

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

DATE: **October 8, 2020**

TIME: **Regular Session – 6:00 P.M.**

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

Meeting ID: 343 286 0852
One tap mobile
(669) 900-9128, 343 286 0852# US

- 1. Call to Order Regular Session at 6:00 P.M. and Roll Call**
- 2. Pledge of Allegiance**
- 3. Report on Closed Session**
- 4. 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.*

- 5. Consent Calendar**
 - a) Adopt Minutes for September 10, 2020 Regular Board Meeting
 - b) Receive District Financial Reports for July 2020
 - c) Receive District Financial Reports for August 2020
- 6. Communications, Reports and Correspondence Received**
 - a) Executive Director's Report
 - b) Staff Reports

Agenda for October 8, 2020 Regular Board Meeting

- c) District Counsel and District Treasurer Reports
- d) Commissioner and Committee Reports
- e) Correspondence Received

7. Unfinished Business - NONE

8. New Business

- a) **Consider Adopting Resolution 2020-13: A Resolution Declaring Various Items as Surplus Property and for the Sale of Surplus Personal Property Belonging to the Humboldt Bay Harbor, Recreation, and Conservation District**

Recommendation: Staff recommends that the Board: Adopt Resolution 2020-13.

Summary: Through the acquisition of the former Samoa pulp mill, the District acquired a variety of specialty tools, equipment and vehicles. While a prior sale was conducted in 2017, the remnants of what did not sell remains, along some other equipment which is no longer of use to the District.

- b) **Consider Adopting Resolution 2020-14: A Resolution Authorizing the Submittal of an Application for US Environmental Protection Agency Brownfield Grant Funding**

Recommendation: Staff recommends that the Board: Adopt Resolution 2020-14

Summary: The Harbor District was awarded \$65,000 of Headwaters grant funds to prepare the District's Samoa Peninsula properties for the re-construction of the existing multipurpose dock, with offshore wind energy as the anchor tenant. Wetland, eel grass and other studies have already been completed and it is determined that Phase I and Phase II Environmental Site Assessments are required.

- c) **Amendment No. 3 to Ordinance 8, An Ordinance of the Board of Commissioners Amending the Conflict of Interest Code of the Humboldt Bay Harbor, Recreation and Conservation District**

Recommendation: Staff recommends that the Board: Adopt Amendment No. 3 to Ordinance 8 and consent to read by title only.

Summary: The Political Reform Act requires local government agencies to review their conflict-of-interest code every two years to determine if revisions are necessary. After review by District Counsel, it was determined that an amendment was necessary.

9. Future Agenda Items

10. Adjournment

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

September 10, 2020

The Humboldt Bay Harbor, Recreation and Conservation District met in regular session on the above date, Closed Session met at 5:00 P.M. Regular Session met at 6:00 P.M via video conference with a teleconference option.

CLOSED SESSION – 5:00 PM

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters on the closed session meeting agenda: Rich Tobin.

- a) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease of real property with Assessor’s Parcel Numbers 401-111-006 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: Simpson Paper Company. Under negotiation: price and payment terms.
- b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Terms of potential lease 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: Nordic Aquafarms California LLC Under negotiation: price and payment terms.

SPECIAL SESSION – 6:00 P.M.

ROLL CALL:

PRESENT: DOSS
MARKS
HIGGINS
KULLMANN

ABSENT: DALE – Arrived at 6:02 PM

QUORUM: YES

PLEDGE OF ALLEGIANCE

REPORT ON EXECUTIVE CLOSED SESSION: The Board of Commissions met on above items A & B, no reportable action.

PUBLIC COMMENT: The following individuals addressed the Commission regarding subject matters not on this meeting’s agenda: Uri Driscoll.

CONSENT CALENDAR

- a) Adopt Minutes for July 23, 2020 Regular Board Meeting
- b) Adopt Minutes for August 13, 2020 Special Board Meeting
- c) Receive District Financial Reports for June 2020

Draft Minutes for September 10, 2020 Regular Board Meeting

- I. COMMISSIONER HIGGINS MOVED TO APPROVE CONSENT CALENDAR ITEMS A-C.
COMMISSIONER MARKS SECONDED.
- II. Chair Kullmann opened the item to public comment. No one commented.
- III. Chair Kullmann moved the discussion back to the Commission.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

COMMUNICATIONS, REPORTS AND CORRESPONDENCE RECEIVED

- a) Executive Director's Report
 - I. Executive Director presented Executive Director's Report
- b) Staff Reports
 - I. Staff presented on recent District Activities
- c) District Counsel and District Treasurer Reports
 - I. No report.
- d) Commissioner and Committee Reports
 - I. Commissioners reported on recent activities and subcommittees.
- e) Others
 - I. None.

UNFINISHED BUSINESS

- a) **Consider Amending Ordinance 7 Article IV, Section 9(f) and Sections of the Humboldt Bay Management Plan to Clarify the Regulatory Standards for Signs and Related Structures**
 - I. Executive Director presented the item.
 - II. The Commission discussed the item.
 - III. Chair Kullmann opened the item to public comment. Jennifer Kalt commented.
 - IV. Chair Kullmann moved the discussion back to the Commission.
 - V. Chair Kullmann appointed Commissioner Higgins to join him on a subcommittee to work with the Executive Director on drafting an Ordinance for the October 8, 2020 Regular Meeting of the Board of Commissioners.
- b) **Review and Provide Direction as necessary on the current and potential future Humboldt Bay and Pacific Ocean discharge and intake infrastructure.**
 - I. Executive Director presented the item with District staff and Brian Gerving, Engineer for the City of Eureka and Tim Callison from Security National.
 - II. The Commission discussed the item.
 - III. Chair Kullmann opened the item to public comment. Tim Callison commented.
 - IV. Chair Kullmann moved the discussion back to the Commission.
 - V. Report only, no formal action was taken.
- c) **Approval of the Third Amendment to the Lease Agreement with Nordic Aquafarms California LLC at the District's Redwood Marine Terminal II Property APN 401-112-021.**
 - I. Executive Director presented the item.

Draft Minutes for September 10, 2020 Regular Board Meeting

- II. The Commission discussed the item.
- VI. Chair Kullmann opened the item to public comment. No one commented.
- VII. Chair Kullmann moved the discussion back to the Commission.
COMMISSIONER HIGGINS MOVED TO APPROVE THE THIRD AMENDMENT TO THE LEASE AGREEMENT WITH NORDIC AQUAFARMS.
COMMISSIONER DOSS SECONDED.
ROLL CALL VOTE WAS CALLED, MOTION CARRIED WITHOUT DISSENT.
Ayes: DALE, DOSS, HIGGINS, KULLMANN, MARKS
Noes: NONE
Absent: NONE
Abstain: NONE

NEW BUSINESS

a) Review of the Actuarial Study of the Retiree Health Liabilities Under GASB 74/75

- I. Executive Director presented the item.
- II. The Commission discussed the item.
- III. Chair Kullmann opened the item to public comment. No one commented.
- IV. Chair Kullmann moved the discussion back to the Commission.
- V. Report only, no formal action was taken.

FUTURE AGENDA ITEMS

- a) Billboard Ordinance (Amendment to Ordinance No. 7)
- b) Dredging
- c) Long Fin Smelt
- d) CESA

ADJOURNMENT – 8:28 P.M.

APPROVED BY:

RECORDED BY:

Patrick Higgins
Secretary of the Board of Commissioners

Mindy Hiley
Director of Administrative Services

HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT

Monthly Cash Flow Analysis

For The Months Ended July 31, 2020 and June 30, 2020

	<u>7/31/20</u>	<u>6/30/20</u>
<u>Account Balances</u>		
Checking	\$ 21,385	\$ 22,589
Savings	32,424	27,785
Tariff	514,556	487,982
County Treasury	139,178	139,178
Cash on hand	2,093	1,280
Total Cash	<u>709,636</u>	<u>678,814</u>
Add: Accounts Receivable (less doubtful accounts)	594,793	629,585
Less: Accounts Payable	(193,246)	(111,423)
Available Cash and Receivables	<u>\$ 1,111,183</u>	<u>\$ 1,196,976</u>
<u>Change in Cash Balance</u>		
Balance, Beginning of Month	\$ 678,814	\$ 875,829
Monthly Deposits	239,203	408,487
Monthly Payments	(208,381)	(605,502)
Balance, End of Month	<u>\$ 709,636</u>	<u>\$ 678,814</u>
<u>Monthly Payments Summary</u>		
Significant/Unusual Expenses:		
Liability & workers' comp insurance annual payment		\$ 108,593
BBVA bond and loan payment		233,837
Sub-total, Significance/Unusual Expenses	-	342,430
General operating expenses and other misc. expense	\$ 208,381	263,072
Total Cash Payments	<u>\$ 208,381</u>	<u>\$ 605,502</u>
<u>Monthly Deposits Summary</u>		
Significant/Unusual Revenues:		
Property taxes and interest income		\$ 78,874
Interest Payment on NMTC note receivable		40,187
FEMA grant		103,977
Sub-total, Significant/Unusual Revenues	-	223,038
General revenues	\$ 239,203	185,449
Total Cash Receipts	<u>\$ 239,203</u>	<u>\$ 408,487</u>

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Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

As of July 31, 2020

10/02/20

Accrual Basis

	<u>Jul 31, 20</u>
ASSETS	
Current Assets	
Checking/Savings	
10901 · RESTRICTED - COUNTY TREASURY	708,655.00
10600.1 · Cash in bank, Tariff BBVA	514,555.58
10700.1 · Cash in bank, Water BBVA	32,424.27
10200.1 · Cash in BBVA, Checking	14,720.78
10000 · PETTY CASH ON HAND	150.00
10100 · CHANGE FUND ON HAND	400.00
10111 · COIN MACHINE FUND	730.00
10200 · CASH IN BANK, CHECKING	6,663.84
10400 · CASH IN COUNTY - FUND 2720	103,934.08
10500 · CASH IN COUNTY - FUND 3872	35,243.42
10902 · RESTRICTED CASH OFFSET	-708,655.00
Total Checking/Savings	708,821.97
Accounts Receivable	
12000 · ACCTS RECEIVABLE	858,771.50
Total Accounts Receivable	858,771.50
Other Current Assets	
12600 · Note Receivable - NMTC	5,849,375.00
12100 · ALLOW FOR BAD DEBTS	-259,988.12
12200 · TAXES RECEIVBLE	92,289.00
12300 · INTEREST RECEIVBLE	15,846.00
12700 · PREPAID EXPENSES	128,612.50
12800 · LEASE RECEIVABLE	113.88
1499 · Undeposited Funds	813.00
Total Other Current Assets	5,827,061.26
Total Current Assets	7,394,654.73
Fixed Assets	
14900 · DOG RANCH PROPERTY	7,507.70
14800 · SHIPWRECK PROPERTY	50,088.05
CAPITAL ASSETS, NET	
16900 · Dredge	1,215,423.27
16800 · REDWOOD TERMINAL 2	2,613,169.43
16700 · AQUAPONICS PILOT FACILITY	96,036.61
16600 · TABLE BLUFF LIGHTHOUSE	361.44
16500 · HOMELAND SECURITY EQUIPMENT	2,254,007.60
16400 · REDWOOD DOCK PROPERTY	3,010,194.30
16100 · MARINA DREDGE,CONSTR IN PROGRES	809,025.14
16000 · KING SALMON	15,143.99
15900 · DREDGING COSTS	215,226.78
15800 · SHELTER COVE	2,386,247.10
15700 · FL BOAT BLDG & REPAIR FACILITY	4,302,259.53
15600 · MARINA	10,529,004.29
15500 · MARINA, RESTAURANT COMPLEX	34,100.00
15200 · OPERATING EQUIPMENT	314,098.74
15100 · OFFICE EQUIPMENT	193,303.88
15000 · AUTOMOTIVE EQUIPMENT	95,639.08
17000 · ACCUMULATED DEPRECIATION	-16,998,866.17
Total CAPITAL ASSETS, NET	11,084,375.01
Total Fixed Assets	11,141,970.76
Other Assets	
19000 · Deferred Outflows of PERS	270,798.00
Total Other Assets	270,798.00
TOTAL ASSETS	18,807,423.49
LIABILITIES & EQUITY	
Liabilities	

Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

As of July 31, 2020

10/02/20

Accrual Basis

	Jul 31, 20
Current Liabilities	
Accounts Payable	
20000 · ACCOUNTS PAYABLE	193,246.22
Total Accounts Payable	193,246.22
Credit Cards	
20112 · US Bank Visa	120.86
Total Credit Cards	120.86
Other Current Liabilities	
24002 · Groundlease Current Def Income	60,092.31
24000 · Ground Lease Deferred Income	3,906,000.00
Payroll tax & Withholding Liab	
21600 · PERS CARE/MEDICAL INSURANCE	4,722.16
21300 · STATE UNEMPLOYMENT TAX	34.53
Total Payroll tax & Withholding Liab	4,756.69
20100 · LEASE PAYABLE TO HBDA	-33,513.00
20200 · NOTES PAYABLE	1,339,828.63
20400 · ACCRUED WAGES PAYABLE	21,749.14
20500 · ACCRUED INTEREST	13,520.00
20600 · ACCRUED VACATION PAYABLE	38,030.24
20800 · DEPOSITS ON HAND	
20808 · WAIT LIST DEPOSIT	2,400.00
20801 · KEY DEPOSITS ON HAND	14,280.00
20802 · PLUG DEPOSITS ON HAND	1,120.00
20803 · SLIP DEPOSITS ON HAND	53,213.18
20804 · STORAGE DEPOSITS	3,669.65
20806 · LEASE SECURITY DEPOSIT	60,433.42
20807 · STORAGE DEPOSIT - REDWOOD DOCK	2,750.26
Total 20800 · DEPOSITS ON HAND	137,866.51
22000 · DEFERRED LEASE INCOME	29,967.68
28000 · DEFERRED INCOME	131,588.24
28500 · OTHER DEFERRED CREDITS	723,523.92
Total Other Current Liabilities	6,373,410.36
Total Current Liabilities	6,566,777.44
Long Term Liabilities	
24003 · Groundlease Current Offset	-60,092.31
24001 · Gound Lease Amortization	-264,145.37
27200 · Deferred Inflows of PERS	137,634.00
27000 · Net Pension Liability	1,033,203.00
25700 · BOND PAYABLE 2014 REFINANCING	2,295,450.54
25800 · BBVA Loan Payable	1,196,035.63
25600 · Note Payable-Coast Seafoods Co.	1,023,893.90
25500 · OPEB Liability	342,799.00
25200 · ENVIRONMENTAL REMEDIATION LIAB	66,441.22
25900 · LESS CURRENT PORTION	-1,339,828.63
Total Long Term Liabilities	4,431,390.98
Total Liabilities	10,998,168.42
Equity	
30500 · INVESTMENT IN FIXED ASSETS	9,187,855.05
30900 · RESTRICTED FUND BALANCE	1,149,214.00
31200 · GENERAL FUND BALANCE	
31000 · FUND BALANCE - TIDELANDS TRUST	-2,314,896.20
31200 · GENERAL FUND BALANCE - Other	-253,435.71
Total 31200 · GENERAL FUND BALANCE	-2,568,331.91

Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

As of July 31, 2020

	<u>Jul 31, 20</u>
Net Income	36,527.46
Total Equity	7,805,264.60
TOTAL LIABILITIES & EQUITY	<u>18,803,433.02</u>

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Humboldt Bay Harbor, Recreation & Conservation District Profit & Loss YTD Comparison

10/02/20

July 2020

Accrual Basis

	Jul 20	Jul 20
Ordinary Income/Expense		
Income		
47019 · Returned Check Charges	35.00	35.00
Discount	0.31	0.31
Dredging Revenue		
41318 · Dredging Surcharge - T	8,695.89	8,695.89
Total Dredging Revenue	8,695.89	8,695.89
Float Replacement Account		
41418 · Float Replacement	5,657.21	5,657.21
Total Float Replacement Account	5,657.21	5,657.21
Harbor Surcharge		
40908 · Harbor Improvement Surcharge-T	14,548.53	14,548.53
Total Harbor Surcharge	14,548.53	14,548.53
Utility Surcharge		
40409 · Utility Surcharge - NT	4,612.07	4,612.07
40418 · Utility Surcharge, Marina Dock	4,407.81	4,407.81
Total Utility Surcharge	9,019.88	9,019.88
Tax Revenue		
43809 · TIMBER YIELD TAX GUAR G/NT	1,000.00	1,000.00
43609 · HOMEOWNERS EXEMPT G/NT	1,167.00	1,167.00
43509 · Property Tax Revenues	90,122.00	90,122.00
Total Tax Revenue	92,289.00	92,289.00
Other Revenue		
45909 · Other Revenue - NT	3,769.28	3,769.28
Total Other Revenue	3,769.28	3,769.28
Interest Revenue		
43109 · Interest Income - NT	13,479.00	13,479.00
43108 · Interest Income - T	187.80	187.80
Total Interest Revenue	13,666.80	13,666.80
Rent Income		
41108 · Rents, Tidelands Leases - T	31,795.38	31,795.38
40318.1 · Transient Rentals - T	3,442.05	3,442.05
40519 · Equipment Rent - NT	70.00	70.00
40809 · Yard Rent - NT	-698.49	-698.49
41309 · Storage - NT	3,334.75	3,334.75
41409 · Upland Rent - NT		
41409.2 · Redwood Terminal 2 - NMTC	5,007.69	5,007.69
41409 · Upland Rent - NT - Other	69,133.79	69,133.79
Total 41409 · Upland Rent - NT	74,141.48	74,141.48
40218 · Slip Rents - T	43,716.58	43,716.58
Total Rent Income	155,801.75	155,801.75
Fees		
40108 · PERMITS-T	450.00	450.00
41818 · Late Charges/Interest - T	775.00	775.00
41819 · Late Charges/Interest - NT	60.00	60.00
41308.1 · Poundage - T	628.17	628.17
Total Fees	1,913.17	1,913.17
Sales		
40119 · Concession Sales - NT	489.25	489.25
Total Sales	489.25	489.25

Humboldt Bay Harbor, Recreation & Conservation District

Profit & Loss YTD Comparison

July 2020

	Jul 20	Jul 20
Total Income	305,886.07	305,886.07
Gross Profit	305,886.07	305,886.07
Expense		
Personnel Expenses		
Salaries/Wages		
50100 · Salaries & Wages - NT	60,372.09	60,372.09
50108 · Salaries & Wages - T	216.43	216.43
Total Salaries/Wages	60,588.52	60,588.52
Payroll Burden		
6560 · Workers' Comp	2,995.65	2,995.65
50500 · Payroll Benefits, Other - NT	54,532.36	54,532.36
50508 · Payroll Benefits, Other - T	20,235.31	20,235.31
50510 · PAYROLL BENEFITS M/A	1,752.38	1,752.38
Total Payroll Burden	79,515.70	79,515.70
Commissioners Fees		
50200 · Commissioner's Salaries - NT	1,470.00	1,470.00
50208 · Commissioner's Salaries - T	630.00	630.00
Total Commissioners Fees	2,100.00	2,100.00
Total Personnel Expenses	142,204.22	142,204.22
Advertising & Promotion		
51000 · Advertising & Promotion - NT	748.06	748.06
Total Advertising & Promotion	748.06	748.06
Communications		
51400 · Communications - NT	1,985.00	1,985.00
51408 · Communications - T	422.30	422.30
Total Communications	2,407.30	2,407.30
Conference & Meetings		
51500 · Conferences & Meetings - NT	134.26	134.26
Total Conference & Meetings	134.26	134.26
Insurance		
51800 · Insurance - NT	7,706.99	7,706.99
51808 · Insurance - T	1,305.63	1,305.63
Total Insurance	9,012.62	9,012.62
Office Supplies		
51900 · Office Supplies - NT	1,376.13	1,376.13
51908 · Office Supplies - T	325.76	325.76
51918 · OFFICE EXPENSE M/T	22.20	22.20
Total Office Supplies	1,724.09	1,724.09
Maintenance Supplies		
52010 · Maintenance Supplies - NT	1,529.30	1,529.30
Total Maintenance Supplies	1,529.30	1,529.30
Utilities		
52909 · Utilities - NT	28,822.77	28,822.77
52918 · Utilities - T	8,090.45	8,090.45
53000 · Water, Sewer, & Refuse - NT	9,134.98	9,134.98
53008 · Water, Sewer, & Refuse - T	4,020.24	4,020.24
Total Utilities	50,068.44	50,068.44
Fuel		

Humboldt Bay Harbor, Recreation & Conservation District Profit & Loss YTD Comparison

10/02/20

July 2020

Accrual Basis

	Jul 20	Jul 20
50400 · IMPUTED AUTO VALUE G/A	78.40	78.40
51218 · Automotive, Fuel - T	733.67	733.67
51200 · Automotive, Fuel- NT	461.69	461.69
Total Fuel	1,273.76	1,273.76
Legal Services		
52300 · Legal Fees - NT	2,615.25	2,615.25
52308 · Legal Fees - T	871.75	871.75
Total Legal Services	3,487.00	3,487.00
Planning Services		
52208 · Planning Fees - T	4,750.75	4,750.75
52200 · Planning Fees - NT	1,155.50	1,155.50
Total Planning Services	5,906.25	5,906.25
Engineering Services		
52400 · Engineering Fees - NT	1,370.00	1,370.00
52408 · Engineering Fees - T	4,110.30	4,110.30
Total Engineering Services	5,480.30	5,480.30
Other Professional/Outside Serv		
52110 · OUTSIDE SERVICES M/A	172.70	172.70
52109 · Outside Services, Other - NT	487.99	487.99
Total Other Professional/Outside Serv	660.69	660.69
Small Tools		
52800 · Small Tools - NT	372.13	372.13
Total Small Tools	372.13	372.13
Maintenance - Facilities		
52708 · Repairs & Maint, Facilities - T	2,443.59	2,443.59
52709 · REPAIRS & MAINTENANCE G/NT	200.00	200.00
52719 · Repairs & Maint, Facilities - N	6,536.22	6,536.22
Total Maintenance - Facilities	9,179.81	9,179.81
Maintenance - Equipment		
52718 · Repairs & Maint, Equip - T	33.20	33.20
52710 · Repairs & Maint, Equip - NT	1,450.04	1,450.04
51209 · Automotive, Repairs - NT	72.23	72.23
Total Maintenance - Equipment	1,555.47	1,555.47
Maintenance - IT		
57008 · Maintenance, IT Equip - T	52.50	52.50
57009 · Maintenance, IT Equip - NT	437.00	437.00
Total Maintenance - IT	489.50	489.50
Rent Expense		
54308 · Redwood Terminal 2 Lease Expens	16,270.25	16,270.25
Total Rent Expense	16,270.25	16,270.25
Interest Expense		
55119 · INTEREST EXPENSE M/NT	2,850.00	2,850.00
55109 · Interest Expense - NT	6,023.36	6,023.36
55108 · Interest Expense - T	7,936.80	7,936.80
Total Interest Expense	16,810.16	16,810.16
Other Expenses		
55419 · Other Expenses - NT	15.00	15.00
Total Other Expenses	15.00	15.00

Humboldt Bay Harbor, Recreation & Conservation District Profit & Loss YTD Comparison

	<u>Jul 20</u>	<u>Jul 20</u>
Grant Expenses		
Harbor Grant Expenses		
54408.1 - Harbor Grant Exp	30.00	30.00
Total Harbor Grant Expenses	30.00	30.00
Total Grant Expenses	30.00	30.00
Total Expense	269,358.61	269,358.61
Net Ordinary Income	36,527.46	36,527.46
Net Income	<u>36,527.46</u>	<u>36,527.46</u>

