

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

**April 6, 2010**

**COMMISSIONERS PRESENT:**

Scott Feller, President  
Ron Phillips  
James Ramsey  
Jack Reese

**COMMISSIONERS ABSENT:**

Ray Martell, Secretary

**OTHERS PRESENT:**

Richard Young, C.E.O/Harbormaster, Paul McAndrews, Facilities Manager, Wilma Madden, P.S. Business Services, Robert Black, Legal Counsel Pat Rideout, Chart Room  
Kenneth Towe, Harbor RV Anchor. Bill Renfro, Tri-Agency, Wayne Gavin, Alber Seafood,  
Pat Bailey, fmr Harbor Commissioner, Bob Ginocchio, Gary & Debbie Petersen, Northern Knights Car Club

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**President Feller opened the meeting at 6:30 p.m. in open session to discuss the following agenda items.**

**Commissioner Phillips led the Pledge of Allegiance.**

**Public comment.**

The following persons addressed the Commission: Ken Towe asked President Feller the result of the discussion at their last closed session regarding his lease. President Feller reported that no action was taken at closed session, nor was any action taken by the lease committee. Mr. Towe stated that he wanted the full board to vote on his request to extend his lease. President Feller remarked that Mr. Towe had rejected the Commission's offer to purchase the remainder of his lease and that the Commission had expressed no interest in extending the lease at this time. Mr. Black requested clarification of who President Feller had met with. President Feller responded that he met with Mr. Towe and the lease committee. Mr. Towe indicated he wanted the results of that meeting shared with the full Board and that he wanted to know the details of the appraisal. Mr. Black stated that the Harbor had offered the appraised value for the purchase price.

Mr. Towe stated that he felt the discussion should come back to full Board in open session. Mr. Black responded that the confusion lies in that there has been no action taken on his request for a lease extension. Mr. Towe reiterated that he wanted he request for an extension on the Board's agenda as an open session item. Mr. Black pointed out that the Board does not need to put a "no action" item on the agenda. Commissioner Ramsey commented that the lease committee meeting chose to take no action on the request. President Feller commented on the discussion at the lease committee meeting, at which, Mr. Towe had refused the purchase offer. He added that Mr. Towe's prior request for a discussion item on the agenda regarding this lease did not include a request for an extension of that lease. Mr. Towe then stated that if the lease were extended he would not sell the park.

President Feller announced there were two items that arose subsequent to the posting of the agenda that required action before their next meeting. The first item pertained to an opportunity for Community Development Block Grant funding for rebuilding a seafood processing plant at the harbor. The second item is a request from Gina Zottola of the Chamber of Commerce for a Letter of Mutual Interest for the Interagency Visitor Center.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED BY POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS FOUND THAT THE MATTERS OF A) THE OPPORTUNITY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING, AND B) THE NEED FOR THE HARBOR'S SIGNATURE ON A LETTER OF MUTUAL INTEREST FOR THE INTERAGENCY VISITOR CENTER AROSE SUBSEQUENT TO THE POSTING OF THE AGENDA, REQUIRED ACTION PRIOR TO THE NEXT REGULAR MEETING, AND APPROVED THE ADDITION OF THESE TWO ITEMS TO THE AGENDA.

#### **A. Community Development Block Grant:**

Bill Renfro reported on attempts by Tri-Agency to find funding for the rebuilding of a seafood processing plant at the harbor. This morning he received an e-mail from Patrick Talbot at the State Housing and Community Development informing him that there is existing Community Development Block Grant (CDBG) funding allotted to the City of Crescent City for Planning & Technical Assistance (PTA) and provided a flow chart demonstrating the process the Harbor would employ to get approval of the CDBG PTA funding. The funding must be allocated by June 30, 2010. Mr. Renfro requested that the Commission authorize Mr. Young and himself to pursue the funding. Mr. Renfro explained that he will be meeting with City Manager Rod Butler tomorrow and will ask him to schedule a special City Council meeting if the Harbor Commission approves his request tonight. Mr. Renfro added that there is \$11,000 left in this existing grant that could be used to hire a grant writer to put together the full application package for the seafood processing plant rebuild. He stated that Don Alber has indicated the improvements to the plant would allow them to add 45 fulltime jobs. The initial estimate for the improvements is \$1.6 million. Mr. Black asked if any of the funding would be through the County. Mr. Renfro responded that he had spoken to Jim Carnegie at the County and that the County's share has all been spent. Mr. Black commented the City is holding a town hall meeting this coming Saturday and they might be able to add this item to the agenda for the town hall meeting.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER REESE, AND UNANIMOUSLY CARRIED BY POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS AUTHORIZED MR. RENFROE AND MR. YOUNG TO PURSUE THE \$11,000 COMMUNITY DEVELOPMENT BLOCK GRANT PLANNING AND TECHNICAL ASSISTANCE FUNDING FROM THE CITY OF CRESCENT CITY AS REQUESTED.

