

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

June 2, 2009

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

OTHERS PRESENT:

Richard Young, C.E.O./Harbormaster
Kenneth & Rachel Towe, Harbor RV Anchor.
Bob Ginoccio
Barbara Burke, SBDC

Karen Phillips, P.S. Secretarial
Patrick Bailey, Former Commissioner
Wayne Gavin, Alber Seafood
Joanie Baugh, Counsel

6:30 P.M. The Board of Harbor Commissioners will meet in open session to discuss the following agenda items.

President Reese called the meeting to order in regular session at 6:40 p.m.

Pledge of allegiance.

Commissioner Martell led the pledge.

Public comment.

The following public comments were offered: None

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 May 19, 2009.

B) The minutes of the Regular Meeting of May 19, 2009 were not received in time for inclusion in this meeting packet.

There were no public comments made regarding the consent agenda. Commissioner Phillips asked to have the minutes removed from the agenda for a future agenda as they were not attached to the agenda packet.

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

2. Approve travel to Sacramento for the upcoming Community Development Block Grant Economic Development Committee Meeting.

Discussion was held regarding approval for travel to Sacramento for the upcoming CDBG Economic Development Committee meeting. C.E.O. Young reported on the meeting in Sacramento, which he would recommend one staff and a board member as well as Jim Carnegie, Suzanne Dockal and possibly the Chairman of the Board of Supervisors attend to discuss the grant with the CDBG TDAC board. Staff requested that the cost of a chartered flight be investigated prior to the decision. Commissioner Phillips requested that he be one of the commissioners attending the meeting as he has been involved since the beginning and would like to see this project through. Commissioner Feller indicated that he will be in the Sacramento area anyway during this time and he could attend the meeting. Mr. Young indicated that this was a very important meeting for the Harbor. Joanie Baugh asked if the work covered by the grant could include fixing the roadway on Anchor Way due to the erosion. Staff indicated that the roadwork is a FEMA project and it should be repaired this summer.

ON A MOTION BY COMMISSIONER MARTELL, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED CHARTERING A FLIGHT AND TRAVELING TO SACRAMENTO TO ATTEND THE CDBG ECONOMIC DEVELOPMENT COMMITTEE MEETING, INCLUDING TWO COMMISSIONERS (PHILLIPS AND FELLER), SUZANNE DOCKAL, TWO REPRESENTATIVES FROM THE COUNTY AND WARD STOVER.

3. Discussion and consideration of the Memorandum of Understanding between Tri-Agency Economic Development Authority and Crescent City Harbor District for the purpose of defining the economic development assistance the Tri-Agency will provide to the Harbor. Possible Board action.

Discussion was held regarding the Memorandum of Understanding between Tri-Agency EDA and the Harbor for the purpose of defining the assistance that Tri-Agency would provide to the Harbor. Counsel Robert N. Black revised the contract and it now identifies projects that the lead responsibility will be held by staff and includes additional items that Tri-Agency staff will assist with. Several of the items were consolidated under the revised agreement with prioritization so that the business plan could be reviewed to see if it meets the needs of the Harbor before adding other projects.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE MOU AS PRESENTED BY COUNSEL BETWEEN TRI-AGENCY EDA AND THE HARBOR DISTRICT DEFINING ECONOMIC DEVELOPMENT ASSISTANCE PROVIDED BY TRI-AGENCY.

4. Adoption of the preliminary budget.

C.E.O. Young presented the 2009-2010 Preliminary Crescent City Harbor District Budget, which is the final budget from last fiscal year that is being recommended for approval as the preliminary 2009-2010 budget. Staff also recommended that a budget workshop be held to discuss each line item.

ON A MOTION BY COMMISSIONER MARTELL, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE PRELIMINARY 2009-2010 HARBOR DISTRICT BUDGET AS PROPOSED.

ON A MOTION BY COMMISSIONER MARTELL, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS SET THE BUDGET WORKSHOP FOR SATURDAY, JUNE 13, 2009 AT 11:00 A.M. AT THE HARBOR OFFICES.

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

The following staff and commissioners made reports regarding committees: Commissioner Ramsey reported on a meeting with the St. George Lighthouse folks, who discussed and reviewed the focus of their plan, what it would encompass and what the best community use would be. Discussion was also held regarding developing a Visitor's Center in a thematic building elsewhere along the highway to better inform the tourists of what there is to do while they are in the area. The next meeting will be the 29th of June.