8:57 AM
09/21/20

Humboldt Bay Harbor, Recreation & Conservation District
Account QuickReport

As of July 31, 2020

Accrual Basis

Type	Date	Num	Name	Memo	Amount
10200.1 - Cash in BBVA, Checking					
Liability Check	07/09/2020		QuickBooks Payroll Service	Created by Payroll Service on 07/08/...	-19,922.11
Liability Check	07/13/2020		QuickBooks Payroll Service	Created by Payroll Service on 07/10/...	-1,113.57
Bill Pmt -Check	07/13/2020		Coldwell Banker Commerical PacificPart...	QuickBooks generated zero amount ...	0.00
Liability Check	07/23/2020		QuickBooks Payroll Service	Created by Payroll Service on 07/22/...	-21,304.34
Liability Check	07/27/2020		QuickBooks Payroll Service	Created by Payroll Service on 07/24/...	-911.32
Check	07/15/2020			Service Charge	-163.36
Liability Check	07/10/2020	EFT	PERS Unfunded Accrued Liab	2233447024	-4,282.87
Liability Check	07/10/2020	EFT	PERS Unfunded Accrued Liab	2233447024 Adjustment for CPI incr...	-9.66
Bill Pmt -Check	07/10/2020	EFT	CalPERS 457 Program	457Match 07/10/2020	-300.00
Liability Check	07/10/2020	EFT	CalPERS 457 Program	450348	-1,050.00
Liability Check	07/10/2020	EFT	State Disbursement Unit	0230000067964	-233.53
Liability Check	07/14/2020	EFT	PERS Unfunded Accrued Liab	2233447024 S. Fuller and R. Juchtz...	-198.08
Bill Pmt -Check	07/17/2020	EFT	Pacific Gas & Electric (1906-4)	Acct #0670491906-4	-2,236.16
Bill Pmt -Check	07/17/2020	EFT	Pacific Gas & Electric (8259-4) address	0074698259-4	-9,741.14
Bill Pmt -Check	07/24/2020	EFT	CalPERS 457 Program	457Match 07/24/2020	-300.00
Bill Pmt -Check	07/24/2020	EFT	PERS Unfunded Accrued Liab	2233447024	-6,042.69
Liability Check	07/24/2020	EFT	PERS Unfunded Accrued Liab	2233447024	-4,309.14
Liability Check	07/24/2020	EFT	CalPERS 457 Program	450348	-1,125.00
Liability Check	07/24/2020	EFT	State Disbursement Unit	0230000067964	-233.53
Liability Check	07/02/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # -5853661...	-168.24
Liability Check	07/08/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # -2448441...	-1,332.71
Liability Check	07/08/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # -244805...	-3,104.62
Liability Check	07/10/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # -1052421...	-16.88
Liability Check	07/10/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # -105202...	-107.74
Liability Check	07/22/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # -5783799...	-1,255.17
Liability Check	07/22/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # -578236...	-3,221.02
Liability Check	07/24/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # -4615669...	-24.93
Liability Check	07/24/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # -461492...	-83.00
Bill Pmt -Check	07/10/2020	60363	Advanced Security Systems	WIM	-184.50
Bill Pmt -Check	07/10/2020	60364	AT&T Phone	707 443-0801 071 7	-828.78
Bill Pmt -Check	07/10/2020	60365	B & B Portable Toilets	RWD	-105.78
Bill Pmt -Check	07/10/2020	60366	City of Eureka (Water)	WIM	-12,284.25
Bill Pmt -Check	07/10/2020	60367	Coast Seafood Co.	July 2020 Interest and Principal pay...	-13,000.00
Bill Pmt -Check	07/10/2020	60369	Dock Boxes Unlimited	Meters	-375.65
Bill Pmt -Check	07/10/2020	60370	Don's Rent-All	7197	-531.65
Bill Pmt -Check	07/10/2020	60371	Enterprise-Record, Mercury-Register		-310.81
Bill Pmt -Check	07/10/2020	60372	Gallagher Marine Insurance	Adding Additional Insured to Fire Bo...	-250.00
Bill Pmt -Check	07/10/2020	60373	Humboldt Bay Municipal Water Dist.	9002.001 RMT2	-733.90
Bill Pmt -Check	07/10/2020	60374	Lost Coast Merchant Services	Payphone Services for Q2 2020	-135.00
Bill Pmt -Check	07/10/2020	60375	Mission Uniform & Linen	299313	-231.00
Bill Pmt -Check	07/10/2020	60376	Napa Auto Parts		-231.61
Bill Pmt -Check	07/10/2020	60377	Pacific Gas & Electric (3494-4)	6598073494-4	-138.57
Bill Pmt -Check	07/10/2020	60378	Peterson	Backhoe Swing Cylinder Repairs	-1,756.45
Bill Pmt -Check	07/10/2020	60379	Pintermedia LLC		-60.00
Bill Pmt -Check	07/10/2020	60380	Southwest Answering Service		-187.70
Check	07/08/2020	60381	DeJuilio, Kyle	Tenant Refund	-136.50
Check	07/09/2020	60382	StackHouse, Jeff	Tenant Refund	-136.50
Bill Pmt -Check	07/10/2020	60383	Kernen Construction		-387.91
Bill Pmt -Check	07/10/2020	60384	Mitchell Law Firm, LLP		-5,882.86
Bill Pmt -Check	07/10/2020	60386	US Bank Corporate Payment System	4246044555706765	-1,560.75
Bill Pmt -Check	07/10/2020	60387	World Oil Environmental Services		-1,944.26
Bill Pmt -Check	07/10/2020	60388	101Netlink	WIM	-190.00
Bill Pmt -Check	07/10/2020	60389	Coldwell Banker Commerical PacificPart...	RMT2 - Mountain Air Co2	-395.18
Bill Pmt -Check	07/10/2020	60390	Eureka Oxygen Company	Cylinder Rental	-181.40
Bill Pmt -Check	07/10/2020	60391	Shafer's Ace Hardware	1586	-6.45
Bill Pmt -Check	07/24/2020	60393	ACWA JPIA	August 2020	-32,745.06
Bill Pmt -Check	07/24/2020	60394	California Redwood Co.	Red Tank 05/19/20 - 06/17/20	-1,014.84
Bill Pmt -Check	07/24/2020	60395	High Rock Conservation Camp	PO 1570	-600.00
Bill Pmt -Check	07/24/2020	60396	Northern California Safety Consortium	Hazwoper Refresher: Chris Mikkelse...	-250.00
Bill Pmt -Check	07/24/2020	60397	Pierson Building Center	1297	-675.79
Bill Pmt -Check	07/24/2020	60398	Recology Humboldt County (060339473)	060339473	-173.19
Bill Pmt -Check	07/24/2020	60399	Recology Humboldt County (A00600002...)	A0060000265	-2,204.86
Bill Pmt -Check	07/24/2020	60400	Valley Pacific Petroleum Services, Inc	114137	-793.17
Bill Pmt -Check	07/24/2020	60401	Verizon Wireless		-77.52
Bill Pmt -Check	07/24/2020	60402	AT&T Internet	831-000-8571 571	-933.88
Bill Pmt -Check	07/24/2020	60403	Combined Benefits Administrators	Prefund Dental & Vision	-8,000.00
Bill Pmt -Check	07/24/2020	60404	Commercial Laundry Repair	Laundry Soap	-225.27
Bill Pmt -Check	07/24/2020	60405	Englund Marine Supply		-747.28
Bill Pmt -Check	07/24/2020	60406	Humboldt Bay Solar Fund LLC	HB0520	-16,788.92
Bill Pmt -Check	07/24/2020	60407	Mission Uniform & Linen	299313	-187.38
Bill Pmt -Check	07/24/2020	60408	Mr. Rooter Plumbing	Cafe, unclog drains	-480.23
Bill Pmt -Check	07/24/2020	60409	North Coast Laboratories, LTD	FL Stormwater	-383.00
Bill Pmt -Check	07/24/2020	60410	PPG Architectural Finishes		-124.72
Bill Pmt -Check	07/24/2020	60411	Recology Eel River	061097997	-402.17
Bill Pmt -Check	07/24/2020	60412	Recology Humboldt County (061218064)	061218064	-668.90
Bill Pmt -Check	07/24/2020	60413	Schmidbauer Building Supply	WIM Steps	-81.36
Bill Pmt -Check	07/24/2020	60414	Shelter Cove Fishing Preservation Inc	SC Janitorial July 2020	-2,083.33
Bill Pmt -Check	07/24/2020	60415	Shelter Cove Resort Improvement District	SC	-370.37

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Humboldt Bay Harbor, Recreation & Conservation District Account QuickReport

Accrual Basis

As of July 31, 2020

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	07/24/2020	60416	SHN Consulting Engineers & Geologists		-4,605.30
Bill Pmt -Check	07/24/2020	60417	Staples Credit Plan	6035 5178 1247 5530	-205.31
Bill Pmt -Check	07/24/2020	60418	Verizon Wireless		-361.29
Bill Pmt -Check	07/24/2020	60419	World Oil Enviromental Services		-130.00
Bill Pmt -Check	07/24/2020	60420	Reincke Marine Fabrication (RMF)	Half of Eureka Oxygen Invoice, fuel f...	-53.73
Bill Pmt -Check	07/24/2020	60421	Coastal Business Systems, Inc.	WIM Copier Lease 07/20/20-08/20/20	-268.22
Bill Pmt -Check	07/24/2020	60422	David L. Moonie & Company		-1,800.00
Bill Pmt -Check	07/24/2020	60423	Humboldt Community Services District	3165	-344.81
Bill Pmt -Check	07/27/2020	60424	Standard Insurance Company	ST 908447 0001	-202.60
Total 10200.1 · Cash in BBVA, Checking					-202,940.77
TOTAL					-202,940.77

HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT

Monthly Cash Flow Analysis

For The Months Ended August 31, 2020 and July 31, 2020

	<u>8/31/20</u>	<u>7/31/20</u>
<u>Account Balances</u>		
Checking	\$ 19,708	\$ 21,385
Savings	7,497	32,424
Tariff	498,056	514,556
County Treasury	139,178	139,178
Cash on hand	1,449	2,093
Total Cash	<u>665,888</u>	<u>709,636</u>
Add: Accounts Receivable (less doubtful accounts)	618,671	594,793
Less: Accounts Payable	(222,134)	(193,246)
Available Cash and Receivables	<u>\$ 1,062,425</u>	<u>\$ 1,111,183</u>
<u>Change in Cash Balance</u>		
Balance, Beginning of Month	\$ 709,636	\$ 678,813
Monthly Deposits	197,462	239,204
Monthly Payments	(241,210)	(208,381)
Balance, End of Month	<u>\$ 665,888</u>	<u>\$ 709,636</u>
<u>Monthly Payments Summary</u>		
Significant/Unusual Expenses:		
Humboldt Bay Development Assoc lease payment	\$ 50,649	
Sub-total, Significance/Unusual Expenses	<u>50,649</u>	-
General operating expenses and other misc. expense	190,561	\$ 208,381
Total Cash Payments	<u>\$ 241,210</u>	<u>\$ 208,381</u>
<u>Monthly Deposits Summary</u>		
Significant/Unusual Revenues:		
Sub-total, Significant/Unusual Revenues	-	-
General revenues	\$ 197,462	\$ 239,204
Total Cash Receipts	<u>\$ 197,462</u>	<u>\$ 239,204</u>

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Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

As of August 31, 2020

10/02/20

Accrual Basis

	Aug 31, 20
ASSETS	
Current Assets	
Checking/Savings	
10901 · RESTRICTED - COUNTY TREASURY	664,608.00
10600.1 · Cash in bank, Tariff BBVA	498,056.04
10700.1 · Cash in bank, Water BBVA	7,496.62
10200.1 · Cash in BBVA, Checking	11,007.71
10000 · PETTY CASH ON HAND	150.00
10100 · CHANGE FUND ON HAND	400.00
10111 · COIN MACHINE FUND	730.00
10200 · CASH IN BANK, CHECKING	8,700.50
10400 · CASH IN COUNTY - FUND 2720	103,934.08
10500 · CASH IN COUNTY - FUND 3872	35,243.42
10902 · RESTRICTED CASH OFFSET	-664,608.00
Total Checking/Savings	665,718.37
Accounts Receivable	
12000 · ACCTS RECEIVABLE	882,649.18
Total Accounts Receivable	882,649.18
Other Current Assets	
12600 · Note Receivable - NMTC	5,849,375.00
12100 · ALLOW FOR BAD DEBTS	-259,988.12
12200 · TAXES RECEIVBLE	184,578.00
12300 · INTEREST RECEIVBLE	29,492.00
12700 · PREPAID EXPENSES	117,021.40
12800 · LEASE RECEIVABLE	317.57
1499 · Undeposited Funds	169.26
Total Other Current Assets	5,920,965.11
Total Current Assets	7,469,332.66
Fixed Assets	
14900 · DOG RANCH PROPERTY	7,507.70
14800 · SHIPWRECK PROPERTY	50,088.05
CAPITAL ASSETS, NET	
16900 · Dredge	1,215,423.27
16800 · REDWOOD TERMINAL 2	2,613,169.43
16700 · AQUAPONICS PILOT FACILITY	96,036.61
16600 · TABLE BLUFF LIGHTHOUSE	361.44
16500 · HOMELAND SECURITY EQUIPMENT	2,254,007.60
16400 · REDWOOD DOCK PROPERTY	3,010,194.30
16100 · MARINA DREDGE, CONSTR IN PROGRES	809,025.14
16000 · KING SALMON	15,143.99
15900 · DREDGING COSTS	215,226.78
15800 · SHELTER COVE	2,386,247.10
15700 · FL BOAT BLDG & REPAIR FACILITY	4,302,259.53
15600 · MARINA	10,529,004.29
15500 · MARINA, RESTAURANT COMPLEX	34,100.00
15200 · OPERATING EQUIPMENT	314,098.74
15100 · OFFICE EQUIPMENT	193,303.88
15000 · AUTOMOTIVE EQUIPMENT	95,639.08
17000 · ACCUMULATED DEPRECIATION	-16,998,866.17
Total CAPITAL ASSETS, NET	11,084,375.01
Total Fixed Assets	11,141,970.76
Other Assets	
19000 · Deferred Outflows of PERS	270,798.00
Total Other Assets	270,798.00
TOTAL ASSETS	18,882,101.42
LIABILITIES & EQUITY	
Liabilities	