**B. Request from Gina Zottola of the Crescent City/Del Norte County Chamber of Commerce for the Harbor District's signature on a Letter of Mutual Interest for the Interagency Visitor Center.**

Mr. Young reported on receipt of a request, via e-mail, from Gina Zottola, Executive Director of the Crescent City/Del Norte County Chamber of Commerce for each participating agency to sign a Letter of Mutual Interest in the Interagency Visitor Center at the Crescent City Harbor. Mr. Young provided the Commissioners with a copy of the letter the various agencies are being asked to sign. Commissioner Ramsey expressed his support for the letter. Commissioner Phillips commented that the letter will provide better understanding of the project and the participants.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED BY POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED SIGNING THE LETTER OF MUTUAL INTEREST FOR THE INTERAGENCY VISITOR CENTER AT THE HARBOR AS REQUESTED BY GINA ZOTTOLA, EXECUTIVE DIRECTOR OF THE CRESCENT CITY/DEL NORTE COUNTY CHAMBER OF COMMERCE.

**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 16, 2010.**

**B) Approval of the minutes of the Regular Meeting of March 16, 2010.**

**C) Approval of the revised minutes of the Regular Meeting of March 2, 2010.**

No public comments were made with regard to the consent agenda.

ON A MOTION BY COMMISSIONER REESE, SECONDED BY COMMISSIONER RAMSEY, 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-C, AS PRESENTED.

**2. Discuss and approve the annual Northern Knights car show in the Harbor. Take action as necessary and appropriate.**

The Commission briefly discussed the request from the Northern Knights Car Club. Gary Peterson indicated that they have been very happy using the harbor for this event. They had 125 cars last time. Mr. Young remarked that the Harbor has been very happy with Northern Knights also. Commissioner Phillips asked Mr. Peterson what he knew about the car show that will be held at the fairgrounds on July 3. Mr. Peterson directed them to a website [theharborlites.com](http://theharborlites.com) for information on that car show.

ON A MOTION BY COMMISSIONER REESE, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED BY VOICE VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE ANNUAL NORTHERN KNIGHTS CAR SHOW IN THE HARBOR AS REQUESTED IN THE AGENDA.

**3. Discuss and approve another charter vessel in the Harbor. Take action as necessary and appropriate.**

Mr. Young reported on the request, and explained there should not be any conflicts with the existing charter vessels as the proposed operation for the new vessel differs from the existing charter vessels. There were no comments from the public. Commissioner Phillips asked if they had appropriate slip space arranged for the new vessel. Mr. Young responded they have.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED BY VOICE VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE OPERATION OF ANOTHER CHARTER VESSEL IN THE HARBOR AS REQUESTED.

**4. Discuss and approve inviting the Farmer's Market to the harbor on the 3rd of July and the 7th of August. Take action as necessary and appropriate.**

Commissioner Phillips reported the reason for the request was due to a scheduling conflict on two Saturdays at the Fairgrounds, the usual location of the Farmer's Market. He explained that it will use roughly the same space as the Northern Knights car show does, and would not require any additional dumpsters for garbage. Mr. Young commented that he felt it was a great idea for drawing the public into the harbor. Commissioner Phillips indicated they would need to be able to use the restroom at B dock. He added that they do carry insurance and the participants clean up after themselves.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER REESE, AND CARRIED BY VOICE VOTE OF 4 AYES WITH COMMISSIONER PHILLIPS ABSTAINING, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE USE OF THE HARBOR BY THE FARMER'S MARKET ON JULY 3 AND AUGUST 7.

