

AGENDA
MEETING OF THE BOARD OF COMMISSIONERS
HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT
REVISED 4/20/2020

DATE: April 23, 2020

TIME: **Executive Closed Session 6:30 6:00 P.M.**
Regular Session 7:00 P.M.

PLACE: Teleconference: (712) 432-0220, passcode 4430801#

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 acquisition and/or lease of real property in Fields Landing, Humboldt County, with Assessor's Parcel Numbers, 307-101-002 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Tod Reincke. Under negotiation: price and payment terms.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-112-021, 401-031-061, 401-031-040, and 401-031-054 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: Green Diamond Resource Company. Under negotiation: price and payment terms.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021 California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Green Cloud Inc. Under negotiation: price and payment terms.
- e) 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: EWP Renewable Corp. Under negotiation: price and payment terms.
- f) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease of real property in Eureka, Humboldt County, with Assessor's Parcel Numbers, APNs 002-161-001, 002-162-001, 014-161-006, 014-161-007, and 014-161-014 pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker,

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Executive Director and Ryan Plotz, District Counsel. Negotiating party: Green Cloud Inc. 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. Report on Executive Closed Session

7. 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.

8. Consent Calendar

- a) Receive District Financial Reports for January 2020
- b) Receive District Financial Reports for February 2020
- c) Adopt Minutes for February 27, 2020 Regular Board Meeting
- d) Adopt Minutes for March 18, 2020 Special Board Meeting
- e) Adopt Minutes for March 31, 2020 Special Board Meeting
- f) Adopt Minutes for April 9, 2020 Special Board Meeting
- g) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Reef Twibell, dba Humboldt Sportfishing
- h) Approval of Permit and Agreement Renewal to Operate a Charter Service Business with Mike Stratman, dba Redwood Coast Fishing
- i) Approval of Permit and New Agreement to Operate a Charter Service Business with Micah Woolworth, dba Lost Coast Sportfishing
- j) Approval of Permit and New Agreement to Operate a Charter Service Business with Jeff Stackhouse, dba Stackhouse Guide Services
- k) Schedule a Special Board meeting on Thursday, May 14, 2020

9. 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

10. Unfinished Business

- a) **Receive Report and Receive Direction from the Board Regarding Districts Response to COVID-19. (Roll Call Vote)**

Recommendation: Staff recommends the Board: Receive a report and provide direction as necessary.

Summary: On March 11, 2020 Humboldt County Health Officer Teresa Francovich, MD declared a local health emergency. The Maritime Commerce and Commercial Fisheries are essential services. Staff will provide an update on the Harbor District operation and the Board will discuss and take action on items necessary to keep operations functioning during this emergency.

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b) Consider Authorizing the Executive Director to Execute a Lease Agreement with Reincke Marine Fabrication to operate the Fields Landing Boat Yard (Roll Call Vote)

Recommendation: Staff recommends the Board: Authorize the Executive Director to execute a lease agreement with Reincke Marine Fabrication.

Summary: In October 2019, the Board authorized the release of a request for proposals to lease the District's Fields Landing Boat Yard site operations. The District currently directly operates the boat yard as a do it yourself work yard. Customers have the option of either trailering in or having their vessel hauled out by the District's 150-ton mobile straddle travel lift. The Project operates under Coastal Development Permit 80-P-21 from the California Coastal Commission which allows haul outs from the existing finger piers, approximately seven (7) acre boat repair facility, including a wash down area, boat works areas, restrooms, parking area, travel ways, drainage systems, catch basin and office.

c) Receive an Update on the Subtidal and Intertidal Humboldt Bay Mariculture Pre-Permitting Projects

Staff will provide an update on progress made and the future schedule for the Subtidal Humboldt Bay Mariculture Pre-Permitting Projects.

11. New Business

a) Accept the Audit Report for the 2018-2019 Fiscal Year

Recommendation: Staff recommends the Board: Accept the Audit Report for the 2018-2019 Fiscal Year.

Summary: Independent auditors report prepared by Harshwal & Company LLP for the fiscal year ending June 30th, 2019. The Dredge Surcharge report was prepared by Mark Wetzel, the District Treasurer.

b) Consider Authorizing Staff to Release a Request for Proposals for 2020 Woodley Island Marina Dredging

Recommendation: Staff recommends the Board authorize staff to release a request for proposals for 2020 Woodley Island Marina dredging.

Summary: Severe storms in May 2019 resulted in the declaration of a federal emergency for Humboldt County and other areas. Due to the storms, there was 26,032 cubic yards (cy) more shoaling at Woodley Island Marina than in a typical year. In September-October 2019, the District conducted dredging at the marina. Due to the declared emergency, the Federal Emergency Management Agency (FEMA) and California Office of Emergency Services (CalOES) are reimbursing the District for the Woodley Island Marina portion of the 2019 dredging event. Additionally, FEMA/CalOES will fund the removal of 7,192 cy of material which must be removed from the marina in 2020 or the District will not be reimbursed.

c) Consideration of Initial 2020-21 District Budget Preparation Schedule

Recommendation: Staff recommends the Board Direct Staff to implement the proposed 2020-21 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 no later than August 1st.

d) Authorize the Acquisition of APNs 002-161-001, 002-162-001, 014-161-006, 014-161-007, and 014-161-014

Recommendation: Staff recommends the Board:

1. Accept the donation;
2. Adopt CEQA Exemption; and
3. Authorize the acquisition of APNs 002-161-001, 002-162-001, 014-161-006, 014-161-007, and 014-161-014.

Summary: These parcels contain salt marsh and tidal channels that are habitat for native plant and animal species. There is potential at the site for habitat restoration, including removal of non-native plant species and enhancement of existing habitats. The purpose of the acquisition is to preserve and restore the

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properties' natural plant and animal habitats. Habitat restoration at the site may be used as mitigation for environmental impacts of future dredging at Woodley Island Marina, particularly for longfin smelt (*Spirinchus thaleichthys*) impacts.

- e) Consideration of lease of real property on the Samoa Peninsula, Humboldt County, with Assessor's Parcel Numbers, 401-112-021

Recommendation: Staff recommends the Board Direct Staff to: Execute Lease Documents

Summary: The Harbor District owns property at Redwood Marine Terminal II that is available for lease.

12. Administrative and Emergency Permits

- d) **Administrative Permit A-2020-02 California Redwood Company Dock Repairs**

Recommendation: Staff recommends that the Board receive a report regarding issuance of Administrative Permit A-2020-02: California Redwood Company Dock Repairs.

Summary: California Redwood Company is proposing to repair damage that occurred to the California Redwood Company Dock. The project consists of repairing and replacing wooden and rusted dock material. The proposed work would not result in any addition to, enlargement or expansion of the dock structures. District staff determined that the project is exempt from the California Environmental Quality Act pursuant to a Class 1 Categorical Exemption (Section 15301 Existing Facilities), which exempts operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of the existing or former use. A Notice of Exemption will be filed with the County. District staff has issued Permit A-2020-02 for the Project.

13. Adjournment