Humboldt Bay Harbor, Recreation & Conservation District

Balance Sheet

As of August 31, 2020

10/02/20

Accrual Basis

	Aug 31, 20
Current Liabilities	
Accounts Payable	
20000 · ACCOUNTS PAYABLE	222,133.77
Total Accounts Payable	222,133.77
Other Current Liabilities	
24002 · Groundlease Current Def Income	60,092.31
24000 · Ground Lease Deferred Income	3,906,000.00
Payroll tax & Withholding Liab	
21600 · PERS CARE/MEDICAL INSURANCE	5,959.58
21300 · STATE UNEMPLOYMENT TAX	101.45
Total Payroll tax & Withholding Liab	6,061.03
20100 · LEASE PAYABLE TO HBDA	-16,377.00
20200 · NOTES PAYABLE	1,320,045.20
20400 · ACCRUED WAGES PAYABLE	21,749.14
20500 · ACCRUED INTEREST	27,040.00
20600 · ACCRUED VACATION PAYABLE	38,030.24
20800 · DEPOSITS ON HAND	
20808 · WAIT LIST DEPOSIT	2,500.00
20801 · KEY DEPOSITS ON HAND	14,340.00
20802 · PLUG DEPOSITS ON HAND	1,120.00
20803 · SLIP DEPOSITS ON HAND	51,286.98
20804 · STORAGE DEPOSITS	3,669.65
20806 · LEASE SECURITY DEPOSIT	60,433.42
20807 · STORAGE DEPOSIT - REDWOOD DOCK	2,750.26
Total 20800 · DEPOSITS ON HAND	136,100.31
22000 · DEFERRED LEASE INCOME	30,992.45
28000 · DEFERRED INCOME	131,588.24
28500 · OTHER DEFERRED CREDITS	723,523.92
Total Other Current Liabilities	6,384,845.84
Total Current Liabilities	6,606,979.61
Long Term Liabilities	
24003 · Groundlease Current Offset	-60,092.31
24001 · Gound Lease Amortization	-269,153.06
27200 · Deferred Inflows of PERS	137,634.00
27000 · Net Pension Liability	1,033,203.00
25700 · BOND PAYABLE 2014 REFINANCING	2,295,450.54
25800 · BBVA Loan Payable	1,196,035.63
25600 · Note Payable-Coast Seafoods Co.	1,013,983.68
25500 · OPEB Liability	342,799.00
25200 · ENVIRONMENTAL REMEDIATION LIAB	66,441.22
25900 · LESS CURRENT PORTION	-1,320,045.20
Total Long Term Liabilities	4,436,256.50
Total Liabilities	11,043,236.11
Equity	
30500 · INVESTMENT IN FIXED ASSETS	9,187,855.05
30900 · RESTRICTED FUND BALANCE	1,176,964.05
31200 · GENERAL FUND BALANCE	
31000 · FUND BALANCE - TIDELANDS TRUST	-2,314,896.20
31200 · GENERAL FUND BALANCE - Other	-281,185.76
Total 31200 · GENERAL FUND BALANCE	-2,596,081.96
Net Income	66,137.70
Total Equity	7,834,874.84
TOTAL LIABILITIES & EQUITY	18,878,110.95

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Humboldt Bay Harbor, Recreation & Conservation District

10/02/20

Profit & Loss YTD Comparison

Accrual Basis

July through August 2020

	Jul - Aug 20	Jul - Aug 20
Ordinary Income/Expense		
Income		
47019 · Returned Check Charges	35.00	35.00
Discount	0.31	0.31
Dredging Revenue		
41318 · Dredging Surcharge - T	16,813.82	16,813.82
Total Dredging Revenue	16,813.82	16,813.82
Float Replacement Account		
41418 · Float Replacement	10,936.20	10,936.20
Total Float Replacement Account	10,936.20	10,936.20
Harbor Surcharge		
40908 · Harbor Improvement Surcharge-T	22,101.48	22,101.48
Total Harbor Surcharge	22,101.48	22,101.48
Utility Surcharge		
40409 · Utility Surcharge - NT	6,979.29	6,979.29
40418 · Utility Surcharge, Marina Dock	10,145.14	10,145.14
Total Utility Surcharge	17,124.43	17,124.43
Tax Revenue		
43809 · TIMBER YIELD TAX GUAR G/NT	2,000.00	2,000.00
43609 · HOMEOWNERS EXEMPT G/NT	2,334.00	2,334.00
43509 · Property Tax Revenues	180,244.00	180,244.00
Total Tax Revenue	184,578.00	184,578.00
Other Revenue		
45909 · Other Revenue - NT	3,779.28	3,779.28
Total Other Revenue	3,779.28	3,779.28
Interest Revenue		
43109 · Interest Income - NT	26,958.00	26,958.00
43108 · Interest Income - T	376.64	376.64
Total Interest Revenue	27,334.64	27,334.64
Rent Income		
41108 · Rents, Tidelands Leases - T	64,982.71	64,982.71
40318.1 · Transient Rentals - T	6,416.43	6,416.43
40519 · Equipment Rent - NT	420.00	420.00
40809 · Yard Rent - NT	3,037.51	3,037.51
41309 · Storage - NT	5,943.75	5,943.75
41409 · Upland Rent - NT		
41409.2 · Redwood Terminal 2 - NMTC	10,015.38	10,015.38
41409 · Upland Rent - NT - Other	138,245.07	138,245.07
Total 41409 · Upland Rent - NT	148,260.45	148,260.45
40218 · Slip Rents - T	84,355.69	84,355.69
Total Rent Income	313,416.54	313,416.54
Fees		
40108 · PERMITS-T	750.00	750.00
41818 · Late Charges/Interest - T	1,525.00	1,525.00
41819 · Late Charges/Interest - NT	195.00	195.00
40808 · Pilotage Services - T	4,118.93	4,118.93
41308.1 · Poundage - T	628.17	628.17
Total Fees	7,217.10	7,217.10
Sales		
40119 · Concession Sales - NT	786.50	786.50

Humboldt Bay Harbor, Recreation & Conservation District

Profit & Loss YTD Comparison

10/02/20

July through August 2020

Accrual Basis

	Jul - Aug 20	Jul - Aug 20
Total Sales	786.50	786.50
Total Income	604,123.30	604,123.30
Gross Profit	604,123.30	604,123.30
Expense		
Personnel Expenses		
Salaries/Wages		
50100 · Salaries & Wages - NT	121,535.24	121,535.24
50108 · Salaries & Wages - T	600.79	600.79
Total Salaries/Wages	122,136.03	122,136.03
Payroll Burden		
6560 · Workers' Comp	6,048.52	6,048.52
50500 · Payroll Benefits, Other - NT	85,695.38	85,695.38
50508 · Payroll Benefits, Other - T	28,879.34	28,879.34
50510 · PAYROLL BENEFITS M/A	3,504.76	3,504.76
Total Payroll Burden	124,128.00	124,128.00
Commissioners Fees		
50200 · Commissioner's Salaries - NT	2,940.00	2,940.00
50208 · Commissioner's Salaries - T	1,260.00	1,260.00
Total Commissioners Fees	4,200.00	4,200.00
Total Personnel Expenses	250,464.03	250,464.03
Advertising & Promotion		
51000 · Advertising & Promotion - NT	748.06	748.06
51008 · Advertising & Promotion - T	82.10	82.10
Total Advertising & Promotion	830.16	830.16
Communications		
51400 · Communications - NT	3,967.54	3,967.54
51408 · Communications - T	842.28	842.28
Total Communications	4,809.82	4,809.82
Conference & Meetings		
51500 · Conferences & Meetings - NT	329.16	329.16
Total Conference & Meetings	329.16	329.16
Dues, Subscriptions & Licences		
51600 · Dues & Subscriptions - NT	500.00	500.00
Total Dues, Subscriptions & Licences	500.00	500.00
Insurance		
51800 · Insurance - NT	16,413.98	16,413.98
51808 · Insurance - T	2,252.30	2,252.30
Total Insurance	18,666.28	18,666.28
Office Supplies		
51900 · Office Supplies - NT	3,775.81	3,775.81
51908 · Office Supplies - T	1,016.15	1,016.15
51918 · OFFICE EXPENSE M/T	43.20	43.20
Total Office Supplies	4,835.16	4,835.16
Maintenance Supplies		
52010 · Maintenance Supplies - NT	2,152.20	2,152.20
52008 · Maintenance Supplies - T	9.98	9.98
Total Maintenance Supplies	2,162.18	2,162.18

Humboldt Bay Harbor, Recreation & Conservation District

Profit & Loss YTD Comparison

July through August 2020

10/02/20

Accrual Basis

	Jul - Aug 20	Jul - Aug 20
Utilities		
52909 · Utilities - NT	51,697.26	51,697.26
52918 · Utilities - T	11,917.81	11,917.81
53000 · Water, Sewer, & Refuse - NT	18,851.54	18,851.54
53008 · Water, Sewer, & Refuse - T	9,061.85	9,061.85
Total Utilities	91,528.46	91,528.46
Fuel		
50400 · IMPUTED AUTO VALUE G/A	156.80	156.80
51208 · Vessel Fuel	1,045.27	1,045.27
51218 · Automotive, Fuel - T	1,067.52	1,067.52
51200 · Automotive, Fuel- NT	735.08	735.08
Total Fuel	3,004.67	3,004.67
Accounting/Auditing Services		
52500 · Accounting Fees - T	6,210.00	6,210.00
52508 · Accounting Fees - NT	3,690.00	3,690.00
Total Accounting/Auditing Services	9,900.00	9,900.00
Legal Services		
52300 · Legal Fees - NT	5,169.38	5,169.38
52308 · Legal Fees - T	1,723.12	1,723.12
Total Legal Services	6,892.50	6,892.50
Planning Services		
52208 · Planning Fees - T	-2,124.43	-2,124.43
52200 · Planning Fees - NT	2,359.00	2,359.00
Total Planning Services	234.57	234.57
Engineering Services		
52400 · Engineering Fees - NT	2,553.29	2,553.29
52408 · Engineering Fees - T	4,585.30	4,585.30
Total Engineering Services	7,138.59	7,138.59
Other Professional/Outside Serv		
52110 · OUTSIDE SERVICES M/A	337.70	337.70
52109 · Outside Services, Other - NT	2,238.16	2,238.16
52118 · Outside Services, Other - T	2,200.00	2,200.00
Total Other Professional/Outside Serv	4,775.86	4,775.86
Small Tools		
52800 · Small Tools - NT	416.58	416.58
Total Small Tools	416.58	416.58
Maintenance - Facilities		
52708 · Repairs & Maint, Facilities - T	4,762.54	4,762.54
52709 · REPAIRS & MAINTENANCE G/NT	200.00	200.00
52719 · Repairs & Maint, Facilities - N	20,727.63	20,727.63
Total Maintenance - Facilities	25,690.17	25,690.17
Maintenance - Equipment		
52718 · Repairs & Maint, Equip - T	449.63	449.63
52710 · Repairs & Maint, Equip - NT	1,723.74	1,723.74
51209 · Automotive, Repairs - NT	128.85	128.85
Total Maintenance - Equipment	2,302.22	2,302.22
Maintenance - IT		
57008 · Maintenance, IT Equip - T	105.00	105.00
57009 · Maintenance, IT Equip - NT	437.00	437.00
Total Maintenance - IT	542.00	542.00

Humboldt Bay Harbor, Recreation & Conservation District

Profit & Loss YTD Comparison

July through August 2020

10/02/20

Accrual Basis

	Jul - Aug 20	Jul - Aug 20
Dredging Expense		
55608 · Dredging Expense - T	37.64	37.64
Total Dredging Expense	37.64	37.64
Rent Expense		
54308 · Redwood Terminal 2 Lease Expens	33,406.25	33,406.25
Total Rent Expense	33,406.25	33,406.25
Interest Expense		
55119 · INTEREST EXPENSE M/NT	6,089.00	6,089.00
55109 · Interest Expense - NT	11,654.97	11,654.97
55108 · Interest Expense - T	15,836.58	15,836.58
Total Interest Expense	33,580.55	33,580.55
Other Expenses		
55419 · Other Expenses - NT	15.00	15.00
Total Other Expenses	15.00	15.00
Grant Expenses		
Harbor Grant Expenses		
54408.1 · Harbor Grant Exp	60.00	60.00
Total Harbor Grant Expenses	60.00	60.00
Conservation Grant Expenses		
54408.3 · Conservation Grant Exp	35,863.75	35,863.75
Total Conservation Grant Expenses	35,863.75	35,863.75
Total Grant Expenses	35,923.75	35,923.75
Total Expense	537,985.60	537,985.60
Net Ordinary Income	66,137.70	66,137.70
Net Income	66,137.70	66,137.70

