

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, **Thursday, November 6, 2014, 6:30 P.M.**

COMMISSIONERS PRESENT:

Patrick Bailey
Ron Phillips
James Ramsey
Wes White, President

COMMISSIONERS ABSENT:

Scott Feller, Secretary

OTHERS PRESENT:

Charlie Helms, CEO/Harbormaster
Robert N. Black, Counsel
Joseph Aliotti

Robin Patch, for PS Business Services
Ward Stover, Stover Engineering

6:30 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 at 6:32 p.m.

Pledge of allegiance

The pledge was led by Harbor Counsel Robert N. Black

Public Comment.

The following citizens addressed the Commission: Joseph Aliotti – asked if the Board will address residents on board vessels.

OFF-AGENDA ITEM

Counsel Black advised that a matter had arisen after the posting of the agenda in regards to the entrance sign at Citizen's Dock Road and Hwy. 101 and should be added to the agenda as an urgency item. CEO/Harbormaster Charles Helms advised the

Commission of an urgency item regarding the entrance sign at Citizen's Dock Road and Highway 101 – Paramount Signs

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER BAILEY AND CARRIED UNANIMOUSLY ON A 4-0 POLLED VOTE, THE HARBOR BOARD OF COMMISSIONERS APPROVED PLACING THE MATTER OF ENTRANCE SIGN TO THE HARBOR ON THE AGENDA AS AN URGENCY ITEM BE DISCUSSED RIGHT AFTER THE CONSENT AGENDA.

1. **Consent agenda.**

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

A) Approval of the warrant list since October 21, 2014.

B) Approve the minutes of the Regular Meeting of October 7, 2014.

Commissioner Phillips asked about the water usage on the inner boat basin bathroom – shower, laundry, and cleaning station. Harbormaster Helms advised yes, this was the reason for the rise in the water usage. There is no separate meter.

President White – correction to the minutes in the motion regarding Alber Seafood – Commissioner Bailey had recused himself and it states that it shows him voting on the item.

Question on the warrant list - Stover invoice on a closed project – Stover Engineering has been routinely late on sending bills in, therefore it was on the warrant list. It will have to be reviewed.

ON A MOTION BY PHILLIPS, SECONDED BY BAILEY AND CARRIED UNANIMOUSLY ON A 4-0 POLLED VOTE, WITH COMMISSIONER FELLER ABSENT, THE CRESCENT CITY BOARD OF HARBOR COMMISSIONERS ADOPTED THE CONSENT CALENDAR CONSISTING OF ITEMS 1A – 1B WITH CORRECTION TO THE MINUTES AS STATED.

Urgency item added to the agenda: Authorize the President to sign the purchase agreement with Paramount Signs as the supplier for the entrance sign at Highway 101 and Citizen's Dock Road subject to two conditions.

Harbormaster Helms reported to the Commission that it is the recommendation of staff for the Commission to authorize the President to sign the purchase agreement with Paramount Signs as the supplier for the entrance sign at Highway 101 and Citizen's Dock Road subject to two conditions: That the completion date in the purchase agreement is fixed at no later than February 28, 2015 and that the President does not sign the purchase agreement until a written response is received from the Coastal Conservancy extending the contract date through February 28, 2015.

Commissioner Ramsey asked if there will be any work done with the Anchor Way signage; Harbormaster Helms stated there is no money in the conservancy grant to make any changes on Anchor Way. President White asked if there would be any change in the logo; Harbormaster Helms stated that no, just the mast will be brought down from the letters (Crescent City). Harbor Counsel Black reported to the Commissioners that there has been a lot of work by Charlie and Ernie to keep it in budget and this is a good quote. Commissioner Phillips asked if the Harbor is