**5. Discuss and approve an invitation to the tall ships Hawaiian Chieftain and Lady Washington to visit our harbor next year. Take action as necessary and appropriate.**

Mr. Young reported the visit by the Hawaiian Chieftain last month was enjoyable. He added they could include in the invitation letter suggestions for items they could do to improve their next visit to the Harbor, such as more school involvement, and advance advertising. Commissioner Phillips indicated he felt they probably operate on a very small budget and use a lot of volunteers. He added that he has had a hard time getting volunteers locally to put together a Tall Ships Festival for their visits. Commissioner Phillips also remarked that the school district is short of funding for use of buses for field trips. He indicated that he plans to discuss this with the Chamber of Commerce to see if they can provide any assistance. President Feller stated he was in support of sending the invitation letter, including suggestions for a better visit next time. He added that he would like to send thank you letters to Chamber of Commerce, the Chart Room, and Bar-O Boys Ranch students for their participation in this last visit. The Commissioners concurred and directed staff to send the requested letters.

**6. Standing Agenda Item. Discussion and consideration of status of inner basin rebuilding project.**

Mr. Young reported the project is moving forward. He spoke with Mr. Stover today and the Tsunami modeling study is on track and should be done by mid-April. Also, the preliminary work shows H dock will be 10 feet wide by 6 feet deep to help reduce wave action.

**7. Standing Agenda item. Discussion and consideration of status of Marine Life Protection Act initiative on the North Coast. Discuss and approve a letter supporting the socioeconomic study of the North Coast Region of the Marine Life Protected Act. Take action as necessary and appropriate.**

Mr. Young reported on the two-day meeting that was held in Crescent City in March. There is additional work needed to meet the science requirements. The Humboldt Bay Harbor District has requested a letter of support for a socioeconomic assessment of the impact of marine protected areas on the North Coast. He added they have the funding for the study, but the letter of support would lend additional credibility to the study. The Commission directed staff to write the letter of support.

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

Commissioner Phillips attended the Tri-Agency meeting. He commented on the Community Development Block Grant Micro-enterprise money and that the present recipients are repaying their low interest loans in monthly payments. Commissioner Phillips indicated that a fiber optic line loop is needed to improve high-speed internet service. He met today in an annual strategy meeting and review, and they gave direction to Mr. Renfro to look for grant writers for a business expansion and retention program. Commissioner Reese indicated he had nothing to report. Commissioner Ramsey reported he attended a lease committee meeting with South Beach Outfitters and has had e-mail communication from Rika Blue. Commissioner Ramsey commented he was happy to see the correspondence for the visitor center. President Feller reported on attending the Tri-Agency meetings. The workshop today reviewed what has been done in the past and what work will be done in the future. President Feller added that he attended a lease committee meeting with South Beach Outfitters and with Alber Seafood representatives. There was extremely good dialog at that (Alber) meeting and they discussed potential modifications to the building. This will need to be resolved by the end of June so Alber will know where they will be processing crab next season. President Feller indicated he also attended the Economic Summit meeting. Wes Chesbro was present and indicated he would come up to tour the harbor.

**9. 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) Tsunami Evacuation Live Code Test; 2) Proposed alternative evacuation route as the existing routes do not provide for safe evacuation of the harbor for a near shore event; 3) A recreational Salmon season would appear to be a real possibility this summer. President Feller asked if they should plan for additional docks. Mr. Young responded they will put in the standard number and see what the demand actually is before adding additional docks; 4) Web page proposal. If there is no objection from the Commission, Mr. Young indicated he would proceed with the proposal, as there is money in the budget for it; 5) Dredging and Corps of Engineers. The Army Corps is considering moving material out of the dredge ponds so they may cost effectively dredge more of the harbor channel; 6) FEMA projects.

No change in status, still waiting on a response from FEMA on the version requests and time extensions; 7) Mr. Young indicated he will be gone for next Board meeting attending a Marine Life Protection Act meeting in Fort Bragg. He indicated he will also be on vacation 4/23 to 5/4.

