



Board of Harbor Commissioners of the Crescent City Harbor District

Wes White, President

Scott R. J. Feller, Secretary

Patrick A. Bailey, Commissioner

Ronald A. Phillips, Commissioner

James Ramsey, Commissioner

MINUTES

Board of Harbor Commissioners of the Crescent City Harbor District
Regular Meeting, Tuesday, February 2, 2016, 6:30 P.M.

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

OTHERS PRESENT:

Charlie Helms, CEO/Harbormaster
Nicole Burshem, PS Business
Lane Tavasci, Harbor
George Bradshaw, Public
Adam Hancock, Public

6:00 p.m. The Board of Harbor Commissioners will meet in open session to discuss the following agenda items.

President Ramsey called the meeting to order t 6:00 p.m.

Public Comment prior to closed session.

No public comment prior to closed session.

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

**(1) PURSUANT TO GOVERNMENT CODE SECTION 54956.9 (d) (4)
Anticipated Litigation: Crescent City Harbor District**

(2) CONFERENCE WITH REAL PROPERTY NEGOTIATIONS: Pursuant to Government Code Section 54956.8 Property 201 Citizens Dock Road, Crescent City, Agency Negotiator: Charles Helms

REPORT OUT OF CLOSED SESSION

There was nothing to report out of closed session

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

President Ramsey opened the regular meeting at 6:30 p.m.

Pledge of Allegiance

Commissioner Phillips conducted the Pledge of Allegiance

Public Comment

The following person(s) addressed the commission: Adam Hancock commented he is a resident of Las Angeles. Mr. Hancock commented he is here to discuss the where about of the anchor he painted for the Anchors Away Project. Mr. Hancock noted it was put into the care of the Harbor District and wasn't supposed to be placed outside. Mr. Hancock commented he was in town with some family visiting and wanted to show them the anchor and went to go locate the anchor and it was not available. Mr. Hancock stated it was destroyed and was painted over by the owner of the building on Anchor Way. Mr. Hancock noted the owner was verbally told by the Harbor to not touch or paint over the anchor stored in that building. Mr. Hancock commented he spoke with the owner and was told he didn't do it one of his boys did it. Mr. Hancock asked for a meeting with the board and it hasn't happened yet. Mr. Hancock commented he later discovered his anchor was not even part of the inventory to be displayed. Mr. Hancock asked the Harbor if they would fund the project to be repainted. Commissioner Phillips asked how much would it cost to have the anchor repainted. Mr. Hancock commented it would be in an amount not to exceed \$500. Commissioner White asked if the anchors were owned and provided by the Harbor. Mr. Helms commented they were ours and we wanted artists to turn them into something gorgeous. Commissioner White asked if the owner confirmed they painted the anchor. Mr. Helms commented that the owner did confirm his guys painted over it. Commissioner Phillips asked Ms. Rice what our obligation is to this issue. Ms. Rice commented that if it is part of the Harbors property than the tenant may owe something for damaging property. Commissioner Phillips directed the Harbormaster to bring this back to the next meeting to get this funded for reconstruction.

1. **Consent Agenda**
Requests to remove items from the Consent Agenda may be heard at this time
 - A) **Approval of the warrant list since the January 19, 2016 Harbor Commission Meeting**
 - B) **Approval of the minutes of the January 19, 2016 Harbor Commission Meeting**

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSION WHITE, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS ITEMS 1. A-B, AS PRESENTED.

Commissioner Phillips asked in regards to the camera installation. Mr. Helms commented it was to pay for the wiring for the cameras.

2. **Crescent City Harbor District Board of Harbor Commissioners Committee Structure.** Take action as necessary and appropriate.

Mr. Helms commented this is to address the Harbor Committee structure. Ms. Rice commented she spoke with Mr. Helms about some of the issues and went over some of the requirements of the brown act. Ms. Rice reported for a regular meeting the brown act requires the agenda to be posted to the public within 72 hours of the meeting date. The Commissioners who are part of a Standing Committee have a term of one year and have a specific job to fulfill every month. The Commissioners appointed to an Ad Hock committee are two Commissioners who are looking into a specific issue. Ms. Rice commented Mr. Helms and herself looked over the list of Committees to see which ones were needed and which ones were not. Commissioner White asked if Property and Negotiations could be in a closed session meeting and not publicized. Ms. Rice stated that if it is a specific item than it can be held in closed session with the whole board. Commissioner White asked do we have to post if we have a Standing Committee meeting or can they be in closed session. Ms. Rice commented that they do need to be posted and held in an open session meeting. Commissioner White asked how could a lease negotiation be held in open session. President Ramsey commented to his understanding is if we want to lease a spot in the parking lot for example than we would appoint two members of the Board to an Ad Hock committee to negotiate the price. Ms. Rice commented that Mr. Helms could be the middleman for that type of work. Mr. Helms commented most of the committees report in the meeting and we don't need them listed. Commissioner Bailey commented most of those committees did not have a set meeting time just when they were needed. Commissioner Bailey suggested having it set up to schedule the whole board for other meetings. Ms. Rice commented this will still be brought to the board twice a month and there will still be a need for the Ad Hock committees. Commissioner White commented his concern is that the committee makes a recommendation for a proposal; it would reflect that it is accepted of the whole board when in fact not all members may agree with the proposal.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER WHITE, UNANIMOUSLY CARRIED WITH COMMISSIONER BAILEY OPPOSED, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED TO DISSOLVE ALL STANDING COMMITTEES FOR FEBRUARY 2, 2016 AND LOOK INTO WHAT AD HOCK COMMITTEES SHOULD BE KEPT.

