

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

April 20, 2010

COMMISSIONERS PRESENT:

Scott Feller, President
Jack Reese
Ron Phillips
James Ramsey

COMMISSIONERS ABSENT:

Ray Martell, Secretary

OTHERS PRESENT:

Robert Black, Legal Counsel
Wayne Gavin, Alber Seafood
Kenneth Towe, Harbor RV Anchor.
Pat Wilson, Public
Paul McAndrews, Facilities Mgr.
Bill Renfroe, Tri-Agency EDA

Karen Phillips, P.S. Business Services
Garry Young & Lavonne Sparks
Zack Larson, MLPA Consultant
Anthony Skeens, Triplicate
Pat Bailey, Former Commissioner

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

President Feller opened the meeting at 6:30 p.m.

The pledge of allegiance was led by Commissioner Ramsey.

Public comment.

The following persons addressed the Commission: Patrick Wilson commented on the MLPA, the notes of which, he will be sending to the commissioners. He served with the oceanographer on the recovery of the Brother Jonathan. He has heard a comment that was made regarding the harbor "being dead" which he does not care for. In addition, to other issues the breakwaters are in a north shore drift, which causes and the drift of materials into the harbor and the need for dredging. Jerry Cochran, the Golden Gate Bridge representative, should be approached by the Harbor Commission to see if there is a dredge, caterpillar, barge, etc, or some other surplus equipment that could be used to dredge the harbor. He will be doing some more research and was one of the persons that helped the trawl fleet; he is a licensed captain. The vessels will be pushed until there is no fleet left with the MLPA. He feels like there is a way to save the harbor and the channel is not designed to be kept open without proper dredging. He feels that the

government hurdle jumping is going to kill the harbor and he does not want to see that occur. He said that the seafood in the local markets is being thrown away; he wants to find some way to mitigate the issues to help the fishing fleet. He will send an e-mail with his comments to staff.

President Feller read a letter from Commissioner Ray Martell regarding his absence beginning June 15, 2010 for the next 10 weeks due to taking care of his son. President Feller also added that Mr. Martell was married in a civil ceremony today.

1. Consent agenda.

Public comment: Requests to remove items from the Consent Agenda may be heard at this time.

A) Approval of the minutes of the Regular Meeting of June 1, 2010.

B) Approval of the warrant list since June 1, 2010.

No comments were made regarding the consent agenda.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER RAMSEY, AND CARRIED ON A 4-5^{THS} POLLED VOTE, WITH COMMISSIONER MARTELL ABSENT, 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 external signs proposed by Talking Crow Studio. Take action as necessary and appropriate.

A short discussion was held regarding the signs complying with county sign ordinances. The proposed signs will be 2 feet wide by 4 feet long and be placed at the corners of the 170 Marine Way building.

ON A MOTION BY COMMISSIONER REESE, SECONDED BY COMMISSIONER RAMSEY, AND CARRIED ON A 4-5^{THS} POLLED VOTE, WITH COMMISSIONER RAMSEY ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE EXTERNAL SIGNS AS PROPOSED BY TALKING CROW STUDIO.

3. Discuss and consider giving conditional approval for staff to take PW 438 to bid and completion. Take action as necessary and appropriate.

Mr. Young reported on the entrance of Citizens Dock and addressing the erosion and rock placement related to the 2006 storm damage. PW 438 refers to one of the storm damage projects caused in the New Year's 2006 storm. Permits have been received just recently for this project from California Coastal commission. A fee is due to the Regional Water Quality Control Board to proceed with the project/permits. FEMA approved for the final scope of work on the project has been received.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER REESE, AND CARRIED ON A 4-5^{THS} POLLED VOTE, WITH COMMISSIONER MARTELL ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED FINALIZING THE BID PACKAGE AND DESIGN AND

TAKING THE PROJECT OUT TO BID, CONTINGENT UPON APPROVAL OF THE BID PACKAGE BY COUNSEL, FINAL DESIGN BY STOVER ENGINEERING AND APPROVAL OF THE PRESIDENT PRIOR TO RELEASE.

Commissioner Phillips asked about removal of, or pulling back, of the rock and adding new. That is what is being considered, according to staff.