committed to spend money we don't have, just in case we do not get the grant funding. President White asked if this was a hard quote; Harbor Counsel Black stated in the affirmative.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER BAILEY, AND CARRIED UNANIMOUSLY ON A 4-0 POLLED VOTE, WITH COMMISSIONER FELLER ABSENT, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS AUTHORIZED THE PRESIDENT TO SIGN THE PURCHASE AGREEMENT WITH PARAMOUNT SIGNS AS THE SUPPLIER FOR THE ENTRANCE SIGN AT HIGHWAY 101 AND CITIZEN'S DOCK ROAD SUBJECT TO TWO CONDITIONS: THAT THE COMPLETION DATE IN THE PURCHASE AGREEMENT IS FIXED AT NO LATER THAN FEBRUARY 28, 2015 AND THAT THE PRESIDENT DOES NOT SIGN THE PURCHASE AGREEMENT UNTIL A WRITTEN RESPONSE IS RECEIVED FROM THE COASTAL CONSERVANCY EXTENDING THE CONTRACT DATE THROUGH FEBRUARY 28, 2015.

Commissioner Phillips asked Counsel Black about an incident that occurred over the weekend where the Sheriff's Office was called to handle a domestic violence incident that happened in the shower room. He asked if something needs to be drafted to protect the Harbor. Counsel Black advised that the berthing agreement should be reviewed to make sure a code of conduct is implied. DNSO advised the Harbormaster to use the eviction processes for those involved as they reside on a boat in the Harbor presently. Counsel Black advised that the tenants could be evicted immediately.

2. Discussion and consideration of Loan Modification Agreement #2 with RCAC (Rural Community Assistance Corp) for funding on the Inner Boat Basin Reconstruction Project. Take action as necessary and appropriate.

Commissioner Ramsey asked about what was owed and for explanation on the line of credit to complete the projects currently being planned. \$3,950,000 is the line of credit being requested. Commissioner Phillips asked of that amount, how much will be borrowed? Harbormaster Helms stated that an outstanding loan will be paid off first. It is the intention of the Harbor District to have the Administrative side done by the end of the year.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER BAILEY, AND CARRIED UNANIMOUSLY ON 4-0 POLLED VOTE, WITH COMMISSIONER FELLER ABSENT, THE CRESCENT CITY BOARD OF HARBOR COMMISSIONERS APPROVED LOAN MODIFICATION AGREEMENT #2 WITH RCAC (RURAL COMMUNITY ASSISTANCE CORP) FOR FUNDING ON THE INNER BOAT BASIN RECONSTRUCTION PROJECT.

3. Discussion and consideration of amending the Fee Schedule to reinstate the fee for Live-Aboard vessels in the Inner Boat Basin. Take action as necessary and appropriate.

Harbormaster Helms reported to the Commission what was outlined in the staff report. It is the recommendation of staff to give direction to staff regarding amending the fee schedule to reinstate the \$300 per month base rate for live-aboard vessels over and above the

moorage fee, and limiting the number of residents living on the vessel to the number included in the vessel's original manufacturer's specifications.

The following citizen addressed the Commission: Joseph Aliotti – was satisfied with the staff report that explained a difference between live aboard vessels and recreational vessels. Harbormaster Helms reported that this would be a monthly fee, not long term. The fee schedule is posted on the website. Commissioner Phillips stated that the bathrooms are used, but if onboard toilets are used, how do we keep them from dumping into the ocean. Harbormaster Helms stated we do not have a pump out stations at each dock. Security is patrolling often and it would need to be caught to deal with the issue. It will be written into the schedule that it must be an operational vessel. Harbormaster Helms stated that there was a water surge last week that had the Harbor and sewer lines, that would be an exceptional issue. Commissioner Phillips asked for this item to be tabled to the next meeting so the schedule can be modified to include that it be an operational vessel. Direction was given to staff to modify the schedule first and then bring it back to the next meeting.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER BAILEY, AND CARRIED 3-1 WITH COMMISSIONER PHILLIPS VOTING NO AND COMMISSIONER FELLER BEING ABSENT, THE CRESCENT CITY HARBOR BOARD OF COMMISSIONERS ACCEPTED TO AMEND THE FEE SCHEDULE TO REINSTATE THE \$300 A MONTH BASE RATE FOR LIVE-ABOARD VESSELS OVER AND ABOVE THE MOORAGE FEE, AND LIMITING THE NUMBER OF RESIDENTS LIVING ON THE VESSEL TO THE NUMBER INCLUDED IN THE VESSEL'S ORIGINAL MANUFACTURER'S SPECIFICATIONS.

