

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

September 28, 2017

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) Move to Executive Closed Session pursuant to the provisions of the California Government Code Sections 54956.8 (Conference with Real Property Negotiators).
 - I. Conference with Real Property Negotiator Agency Negotiator: Board President, Executive Director and District Counsel Under Negotiation:
 - i. Exclusive Right to Negotiate with Inyo Networks. (Existing)
 - ii. Exclusive Right to Negotiate with Renewable Energy Capital (New)
 - II. Conference with Real Property Negotiator Agency Negotiator: Board President, Executive Director and District Counsel Under Negotiation: Tideland Lease with Sequoia X, LLC.

2) ADJOURN EXECUTIVE CLOSED SESSION

3) OPEN SESSION – 7:00 P.M.

ROLL CALL:

PRESENT: MARKS
 DALE
 DOSS
 HIGGINS
 KULLMANN

ABSENT: NONE.

QUORUM: Yes

4) PLEDGE OF ALLEGIANCE

5) REPORT ON EXECUTIVE CLOSED SESSION

- I. Nothing to report out on for either item.
- II. Sequoia X, LLC has withdrawn request for negotiations. Item will not be decided upon in tonight's agenda.

6) PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: Kent Sawatzky.

7) CONSENT CALENDAR:

- a. Approval of meeting minutes for August 17, 2017
- b. Approval of meeting minutes for September 7, 2017
 - I. COMMISSIONER DALE MOVED TO APPROVE OF THE CONSENT CALENDAR. COMMISSIONER HIGGINS SECONDED.
 - II. Chair Marks then opened up public comment on the item. Seeing no members of the public wishing to speak, Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DALE, DOSS, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE

8) COMMUNICATIONS AND REPORTS:

- a. **Executive Director Report:**
 - o Alan Bobillot Presented Executive Director Report.
- 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.

9) NON-AGENDA: NONE.

10) UNFINISHED BUSINESS:

- a. CONSIDERATION OF ACCEPTANCE OF FINAL REPORT FOR THE COORDINATED REGIONAL SEDIMENT MANAGEMENT PLAN (CRSMP) FOR THE EUREKA LITTORAL CELL.
 - I. Chris Potter (CA Natural Resources Agency), Cliff Davenport (CA Geological Survey), and John Dingler (USACE, SF District) presented the item.
 - II. COMMISSIONER DOSS MOVED TO ACCEPT THE FINAL REPORT FOR THE COORDINATED REGIONAL SEDIMENT MANAGEMENT PLAN. COMMISSIONER DALE SECONDED THE MOTION.
 - III. Chair Marks then opened up public comment on the item: Public commenters included: Jen Kalt, Karen Brooks, and Uri Driscoll.
 - IV. Chair Marks then moved the discussion back to the Commission.
 - V. The Commission discussed the item and asked questions of staff.
 - VI. COMMISSIONER DALE WITHDREW HIS SECOND. COMMISSIONER DOSS WITHDREW HIS MOTION.
COMMISSIONER HIGGINS MOVED TO TABLE THE ITEM. COMMISSIONER KULLMANN SECONDED THE ITEM. VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE
- b. CONSIDERATION OF TIDELAND LEASE WITH SEQUOIA X, LLC.
 - I. This item was removed from the agenda. As discussed in the Report Out on Closed Session the applicant has withdrawn its request and negotiations are no longer moving forward at this time.
- c. CONSIDERATION OF APPROVAL OF EXECUTIVE DIRECTOR SELECTION COMMITTEE
 - I. Chair Marks presented the item and opened the floor for a motion to establish Committee size.
 - II. COMMISSIONER HIGGINS MOVED TO EXPAND THE EXECUTIVE DIRECTOR SELECTION COMMITTEE TO SEVEN MEMBERS. COMMISSIONER DOSS SECONDED THE MOTION.
 - III. The Commission discussed the item and asked questions of staff.
 - IV. Chair Marks then opened up public comment on the item: Public commenters included: Kent Sawatzky and Uri Driscoll.
 - V. Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE
 - VI. Chair Marks presented the candidates for the two public seats of the committee. Previously appointed by the Commission to the Committee were Patrick Higgins, Greg Dale, Glen Ziemer, Mike Wilson, and Troy Nicolini.
 - VII. The Commission discussed the item and clarified the subject committee's role and responsibilities.
 - VIII. Chair Marks then opened up public comment on the item: Public commenters included: Kent Sawatzky, Karen Brooks, and Uri Driscoll. Chair Marks then moved the discussion back to the Commission.
 - IX. The Commission then voted anonymously on paper ballots, which were then passed to Legal Counsel Paul Brisso to tally. Mr. Brisso then reported the following: Chet Albin received the most votes, and Aaron Newman and Dave Schneider tied for the second seat.
 - X. COMMISSIONER DALE MOTIONED THAT THE EXECUTIVE DIRECTOR SELECTION COMMITTEE BE EXPANDED TO EIGHT MEMBERS TO APPOINT CHET ALBIN, AARON NEWMAN, AND DAVE SCHNEIDER. COMMISSIONER HIGGINS SECONDED THE MOTION.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE, HIGGINS
Noes: NONE
Absent: NONE

