

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

December 10, 2020

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 via video conference with a teleconference option.

CLOSED SESSION – 5:01 PM

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

Swearing in Elected Commissioners for District 1, District 2 and District 5 pursuant to California Elections Code Section 10265

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease and sublease of District's lease interest by District under lease between the District and Mario's Marina LLC dated April 1, 2016 for the real property 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 and Shelter Cove Fisherman's Preservation, Inc. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Number 401-031-061 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director. Negotiating party: Pete Jackson, Green Diamond Resource Company. Under negotiation: price and payment terms.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Number 401-112-021 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director. Negotiating party: Green Cloud Inc. Under negotiation: price and payment terms.

REGULAR SESSION – 6:00 P.M.

ROLL CALL:

PRESENT: DALE
 DOSS
 MARKS
 HIGGINS
 KULLMANN

ABSENT: NONE
QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON CLOSED SESSION: No reportable action.

AGENDA MODIFICATION: Chair Kullmann requested to move agenda item 11a. be moved up and discussed before the Consent Calendar.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting's agenda: No one.

UNFINISHED BUSINESS

a) Introduce Amendment NO. 2 Ordinance NO. 7 An Ordinance Implementing Certain Portions of the Humboldt Bay Master Plan

- I. Executive Director presented the item with Legal Counsel Nancy Diamond.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Kent Sawatsky, Jennifer Kalt, Scott Frazier and Uri Driscoll commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER DALE MOVED TO INTRODUCE AMENDMENT NO. 2 TO ORDINANCE NO. 7 IMPLEMENTING CERTAIN PORTIONS OF THE HUMBOLDT BAY MASTER PLAN.
COMMISSIONER HIGGINS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED.
Ayes: DALE, DOSS, HIGGINS, KULLMANN
Noes: MARKS
Absent: NONE
Abstain: NONE

CONSENT CALENDAR

- a) Adopt Minutes for November 12, 2020 Regular Board Meeting
- b) Adopt Minutes for November 19, 2020 Special Board Meeting
- c) Receive District Financial Reports for October 2020
 - I. COMMISSIONER MARKS MOVED TO APPROVE CONSENT CALENDAR. MOTION MODIFIED TO APPROVE ITEMS A-B TO RECEIVE A REPORT ON ITEM C.
COMMISSIONER DALE SECONDED.
 - II. Chair Kullmann opened the item to public comment. No one commented.
 - III. Chair Kullmann moved the discussion back to the Commission.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

Adopted Minutes for December 10, 2020 Regular Board Meeting

- I. District Treasurer Mark Wetzel presented Consent Calendar Item c.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Scott Frazier and Kent Sawatsky commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER DALE MOVED TO APPROVE CONSENT CALENDAR ITEM C.
COMMISSIONER MARKS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED

- a) Executive Director's Report
 - I. Executive Director presented Executive Director's Report
- b) Staff Reports
 - I. None
- c) District Counsel and District Treasurer Reports
 - I. None.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on recent activities and subcommittees
- e) Correspondence Received
 - I. None

UNFINISHED BUSINESS (CONTINUED)

- b) **Consider approving the First Amendment to Limited Obligation Note and Loan Documents with Coast Seafoods**
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Kullmann opened the item to public comment. Kent Sawatsky commented.
 - IV. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER HIGGINS MOVED TO APPROVE THE FIRST AMENDMENT TO LIMITED OBLIGATION NOTE AND LOAN DOCUMENTS WITH COAST SEAFOODS.
COMMISSIONER DOSS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

NEW BUSINESS

a) Extension of Permit No. 14-05 for Invasive Spartina Eradication and Native Salt Marsh Restoration

- I. District staff presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Uri Driscoll and Kent Sawatsky commented.
- IV. Chair Kullmann moved the discussion back to the Commission.

COMMISSIONER MARKS MOVED TO APPROVE EXTENSION OF PERMIT NO. 14-05 FOR INVASIVE SPARTINA ERADICATION AND NATIVE SALT MARSH RESTORATION AND AUTHORIZE THE EXECUTIVE DIRECTOR TO REVIEW AND APPROVE FUTURE PERMIT EXTENSIONS.

COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED.

Ayes: DALE, HIGGINS, KULLMANN, MARKS

Noes: DOSS

Absent: NONE

Abstain: NONE

b) Award of Contract to Tenera Environmental Consulting to Develop an Impact Assessment Model for Bay Water Intakes Proposed by the District

- I. District staff presented the item with help from John Steinbeck of Tenera Environmental Consulting.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. Scott Frazier commented.
- IV. Chair Kullmann moved the discussion back to the Commission.

COMMISSIONER DALE MOVED TO AWARD A CONTRACT FOR A COST NOT TO EXCEED \$34,000 TO TENERA ENVIRONMENTAL CONSULTING TO DEVELOP AN IMPACT ASSESSMENT MODEL FOR BAY WATER INTAKES PROPOSED BY THE DISTRICT.

COMMISSIONER HIGGINS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

c) Receive a Report of the Historic Shipping Volumes from Humboldt Bay

- I. Item tabled to January 14, 2021 Regular Meeting of the Board of Commissioners.

d) Review of the Report to the Legislature 2020 Regarding the "Assessment of the North Coast Railroad Authority and Viability of a Great Redwood Trail"

- I. Item tabled to January 14, 2021 Regular Meeting of the Board of Commissioners.

e) Consider Adopting Resolution 2020-17, A Resolution Authorizing Adoption of the Humboldt County Operational Area Hazard Mitigation Plan 2020 Update

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

COMMISSIONER HIGGINS MOVED TO ADOPT RESOLUTION 2020-17, A RESOLUTION AUTHORIZING ADOPTION OF THE HUMBOLDT COUNTY OPERATIONAL AREA HAZARD MITIGATION PLAN 2020 UPDATE.

COMMISSIONER MARKSS SECONDED.

ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.

Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS

Noes: NONE

Absent: NONE

Abstain: NONE

f) Review of Subcommittees

- I. Item tabled to January 14, 2021 Regular Meeting of the Board of Commissioners.

FUTURE AGENDA ITEMS

- a) Suction Dredging (Long Fin Smelt Mitigation)
- b) Bar Pilot Recruitment
- c) Personnel Policy Revisions
- d) Brown Act Training
- e) Review of Subcommittees
- f) Amendment No. 2 to Ordinance No. 7 Implementing portions of the Humboldt Bay Master Plan
- g) Report Regarding the Assessment of the North Coast Railroad Authority and Viability of a Great Redwood Trail.
- h) Historic Shipping Volumes from Humboldt Bay

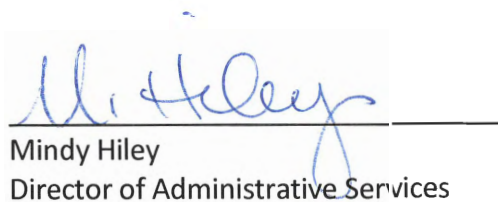
ADJOURNMENT – 8:18 P.M.

APPROVED BY:



Patrick Higgins
Secretary of the Board of Commissioners

RECORDED BY:



Mindy Hiley
Director of Administrative Services