

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

**September 1, 2009**

**COMMISSIONERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

None

**OTHERS PRESENT:**

Richard Young, C.E.O./Harbormaster  
Robert Black, Counsel

Karen Phillips, P.S. Secretarial  
Wayne Gavin, Alber Seafood

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

President Reese opened the meeting in open session at 6:30 p.m.

**Pledge of allegiance.**

The pledge was led by Commissioner Phillips.

**Public comment.**

The following persons addressed the commission: Wayne Gavin asked if it made a difference where the trailer van was placed in conjunction to Alber Seafoods. The trailer will be placed with appropriate room for others to access the docks.

**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 August 18, 2009.**
- B) Approval of the minutes of the Regular Meeting of August 18, 2009.**

**C) Approval of the minutes of the Special Meeting of August 25, 2009.**

There were no public comments regarding the consent agenda. The following Commissioners made comments: Commissioner Phillips asked questions regarding the \$22,000 Global Diving and Salvage check for the oil spill trailer, which staff indicated will be reimbursed.

Commissioner Martell entered the meeting at 6:34 p.m.

Commissioner Phillips asked about the Stover Engineering checks. Commissioner Reese asked about the checks for Stover Engineering for the various duties associated with the inner boat basin. Staff will give an update at the next meeting regarding the Stover Engineering payments made to date. Commissioner Reese asked about the Charter Communications bill and the removal of abandoned boats to Solid Waste and Hambros for the disposal of the vessels.

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

**2. Consideration of final adoption of Ordinance 36, AN UNCODIFIED ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT ADOPTING A FEE SCHEDULE.**

Discussion was held regarding Ordinance 36, which has been published and will take affect immediately after adoption. This is the second reading of this ordinance.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED, ON A POLLED VOTE, THE CRESCENT CITY BOARD OF HARBOR COMMISSIONERS APPROVED AND ADOPTED ORDINANCE 36, ENTITLED, AN UNCODIFIED ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT ADOPTING A FEE SCHEDULE.

**3. Consideration of a request from Bonnie Bienick.**

A brief discussion was held regarding the request. Commissioners expressed an interest in tabling the matter until more information about the master plan and native species is known. No action was taken.

**4. Consideration of Resolution 2009-3, A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT ESTABLISHING LOCAL HIRING REQUIREMENTS FOR PUBLIC WORKS PROJECTS.**

Discussion was held regarding Resolution 2009-3, which was changed from an ordinance to the current resolution for adoption. Counsel indicated that this resolution concurs with the ordinance that the City of Crescent City adopted recently. The County

of Del Norte is looking at a similar ordinance, which is being reviewed at this time. Commissioners agreed to table this matter until the next meeting.

**5. Consideration of Resolution 2009-4, A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT ESTABLISHING A SMALL BUSINESS PREFERENCE FOR PUBLIC WORKS PROJECTS.**

Discussion was held regarding Resolution 2009-4, which establishes a small business preference and is consistent with action that the Del Norte Unified School District and City of Crescent City have adopted. Discussion was held regarding issues that might arise with using the local preference and areas where the resolution might benefit the community. Commissioners tabled the matter until the County takes action regarding their similar policy.

**6. Consideration of providing free or reduced moorage for the Hawaiian Chieftain.**

Discussion was held regarding the moorage fee for the Hawaiian Chieftain and the possibility of providing a reduced moorage rate.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY BOARD OF HARBOR COMMISSIONERS APPROVED GIVING REDUCED MOORAGE RATES TO THE HAWAIIAN CHIEFTAIN FOR SEVEN NIGHTS BEGINNING MARCH 11, 2010.

A brief discussion was held regarding the possibility of doing school tours when the vessel is here in March. No plans are underway for a Tall Ships Festival.

**7. Consideration of approving CEO travel to the California Association of Harbor Masters and Port Captains annual meeting in Monterey, California.**

Discussion was held regarding Mr. Young traveling to the annual meeting of the California Association of Harbor Masters and Port Captains in Monterey.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY BOARD OF HARBOR COMMISSIONERS APPROVED THE CEA/HARBORMASTER'S TRAVEL TO MONTEREY AS REQUESTED FOR THE ANNUAL CAHMPC MEETING.

