

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

January 20, 2009

COMMISSIONERS PRESENT:

Scott Feller
Ray Martell, Secretary
Ron Phillips
James Ramsey
Jack Reese, President

COMMISSIONERS ABSENT:

None

OTHERS PRESENT:

Richard Young, C.E.O./Harbormaster
Don Alber
Kurt Madar, Triplicate
Ging
Bob Ginoccio
LaVonne Sparks
Richard Miles

Karen Phillips, P.S. Secretarial
Kenneth & Rachel Towe, Harbor RV Anchorage
Paul McAndrews, Facilities Manager Linda
Garry Young
Wayne Gavin
William Renfroe

1. 6:30 P.M. Call to order for the regularly scheduled meeting.

President Reese called the meeting to order in regular session at 6:30 p.m.

2. Pledge of allegiance.

Commissioner Reese led the pledge.

3. Public comment.

The following public comments were made: Richard Miles came to the meeting to comment on the proposed response to the federal stimulus package that the

City and the County prepared and sent off. He noted that the package included the dredging of the harbor. He wanted to know what happened to seeking funds for the bike trail. He suggested that the District Commissioners should attend the joint City and County meeting. Richard Miles indicated that he would mow the Harbor District grass if the riding mower was fixed. He wanted to know if the Commissioners has looked around the Harbor and suggested that the community come down and clean up the district property. He asked that the District check the records wherein Mr. Snow stated that he would buy a flag to fly on the flagpole and the district send Mr. Snow a bill for the new flag.

William Renfroe introduced himself as the new Executive Director of the Tri-Agency EDA and stated that "there are a lot of ideas, but there has been no action to get them off the ground", he suggested that we just "just do it." President Reese indicated that he was impressed with Mr. Renfroe; we have enough studies and now we need to get busy identifying the stumbling blocks and move forward.

4. Consent agenda.

Public comment: Requests to remove items from the Consent Agenda may be heard at this time.

- A) Approval of the warrants issued since January 6, 2009. Approval of the minutes of the Regular Meeting of January 6, 2009.**
- B) Approval of the minutes of the Special Meeting of December 30, 2008.**

The following public comments were made regarding removing items from, or items on the consent agenda: Ron Phillips asked about the warrant written to Ward Stover. He stated that he doesn't see any construction going on. Staff indicated that the warrant represents the FEMA work and that the Harbor is in the permitting stage of the project.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE CONSENT AGENDA, CONSISTING OF ITEMS 4.a-b, AS PRESENTED.

5. Consider approving the 6th annual "Cool Northern Nights on the Coast" car show at the inner basin parking lot, August 15, 2009.

C.E.O. Young reported on the 6th Annual "Cool Northern Nights on the Coast" car show. This is the third annual event at the Harbor, there has been no problem with the club, they clean up and do an excellent job.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE COOL NORTHERN NIGHTS ON THE COAST CAR SHOW TO BE HELD AT THE INNER BASIN PARKING LOT ON AUGUST 15, 2009 AS REQUESTED.

6. Appointment of Harbor District standing and ad hoc committees for 2009.

President Reese made the following appointments to committees and ad hoc committees for 2009: See attached list. Richard Miles suggested that there be a Citizens Advisory Board appointed to deal with some of the issues in the Harbor. Commissioner Martell indicated that the Harbor has had the public attend ad hoc committee meetings and participate. Richard Miles feels that the Harbor is important and the Harbor will be taking ideas to other organizations and boards that will need to have the approval of the citizens first. It was noted that the Maintenance and Operations Committee is currently listed under the Harbor Appearance and Repair Committee.

7. Consider Ordinance 35, an Ordinance Fixing the Time and Place of Regular Meetings of the Board of Harbor Commissioners. (Ordinance 35 will not change the day or time of meetings, but will move the place of meetings to the Flynn Center).