4. **Discussion and consideration of attendance requirements for elected Board members at Harbor Commission meetings.** Take action as necessary and appropriate.

Harbormaster Helms reported to the Commission the information included in the staff report. The recommendation of staff is: once the Board develops guidelines on the issue of attendance requirements, to direct staff to work with District Counsel as to how best to implement the guidelines and create a policy for current and future members of the Board of Harbor Commissioners.

Commissioner Phillips stated that he has mixed feelings on the item, if you are elected, you should attend the meetings you are obligated to; however how does one establish how many meetings can be missed to qualify excusing the Commissioner. President White stated that discussions with Counsel Black and Harbormaster Helms were held that pay and benefits could be attached to missing meetings. Commissioner Phillips asked for a proposal to come back to the Board; Commissioner Bailey stated he felt 3-4 consecutive meetings missed should be the amount set. Commissioner Ramsey stated that he understands that there is a need for it, and is not in favor of this idea. Discussion continued at a Commission level. The Commission was in consensus that there is no need to put an absentee penalty.

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

Finance Committee - None
Dredge Committee: None

Budget : None

Design Grand Oversight – some discussions with Scott, Ernie and Patrick regarding the signage. Panels on wind shelters.

Events: None

Lease committee – Monday at 4 with Art Gallery and Harbormaster Helms would like to discuss matters beforehand. There will be a meeting tomorrow at 3:00 with White, Phillips, and Helms.

Visitors Center – some items behind the scenes to see if there is public support. Grant Werschull will be meeting with Helms and Ramsey to discuss further.

Zoning and Land use – Ernie spoke to Mr. Baskerman at the Planning Commission to get the inputs by the end of the year to submit to the Commissioners, then to the City and County.

Marketing – None

Harbor Maintenance and repair – no meetings. The next step for Anchor Way and the Coastal Trail and new bathroom.

IGRC – meeting coming up next week.

Tri-Agency – none – agenda not posted in time to meet Brown Act requirements, meeting week after next.

Chamber of Commerce – Visitors Bureau is looking at redoing website; \$13k paid to someone to do the website, but was not done. Therefore they will be looking to Paul Critz and Lihi Halperin to have it designed. Chamber is seeking 8 Board Members as several Board Members are leaving. Sea Cruise went well, but attendance was down, however revenue was up. There have been two mixers in the past week, there will be another next week for the high school band. Another one scheduled for December 12th at Rural Human Services.

Safety – None – meeting tentatively scheduled for this month.

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

Commissioner Phillips stated his appreciation for the small snippets Harbormaster Helms sends often that keeps the Commissioners advised on what is happening on a regular basis. The Commission was in consensus that it is greatly appreciated.

Harbormaster Helms reported to the Commission that Tom Brandeberry at the Funding Fair in Redding, CDBG, called a few weeks ago about a funding opportunity that HUD had – National Resilience Competition and set up a conference call– 67 potential applicants to receive funding thru the Stafford Act. Both the City and County said they have not sustained damage. The Harbor was recommended to apply for funding \$2.8 million. The storm 2 Saturdays ago – Mrs. Helms photographed the damage and they were submitted to HCD. At one point there were 11 people on the conference call and were very helpful. All documentation was received by HCD. The timeline is the only issue; if the Harbor makes it thru Phase 1, the Harbor will be invited to Phase 2.

Harbormaster Helms further reported that the scrap payment by Rivergate Scrap Metal is in regards to the Christie R and another 4-5 truckloads expected, if not more when the Christie R is done. Everything is done, Northcoast Water Quality had the report given to them and they were satisfied. There will be a final report provided and the timeline will be met.

