

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

**DATE:**           **October 13, 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,

**Agenda for October 13, 2022 Regular Board Meeting**

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 September 8, 2022 Regular Board Meeting
- b) Adopt Minutes for September 28, 2022 Special Board Meeting

**Agenda for October 13, 2022 Regular Board Meeting**

- c) Receive District Financial Reports for July 2022
- d) Approve Purchase Order No. for Express Personnel Temporary Maintenance Worker
- e) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings
- f) Consider Accepting for Filing District Permit 2022-06: Mad River Slough Shellfish Nursery
- g) Maintenance Manager Contract

**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**

- a) **Consider Adopting 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: Adopt Amendment No. 4 to Ordinance No. 5 and consent to read by title only.

*Summary:* The proposed amendment was introduced to the Board of Commissioners on September 8, 2022 and would increase the monthly salaries of Commissioners from \$400 per month each (\$500 per month for the President) to \$600 per month each for all Commissioners. The salary increase will be effective 30 days after publication in the Times Standard.

**11. New Business**

- a) **Humboldt Bay Natural Shoreline Infrastructure Project**

*Recommendation:* Receive Report.

*Summary:* The County of Humboldt has initiated an innovative approach to protecting infrastructure against sea level rise within Humboldt Bay. County staff will provide an informational presentation to the Board.

- b) **Consider Adopting Resolution 2022-12 Establishing Findings Relative to and Approving Harbor District Permit 2022-04 with Conditions for the Humboldt Bay Trail South**

*Recommendation:* Staff recommends that the Board: Adopt Harbor District Resolution No. 2022-12 which includes:

**Agenda for October 13, 2022 Regular Board Meeting**

- Establishing Findings Relative to the Permit Application for the Humboldt Bay Trail South
- Approving Permit 2022-04 with conditions for the Humboldt Bay Trail South Project

*Summary:* The proposed project is an approximately 4.2-mile paved path situated primarily along US Highway 101 and the railroad corridor from the Eureka Slough Area to the Bracut Industrial Park. The proposed trail segment would complete the Humboldt Bay Trail from Eureka to Arcata. The County of Humboldt previously applied for and was issued a Harbor District permit for the Humboldt Bay Trail South (Permit 2021-01) which expired in April 2022. Because the previous permit expired and the project has not yet been constructed, a new permit is being processed. The applicant has indicated that all components of the project are the same as under the original issuance and that the project description has not changed.

**c) Consider Adopting Resolution 2022-13 Establishing Findings Relative to and Approving Harbor District Permit 2022-05 with Conditions for the City of Eureka Samoa Boat Launch Improvements**

*Recommendation:* Staff recommends that the Board: Adopt Harbor District Resolution No. 2022-13 which includes:

- Establishing Findings Relative to the Permit Application for the City of Eureka Samoa Boat Launch Improvements
- Approving Permit 2022-05 with conditions for the City of Eureka Samoa Boat Launch Improvements Project

*Summary:* The proposed project is located off Waterfront Drive under the Samoa Bridge (Highway 255) in Eureka, CA. The proposed project involves the construction of an additional floating dock with new pilings on the western side of the existing Samoa boat ramp. The City of Eureka previously applied for and was issued a Harbor District permit for the Samoa Boat Launch Improvement Project (Permit 2021-02) which expired in May 2022. Because the previous permit expired and the project had not yet been constructed, a new permit is being processed. All components of the project are the same as under the original issuance.

**d) Notification for the Removal and Relocation of Military Vessel 1091 Temporarily Stored on District Property APN 401-031-040**

*Recommendation:* Staff recommends the Board review and approve a proposal that formally notifies the board of directors of the LSIL 1091 Museum Association of the need to remove Military Vessel 1091 from its current location on District property (APN 401-031-040), while also allowing for the potential relocation to another District property (APN 401-031-078).

*Summary:* Since December 2016, Military Vessel 1091 has been located at Redwood Marine Terminal I under Coastal Development Permit Waiver 1-17-0266-W, which allowed for temporary storage of the vessel through December 2018. District staff has

***Agenda for October 13, 2022 Regular Board Meeting***

notified the board of directors of the LSIL 1091 Museum Association that the vessel must be removed and is working collectively to conclude the disposition of the vessel.

**e) Consider Appointing Bar Pilot Apprentice Interviewed by the Pilotage Advisory Subcommittee**

*Recommendation:* Staff recommends the Board approve conditional appointment of Bar Pilot Apprentice Andrew Manning.

*Summary:* The Pilotage Advisory Subcommittee interviewed applicant Andrew Manning and recommends that the Board extend apprenticeship to Mr. Manning. If the Board approves the apprenticeship, the appointment would be conditional upon satisfactory completion of pre-employment physicals.

**11. Future Agenda Items**

**12. Adjournment**