

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

March 3, 2009

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

Ron Phillips

OTHERS PRESENT:

Richard Young, C.E.O./Harbormaster
Kenneth & Rachel Towe, Harbor RV Anchorage
Kurt Madar, Triplicate
Bob Ginoccio
Wayne Gavin, Alber Seafood
Karl Reich

Karen Phillips, P.S. Secretarial
Barbara Burke, SBDC
LaVonne Sparks
Garry Young
Kelly Schellong

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.

Pledge of allegiance.

The pledge was led by Commissioner Martell.

Public comment.

The following public comments were made: Wayne Gavin thanked the commission for extending the lease for Alber Seafood on behalf of Mr. Alber. Mr. Bill Cobb, of BC's Boardwalk offered a sign for approval for special events. The sign is a sandwich board about three feet high and two feet wide. He indicated that he would use the sign for special events and holidays. He indicated that the number of cars coming off the highway was tremendous when the sign was up. Mr. Towe indicated that Caltrans would not let a sign be placed in the greenery off-site from his leased area.

1. 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 February 17, 2009.**
- B) Approval of the minutes of the Regular Meeting of February 3, 2009**
- C) Approval of the minutes of the Regular Meeting of February 17, 2009.**

There were no requests to pull items from the consent agenda or public comments regarding the consent items 1 A-C.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER PHILLIPS ASBENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE CONSENT AGENDA, CONSISTING OF ITEMS 1 A-C, AS PRESENTED.

2. Consider modification of the invoice for layover days for the Cheryl M in the self help area.

Discussion was held regarding the modification of the F/V Cheryl M layover invoice. David Evanow met with the ad hoc committee of Commissioners Reese and Phillips, and they came to an agreement regarding the number of days, which were recommended at 49, of good weather that occurred at that time Mr. Evanow had his vessel in the self-help area. The committee also recommended that the policy be amended to include that vessel owners use the lift at the risk of the weather. The ad hoc committee recommended the bill be charged as \$1,543.53 after the committee meeting.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER PHILLIPS ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE NEGOTIATED BILL WITH DAVID EVANOW OF \$1,543.53 AND DIRECTED STAFF TO AMEND THE TRAVEL LIFT POLICY TO INCLUDE A STATEMENT REGARDING WEATHER RELATED RISKS OF USING THE LIFT/SELF HELP AREA.

3. Approve a contract amendment for District Counsel Robert Black to include legal services of Martha Rice and to change hourly rates.

Discussion was held regarding approval of the contract amendment for District Counsel to include the legal services of attorney Martha Rice and the hourly rates. The rate adjustment applies to Martha Rice in addition to Mr. Black.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER PHILLIPS ABSENT,

THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE CONTACT FOR LEGAL SERVICES AND FEES, AS PRESENTED, WITH THE LAW OFFICE OF ROBERT N. BLACK.

4. Approve a letter requesting the County of Del Norte declare the inner boat basin a blighted area.

The Commission discussed approval of a letter requesting that Del Norte County declare the inner boat basin a blighted area. The Harbor is requesting this letter for the Community Development Block Grant, which requires such a letter to qualify. This will be a technical matter that will allow the application to be submitted and authorizes staff to send the request to the Board of Supervisors.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED, WITH COMMISSIONER PHILLIPS ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED SENDING A LETTER OF REQUEST TO THE DEL NORTE COUNTY BOARD OF SUPERVISORS REQUESTING THAT THEY DECLARE THE INNER BOAT BASIN A BLIGHTED AREA, CONDITIONED UPON STAFF REVIEWING THE REQUEST WITH COUNSEL.

