

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

**May 4, 2010**

**COMMISSIONERS PRESENT:**

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

**COMMISSIONERS ABSENT:**

None

**OTHERS PRESENT:**

Richard Young, C.E.O./Harbormaster  
Nick Grube, The Triplicate  
LaVonne Sparks  
Karl Reich  
Bill Renfroe, Tri-Agency  
Harry Adams  
Pat Rideout, Chart Room

Paul McAndrews, Facilities Manager  
Wilma Madden, P.S. Business Services  
Garry Young  
Kenneth Towe, Harbor RV Anchorage  
Ward Stover, Stover Engineering  
Wayne Gavin, Alber Seafood

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**President Feller opened the meeting at 6:30 P.M. in open session. Commissioner Feller led the Pledge of allegiance.**

**Public comment.**

The following persons addressed the Commission: Karl Reich commented the E Dock bathroom is not functioning properly. It is leaking out into the water and needs to be fixed. President Feller indicated that there has been a vandalism problem at that

restroom. Richard Young remarked that there has also been an issue with a drain line. Paul McAndrews stated the Harbor District had hired Woods Plumbing, who has been making repairs this week.

**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 April 20, 2010.**

**B) Approval of the minutes of the Regular Meeting of April 20, 2010.**

There was no public comments or requests to remove items from the consent agenda.

ON A MOTION BY COMMISSIONER PHILLIPS 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-B, AS PRESENTED.

**2. Discuss and approve a letter of support for the Harbor Maintenance Tax fund. Take action as necessary and appropriate.**

Mr. Young reported on the Harbor Maintenance Tax fund and recapped the history of it and the need for a letter of support. President Feller clarified that letters will go to both our congressman and senators. Mr. Young replied they will. President Feller asked if either the City or the County has approved sending letters of support. Mr. Young indicated he was not sure if either had, but will forward the information to both of entities requesting they send letters of support also.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED BY VOICE VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED SENDING LETTERS OF SUPPORT FOR THE HARBOR MAINTENANCE TAX FUND LEGISLATION.

**3. Discuss and approve a three year Memorandum of Understanding with the Tri Agency Economic Development Authority. Take action as necessary and appropriate.**

Mr. Young presented his report, indicating this is a continuation of the existing agreement. President Feller commented that Tri-Agency was a joint powers authority with the County and the City and this agreement helps fund the Tri-Agency. He added that the City and County contribute as well to the funding of Tri-Agency.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER MARTELL, AND UNANIMOUSLY CARRIED BY POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE THREE

YEAR MEMORANDUM OF UNDERSTANDING WITH THE TRI-AGENCY ECONOMIC DEVELOPMENT AUTHORITY.

- 4. Discuss and approve CEO travel to the Spring meeting of the California Association of Harbormasters and Port Captains. Take action as necessary and appropriate.**

Mr. Young presented his report. He indicated this is a one day meeting in Oakland, but may require a two night stay. Commissioner Phillips asked the date of the meeting. Mr. Young responded it is on May 17. Commissioner Martell confirmed that there is sufficient travel money in the budget. Mr. Young replied that there was money budgeted for this trip.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED BY POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS AUTHORIZED THE HARBORMASTER/CEO'S TRAVEL TO THE SPRING MEETING OF THE CALIFORNIA ASSOCIATION OF HARBORMASTERS AND PORT CAPTAINS AS REQUESTED.

- 5. Discuss and approve a final lease with Rika Blue, dba Talking Crow Studio. Take action as necessary and appropriate.**

President Feller announced this item was being pulled from the agenda as the lease was not provided to Rika Blue until this morning, and that legal Counsel had apologized for not having been able to provide it to her sooner.

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

Ward Stover made a presentation on the status of the inner basin rebuilding project. He reviewed the *Hurricane Preparedness Guidelines for Marinas* he found online, jointly sponsored by FEMA and the Army Corps of Engineers and reviewed key points in Section II, a copy of which he provided to the Commissioners. Mr. Stover indicated the Coastal Commission will require tsunamis be addressed in their permit and Del Norte County has a flood damage prevention ordinance that is applicable to this project as well. Mr. Stover reported the tsunami study was recently completed and reviewed key sections of the document, including historic tsunami events and charts marking the data of previous events. He explained that the tsunami model that was developed was based upon the data collected. Commissioner Phillips commented that the model followed the visual observations made during the recent tsunami event. Mr. Stover commented that the engineers at Ben C. Gerwick, Inc. were excited to see the actual event followed the model. He added that the dredging of the entrance channel and the inner basin will not solve the velocity problem. Commissioner Phillips asked about the reference to probes on figure 7.9. Mr. Stover explained the purpose of the probes and their use in developing the model. He then reviewed the design recommendations in

