

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

**October 12, 2023**

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. at the Woodley Island Marina meeting room, 601 Startare Drive, Eureka, CA 95501.

**CLOSED SESSION – 5:00 P.M.**

**PUBLIC COMMENT:** The following individuals addressed the Commission regarding subject matters on the closed session meeting agenda: Felix Huerta.

**BUSINESS**

- a) Public Employee Evaluation: Executive Director
- b) Public Employee Evaluation: Development Director
- c) Public Employee Evaluation: Director of Administrative Services
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: All or Portions of Humboldt County Assessor Parcel Nos.: 401-112-024-000, 401-031-040-000, 401-031-078-000, and 401-031-083-000, and portions of the tidelands along the Samoa Peninsula adjacent to Redwood Marine Terminal I. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Crowley Wind Services, Inc. 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: Humboldt Bay Development Association (Non-Profit Organization). Under negotiation: price and payment terms.

**REGULAR SESSION – 6:00 P.M.**

**ROLL CALL**

**PRESENT:** BENSON  
DALE  
HIGGINS  
NEWMAN

**ABSENT:** KULLMANN

**QUORUM:** YES

**PLEDGE OF ALLEGIENCE**

**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.

**CONSENT CALENDAR**

- a) Adopt Minutes for September 14, 2023 Regular Board Meeting
- b) Receive District Financial Reports for July 2023
- c) Review and Approve a Lease Agreement with the United States Army Corps of Engineers at Woodley Island
- d) Consider Accepting Application for Filing for Harbor District Permit 2023-06: City of Eureka Flood Reduction and Sea Level Rise Resiliency Project
- e) Approve First Amendment to Employment Agreement for Director of Administrative Services
- f) Approve First Amendment to Employment Agreement for Director of Development
- g) Approve Third Amendment to Employment Agreement for Executive Director

COMMISSIONER HIGGINS MOVED TO ACCEPT CONSENT CALENDAR ITEMS A-G.  
COMMISSIONER NEWMAN SECONDED.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, NEWMAN

Noes: NONE

Absent: KULLMANN

Abstain: NONE

**COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED**

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

**UNFINISHED BUSINESS**

- a) **Consider Adopting Resolution No. 2023-18 Amending the Salary Schedule for Middle-Management Unclassified Employees of the Humboldt Bay Harbor, Recreation and Conservation**
  - 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 NEWMAN MOVED TO ADOPT RESOLUTION NO. 2023-18 AMENDING THE SALARY SCHEDULE FOR MIDDLE-MANAGEMENT UNCLASSIFIED EMPLOYEES OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, NEWMAN

Noes: NONE

Absent: KULLMANN

Abstain: NONE

**NEW BUSINESS**

**a) Receive Status Update Regarding Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project**

- I. District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Dale opened the item to public comment. Carla Osborne, Lonyx Landry, Natalie Arroyo, Rachel Smith, Alicia Bixler, Colleen Clifford, Mario Kalson, Sean Marsh, Cody Freitas, Robert Hemsted, Kerry Venegas, Jana Ganion, Jennifer Kalt, and Luis Neuner commented.
- IV. Chair Dale moved the discussion back to the Commission.
- V. Discussion item only, no formal action was taken.

**b) Consider Approval of Cooperative Agreement with Caltrans to Jointly Develop an Eelgrass Master Mitigation Project**

- 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 HIGGINS MOVED TO 1) APPROVE AN EELGRASS MASTER MITIGATION PROJECT COOPERATIVE AGREEMENT WITH CALTRANS, 2) AUTHORIZE THE HARBOR DISTRICT COUNCIL TO MAKE NONMATERIAL AMENDMENTS TO THE AGREEMENT AS MAY BE REQUIRED BY CALTRANS, 3) AUTHROIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE AMENDMENT AND CONTRACTS BASED ON THESE TERMS, AND 4) DIRECT STAFF TO BRING THE FINAL AGREEMENT BACK TO THE BOARD FOR PUBLIC DISCLOSURE.

COMMISSIONER NEWMAN SECONDED.

COMMISSIONER HIGGINS AMENDED HIS MOTION FOR ITEM NO. 3 AS FOLLOWS: AUTHORIZE THE EXECUTIVE DIRECTOR TO EXECUTE THE AGREEMENT BASED ON THESE TERMS.

COMMISIONER NEWMAN SECONDED THE AMENDED MOTION.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, NEWMAN

Noes: NONE

Absent: KULLMANN

Abstain: NONE

**c) Review and Approve an Agreement to Stay Loan and Rent Payment Obligations Between the Harbor District and the Humboldt Bay Development Association, Related to the Chase Community Capital New Market Tax Credit Loan**

- 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 NEWMAN MOVED TO APPROVE AN AGREEMENT TO STAY LOAN AND RENT PAYMENT OBLIGATIONS BETWEEN THE HARBOR DISTRICT AND THE HUMBOLDT BAY DEVELOPMENT ASSOCIATION, RELATED TO THE CHASE COMMUNITY CAPITAL NEW MARKET TAX CREDIT LOAN.

COMMISSIONER BENSON SECONDED.

VOICE VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: BENSON, DALE, HIGGINS, NEWMAN

Noes: NONE

Absent: KULLMANN

Abstain: NONE

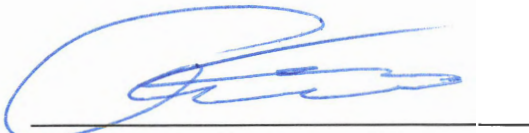
**FUTURE AGENDA ITEMS**

- a) Monthly Update on the Humboldt Bay Offshore Wind Heavy Lift Marine Terminal Project
- b) Proclamation for the Golden Rule

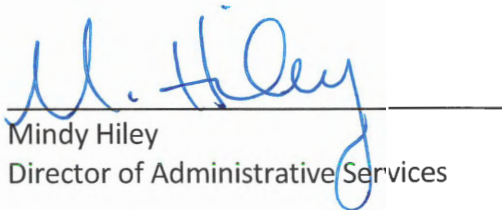
**ADJOURNMENT – 8:35 P.M.**

APPROVED BY:

RECORDED BY:



Aaron Newman  
Secretary of the Board of Commissioners



Mindy Hiley  
Director of Administrative Services