

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

**DATE:** February 9, 2023

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

**PLACE:** Woodley Island Marina Meeting Room, 601 Startare Drive, Eureka, CA 95501

**Public Advisory:** The Woodley Island Meeting Room is now open to the public.

**How to Observe and Participate in the Meeting:**

Observe: Members of the public can attend the meeting in person or observe the meeting on Zoom at the following link: <https://us02web.zoom.us/j/6917934402>

Meeting ID: 691 793 4402  
One tap mobile  
(669) 900-9128, 6917934402#

*Public members observing on Zoom will not be able to participate or provide comment. Members of the public who may wish to provide public comment during the meeting must attend in person.*

*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. 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

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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) 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.
- d) 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.
- e) 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.

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

**5. Pledge of Allegiance**

**6. Report on Closed Session**

**7. 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 of Commissioners or the Presiding Member of the Board of Commissioners at the regular meeting of the District.*

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**8. Consent Calendar**

- a) Adopt Minuets for January 7, 2023 Special Ceremonial Meeting
- b) Adopt Minutes for January 12, 2023 Regular Board Meeting
- c) Receive District Financial Reports for November 2022
- d) New Charter Agreement for Reincke Marine Fabrications to operate a Bed & Breakfast at Woodley Island Marina
- e) Charter Agreement Renewal for Jaimoe Kibby dba Humboats Kayak Adventures to operate a Charter Service at Woodley Island Marina

**9. Communications, Reports and Correspondence Received**

- a) Acceptance of Donation of Fisherman Statue Painting from Brian Bishop
- b) Correspondence Received
- c) Executive Director's Report
- d) Staff Reports
- e) District Counsel and District Treasurer Reports
- f) Commissioner and Committee Reports

**10. Unfinished Business**

- a) **Review of Subcommittees and Change Subcommittees and Committee Assignments As Needed**

*Recommendation:* Staff recommends the Board: 1) Review the list of current subcommittees; 2) Assign a new committee member to replace former Commissioner Richard Marks; 3) Propose changes to current subcommittee members at the Board's discretion.

*Summary:* Subcommittees are formed regularly throughout the year and are Ad Hoc. Staff would like to review the active subcommittees annually to renew, discontinue or add new, as well as giving members the opportunity to reevaluate their membership and replace vacancies.

**11. New Business**

- a) **Review of Cruise Ship Marketing and Consider Establishing a Cruise Ship Fee**

*Recommendation:* Receive a report and Provide direction as required.

*Summary:* The District has been working with the City of Eureka, County of Humboldt and a variety of other organizations and individuals to market the Port, City, and region to the cruise ship industry. Even though the cruise ship industry has experienced difficult times during the covid pandemic, our region has been able to attract cruise ships to our area.

- b) **Authorize the Executive Director to Negotiate and Enter into an Agreement for Municipal Advisory Services**

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*Recommendation:* Authorize the Executive Director to execute and negotiate non-material amendments for an Agreement to provide Municipal Advisory Services to support the financing of capital improvements projects, including maintenance dredging.

*Summary:* On November 10, 2022, staff shared a borrowing plan to potentially secure funding for dredging Woodley Island Marina, and other capital improvements projects which are necessary due to aging assets and infrastructure. At that time, the Board directed staff to enter into an agreement for Bond Counsel Services to aid the District in securing the required financing to carry out such activities.

**c) Receive Report Providing Status Update of Contracts and Budgets Associated with the District's Offshore Wind Heavy Lift Marine Terminal Project**

*Recommendation:* Receive Report regarding current contracts and budgets associated with the District's Offshore Wind Heavy Lift Marine Terminal Project.

*Summary:* On 3/10/22, the Board authorized the Executive Director to sign a \$10,450,000 funding agreement from the California Energy Commission to partially fund the planning, permitting, design, and construction of the District's Offshore Wind Heavy Lift Marine Terminal Project. During the same Board meeting on 3/10/22, the Board approved a contract with Moffatt & Nichol for \$3,567,500 to initiate the permitting and design of the project. Both contracts are valid until 2026.

**d) Consider Adopting Resolution 2023-03, A Resolution Designating Business Matters, Appointment and Authorization for the Humboldt Bay Harbor, Recreation and Conservation District for Calendar Year 2023**

*Recommendation:* Adopt Resolution 2023-03 and accept the meeting calendar for 2023.

*Summary:* Annually the Board approves a Resolution which appoints specific staff and/or consultants, established financial limitations, legal notice designations, meeting schedules, and other business matters of the District.

**13. Future Agenda Items**

- a) FY 2023/2024 Budget

**14. Adjournment**