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) Memorial Day Weekend – there was a lot of activity in the Harbor over this weekend and only a few non-compliant launchers were discovered; 2) Suspected Break in HTP Outfall Line – the line turned out to be Ocean World's line; 3) CDBG Grant Application - the application is almost complete, there is an enormous amount of detail to the application; 4) HTP- application goes to public hearing on June 23, bullet points from consultants (Kennedy Jenks) regarding the permit were presented at the meeting, the new permit is 95 pages long and very complex, the Water Board did revise one of the definitions for the composite sample as well as other changes which will significantly raise the costs of operating the plant, staff did not know when the new permit, if approved, would go into effect, the annual permit runs around \$4,500 without the cost of the testing; 5) Dungeness Crab Task Force – meetings were held May 26-27 in Eureka and it will be important to monitor this closely as this is the largest fishery we have in this harbor, there will be six more meetings which will lead to regulations on how the fishery will change, the C.E.O./Harbormaster is the appointed representative and his travel has been paid for; 6) Recreational Salmon Season - there may be an increase in the recreational salmon

season later in the year as this is one (Eureka and Crescent City) of the only ports open this year; 7) California Association of Harbormasters – there was discussion of Marine Life Protection Act processes, one gentleman indicated that the process was “just awful”, staff suggested that the Harbor get prepared.

Staff is relying on the consultants to send the letter out with regard to the Water Board and the HTP permit. Commissioners asked that Mr. Stover attend the next meeting to discuss the project and give an update and explain the permitting process. The letter will go out through the consultants. The meeting with the City this week will determine when the plant can be hooked up to the City sewer. Commissioners asked that the new figures for this permit be included in the budget workshop. Mr. Alber asked how much more the permit would cost and whether or not it is resignable. Staff believes that it is resignable at any time.

Mr. Young indicated that several maintenance projects are ongoing around the harbor, including the usual cleaning and maintenance, rebuilding “C” Dock and emptying fish totes. Commissioner Reese asked that another finger be added to the sea lion dock. Discussion was held regarding the maintenance temporary staff and projects around the Harbor.

7. Board comments.

The following commissioners made comments: Commissioner Phillips asked about the three priority projects that are being performed around the harbor. C.E.O. Young indicated that the dredging and permitting, excavation for the electrical vault, and “C” Dock rebuilding were the top three projects. Commissioner Martell asked about the railing in the parking lot, near the truck pit and near Carvallo’s, which all need repair. Staff will check into the railings and ask to have the fire hydrants painted in the Harbor also. Commissioner Feller indicated that he and Pat Bailey took several foreign exchange students on a tour of the Harbor recently and that he is also working on legislation affecting the Harbor.

Announcement: the Board of Harbor Commissioners will now meet in closed session to discuss two items:

- (1) Pursuant to Government Code Section 54957(b). Public Employee Performance Evaluation. CEO/Harbormaster.**
- (2) Pursuant to Government Code Section 54956.8. Conference with Real Property Negotiators.**
 - a. Property: 170 Marine Way.**
 - b. Agency Negotiators: Commissioner Scott Feller, Commissioner James Ramsey, CEO/Harbormaster Richard Young.**
 - c. Negotiating Parties: Crescent City Harbor District with Rika Blue, dba Talking Crow Studios, and Barbara Burke, Small Business Development Center.**
 - d. Under Negotiation: Lease terms include rental rates and length of lease.**
- (3) Initiation of litigation pursuant to Government Code Section 54956.9(c). One (1) case.**

President Reese recessed the meeting at 7:46 p.m. to immediately convene in closed session regarding the items listed. The closed session was adjourned at 9:00 p.m. and

the regular session was immediately reconvened. Counsel reported that the following actions were taken in closed session: None.

8. Adjournment

There being no further business to come before the commission, President Reese adjourned the meeting at 9:01 p.m. until the regular meeting scheduled on June 16, 2009 at 6:30 p.m. at the Flynn Center, 981 H Street, Crescent City, California.

Jack Reese, President

Ray Martell, Secretary

Approved this _____ day
of _____, 2009.