

**MINUTES OF THE REGULAR SESSION  
OF THE BOARD OF HARBOR COMMISSIONERS OF THE  
CRESCENT CITY HARBOR DISTRICT**

**May 6, 2008**

**COMMISSIONERS PRESENT:**

Patrick Bailey  
Ron Phillips  
John Yingst  
Garry Young

**COMMISSIONERS ABSENT:**

Ray Martell

**OTHERS PRESENT:**

Richard Young, C.E.O/Harbormaster  
Kenneth Towe, Harbor RV Anchorage  
Don Reynolds, CPA  
Jim Snow, Public  
Barbara Burke, SBDC

Karen Phillips, P.S. Secretarial  
Paul McAndrews, Facilities Mgr.  
Michelle Ma, Triplicate  
Kathy Yingst, Public

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**Call to order prior to closed session at 5:45 p.m.**

President Bailey called the meeting to order at 5:45 p.m. prior to recessing in closed session.

**Public comment prior to closed session.**

No public comments were made prior to the closed session, therefore the Board of Harbor Commissioners immediately convened in closed session.

**Closed session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS. Agency designated representatives:**

**Commissioner Bailey, Commissioner Phillips, CEO Young. Employee  
Organization: Northern California Carpenters Regional Council**

President Bailey adjourned the closed session at 6:23 p.m.

**Call to order for the regularly scheduled meeting.**

President Bailey reconvened the meeting in regular session at 6:30 p.m. and C.E.O. Young announced that no action was taken during the closed session.

**Pledge of allegiance.**

Commissioner Young led the pledge.

**Consent calendar. Possible Board action. (Estimated time: 5 minutes).**

**REMOVAL OF ITEMS FROM THE CONSENT CALENDAR:**

**Public comment: Requests to remove items from Consent Calendar.**

**Motion to approve the following consent Calendar items.**

**Approval of the warrants issued since April 15, 2008.**

**Approval of the minutes of the regular meeting of April 15, 2008.**

President Bailey asked for public comments regarding matters listed on the consent calendar. No public comments were made regarding the consent calendar.

ON A MOTION BY COMMISSIONER YINGST, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTELL ABSENT, THE BOARD OF HARBOR COMMISSIONERS APPROVED AND ADOPTED THE CONSENT CALENDAR, CONSISTING OF ITEMS A I-II, AS PRESENTED.

**Public comment.**

The following public comments were made: Jim Snow asked how long it has been since the flag has been flown over the Harbor. Staff indicated that the gentleman from San Francisco, who was contacted to make the flagpole repairs, has not shown up and staff is pursuing another avenue. Mr. Snow asked to have the flag flown for Memorial Day. Commissioner Yingst recommended that staff get in touch with the City Fire Department to use their ladder truck to get the flagpole repaired or a flag flying. Staff indicated that this was the avenue they were pursuing currently.

**Discussion and consideration of accepting the Fiscal year 2006/2007 audit from Mr. Don Reynolds. Possible Board action.**

Don Reynolds, CPA, presented the FY 2006-07 Financial Statements (ending June 30, 2007). No material findings were found during the audit. The District shows a net profit of \$230,000+ according to Mr. Reynolds. Commissioners discussed the audit with the CPA.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER YINGST, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTELL ABSENT, THE BOARD OF HARBOR COMMISSIONERS APPROVED AND ACCEPTED THE FISCAL YEAR 2006-2007 AUDIT.

**Discussion and consideration of committing funding to the Tri-Agency Economic Development Authority for the 2008/09 budget. Possible Board action.**

C.E.O. Young reported on the Tri-Agency EDA request for funds for economic development, the function of the agency and a recent workshop wherein the a vision and one-year plan were drafted and subsequently adopted by the Tri-Agency EDA on April 30, 2008. Commissioners discussed economic development and the Harbor's role in that area. Staff recommended that the Commission consider committing the requested \$5,000 to Tri-Agency for economic development efforts.

