

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

April 26, 2018

The Humboldt Bay Harbor, Recreation, and Conservation District met in regular session on the above date, 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.

1) 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 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: Tony Miller, Shelter Cove, CA. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential new lease of District property at Fairhaven, Humboldt County, California that is subject to the current lease of June 25, 1965 between State of California as lessor and Crown Simpson Pulp Mill Co., currently occupied by successor tenant Sequoia Investments X, LLC., pursuant to California Government Code section 54956.8. District negotiators: Larry Oetker, Executive Director and Paul Brisso, District Counsel. Negotiating party: Sequoia X, LLC. Under negotiation: price and other consideration for lease and payment terms.

2) ADJOURN EXECUTIVE CLOSED SESSION

3) OPEN SESSION – 7:00 P.M.

ROLL CALL:

PRESENT: MARKS
 DOSS
 KULLMANN
 HIGGINS

ABSENT: DALE

QUORUM: Yes

4) PLEDGE OF ALLEGIANCE

5) REPORT ON EXECUTIVE CLOSED SESSION

- a. No action report out on.
- b. No action report out on.

6) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: No members of the public commented.

7) CONSENT CALENDAR:

- a) Approval of Meeting Minutes for January 25, 2018 Regular Board Meeting
- b) Approval of Meeting Minutes for February 22, 2018 Regular Board Meeting
- c) Authorize purchase & installation of 12' wide by 14' tall cylinder type roll up door at RMT II for \$ 13,196.78
- d) Approval of Permit and Agreement to Operate a Charter Service Business with Steve Helton dba Judah Paul Sport Fishing.

I. COMMISSIONER HIGGINS MOVED TO APPROVE OF THE CONSENT CALENDAR. COMMISSIONER DOSS SECONDED.

II. Chair Marks then opened up public comment on the item. No members of the public commented.

III. Chair Marks then moved the discussion back to the Commission.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: MARKS, KULLMANN, HIGGINS, DOSS

Noes: NONE

Absent: DALE

Abstain: NONE

COMMISSIONER KULLMANN MOVED TO MOVE THE PRESENTATION BY JOHN HUMMER, U.S MARITIME ADMINISTRATION, TO BEFORE THE COMMUNICATIONS AND REPORTS. COMMISSIONER HIGGINS SECONDED THE MOTION.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: MARKS, KULLMANN, HIGGINS, DOSS

Noes: NONE

Absent: DALE

Abstain: NONE

8) COMMUNICATIONS AND REPORTS:

- a. U.S. Maritime Administration Presentation
- b. Staff Reports
 - o Staff presented recent staff activities and projects.
- c. District Counsel, District Planner, District Treasurer and District Engineer Reports
 - o Staff presented recent staff activities and projects.
- d. Executive Director Report:
 - o Executive Director Larry Oetker presented Executive Director Report.
- e. Commissioner Reports
- f. HSU Student Project Presentation – Samoa Bayfront Properties Planning Project

9) UNFINISHED BUSINESS:

- a. FY 2018-19 DISTRICT BUDGET PREPARATION – DRAFT GOALS REVENUES AND EXPENDITURES BY PROGRAMMATIC ACTIVITY.
 - I. Executive Director Larry Oetker presented the item.
 - II. The Commission discussed the item.
 - III. Chair Marks then opened up public comment on the item: Public commenters included: Susan Penn.
 - IV. As an informational item, no action was taken regarding this matter by the Commission.
- b. FAIRHAVEN TIDAL PROPERTY LEASE WITH SEQUOIA INVESTMENTS X, LLC.
 - I. Paul Brisso, Legal Counsel presented the item.
 - II. COMMISSIONER HIGGINS MOVED TO ENTER INTO NEW LEASE WITH SEQUOIA INVESTMENTS X, LLC FOR THE FAIRHAVEN TIDAL PROPERTY. COMMISSIONER KULLMANN SECONDED THE MOTION.
 - III. Chair Marks then opened up public comment on the item: Public commenters included: Scott Frazier.
 - IV. Chair Marks then moved the discussion back to the Commission.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: MARKS, KULLMANN, DOSS, HIGGINS

Noes: NONE

Absent: DALE

Abstain: NONE

10) NEW BUSINESS:

- a. CONSIDERATION OF EXTENSION FOR PERMIT NO. 14-05 FOR HUMBOLDT BAY REGIONAL INVASIVE SPARTINA ERADICATION AND NATIVE SALT MARSH RESTORATION.
 - I. COMMISSIONER HIGGINS MOVED TO APPROVE PERMIT NO. 14-05 EXTENSION FOR HUMBOLDT BAY REGIONAL INVASIVE SPARTINA ERADICATION AND NATIVE SALT MARSH RESTORATION THROUGH DECEMBER 18, 2024. COMMISSIONER KULLMANN SECONDED THE MOTION.
 - II. District Planner George Williamson presented the item.
 - III. The Commission discussed the item.
 - IV. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented.
 - V. Chair Marks then moved the discussion back to the Commission.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: MARKS, KULLMANN, DOSS, HIGGINS

Noes: NONE

Absent: DALE

Abstain: NONE

- b. CONSIDERATION OF AGREEMENT WITH CHEVRON FOR REIMBURSEMENT OF SERVICES RELATED TO THE OPERATION AND MAINTENANCE OF THE HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL TIME SYSTEM (PORTS).
 - I. Staff member Tim Petrusha and Executive Director Larry Oetker presented the item.
 - II. The Commission discussed the item.
 - III. COMMISSIONER KULLMANN MOVED TO APPROVE AGREEMENT WITH CHEVRON FOR REIMBURSEMENT OF SERVICES RELATED TO THE OPERATION AND MAINTENANCE OF THE HUMBOLDT BAY PHYSICAL OCEANOGRAPHIC REAL TIME SYSTEM (PORTS). COMMISSIONER HIGGINS SECONDED THE MOTION.
 - IV. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented.
 - V. Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, HIGGINS
Noes: NONE
Absent: DALE
Abstain: NONE
- c. AUTHORIZE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH TRINITY VALLEY CONSULTING ENGINEERS INC. FOR PLOTTING AND MAPPING EXISTING FACILITIES AT RMT II.
 - I. Executive Director Larry Oetker presented the item. The Commission discussed the item.
 - II. COMMISSIONER HIGGINS MOVED TO AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE A CONTRACT WITH TRINITY VALLEY CONSULTING ENGINEERS INC. FOR PLOTTING AND MAPPING EXISTING FACILITIES AT RMT II. COMMISSIONER KULLMANN SECONDED THE MOTION.
 - III. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented on this item.
 - IV. Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, HIGGINS
Noes: NONE
Absent: DALE
Abstain: NONE


11) ADMINISTRATIVE AND EMERGENCY PERMITS: NONE.

12) ADJOURNMENT

APPROVED BY

Patrick Higgins
Secretary

RECORDED BY:



George Williamson
District Planner