

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

DATE: January 23, 2020

TIME: Executive Closed Session 6:00 P.M.
Regular Session 7:00 P.M.

PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at 443-0801 at least 24 hours in advance of the meeting.

1. Call to Order Closed Session at 6:00 P.M.

2. Public Comment

Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.

3. Move to Executive Closed Session

- 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 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: California Marine Investments LLC. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 002-162-001, 002-161-001, 002-162-018, 014-161- 013, 014-161-014, and 014-161-006, and 014-161-007 in the Eureka, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Ted Loring. 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) (Glasshouse Gardens Inc)
- d) 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, 401-031-056 pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Pete Oringer, Timber Heritage Association. Under negotiation: price and payment terms.

4. Call to Order Regular Session at 7:00 P.M. and Roll Call

5. Pledge of Allegiance

6. Election of Board President, Vice President and Secretary

Summary: District Ordinance No. 6, Article II Officers, Section 6 states: "The President, Vice-President and Secretary shall be elected at the annual meeting of the Board of Commissioners of the District from among

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the members of said Board of Commissioners, and shall hold office for one year or until their successors are elected and qualified. All Officers shall serve during the pleasure of the Board of Commissioners of the District.”

7. Report on Executive Closed Session

8. Public Comment

Note: This portion of the Agenda allows the public to speak to the Board on the various issues not itemized on this Agenda. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.

9. Consent Calendar

- a) Consideration of Acceptance of Permit Application 2020-01 for Filing
- b) Receive District Financial Reports for September, October and November 2019
- c) Approval of Meeting Minutes for October 24, 2019 Regular Board Meeting
- d) Approval of Meeting Minutes for November 14, 2019 Special Board Meeting
- e) Approval of Meeting Minutes for December 12, 2019 Special Board Meeting

10. Communications and Reports

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Others

11. Unfinished Business - NONE

12. New Business

a) Humboldt Bay Management Plan Billboard Policy Amendment

Recommendation: Staff recommends the Board amend the Humboldt Bay Management Plan with a clear policy regarding permitting of billboards.

Background: There are existing billboards that occur within tidal and submerged lands granted to the District. The District has regulatory jurisdiction over these areas. On December 30, 2019, the District received an application to rebuild a billboard that collapsed during a storm. It is anticipated that similar applications will be received by the District in the future. The Humboldt Bay Management Plan does not adequately define District policy regarding billboards. District staff requests that the District Board of Commissioners provide direction regarding revisions to the Humboldt Bay Management Plan that would provide clarity regarding billboard policy. Specifically, District staff seeks direction as to whether billboard maintenance or construction can be permitted by the District.

b) Update on the formation of the Volunteer Boat Captain Program:

Recommendation: Staff Recommends that the Board receive a report regarding the progress in forming a Volunteer Boat Captain Program.

Summary: Due to recent staff changes, there are a limited number of District staff qualified to captain District owned vessels. This is a particular problem for the District's fireboat which could be called for an emergency situation at any time. At the September meeting the Board requested that Staff begin the process to recruit and form a Volunteer Boat Captain Program.

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c) Consideration of Resolution 2020-01, A Resolution Declaring that Governing Body and Volunteers Shall Be Deemed Employees of the District for the Purpose of Providing Workers' Compensation Coverage

Recommendation: Staff recommends the Board Adopt Resolution 2020-01 for the Governing Body and Volunteers.

Summary: The Special District Risk Management Authority (SDRMA) requires an annual Resolution in order to extend Workers' Compensation coverage to their Governing Body members and/or volunteers. If adopted, such persons will be deemed as employees for workers' compensation benefit. The Resolution permits the Governing Body to designate the categories of persons who the District desires to "deem" to be employees for this purpose by checking the boxes associated with those categories on the Resolution. Any persons designated will need to be listed under the Workers' Compensation Program and must pay an annual premium to enable coverage.

13. Administrative and Emergency Permits - NONE

14. Adjournment