

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

DATE: August 13, 2020

TIME: Closed Session – 5:00 P.M.
Special Session – 6:00 P.M.

PLACE: Join Zoom Meeting
<https://us02web.zoom.us/j/3432860852>

Meeting ID: 343 286 0852

Teleconference Option:
(669) 900-9128, 343 286 0852#

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 closed session items. Each speaker is limited to speak for a period of three (3) minutes regarding each item on the Closed Session Agenda. 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. 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) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-011-001, 401-011-010, 401-011-012, 401-011-018, 401-011-020, 401-011-023, 401-021-011, 401-021-018, 401-021-027, 401-011-028, 401-021-029, and 401-031-045 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: Security National and Friends of the Dunes. Under negotiation: price and payment terms.
- b) CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION (Paragraph (1) of subdivision (d) of Section 54956.9) Name of case: Humboldt Fisherman's Marketing Association, Inc. et al. v. Humboldt Bay Harbor, Recreation, and Conservation District, Court of Appeal, First District, Court Case No. A158634.
- c) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-112-021 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: DG Fairhaven LLC. Under negotiation: price and payment terms.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential purchase of real property with Assessor's Parcel Numbers 401-112-021 and 401-112-024 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: Nordic Aquafarms California LLC Under negotiation: price and payment terms.

4. Call to Order Special Session at 6:00 P.M. and Roll Call

5. 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. 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

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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.

6. Business

- a) **Consider Adopting Resolution 2020-10, Accepting Grant Funding; Resolution of Deed Acceptance; Resolution Authorizing the Transfer Property To Friends of the Dunes And Other Required Actions Associated With The Acquisition Assessor's Parcel Numbers 401-011-001, 401-011-010, 401-011-012, 401-011-018, 401-011-020, 401-011-023, 401-021-011, 401-021-018, 401-021-027, 401-011-028, 401-021-029, and 401-031-045 on the Samoa Peninsula, Humboldt County, California Commonly Referred To As The Dog Ranch.**

Recommendation: Staff recommends the Board: Adopt Resolutions

1. Accepting Grant Funds
2. Authorizing an Amendment to the Purchase and Sales Agreement and accepting the real property deed; and
3. Authorize the Executive Director to execute the Agreement to Transfer Real Property upon Sale with the Friends of the Dunes

Recommendation: It is recommended that the Board Adopt Resolution 2020-10.

Summary: The Dog Ranch Property is approximately 357 acres of privately owned land on the western edge of Humboldt Bay. The property has ecological value and is part of the bay's watershed. There would be conservation value to Humboldt Bay and broader community if the Dog Ranch Property is acquired and managed by a public agency. The District has been working with federal, state and local partners to purchase the Dog Ranch Property and transfer it to the Friends of the Dunes. Friends of the Dunes would hold the property on an interim basis for approximately 3 to 5 years until a public agency can permanently acquire it.

- b) **Review and Provide Direction on the Samoa Peninsula Fire, Industrial Water, Wastewater, and other infrastructure that serves the Harbor District and other properties on Humboldt Bay.**

Recommendation: Receive a presentation from Staff and Provide Direction as required.

Summary: Staff from the Harbor District, Humboldt County, Humboldt Bay Municipal Water District, Samoa Peninsula Community Services District, City of Eureka, and City of Arcata have been meeting to discuss how we can work together to complete upgrades and maintenance to the public infrastructure on the Samoa Peninsula. Since the infrastructure is owned and managed by several different governmental agencies, there is a need to coordinate our efforts in order to effectively manage and plan for future development opportunities.

- c) **Approval of the Second Amendment to the Lease Agreement with Nordic Aquafarms California LLC at the District's Redwood Marine Terminal II Property APN's 401-112-021 and 401-112-024**

Recommendation: Receive a presentation from Staff and Provide Direction as required.

Summary: At their April 29th meeting the Board authorized Staff to execute a letter of intent to amend the existing lease agreement. The Board also approved a Relocation Plan associated with the proposed lease amendment. This agenda item will implement the actions approved in the letter of intent.

- d) **Cancel Regular August 27, 2020 Board Meeting**

Recommendation: It is recommended that the Board: Cancel the Regular August 27, 2020 meeting and start the implementation of the revised meeting 2nd Thursday Board meetings at 6:00 pm on Thursday, September 10th.

Summary: The Board adopted amendment NO 7 to Ordinance NO 7 and Resolution 2020-09 on July 23rd which changed the regular meeting date and meeting format. These changes go into effect 30 days after adoption.

7. Permits - NONE

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- 8. Future Agenda Items**
- 9. Adjournment**