

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

March 17, 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
Kenneth & Rachel Towe, Harbor RV Anchorage

Karen Phillips, P.S. Secretarial
Kurt Madar, Triplicate

Bob Ginoccio
Bret _____
Rick Sheppard, F/V Sunset

Wayne Gavin, Alber Seafood

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.

Commissioner Phillips led the pledge.

Public comment.

The following public comments were made: Rick Sheppard asked when and where we are in the dredging. Staff announced that outside the federal channel the dredging window opens April 1 and staff is sending a plan to the Army Corps of Engineers for approval, and then staff will begin working on dredging after approval. Staff is working with the Army Corps staff regarding the dredge spoils and the possibility that they might be hauled. Additional funds for dredging for outside the federal channel have been requested to the tune of \$1 million; however, the permits would need to be amended and additional staff will need to be hired to perform the dredging. The Army Corps may get some additional funding through the stimulus package.

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 March 3, 2009.

B) Approval of the minutes of the Regular Meeting of March 3, 2009

President Reese asked for public comments regarding the consent agenda or requests to pull matters from the consent agenda for separate action. Commissioner Phillips asked about warrants paid for auto (warrant # 46308) parts, warrant # 46356 and # 46365. Staff reviewed the warrants and justification with the commission. The New Pig Corporation is the company that makes oil absorbant materials. The vessel that caused the recent spill will be billed for the cost of cleaning it up. No comments other comments were made and no requests were made to pull items from the consent agenda.

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

2. Approve a new lease with Coast Redwoods Art Association, operators of Crescent Harbor Art Gallery.

Discussion was held regarding the new lease with the Coast Redwoods Art Association. C.E.O. Young indicated that the lease before the Commission represents the items that were approved at the lease committee meeting and sent to the Association. The lease is for ten years, with a five year renegotiation clause, which Commissioner Phillips is bothered by. The committee felt that the five year renegotiation would allow for any market adjustments and keep the Harbor for being tied into a long term lease if the market changes upwards. The fact that the organization is a nonprofit and provides a service to the community was taken into account in the recommendations. Commissioner Feller, staff and counsel went over the lease and revamped it for future use by the Harbor and tenants. The dry-rot and leaky roof will be fixed by the Association. The tenant can sublease, but the Harbor gets to approve the sublease and the rents from the subletting are added to the tenant's gross sales. The Commission has the option to move the gallery to another area.

ON A MOTION BY COMMISSIONER MARTELL, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE LEASE AGREEMENT AS PRESENTED.

3. Approve a new form for berthing agreement application, berthing agreement, and live aboard addendum.

Discussion was held regarding the new berthing agreement application form, berthing agreement and live aboard addendum. C.E.O. Young indicated that the forms are more user friendly and streamlined. The lease committee and staff have reviewed the form and recommended approval of the same. More identification information is included in the application now as well as clarification of areas that were issues in the past.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE BERTHING AGREEMENT APPLICATION, BERTHING AGREEMENT AND LIVE ABOARD ADDENDUM AS PRESENTED.

Bob Ginoccio asked how many live aboards there were in the Harbor. Staff indicated that there are none registered; there may be some "sneak aboards". Mr. Ginoccio indicated that he is concerned regarding the sanitary conditions of the vessels. Under the new addendum, live aboard vessels will be required to have holding tanks and shall deposit sewage into disposal systems as provided by the Harbor

4. Approve Resolution 2009-1, A RESOLUTION SUPPORTING THE YUOK TRIBE'S 8TH ANNUAL KLAMATH RIVER CLEAN UP, and consider a donation in support of the clean up.

Discussion was held regarding a resolution supporting the Yurok Tribe's Annual Klamath River Clean-up and the request for a donation in support of the effort. Staff indicated that the Harbor does not have a history of making donations to organization because they would never end.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE RESOLUTION NO. 2009-1.

Donations may be made by individual Commissioners, if they choose.

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

The following commissioners and staff reported on various committee meetings: Commissioner Ramsey indicated that "F" Dock has a leak of some kind pouring

into the water. Staff will check it out. Commissioners Feller and Reese attended the IGRC meeting; all agencies are trying to determine projects that are "shovel ready".

