

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

October 24, 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 LABOR NEGOTIATORS.** Agency designated representatives: Larry Oetker, Executive Director. Employee organization: International Longshore and Warehouse Union Local 14, Unit A
- 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 Ryan Plotz, District Counsel. Negotiating party: Tim Callison. Under negotiation: price and payment terms.
- c) **CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION.** Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: one case (Coast Seafood).

OPEN SESSION – 7:03 P.M.

ROLL CALL:

PRESENT: DALE
 DOSS
 MARKS
 HIGGINS
 KULLMANN

ABSENT: NONE

QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON EXECUTIVE CLOSED SESSION: No reportable action.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: Tod Reinke, Kent Sawatsky, Stephen Bakos, Robert McCollough and Mark Condes.

CONSENT CALENDAR

- a) Receive District Financial Reports for August 2019
- b) Approval of Meeting Minutes for September 24, 2019 Regular Board Meeting
 - I. COMMISSIONER KULLMANN MOVED TO APPROVE THE CONSENT CALENDAR ITEMS A-B. COMMISSIONER HIGGINS SECONDED.
 - II. Chair Dale opened the item to the 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: DALE, DOSS, HIGGINS, KULLMANN, MARKS
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. District Counsel reported on legal activities.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on their recent activities.
- e) Others
 - I. No report.

UNFINISHED BUSINESS

- a) **Update regarding recently Completed Woodley Island Marina and Fields Landing Boat Yard dredging**
 - I. District staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Kent Sawatsky, David Helliwell, Kevin Pinto and Vivian Helliwell commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. No formal action was taken.

- b) **Consider Adopting Resolutions 2019-10, 2019-11, 2019-12, 2019-13, 2019-14 and 2019-15 Amending the Fee Schedule for Harbor District Properties and Operations and Amendment No. 7 to Ordinance 15 Tariff Section No. 6 Item 14 Enacting General Tariff No. 1, Establishing Rules, Regulations, Charges, and Fees, Including Harbor Fees on Vessels and Cargo in Connection with the Humboldt Harbor and Bay 38 Foot, Deep Draft Navigation Improvement Project within the Jurisdiction of the Humboldt Bay Harbor, Recreation and Conservation District, and Consent to Read by Title Only.**
 - 1. Draft Resolution 2019-10 Harbor District Office Fee Schedule
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Kent Sawatsky, Felix Huerta and Scott Frazier commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2019-10 HARBOR DISTRICT OFFICE FEE SCHEUDLE.
COMMISSIONER HIGGINS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

 - 2. Draft AMENDMENT NO. 7 TO ORDINANCE 15 Tariff Section No. 6 Item 14 ENACTING GENERAL TARIFF NO. 1, ESTABLISHING RULES, REGULATIONS, CHARGES, AND FEES, INCLUDING HARBOR FEES ON VESSELS AND CARGO IN CONNECTION WITH THE HUMBOLDT HARBOR AND BAY 38 FOOT, DEEP DRAFT NAVIGATION IMPROVEMENT PROJECT WITHIN THE JURISDICTION OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, AND CONSENT TO READ BY TITLE ONLY

 - 3. Ordinance 15 Amendment NO. 7 and consent to read by title only
 - I. Executive Director presented items 2 and 3 together.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Kent Sawatsky commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER KULLMANN MOVED TO ADOPT AMENDMENT NO. 7 TO ORDINACE 15 BY TITLE ONLY.
COMMISSIONER HIGGINS SECONDED.

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ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

4. Draft Resolution 2019-11 Harbor Fee Schedule
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Kent Sawatsky, Kevin Pinto and Tod Reinke commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2019-11 HARBOR FEE SCHEUDLE.
COMMISSIONER DOSS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

5. Draft Resolution 2019-12 Fields Landing Boat Yard Fee Schedule
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Robert McCollough and Kevin Pinto commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2019-12 FIELDS LANDING BOAT YARD FEE SCHEDULE
COMMISSIONER HIGGINS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DOSS, HIGGINS, KULLMANN, MARKS
Noes: DALE
Absent: NONE
Abstain: NONE

6. Draft Resolution 2019-13 Redwood Marine Terminal and Shelter Cove Fee Schedule
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Kent Sawatsky commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2019-13 REDWOOD MARINE TERMINAL AND SHELTER COVE FEE SCHEUDLE.
COMMISSIONER MARKS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

7. Draft Resolution 2019-14 Equipment Fee Schedule
 - 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.
 - V. COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2019-14 EQUIPMENT FEE SCHEUDLE.
COMMISSIONER HIGGINS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

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Noes: NONE
Absent: NONE
Abstain: NONE

8. Draft Resolution 2019-15 Woodley Island Marina Fee Schedule
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Dale opened the item to public comment. Stephen Bakos, Kent Sawatsky, Mark Condes, Jan Abbot, Kevin Pinto, Kim McCollough (for Susan Penn), Vivian Helliwell, Jeanie Davis, Charlie Rockwell, and Robert McCollough commented.
 - IV. Chair Dale moved the discussion back to the Commission.
 - V. COMMISSIONER KULLMANN MOVED TO TABLE THE ITEM AND APPOINT A SUBCOMMITTEE TO DEAL WITH IT AND BRING IT BACK TO THE NOVEMBER MEETING.
COMMISSIONER MARKS SECONDED.
VOICE VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

NEW BUSINESS

a) Authorize the Release of a Request for Proposals to Lease the District's Fields Landing Boat Yard Site Operations

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Felix Huerta, Kevin Pinto and Tod Reinke commented.
- IV. Chair Dale moved the discussion back to the Commission.
COMMISSIONER MARKS MOVED TO RELEASE A REQUEST FOR PROPOSALS TO LEASE THE DISTRICT'S FIELDS LANDING BOAT YARD SITE OPERATIONS
COMMISSIONER KULLMANN SECONDED
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

b) Humboldt State University Pilot Seaweed Culture Project

- I. District staff and Humboldt State University Staff Karen Grey and Rafael Cuevas-Urbe presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Mark Condes commented.
- IV. Chair Dale moved the discussion back to the Commission.
COMMISSIONER HIGGINS MOVED TO AUTHORIZE STAFF TO NEGOTIATE AND EXECUTE A LEASE WITH HUMBOLDT STATE UNIVERSITY FOR A PILOT SEAWEED CULTURE PROJECT AND AUTHORIZE STAFF TO EXECUTE FUTURE MARICULTURE PRE-PERMITTEING PROJECT PROGRAM LEASES WITHOUT BOARD APPROVAL
COMMISSIONER KULLMANN 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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c) Cancel November and December 2019 Board Meetings

- 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.

COMMISSIONER HIGGINS MOVED TO CANCEL THE NOVEMBER AND DECEMBER 2019 MEETINGS AND RESCHEDULE THEM FOR THE SECOND THURSDAY IN BOTH MONTHS

COMMISSIONER KULLMANN SECONDED

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

ADMINISTRATIVE AND EMERGENCY PERMITS - NONE

ADJOURNMENT – 10:28 P.M.

APPROVED BY:



Patrick Higgins

Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley

Director of Administrative Services