

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

January 5, 2010

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

None

OTHERS PRESENT:

Richard Young, C.E.O/Harbormaster
Kenneth Towe, Harbor RV Anchorage
Bill Renfro, Tri-Agency
Kurt Madar, Triplicate

Wilma Madden, P.S. Secretarial
Wayne Gavin, Alber Seafood
Pat Rideout, Chart Room

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 at 6:30 p.m.

Pledge of allegiance.

The pledge was led by Commissioner Phillips

Public comment.

The following person addressed the commission: No comments from the public.

1. **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 December 15, 2009.

B) Approval of the minutes of the Regular Meeting of December 15, 2009.

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

Commissioner Feller asked if it was possible to audit the water bill for the inner boat basin as the bill seems quite high (Check #47377 on page 3 of warrants). Mr. Young indicated he would check into it, as it may be only due to increased usage due to crab season, there could also be a problem that requires repair. Commissioner Martell commented that the charges for Two Guys for the trailer hitch and brake control seemed quite high. Mr. Young explained that these items were for the flat bed truck and the installation required some special fabrication as the gas tank is in the area the hitch was installed. Commissioner Phillips asked what the fees paid to the State Regional Water Quality Control Board covered. Mr. Young replied they were the annual fees for the NPDES permit for the dredge ponds and the wastewater treatment plant.

2. Discussion and election of officers for the 2010 calendar year.

President Reese opened the nominations for President. Commissioner Phillips nominated Commissioner Martell for President. Commissioner Ramsey nominated Commissioner Feller as he has time available to devote to the position. There being no other nominations, President Reese called for a vote on the second nomination, noting that it was procedurally correct to vote on them in reverse of the order the nominations were made. The vote for Commissioner Feller for President passed with four ayes, therefore, no vote was held on the first nomination made. President Reese then opened nominations for Secretary. Commissioner Ramsey nominated Commissioner Martell, as he has done a great job in that position. Commissioner Martell nominated Commissioner Phillips for Secretary. There being no further nominations, President Reese call for a vote on the nomination for Commissioner Phillips, which failed to pass with only 2 ayes. The vote for Commissioner Martell carried with 3 ayes. Commissioner Reese then turned gavel over to President Feller. President Feller recounted he had received a telephone call from the Crescent City Mayor earlier in the day expressing thanks to Commissioner Reese for all his work on the 2x2 Committee.

3. Consider and approve CEO travel to:

a) The California Association of Harbormasters and Port Captains winter Board of Directors meeting.

b) The Early Neutral Evaluation meeting in the case of Mark Russo vs. Crescent City Harbor District.

Mr. Young reviewed Item a, noting that the cost is roughly \$1,000 for his attendance and it is cheaper to fly than to drive. Commissioner Reese asked how many of these meetings are beneficial. Mr. Young replied that this group is very beneficial. There are other organizations they belong to that he does not attend the meetings of as they are not as worthwhile as this one. Commissioner Martell confirmed this trip was included in

the budget. Mr. Young confirmed it was. Commissioner Martell moved to approve Item a. Commissioner Ramsey seconded the motion.

Mr. Young reviewed item b. Commissioner Martell asked if legal counsel would be attending also. Mr. Young replied that he would.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED ITEM B, AS PRESENTED.

4. Discussion and consideration of proposed “Shipwreck Village” project.

President Feller reported on a conference call with developer this morning. The developer will be contacting County Planning and Coastal Commission staff to discuss the proposed project.

5. Standing Agenda Items. Discussion and consideration of status of inner basin rebuilding project.

Mr. Young reported that the Tsunami study is coming along. The existing square footage has been established, as well as the potential square footage for the alternatives. Commissioner Reese requested a 2x2 Committee meeting with the county be scheduled to bring them up to date on project.