Chapter 8. Mr. Stover indicated that a 30% design set of plans has been submitted. They provide for H Dock at 16 feet wide and 7 feet deep with 1 inch thick sidewall, 30 inch diameter pipe piles that will be filled with concrete, 9 foot on center. He indicated that the piles won't be in the way on the north side for boats. Mr. Stover added that G Dock will be 8 feet wide, and G and F Docks will have 1 inch thick, 24 inch diameter pipe piles, with no concrete back fill. Commissioner Phillips asked why there would be no backfill in those piles. Mr. Stover responded there was no need as the metal will provide sufficient strength without the added cost of concrete. Mr. Stover indicated the design won't extend work season beyond the two seasons that is planned. Mr. Stover commented the piles will be drilled and socketed in, and G dock will have extra piles on the outside edge, as will F Dock. Commissioner Phillips asked if this will double the number of existing piles. Mr. Stover replied that it would. Mr. Stover then reviewed the piling recommendations for the other docks. They have not yet designed how deep the piles will need to be, that is being worked on now. Mr. Stover reviewed the updated project schedule, indicating the permit phase has started. He has submitted the 30% design set and the tsunami study to the OES representative, who has reviewed them, who has indicated he is not happy with information provided. Mr. Stover commented that OES has stated the Harbor District will need to submit revised DSR. He added that this same person at OES is having issues with County projects also. Mr. Stover reviewed his discourse with the OES representative regarding the 50 year design. The OES representative is not an engineer and has expressed the opinion they are over designing. Mr. Stover stated he has provided the marina guidelines to OES representative and that they are trying to make the case that they are designing to FEMA and Army Corps standards. Mr. Stover added that he is also providing additional requested information to OES. Mr. Stover commented that he has pointed out to OES that they are on a tight timeline. He added that OES guidelines state that if it is required by a permit, it is reimbursable cost. Mr. Stover stated that he believes they have the justification for the 50 year design. Mr. Young commented that it makes sense to use the 50 year design for tsunamis as they anticipate the harbor will be here for 50 years, and a lesser design standard will result in tsunami damage to the harbor at least two or three times during that 50 years. Mr. Stover indicated they would not move forward on the structural design until a resolution is reached with OES, but the electrical engineer is moving forward as is the design of the water system. Mr. Stover stated that they needed to design to today's standards, not the original construction standards. Mr. Stover indicated he would like to come back in two weeks with an update on the progress with OES. Ms. Stover requested the Commission consider approval of the tsunami study at their next meeting, or at the following meeting. Commissioner Reese asked what the primary difference was between designing for a 15 year event and 50 year event. Mr. Stover reviewed the chart on page 32, and indicated the primary difference is the 15 year event design would cost less. The Commissioners thanked Mr. Stover for his presentation. President Feller inquired if there was more square footage of dock. Mr. Stover responded there was; not for the purpose of increasing square footage, but to provide for dock strength. Commissioner Martell asked for the cost estimate. Mr. Stover replied the initial estimate was \$20 million. He added that OES did not agree with that estimate, and provided their cost estimate of \$13 million. Mr. Stover pointed out that whether it is \$13 million or \$20 million, if the design is required

by permit, it is reimbursable under OES regulations. Commissioner Phillips asked what harbor OES was using as a basis for their cost estimate. Mr. Stover responded they were using Woodley Island. Mr. Stover indicated they were staying within the DSR scope of work in the design. President Feller confirmed they were designing the replacement based on current standards. Mr. Stover replied they were. Mr. Stover added that they were prepared to talk to OES staff above the OES representative, if need be. Mr. Stover indicated they plan to stay on task and stay on schedule. Mr. Young commented they have seen the issues coming for some time with the field representative and are prepared to take the information to the engineering staff of OES. Mr. Young felt the design criteria is defensible. Mr. Stover commented he was concerned with time delays on the part of OES, but they intend to stay on track for the permitting process. Mr. Young commented that not having the docks available to rent is costing the harbor money and the lack of serviceable docks is frustrating to the tenants as well. Commissioner Phillips commented that Ernie Perry had taken a photo at a minus tide that shows what amounts to an island. President Feller asked the Commissioners to review the tsunami study and requested that it be on the next agenda for approval. Mr. Young remarked that copies of both the study and the 30% plans are available at the Harbor office for public review. Commissioner Martell asked if they could be made available on-line. Mr. Young responded that he would check into that possibility. Mr. Stover mentioned there is a field trip planned with staff and the design committee on May 27 to the Eureka and Woodley Island Marinas.

**7. Standing Agenda Item. Discussion and consideration of status of Marine Life Protection Act initiative on the North Coast.**

Mr. Young reported on the last North Coast Regional Stakeholders group meeting. He indicated the Blue Ribbon Task Force met here in Crescent City yesterday. The next meeting of Regional Stakeholders Group will be May 19-20 here in Crescent City.