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

The C.E.O.'s report included discussion regarding the following topics: 1) Tri-Agency – staff met with Bill Renfroe and provided an outline for the narrative for the CDBG grant application, Mr. Renfroe will be using the information to format a business plan for future funding; 2) CDBG Grant Application – the application is nearly complete, the long narrative has been completed, revised the financial projections and completed a list of old accounts receivable that should be written off to reflect the actual amounts we can collect, those accounts will be a part of a board discussion at a future budget meeting; 3) OES – is a majority funder of the inner basin rebuilding project, we are scheduled to meet with them next week to finalize the scope of work they will allow for the inner basin, they will be here next week to review the scope of work; 4) Dredging I – Omnibus funding bill was passed and been signed by the President, between this and existing funding there is about \$2 million, they are hoping to get augmentation funding available, the amount that gets dredged will depend on the cost of the dredging and disposal, they may have to test again for the size of grains; 5) Dredging II – the Harbor dredging project was submitted for additional funding from the economic stimulus money by the Corps of Engineers regional office, unfortunately, because the Corps has not done all the environmental work in preparation for dredging our project was deemed not "shovel ready" at the higher levels of the Corps, fortunately Supervisor David Finigan, Greg Burns and Congressman Thompson's office they are reconsidering their decision; 6) Dredging III – staff are finishing this year's dredging plan for dredging outside the federal channel, it will go to the Corps of Engineers this week for their review and approval; 7) HTP - we are continuing the special testing of wastewater, we have about half of the required tests completed; 8) Marine Protected Areas – will be coming to the North Coast as part of the Marine Life Protection Act, Supervisor McClure is taking the lead in getting a committee together to prepare for the arrival of this process, C.E.O. met with Supervisor McClure to discuss how the committee might best represent local interest. She will form a committee to move forward with discussion of the issues; 9) Maintenance –staff have been working on the following prepare F/V Blue Pointer for removal, removed and demolished, repair camels on Citizens Dock, repair switches on influent tank at HTP, continue special testing at HTP, fix hydraulic leak on travelift, repair camels broken loose in storm, prepare site at Anchor Way and Hwy 101 for boat and repair landing craft charging system; and 10) Ordinance 34 – will take effect before our next meeting so this will be the last meeting at the Harbor District, future meetings will be at the Flynn Center. Commissioner Feller asked about removing vessels and whether or not the dredge is ready to go. Staff informed him that it is being repaired. He also wanted to know where the FEMA projects were and was told that they are at Stover Engineering and in the permitting process. Pacific Power indicated that the switch was damaged in transit and may have to be resent back.

7. Board comments.

The following commissioners made comments: Commissioner Martell asked how the Office of Emergency Services cuts in staff would affect the Harbor. Staff indicated that there may be major effects if they make cuts during the assembly meeting tomorrow. Commissioner Ramsey will call Assemblyman Wes Chesbro regarding this issue tonight and lobby keeping staff. Commissioner Ramsey indicated that tenants appreciated that they docks are moved out from front of the art gallery. He would like to see the planters moved and put in front of stored materials on Starfish Way. Commissioner Feller indicated that F/V Blue Pointer came out well and the area is being cleaned up nicely. He also thinks that some of the planters on Anchor Way might help slow the traffic down between the surf shop and Chartroom. He has been hearing positive comments about the work happening in the Harbor. Staff indicated that one of the other vessels will most likely be out in the next month. Commissioner Phillips commented that he went to Whaleshead and spent the night and he got an idea of what the RV models will be like. He would like to see if additional rooms could be added to the Harbor's RV models. Commissioner Reese commented on dredging and the fact that dredging was the first priority, but his wants to have the dredge ready April 1 and ready to go.

8. Adjournment

There being no further business to come before the Commission, President Reese adjourned the meeting at 7:32 p.m., until the next regular meeting scheduled on April 7, 2009 at 6:30 P.M. at the Crescent City Harbor District conference room.

Jack Reese, President

Ray Martell, Secretary

Approved this ____ day
of _____, 2009.