

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

January 13, 2022

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.

BUSINESS

- 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, Shelter Cove Resort Improvement District, and Shelter Cove Fisherman's Preservation, Inc. Under negotiation: price and payment terms.
- b) 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.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential acquisition of lease on (APN:401-121-009), Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Simpson Timber Company. Under negotiation: price and payment terms.

REGULAR SESSION – 6:00 P.M.

ROLL CALL:

PRESENT: DALE
 HIGGINS
 KULLMANN
 MARKS
 NEWMAN

ABSENT: NONE

QUORUM: YES

PLEDGE OF ALLEGIANCE

ELECTION OF BOARD PRESIDENT, VICE PRESIDENT AND SECRETARY

COMMISSIONER KULLMANN MOVED TO ELECT COMMISSIONER DALE AS PRESIDENT, COMMISSIONER NEWMAN AS VICE PRESIDENT AND COMMISSIONER MARKS AS SECRETARY. COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

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) Adopt Minutes for December 19, 2021 Regular Board Meeting
- b) Receive District Financial Reports for November 2021
- c) Amend Clean Earth Contract to Remove Hazardous Materials from Redwood Marine Terminal II by Increasing Contract by \$9,100
- d) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings

COMMISSIONER MARKS MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-D.

COMMISSIONER KULLMANN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: NONE

Abstain: NONE

COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED

- a) Executive Director's Report
 - I. Pull item 11a, to be considered at another time.
 - II. 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 Approval of Amendment No. 1 to the Tuluwat Island Wetland Mitigation Project Agreement with CalTrans

- I. Item was pulled from agenda, to be considered later.

b) Informational Update on Easements Through the Town of Samoa Properties

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Dale Unea commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. Informational update only, no action was taken.

NEW BUSINESS

a) Letter of Support for Senate Bill (SB 307) McGuire, A Bill Prohibiting Spending State Moneys for Any New Bulk Coal Terminal Project within the County of Humboldt

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

COMMISSIONER HIGGINS MOVED TO SEND LETTER OF SUPPORT FOR SENATE BILL SB 307 WITH SOME CHANGES AND SIGNED BY FORMER CHAIR KULLMANN, A BILL PROHIBITING SPENDING STATE MONEYS FOR ANY NEW BULK COAL TERMINAL PROJECT WITHIN THE COUNTY OF HUMBOLDT.

COMMISSIONER KULLMANN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, HIGGINS, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: NONE

Abstain: NONE

b) Status Report on the Nordic Aquafarms Environmental Impact Report and Regulatory Agency Permitting Timelines for the Proposed Recirculating Aquaculture Facility at Redwood Marine Terminal II

- I. Executive Director presented the item.
- II. Commissioner Higgins presented a report.
- III. The Commission discussed the item.
- IV. Chair Dale opened the item to public comment. Jennifer Kalt and Alison Willy commented.
- V. Chair Dale moved the discussion back to the Commission.
- VI. Report only, no formal action was taken.

c) Review of Subcommittees and Change Subcommittees and Committee Assignments As Needed

- I. Chair Dale presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale appointed Commissioner Kullmann to the Budget Committee.
- V. Chair Dale appointed Commissioner Newman to the Dredging Committee.
- VI. Chair Dale appointed Commissioner Newman to the 2x2 Committee.
- VII. Chair Dale discontinued the Ordinance No. 7 (Billboards) Subcommittee.
- VIII. Executive Director stated that the committees are serving as Ad-Hoc committees and therefore not subject to the Brown Act, with the exception of the Humboldt Bay Development Association.

FUTURE AGENDA ITEMS

- a) Green Diamond Shared Services Agreement
- b) Coal Ordinance for Humboldt Bay

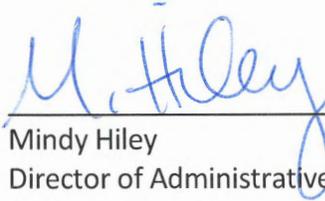
ADJOURNMENT – 6:58 P.M.

APPROVED BY:

RECORDED BY:



Richard Marks
Secretary, Board of Commissioners



Mindy Hiley
Director of Administrative Services