

WES WHITE
President

SCOTT R. J. FELLER
Secretary

PATRICK A. BAILEY
Commissioner

RONALD A. PHILLIPS
Commissioner

JAMES RAMSEY
Commissioner

Board of Harbor Commissioners

of the

Crescent City Harbor District

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CHARLIE HELMS
CEO/Harbormaster

ERNEST PERRY
Harbor Planner

MINUTES

Board of Harbor Commissioners of the Crescent City Harbor District Regular Meeting, Tuesday, July 1, 2014 @ 5:45 P.M.

COMMISSIONERS PRESENT:

Scott Feller, Secretary
James Ramsey
Ron Phillips
Wes White, President

COMMISSIONERS ABSENT:

Patrick Bailey

OTHERS PRESENT:

Charlie Helms, CEO/Harbormaster
Kenyon Hensel, Hensel's Deli
Marcia Jensen, Hensel's Deli

Karen Philips, PS Business Services
Adam Spencer, Triplicate
Harley Munger, Mural Artist

5:45 P.M. The Board of Harbor Commissioners will meet in open session to discuss the following agenda items.

President White called the meeting to order in regular session at 6:00 p.m.

Public Comment prior to closed session.

The following person(s) addressed the Commission regarding the closed session matters: none.

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

(1) PURSUANT TO GOVERNMENT CODE SECTION 54957(B):

Public Employee Performance Evaluation:

Title: CEO/Harbormaster

(2) LABOR NEGOTIATIONS: Pursuant to Government Code Section 54957.6.

Agency Negotiators: Charles Helms, Ron Phillips, James Ramsey

Employee Organization: Northern California Carpenters Regional Council, Carpenters 46 Northern California Counties Conference Board, Carpenters Local Union 751
REPORT OUT OF CLOSED SESSION.

President White recessed the regular session at 6:01 p.m. and immediately convened in closed session. The closed session was recessed at 6:35 p.m.

See below for reconvened closed session.

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

The President reconvened the regular open session at 6:35 p.m. and Mr. Helms reported that the following action was taken in closed session: none

Pledge of allegiance.

The pledge was led by Commissioner Ramsey.

Public comment.

The following person(s) addressed the Commission: Harley Munger discussed the proposed mural for the commercial restrooms and presented them to the Commission. The Coast Guard Auxiliary is proposing the mural and will be looking for funding for it. The mural is proposed to go on the "B" Dock bathroom wall. The proposed mural depicts four of the Coast Guard vessels that were formally stationed here, with waves, seagulls, and a large compass in the middle of the mural. Mr. Munger will be called when the Design Committee member are back in town and discussion will take place regarding approval of the mural and any other actions necessary.

1. Consent agenda.

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

A) Approval of the warrant list since June 17, 2014.

B) Approval of the minutes of the Regular Meeting of June 3, 2014.

C) Approval of the minutes of the Special Meeting of June 12, 2014.

D) Approval of the minutes of the Regular Meeting of June 17, 2014

There were no public comments made regarding the consent agenda. Commissioners discussed Prop 94 funds and whether or not reimbursement was made to the Harbor. Staff will research the matter and get back to the Commissioners. Commissioner White asked about a warrant to (page 4) James Cofer, which staff explained was a refund check for slip fees. Also discussed were the warrants for RCAC, which was for partial payment of the loan for GAP funding, (page 5) garbage fees of \$4,200., which staff explained was due to extra trash caused by salmon season, they are looking at cutting that down. President White noted there were typographical corrections to the minutes that did not change the context; he will give them to Ms. Phillips for inclusion in the minutes of June 3 and June 17th.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED ON A POLLED VOTE WITH COMMISSIONER BAILEY ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS, APPROVED AND ADOPTED THE CONSENT AGENDA, CONSISTING OF ITEMS 1.A-D, WITH THE NOTED CORRECTIONS TO THE JUNE 3 AND JUNE 17TH MINUTES.

2. **Discussion and consideration of approval of the *Amendment to Short Term Rental Agreement, 191 Citizens Dock Road with Kenyon Hensel for the purpose of extending the Termination Date to July 31, 2014.*** Take action as necessary and appropriate.

