

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

**November 10, 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 – 5:00 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 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. 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.
  
- c) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker

**REGULAR SESSION – 6:03 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: Bobby Alvera, Jr., Patrick Hooven, Cherie Marini, Scott Frazer, James McBeth, Chelsey Rios, Lori DeVoist, Eric Christen, Nicole Goehring, Pamela Schaal, Rick Sousa and Tim Hooven.

**PLEDGE OF ALLEGIENCE**

**CONSENT CALENDAR**

- a) Adopt Minutes for October 13, 2022 Regular Board Meeting
- b) Adopt Minutes for October 27, 2022 Special Board Meeting
- c) Receive District Financial Reports for August 2022
- d) Affirm the Findings Made in Resolution 2021-16 Regarding the Continued State of Emergency and Authorize the Continued use of Teleconference Meetings

COMMISSIONER MARKS 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. District Counsel gave a Report.
- d) Commissioner and Committee Reports
  - I. Commissioners reported on recent activities and subcommittees.
- e) Correspondence Received
  - I. Official ballot results received for LAFCo's Independent Special District Election.

**UNFINISHED BUSINESS - NONE**

**NEW BUSINESS**

- a) **Consider Adopting Resolution 2022-14: Certifying an Environmental Impact Report (EIR) Previously Adopted by the County of Humboldt and Establishing Findings Relative to and Approving Harbor District Permit 2022-02 with Conditions for the Humboldt Bay Master Water Intakes**
  - I. Executive Director recommended the item be pulled from the agenda and discussed at a later date.
  - II. Chair Dale opened the item to public comment. Scott Frazer commented.
  - III. Chair Dale pulled the item from the agenda.

**b) Authorize the Executive Director to negotiate and enter into an Agreement for Bond Counsel Services to support the Dredging of Woodley Island Marina**

- I. District Staff and 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 AUTHORIZE THE EXECUTIVE DIRECTOR TO NEGOTIATE AND ENTER INTO AN AGREEMENT FOR BOND COUNSEL SERVICES TO SUPPORT THE DREDGING OF WOODLEY ISLAND MARINA.

COMMISSIONER MARKS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

**c) Discuss Re-Opening Future Board Meetings to the Public**

- I. Executive Director and District Counsel 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 REOPEN BOARD MEETINGS TO THE PUBLIC STARTING ON DECEMBER 8, 2022.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, MARKS, NEWMAN

Noes: NONE

Absent: HIGGINS

Abstain: NONE

**d) Consider Adopting Resolution 2022-15, A Resolution Commending Richard Marks for His Service as Commissioner 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. Scott Frazer and Rick Sousa commented.
- IV. Chair Dale moved the discussion back to the Commission.

COMMISSIONER KULLMANN MOVED TO ADOPT RESOLUTION 2022-15, A RESOLUTION COMMENDING RICHARD MARKS FOR HIS SERVICE AS COMMISSIONER OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT.

COMMISSIONER NEWMAN SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, KULLMANN, NEWMAN

Noes: NONE

Absent: HIGGINS

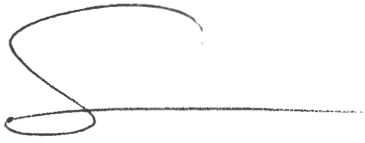
*Adopted Minutes for November 10, 2022 Regular Board Meeting*

Abstain: MARKS

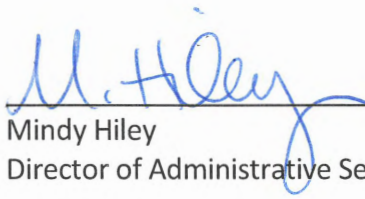
**ADJOURNMENT – 7:11 P.M.**

APPROVED BY:

RECORDED BY:



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Stephen Kullmann  
Secretary of the Board of Commissioners



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Mindy Hiley  
Director of Administrative Services