

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

August 13, 2020

The Humboldt Bay Harbor, Recreation and Conservation District met in special session on the above date, Closed Session met at 5:00 P.M. Special Session met at 6:00 P.M via video conference with a teleconference option.

CLOSED SESSION – 5:00 PM

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters on the closed session meeting agenda: Rich Tobin.

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-011-001, 401-011-010, 401-011-012, 401-011-018, 401-011-020, 401-011-023, 401-021-011, 401-021-018, 401-021-027, 401-011-028, 401-021-029, and 401-031-045 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director ~~and Ryan Plotz, District Counsel~~. Negotiating party: Security National and Friends of the Dunes. Under negotiation: price and payment terms.
- b) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: Humboldt Fisherman's Marketing Association, Inc. et al. v. Humboldt Bay Harbor, Recreation, and Conservation District, Court of Appeal, First District, Court Case No. A158634.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-112-021 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: DG Fairhaven LLC. Under negotiation: price and payment terms.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-112-021 and 401-112-024 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Nordic Aquafarms California LLC Under negotiation: price and payment terms.

SPECIAL SESSION – 6:08 P.M.

ROLL CALL:

PRESENT: DALE
DOSS
MARKS
HIGGINS
KULLMANN

ABSENT: NONE

QUORUM: YES

REPORT ON EXECUTIVE CLOSED SESSION: The Board of Commissions met on above items A-D, no reportable action.

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

BUSINESS

- a) **Consider Adopting Resolution 2020-10, Accepting Grant Funding; Resolution of Deed Acceptance; Resolution Authorizing the Transfer Property To Friends of the Dunes And Other Required Actions Associated With The Acquisition Assessor's Parcel Numbers 401-011-001, 401-011-010, 401-011-012, 401-011-018, 401-011-020, 401-011-023, 401-021-011, 401-021-018, 401-021-027, 401-011-028, 401-021-029, and 401-031-045 on the Samoa Peninsula, Humboldt County, California Commonly Referred To As The Dog Ranch.**

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- I. Executive Director presented the item with input from Mike Cipra the Executive Director of Friends of the Dunes, Tim Callison from Security National and Michael Bowen from the Coastal Conservancy.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Uri Driscoll, Mike VanHatten, Nancy Ihara, Carol Kruger, Ray Rosveld, Susan Penn, Suzie Fortner, Emily Walters, Aldaron Laird, Benjamin Lairdier, Carla Osborn, Carol Ralph, Carol Vander Meer, John St. Marie, Dale Preston, Jessie, Emily Sinkhorn, Jennifer Savage, Rich Tobin, Kathie Kelly, Kenny Carswell, Kristen Orth, Linda Alm and Loriel Caverly commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER HIGGINS MOVED TO ADOPT RESOLUTION 2020-10 ACCEPTING GRANT FUNDING FOR THE PURCHASE OF THE DOG RANCH PROPERTY AND TRANSFER OF THE PROPERTY TO FRIENDS OF THE DUNES, ADOPT RESOLUTION 2020-11, A RESOLUTION TO ACCEPT A GRANT DEED FOR THE PURCHASE OF THE DOG RANCH PROPERTY, AND TO ADOPT RESOLUTION 2020-12 AUTHORIZING AMENDMENTS TO THE PURCHASE AND SALES AGREEMENT OF THE DOG RANCH PROPERTY AND AN AGREEMENT TO TRANSFER REAL PROPERTY UPON SALE TO FRIENDS OF THE DUNES.
COMMISSIONER DALE SECONDED.

ROLL CALL VOTE WAS CALLED SEPARATELY FOR EACH RESOLUTION.

RESOLUTION 2020-10, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: DOSS

RESOLUTION 2020-11, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: DOSS

RESOLUTION 2020-12, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: DOSS

b) Review and Provide Direction on the Samoa Peninsula Fire, Industrial Water, Wastewater, and other infrastructure that serves the Harbor District and other properties on Humboldt Bay.

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Tim Callison, Kenny Carswell, Carol Vander Meer, and Carla Osborn commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Chair Kullmann appointed Commissioner Doss and Commissioner Marks to the subcommittee.

c) Approval of the Second Amendment to the Lease Agreement with Nordic Aquafarms California LLC at the District's Redwood Marine Terminal II Property APN's 401-112-021 and 401-112-024

- I. Executive Director 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 MARKS MOVED TO APPROVE THE SECOND AMENDMENT TO THE LEASE AGREEMENT WITH NORDIC AQUAFARMS.
COMMISSIONER DOSS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE

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Absent: NONE
Abstain: NONE

d) Cancel Regular August 27, 2020 Board Meeting

- I. Executive Director 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 MARKED MOVED TO CANCEL THE REGULAR MEETING OF THE BOARD OF COMMISSIONER SCHEDULED FOR AUGUST 27, 2020.
COMMISSIONER DALE SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

PERMITS - NONE

FUTURE AGENDA ITEMS

- a) Report from Peninsula Subcommittee
- b) Billboards
- c) Long Fin Smelt permit

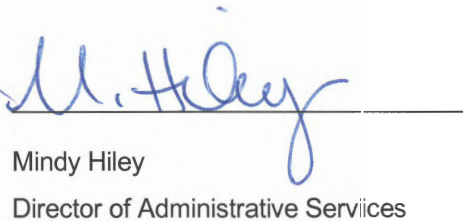
ADJOURNMENT – 8:32 P.M.

APPROVED BY:

RECORDED BY:



Patrick Higgins
Secretary of the Board of Commissioners



Mindy Hiley
Director of Administrative Services