of the Tuluwat Island Wetland Mitigation Project term sheet.

Summary: Caltrans and District staff developed a term sheet that outlines basic terms and conditions for the District to (1) manage a solicitation for competitive proposals to conduct salt marsh restoration activities on Tuluwat Island; and (2) manage implementation of the awarded contract. District staff is requesting Board consideration of executing the term sheet.

c) Consideration of Letter Supporting US Coast Guard Operations

Recommendation: Staff recommends that the Board: Approve a letter affirming the District's support for the US Coast Guard's Humboldt Bay presence.

Summary: The US Coast Guard leases berthing and office space from the Harbor District at Woodley Island Marina. The Board is to consider sending the Coast Guard a letter recognizing the importance of the Coast Guard's presence and affirming the District's commitment to provide facilities and resources that will allow for the Coast Guard's continued success.

12. Future Agenda Items

13. Adjournment