

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

DATE: May 08, 2019
TIME: Closed Session – 6:00 PM
Special Session – 7:00 PM
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 at 6:00 P.M.**
2. **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 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.
 - 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 Paul Brisso, District Counsel. Negotiating party: Tim Callison. Under negotiation: price and payment terms.
 - c) CONFERENCE WITH LEGAL COUNCIL – EXISTING LITIGATION (Gov. Code section 54956.9). Name of Case: Humboldt Fishermen's Marketing Association, Inc. and The Trinidad Bay Fishermen's Marketing Association, Plaintiffs, v. The Humboldt Bay Harbor, Recreation, and Conservation District, et al., Defendants, Humboldt County Superior Court Case No. DR 180648.
 - d) CONFERENCE WITH LEGAL COUNCIL – POTENTIAL LITIGATION (Gov. Code section 54956.9). Name of potential case: Fisherman's Channel Tide Gate replacement: Phil Ayers
3. **Call to Order Special Session at 7:00 P.M. and Roll Call**
4. **Pledge of Allegiance**
5. **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.
6. **Consent Calendar - None**
7. **Communications and Reports**
 - a) Executive Director's Report
 - b) Staff Reports

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- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Others

8. Unfinished Business

- a) **Update on the District's Efforts to Replace the Tide Gate on Fisherman's Channel in King Salmon.**

Recommendation: Staff recommends the Board: Receive a report from Staff.

Summary: The Board has received several reports from Staff regarding the District's attempts to receive authorization to replace the tide gate at the District owned property off Fisherman's Channel in King Salmon. On Nov 11, 2018 the District determined that the tide gate was a repair/replacement project and categorically exempt from CEQA and issued Administrative Permit A-2018-05.

- b) **Update on Emergency Shoaling Conditions near Buoy 9.**

Recommendation: Staff recommends the Board: Receive a report and direct Staff to draft a letter to the US Army Corp of Engineers.

Summary: In January of 2019, a major storm which closed Humboldt Bay caused significant shoaling within the Army Corps of Engineers (USACOE) maintained federal navigation channel, in the area known as "Rock and Roll Alley" (Buoy # 9). In response to these conditions, the District, the Harbor Safety Committee, the USCG, the Humboldt Fisherman's Marketing Association, the Wiyot Tribe, and Humboldt County requested that emergency dredging be initiated to remove the hazard. The USACOE immediately reacted and dispatched a vessel to conduct emergency soundings to confirm the hazardous conditions and the need for emergency dredging. On April 14TH the USACOE Dredge Yaquina arrived in Humboldt Bay and began dredging the area around Buoy 9.

9. New Business

- a) **Consideration of Initial 2019-20 District Budget Preparation Schedule**

Recommendation: Staff recommends the Board: Direct Staff to implement the proposed 2019-20 Budget preparation schedule.

Summary: The Budget is prepared annually under direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors not later than August 1st.

10. Administrative and Emergency Permits

11. Adjournment