President Reese reported on proposed Ordinance 35 of the Harbor District, which would change the place of the Harbor Commission meetings to the Board of Supervisors Chambers at 981 "H" Street. He feels that the Harbor needs to have a more professional appearance, record the meetings and possibly have them televised and provide the opportunity for more people to participate. Commissioner Martell asked if the meeting room was being used during the Harbor Commission. Yes, the President has checked this out and the regular meeting time and dates are available. Rachel Towe indicated that the meetings were supposed to be held within the district boundaries and she did not feel that the meeting place change would fix the problems. Staff indicated that the District boundaries are the whole county. Rachel feels that the Harbor is the actual district and she is opposed to moving the meetings uptown. Linda Ging indicated that she loves the idea of moving the meetings to the Flynn Center and that it would be fabulous. Richard Miles stated that he liked the idea, but he does not think that it will bring more people to the meetings. The meeting acoustics are better and the ability to have power point presentations and audio files would be better. Commissioner Ramsey asked if we had to pay. No was the answer. The second question seems to be that rumors through the rumor mill were that the County would like to take over the Harbor and he wanted to know if moving the meetings to their facilities, if this would assist in that process. Sandy Crockett of Fashion Blacksmith said that they are very much opposed to have the meetings moved to the Flynn Center. Sandy could not be at the meeting tonight and asked that staff convey their feelings. Commissioner Feller asked about the live broadcast of the meetings and playing the meeting on a CD. Ken Towe indicated that the district website needs to be updated. Discussion was held regarding the positive and negative aspects of moving the meetings to the Flynn Center.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED ON A FOUR-FIFTHS POLLED VOTE, WITH COMMISSIONER RAMSEY ABSTAINING, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND WAIVED THE FIRST READING OF ORDINANCE 35, AS PRESENTED.

8. Consider extending the lease of Coast Redwoods Art Association until such time as lease terms are resolved.

President Reese indicated that he wants the ad hoc committee to immediately start the conversation with the Association regarding the lease and getting issues resolved. C.E.O. Young discussed the lease extension previously approved by the Commission with the Coast Redwoods Art Association negotiator. Richard Miles indicated that the gallery has subleased a portion of its rented space to the Redi-Corportion and the Harbor is not receiving any of the rent. He further indicated that his step-mother belongs to an art association in Monterey and she pays a fee to have her art shown at the gallery and pays sales tax to the State of California. He wanted to know if the gallery was on the up and up with the sales tax issue. Commissioner Phillips asked if the rent for the gallery would be the same during the extension period as is being charged currently. According to Mr. Young, counsel indicated that the new lease about negotiated should be the retroactive to the date the lease expired.

ON A MOTION BY COMMISSIONER MARTELL, SECONDED BY COMMISSIONER RAMSEY, AND CARRIED ON A FOUR-FIFTHS POLLED VOTE, WITH COMMISSIONER PHILLIPS ABSTAINING, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED EXTENDING THE LEASE AS IT IS CURRENTLY FOR 60 DAYS TO GIVE TIME FOR THE AD HOC COMMITTEE TO REACH A CONSENSUS WITH THE ASSOCIATION.

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

The following committee reports were made: Commissioner Phillips reported on the Tri-Agency EDA and the appointment of William Renfroe as the new Executive Director. C.E.O. Young reported and passed out the IGRC minutes – the highlights were that virtually all agencies that receive State funds are up in the air due to the State's budget crisis. The City's wastewater treatment plant lab will be moved in the next couple of weeks. The County Administrative Officer Jeannine Galatioto reported that the County is still waiting for their budget from the State and there is a lot of concern regarding funding and that they will be withheld or IOU's issued. The septic system legislation (AB885) that will impact Del Norte County was another hot topic at the meeting. A public meeting is being held at Eureka High School on January 28, 2009. Redwood National and State Parks are dealing with the budget issue as well. They are planning on moving their operations to the Aubell Center this summer. The Visitor's Center would like to move their office and the chamber office to the Lighthouse Museum in the Harbor. The Del Norte Unified School District is worried about the budget and discussed suspending mandates. The 41st District Agricultural Association (fair) discussed their budget issues due to the State's lack of an adopted budget also. The homeless shelter that was temporarily housed at the arts and crafts building of the fairgrounds was a problematic issue and increased the costs to the fair for power, sewer, water, propane and for fixing holes in the walls and broken bathroom fixtures. There was a dramatic increase in police calls, stolen property, violence and other issues due to the residents of the shelter. The Office of Emergency Services held an emergency response exercise last week. Staff indicated that they will be attending the senior officials workshop from 8:00-12:00 on January 28, 2009 at the Veteran's Hall. The Family Resource Center is hosting a public awareness campaign on human trafficking and a campaign against sexual exploitation on January 28, 2009. Commissioner Feller attended a Chamber of Commerce meeting regarding Small Claims court actions. He also noted that there is an ethics class available online (2 hour class) and needs to be taken within one year

by all commissioners. Commissioner Phillips also indicated that there are online classes that will decrease the District's insurance if they are taken.

