

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

**DATE:** May 28, 2020  
**TIME:** Executive Closed Session **5:00 P.M.**  
Regular Session **7:00 P.M.**

**PLACE:** [Join Zoom Meeting](https://us02web.zoom.us/j/87583832942)  
<https://us02web.zoom.us/j/87583832942>

Meeting ID: 875 8383 2942  
One tap mobile  
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**1. Call to Order Closed Session at 5:00 P.M.**

**2. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the various **issues that are on this Agenda**. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

**3. Move to Executive Closed Session**

- a) PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code section 54957(b)(1). Title: Executive Director – Larry Oetker
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-111-006-000 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Green Diamond Resource Company and/or Simpson Paper Company and Under negotiation: price and payment terms.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-031-070-000, 401-031-069-000, 401-031-071-000, and 401-112-029 on the Samoa Peninsula, Humboldt County, California pursuant to California Government Code § 54956.8. District negotiators: Larry Oetker, Executive Director and Ryan Plotz, District Counsel. Negotiating party: Samoa Pacific Group. Under negotiation: price and payment terms.

**4. Call to Order Regular Session at 7:00 P.M. and Roll Call**

**5. Report on Executive Closed Session**

**6. Public Comment**

*Note: This portion of the Agenda allows the public to speak to the Board on the **various issues not itemized on this Agenda**. A member of the public may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to the Brown Act, the Board may not take action on any item that does not appear on the Agenda. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Agenda. Each speaker is limited to speak for a period of three (3) minutes during the PUBLIC COMMENT portion of the Agenda regarding items of special interest to the public not appearing on the Agenda that are within the subject matter jurisdiction of the Board of Commissioners. The three (3) minute time limit may not be transferred to other speakers. The three (3) minute time limit for each speaker may be extended by the President of the Board*

## **Agenda for May 28, 2020 Regular Board Meeting**

*of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District. The three (3) minute time limit for each speaker may be enforced by the President of the Board of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

### **7. Business**

#### **a) Receive Report and Receive Direction from the Board Regarding Districts Response to COVID-19. (Roll Call Vote)**

*Recommendation:* Staff recommends the Board: Receive a report and provide direction as necessary.

*Summary:* On March 11, 2020 Humboldt County Health Officer Teresa Francovich, MD declared a local health emergency. The Maritime Commerce and Commercial Fisheries are essential services. Staff will provide an update on the Harbor District operation and the Board will discuss and take action on items necessary to keep operations functioning during this emergency.

#### **b) Approval of Draft Relocation Plan associated with the Proposed Nordic Aquafarms Lease Agreement at Redwood Marine Terminal II (Roll Call Vote)**

*Recommendation:* Staff recommends the Board Direct Staff to: Analyze any public comments; approve the Relocation Plan; and authorize staff to update the plan based on changing real estate market conditions.

*Summary* On May 11<sup>th</sup> the Board reviewed the draft Relocation Plan. The District's tenant, Nordic Aquafarms, is planning for the development of a new approximately 600,000 square foot recirculating aquaculture facility at its Redwood Marine Terminal II property located at 364 Vance Avenue (APN 401-112-021). Phase I of the recirculating aquaculture project involves the demolition of a portion of the shops and stores building and the entire machine building.

#### **c) FY 2020-21 District Budget Preparation – draft goals revenues and expenditures by programmatic activity.**

*Recommendation:* It is recommended that the Board: Receive a report of the draft goals, income and expenditures for RMT I, RMT II, and Shelter Cove and well as the current fee schedule.

*Summary:* The Budget is prepared annually under direction of the Executive Director. In accordance with CA Harbors and Navigation Code Section 6093, on or before June 15, the District Board shall estimate and determine the amount of money required by the Harbor District and shall adopt a preliminary budget. Per Section 6093.3, the final budget shall be reported to the Board of Supervisors not later than August 1<sup>st</sup>. Staff does not propose to increase any fees during this budget cycle.

#### **d) Consideration of Resolution 2020-06, A Resolution to Authorize the Execution of a Grant Agreement and Accept Funds from the California Department of Fish and Wildlife for Secretariat Services for the Harbor Safety Committee of the Humboldt Bay Area for Fiscal Year 2020-2021.**

*Recommendation:* Staff recommends the Board: Adopt Resolution 2020-06.

*Summary:* The California Department of Fish and Wildlife (CDFW) Office of Spill Prevention and Response (OSPR) in compliance with the Lempert-Keene-Seastrand Oil Spill Prevention and Response Act of 1990 established five regional Harbor Safety Committees (HSC) throughout California as described in California Government Code 8670.23. Each HSC is responsible for planning for the safe navigation and operation of tankers, barges and other vessels within each of California's major harbors, and must produce an annual Harbor Safety Plan (HSP) encompassing all vessel traffic within the harbor. These functions are essential to the consistent achievement of maritime safety and the prevention of major marine oil pollution incidents. To ensure that HSCs have the necessary resources to execute their designated duties, the OSPR Administrator has made grant funds available in each region to provide an executive secretariat to act as the coordinator for facilitating all communications between HSCs, subcommittees, and the OSPR. The CDFW has approved the Humboldt Bay Harbor, Recreation and Conservation District to conduct the Secretariat Services for the HSC of the Humboldt Bay Area, and to receive payment for these services.

### **8. Permits**

### **9. Adjournment**