

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

September 8, 2022

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date, Closed Session met at 5:00 P.M., Regular Session met at 6:00 P.M. both via video conference with a teleconference option.

CLOSED SESSION – 5:03 P.M.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters on the closed session meeting agenda: No one.

BUSINESS

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential Acquisition of Mario's Marina LLC commonly known as Mario's Marina in Shelter Cove (APN: 108-171-023-000), Humboldt County, California pursuant to California Government Code §54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Mario's Marina, Shelter Cove Resort Improvement District, and Shelter Cove Fisherman's Preservation, Inc. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Samoa Pacific Group, LLC. Under negotiation: price and terms of payment.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-071-000 and 401-112-029-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Sniper Enterprises, LLC. Under negotiation: price and terms of payment.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-054-000, 401-031-061-000, 401-112-013-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: California Redwood Company. Under negotiation: price and terms of payment.
- 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: California Marine Investments LLC. Under negotiation: price and payment terms.

REGULAR SESSION – 6:00 P.M.

ROLL CALL

PRESENT: DALE
KULLMANN
MARKS
NEWMAN

ABSENT: HIGGINS

QUORUM: YES

REPORT ON SPECIAL CLOSED SESSION: No reportable action.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on the regular session meeting agenda: No one.

PLEDGE OF ALLEGIANCE

CONSENT CALENDAR

- a) Adopt Minutes for August 15, 2022 Special Board Meeting
- b) Receive District Financial Reports for June 2022
- c) Approve and authorize the Executive Director to sign a conflict-of-interest waiver relating to matter with California Redwood Company
- d) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings.

COMMISSIONER KULLMANN MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-D.
COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED

- a) Executive Director's Report
 - I. Executive Director presented Executive Director's report.
- b) Staff Reports
 - I. Staff presented on recent District activities.
- c) District Counsel and District Treasurer Reports
 - I. No report.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on recent activities and subcommittees.
- e) Correspondence Received
 - I. None received.

UNFINISHED BUSINESS - NONE

NEW BUSINESS

a) Consider Approving a Contract with Redwood Community Action Agency in the Amount of \$438,978.00 for Implementation and Task Management for the Samoa Peninsula Beautification Project

- I. Executive Director presented the item with help from Natalie Arroyo, RCEA.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER MARKS MOVED TO APPROVE A CONTRACT WITH REDWOOD COMMUNITY ACTION AGENCY IN THE AMOUNT OF \$438,978 FOR IMPLEMENTATION AND TASK MANAGEMENT FOR THE SAMOA PENINSULA BEAUTIFICATION PROJECT.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

b) Update on Woodley Island Marina Dredging Needs

- I. District Staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. Discussion item only, no formal action was taken.

c) Consider Introducing Amendment No. 4 to Ordinance No. 5: An Amendment to the Ordinance Establishing Fees for Commissioners of the Humboldt Bay Harbor, Recreation and Conservation District

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER KULLMANN MOVED TO INTRODUCE BY TITLE ONLY AMENDMENT NO. 4 TO ORDINANCE NO. 5: AN ORDINANCE ESTABLISHING FEES FOR COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

COMMISSIONER MARKS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

d) Consider Adoption of Resolution No. 2022-11 Responding to the 2021-22 Grand Jury Report “The Sea Also Rises”

- I. District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER MARKS MOVED TO ADOPT RESOLUTION 2022-11 RESPONDING TO THE 2021-22 GRAND JURY REPORT “THE SEA ALSO RISES”.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

e) Consider Adoption of Resolution No. 2022-08 thereby Adopting a Property Acquisition and Disposition Plan for the Multipurpose Marine Terminal Master Plan and CEQA Determination

- I. District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. No one commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER MARKS MOVED TO ADOPT RESOLUTION 2022-08 THEREBY ADOPTING A PROPERTY ACQUISITION AND DISPOSITION PLAN FOR THE MULTIPURPOSE MARINE TERMINAL MASTER PLAN AND CEQA DETERMINATION.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE


FUTURE AGENDA ITEMS

- a) Update on Pre-permitting project
- b) Update on Intake Permit

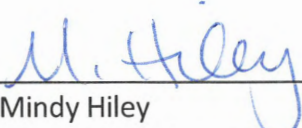
ADJOURNMENT – 7:28 P.M.

APPROVED BY:

RECORDED BY:



Richard Marks
Secretary of the Board of Commissioners



Mindy Hiley
Director of Administrative Services