

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

DATE: March 9, 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
Commissioner Higgins will be participating remotely at the following location: Eel River Recovery Project office, 44960 US-101 Unit 6, Laytonville, CA 95454. In accordance with the Brown Act, this teleconferencing location will be accessible to the public.

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

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- a) 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.
 - b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: All or Portions of Humboldt County Assessor Parcel Nos.: 401-112-024-000, 401-031-040-000, 401-031-078-000, and 401-031-083-000, and portions of the tidelands along the Samoa Peninsula adjacent to Redwood Marine Terminal I. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. Under negotiation: price and terms of payment.
 - c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Samoa Pacific Group, 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. 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.
- 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*

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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 February 9, 2023 Regular Board Meeting
- b) Receive District Financial Reports for December 2022
- c) Receive District Financial Reports for January 2023

9. Communications, Reports and Correspondence Received

- a) Correspondence Received
- b) Executive Director's Report
- c) Staff Reports
- d) District Counsel and District Treasurer Reports
- e) Commissioner and Committee Reports

10. Unfinished Business

- a) **Consider Authorizing Executive Director to Enter into an Agreement with the City of Eureka Regarding Marketing For Cruise Ships**

Recommendation: Staff Recommends that the Board Authorize: the Executive Director to enter into an agreement with the City of Eureka to provide the services outlined in the Scope of Work for \$20,000 per year plus annual CPI increase for a three-year term.

Summary: The District has been working with the City of Eureka, County of Humboldt and a variety of other organizations and individuals to market the Port, City, and Region to the Cruise Ship Industry. Even though the Cruise Ship Industry has experienced difficult times during the COVID pandemic, our region has been able to attract cruise ships.

11. New Business

- a) **Consider Adopting Resolution 2023-05, A Resolution Concerning Offshore Wind Development Off the West Coast of the United States and Around Humboldt Bay**

Recommendation: Staff recommends that the Board receive a staff report, receive public comment, and adopt Harbor District Resolution No. 2023-05 that supports the State's goals regarding offshore wind, commits to working with Tribal nations regarding their concerns with offshore wind, recognizes a suite of interested stakeholders, acknowledges that offshore wind development will have direct impacts on select stakeholders, recognizes that offshore wind development will provide many local benefits, seeks District partnerships in developing a regional vision and roadmap for offshore wind development, and directs staff to continue a range of activities in support of offshore wind development.

Summary: On 11/29/22, the Humboldt County Board of Supervisors (BOS) adopted County Resolution 22-1584 associated with offshore wind. District staff used that

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County Resolution as a template to develop a slightly modified Resolution that is being presented to the District Board of Directors.

b) Consideration of Initial 2023-2024 District Budget Preparation Schedule

Recommendation: Staff recommends the Board: Direct Staff to implement the proposed 2023-2024 Budget Preparation Schedule.

Summary: The Budget is prepared annually under direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors no later than August 1st.

c) Consider Adopting Resolution 2023-04, A Resolution Accepting Funds from the California Department of Fish and Wildlife, Office of Spill Prevention and Response for Oil Spill Prevention and Response Equipment, and to Authorize the Executive Director to execute the Grant Agreement

Recommendation: Staff recommends the Board: Adopt Resolution 2023-04 and authorize the Executive Director to execute the Grant Agreement.

Summary: On January 12, 2023, the Board of Commissioners adopted Resolution 2023-02 to complete this action, however the granting agency provided updated resolution language which is required for the District to receive the award. Resolution 2023-04, which includes the updated language, will replace the previously adopted Resolution 2023-02.

d) Authorize the Executive Director and/or Board President to Review and Execute Closing Documents as a part of the Chase Community Capital New Market Tax Credit Loan related to the Harbor District and the Humboldt Bay Development Association

Recommendation: Staff recommends the Board: Authorize the Executive Director and/or Board President to review and execute certain documents relating to the closing of the New Market Tax Credits Loan.

Summary: In March of 2016, the District in partnership with the Humboldt Bay Development Association, invested in and entered into a New Market Tax Credit (NMTC) fund for ongoing site clean-up and capital improvements of the vacant former Evergreen Pulp Mill, all which were necessary due to the condition of the aging assets and infrastructure. Seven years have now passed, and the result is an occupied and revenue-generating asset with an exhausted debt that has reached maturity.

12. Future Agenda Items

13. Adjournment