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

The following committee reports were made: Commissioner Phillips reported on attending the Chamber meeting on 12/18, and announced there will be a board retreat on 1/23 to plan out how to spend funds for this year. On 12/16 he attended ad hoc committee for the Visitor’s Bureau, indicating that whether it goes forward depends on the City and the County contributing transient occupancy tax (TOT) funds. He added that the County has put up \$100,000, but the City has indicated they don’t feel they can put up anything above the \$100,000. Commissioner Phillips added that he will be contacting the parks department to discuss putting an information kiosk on the corner at Citizens Dock Road. He reported that he met with Commissioner Feller and Mr. Perry to discuss the land use changes this morning. The revisions are not quite ready to bring before Commission, but should be ready soon. Commissioner Phillips indicated that Tri-Agency will have two harbor items on their next agenda. Commissioner Ramsey reported on attending a lease committee meeting with Attorney Robert Black, Mr. Young and Commissioner Feller. They have returned a rough draft of the Alber lease. Commissioner Reese asked about the status of the short-term extension for Alber. Mr. Young responded that it has gone to Mr. Alber’s attorney. President Feller commented that the proposed lease is 41 pages for a 10 year term. President Feller reported on a Tri-Agency wastewater treatment plant report. He added that the proposed revision to the land use will reduce the number of designations from 7 to 4.

7. C.E.O.’s report on current matters and issues planned or in progress.

The C.E.O.’s report included the following topics: 1) Proposition 1A – the Harbor has received confirmation that it will receive full funding of the \$26,265 being withheld by the State; 2) Dredging the Federal Channel – the dredge contractor has received

permission to continue dredging past the permit end date so they continue to work in the federal channel. They have made an initial cut to the breakwater at the entrance to the inner basin and hope to complete operations as early as next week; 3) Dredging Inner Basin – dredging in the area of the synchrolift is complete, and although it was difficult due to the confined space, they succeeded in getting the synchrolift platform to descend to its design depth. Commissioner Reese asked how long the dredging work will last. Mr. Young responded it was last dredged in 2003, so it should last for several years. Commissioner Martell asked how much was dredged in relation to what was permitted. Mr. Young responded that he wasn't sure of the square yards, but got two of the three locations completed. Commissioner Martell asked if they would be able to accommodate the tall ships. Mr. Young replied that they would. Commissioner Phillips indicated they would only have one tall ship this year, as the Lady Washington is having new engines installed. Mr. Young indicated they would continue dredging when the approved timeframe reopens, on one permit that is April 1 and on the other is August 1 and they will be sure the dredge is working before the windows open; 4) FEMA projects – There is no change from last meeting. Eight FEMA funded projects remain to be completed, most are still in the permitting process; 5) Marine Life Protection Act – an initial area selected is the northern county towards the Oregon border, but has some tribal issues, so the group is trying to accommodate their usage. The Tribes will be working with state also. Mr. Young reviewed the process for designation. President Feller asked about the appointments to the stakeholders group. Mr. Young indicated there had been no announcement yet. The first meeting is in February and they may happen then. President Feller asked when the Blue Ribbon Task Force will be visiting. Mr. Young replied they would be meeting in Crescent City January 13-14 and would visit the harbor as part of their tour.

8. Board Comments.

The following commissioners made comments: Commissioner Reese asked that the next agenda feature an item for discussion of a change from two meetings per month to one. Commissioner Reese suggested Mr. Young contact attorney Robert Black with regard to that item as it may require an ordinance revision. Commissioner Phillips indicated he met with Councilmember Murray and Robert Black regarding the 2x2 meetings and their legality. He indicated that Mr. Black suggested they be agendized and that the Commission be notified of when the 2x2 meetings would be held. He added that there were items on last 2x 2 agenda with the City that were not all reported back to full the Board. Commissioner Reese responded that the 2x2 meetings were not secret meetings and he did not recall any discussion on any other topics beside the wastewater treatment plant and Alber Seafoods. Commissioner Phillips stated he objected to the 2x2 meetings as not all topics discussed at those meetings are being disclosed to the full Commission. Commissioner Martell thanked Commissioner Reese for his year of service as President. Commissioner Martell asked for the status of internet service for the office. Mr. Young replied that the contractor has ordered materials and equipment to update internal Local Area Network (LAN). He added that Allen Winogradov is going to have one of the County Information Technology staff work with George Wilder. President Feller requested a 6 month budget review be on the next agenda. President Feller asked other commissioners to e-mail him if there were committees they would like to be on. Commissioner Martell indicated he would be gone first week of February.

9. Adjournment

There being no further business to come before the Commission, President Feller adjourned the meeting at 7:15 p.m., until the next regular meeting scheduled on January 19, 2010 at 6:30 p.m., at the Harbor District Offices at 101 Citizen's Dock Road, Crescent City, California.

Scott Feller, President

Ray Martell, Secretary

Approved this _____ day
of _____, 2010.