1:12 PM

**Humboldt Bay Harbor, Recreation & Conservation District
Account QuickReport**

10/02/20

As of August 31, 2020

Accrual Basis

Type	Date	Num	Name	Memo	Amount
10200.1 - Cash in BBVA, Checking					
Liability Check	08/05/2020		QuickBooks Payroll Service	Created by Payroll Service on 08/03/...	-999.50
Liability Check	08/06/2020		QuickBooks Payroll Service	Created by Payroll Service on 08/04/...	-20,675.34
Bill Pmt -Check	08/17/2020		SDRMA	QuickBooks generated zero amount ...	0.00
Liability Check	08/20/2020		QuickBooks Payroll Service	Created by Payroll Service on 08/18/...	-21,785.81
Check	08/17/2020			Service Charge	-160.61
Liability Check	08/06/2020	EFT	PERS Unfunded Accrued Liab	2233447024 OE3 Employees Retro ...	-195.70
Liability Check	08/07/2020	EFT	PERS Unfunded Accrued Liab	2233447024	-4,458.11
Liability Check	08/07/2020	EFT	CalPERS 457 Program	450348	-1,125.00
Liability Check	08/07/2020	EFT	State Disbursement Unit	0230000067964	-233.53
Bill Pmt -Check	08/07/2020	EFT	CalPERS 457 Program	457Match 08/07/2020	-300.00
Bill Pmt -Check	08/21/2020	EFT	CalPERS 457 Program	457Match 08/21/2020	-300.00
Liability Check	08/21/2020	EFT	CalPERS 457 Program	450348	-1,125.00
Liability Check	08/21/2020	EFT	PERS Unfunded Accrued Liab	2233447024	-4,458.11
Bill Pmt -Check	08/21/2020	EFT	PERS Unfunded Accrued Liab	2233447024	-6,042.69
Liability Check	08/21/2020	EFT	State Disbursement Unit	0230000067964	-233.53
Bill Pmt -Check	08/19/2020	EFT	Francotyp-Postalia	466106100	-300.00
Liability Check	08/03/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # 1298956...	-14.44
Liability Check	08/03/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # 1298974...	-64.80
Liability Check	08/04/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # 1343383...	-1,324.10
Liability Check	08/04/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # 1343399...	-3,205.62
Liability Check	08/18/2020	E-pay	Employment Development Department	499-0307-3 QB Tracking # 1591956...	-1,322.45
Liability Check	08/18/2020	E-pay	Tri Counties Bank	94-2262845 QB Tracking # 1591978...	-3,380.24
Bill Pmt -Check	08/14/2020	Wire Xfer	Humboldt Bay Development Association	RMT2 Lease Pymt Q3 2020	-50,649.00
Bill Pmt -Check	08/07/2020	60428	101Netlink	WIM	-190.00
Bill Pmt -Check	08/07/2020	60429	Advanced Security Systems	RMT 2	-95.00
Bill Pmt -Check	08/07/2020	60430	B & B Portable Toilets	RWD	-105.78
Bill Pmt -Check	08/07/2020	60431	BT Metal Sales and Fabrication		-79.86
Bill Pmt -Check	08/07/2020	60432	City of Eureka (Sewer)	2001-901804-02	-1,506.65
Bill Pmt -Check	08/07/2020	60433	City of Eureka (Water)	2001-901802-01	-6,533.85
Bill Pmt -Check	08/07/2020	60434	Eureka Oxygen Company		-406.50
Bill Pmt -Check	08/07/2020	60435	Keenan Supply		-6.90
Bill Pmt -Check	08/07/2020	60436	Kelly-O'Hern Associates	Research, Calculations, Mapping - S...	-812.50
Bill Pmt -Check	08/07/2020	60438	North Coast Laboratories, LTD	FL	-65.00
Bill Pmt -Check	08/07/2020	60439	Nylex.net	Britni and Restif	-210.00
Bill Pmt -Check	08/07/2020	60440	Pacific Gas & Electric (Non-Energy)	2072047	-395.27
Bill Pmt -Check	08/07/2020	60442	Peterson		-18.07
Bill Pmt -Check	08/07/2020	60443	Pintermedia LLC		-95.00
Bill Pmt -Check	08/07/2020	60444	Southwest Answering Service		-187.70
Bill Pmt -Check	08/07/2020	60445	US Bank Corporate Payment System	4246044555706765	-657.08
Bill Pmt -Check	08/07/2020	60446	World Oil Enviromental Services	WIM	-160.00
Bill Pmt -Check	08/07/2020	60447	Humboldt Bay Municipal Water Dist.	9002.001 RMT2	-717.76
Bill Pmt -Check	08/07/2020	60448	Mission Uniform & Linen	299313	-439.44
Bill Pmt -Check	08/07/2020	60449	Pape Material Handling	340686, 490169, 1101058	-165.11
Bill Pmt -Check	08/07/2020	60450	SHN Consulting Engineers & Geologists		-5,480.30
Bill Pmt -Check	08/13/2020	60451	AT&T Phone	707 443-0801 071 7	-844.61
Bill Pmt -Check	08/13/2020	60452	Enterprise-Record, Mercury-Register		-748.06
Bill Pmt -Check	08/13/2020	60453	M.M. Electric	Install 10KVA Transformer, RMT2	-1,566.28
Bill Pmt -Check	08/13/2020	60454	Napa Auto Parts		-783.47
Bill Pmt -Check	08/13/2020	60455	Pacific Gas & Electric (1906-4)	Acct #0670491906-4	-2,067.73
Bill Pmt -Check	08/13/2020	60456	Pacific Gas & Electric (3494-4)	6598073494-4	-138.57
Bill Pmt -Check	08/13/2020	60457	Pacific Gas & Electric (8259-4) address	0074698259-4	-7,238.45
Bill Pmt -Check	08/13/2020	60458	Verizon Wireless		-77.48
Bill Pmt -Check	08/21/2020	60459	Bradley Tanks, Inc	Brownfield RMT2	-3,037.80
Bill Pmt -Check	08/21/2020	60460	Waste Management	23-09580-43003	-7,509.65
Liability Check	08/18/2020	60462	Operating Engineers Local No. 3	94-2262845	-348.88
Bill Pmt -Check	08/21/2020	60463	ACWA JPIA	September 2020	-23,036.18
Bill Pmt -Check	08/21/2020	60464	Alliant Insurance Services, Inc.	License & Permit Bond Renewal	-1,000.00
Bill Pmt -Check	08/21/2020	60465	AT&T Internet	831-000-8571 571	-933.88
Bill Pmt -Check	08/21/2020	60466	Coast Seafood Co.	August 2020 Interest and Principal p...	-13,000.00
Bill Pmt -Check	08/21/2020	60467	Eel River Scrap & Salvage	Scrap removal - RMT II	-125.00
Bill Pmt -Check	08/21/2020	60468	Englund Marine Supply		-532.75
Bill Pmt -Check	08/21/2020	60469	Eureka Oxygen Company	Cylinder Rental	-187.28
Bill Pmt -Check	08/21/2020	60470	High Rock Conservation Camp		-200.00
Bill Pmt -Check	08/21/2020	60471	Humboldt Bay Municipal Water Dist.		-67.71
Bill Pmt -Check	08/21/2020	60472	Humboldt Bay Solar Fund LLC	HB0520	-16,325.17
Bill Pmt -Check	08/21/2020	60473	Humboldt Community Services District	3165	-302.93
Bill Pmt -Check	08/21/2020	60474	Mission Uniform & Linen	299313	-304.48
Bill Pmt -Check	08/21/2020	60475	Mitchell Law Firm, LLP		-3,487.00
Bill Pmt -Check	08/21/2020	60476	Nylex.net	Cory	-52.50
Bill Pmt -Check	08/21/2020	60477	Pacific Gas & Electric (8259-4) address	0074698259-4	-239.53
Bill Pmt -Check	08/21/2020	60479	Pierson Building Center	1297	-1,022.89
Bill Pmt -Check	08/21/2020	60480	Pintermedia LLC	HBHD - Yearly Domain Name Rene...	-35.00
Bill Pmt -Check	08/21/2020	60481	Recology Eel River	061097997	-402.17
Bill Pmt -Check	08/21/2020	60482	Recology Humboldt County (061218064)	061218064	-668.90
Bill Pmt -Check	08/21/2020	60483	Recology Humboldt County (A00600002...)	A0060000265	-2,872.83
Bill Pmt -Check	08/21/2020	60484	Security Lock & Alarm		-34.18
Bill Pmt -Check	08/21/2020	60485	Shafer's Ace Hardware	1586	-91.02
Bill Pmt -Check	08/21/2020	60486	Shelter Cove Fishing Preservation Inc	SC Janitorial August 2020	-2,083.33

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10/02/20

Humboldt Bay Harbor, Recreation & Conservation District Account QuickReport

Accrual Basis

As of August 31, 2020

Type	Date	Num	Name	Memo	Amount
Bill Pmt -Check	08/21/2020	60487	Shelter Cove Resort Improvement District	SC	-525.78
Bill Pmt -Check	08/21/2020	60488	Staples Credit Plan	6035 5178 1247 5530	-203.37
Bill Pmt -Check	08/21/2020	60489	US Postal Service	PO Box 1030 Renewal	-364.00
Bill Pmt -Check	08/21/2020	60490	Valley Pacific Petroleum Services, Inc	114137	-972.72
Bill Pmt -Check	08/21/2020	60491	Verizon Wireless		-361.20
Bill Pmt -Check	08/21/2020	60492	Econotech Services Ltd.	200706	-1,710.18
Check	08/21/2020	60493	Retzlaff, John	Tenant Refund	-40.00
Total 10200.1 - Cash in BBVA, Checking					-236,224.31
TOTAL					-236,224.31

COMMISSIONERS

1st Division

Larry Doss

2nd Division

Greg Dale

3rd Division

Stephen Kullmann

4th Division

Richard Marks

5th Division

Patrick Higgins

Humboldt Bay
Harbor, Recreation and Conservation District
(707)443-0801
P.O. Box 1030
Eureka, California 95502-1030



STAFF REPORT
HARBOR DISTRICT MEETING
October 8, 2020

TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: October 1, 2020

TITLE: Consider Adopting Resolution 2020-13: A Resolution Declaring Various Items as Surplus Property and for the Sale of Surplus Personal Property Belonging to the Humboldt Bay Harbor, Recreation, and Conservation District

STAFF RECOMMENDATION: Staff recommends that the Board: Adopt Resolution 2020-13.

SUMMARY: Through the acquisition of the former Samoa pulp mill, the District acquired a variety of specialty tools, equipment and vehicles. While a prior sale was conducted in 2017, the remnants of what did not sell remains, along some other equipment which is no longer of use to the District.

DISCUSSION: District Staff have been clearing the warehouse and back storage yard in preparation for our tenant Nordic Aquafarms proposed 600,000 square foot development and new tenants in the warehouse. A list of surplus property is included as Exhibit A to Resolution 2020-13. Once the Board approves Resolution 2020-13, Staff will notice the sale by sealed bid of the excess property. If the items are not sold at auction, Staff will review all offers on a first come first serve basis. If items are not sold at either the auction or on a first come first served basis, the items will be recycled and properly disposed.

Attachments

A. Resolution 2020-13

**HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT**

RESOLUTION 2020-13

**A RESOLUTION DECLARING VARIOUS ITEMS AS SURPLUS PROPERTY AND FOR THE SALE OF
SURPLUS PERSONAL PROPERTY BELONGING TO THE HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT**

WHEREAS, the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, is empowered by the provisions of Section 28 of Appendix II of the California Harbors and Navigation Code to take by grant, purchase, gift, devise, lease or otherwise acquire, hold and enjoy and lease and dispose of real personal property of every kind, within the district, necessary to the full or convenient exercise of its powers; and

WHEREAS, in order to dispose of these surplus items, the District must declare these items as surplus property prior to conducting a surplus property sale; and

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

The items listed in Exhibit A are hereby declared surplus property and are for sale.

BE IT FURTHER REOLVED, the Executive Director is directed to prepare and post a notice for sealed bids for the Surplus Property at the offices of the HARBOR DISTRICT and the Humboldt County Courthouse, 825 Fifth Street, Eureka, California for at least five (5) days before the date set for the sale of said items and place an advertisement for the sale of said items one (1) time in the Times-Standard newspaper and sell said items to the highest bidder. All items remaining unsold after the auction will be recycled and or disposed of.

PASSED, APPROVED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 8th Day of October 2020 by the following polled vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

**Stephen Kullmann, President
Board of Commissioners**

**Patrick Higgins, Secretary
Board of Commissioners**

CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. **2020-13** entitled,

A RESOLUTION DECLARING VARIOUS ITEMS AS SURPLUS PROPERTY AND FOR THE SALE OF SURPLUS PERSONAL PROPERTY BELONGING TO THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT

as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the **8th day of October 2020**; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this **8th day of October 2020**.

