

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

May 08, 2019

The Humboldt Bay Harbor, Recreation and Conservation District met in special 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 items:

- 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 pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Steven Mueller. 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.
- c) CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION (Gov. Code section 54956.9). Name of Case: Humboldt Fishermen's Marketing Association, Inc. and The Trinidad Bay Fishermen's Marketing Association, Plaintiffs, v. The Humboldt Bay Harbor, Recreation, and Conservation District, et al., Defendants, Humboldt County Superior Court Case No. DR 180648.
- d) CONFERENCE WITH LEGAL COUNCIL – POTENTIAL LITIGATION (Gov. Code section 54956.9). Name of potential case: Fisherman's Channel Tide Gate replacement: Phil Ayers.

OPEN SESSION – 7:00 P.M.

ROLL CALL

PRESENT: DALE
 MARKS
 KULLMANN
 DOSS

ABSENT: HIGGINS

QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON EXECUTIVE CLOSED SESSION

- a) District Counsel, Ryan Plotz reported that the Board will continue negotiations on the potential acquisition and/or lease of real property on the Samoa Peninsula, Humboldt County, parcel numbers 401-112-021 and 401-112-024.
- b) District Counsel, Ryan Plotz reported that the Board will continue negotiations on the 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.
- c) District Counsel, Ryan Plotz provided an update on the existing litigation on the Case: Humboldt Fishermen's Marketing Association, Inc. and The Trinidad Bay Fishermen's Marketing Association, Plaintiffs, v. The Humboldt Bay Harbor, Recreation, and Conservation District. No action was taken.
- d) District Counsel, Ryan Plotz provided an update on the potential litigation on the Potential Case: Fisherman's Channel Tide Gate replacement: Phil Ayers. No action was taken.

Adopted Minutes for May 08, 2019 Special Board Meeting

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

CONSENT CALENDAR – NONE

COMMUNICATIONS AND REPORTS

- a) **Executive Director's Report**
 - I. Executive Director presented Executive Director's Report to continue dredging permit amendments.
- b) **Staff Reports**
 - I. None.
- c) **District Counsel and District Treasurer Reports**
 - I. None.
- d) **Commissioner and Committee Reports**
 - I. Commissioners reported on their recent activities.
 - II. Committee Reports from the Caltrans and Wind Energy Meetings.
- e) **Others**
 - I. None.

UNFINISHED BUSINESS

- a) **Update on the District's Efforts to Replace the Tide Gate on Fisherman's Channel in King Salmon.**
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Brad Floyd, Dan Noga and Kristen Kelly commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. No formal action was taken.
- b) **Update on Emergency Shoaling Conditions near Buoy 9.**
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Leroy Zerlang commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. The Commission directed the Executive Director to write a letter to the Army Corps of Engineers (USACOE) expressing concerns over the timeline for completion of emergency dredging.

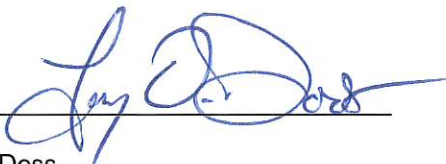
NEW BUSINESS

- a) **Consideration of Initial 2019-20 District Budget Preparation Schedule**
 - I. Executive Director Presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Scott Fraser commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. The Commission agreed and directed the Executive Director to schedule Budget Meetings.

ADMINISTRATIVE AND EMERGENCY PERMITS - NONE

ADJOURNMENT – 8:17 P.M.

APPROVED BY:



Larry Doss

Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley

Director of Administrative Services