

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

DATE: January 12, 2023

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

PLACE: Woodley Island Marina Meeting Room

The Meeting Room is wheelchair accessible. Accommodations and access to Harbor District meetings for people with other handicaps must be requested of the Director of Administrative Services at (707) 443-0801 at least 24 hours in advance of the meeting.

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.

3. Swearing in of Elected Commissioners for Division 3 and Division 4 pursuant to California Elections Code Section 10265

4. Move to Closed Session

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: Humboldt County APNs: 401-031-054-000, 401-031-061-000, 401-112-013-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: California Redwood Company. Under negotiation: price and terms of payment.

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- c) 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.
- d) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APN: 401-031-083-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Samoa Pacific Group, LLC. Under negotiation: price and terms of payment.
- e) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-054-000, 401-031-061-000, 401-112-013-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: California Redwood Company. Under negotiation: price and terms of payment.
- f) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Property: Humboldt County APNs: 401-031-071-000 and 401-112-029-000. Agency negotiator: Larry Oetker, Executive Director; Ryan Plotz, District Counsel. Negotiating parties: Sniper Enterprises, LLC. Under negotiation: price and terms of payment.

5. Call to Order Regular Session at 6:00 P.M. and Roll Call

6. Pledge of Allegiance

7. Election of Board President, Vice President and Secretary

Summary: District Ordinance No. 6, Article II Officers, Section 6 states: “The President, Vice-President and Secretary shall be elected at the annual meeting of the Board of Commissioners of the District from among the members of said Board of Commissioners and shall hold office for one year or until their successors are elected and qualified. All Officers shall serve during the pleasure of the Board of Commissioners of the District.”

8. Report on Closed Session

9. 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

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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.

10. Consent Calendar

- a) Adopt Minutes for December 8, 2022 Regular Board Meeting
- b) Receive District Financial Reports for October 2022

11. Communications, Reports and Correspondence Received

- a) Executive Director's Report
- b) Staff Reports
- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Correspondence Received
 - 1. Wiyot Tribal Council Resolution NO 22-28 Affirming the ancestral territory and jurisdiction of the Wiyot Tribe and Duly Enrolled Citizens of the Tribe.
 - 2. Letter from the Humboldt Bay Municipal Water District regarding water supply needs for the Heavy Lift Marine Terminal project.

12. Unfinished Business

13. New Business

- a) **Consider Adopting Resolution 2023-01, A Resolution Declaring that Governing Body and Volunteers Shall Be Deemed Employees of the District for the Purpose of Providing Workers' Compensation Coverage**

Recommendation: Staff recommends the Board: Adopt Resolution 2023-01 for Governing Body and Volunteers.

Summary: The Special District Risk Management Authority (SDRMA) requires an annual Resolution to extend Workers' Compensation coverage to their Governing Body members and/or volunteers. If adopted, such persons will be deemed as employees for workers' compensation benefit. The Resolution permits the Governing Body to designate the categories of persons whom the District desires to "deem" to be employees for this purpose by checking the boxes associated with those categories on the Resolution. Any persons designated will need to be listed under the Workers' Compensation Program and must pay an annual premium to enable coverage.

- b) **Consider Adopting Resolution 2023-02, A Resolution Accepting Funds from the California Department of Fish and Wildlife, Office of Spill Prevention and Response for Oil Spill Prevention and Response Equipment, and to Authorize the Executive Director to execute the Grant Agreement**

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Recommendation: Staff recommends the Board: Adopt Resolution 2023-02 Accepting a \$10,000 grant from CDFW.

Summary: Through a prior award, the District was the recipient of a mobile Oil Spill Prevention and Response Trailer funded by the California Department of Fish and Wildlife (CDFW). These trailers are strategically placed for the implementation of Oil Spill Response Equipment Staging in Humboldt County. As the materials and equipment housed in these trailers require periodic replacement and replenishment, CDFW offers Mini-Grants to reimburse grantees for such supplies.

- c) Consider Appointing Board Member as the Harbor District Representative on the Humboldt Bay Development Association to Replace Richard Marks**

13. Future Agenda Items

14. Adjournment