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

Commissioners Phillips reported he attended the Tri-Agency meeting on April 26 and they adopted the Action Plan for next year, which he then briefly reviewed for the Commission. The other Commissioners indicated they had no items to report.

**9. C.E.O.'s report. Report on current matters and issues planned or in progress.**

Mr. Young stated he did not have a prepared report since he has been on vacation until today.

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

Mr. McAndrews presented his report, including boat repair, the aluminum ramp for I Dock, and cables for the outer basin docks. They finished the installation of the outer

docks for 64 boats, including water and electricity. Mr. McAndrews indicated they had received updated bids from Fashion Blacksmith for the repairs to dredge. Commissioner Martell asked if they were still within the original estimate of \$15,000. Mr. McAndrews replied the repair cost is up to \$23,000 now, but he and Mr. Young had authorized the additional work. Commissioner Martell asked why staff had not come back before Commission for approval of the additional work. Mr. Young responded that the work that has been authorized over the \$15,000 was not optional work, it was necessary for the dredge to be operational. He added that he authorized the additional expense while he was out of town to keep the work moving forward. Commissioner Ramsey asked what the estimate was for the additional work. Mr. McAndrews replied that he has a revised bid and will be reviewing it with Mr. Young tomorrow. Commissioner Ramsey asked if will be in the range of \$30,000 to \$35,000. Mr. McAndrews replied he did not believe it would be that much. Mr. Young indicated he will review all of it tomorrow and will bring it back to the Commission at their next meeting. Commissioner Martell stated that was not the issue; the work was not to be done without coming back to Board. Commissioner Phillips pointed out that the Commission had decided some time ago that the Harbormaster was authorized to approve expenditures up to \$10,000. Commissioner Reese asked about the status of the dredge permits. Mr. Young replied that some were done, but some need additional information submitted to the permitting agency. President Feller asked Mr. McAndrews to review the upcoming work planned. Mr. McAndrews reviewed the work planned. President Feller asked if Mr. McAndrews would provide his reports in written form at future meeting. Mr. McAndrews replied that he would. Commissioner Reese asked if they would be putting bumpers on the sport docks in the outer basin. Mr. McAndrews responded that the boat owners usually provide their own bumpers. He added that it would be very expensive for the harbor to provide bumpers on all the docks. Mr. Feller asked if they would have dock space for 120 boats. Mr. McAndrews replied the outer basin has space for 64 boats. Mr. Young added that they should be able to provide some space in the inner basin. They need to replace docks in the outer basin in order to accommodate more boats. Commissioner Martell asked if they would be able to recycle some of the inner basin docks for use in the outer basin as the inner basin rebuild takes place. Mr. Young responded that has been the plan, but they are not sure how much of the material will be usable until they begin removing it from the water. Commissioner Phillips asked Mr. McAndrews to indicate the project's priority on his written list. Commissioner Phillips commented that they appeared to be behind on grass mowing and weedeating. Mr. McAndrews indicated that the groundskeeper had been helping to install the outer basin docks, so has gotten behind on his groundskeeping duties. Commissioner Ramsey thanked staff for finishing the installation of the outer basin docks.

## **11. Board Comments.**

Commissioner Phillips indicated he had no comments. Commissioner Reese also indicated he had no comments. Commissioner Martell requested the Commission be kept informed of project changes. Commissioner Ramsey commented on the garbage dumping issue and President Feller's comments at the prior meeting on that issue.

Commissioner Ramsey indicated he has received numerous complaints on this issue, and as a Board member it reflects badly on their image when someone confronts them and that the issue wasn't dealt with up front. Commissioner Ramsey requested that his comments be considered a reprimand to President Feller. President Feller reported on the special meeting held Saturday, May 1, 2010 wherein a presentation was made to Congressman Thompson. He indicated he attended the meeting between the salmon fisherman and Congressman Thompson before the Harbor District's meeting. President Feller added that he spoke with Congressman Thompson privately after the Harbor District meeting with regard to the harbor, the harbor dredge, and took him on a tour of the Alber Seafood plant and visited Fashion Blacksmith to review the repairs to the dredge. He commented on the upcoming field trip to Eureka and Woodley island Marinas. President Feller then stated that he went to the Code Enforcement Officer today and requested he be issued a citation for the dumping of garbage into the Harbor dumpster. He was issued the citation, which he has already paid. President Feller then expressed the hope that would put the issue behind the Commission.

## **12. Adjournment**

There being no further business to come before the Commission, President Feller adjourned the meeting at 8:15 p.m. until the next regularly scheduled meeting on May 18, 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.