

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

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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, April 1, 2014, 5:30 P.M.**

COMMISSIONERS PRESENT:

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

COMMISSIONERS ABSENT:

NONE

OTHERS PRESENT:

Charlie Helms, CEO/Harbormaster	Karen Phillips, PS Business Services
Robert N. Black, Counsel, closed session only	Ward Stover, Stover Engineering
Ernest Perry, Harbor Planner, closed session only	LeRoy Smith, F/V Betty Annette
Steve Portzer, local welder	Keith Richcreek, fisherman
Craig Strickhouser, F/V Tally Ho	Joaquin Perry, sport fisherman
Carl Reich	Beverly Noll
Bob Ginocchio	

5:30 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 5:30 p.m. Leroy Smith, F/V Betty Annette, wanted to know why there were no handicapped boat slips. Staff indicated that there are ramps, but no access challenged slips. There are some vessel owners that are not able to walk around the Harbor to get to their vessels according to Mr. Smith. Slips D28 and D29 are loading and unloading areas and persons with disability placards will be moved as close as possible to the ramp and those slips. Counsel noted that the question should be answered and he would research the matter. Mr. Helms will get back to Mr. Smith with an answer. Mr. Smith asked about the rates and slip assignments. Staff noted that the ordinance will be adopted soon.

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) CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION:**
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: three cases.
- (2) CONFERENCE WITH REAL PROPERTY NEGOTIATORS:** Pursuant to Government Code Section 54956.8.
Property: 191 Citizens Dock Road; 160 Anchor Way
Agency Negotiators: Charlie Helms, Ron Phillips, Scott Feller
- (3) LABOR NEGOTIATIONS:** Pursuant to Government Code Section 54957.6.
Agency Negotiators: Charlie 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 asked for public comments prior to the closed session; no public comments were received regarding the closed session matters. President White recessed the regular open session at 5:37 p.m. and immediately convened in closed session to discuss the matters listed above. Commissioner Phillips left the closed session at 6:20 p.m. The closed session was adjourned at 6:30 p.m.

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

The regular session was reconvened at 6:30 p.m. by President White. Counsel announced the no action was taken during the closed session.

Pledge of allegiance.

The pledge was led by Commissioner Bailey.

Public comment.

The following person(s) addressed the Commission: Steve Portzer, wanted to know why we are sending jobs out of town that could be done here, referring to the bike racks that are on the agenda under item 3 (below). Local welders could do the job here he feels. Joaquin Perry, local resident and sport fisherman, commented on the lack of information in the Harbor office staff have of the goings on in the harbor, and he noted he pays for his slip for half a year, he wishes that the office staff could be more informed. He noted that there are no handicapped slips. Discussion was held regarding the moorage fees for slips this year and the proposed fees that the Commission has been discussion. Fisherman Keith Richcreek asked about the small vessel launch area, and noted the back dock is missing.

Commissioner Phillips re entered the meeting at 6:38 p.m.

Staff noted that the missing dock is a maintenance issue and the crew is reviewing it. Mr. Richcreek asked for more cleaning tables and wanted to know why the ramp area was not dredged like it has been in the past. Staff noted that the cleaning tables are a matter of discussion also. Ernest Perry, Harbor Planner, was asked to address the dredging and eel grass in relation to Mr. Richcreek's question. Ernest Perry noted that the Harbor has the right to maintain the current ramp, and he encouraged the Harbor to continue to maintain the ramp; however, the eel grass is not something the Harbor can change. Craig Strickhouser, skipper of the charter vessel Tally Ho, noted that the season is starting soon and he wanted the Commission to address not putting his dock back in next to the Chartroom; he heard that it is not going back in. Having the dock is important to his business, as well as a fish cleaning station that he no longer has near his vessel.

Counsel left the meeting at 6:48 p.m.

Action regarding putting the dock in has not been taken, according to Commissioner Feller, who was reading the minutes from the last meeting. Steve Portzer commented on the sea lions in the Harbor and building a strong fence to keep the sea lions off the parking lot. Carl Reich, noted that in 1979 there were 14 boat slips and they needed to be reserved a year in advance, the owners are getting upset and the Harbor is losing business by not having slips available. He feels that walking a half a mile to a slip is not something that he can do any longer. Commissioner Phillips noted that the slips have not been assigned and that the new CEO will be assigning slips soon. No funds were allotted for the sport docks under the tsunami funding/repair/reconstruction so the Harbor could not replace them. Bev Noll noted a earthquake in Chile occurred just an hour of so ago, she wanted to warn the Commission in case of a resulting tsunami here. She stated that she walked the docks and businesses during the recent tsunami drill and noted that the tenants are not prepared to evacuate in case of an emergency. Bev noted that the Port Safety Committee will be addressing this matter at their next meeting. There are 13 land tenants and they had no plan. Office of Emergency Services Coordinator Cindy Henderson needs to be called to be part of the emergency evacuation process planning in the Harbor. The Commission, by consensus, directed staff to get updated tenant information/contact list to get in touch with tenants/vessel owners in case of emergency.