Discussion was held regarding the amendment to the agreement with Kenyon Hensel. Staff recommended that the amendment be approved for another 30 days. The construction date estimated for Englund Marine is fall of 2014. Commissioner Feller asked to amend the agreement adding paragraph 3 that would allow CEO authority to extend the agreement in 30 day increments. According to staff, counsel represented that this is the proper format to extend the agreement, 30 days at a time. Kenyon Hensel noted that his issue is that there has been no indication where the trailer will go, who is paying, and who will work with the County for moving and preparing the new site. The Harbor Planner has reviewed two sites and they have been discussed with the City of Crescent City. Staff indicated that there is no recommended site at this time. There may be a site identified at the next meeting to move this forward. Mr. Helms noted they are looking for the most economical site for the tenant to move to. Mr. Hensel noted that he would like to be included in the site selection. Four sites are possible and the City has reviewed them. President White directed that a site be proposed and the matter be placed on the agenda for the next meeting.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER PHILLIPS, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS, APPROVED AND AUTHORIZED THE PRESIDENT TO SIGN THE AMENDMENT TO SHORT TERM RENTAL AGREEMENT FO 191 CITIZENS DOCK ROAD WITH KENYON HENSEL EXTENDING THE TERM TO JULY 31, 2014.

3. **Discussion and consideration of approval of the *Agreement for Professional Services with Karen Phillips, dba PS Business Services, for the term of July 1, 2014 through June 30, 2015 for minute taking and related services.*** Take action as necessary and appropriate.

Discussion was held regarding the approval of the agreement with PS Business Services. Mr. Helms reported on the contract and current agreement. President White asked questions regarding adding the Harbor as an additional insured, the services provided and the designated representative. The designated representative will be changed to the current CEO, and staff will research whether or not the Harbor should be listed as an additional insured under the contract.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED ON A POLLED VOTE WITH COMMISSIONER

BAILEY ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS, APPROVED THE CONTRACT WITH PS BUSINESS SERVICES FOR THE PERIOD OF JULY 1, 2014 THROUGH JUNE 30, 2015, WITH THE CORRECTION OF CEO NAMES, AND AN AMENDMENT, IF COUNSEL FEELS IT IS NECESSARY, THAT THE HARBOR BE LISTED AS AN ADDITIONAL INSURED UNDER THE CONTRACT INSURANCE PROVISION..

4. **Discussion and consideration of adoption of Resolution No. 2014-003, entitled *A Resolution of the Board of Harbor Commissioners of the Crescent City Harbor District Requesting Consolidation of the November 4, 2014 Governing Commissioners of the Crescent City Harbor District Election with the November 4, 2014 Statewide General Election.*** Take action as necessary and appropriate.

Discussion was held regarding Resolution No. 2014-003. This is a routine resolution for consolidation of the election with the Statewide General Election and a cost savings for the Harbor.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED ON A POLLED VOTE WITH COMMISSIONER BAILEY ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS, APPROVED AND ADOPTED RESOLUTION NO. 2014-003 AS PRESENTED.

5. **Discussion and consideration of inclusion of seasonal rates for the Inner Boat Basin on the Harbor District's Fee Schedule. The current Fee Schedule is Ordinance No. 42. Give direction to staff following the discussion.** Take action as necessary and appropriate.

Discussion was held regarding inclusion of the seasonal rates in the fee schedule. Staff presented information to clarify the seasonal rates. Brookings harbor has a 6 month rate for sport fishermen, but not for commercial. Staff feels that a quarterly discounted rate for 30-40 foot slips for commercial and recreational vessels would be appropriate in attempting to attract the vessels back; it puts the Harbor in a more competitive position. The quarterly rates would cause more work for the office staff in billing and this was noted the last time the rate was discussed.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONER DIRECTED STAFF TO PREPARE A NEW SEASONAL RATE STRUCTURE FOR 30-40 FOOT VESSELS BOTH COMMERCIAL AND RECREATIONAL.

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

The following reports were made:

Budget Committee – staff will modify the budget to remove about \$50,000 in expenditures to help balance the budget. The profit loss statements need to be prepared and out in a timely manner.

Design Oversight – A meeting was held and the monuments were discussed and changed to make them more visible, there is a small design change on Starfish Way to add a retaining wall, work is going well, bike racks have arrived and are in storage.

Events – no report.

Landlord Tenant Committee – no report.

Park Model Construction – no report.

Real Estate Policy/Lease Committee – no report.