Patrick Higgins, Secretary
Board of Commissioners

**EXHIBIT A TO RESOLUTION 2020-13
DECLARING THE FOLLOWING ITEMS AS SURPLUS PROPERTY**

Item #	Item	Your Bid in Whole Dollars
1	1985 Ford F-250 2WD - 145,828 mi.	_____
2	1990 Chevrolet K2500 - 159,127mi.	_____
3	1990 Ford Heavy Duty Rear Bin Refuse Truck - 105,119 mi.	_____
4	1990 Chevrolet S10 - mileage unknown	_____
5	1993 GMC K3500 Fire Truck - 121,505 mi.	_____
6	Milling Cyclone - Dust Collector	_____
7	Despatch 5 Parts Oven -500 degree	_____
8	LAMB 3 Bank Electrical Cabinet 9'W X 7'L X 1'D	_____
9	Miscellaneous Scaffold Frames and Planks	_____
10	Ching Feng #43210 Round Rod Milling Machine	_____
11	Milling Stake Pointer - no brand	_____
12	Sand Blasting Trailer & Equipment	_____
13	Utility Trail 24L X 6W - 3 Axle	_____
14	Cement Mixer - 110V Electric	_____
15	Trailer 4' X 6'	_____
16	Lincoln Air Compressor	_____
17	Lincoln Arc Welder AC/DC 225/125	_____
18	Mi-T-M 3000psi Pressure Washer	_____
19	12 GVW Trailer 16' Trailer	_____
20	(Toyota Pickup)	_____

By signing below, I certify that I have received, read and agree to the Bidders Information Statement.

SIGN: _____

PRINTED NAME: _____

FULL ADDRESS: _____

PHONE #: _____

COMMISSIONERS

1st Division

Larry Doss

2nd Division

Greg Dale

3rd Division

Stephen Kullmann

4th Division

Richard Marks

5th Division

Patrick Higgins

Humboldt Bay
Harbor, Recreation and Conservation District
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P.O. Box 1030
Eureka, California 95502-1030



STAFF REPORT
HARBOR DISTRICT MEETING
October 8, 2020

TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: October 1, 2020

TITLE: Consider Adopting Resolution 2020-14: A Resolution Authorizing the Submittal of an Application for US Environmental Protection Agency Brownfield Grant Funding

STAFF RECOMMENDATION: Staff recommends that the Board: Adopt Resolution 2020-14

SUMMARY: The Harbor District was awarded \$65,000 of Headwaters grant funds to prepare the District’s Samoa Peninsula properties for the re-construction of the existing multipurpose dock, with offshore wind energy as the anchor tenant. Wetland, eel grass and other studies have already been completed and it is determined that Phase I and Phase II Environmental Site Assessments are required.

DISCUSSION: The Harbor District has utilized the US EPA Brownfield program to successfully redevelop the former pulp mill and RMT I Roundhouse properties. The existing 7-acre wooden dock is significantly past its useful life and needs to be completely reconstructed in order to modernize the port to prepare for modern maritime industries. Several Federal, State, and private industry studies have identified Humboldt Bay and the RMT I and RMT II terminals specifically as the preferred west coast port to develop offshore wind economic cluster. Humboldt Bay is ideally positioned as the closest offshore wind turbine assembly facility and deployment port to the proposed Bureau of Ocean Energy Management (BOEM) north coast lease areas.

Attachments

- A. Resolution 2020-14

**HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT**

RESOLUTION 2020-14

**A RESOLUTION AUTHORIZING THE SUBMITAL OF AN APPLICATION FOR US ENVIRONMENTAL
PROTECTION AGENCY BROWNFIELD GRANT FUNDING**

WHEREAS, the Harbor District owns waterfront industrial property on the Samoa Peninsula that has received a significant interest from private, federal, and state agencies to be developed as the West Coast hub of offshore wind industry, and

WHEREAS, in addition to the Harbor District's property, the adjacent property owners have expressed interested in participating in the pre-permitting of their properties along with the Harbor District, and

WHEREAS, the Harbor District has received Headwaters Grant Funding to assist with obtaining wetland, eel grass, and other technical studies associated with the proposed port infrastructure associated with the offshore wind industry, and

WHEREAS, the US Environmental Protection Agency has funds available in the Brownfield Program to do Phase I and Phase II environmental site assessments, and

WHEREAS, the Phase I and Phase II studies are required to prepare and clear the CEQA, permitting, and other development barriers.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION, AND CONSERVATION DISTRICT DOES HEREBY RESOLVE AS FOLLOWS:

The Executive Director is authorized to submit a US Environmental Protection Agency Brownfield grant application; sign the grant agreement when awarded, and execute all other documents associated with this application.

PASSED, APPROVED AND ADOPTED by the Humboldt Bay Harbor, Recreation and Conservation District Board of Commissioners at a duly called meeting held on the 8th Day of October 2020 by the following polled vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

**Stephen Kullmann, President
Board of Commissioners**

**Patrick Higgins, Secretary
Board of Commissioners**

CERTIFICATE OF SECRETARY

The undersigned, duly qualified and acting Secretary of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, does hereby certify that the attached Resolution is a true and correct copy of RESOLUTION NO. **2020-14** entitled,

A RESOLUTION AUTHORIZING THE SUBMITAL OF AN APPLICATION FOR US ENVIRONMENTAL PROTECTION AGENCY BROWNFIELD GRANT FUNDING

as regularly adopted at a legally convened meeting of the Board of Commissioners of the HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT, duly held on the **8th day of October 2020**; and further, that such Resolution has been fully recorded in the Journal of Proceedings in my office, and is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand this **8th day of October 2020**.

**Patrick Higgins, Secretary
Board of Commissioners**

COMMISSIONERS
1st Division
Larry Doss
2nd Division
Greg Dale
3rd Division
Stephen Kullmann
4th Division
Richard Marks
5th Division
Patrick Higgins

Humboldt Bay
Harbor, Recreation and Conservation District
(707)443-0801
P.O. Box 1030
Eureka, California 95502-1030



STAFF REPORT
HARBOR DISTRICT MEETING
October 8, 2020

TO: Honorable Board President and Harbor District Board Members

FROM: Larry Oetker, Executive Director

DATE: September 25, 2020

TITLE: Amendment No. 3 to Ordinance 8, An Ordinance of the Board of Commissioners Amending the Conflict of Interest Code of the Humboldt Bay Harbor, Recreation and Conservation District

STAFF RECOMMENDATION: Staff recommends that the Board: Adopt Amendment No. 3 to Ordinance 8 and consent to read by title only.

SUMMARY: The Political Reform Act requires local government agencies to review their conflict-of-interest code every two years to determine if revisions are necessary. After review by District Counsel, it was determined that an amendment was necessary.

DISCUSSION: There are three required components for a conflict of interest code: Incorporation (Terms of the Code), List of Designated Positions, and Disclosure Categories. The Regulation cited Amendment No. 2 to Ordinance 8 was no longer correct and the list of designated positions required an update.

ATTACHMENTS:

- A. Amendment No. 3 to Ordinance 8
- B. 2020 Biennial Notice for Conflict-of-Interest Code from the County of Humboldt
- C. Ordinance 8 (including Amendments 1 and 2)

**HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT**

AMENDMENT NO. 3 TO ORDINANCE 8

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS AMENDING THE
CONFLICT OF INTEREST CODE OF THE HUMBOLDT BAY HARBOR,
RECREATION, AND CONSERVATION DISTRICT**

RECITALS

WHEREAS, the Board of Commissioners of the Humboldt Bay Harbor, Recreation, and Conservation District (“District”) passed and adopted District Ordinance No. 8, which established the District’s Conflict of Interest Code in compliance with the Political Reform Act of 1974;

WHEREAS, over time, the Board of Commissioners has amended Ordinance No. 8 by further ordinance; and

WHEREAS, The Fair Political Practices Commission has adopted a regulation (2 California Code of Regulations, Section 18730) containing terms of a standard conflict of interest code that may be incorporated by reference into an agency’s conflict of interest code; and

WHEREAS, the Board of Commissioners, by way of this Ordinance, desires to further amend Ordinance No. 8 to incorporate by reference the model ordinance contained in California Code of Regulations, Section 18730.

NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT DO ORDAIN AS FOLLOWS:

Section 1. Sections 1 through 13, inclusive, of Ordinance No. 8, as amended by Amendment No. 2 to Ordinance No. 8, passed and adopted on October 26, 1995, are deleted in their entirety and replaced with the text set forth in **Exhibit A** hereto and incorporated herein. On and after the Effective Date, **Exhibit A** hereto shall be the Conflict of Interest Code of the District.

Section 2. Publication. The Clerk of the Board shall publish, within 15 days from the passage, at least once in a daily newspaper of general circulation that is printed and published within the District. The publication must also include the names of the members voting for and against.

Section 3. Effective Date. This Ordinance shall be effective upon expiration of 30 days from its publication.

**HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT**

**PASSED AND ADOPTED THIS ____ DAY OF OCTOBER, 2020 BY THE BOARD OF
COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND
CONSERVATION DISTRICT BY THE FOLLOWING POLLED VOTE:**

AYES:

NOES:

ABSENT:

STEPHEN KULLMANN, PRESIDENT
Board of Commissioners

ATTEST:

PATRICK HIGGINS, SECRETARY
Board of Commissioners

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

Exhibit A

CONFLICT OF INTEREST CODE OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

Section 1. Introduction.

In compliance with the Political Reform Act of 1974 ("Act"), California Government Code Section 81000, et seq., and specifically with Section 87300 et seq., the Humboldt Bay Harbor, Recreation, and Conservation District ("District") hereby adopts this Conflict of Interest Code, which shall be applicable to all designated employees of the District. The Fair Political Practices Commission has adopted a regulation, California Code of Regulations, Title 2, Section 18730, which contains the terms of a standard conflict of interest code ("Model Code") for local agencies to adopt. The Model Code may be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to the amendments to the Political Reform Act.

Section 2. Incorporation of the Model Code as the District's Conflict of Interest Code.

The Model Code set forth in Section 18730 of Title 2 of the California Code of Regulations, and any amendments to it duly adopted by the Fair Political Practices Commission, are hereby incorporated by reference and, along with the attached **Appendix A** and **Appendix B**, constitute the conflict of interest code of the Humboldt Bay Harbor, Recreation, and Conservation District. The requirements of this Code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

Section 3. Designated Employees; and Disclosure Categories.

The persons holding positions listed in **Appendix A** are designated positions. It has been determined that these directors, officers and employees make or participate in the making of decisions which may have a foreseeable material effect on financial interests. Each designated position is assigned one or more of the disclosure categories as set forth in **Appendix B**. It has been determined that the financial interests set forth in a designated position's disclosure category are the types of financial interests which the individual foreseeably can affect materially through the conduct of his or her office. Each person holding a designated position shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

Section 4. Statements of Economic Interests; Place of Filing.

All designated positions required to submit a statement of economic interests shall file the original with the President, Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, who shall be the filing officer for all designated employees other than the members of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District.

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

Upon receipt of the statement of economic interests of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, the agency shall make and retain a copy and forward the originals of these statements to the Humboldt County, California, Board of Supervisors, who shall be the filing officer, within five days of the filing deadline or five days of receipt in the case of statements filed late.

Section 6. Statements of Economic interests.: Time of Filing.

(A) Initial Statements.

All persons holding a designated position on the effective date of this Code, as originally adopted, promulgated and approved by the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, shall file statements within 30 days after the effective date of this Code. Thereafter, each person already in a position when it is designated by an amendment to this Code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements.

All persons assuming designated positions after the effective date of this Code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements.

All persons holding a designated position shall file statements no later than April 1.

(D) Leaving Office Statements.

All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 12. Assistance of the Commission and Counsel.

Any person holding a designated position who is unsure of his or her duties under this Code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for the District, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

Section 13. Violations.

This Code has the force and effect of law. Designated employees, officers or directors violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in

**HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT**

relation to which a violation of the disqualification provisions of this Code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

**HUMBOLDT BAY HARBOR, RECREATION
AND CONSERVATION DISTRICT**

APPENDIX A

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board of Commissioners, Humboldt Bay Harbor Recreation, and Conservation District	1, 2, 3, 4
Executive Director	1, 2, 3, 4
Deputy Director	1, 2, 3, 4
Director of Facilities Maintenance	1, 2, 3, 4
Director of Administrative Services	1, 2, 3, 4
District Counsel	1, 2, 3, 4
District Treasurer	1, 2, 3, 4
District Engineer	1, 2, 3, 4
District Planner	1, 2, 3, 4

Consultants*

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT

Appendix B

General Provisions

When a designated employee, officer or director is required to disclose investments, sources of income and business positions, he or she need only disclose investments and positions in business entities and sources of income (other than gifts) which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it own real property within the jurisdiction. Gifts must be disclosed without regard to the location of the donor. When a designated employee, officer or director is required to disclose interests in real property, he or she need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the District.