Abstain: NONE

11) NEW BUSINESS:

- a. CONSIDERATION OF SELECTION OF ANCHOR OR ICF FOR PREPARATION OF PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR IMPLEMENTATION OF COORDINATED REGIONAL SEDIMENT MANAGEMENT PLAN.
 - I. Staff member Tim Petrusha presented the item. Staff recommended the selection of ICF for the preparation of the plan.
 - II. COMMISSIONER DALE MOVED TO SELECT ICF FOR PREPARATION OF PROGRAMMATIC ENVIRONMENTAL IMPACT REPORT FOR IMPLEMENTATION OF COORDINATED REGIONAL SEDIMENT MANAGEMENT PLAN. COMMISSIONER KULLMANN SECONDED THE MOTION.
 - III. The Commission briefly discussed the item.
 - IV. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented on the item.
 - V. Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE
- b. CONSIDERATION OF EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH RENEWABLE ENERGY CAPITAL TO DEVELOP A WOOD WASTE POWER GENERATOR AT REDWOOD MARINE TERMINAL II.
 - I. COMMISSIONER KULLMANN MOVED TO ENTER INTO AN EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH RENEWABLE ENERGY CAPITAL TO DEVELOP A WOOD WASTE POWER GENERATOR AT REDWOOD MARINE TERMINAL II. COMMISSIONER DALE SECONDED THE MOTION.
 - II. The Commission briefly discussed the item.
 - III. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented on the item.
 - IV. Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED.
Ayes: MARKS, KULLMANN, DALE, HIGGINS
Noes: DOSS
Absent: NONE
Abstain: NONE
- c. CONSIDERATION OF ACCEPTING FOR FILING PERMIT APPLICATION 17-03 FOR CITY OF EUREKA ELK RIVER ESTUARY ENHANCEMENT AND COASTAL ACCESS PROJECT.
 - I. COMMISSIONER HIGGINS MOVED TO ACCEPT FOR FILING PERMIT APPLICATION 17-03. COMMISSIONER KULLMANN SECONDED THE MOTION.
 - II. The Commission briefly discussed the item.
 - III. Chair Marks then opened up public comment on the item: Public commenters included: No members of the public commented on the item.
 - IV. Chair Marks then moved the discussion back to the Commission.
VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: MARKS, KULLMANN, DOSS, DALE, HIGGINS
Noes: NONE
Absent: NONE
Abstain: NONE


12) ADMINISTRATIVE AND EMERGENCY PERMITS:

- a. USCG Maintenance Dredging Administrative Permit A-2017-03
 - I. This item is an advisory item only. No action taken by the Commission.

13) ADJOURNMENT

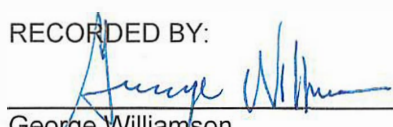
Adopted Minutes
Regular Meeting of the Board of Commissioners
Humboldt Bay Harbor, Recreation, and Conservation District
September 28, 2017

APPROVED BY



Patrick Higgins
Secretary

RECORDED BY:



George Williamson
District Planner