

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

January 23, 2020

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date at 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

CLOSED SESSION – 6:00 P.M.

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

- 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 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 002-162-001, 002-161-001, 002-162-018, 014-161- 013, 014-161-014, and 014-161-006, and 014-161-007 in the Eureka, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Ted Loring. Under negotiation: price and payment terms.
- c) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION. Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (One case) (Glasshouse Gardens Inc)
- d) 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, 401-031-056 pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Pete Oringer, Timber Heritage Association. Under negotiation: price and payment terms.

OPEN SESSION – 7:02 P.M.

ROLL CALL:

PRESENT: DOSS
MARKS
HIGGINS
KULLMANN

ABSENT: DALE

QUORUM: YES

PLEDGE OF ALLEGIANCE

ELECTION OF BOARD PRESIDENT, VICE PRESIDENT AND SECRETARY

- I. Vice Chair Kullmann opened discussion on the item.
- II. The Commission discussed the item.
- III. Vice Chair Kullmann opened the item to public comment. No one commented
- IV. Vice Chair Kullmann moved the discussion back to the Commission.
- V. COMMISSIONER MARKS MOVED TO NOMINATE COMMISSIONER KULLMANN FOR PRESIDENT, COMMISSIONER DOSS FOR VICE PRESIDENT AND COMMISSIONER HIGGINS FOR SECRETARY. COMMISSIONER HIGGINS SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: DALE
Abstain: NONE

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REPORT ON EXECUTIVE CLOSED SESSION: No reportable action.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: NONE

CONSENT CALENDAR

- a) Consideration of Acceptance of Permit Application 2020-01 for Filing
- b) Receive District Financial Reports for September, October and November 2019
- c) Approval of Meeting Minutes for October 24, 2019 Regular Board Meeting
- d) Approval of Meeting Minutes for November 14, 2019 Special Board Meeting
- e) Approval of Meeting Minutes for December 12, 2019 Special Board Meeting
 - I. COMMISSIONER MARKS MOVED TO APPROVE THE CONSENT CALENDAR.
 - II. COMMISSIONER HIGGINS SECONDED.
 - II. Chair Kullmann opened the item to the public comment. No members of the public commented.
 - III. Chair Kullmann moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED.
Ayes: DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: DALE
Abstain: NONE

COMMUNICATIONS AND REPORTS

- 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. No report.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on their recent activities.
- e) Others
 - I. No report.

UNFINISHED BUSINESS - NONE

NEW BUSINESS

- a) **Humboldt Bay Management Plan Billboard Policy Amendment**
 - I. District Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Kullmann opened the item to public comment. Geoff Wills, Michele McKeegan, Dave Meserve, Jennifer Kalt and Scott Frazier commented.
 - IV. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER MARKS MOVED TO HAVE STAFF PREPARE A BILLBOARD PERMITTING POLICY CLARIFYING THAT THE DISTRICT CANNOT PERMIT THE FOLLOWING ITEMS WITHIN DISTRICT JURISDICTION: CONTRUCT NEW BILLBOARD, EXPAND FOOTPRINT OF EXISTING BILLBOARD, RE-ERECT BILLBOARD THAT HAS COLLAPSED, OR ROUTINE MAINTENANCE OF EXISTING BILLBOARD STRUCTURES.
COMMISSIONER HIGGINS SECONDED
VOICE VOTE WAS CALLED, MOTION CARRIED.
Ayes: HIGGINS, KULLMANN, MARKS
Noes: DOSS
Absent: DALE
Abstain: NONE

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b) Update on the formation of the Volunteer Boat Captain Program:

- I. District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Alan Bobillot commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Update item only, no formal action was taken.

c) Consideration of Resolution 2020-01, A Resolution Declaring that Governing Body and Volunteers Shall Be Deemed Employees of the District for the Purpose of Providing Workers' Compensation Coverage

- I. 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.
COMMISSIONER DOSS MOVED TO APPROVE RESOLUTION 2020-01, A RESOLUTION DECLARING THAT GOVERNING BODY AND VOLUNTEERS SHALL BE DEEMED EMPLOYEES OF THE DISTRICT FOR THE PURPOSE OF PROVIDING WORKERS' COMPENSATION COVERAGE.
COMMISSIONER MARKS SECONDED
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: DALE
Abstain: NONE

ADMINISTRATIVE AND EMERGENCY PERMITS - NONE

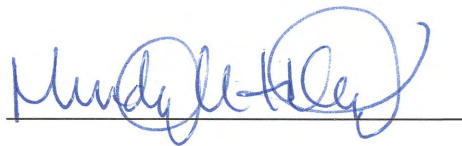
ADJOURNMENT – 8:20 P.M.

APPROVED BY:



Patrick Higgins
Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley
Director of Administrative Services