**8. Standing Agenda Items. Discussion and consideration of status of inner basin rebuilding project. Schedule Ted Trenkwalder and town hall meetings.**

Discussion was held regarding the inner basin rebuilding project and setting town hall meetings. Mr. Trenkwalder will only be available on September 9, 2009, but due to the scheduling issues staff will check to see if he could make a later date so that all stakeholders can attend. President Reese asked to appoint an ad hoc committee for the inner boat basin rebuilding project. President Reese appointed Commissioners Feller and Martell were appointed to the ad hoc committee.

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

The following committee reports were made: The Visitors Committee met and there are objectives for the next meeting, they are looking for a facilitator for the meeting, which will include folks with resources to make the project happen.

**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) Proposition 1A Suspension . the latest information received from the California Special Districts Association they believe that there will be a reduction in property tax revenues of 8% for cities, counties and special districts, the State will repay this money with interest in 2013, two options were presented in the report; 2) Coastal Marina Permits . Water Resources Control Board is considering requiring all California marinas to have a Coastal Marina Permit, the proposed permit defines the marina operator as a discharger and requires a sampling and analysis plan be in place to monitor water quality in the marina, staff indicated that this would be a disaster if implemented; 3) Dredging Federal Channel - the Army Corps of Engineers hopes to award the contract this week, on the award the Corps will issue a notice to proceed within 10 days, then the contractor has 25 days to make submittals and once complete, the work can start on dredging the channel, the projected time frame to begin the project is mid-October, the contract intends to run two eight-hour shifts to accomplish the project as rapidly as possible; 4) Dredging Inner Basin . staff has submitted the biological assessment for Longfin Smelt to California Fish and Game, so far, they have not raised any objections, the Harbor has also completed some additional survey work requested by the Corps of Engineers and hope to have their approval in the next two weeks; 5) Salmon Season . is going well, there is extensive law enforcement efforts; 6) Electric Vault . the changeover of the electric vault went very smoothly thanks to the advance planning of the Pacific Power crew, staff was asked to send a letter to Andy Baldassi and his crew thanking them for their work; 7) Bathroom Keys . staff ordered the locks and are waiting their arrival for installation; 8) FEMA Projects . eight of the FEMA projects remain completed, Greg Perry and Marcia Burchiel will be here tomorrow to discuss any remaining concerns about the remaining projects; 9) Maintenance Crew Activities . repaired Sheriff's building roof, parking lots striped by launch ramp, preparing fire main floats for repairs on #6 Dock, building sea lion docks, removed eight three yard dumpsters of junk from the treatment plant area and poured six small mooring blocks and one large mooring block.

**11. Board Comments.**

The following commissioners made comments: Commissioner Feller indicated the Doug Malafa is having a fundraiser at Rich Taylor's house later this month and all commissioners are invited to attend. Commissioner Feller also talked to Senator Aanstad and indicated that the Senator is opposed to MPA. Mr. Feller will be making a presenting at to Rotary regarding the MPA process later this month.

**12. CLOSED SESSION. The Board of Harbor Commissioners will now meet in closed session to discuss five items:  
Pursuant to Government Code Section 54956.8. Conference with real property negotiators. Two Items.**

- 1) Property: 170 Marine Way. Agency negotiators: Commissioner Scott Feller, Commissioner James Ramsey, CEO Richard Young. Negotiating Parties: Crescent City Harbor District with Rika Blue, dba Talking Crow Studios. Under negotiation: Lease terms including monthly rent and term of lease;**
- 2) Property: 161 Starfish Way. Agency negotiators: Commissioner Scott Feller, Commissioner James Ramsey, CEO Richard Young. Negotiating Parties: Crescent City Harbor District with Alber Seafoods. Under negotiation: Lease extension terms including monthly rent and term of lease;**
- 3) Public Employment. Title: Harbor Planner; and  
4-5) Conference with legal counsel pursuant to Government Code Sections 54956.9(b) Anticipated litigation (two cases).**

The closed session was held from 7:36 p.m. to 8:\_\_\_\_ p.m. Counsel announced that the following action was taken in closed session: No action was taken in closed session.

### **13. Adjournment**

There being no further business to come before the Commission, President Reese adjourned the meeting at 8:\_\_\_p.m., until the next regularly scheduled meeting on September 15, 2009 at 6:30 p.m. at the Flynn Center, 981 H Street, Crescent City, California.

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Jack Reese, President

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Ray Martell, Secretary

Approved this \_\_\_\_\_ day  
of \_\_\_\_\_, 2009.