Fishing for Energy has selected our Harbor – they are paying for the Harbor to have a large dumpster because we are remote. 40 cubic yard dumpster up to 4 times a year. It will be

timed to meet the seasonal fishing needs. There will be marketing done for this program by Recology. (or Covana). Funding is coming from the National Fishing Foundation grant. Covana is paying for the dumpster.

Harbormaster Helms has been working with Keith from Crescent Electric doing an analysis on the power eating lighting issue and savings incentives. The Chart Room has been blowing breakers – slap on the wrist for service entry and it is now being updated. 200 amp box is going to be replaced by a 400 amp box. The Surf Shop and Chart Room will be split up.

Regarding storm damage – President White asked how can we prevent the docks from going over the pilings when there is a storm as we had a week ago. Harbormaster Helms stated that piling caps will be in place, and there is no ramp on South Beach. The Army Corp of Engineers will be sending someone up to look at the 101 side of the barrier to see what needs to be done on their side.

Bellingham Marine performed pre-construction walk through with Hemmingsen Construction and Crescent Electric on-site Oct. 29, 2014.

Coastal Conservancy Coastal Trail Project and Harbor Promenade Project: The existing sewer line will be used. It will also have an ADA ramp.

Harbor Treatment Plant – the City is on the hook for the side of the fence by Alber Seafood.

Ethics training is available.

Marketing – actively being updated (Facebook) and will be improved in the next three weeks. Photos are posted of what the Harbor has to offer. There will be a change in the sunset cam to be a weather cam and get a marine forecast that will be useful for people coming in. A chart showed the Facebook traffic. Questions are being asked of folks of what will be helpful to bring people in.

Harbormaster Helms has been trying to get discussions to be successful with Alber Seafood, there has been no progress.

President White asked about Dutra and US Coast Guard – Coast Guard sent whole check for last year. Dutra – they were billed for the time for Steve Hutchinson – electric usage and was invoice was sent out.

7. Board Comments.

Commissioner Ramsey asked if the AMR system up; Harbormaster Helms stated in the affirmative.

President White asked if the whale would be moved; Harbormaster Helms stated it will be by the coastal trail so it no longer effects traffic for photos.

Commissioner Ramsey asked for a Tsunami Research update; Harbormaster Helms stated the Harbor is looking for funders. Commissioner Ramsey asked about the Miss Joanne vessel; Harbormaster Helms stated that there is a lien on the vessel and Counsel Black is working on it; there was a request to purchase the vessel. Commissioner Ramsey asked

about pricing banners for the road and up Citizens Dock Rd. to draw people into the Harbor. Helms - \$800 a piece based on his research. Commissioner Ramsey suggested that seasonal lighting would draw people in. Harbormaster Helms stated it was looked into and what would relatively easy to have LED lighting wrapped around the pilings and 1200 feet of lighting would be necessary. Harbormaster Helms stated he would continue researching pricing.

Commissioner Ramsey stated he would like to see on the next meeting agenda to have a discussion to cut stipends to the Commissioners until the Harbor gets back on their feet.

President White asked if software for slip spaces squared away; Harbormaster Helms stated in the affirmative; annual fee maintenance fee is paid for. President White asked about write offs; President Helms stated Counsel Black said the money can still be accepted and written off the books. President White further asked about an Auditor for the Harbor; Harbormaster Helms stated one has not been found yet, but bids will be sent out.

Commissioner Bailey asked about the bicycle lane funding and signage on the Coastal Bike Trail. Harbormaster Helms stated that the Harbor lost out on the Transportation; Anchor Way split into two segments for funding purposes from the Coastal Conservancy.

President White asked in regards to the boat and anchor, is there a need for an easement; Harbormaster Helms stated that he will look into the legal process.

8. **Adjournment**

There being no further business to come before the Commission, President White, adjourned the meeting at 8:21 p.m. until the next regularly scheduled meeting on December 16, 2014.

Wes White, President

Scott Feller, Secretary

Approved this _____ day
of _____, 2014.