4. **Discuss and approve fees to the State Water Quality Control Board for repair projects from the 2006 winter storms. Take action as necessary and appropriate.**

Richard Young reported on the 2006 storm damage, the permits and the North Coast Regional Water Quality Control Board fees. FEMA is funding these projects, which are fully reimbursable to the Harbor. Staff was asked about the turn-around time for the FEMA project reimbursement. According to staff there is no set repayment schedule.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER PHILLIPS, AND CARRIED ON A 4-5THS POLLED VOTE, WITH COMMISSIONER MARTELL ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE EXPENDITURE OF \$8,736 FEE TO THE NORTH COAST REGIONAL WATER QUALITY CONTROL BOARD AS REQUIRED TO ACCOMPLISH THE 2006 STORM DAMAGE PROJECTS.

5. **Discuss and approve a 2010/2011 contract with Karen Phillips, dba PS Secretarial service. Take action as necessary and appropriate.**

Richard Young reported on the revised version of the contract with PS Business Services. Commissioner Phillips asked if the contract could be signed for a multi-year term. Consultant Phillips indicated the term of the contract could be amended for a multi-year term based on the decision of the commission. Counsel presented last minutes changes to the agreement, all of which were wording changes. There were no substantive changes to the agreement.

ON A MOTION BY COMMISSIONER REESE, SECONDED BY COMMISSIONER RAMSEY, AND CARRIED ON A 4-5THS POLLED VOTE, WITH COMMISSIONER MARTELL ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE AGREEMENT WITH PS BUSINESS SERVICES AS AMENDED BY COUNSEL.

6. **Discuss and approve 2010/2011 insurance proposals. Take action as necessary and appropriate.**

Richard Young reported there was one response to the RFP for 2010/2011 insurance from Northwest Insurance. There are some minor changes that need to be made to the list of vehicles and the number of drivers as well as other minor changes to the proposal.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER PHILLIPS, AND CARRIED ON A 4-5THS POLLED VOTE, WITH COMMISSIONER MARTELL ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE INSURANCE PROPOSAL

WITH NORTHWEST INSURANCE AND AUTHORIZED THE PRESIDENT TO SIGN THE DOCUMENT WHEN IT WAS CORRECTED.

7. **Discuss and approve travel by CEO and to various meetings. Take action as necessary and appropriate.**

Richard Young reported on the meeting travel and the fact that he will not be attending the California Coastal Commission June 9th and CalEMA June 10th meetings. He requested that this item be tabled at this time. President Feller tabled the item for future discussion and action.

8. **Discuss and approve RESOLUTION 2010-3, A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT REQUESTING CONSOLIDATION OF THE NOVEMBER 2, 2010 GOVERNING COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT ELECTION WITH THE NOVEMBER 2, 2010 COUNTY CONSOLIDATED GENERAL ELECTION. Take action as necessary and appropriate.**

ON A MOTION BY COMMISSIONER REESE, SECONDED BY COMMISSIONER RAMSEY, AND CARRIED ON A 4-5THS POLLED VOTE, WITH COMMISSIONER MARTELL ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPT RESOLUTION 2010-3, ENTITLED, A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT REQUESTING CONSOLIDATION OF THE NOVEMBER 2, 2010 GOVERNING COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT ELECTION WITH THE NOVEMBER 2, 2010 COUNTY CONSOLIDATED GENERAL ELECTION, AS PRESENTED.

9. **Discuss and consider a preliminary budget and budget workshop. Take action as necessary and appropriate.**

Richard Young reported on the preliminary budget, the balance sheets through March 1, 2010 and the projected budget forecast for the end of this fiscal year (2009/2010). The Budget Committee will be meeting this week (1:00 p.m. on Friday) to work on the budget for presentation at the next Commission meeting.

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

Richard Young reported on the written report and handouts given at the meeting. The project is at the 30% design stage. CalEMA may pay for the design at the current proposed 50 year/15 foot design or they could force the Harbor to go with original design. The question is how big a tsunami should the Harbor be designed to withstand. No one knows what range of tsunami to design for at this time, so Stover Engineering set up a meeting to discuss the issue, which was well attended by multiple agencies. They went through the history of the tsunami. The engineers involved in the project want a 50 year design. The cost of the design jumps substantially with the addition of design wave height/years. CalEMA has been in favor of designing for a smaller wave and the Harbor does not think this is the best cost solution as the harbor would be destroyed every 10 years or so based on history. The 50 year design is intended to be

the life span of a harbor, according to the engineers. CalEMA approval is needed and staff hopes to receive it soon. FEMA and the California Coastal Commission do not have a design for this kind of a project and we may have set the bar for the rest of the State with the request for the 50 year design.

