

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

November 15, 2018

The Humboldt Bay Harbor, Recreation and Conservation District met in special session on the above date at 12:00 P.M. Closed Session, 12:15 P.M. Open Session, at the Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501.

1. CLOSED SESSION – 12:00 P.M.

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

- a) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS.** Terms of potential sublease of District's lease interest by District under lease between the District and Mario's Marina LLC dated April 1, 2016 for the real property commonly known as Mario's Marina in Shelter Cove, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: Shelter Cove Fisherman's Preservation Association, Shelter Cove, CA. Under negotiation: price and payment terms.

2. OPEN SESSION – 12:22 P.M.

ROLL CALL:

PRESENT: MARKS
KULLMAN
DOSS
DALE

ABSENT: HIGGINS

QUORUM: YES

3. PLEDGE OF ALLEGIANCE

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

5. REPORT ON EXECUTIVE CLOSED SESSION

- a) No Action to report out on.

6. CONSENT CALENDAR

- a) Approval of Permit and Agreement Renewal to Kevin Pinto to Operate Jenna Lee's Seafood Company
- b) Approval of Permit and Agreement Renewal to the Humboldt Yacht Club to Operate a Dinghy Dock
- c) Receive District Financial Reports for September 2018
- d) Approval of Meeting Minutes for March 22, 2018 Regular Board Meeting
- e) Approval of Meeting Minutes for July 26, 2018 Regular Board Meeting
- f) Approval of Meeting Minutes for August 15, 2018 Special Board Meeting in Shelter Cove
- g) Approval of Meeting Minutes for August 23, 2018 Regular Board Meeting
- h) Approval of Meeting Minutes for September 27, 2018 Regular Board Meeting
- i) Approval of Meeting Minutes of October 25, 2018 Regular Board Meeting
- j) Authorize the Executive Director to Execute the Compensation Agreement Between the Successor Agency to the City of Eureka Redevelopment Agency and the Harbor District
 - I. COMMISSIONER KULLMAN MOVED TO APPROVE THE CONSENT CALENDAR.
COMMISSIONER DOSS SECONDED.
 - II. Chair Marks opened the item to public comment. No members of the public commented.
 - III. 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

7. COMMUNICATIONS AND REPORTS

- a) **Executive Director's Report**
 - I. Executive Director presented Executive Director's Report.
- b) **Staff Reports**
 - I. None
- c) **District Counsel and District Treasurer Reports**
 - I. District Counsel reported on two items of litigation.
- d) **Commissioner and Committee Reports**
 - I. Commissioners reported on their recent activities.
- e) **Others**
 - I. None

8. Non Agenda
None

9. UNFINISHED BUSINESS

- a) **Review of the Proposed Annual Dredging Program Implementation Measures**
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks then opened public comment on the item: Scott Frazier commented.
 - IV. Commission directed staff to proceed with the project as presented.

10. NEW BUSINESS

- a) **Consideration of Mitigation Monitoring/Reporting Program for Pre-permitted Mariculture Leases**
 - I. Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item: Scott Frazier commented.
 - IV. 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
- b) **Schedule a Special Meeting to Conduct a Public Employee Evaluation of the Executive Director and Consideration of an Employment Contract Renewal.**
 - I. The Commission discussed the item.
 - II. As a Closed Session matter, Chair Marks will set the special meeting date in the upcoming weeks.

11. ADMINISTRATIVE AND EMERGENCY PERMITS

- a) **Administrative Permit A-2018-05 King Salmon Tide Gate Replacement**
 - I. Staff presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks opened public comment on the item. Phil Ayers and Scott Frazier commented.
 - IV. Chair Marks moved the discussion back to the Commission. As a notification item only, no action was taken.

12. ADJOURNMENT – 1:05 P.M.

APPROVED BY:

Patrick Higgins
Secretary

RECORDED BY:

Mindy Hiley
Director of Administrative Services