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

The C.E.O.'s report consisted of the following topics: 1) Travel to Santa Rosa – Commissioner Feller and C.E.O. Young traveled to Santa Rosa to attend the Economic Stimulus Water Quality Infrastructure Workshop, the meeting was productive, attendees were able to meet with Charles Reed of the Water Board regarding the District's permit renewal, seafood processing and the importance of getting this definition correct so we can preserve the seafood processing industry in Crescent City. During the workshop a discussion was held on how the Water Board expects to allocated the stimulus funds they may receive, preference will be given with "shovel ready", which means that they expect to break ground within 60 days of the award of the funding; 2) Providing Warrant List on Friday – the meeting packet material included the warrant list this week; however; the district bookkeeper informed staff that closing the warrant list on the Friday before the meeting may lead to some additional late charges on invoices, due to the fact that many accounts bill the district on the first on the month and the bills are due on the 10th, the process will be monitored; 3) Oil Spill Control Grant - staff received notification that the Harbor has been awarded a grant of up to \$27,300 from the California Department of Fish and Game Office of Spill Prevention and Response (OSPR) to purchase oil spill response equipment; and 4) Bathrooms – staff presented the following comment, "A transient boater used the shower this afternoon and said it was the cleanest shower they have used in a marina." The problem is that the bathrooms sometimes don't stay clean for very long. 5) C.E.O. Young learned that the governor has rolled out an efficiency program which will do away with Boating and Waterways and make it part of Parks and Recreation, there will be an opposition campaign, which is taking shape. The C.E.O. indicated that the District needs to do a letter writing campaign which would include direction for the restructure to go through the Little Hoover Commission; and 6) Paul McAndrews reported on the maintenance – the camels have been replaced on Citizens Dock, they are a tough thing to place and to keep maintained, rebuild a finger on "B" Dock, installed 24 feet of the waive attend and installed some of the dock on this , patched holes on Anchor Way, poured footing for boat on Hwy 101, the forms will need to be built and filled with sand, the sign is framed, the first of the year test for the wastewater treatment, installed electric to the new sewer meter an the treatment plant.

11. Board comments.

The following board members made comments: Commissioner Phillips commented on the previously held discussions, wherein the board talked about placing yurts on the district property. He has ordered information regarding that idea and it will be arriving soon. He also discussed the rent increase that occurred about seven months ago and the fact that there has been no follow through on the ordinance by counsel. Commissioner Phillips asked when the ordinances would be finalized. Mr. Young indicated that the draft ordinances are ready and need to be reviewed once again. Commissioner Phillips also indicated that the District does get mentioned about once a week in the newspaper; however, the Harbor needs to get in the paper more for what is being done in the harbor. Commissioner Feller indicated that it was interesting to note

that the C.E.O. established a relationship with Mr. Reed of the Water Quality Board. Commissioner Feller asked to have the letter from the last meeting sent to the City Council, School Board and Board of Supervisors for their support. Staff will check on the installation of the transformer. Commissioner Ramsey had no comments. Commissioner Reese asked about the crab pots and being stacked out in the parking lot all year. Staff indicated that the Commission needs to put some teeth into the ordinance leaving pots and other items in the Harbor's parking lot for the long term. This is addressed in the new ordinances according to staff. Public hearings will need to be held in order to adopt the ordinances. Copies of the ordinance document will be provided to all Commissioners and be placed on a future agenda.

12. Adjournment.

There being no further business to come before the Commission, President Reese adjourned the meeting at 8:18 p.m., until the next regularly scheduled meeting of February 3, 2009.

Jack Reese, President

Ray Martell, Secretary

Approved this ____ day
of _____, 2009.