Designated employees, officers or directors shall disclose their financial interests pursuant to the appropriate disclosure categories indicated in **Appendix A**.

Disclosure Categories

- Category 1: Reportable business entity income
- Category 2: Reportable business positions
- Category 3: Interests in real property located within two miles of any land owned or used by the Humboldt Bay Harbor, Recreation, and Conservation District.
- Category 4: Reportable personal income



COUNTY OF HUMBOLDT
Office of Elections & Voter Registration

2426 6th Street
Eureka, CA 95501-0788
707-445-7481
Fax 707-445-7204

RECEIVED
JUN 30 2020
H.B.H.R. & C.D.

TO: Humboldt Bay Harbor, Recreation and Conservation District
PO Box 1030
Eureka, CA 95502

FROM: Lucinda Jackson, Administrative Analyst 

DATE: June 26, 2020

SUBJECT: 2020 Biennial Notice for Conflict-of-Interest Code

RESPONSE DEADLINE: SEPTEMBER 4, 2020

The Political Reform Act requires local government agencies to review their conflict-of-interest code every two years and determine if revisions to the code are necessary. Any necessary revisions must be reviewed and approved by the Humboldt County Board of Supervisors. The Office of Elections assists in this process by receiving districts' materials and presenting proposed revisions to Board of Supervisors for approval. **Districts must complete and forward a completed 2020 Local Agency Biennial Notice form to the Office of Elections no later than September 4, 2020.** Please feel free to contact the Humboldt County Office of Elections at 707-445-7481 with questions.

Required Components for Conflict-of-Interest Code

A local government agency's Conflict-of-Interest Code must contain three components: (1) terms of the code; (2) designated positions, and (3) disclosure categories. Each component is briefly defined below. Additional information about required components can be found at the Fair Political Practices Commission (FPPC) website: <http://www.fppc.ca.gov/>.

- 1. Incorporation (Terms of the Code):** Terms of the Code include provisions that govern local government agencies' decisions, such as how financial interests are reported and where financial statements are held. The FPPC recommends that agencies incorporate FPPC Regulation 18730 by reference because these terms can be quite complex and Regulation 18730 contains all of these provisions. Regulation 18730 can be found on the FPPC's website at <http://www.fppc.ca.gov/>.
- 2. List of Designated Positions:** A Conflict-of-Interest Code must list all positions that participate in the decision-making process where financial interests may exist, such as voting, negotiating contracts, or making recommendations on district-related matters. ✓
- 3. Disclosure categories:** Disclosure categories describe different types of financial interests based on job descriptions. Higher-level district positions that have a broader range of job duties will have increased disclosure requirements than district positions with limited job duties. ✓

When Conflict-of-Interest Code Revisions are Necessary

- Step 1:** District board reviews its Conflict-of-Interest Code and determines revisions **are** necessary because of changes in state law or district circumstances (see **Attachment 1: Should You Amend Your Agency's Conflict of Interest Code?**).
- Step 2:** District board drafts proposed revisions to its Conflict-of-Interest Code (see **Attachment 2: Conflict-of-Interest Code Changes**). Contact the Office of Elections for additional information about how the changes should be presented for review.
- Step 3:** District board completes biennial notice form (see **Attachment 3: 2020 Local Agency Biennial Notice**).
- Step 4:** District board returns biennial notice form and proposed code revisions to the Office of Elections.

NOTE: Revisions to a district's Conflict-of-Interest Code do not go into effect until they have been approved by the Humboldt County Board of Supervisors.

When Conflict-of-Interest Code Revisions are NOT Necessary

- Step 1:** District board reviews its Conflict-of-Interest Code and determines no changes are necessary (see **Attachment 1: Should You Amend Your Agency's Conflict of Interest Code?**).
- Step 2:** District board completes biennial notice form (see **Attachment 3: 2020 Local Agency Biennial Notice**).
- Step 3:** District board returns biennial notice form to the Office of Elections.

Attachments

Attachment 1: Should You Amend Your Agency's Conflict of Interest Code?

Attachment 2: Conflict-of-Interest Code Changes

Attachment 3: 2020 Local Agency Biennial Notice



CALIFORNIA Fair Political Practices Commission

Should you Amend Your Agency's Conflict of Interest Code?

A local agency's conflict of interest code must reflect the current structure of the organization and properly identify officials and employees who should be filing Statements of Economic Interests ([Form 700](#)). A code tells public officials, governmental employees, and consultants what financial interests must disclose on the Form 700. It helps provide transparency in local government as required under the Political Reform Act.

Biennial Review of Conflict of Interest Codes

To ensure conflict of interest codes remain current and accurate, each local agency is required to review its code at least every even-numbered year. The agency should receive a Biennial Notice as a reminder of this obligation from its code reviewing body.

The County Board of Supervisors is the code reviewing body for county agencies and the code reviewing body for city agencies is the City Council.

When determining whether to amend, an agency should carefully review its current conflict of interest code and consider the following:

- Is the current code more than five years old?
- Have there been any substantial changes to the agency's organizational structure since the current code was adopted?
- Have any positions been eliminated or renamed since the current code was adopted?
- Have any new positions been added since the current code was adopted?
- Have there been any substantial changes in duties or responsibilities for any positions since the current code was adopted?

The resources on the FPPC website provide guidance to local agencies about amending codes. The information is categorized based on the jurisdiction of the agency. If you answered yes to any of the above questions, your agency's conflict of interest code will likely need to be amended. Each category must complete the enclosed Biennial Notice and return it to their reviewing body. The code reviewing body will provide further instructions on the code amendment and approval process.

Statutory Authority

Government Code Sections 87302, 87302.6, 87303, 87306, 87306.5, 87307, 87309, 87310, 87311, and 87314.

CONFLICT-OF-INTEREST CODE CHANGES

MATERIALS NEEDED FROM AGENCY MAKING A CHANGE

- Send the Elections Office the entire code showing amendments in strikeout (of old text) and underscore (of new text) format
- In a transmittal letter, discuss areas of change and manner of resolution. Please include
 - Written explanation of all changes
 - Duty statements of newly-designated positions
 - Organization chart of agency
 - Declaration of agency CEO or Board President
 - Minutes of a recent meeting (to show who is involved in decisions)
 - A list of all boards and commissions within the agency, if applicable

STRIKEOUT/UNDERScore AND WRITTEN EXPLANATION EXAMPLE

A.	Outreach Services Community Services	
	1. Community Services Director	2
	2. <u>Community Services Manager</u>	3
	2. Community Services Assistant Manager	3
	3. Cultural Services Manager	4
	4. Senior Recreation Supervisor	4

Comments:
 Outreach Services become Community Services.
 The Community Services Assistant Manager was reclassified to
 Community Services Manager.

2020 Local Agency Biennial Notice

Name of Agency: Humboldt Bay Harbor, Recreation, and Conservation District
Mailing Address: 601 Startare Drive Eureka, California 95501-0765
Contact Person: Mindy Hiley Phone No. 707.443.0801
Email: mhiley@humboldtby.org Alternate Email: N/A

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

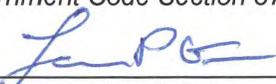
- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) Amend Conflict of Interest Code provisions

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.



Signature of Chief Executive Officer

9/3/20

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2020**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

**HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT**

...

AMENDMENT NO. 2 TO ORDINANCE NO. 8

**AMENDMENT TO ORDINANCE ESTABLISHING A CONFLICT
OF INTEREST CODE FOR THE HUMBOLDT BAY HARBOR,
RECREATION AND CONSERVATION DISTRICT, A PUBLIC ENTITY.**

THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT DOES HEREBY AMEND ORDINANCE NO. 8 TO READ
AS FOLLOWS:

Section 1. Introduction.

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300 et seq., the Humboldt Bay Harbor, Recreation, and Conservation District hereby amends this Conflict of Interest Code which shall be applicable to all designated employees of the agency. The requirements of this Code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

Section 2. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (2 Cal. Code of Regs. Sections 18100, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

Section 3. Designated Employees.

The persons holding positions listed in Appendix A are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

Section 4. Disclosure Categories.

This Code does not establish any disclosure obligation for those designated employees who are also specified in Government Code Section 87200 if they are

designated in this Code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their financial interests pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

B) The disclosure assigned in the code of the other agency is the same as that required under Article 2 of Chapter 7 of the Political Reform Act, Government Code Section 87200; and

C) The filing officer is the same for both agencies.

Such persons are covered by this Code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in Appendix B specify which kinds of financial interest are reportable. Such a designated employee shall disclose in his or her statement of economic interests those financial interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in Appendix A. It has been determined that the financial interests set forth in a designated employee's disclosure categories are the kinds of financial interests which he or she foreseeably can affect materially through the conduct of his or her office.

Section 5. Statements of Economic Interests: Place of Filing.

All designated employees required to submit a statement of economic interests shall file the original with the President, Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, who shall be the filing officer for all designated employees other than the members of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District.

Upon receipt of the statement of economic interests of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, the agency shall make and retain a copy and forward the originals of these statements to the Humboldt County, California, Board of Supervisors, who shall be the filing officer, within five days of the filing deadline or five days of receipt in the case of statements filed late.

Section 6. Statements of Economic Interests: Time of Filing.

(A) Initial Statements.

All designated employees employed by the agency on the effective date of this Code, as originally adopted, promulgated and approved by the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, shall file statements within 30 days after the effective date of this Code. Thereafter, each person already in a position when it is designated by an amendment to this Code shall file an initial statement within 30 days after the effective date of the amendment:

(B) Assuming Office Statements.

All persons assuming designated positions after the effective date of this Code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements.

All designated employees shall file statements no later than April 1.

(D) Leaving Office Statements.

All persons who leave designated positions shall file statements within 30 days after leaving office.

Section 6.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

(1) File a written resignation with the appointing power; and

(2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

Section 7. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the Code and income received during the 12 months prior to the effective date of the Code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements.

Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office whichever is later.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 8. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the Humboldt Bay Harbor, Recreation, and Conservation District, and shall contain the following information:

(A) Investments and Real Property Disclosure.

When an investment or an interest in real property is required to be reported, the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;

3. The address or other precise location of the real property;

4. A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

(B) Personal Income Disclosure.

When personal income is required to be reported, the statement shall contain:

1. The name and address of each source of income aggregating two hundred fifty dollars (\$250) or more in value or fifty dollars (\$50) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);

3. A description of the consideration, if any, for which the income was received;

4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;

5. In the case of a loan, the annual interest rate and the security, if any, given for the loan.

(C) Business Entity Income Disclosure.

When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;

2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(D) Business Position Disclosure.

When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period.

In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 9. Prohibition on Receipt of Honoraria.

(A) No member of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, or designated employee shall accept any honorarium.

Subdivisions (b), (c), and (e) of Government Code Section 89502 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Government Code Section 89506.

Section 9.1. Prohibition on Receipt of Gifts of \$280 or More.

(A) No member of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, or designated employee shall accept any gifts with a total value of more than two hundred eighty dollars (\$280) in a calendar year from any single source.

Subdivision (d) of Government Code Section 89504 shall apply to this section.

Section 10. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth one thousand dollars (\$1,000) or more;

(B) Any real property in which the designated employee has a direct or indirect investment worth one thousand dollars (\$1,000) or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating two hundred fifty dollars (\$250) or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating two hundred and eighty dollars (\$280) or more in value provided to; received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

Section 10.3 Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

Section 11. Manner of Disqualification.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act must be accompanied by disclosure of the disqualifying interest. In the case of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, this determination and disclosure shall be made part of the agency's official record; in the case of a designated employee who is the President of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, this determination and disclosure shall be made in writing to his or her appointing authority; and in the case of other designated employees, this determination and disclosure shall be made in writing to the designated employee's supervisor.

Section 12. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this Code may request assistance from the Fair Political Practices Commission pursuant to Government Code Section 83114 or from the attorney for the Humboldt Bay Harbor, Recreation, and Conservation District, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

Section 13. Violations.

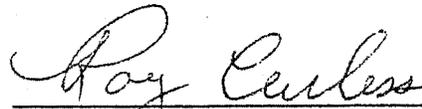
This Code has the force and effect of law. Designated employees violating any provision of this Code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Government Code Sections 81000 - 91014. In addition, a decision in relation to which a violation of the disqualification provisions of this Code or of Government Code Section 87100 or 87450 has occurred may be set aside as void pursuant to Government Code Section 91003.

