

Special Meeting Minutes of the Board of Harbor Commissioners of the Crescent City Harbor District	
Harbor District Office, 101 Citizens Dock Road Crescent City, CA 95531	September 5, 2024 9:00 a.m.



Board of Harbor Commissioners of the Crescent City Harbor District

MINUTES

Special Session, Thursday, September 5, 2024, at 9:00 A.M.

CALL TO ORDER: **9:00 AM**

ROLL CALL:

<i>PRESENT:</i>	<i>President</i>	HARRY ADAMS
	<i>Secretary</i>	RICK SHEPHERD
	<i>Commissioner</i>	GERHARD WEBER
	<i>Commissioner</i>	WES WHITE
	<i>Commissioner</i>	BRIAN STONE

ABSENT: NONE

1) General Public Comments

During the public comment period, Donna Westfall introduced herself as a process server and served court papers on Commissioners. The papers were related to a petition for writ of mandate. Ms. Westfall emphasized concerns related to the fiduciary responsibility of elected officials and harbor employees to manage tax dollars responsibly.

Linda Sutter spoke next, expressing frustration with the Harbor District's refusal to provide access to financial records, specifically credit card receipts, which led her to file a writ of mandate. She also called for a revision of the Harbor's credit card policy to align with government standards, mentioning excessive spending.

2) Discuss Measures to Address Problems from Fireworks within the Harbor District.

President Adams and Commissioner Weber presented the recommendation from the Fireworks Ad Hoc Committee, which was to implement a zero-tolerance ordinance banning all fireworks within the Harbor District, with the exception of designated beach areas along South Beach. In those areas only, fireworks that were legal under State law would be permitted (consisting of "safe and sane" fireworks that exclude aerial types). The rationale behind

permitting fireworks in the beach areas was that those areas posed the lowest fire risk, allowing the public to continue participating in a long-standing and popular fireworks tradition while still maintaining reasonable safety precautions. However, all other areas of the Harbor would be designated “family safe zones” with absolutely no fireworks permitted whatsoever. Potentially, exceptions could be made for professional displays by licensed pyrotechnical experts, with prior Board approval.

Commissioner Stone advocated for a more stringent ordinance that would extend the fireworks ban to the entire Harbor, including the beach areas. While Commissioner Shepherd was sympathetic with Commissioner Stone's concerns, Commissioner Shepherd felt that a complete ban across all areas, including the beaches, would be impractical from an enforcement perspective. This was partly due to the near impossibility of restricting beach access. Commissioner White suggested that it would be difficult to enforce such a complete fireworks ban in other areas of the Harbor also.

Harbor Commission candidate Dan Schmidt proposed setting up blockades to restrict vehicle access to the Harbor during the Fourth of July, similar to measures used for parades in Crescent City. However, Secretary Shepherd opposed the idea, arguing that even on the holiday, some slip renters would need easy access to their boats for fishing. Harbor Commission candidate Linda Sutter endorsed Commissioner Stone's position, advocating for a total ban on fireworks across all areas of the Harbor, including the beach. President Adams, however, suggested that a more gradual approach would be more effective, noting that allowing the public at least a limited area for “safe and sane” fireworks on the beach might be easier for the public to accept. Harbor Commission candidate Annie Nehmer supported the sentiments of President Adams.

After further discussion, there was consensus that beach areas along North Beach could follow the same approach as South Beach, allowing for “safe and sane” fireworks only. President Adams then announced that the discussion would be continued to a future meeting.

3) Consider and Approve Termination Agreement Regarding Tri-Agency Economic Development Authority.

Commissioner White introduced the agenda item, explaining that the agreement was a legal formality required to finalize the termination of the Tri-Agency, which the Board had already agreed to in principle at previous meetings. Commissioner White then **moved** to approve the agreement. Commissioner Stone **seconded** the motion.

POLLED VOTE was called, **MOTION CARRIED**

AYES: WHITE, WEBER, SHEPHERD, STONE, ADAMS // **NAYS:** NONE

ABSENT: NONE // **ABSTAIN:** NONE

4) Adjourn to Closed Session.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

(Gov. Code §54956.9(d)(2))

Number of Cases: One case based on correspondence with Linda Sutter

5) Rejoin Open Session and Report from Closed Session.

President Adams announced that there was nothing to report publicly from the Board's closed session. President Adams then adjourned the meeting.

ADJOURNMENT TO THE BOARD OF HARBOR COMMISSIONERS NEXT REGULAR MEETING SCHEDULED FOR TUESDAY SEPTEMBER 17, 2024, AT 2 P.M., VIA ZOOM WEB CONFERENCE AND IN-PERSON AT THE MAIN HARBOR OFFICE, LOCATED AT 101 CITIZENS DOCK ROAD.

Approved this ____ day of _____, 2024.

Harry Adams, President

Rick Shepherd, Secretary