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

Richard Young presented maps of the proposals for the MLPA and reported we are in the transition of rounds 2 and 3. The regional stakeholders group has come up with alternatives from the 2 different groups. Zack Larson commented on the work of the regional stakeholder group and the 4 proposals from the “ruby” and “sapphire” stakeholder groups were discussed. There are special closure areas of 300 feet (10 proposed) around specific rocks up and down the coast. It is unclear how these proposals will be evaluated. We get credit for smaller closure areas rather than larger ones. He also noted that there is a public outreach meeting with regional stakeholders on June 25, 2010 and July 8, 2010 in Crescent City. Some of the issues are tribal in nature and this causes some difficulty within the two stakeholder groups in deciding on their alternatives. Proposal 2 is the alternative that appeals to the largest number of participants. Now the proposals will go to the Fish and Game for consideration and then on to the Blue Ribbon Task Force and back to Fish and Game in October. This process is fraught with a lot of uncertainty for the stakeholders. They have had a great debate and given a lot of consideration to all the alternatives and needs. The final proposal may be parts of all the proposals made by the Blue Ribbon Task Force and staff feels that they could even propose their own solution. The stakeholder will not have input to that meeting (Blue Ribbon Task Force). Commissioner Phillips asked what the criteria were for picking the areas. Mr. Larson explained there is a minimum of 9 square miles and 32-60 miles apart for specific habitat. We only have five rocky habitat areas and we cannot make the criteria because our geology. This will affect the crab and commercial fisheries as they run out six miles from each identified area. It is important that the public attend the meetings to voice their opinion and make suggestions.

12. Committee Reports. Reports from other standing and ad hoc committees.

The following Commissioners made reports: Commissioner Phillips indicated he did not have any meetings to report on this time; Commissioner Reese had no meetings to report on; Commissioner Ramsey reported he just got out of school for the year and will be attending the Chamber of Commerce meetings; President Feller attended the IGRC meeting, where it was decided to continue meeting monthly. Each quarter a topic will be discussed that all members can work on.

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

The CEO/Harbor Masters report included the following topics: a) Coastal Conservancy - feedback was positive regarding the status of the application; b) Tally Ho Dock – completed last week, repaired the ramp, the concrete abutment, attached the docks and floats that came to about \$3,700; c) Transfer of Waster Water Services to City – the City has made an initial proposal for cost sharing, staff indicated the need to set a committee

meeting to discuss how to move this process along, there will be some movement of the lines, staff indicated the service needs to be done by November 15 for Alber Seafoods. Commission Phillips asked to have the President and Harbormaster go before the City Council to get this matter moving forward in time for the crab season. Perhaps the Tri-Agency EDA could have the matter on the next agenda and ask City staff to be in attendance at that meeting to discuss the matter; d) FEMA Projects – Coastal Development permit needs to be paid for and was approved earlier in the agenda. The Marbled Murrelet and Snowy Plover studies do not need to be done now; e) 4th of July – staff is getting ready for the holiday and getting grass cut down to reduce the fire danger; f) Wind - gusts of 56 miles per hour are pounding the docks that have been installed recently; g) FEMA – when the projects might be approved is being discussed, staff indicated they asked but do not have any set timelines; and h) Inner Breakwater - will not be done this year, some of the smaller projects may be completed this year.

14. **Board Comments.**

No comments were made by Commissioners.

15. **Adjournment**

Adjournment to the Regular Meeting scheduled on July 6, 2010, 6:30 P.M. at the Harbor District Office, 101 Citizens Dock Road, Crescent City, California.

During 2010, the following meetings will be held at the Harbor District office to avoid conflicts with rescheduled City Council meetings.

- **January 19 (due to Martin Luther King Day)**
- **February 16 (due to Presidents Day)**
- **July 6 (due to July 4)**
- **September 7 (due to Labor Day)**

All other regularly scheduled Harbor District meetings will be at the Flynn Center.

There being no further business to come before the Commission, President Feller adjourned the meeting at 7:34 p.m., until the next regularly scheduled meeting on July 6, 2010 at 6:30 p.m. at the Harbor District Offices.

Scott Feller, President

Ray Martell, Secretary

Approved this _____ day
of _____, 2010.