Passed and adopted this 26th day of October, 1995, by the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District by the following poll votes:

AYES: COMMISSIONER DAVENPORT, COMMISSIONER CURLESS, COMMISSIONER FREDERICK, COMMISSIONER HUNTER, COMMISSIONER OLLIVIER

NAYES:

ABSENT:



ROY CURLESS, President
BOARD OF COMMISSIONERS,
HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT

ATTEST:



John Frederick, Secretary
Board of Commissioners

APPENDIX A

<u>Designated Positions</u>	<u>Disclosure Category</u>
Members of the Board of Commissioners, Humboldt Bay Harbor Recreation, and Conservation District	1, 2, 3, 4, 5, 6
Chief Executive Officer	1, 2, 3, 4, 5, 6
Attorney	1, 2, 3, 4, 5, 6
Treasurer	1, 2, 3, 4, 5, 6
Chief Engineer	1, 2, 3, 4, 5, 6
Planner	1, 2, 3, 4, 5, 6
Consultants*	

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

APPENDIX B

General Provisions

When a designated employee is required to disclose investments and sources of income, he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

Disclosure Categories

- Category 1: All investments and sources of income as required in Section 8(a), 8(b), and 8(c) above.
- Category 2: All interests in real property as required in Section 8(a) above.
- Category 3: All investments, interests in real property and sources of income subject to the regulatory, permit or licensing authority of the department.
- Category 4: Investments in business entities and sources of income which engage in land development, construction or the acquisition or sale of real property.
- Category 5: Interests in real property located within two miles of any land owned or used by the Humboldt Bay Harbor, Recreation, and Conservation District.
- Category 6: Investments in business entities and sources of income of the type which, within the past two years, have contracted with the Humboldt Bay Harbor, Recreation, and Conservation District to provide services, supplies, materials, machinery or equipment.
- Category 7: Consultant*

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT

. . .

AMENDMENT NO. 1 TO ORDINANCE NO. 8

AMENDMENT TO ORDINANCE ESTABLISHING A CONFLICT
OF INTEREST CODE FOR THE HUMBOLDT BAY HARBOR,
RECREATION AND CONSERVATION DISTRICT, A PUBLIC ENTITY.

THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT DOES HEREBY AMEND SECTION 2. DEFINITION
OF TERMS OF ORDINANCE NO. 8 TO READ AS FOLLOWS:

The definitions contained in the Political Reform Act of 1974, the
regulations of the Fair Political Practices Commission (Title 2,
California Code of Regulations, Sections 18100 et seq.), Hays v.
Wood, 25 Cal. 3d 772, and any amendments to the Act or regulations,
are incorporated by reference into this Conflict of Interest Code.

THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT DOES HEREBY ADD TO APPENDIX A THE
FOLLOWING:

Designated Positions

Disclosure Categories

Consultants*

* Consultants shall be included in the list of
designated employees and shall disclose pursuant
to the broadest category in the code subject to
the following limitation:

The Chief Executive Officer may determine in
writing that a particular consultant, although a
"designated position," is hired to perform a range
of duties that is limited in scope and thus is not
required to fully comply with the disclosure re-
quirements described in this section. Such written
determination shall include a description of the
consultant's duties and, based upon that descrip-
tion, a statement of the extent of disclosure re-
quirements. The Chief Executive Officer's deter-
mination is a public record and shall be retained
for public inspection in the same manner and loca-
tion as this conflict of interest code."

LASTLY, THE BOARD OF COMMISSIONERS ADDS TO APPENDIX B THE FOLLOWING WORDING:

Disclosure Categories

Category 7: Consultant*

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Chief Executive Officer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code."

PASSED AND ADOPTED THIS 22ND DAY OF SEPTEMBER, 1994, BY THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION AND CONSERVATION DISTRICT BY THE FOLLOWING POLLED VOTE:

AYES: COMMISSIONER DAVENPORT, COMMISSIONER CURLESS, COMMISSIONER FREDERICK, COMMISSIONER HUNTER, COMMISSIONER OLLIVIER

NOES:

ABSENT:


CHARLES L. OLLIVIER, President
Board of Commissioners

ATTEST:


DENNIS G. HUNTER, Secretary
Board of Commissioners

8
PROPOSED DISTRICT #1
March 25, 1980

ORDINANCE NO. 8

ORDINANCE TO ESTABLISH CONFLICT OF INTEREST CODE
FOR THE HUMBOLDT BAY HARBOR,
RECREATION AND CONSERVATION DISTRICT,
A PUBLIC ENTITY

1122 Fifth Street
P.O. Box 134
Eureka, CA 95501

THE BOARD OF COMMISSIONERS OF THE HUMBOLDT BAY HARBOR, RECREATION,
AND CONSERVATION DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Introduction.

In compliance with the Political Reform Act of 1974, California Government Code Section 81000, et seq., and specifically with Section 87300 et seq. and Hays v. Wood, 25 Cal 3d 772, the Humboldt Bay Harbor, Recreation and Conservation District hereby adopts this Conflict of Interest Code which shall be applicable to all designated employees of the agency. The requirements of this Code are in addition to other requirements of the Act such as the general prohibition against conflicts of interest contained in Government Code Section 87100, and to any other state or local laws pertaining to conflicts of interest.

Section 2. Definition of Terms.

The definitions contained in the Political Reform Act of 1974, the regulations of the Fair Political Practices Commission (2 Cal. Adm. Code Sections 18100 et seq.), Hays v. Wood, 25 Cal. 3d 772, and any amendments to the Act or regulations, are incorporated by reference into this Conflict of Interest Code.

Section 3. Designated Employees.

The persons holding positions listed in Appendix A are designated employees. It has been determined that these officers and employees make or participate in the making of decisions which may foreseeably have a material effect on financial interests.

Section 4. Disclosure Statements.

A designated employee shall be assigned one or more of the disclosure categories set forth in Appendix B. It has been determined that the financial interests set forth in a designated employee's disclosure category are the types of financial interests which he or she foreseeably can affect materially through the conduct of his or her office. Each designated employee shall file statements of economic interests disclosing his or her financial interests as required by the applicable disclosure category.

Section 5. Place of Filing.

All designated employees required to submit a statement of economic interests shall file the original with the President, Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, who shall be the filing officer for all designated employees other than the members of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District.

Upon receipt of the statement of economic interests of the Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, the agency shall make and retain a copy and forward the originals of these statements to the Humboldt County, California, Board of Supervisors, who shall be the filing officer, within five days of the filing deadline or five days of receipt in the case of statements filed late.

Section 6. Time of Filing.

(a) Initial Statements. All designated employees employed by the agency on the effective date of this Code shall file statements within thirty days after the effective date of this Code.

(b) Assuming Office Statements.

(1) All persons assuming designated positions after the effective date of this Code which are civil service/merit system positions, shall file statements within thirty days after assuming the designated positions.

(2) All other persons appointed, promoted or transferred to designated positions after the effective date of the Code, shall file statements within ten days after assuming office, or if subject to confirmation, ten days after being nominated or appointed.

(c) Annual Statements. All designated employees shall file statements no later than February 15.

(d) Leaving Office Statements. All persons who leave designated positions shall file statements within thirty days after leaving office.

Section 7. Contents of Statements.

(a) Contents of Initial Statements. Initial statements shall disclose any reportable investments and interests in real property held on the effective date of the Code.

(b) Assuming Office Statements. Assuming office statements shall disclose any reportable investments and interests in real property held on the date of assuming office.

(c) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, and income held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the Code or the date of assuming office whichever is later.

(d) Contents of Leaving Office Statements. Leaving office statements shall disclose reportable investments, interests in real property, and income held or received during the period between the closing date of the last statement filed and the date of leaving office.

Section 8. Manner of Reporting.

Disclosure statements shall be made on forms supplied by the Humboldt Bay Harbor, Recreation, and Conservation District, and shall contain the following information:

(a) Contents of Investment and Real Property Reports.

When an investment or interest in real property is required to be reported, the statement shall contain the following:

(1) A statement of the nature of the investment or interest;

(2) The name of the business entity in which each investment is held, and a general description of the business activity in which the business activity is engaged;

(3) The address or other precise location of the real property;

(4) A statement whether the fair market value of the investment or interest in real property exceeds one thousand dollars (\$1,000), exceeds ten thousand dollars (\$10,000), or exceeds one hundred thousand dollars (\$100,000).

(b) Contents of Personal Income Reports.

When personal income is required to be reported, the statement shall contain:

(1) The name and address of each source of income aggregating two hundred and fifty dollars (\$250) or more in value, or twenty-five dollars (\$25) or more in value if the income was a gift, and a general description of the business activity, if any, of each source;

(2) A statement whether the aggregate value of income from each source was one thousand dollars (\$1,000) or less, greater than one thousand dollars (\$1,000), or greater than ten thousand dollars (\$10,000);

(3) A description of the consideration, if any, for which the income was received;

(4) In the case of a gift, the name and address of the donor, a description of the gift, the amount or value of the gift, and the date on which the gift was received.

(c) Contents of Business Entity Income Reports.

When income of a business entity, including income of a sole proprietorship, is required to be reported, the statement shall contain:

(1) The name, address, and a general description of the business activity of the business entity;

(2) In the case of a business entity, the name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than ten thousand dollars (\$10,000).

(d) Contents of Management Position Reports.

When management positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any

position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(e) Acquisition or Disposal During Reporting Period.

In the case of an annual or leaving office statement, if an investment or interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

Section 9. Disqualification.

Designated employees must disqualify themselves from making, participating in the making or using their official positions to influence the making of any governmental decision which will foreseeably have a material financial effect, distinguishable from its effect on the public generally, on:

(a) Any business entity in which the designated employee has a direct or indirect investment worth more than one thousand dollars (\$1,000);

(b) Any real property in which the designated employee has a direct or indirect interest worth more than one thousand dollars (\$1,000);

(c) Any source of income, other than loans by a commercial lending institution in the regular course of business, aggregating two hundred fifty dollars (\$250) or more in value received by or promised to the designated employee within twelve months prior to the time when the decision is made; or

(d) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. (The fact that a designated employee's vote is needed to break a tie does not make his or her participation legally required for purposes of this section.)

Section 10. Manner of Disqualification.

A designated employee required to disqualify himself or herself shall notify his or her supervisor in writing. This

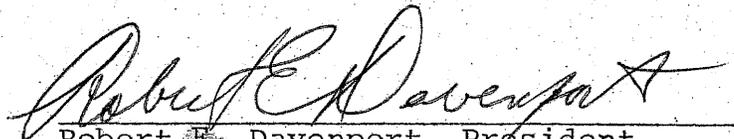
notice shall be forwarded to the President, Board of Commissioners, Humboldt Bay Harbor, Recreation, and Conservation District, who shall record the employee's disqualification. Upon receipt of such statement, the supervisor shall reassign the matter to another employee. In the case of a designated employee who is a board member or commissioner, notice of disqualification shall be given at the meeting during which consideration of the decision takes place and shall be made part of the official record of the board or commission.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS
OF THE HUMBOLDT BAY HARBOR, RECREATION, AND
CONSERVATION DISTRICT ON THE 24th DAY OF APRIL,
1980, BY THE FOLLOWING POLLED VOTE:

AYES: 4

NAYES: 1

ABSENT:



Robert E. Davenport, President,
Board of Commissioners,
Humboldt Bay Harbor, Recreation,
and Conservation District

ATTEST:



Anna L. Sparks, Secretary

APPENDIX A

Designated Positions

Disclosure Category

Members of the Board of Commissioners,
Humboldt Bay Harbor, Recreation, and
Conservation District

1, 2, 3, 4, 5, 6

Chief Executive Officer

1, 2, 3, 4, 5, 6

Attorney

1, 2, 3, 4, 5, 6

Treasurer

1, 2, 3, 4, 5, 6

Chief Engineer

1, 2, 3, 4, 5, 6

Planner

1, 2, 3, 4, 5, 6

APPENDIX B

General Provisions

When a designated employee is required to disclose investments and sources of income, he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property within the jurisdiction. When a designated employee is required to disclose interests in real property, he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

Disclosure Categories

- Category 1: All investments and sources of income as required in Section 8(a), 8(b) and 8(c) above.
- Category 2: All interests in real property as required in Section 8(a) above.
- Category 3: All investments, interests in real property and sources of income subject to the regulatory, permit or licensing authority of the department.
- Category 4: Investments in business entities and sources of income which engage in land development, construction or the acquisition or sale of real property.
- Category 5: Interests in real property located within two miles of any land owned or used by the Humboldt Bay Harbor, Recreation, and Conservation District.
- Category 6: Investments in business entities and sources of income of the type which, within the past two years, have contracted with the Humboldt Bay Harbor, Recreation and Conservation District to provide services, supplies, materials, machinery or equipment.