

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

DATE: September 8, 2022

TIME: Closed Session – 5:00 P.M.
Regular Session – 6:00 P.M.

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/6917934402>

Meeting ID: 691 793 4402
One tap mobile
(669) 900-9128, 6917934402#

Consistent with Executive Orders N-25-20 and N-29-20, the Board of Commissioners meeting location will not be physically open to the public. Members of the public may observe and participate in the meeting via Zoom or teleconference using the information set forth above.

- 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 Acquisition of Mario's Marina LLC 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.** Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz,

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District Counsel. Negotiating parties: Samoa Pacific Group, LLC. Under negotiation: price and terms of payment.

- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-071-000 and 401-112-029-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Sniper Enterprises, LLC. Under negotiation: price and terms of payment.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-054-000, 401-031-061-000, 401-112-013-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: California Redwood Company. Under negotiation: price and terms of payment.
- e) 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.

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. Callers can "raise their hand" by pressing (STAR) *9 and unmute themselves by pressing (STAR) *6.*

8. Consent Calendar

- a) Adopt Minutes for August 15, 2022 Special Board Meeting
- b) Receive District Financial Reports for June 2022

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- c) Approve and authorize the Executive Director to sign a conflict-of-interest waiver relating to matter with California Redwood Company
- d) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings

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 - NONE

11. New Business

- a) **Consider Approving a Contract with Redwood Community Action Agency in the Amount of \$438,978.00 for Implementation and Task Management for the Samoa Peninsula Beautification Project**

Recommendation: Staff recommends approval a contract with Redwood Community Action Agency in the amount of \$438,978.00.

Summary: On June 9, 2022, the Board of Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District adopted Resolution 2022-05, authorizing the Executive Director to Execute a Grant Agreement with the California Department of Transportation, accepting a Clean California Grant in the amount of \$903,870.00 for the proposed Samoa Peninsula Beautification Project under the Clean California Grant Initiative. Redwood Community Action Agency worked with the District to prepare a successful application and was identified as a partner agency within the grant application.

- b) **Update on Woodley Island Marina Dredging Needs**

Recommendation: Staff Recommends that the Board: Receive a report and provide direction.

Summary: Preliminary surveys have been completed for Woodley Island Marina that show where shoaling has occurred. Associated with these surveys District Staff have completed an analysis of the volumes of material and priority areas for Dredging.

- c) **Consider Introducing Amendment No. 4 to Ordinance No. 5: An Amendment to the Ordinance Establishing Fees for Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District**

Recommendation: Staff Recommends that the Board: Introduce Amendment No. 4 to Ordinance No. 5 and consent to read by title only.

Summary: The proposed amendment would increase the monthly salaries of Commissioners from \$400 per month each (\$500 per month for the President) to

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\$600 per month each for all Commissioners. According to Section 6060 of the Harbors and Navigation Code, commissioner salaries shall not exceed the sum of six hundred dollars (\$600) per month each.

d) Consider Adoption of Resolution No. 2022-11 Responding to the 2021-22 Grand Jury Report “The Sea Also Rises”

Recommendation: Adopt Resolution No. 2022-11.

Summary: The Humboldt County Grand Jury issued a report on May 23rd regarding the potential impacts of sea level rise throughout the Humboldt Bay region and calls for a coordinated regional response to address anticipated impacts and hazards. The report requested a response from the Board of Commissioners of the Humboldt Bay Harbor District, as well as from the City of Arcata, City of Eureka, and County of Humboldt. A Resolution and response letter to the Grand Jury can be found in Attachment A.

e) Consider Adoption of Resolution No. 2022-08 thereby Adopting a Property Acquisition and Disposition Plan for the Multipurpose Marine Terminal Master Plan and CEQA Determination

Recommendation: Staff recommends that the Board Adopt Resolution No. 2022-08.

Summary: As outlined in Exhibit 1 of the attached Resolution (see Attachment 1), the District is planning to acquire and dispose of properties in order to implement the “Multipurpose Marine Terminal Master Plan.”

12. Future Agenda Items

13. Adjournment