- 3. Presentation to the Board of Harbor Commissioners concerning the economic disaster loss protocol and filing requirements for the economic damages generated by the continued closure of the crab season.** Take action as necessary and appropriate

Mr. Helms commented because of the delayed opening of crab season and George Bradshaw wanted to get on the agenda to give the board an update of what is going on with the economic disaster loss protocol. Mr. Bradshaw commented we have filled out all the proper paperwork and things seem to be successful. Mr. Bradshaw stated we have gotten through to Senator McGuire's office and he will hopefully help declare this a disaster for us. Mr. Bradshaw commented we are still waiting on the report back from the Fish and Games office to see if we meet the 80 % impact requirement. Mr. Bradshaw stated the fisherman have had a lot of outreach from local citizens to help raise some funds or start a food bank for local fisherman who may need it. Mr. Bradshaw asked if they could hold a food bank here at the Harbor. There was a suggestion to hold a fundraiser at the Casino for bingo, a quarter craze or have a community yard sale. Mr. Bradshaw reported other ports have already started helping out their fisherman by holding food banks or writing off their boat slips. The crabs are still being tested and have received some test results back from the north and south sides, but all have come back to high. Mr. Bradshaw commented local port meetings have been held. Mr. Helms asked if the whole state has to test good in order to open up crab season. Mr. Bradshaw commented at this point they do, but they are trying to see if they can open up half the state if one side tests good and the other doesn't. Commissioner White asked in regards to the molting. Mr. Bradshaw commented there are all kinds of outcomes about that because we try to get them before they molt. Mr. Bradshaw commented the main concern is to have the crab safe from the toxins. Commissioner Phillips commented there is a food bank the RHS does and are ok with fisherman coming to them to sign up to receive a bag of food if needed. Commissioner Phillips asked how many people in Crescent City are in need of help. Mr. Bradshaw commented approximately 150-170 people. Commissioner Phillips commented to get a hold of him when he finds out how many people might be in need to receive help from RHS so he can give them the heads up of what is going on. Commissioner White asked if there were some things that he can think of to help the most needed crewmembers. Mr. Bradshaw commented it is almost getting to the point that the boat owners and the crew are all in need of help. President Ramsey commented Grace Lutheran Church can hand out a bag of food to the fisherman and the other way the Harbor

can help is by eliminating the penalty fees for late payment. Commissioner Phillips asked if Representative Woods has been encouraging about moving forward. Mr. Bradshaw commented he speaks with them daily and is receiving a lot of help. Commissioner White directed staff to come back with some recommendations of ways the harbor can help. Mr. Helms commented the Harbor has been talking to the Small Business Association about using the meeting room to conduct their interviews with people after the emergency declaration is complete.

- 4. Proclamation by the Board of Harbor Commissioners of the Crescent City Harbor District in support of Economic Relief for the Commercial Fishing Community.** Take action as necessary and appropriate.

Mr. Helms commented he would like to discuss the support of economic relief and recommends the Harbor Board support this issue.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER WHITE, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT SUPPORT THE ECONOMIC RELIEF FOR THE COMMERCIAL FISHING COMMUNITY.

- 5. Review of draft Audited Financial Statements for the year ending June 30, 2015.** Review, comment and direct staff to take action as necessary and appropriate. Move to end

Mr. Helms commented the copies of the Draft Audit are hereby presented and ready for review by the Board of Harbor Commissioners. President Ramsey commented he just received it yesterday and didn't have a lot of time to look it over. Commissioner Phillips asked what the due date is. Mr. Helms commented we have time to look it over and he will take all questions and comments to Mr. Reynolds. Commissioner White presented some question and concerns and stated he will email the rest of the questions to Mr. Helms for answers.

- 6. Proclamation by the Board of Harbor Commissioners of the Crescent City Harbor District supporting Tsunami Preparedness Week in Del Norte County.** Take action as necessary and appropriate

Mr. Helms commented the “Tsunami Safe Days” would be held throughout the area between March 19-25, 2016. Look at proclamation in packet.

ON A MOTION BY COMMISSIONER WHITE, SECONDED BY COMMISSIONER BAILEY, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE PERCOLATION TO SUPPORT TSUNAMI PREPAREDNESS WEEK IN DEL NORTE COUNTY.