Visitor's Center Committee – Commissioner Ramsey noted that he feels this project needs to be moved forward in another way; a much smaller structure, and a different design. He feels that from a community standpoint, it would be a boon to the entire community and lend itself in a better way to shopping in the Harbor. Some of the original design and ideas need to be revisited. If the funding can be found and a nonprofit found to help, the Parks have always expressed interest in being housed there. Since the beginning of the discussions there have been management changes in both State and National Parks. A meeting of the parks and staff with the Commission needs to be held.

Dutra Dispute Resolution Committee – only thing remaining is the warranty issue, committee will remain on agenda until finalized.

Employee Negotiations – done.

Insurance Committee – no report

Zoning and Land Use – no report.

Marketing – the draft plan was given out, staff was asked to add the surf contest back to the list of events, and staff is discussing a SUP (stand up paddle board) contest with Rhynn Noll, noting that the market is much broader than a long board contest would have. The members have asked for input from the other Commissioners and to have a special meeting to discuss the plan. Commissioner Ramsey noted that he would like to look at the cost of banners for the entrance of the Harbor.

Maintenance and Repair – meeting will be held soon.

Tri-Agency – lawsuit was settled and everyone pays their own attorney fees. The disposal of the Top Blue Marine Building and the USDA loan issues are the last two items to be resolved. Tri-Agency is working with the Council of Economic Advisors again.

IGRC – meeting next month

Chamber – a meeting was held last week and discussed the 4th of July events, did have mixer at Recology, and the Fishermen's Restaurant, attendance is down at the mixers.

Port Safety – meeting rescheduled

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

The CEO's report included discussion of the following topics in addition to the written staff report presented in the agenda packet: 1) Cost Reduction – Mr. Helms met with Pacific Power staff to perform an energy audit, review lighting, etc., Pacific Power will generate a spreadsheet for cost cutting measures and rebates. A budget line item for electricity billing has been added to the budget to track costs. Staff will check on what the policy would be for tenants that do not pay for electrical services; 2) Revenue Generation - addressed above; 3) Dumpster – staff will explore placing a dumpster in the Harbor for fishermen to dump equipment they do not use, other harbors have had this program operating for the last three years to their benefit; 4) Account Receivable – report attached to CEO report; 6) Past Due Accounts – past actions have been pretty slow in going after payment, need to ramp up the collections efforts and attention to nonpayment before 100 days; 7) Harbor Software – for accounts and vessel location does not work any longer and it is not serviced

any longer, Mr. Helms noted that this information needs to be working so staff have a better idea of account arrearages and where vessels are located, etc.; 8) Change of Command Ceremony – CEO attended, Col. Morrow would like to come visit this fall, was a good networking opportunity; 9) Dredge spoils - moving needs to be approved, Mr. Stewart may want to enter into a 10 year agreement to take the spoils if it works out; 10) Bellingham Marine - will start repairs on July 8th to Citizens Dock, it will cause some delays for loading and staff is working with the fish companies to make sure the deliveries and loading is not a problem; 11) Anchor Way – pump station got a new lid and there will be a new fence installed there also; 12) Bids for scrape – one bid came in over and will go out again; 13) Miss Joanne – the owner has a mover according to what they have told staff and he will be moving it; 14) Crab Pots – are starting to be stored in the Harbor property, season ended yesterday and the fishermen are bringing them in and storing the on-site right now, Commissioners would like this policy reviewed; 15) Lease list – staff will get it to the Commissioners; 16) Metering electricity – will clarify the warranty issues with electrical meters; 17) Landlord tenant insurance – staff will follow up with the Mr. Cochran regarding vendors coming to the Harbor for temporary use; 18) Gangway at boat launch – has been fixed; 19) Anchor Way Access to South Beach – discussion of access to the beach, will be access way at proposed permanent restroom, there was a ramp at one time, it has not been in for about four years.

8. Board Comments.

The following Commissioners discussed items of general interest, provided a reference or other resource to staff, asked for clarification or requested staff to report to the Board on a certain matter: Commissioner Ramsey thanked the CEO for his work; and Commissioner Feller will not be here next meeting.

President White recessed the regular meeting and reconvened the meeting in closed session at 8:05 p.m. The closed session was adjourned at 8:45 p.m.

9. Adjournment to the Regular Meeting scheduled on July 15, 2014, 6:30 P.M. at the Flynn Center, 981 H Street, Crescent City, California.

There being no further business to come before the Commission, President White adjourned the meeting at: 8:45 p.m. until the regular session held on July 15, 2014.

Wes White, President

Scott Feller, Secretary

Approved this _____ day
of _____, 2014.