

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

May 23, 2019

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date at 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 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 Ryan Platz, District Counsel~~. Negotiating party: Tim Callison. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-012-021 and Lease PRC 3186.1 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Platz, District Counsel. Negotiating party: Inyo Networks Inc. Under negotiation: price and payment terms.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 307-101-002 in Fields Landing, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Platz, District Counsel. Negotiating party: Terra-Gen, LLC. Under negotiation: price and payment terms.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-031-040 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Platz, District Counsel. Under negotiation: price and payment terms.
- 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 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.

OPEN SESSION – 7:03 P.M.

ROLL CALL:

PRESENT: DALE
 MARKS
 HIGGINS
 KULLMANN
 DOSS

ABSENT: NONE

QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON EXECUTIVE CLOSED SESSION

- a) District Counsel, Ryan Plotz reported that no action was taken.
- b) District Counsel, Ryan Plotz reported that no action was taken.
- c) District Counsel, Ryan Plotz reported that no action was taken.
- d) District Counsel, Ryan Plotz reported that no action was taken.
- e) District Counsel, Ryan Plotz reported that the Board of Commissioners unanimously authorized the Executive Director \$25,000 for engineering services to ready the property for lease. District staff will prepare the purchase order.

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

CONSENT CALENDAR

- a) Approval of Meeting Minutes for April 25, 2019 Regular Board Meeting
- b) Approval of Meeting Minutes for May 8, 2019 Special Board Meeting
- c) Receive District Financial Reports for January 2019
- d) Receive District Financial Reports for February 2019
- e) Receive District Financial Reports for March 2019
- f) Letter of Support for North Coast Rail Authority Funding
 - I. COMMISSIONER MARKS MOVED TO APPROVE THE CONSENT CALENDAR ITEMS A-F. COMMISSIONER HIGGINS 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, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE

COMMUNICATIONS AND REPORTS

- a) Executive Director's Report
 - I. Executive Director presented Executive Director's Report.
- b) Staff Reports
 - I. Staff presented on recent District activities.
- c) District Counsel and District Treasurer Reports
 - I. No report.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on their recent activities.
- e) Others – Report on Dredging Permits for Woodley Island Marina and Fields Landing Boat Yard
 - I. Item moved to 10b.

UNFINISHED BUSINESS

- a) **Update on Emergency Shoaling Conditions near Buoy 9 and letter written to USACOE**
 - I. Executive Director and Leroy Zerlang presented the item.
 - II. The Commission received the update.
 - III. Chair Dale opened the item to public comment. No one commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. No formal action was taken.
- b) **Update on Woodley Island Marina and Fields Landing Boat Yard Harbor District Dredging Permit amendments to allow upland disposal for beneficial reuse**
 - I. District Staff presented the item.
 - II. The Commission received the update.
 - III. Chair Dale opened the item to public comment. Tod Reinke rescinded his comment.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. No formal action was taken.
- c) **Consideration of Resolution 2019-06, A Resolution Establishing Findings Relative to the Permit Application by the California Department of Transportation for Work Associated with the Eureka-Arcata Route 101 Corridor Improvement Project**
 - I. District Staff presented the item.
 - II. The Commission discussed the item. Commissioner Higgins requested that his written comments be entered into the record as Exhibit A attached.

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- III. Chair Dale opened the item to public comment. Jason Meyer and Scott Frazier commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. COMMISSIONER DOSS MADE A MOTION TO APPROVE RESOLUTION 2019-06.
COMMISSIONER HIGGINS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

d) Consideration of Granting to the California Department of Transportation Permit 2018-01 for Work Associated with the Eureka-Arcata Route 101 Corridor Improvement Project

- I. District Staff presented the item
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. COMMISSIONER HIGGINS MOVED TO GRANT PERMIT 2018-01 TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION.
COMMISSIONER DOSS SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

NEW BUSINESS

a) Receive a Report from Humboldt County Office of Economic Development Regarding Samea Peninsula Infrastructure

Humboldt County Office of Economic Development was not present.

b) Consideration of Resolution 2019-07, A Resolution to Authorize the Execution of a Grant Agreement and Accept Funds from the California Department of Fish and Wildlife for Secretariat Services for the Harbor Safety Committee of the Humboldt Bay Area for Fiscal Year 2019-2020

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.
- W. COMMISSIONER KULLMANN MADE A MOTION TO APPROVE RESOLUTION 2019-07.
COMMISSIONER DOSS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

c) Consideration of Acceptance of Permit Application 2019-02 for Filing

- I. District Staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.
- X. COMMISSIONER HIGGINS MADE A MOTION TO ACCEPT PERMIT APPLICATION 2019-02 FOR FILING.
COMMISSIONER DOSS SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

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d) FY 2019-20 District Budget Preparation – draft goals revenues and expenditures by programmatic activity

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Scott Frazier commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. No formal action was taken.

ADMINISTRATIVE AND EMERGENCY PERMITS

a) Emergency Permit E-2019-03 Caltrans Tide Gate Replacement

- I. District Staff presented the item.
- III. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Cassie Nichols commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. No formal action required.

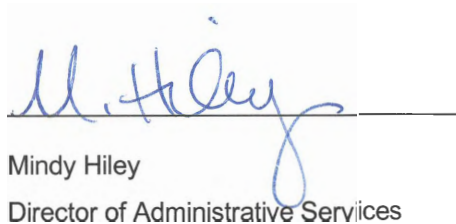
ADJOURNMENT – 9:15 P.M.

APPROVED BY:



Patrick Higgins
Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley
Director of Administrative Services