#### **10. Facilities Manager report.** Report on current matters and issues planned or in progress.

Paul McAndrews reviewed his project priority list. He reported that presently, both small boats are inoperable. He added that C dock is in very rough shape. All items on his list need to be done within next 60 days. Commissioner Phillips asked how many crew Paul had at present. Mr. McAndrews responded he has four (4) full-time crew and no part-time. Commissioner Ramsey commented they need to have the work done on the dredge. Mr. Young commented they cannot afford not to make repairs to the dredge. President Feller asked if they would have a dredge permit from the Army Corps before July 1. Mr. Young replied that they hope so, and that it is in process. They have to get a dredging plan approved as the dredging permit expires later this year. President Feller indicated he would like to have Mr. McAndrews make a monthly report to the Commission. Mr. McAndrews reviewed the daily routine of the maintenance staff; open bathrooms, garbage pickup, four to five boats get pumped daily or checked daily to keep them from sinking. They also check for broken lines, broken cleats, etc, at the same time. They also monitor the need for operation of the wastewater treatment plant. Mr. McAndrews remarked that today they had planned to work on two ladders, but found broken camels, and that the travelift dock had broken loose. They worked on the travelift dock today. The hauling of two boats out of the water today was cancelled due to weather. The grounds person was weed-eating and cutting up downed tree branches. They also fix water and electrical problems as needed. Mr. McAndrews mentioned there was no damage to the docks from either of the two recent tsunamis. Commissioner Ramsey asked what happens with downed tree limbs when they are cut up. Mr. McAndrews responded they are put in the storage and are burned in the shop stove to dry out gear. Mr. McAndrews commented that they do not presently have a small boat capable of getting under the dock to repair ladders, so getting that boat back in service is a priority. Commissioner Ramsey asked what thought had been given to vacation requests from the crew. Mr. McAndrews replied they cannot have two gone at same time. Commissioner Phillips asked, if everything were perfect, would they be building the block wall in July. Mr. McAndrews replied, yes they would. President Feller confirmed that Karl does grounds keeping and painting, and asked if the docks could be painted. Mr. McAndrews replied he was not sure if they will have sufficient time. He added that roughly two years ago they painted and repaired the docks, although they may have to build some new fingers for the outer basin docks. He indicated he would like to have an indoor location to work on the outer docks during the winter. Commissioner Phillips asked the status of the new roof for sheriff's building. Mr. McAndrews responded that is further out than this list. President Feller asked the other Commissioners provide him with any items they would like to see done. President Feller asked Mr. McAndrews to review items done in the last 60 days and if there had been any storm damage. Mr. McAndrews reviewed problems with the Flamingo breaking loose, ran new electrical service to the shop, poured a concrete pad in front of the shop to improve access for the fork lift, repaired/replaced 9 camels, and have bought 3 inch link chain to use on camels instead of steel cable they had been using. They also replaced one of the floats on C dock. President Feller requested Mr. McAndrews make a presentation at the first meeting of each month.

#### **11. Board Comments.**

Commissioner Ramsey had no comments. Commissioner Phillips indicated he would be unable to attend the funding fair in Redding on April 14th due to food bank commitments.

**12. CLOSED SESSION.** The Board of Harbor Commissioners will now meet in closed session to discuss the following items:

**Pursuant to Government Code Section 54956.8. Conference with real property negotiators. Two Items.**

**Item 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.**

**Item 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.**

**Pursuant to Government Code Section 54956.9(b), CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION. (two cases).**

**Pursuant to Government Code Section 54956.9 (a) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Russo v. Crescent City Harbor District.**

**Pursuant to Government Code Section 54956.9(b)(3)(c) receipt of a claim pursuant to the Tort Claims Act.**

**Claimant: Richard H. Garrett**

**Agency Claimed Against: Crescent City Harbor District**

President Feller recessed the open session at 7:55 p.m. and immediately convened in closed session to discuss the closed session items listed above. THE CLOSED SESSION WAS ADJOURNED AT 9:08 P.M. AND COUNSEL ANNOUNCED THAT ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER RAMSEY, THE COMMISSION UNANIMOUSLY VOTED TO REJECT THE CLAIM AGAINST THE CRESCENT CITY HARBOR DISTRICT BY RICHARD H. GARRETT.

### **13. Adjournment**

There being no further business to come before the commission, President Feller adjourned the meeting at 9:10 p.m. until the next regularly scheduled meeting on April 20, 2010 at 6:30 p.m. at the Flynn Administrative Center.

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Scott Feller, President

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Ray Martell, Secretary

Approved this \_\_\_\_\_ day  
of \_\_\_\_\_, 2010.