ON A MOTION BY COMMISSIONER YOUNG, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTELL ABSENT, THE BOARD OF HARBOR COMMISSIONERS APPROVED COMMITTING \$5,000 TO TRI-AGENCY FOR ECONOMIC DEVELOPMENT EFFORTS FOR THE 2008-2009 FY

The meeting was recessed at 7:03 p.m. so that staff could check a fuel leak from one of the vessels. The meeting was reconvened in regular session at 7:16 p.m.

**Discussion and consideration of lease terms for BC's Boardwalk. Possible Board action.**

C.E.O. Young reported on the ad hoc committee meeting recommendations: 1) the location cannot be long terms, as the Harbor wishes to locate permanent retail buildings in the propose area; 2) the initial lease should be for two years; 3) base rent \$250.00 per month for the first six months, then \$300.00 per month thereafter, with an annual adjustment for the consumer price index; 4) percentage rent to be 5% gross sales; 5) total rent to be either base rent or percentage rent, whichever is greater; 6) total rent to be reviewed at the time of lease renewal; 7) Mr. Cobb to acquire all necessary permits including health and building department and coastal commission; 8) Mr. Cobb to pay all monthly utility charges and provide all insurance required by the Harbor; 9) Mr. Cobb will install a water line to the existing meter, and will provide his own hookup to the existing sewer line. The Harbor District will provide power to the existing post and meter base, and Mr. Cobb will provide the electrical connection between the meter and his building. All utility work must be to customary professional standards and must be approved by the Harbor in addition to any required County or State approvals; 10) Mr. Cobb will meet negotiated performance standards regarding hours and days of operation; 11) Mr. Cobb will comply with all State, County and Harbor District rules and ordinances, including design guidelines when adopted, and will make his business ADA accessible; and 12) the Harbor will provide adequate parking and access. Mr. Cobb could not be at the meeting tonight due to a family emergency. Staff recommended that the Commission approve the ad hoc committee recommendations, draft lease, and allow staff to negotiate the months and hours of operation.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER YINGST, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTEL ABSENT, THE BOARD OF HARBOR COMMISSIONERS APPROVED THE LEASE TERMS FOR BC'S BOARDWALK, AND AUTHORIZED STAFF TO NEGOTIATE THE MONTHS AND HOURS OF OPERATION.

**Discussion and consideration of entering into a contract for planning services with Planwest, Inc. for revising and finalizing the Harbor Master Plan and for providing additional services in support of economic development in the Harbor. Possible Board action.**

C.E.O. Young reported on the Planwest, Inc. proposal to revise and finalize the Harbor Master Plan and the additional services in support of economic development in the Harbor. Because of the uncertainty regarding the needs and desires of potential developers, the final phase of implementing the Master Plan was not completed at the time the plan was adopted and zoning changes need to be made. Staff feels that now is an opportune time to amend the zoning pursuant to the Master Plan and appraisal to get the best use of the Harbor property for economic development. The final land use planning would be approved as a General Plan Amendment by the County and then submitted to the California Coastal Commission. Staff sees Planwest assisting with the land use planning as well as the RV Park Model project.

ON A MOTION BY COMMISSIONER YOUNG, SECONDED BY COMMISSIONER YINGST, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTELL ABSENT THE BOARD OF HARBOR COMMISSIONERS APPROVED CONTRACTING WITH PLANWEST, INC. TO REVISE AND FINALIZE THE HARBOR'S MASTER PLAN AND AUTHORIZED THE C.E.O. TO SIGN THE AGREEMENT AS PRESENTED.

