

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

DATE: September 14, 2023

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

PLACE: Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501
Public Advisory: The Woodley Island Meeting Room is now open to the public.

How to Observe and Participate in the Meeting:

Observe: Members of the public can attend the meeting in person or observe the meeting on Zoom at the following link: <https://us02web.zoom.us/j/6917934402>

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

Public members observing on Zoom will not be able to participate or provide comment. Members of the public who may wish to provide public comment during the meeting must attend in person.

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at (707) 443-0801 at least 24 hours in advance of the meeting.

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) Public Employee Evaluation: Executive Director**
- b) Public Employee Evaluation: Deputy Director**

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c) CONFERENCE WITH LABOR NEGOTIATORS

Agency designated representatives: Larry Oetker, Executive Director

Employee organization: Operating Engineers Local Union No. 3, AFL-CIO

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 August 10, 2023 Regular Board Meeting
- b) Adopt Minutes for August 22, 2023 Special Board Meeting
- c) Receive District Financial Reports for June 2023
- d) Rejection of Claim Submitted by Claimant Cari McCormick
- e) Approve PO No. 2007 to Solink for Security Cameras at Woodley Island Marina
- f) Administrative Permit A-2023-05 Chevron Dock Maintenance Dredging
- g) Approve PO 2014 to Ron's Quality Auto Repair for Transmission Replacement
- h) Approve Rebate Agreement with TEAA for Replacement of Hot Water Heaters

9. Communications, Reports and Correspondence Received

a) Correspondence Received

- 1. *How to Protect Native Women, Girls and People in Humboldt and Del Norte County as Offshore Wind Enters the Region: MMIP Prevention Planning and Recommendations*. Report by Yurok Tribal Court, authorized by Katherine Katcher & Chief Judge Abby Abinanti
- 2. Letter from Yurok Tribe dated August 28, 2023
- 3. Letter from Surfrider Humboldt Chapter dated September 7, 2023

b) Executive Director's Report

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- c) Staff Reports
- d) District Counsel and District Treasurer Reports
- e) Commissioner and Committee Reports

10. Unfinished Business - None

11. New Business

- a) **Discuss and Consider Approving Collective Bargaining Agreement with Operating Engineers Local Union No. 3, AFL-CIO Regarding the Terms of Employment, Working Conditions, Compensation, and Benefits for the Represented Employees of the District**

Recommendation: Staff Recommends that the Board:

1. Authorize the Board President and Secretary to sign the Collective Bargaining Agreement.
2. Direct Staff to:
 - a. Prepare a revised salary schedule for mid-management employees similar to what is included in the Bargaining Agreement and to bring it back for Board consideration.
 - b. Coordinate with CalPERS to switch to CalPERS health insurance and with the Social Security Administration to sign up to the Social Security Program.

Summary: The District's classified employees are represented by the Operating Engineers Local Union NO. 3 (OE-3). The District's Labor Relations Committee met regularly with the employees and OE-3 representatives for the last several months and are happy to report that we have reached agreement.

- b) **Consider Adopting Resolution 2023-17: Adopting an Initial Study/ Mitigated Negative Declaration and Establishing Findings Relative to and Approving Harbor District Permit 2023-02 with Conditions for the Manila CSD Flood Reduction and Drainage Enhancement Project**

Recommendation: Staff recommends that the Board: Adopt Harbor District Resolution No. 2023-17 which includes:

- Adopting an Initial Study/ Mitigated Negative Declaration (IS/MND) and Establishing Findings Relative to the Permit Application for the Manila CSD Flood Reduction and Drainage Enhancement Project
- Approving Permit 2023-02 with conditions for the Manila CSD Flood Reduction and Drainage Enhancement Project

Summary: The Manila Community Services District (MCSD) Flood Reduction and Drainage Enhancement Project (Project) includes multiple locations and will provide needed improvements to MCSD, County, and North Coast Rail Authority (Great Redwood Trail Agency) drainage infrastructure. Two of the project locations are within Harbor District jurisdiction. Improvements include clearing and grading of existing drainage ditches/bioswales, replacement of failing or undersized

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culverts, new culverts and drainage ditches/bioswales, and rain gardens. The goals of the Project are to reduce flooding, increase climate change resiliency, and enhance ecosystem services. The Project IS/MND was adopted by the MCSD Board of Directors on April 18, 2023. The Humboldt Bay Harbor District is a responsible agency for the proposed project and must review and consider the information contained in the IS/MND.

c) Consider Adopting Resolution 2023-16, A Resolution Adopting an Initial Study/ Negative Declaration and Establishing Findings Relative to and Approving Humboldt Bay Harbor, Recreation and Conservation District Permit 2022-06 with Conditions for the Mad River Slough Shellfish Nursery Project

Recommendation: Staff recommends that the Board receive a staff report, receive public comment, and adopt Humboldt Bay Harbor, Recreation, and Conservation District Resolution No. 2023-16 which includes:

- Establishing Findings Relative to and Adopting an Initial Study/ Negative Declaration for the Mad River Slough Shellfish Nursery Project.
- Approving Permit 2022-06 with conditions for the Mad River Slough Shellfish Nursery Project

Summary: The project is to restart a previously operational shellfish nursery utilizing a combination of existing upland seed setting facilities and upwelling tanks and a new floating upwelling system and water intake rafts in Mad River Slough, Humboldt Bay (off Lanphere Road). The proposed action includes adopting a CEQA document and approving a Harbor District permit.

d) Consider Approving a \$200,000 Budget Adjustment to Account Number 52109 Outside Services for Additional Consultant Services

Recommendation: It is recommended that the Board approve appropriating an additional \$200,000 to the account number 52109 Outside Services for additional consultant services.

Summary: The District has several large projects that require a diverse expertise that can only be obtained by hiring qualified consultant services. All contracts exceeding \$5,000 will come back to the board for Approval as per the District's standard procurement process.

e) Discuss and consider approving Employment Agreement with Chris Mikkelsen and discuss succession planning for the role of Executive Director

12. Future Agenda Items

13. Adjournment