7. **Review of a Professional Services Agreement for Mr. Eric Taylor.** Review and take action as appropriate

Mr. Helms commented Mr. Taylor would be providing consulting services on an as needed basis. Mr. Helms recommends the Board review and discuss the Agreement for Professional Services and take appropriate action. Mr. Taylor commented he is looking forward to working with the Commission. Commissioner Phillips asked if this would be done before he moves on from being on the Board. Mr. Taylor commented he will assist in anyway possible to get this done in a timely manner.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER WHITE, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE PROFESSIONAL SERVICES AGREEMENT FOR MR. ERIC TAYLOR.

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

Commissioner White reported there is a mixer at Pacific Northwest Physical Therapy Saturday the 6th of February at 5:30 p.m. Commissioner White reported the National Park Service appears to be moving from Downtown Crescent City to Hiouchi. This may leave a void of giving out information to the visitors of what we have to offer here. The Harbor may have an opportunity fill that void.

Commissioner Phillips reported when Governor Brown took over six years ago one way he used to balance the budget is to do away with redevelopment agencies. All the money had to be shared by agencies that originally put money into it through taxes. There was a default by the Ocean Front Lodge and their piece of property next door was suppose to be built on and they owe us \$320,000. The owner agreed to pay this back in increments of \$100,000 over the next five

years. The Harbor will receive approximately \$15,805 in the next five years after the agencies have all received their payments. Mr. Taylor commented Mr. Won used the redevelopment money and was suppose to have phase 2 done and failed to do so. He has now agreed to pay that back over the next five years. Commissioner White commented in regards to Tri-agencies and his goal is to try to resolve all the impediments of the Tri-agencies moving forward and there was one impediment that is a USDA Loan. The Tri-Agency has negotiated with a representative of the USDA in hopes to have the loan resolved and paid off. The representative took it back to his boss and it went back to ground zero. The USDA loan is to continue to be an impediment for the Tri-Agencies.

9. **CEO Report.** Report on current and planned items

Mr. Helms reported we are trying to develop the vacant property in the Harbor and has been in conversation with Mr. McGraph. There was an agreement where the Coastal Conservancy invested costs to assist the Harbor to develop the 32-acre parcel. Mr. Helms commented most of that area is lodging. Mr. Helms stated the Coastal Conservancy got behind this project and projected to bring in revenue. Mr. Helms commented the port is trying to update their bid. We have land that won't be difficult to develop and believe we can talk to them to share what our plans are for the RV Parks and Camps. Commissioner Bailey commented they have been supportive all along just has been running out of money. Mr. Helms reported the Inner Boat Basin is moving along. Mr. Helms reported on Dredging. The Army Corps had a road show in Eureka last Thursday. Mr. Helms stated Debra is walking our permit through there system and the reason our public notice didn't get published is because are biological study was too old. Mr. Helms reported on the closeout status. Commissioner White asked in regards to audit. Mr. Helms commented there will be a conference call this week in regards to that. President Ramsey asked in regards to emptying the dredge pond. Mr. Helms commented it is in an internal review and should hear back from them soon. Mr. Helms reported on the commercial fishing meeting. Mr. Helms commented we have been following up on quite a few issues and will bring pricing of replacement piles to the next meeting. Commissioner White asked in regards to Marine Stewardship Council (MSC). Mr. Helms commented had a joint meeting with Supervisor Hemmingsen, Mr. Smith, and the person initially putting together this study on Friday and going to work with Fishing and Wildlife to put together a presentation for the auditors of MSC. Mr. Helms reported on the Englund Marine Building. Mr. Helms commented the Ocean Protection Council Grand Funding Proposal was denied for the recycling water system. Mr. Helms commented they haven't heard anything back in regards to the Anchor Way signage. Mr. Helms commented there wasn't a safety meeting held for the staff due to some of the staff not being available. Mr. Helms commented the Harbor would be conducting

interviews this coming week to fill the spots of the bookkeeper and front desk. Mr. Helms commented he met with Police Chief Ivan Mistell to take time to inspect the Harbor and wanted to thank the Chief for taking the time to do this. Mr. Helms reported Daniel Craig's sister was here at the Harbor and conducted a media report on the Harbor and everything went well and would like to come back and do another to get updates on upcoming projects. Mr. Helms stated there would be another solar meeting tomorrow at 930 and all the data should be put together for decision next meeting.

10. **Board Comments.**

Commissioner White commented he would like to make a public apology to Kathy Moore about making a mistake on the financials. Commissioner Phillips asked in regards to the \$600,000. Mr. Helms commented the Harbor would not keep it because it's Federal.

11. **Adjournment**

There being no further business to come before the Commission, President White adjourned the meeting at 8:05 p.m., until the next regularly scheduled meeting on February 16, 2016 at 6:30 p.m.

James Ramsey, President

Scott Feller, Secretary

Approved this _____ day
of _____, 2015.
Possession