

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

DATE: May 11, 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

Agenda for May 11, 2023 Regular Board Meeting

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 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.

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.*

8. Consent Calendar

- a) Receive District Financial Reports for March 2023
- b) Approve PO 1947 for Express Employment
- c) Approve PO 1949 for Anderson Trucking

9. Communications, Reports and Correspondence Received

- a) Correspondence Received
- b) Executive Director's Report
- c) Staff Reports
- d) District Counsel and District Treasurer Reports
- e) Commissioner and Committee Reports

10. Unfinished Business – NONE

11. New Business

a) Consider Approving Nordic Aquafarms Lease Amendment No. 4

Recommendation: Staff recommends that the Board: Approve Lease Amendment No. 4.

Summary: There have been three amendments to the Original Sublease Agreement dated February 11, 2019. The fourth amendment is intended to address several issues that are mutually beneficial to Nordic Aquafarms and the District.

b) Consider Adopting Resolution No. 2023-08 Approving and Adopting a Debt Management Policy

Recommendation: Staff recommends adopting Resolution No. 2023-08 Approving the Humboldt Bay Harbor, Recreation and Conservation District Debt Management Policy.

Summary: Government Code section 8855(i) requires any issuer of public debt to provide to California Debt and Investment Advisory Commission (CDIAC) prior to the sale of any debt issue a report of the proposed issuance. Issuers of municipal debt are now required to certify on the Report of Proposed Debt Issuance that they have adopted a debt policy concerning the use of debt and that the proposed debt issuance is consistent with the adopted policy. The District's local debt policy, at a minimum, must include (A) through (E), below.

c) Consider Adopting Resolution 2023-09 Approving the Form Of and Authorizing an Installment Sale Agreement Providing for the Financing of the District's Dredging and Property Acquisition Projects and Providing for Other Matters Properly Related Thereto

Recommendation: Staff recommends adopting Resolution No. 2023-09 authorizing and directing the execution of an Installment Sale Agreement providing for the Financing of the District's Dredging and Property Acquisition Projects and providing for other matters properly related thereto.

Summary: Staff, with the assistance of its financing team, distributed a "Solicitation and Summary of Terms and Conditions" to qualified financial institutions to solicit bids for a 15-year financing of the District's proposed Dredging and Property Acquisition Projects (the "Projects") under a private placement scenario. The team received one bid which was presented to the Board on April 27, 2023, and after deliberation, the Board approved a term sheet with Signature Public Funding Corp., a wholly-owned subsidiary of Flagstar Bank, N.A. (the "Bank"). The Executive Director has signed the term sheet (the "Term Sheet") informing the Bank that they were chosen as the best-qualified bidder based upon the terms of their Term Sheet and the 15-year term financing option at a fixed 4.25% interest rate.

Agenda for May 11, 2023 Regular Board Meeting

d) Review of Preliminary Budget and Goals for Redwood Dock, Redwood Marine Terminal II and Dredging

Recommendation: Staff recommends the Board: Review and provide direction regarding the Preliminary budget and goals for Redwood Dock, Redwood Marine Terminal II and Dredging.

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 no later than August 1st.

e) Review of Subcommittees and Change Subcommittee and Committee Assignments As Needed

Recommendation: Staff recommends that the Board: 1) Review the list of current subcommittees and 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.

12. Adjournment