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

The following committee reports were made: Commissioner Ramsey handed out the minutes from the St. George Lighthouse Museum and Maritime Center committee meeting, which including discussion of funding, building footprint, possible expansion or phases, next meeting and a budget for the project so it is more concrete for funders. The Executive Director of Tri-Agency is working with the group and will be reviewing funding opportunities. The next meeting will be held on the 6th of April at the Harbor offices. Mr. Ramsey also met with Rika Blue regarding her concerns with the Talking Crow Studios lease. He stated that this was done purely for his information and was not meant to be negotiation. The lease has been drafted from Ms. Blue, however; the Harbor has not received a signed lease back at this time. The lease will be reviewed later by the committee. C.E.O. Young indicated that the ad-hoc committee met with the veteran's monument group regarding their proposed monument. Mr. Jones and his group of veterans were asked to work with the other veterans group (Doug Plack, Tommy Sparrow, etc.) proposing a similar monument on the "S" curves and resolve issues before moving forward.

6. 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) Oil Spill – vessel tied to Citizens Dock has a small oil spill, maintenance crew responded with the soft boom and absorbent pads and cleaned up a majority of the spilled oil, the oil was confined to Citizens Dock and there appears to be no environmental damage; 2) Oil Spill Response Equipment – Harbor received a grant of \$27,300.00 for an enclosed trailer for spill clean-up materials and equipment

from the California Department of Fish and Game, this will be shared throughout the community for spill response; 3) CDBG Grant Applications – several additional businesses and fishing vessels have come forward to fill out the paperwork for this grant and we are close to the 144 jobs needed to qualify for \$5,000,000 in CDGB funding, Barbara Burke needs to be thanked as well as the fishermen/women who have filled out the paperwork, staff expects to have the application completed by the end of the month; 4) OES – is a major funder of the inner basin rebuilding project, staff is trying to set up a meeting this Thursday to finalize the scope of work, we have completed our portion of the background work and now it needs communicated/approved through their office; 5) Dredging I – Congressman Thompson was successful in getting the \$1,607 million in earmark funding for dredging the Federal Channel in the Omnibus Bill that passed the House last week, once signed by the President, the Army Corps will begin their work as soon as the bill is signed by President Obama; 6) Dredging II – staff is working out the dredging plan for outside the Federal Channel and will have it to the Corps of Engineers this week, the plan will prioritize the inner basin and the Fashion Blacksmith lease area as the most important areas for dredging, a contingency plan will also be included in case additional funding becomes available through the economic stimulus package ; 7) Ordinance No. 34 – meetings will be held at the Flynn Center beginning in April; 8) Harbor Treatment Plant (HTP) – special testing has started of the wastewater at the treatment plan, it takes quite a bit of extra time to acquire sufficient volumes of material for the additional testing, there will be testing for about 10 days total, Mr. Alber indicated that the world Hake market is uncertain and they may not be processing Hake here this year, the entire crab season was missed; and 9) Maintenance Crew – finished wave attenuator, formed and poured cement for boat at Anchor Way, fabricated five new camels, repaired surplus dump truck, removed debris and fluids from vessel Blue Pointer, began removing debris from vessels Smokey II and Sea Grit, began rebuilding “C” Dock. Discussion was also held regarding the local hazard mitigation plan moving forward and Harbor staff participation in that planning.

7. Board comments.

The following commissioners made comments: Commissioner Martell wanted to know if ground fish biological testing could be used with regard to testing crab at the HTP, and also reported that the Solid Waste Management Authority needs to fill a hole at the landfill site. Perhaps the Harbor could offer some of the dredge spoils that need to be moved. Commissioner Martell would like staff to look into assisting in this and move some of the dredge spoils. Hauling of the materials will be researched by staff.

8. Closed Session

The Board of Harbor Commissioners will meet in closed session to discuss the following items:

- A) Pursuant to Government Code Section 54957(b), to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee.

President Reese recessed the regular session at 7:10 p.m. and immediately convened in closed session to discuss the above listed closed session matter.

President Reese adjourned the closed session at 8:10 p.m. and immediately reconvened in regular session.

Report of actions taken during closed session.

President Reese reported that no action was taken during the closed session.

9. Adjournment

There being no further business to come before the Commission, President Reese adjourned the meeting at 8:11 p.m., until the next regularly scheduled meeting of March 17, 2009.

Jack Reese, President

Ray Martell, Secretary

Approved this ____ day
of _____, 2009.