**Discussion and consideration of sending a letter of thanks to the Del Norte County Information Technology Department for their assistance in designing and installing the Harbor WiFi system. Possible Board action.**

Staff discussed sending a letter of thanks to the County of Del Norte Information Technology Department, and presented copies of the website linkages listing the partnership with the County in providing free WiFi services in the Harbor.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER YOUNG, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTELL ABSENT, THE BOARD OF HARBOR COMMISSIONERS APPROVED SENDING A LETTER OF THANKS TO THE DEL NORTE COUNTY INFORMATION TECHNOLOGY DEPARTMENT FOR THEIR ASSISTANCE IN MAKING WIFI A POSSIBILITY IN THE HARBOR.

**Discussion and consideration of requesting the County of Del Norte to declare an emergency for dredging the Federal Channel. Possible Board action.**

C.E.O. Young reported on the 2x2 ad hoc meeting with the County of Del Norte, wherein discussion was held regarding the County considered a declaration of emergency regarding dredging of the Federal Channel in order to assist the Harbor in resolving some of their dredging issues. The inner and entrance channel have not been dredged since 1999 and the access channel to the inner basin has not been dredged since 2000. At low tide, and in the likely event of an emergency, vessels will not be able to leave the basin or access fuel docks. The Facilities Manager was photographed recently standing in the federal channel knee deep in water at low tide. The Harbor would make a request to the County, then the County would send the request to the State, and the State would move the process forward as appropriate. Discussions will be held with Congressman Thompson's office regarding the issue.

ON A MOTION BY COMMISSIONER YOUNG, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER MARTELL ABSENT, THE BOARD OF HARBOR COMMISSIONERS APPROVED ASKING THE DEL NORTE COUNTY BOARD OF SUPERVISORS TO DECLARE AN EMERGENCY FOR THE DREDGING OF THE FEDERAL CHANNEL.

**Committee reports from other standing and ad hoc committees.**

The following committee reports were given: See the items listed above.

**C.E.O.'s report on current matters and issues planned or in progress.**

C.E.O. Young's report consisted of the following topics: 1) Appraisal – the Harbor property appraisal has been completed (by Brooks Appraisal Service) and copies have been distributed; 2) Hake season – is about to get underway, there are four companies planning to pump Hake in the Harbor this year, Alber Seafoods, Pacific Choice LCZ Unloaders and Caito Fisheries, if fish are available the season should be busy; 3) Vessel Intrepid – the United States Marshal was here today to place a sticker on the vessel announcing its arrest, the District is now the official custodian of the vessel, this is one more step in the legal process of gaining control over the vessel so we can destroy it; and 4) 2008 Recreational Groundfish – the California Fish and Game Department responded to concerns about closed areas intended to reduce the catch of Yelloweye Rockfish. Due to the complete absence of Salmon fishing in the ocean off California this year the department feared there would be excessive economic impacts on local ports if Groundfish closures were implemented. To reduce the catch of Yelloweye Rockfish, they are asking for voluntary cooperation in avoiding areas where Yelloweye are found, and their release using descending devices to take the fish back to the depth where they were caught.

**Board comments.**

The following board members made comments: Commissioner Phillips stated that he is tired of hearing that the Harbor is not doing "anything", when he knows that the Harbor is working very hard on issues and problems. He said the "Sometimes is does not pay to be the nice guy." Commissioner Yingst decided that there will be no more sign committee reports until the blue boat is gone. President Bailey informed Commissioner Yingst that the boat is gone, and the new boat is being painted within the next two weeks. Commissioner Young reported on the target safety test, which is online safety training which will reduce insurance costs. He urged commissioners to make a strong effort to complete the training. Commissioner Phillips noted that the Chamber Mixer went well and that it seemed to be the biggest mixer the Chamber has had in some time. The Tall Masted Ships Festival went well and had 10,000-13,000 people on the tours (dockside and on the water), as well as having the restaurants and hotels in the area full.

**Adjournment.**

There being no further business to come before the Commission, President Bailey adjourned the meeting at 7:55 p.m. until the next regularly scheduled meeting on May 20, 2008 at 6:30 p.m.

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Patrick Bailey, President

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Ray Martell, Secretary

Approved this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008.