

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

January 24, 2019

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date at 6:00 P.M. Closed Session, 7:00 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

CLOSED SESSION – 6:00 P.M.

The Commission met in closed session to discuss the following item:

- 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 Paul Brisso, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.
- b) **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 Paul Brisso, District Counsel. Negotiating party: Tim Callison. Under negotiation: price and payment terms.

OPEN SESSION – 7:06 P.M.

ROLL CALL:

PRESENT: DALE
 MARKS
 KULLMANN
 DOSS

ABSENT: HIGGINS

QUORUM: YES

PLEDGE OF ALLEGIANCE

ELECTION OF BOARD PRESIDENT, VICE PRESIDENT AND SECRETARY

- I. Chair Marks opened discussion on the item with a suggested nomination of Commissioner Dale for President, Commissioner Kullmann for Vice President and Commissioner Doss for Secretary.
- II. The Commission discussed the item.
- III. **COMMISSIONER KULLMANN MOVED TO NOMINATE COMMISSIONER DALE FOR PRESIDENT, HIMSELF FOR VICE PRESIDENT AND COMMISSIONER DOSS FOR SECRETARY. CHAIR MARKS SECONDED THE MOTION.**
- IV. Chair Marks opened the item to public comment. No members of the public commented.
- V. Chair Marks moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE
Noes: NONE
Absent: HIGGINS
Abstain: NONE

REPORT ON EXECUTIVE CLOSED SESSION

- a) The Board directed the Executive Director to work on finalizing a lease agreement with California Marine Investments LLC to be brought to the Board for approval.
- b) The Board directed the Executive Director to finalize negotiations and prepare a Purchase and Sale Agreement to be brought to the Board for approval.
 - I. Chair Dale opened the item to public comment. Scott Frazier commented.

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

CONSENT CALENDAR

- ~~a) Receive District Financial Reports for November 2018- Item continued to February 28, 2019 meeting~~
- b) Approval of Meeting Minutes for December 11, 2018 Special Board Meeting
- c) Approval of Permit and Agreement Renewal to Brian Saxton to Operate Humboats Kayak Adventures
- d) Appoint Larry Oetker as representative for Port Authority to Harbor Safety Committee
 - I. COMMISSIONER MARKS MOVED TO APPROVE THE CONSENT CALENDAR. COMMISSIONER KULLMANN SECONDED.
 - II. Chair Dale opened the item to public comment. No members of the public commented.
 - III. Chair Dale moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE
Noes: NONE
Absent: HIGGINS
Abstain: NONE

COMMUNICATIONS AND REPORTS

- a) **Executive Director's Report**
 - I. Executive Director presented Executive Director's Report.
 - II. Board directed Executive Director to schedule a future meeting at the Redwood Marine Terminal II facility
- b) **Staff Reports**
 - I. Staff presented on recent District activities.
- c) **District Counsel and District Treasurer Reports**
 - I. None
- d) **Commissioner and Committee Reports**
 - I. Commissioners reported on their recent activities.
- e) **Others**
 - I. Executive Director gave update on Status of Intertidal Mariculture Environmental Impact Report

NON-AGENDA - None

UNFINISHED BUSINESS - None

NEW BUSINESS

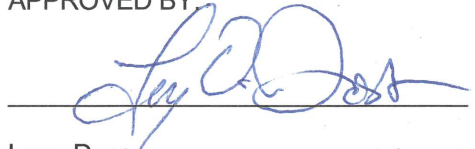
- a) **Award a Contract to the Lowest Responsive and Responsible Bidder for the Humboldt Bay Piling Removal Project**
 - I. Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened public comment on the item: No public comment.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER DOSS MOVED TO AWARD THE CONTRACT TO FIGAS CONSTRUCTION COMPANY. COMMISSIONER KULLMANN SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE
Noes: NONE
Absent: HIGGINS
Abstain: NONE

- b) **Consideration of Approval of Amendment # 1 to Permit 13-03 to the Humboldt Bay Harbor, Recreation and Conservation District for the Mariculture Pre-Permitting Project**
- I. CHAIR DALE RECUSED HIMSELF AND LEFT THE ROOM
 - II. Executive Director presented the item.
 - III. The Commission discussed the item.
 - IV. Vice-Chair Kullmann opened public comment on the item: No public comment.
 - V. Vice-Chair Kullmann moved the discussion back to the Commission.
 - VI. COMMISSIONER MARKS MOVED TO APPROVE AMENDMENT #1 TO PERMIT 13-03. COMMISSIONER DOSS SECONDED. VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS
Noes: NONE
Absent: HIGGINS, DALE
Abstain: NONE
 - VII. CHAIR DALE RETURNED TO THE ROOM
- c) **Consideration of Resolution 2019-01, A Resolution Declaring that Governing Body and Volunteers Shall Be Deemed Employees of the District for the Purpose of Providing Workers' Compensation Coverage**
- I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened public comment on the item: No public comment.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER DOSS MOVED TO ADOPT RESOLUTION 2019-01 FOR THE GOVERNING BODY ONLY. COMMISSIONER KULLMAN SECONDED. ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE
Noes: NONE
Absent: HIGGINS
Abstain: NONE
- d) **Update of the January 2019 Shoaling Conditions Near the Entrance to Humboldt Bay**
- I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened public comment on the item: Scott Frazier and Leroy Zerlang commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. As a notification only item, no formal action was taken.
- e) **Review of Ordinance No. 16 Pilotage. An Ordinance Establishing Standards, Policies and Practices for Pilot Competency, Qualification, Profession Growth and Enforcement**
- I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened public comment on the item: Leroy Zerlang commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. Chair Dale directed the Executive Director to bring the item back to the board for review at the next regular session.
 - VI. No formal action taken.

ADMINISTRATIVE AND EMERGENCY PERMITS - None

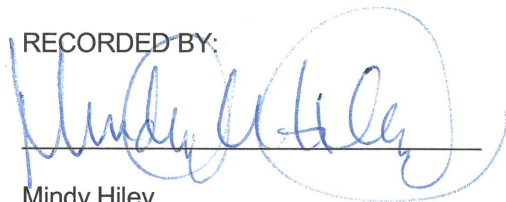
ADJOURNMENT – 8:25 P.M.

APPROVED BY:



Larry Doss
Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley
Director of Administrative Services