

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

August 25, 2009

COMMISSIONERS PRESENT:

Jack Reese, President
James Ramsey
Scott Feller

COMMISSIONERS ABSENT:

Ron Phillips
Ray Martell, Secretary

OTHERS PRESENT:

Richard Young, C.E.O./Harbormaster
Wayne Gavin, Alber Seafood
Bill Renfroe, Tri-Agency
Keith Restad, Crescent Electric

Wilma Madden, P.S. Secretarial
Robert N. Black, Counsel
Kurt Madar, Triplicate

President Reese opened the meeting at 1:37 p.m. in open session to discuss the following agenda items.

Commissioner Feller led the Pledge of allegiance.

Public comment.

The following persons addressed the Commission: Bill Renfroe greatly appreciated the Commission's offer of a Memorandum of Understanding to Alber Seafood to hopefully have him stay in business here.

- 1. Consideration of a request from Alber Seafoods for the Harbor District to consider signing a Memorandum of Understanding (MOU) for the repair and upgrade of the electrical service at the building at 161 Starfish Way.**

Mr. Black reviewed the MOU and indicated Mr. Alber has not reviewed it yet. Mr. Black asked the Commission to approve the MOU in concept and sign following Mr. Alber's review and signature. Minor changes would not need to come back before the commission. Mr. Alber has purchased new equipment that requires a 1200 amp service. However, the existing 800 amp service is deteriorated and need of replacement. Mr. Alber will be responsible for contracting for the work to be done. The MOU provides for recoupment of up to 2/3 cost from the Harbor District. Paragraph 5 allows Alber to have options with regard to the electrical repair/upgrade. Mr. Black added that the concepts in the document are in line with Alber's requests. The agreement is valid for September 1 through November 30. President Reese asked if Mr. Alber had seen the MOU. Mr. Black responded that he had e-mailed it to him for review, but did not know if he had read it yet. Wayne Gavin stated that he had spoken to Mr. Alber that morning, but that

he had not indicated he had read it as yet. Mr. Young commented that he had not seen it either due to e-mail issues. President Reese confirmed this MOU is being approved by the Commission in concept while waiting for Mr. Alber to review. Mr. Black indicated that in this way any changes that were non-substantive would still allow for the Commission to sign the MOU. Commissioner Feller asked if the lease committee could review and approve the changes, if need be. Mr. Black responded that yes, they could. President Reese asked the status of the long term lease with Alber Seafood. Mr. Young responded that a financial commitment without the long term lease on table is difficult. Mr. Young added that he had a conversation with Rob Butler, City Manager, and the wastewater treatment agreement is still to go before the City Council, tentatively on September 8. He added that it is hard to get the long term lease set without that established. Commissioner Feller commented that there could be a cost savings to the Crescent Electric estimate if the harbor crew were to do some of the work, such as digging the trenches. Commissioner Ramsey moved to approve the MOU in concept for signature by the President, with any changes to be reviewed by the lease committee. Commissioner Feller seconded the motion, which passed on a unanimous vote.

2. Consideration of purchasing the upgrade for “The Marina Program” to run under Vista or an alternative program for marina management.

Commissioner Ramsey commented he thought his had been approved at the last meeting. Commissioner Feller indicated that although they had discussed it, no motion was made. Mr. Young added that there had been no discussion in open session at the last meeting. Mr. Young recommended upgrading the existing Marina program and review the other software programs they had researched, which were more expensive and won't automatically convert the existing data. That would require entering all the existing data by hand, which is very time consuming. President Reese clarified what programs were included in the comparison. Commissioner Feller asked if a 1 year service agreement was included. Mr. Young responded it was. Commissioner Feller asked if the upgraded software would accommodate meter reading. Mr. Young replied that it would. He added that the software is downloaded via the internet, but they will need to have an IT person available during the download. Commissioner Feller moved to purchase the upgrade to the Marina Program. Commissioner Ramsey seconded the motion, which passed unanimously.

3. Board Comments.

The following commissioners made comments: None.

4. Adjournment

There being no further business to come before the Commission, President Reese adjourned the meeting at 1:55 p.m., until the next regularly scheduled meeting on September 1, 2009 at 6:30 p.m.

Jack Reese, President

Ray Martell, Secretary

Approved this _____ day
of _____, 2009.