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 March 4, 2014.**
 - B) **Approval of the minutes of the Special Meeting of March 13, 2014.**

There were no requests to pull matters from the consent agenda and there were no public comments regarding the matters listed.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER BAILEY, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE CONSENT AGENDA, CONSISTING OF ITEMS 1.A-B, AS PRESENTED.

2. **Discussion and consideration of approval of Change Order 1 with Hemmingsen Contracting Company, Inc. in the amount of \$364,060.05 for the Waterfront Amenities Improvements Promenade Project. Take action as necessary and appropriate.**

Discussion was held regarding the approval of Change Order No. 1 with Hemmingsen Contracting. Ernest Perry noted that the change order was written by Stover Engineering, which when built will include the embossed colored concrete images of marine life, and wind shelters with pitched cooper roofs. This project will complete most of the coastal conservancy work required, with the exception of the signage at the entrance of the Harbor. Bob Gincchio wanted to know about the promenade plans. The plans have been around for some time and are at the Harbor for public review. Steve Portzer asked if the plans were being redone. No, staff responded, they are still the same plans. Bev Noll, noted that it would be a good idea to explain that the promenade was not part of the reconstruction of the Harbor and is in fact additional funding received to build the promenade

ON A MOTION BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED CHANGE ORDER NO. 1 WITH HEMMINGSEN CONTRACTING COMPANY, INC. IN THE AMOUNT OF \$364,060.05.

3. **Discussion and consideration of the approval of a Purchase Order in the amount of \$13,612.98 for acquisition of four Madrax custom bike racks from Graber Manufacturing, Inc. for placement in various spots within the Promenade area. Take action as necessary and appropriate.**

Discussion was held regarding the purchase order for acquisition of 4 Madrax custom bike racks for the promenade area. Mr. Perry noted that this funding was part of the Coastal Conservancy grant and calls for standardized bike racks that will serve the Coastal Trail. It will take about 4-6 weeks to make the racks and staff would like to have them on hand to install before the 4th of July. The bike racks are in the shape of an octopus, fish and the Golden Gate Bridge and are oxycoated to prevent rust. Steve Portzer noted that oxycoating and powder coating still allows for rust to get under the coating and cause damage. He suggested stainless steel be used for the racks so that they will last. The items listed under the funding need to be completed before or near the first of the year (2015). The spacing of the monuments is keeping staff from allocating the placement of all the bike racks at this time. Commissioner Phillips asked if it would be possible to have two more functional racks and two of the decorative racks. Mr. Portzer was asked to leave his contact information with staff for future work. Staff was directed to work with the Design Committee to find places around the Harbor to put a few more racks in at a later date.

ON A MOTION BY COMMISSIONER FELLER, SECONDED BY COMMISSIONER BAILEY, AND CARRIED ON A 4-5THS POLLED VOTE, WITH COMMISSIONER PHILLIPS VOTING NO, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED THE PURCHASE ORDER IN THE AMOUNT OF \$13,612.98 FOR ACQUISITION OF FOUR MADRAX CUSTOM BIKE RACKS FROM GRABER MANUFACTURING, INC.

4. **Discussion and consideration of adoption of Resolution No. 2014-001 entitled *Resolution of the Board of Harbor Commissioners of the Crescent City Harbor District Setting Forth the Necessity for Entering into a Contract with Richard Young for As-Needed Services as a Project and Litigation Consultant*. Take action as necessary and appropriate.**

Discussion was held regarding Resolution No. 2014-001 for contract services by Richard Young. Bob Ginocchio asked if this was a paid position. Commissioners noted there was an hourly paid contract with a not to exceed limit. The contract and resolution are necessary to complete work on the reconstruction project, of which Mr. Young has vast knowledge. The resolution is for PERS so that Mr. Young can work a certain number of hours while retired.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER BAILEY, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED RESOLUTION NO. 2014-001, ENTITLED, A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT SETTING FORTH THE NECESSITY FOR ENTERING INTO A CONTRACT WITH RICHARD YOUNG FOR AS-NEEDED SERVICES AS A PROEJCT AND LITIGATION CONSULTANT.

5. **Discussion and consideration of approval of the Agreement for Professional Services with Richard D. Young for provision of management consulting services on an as-needed basis for a period of one year. Take action as necessary and appropriate.**

Discussion was held regarding contracting for services with Richard Young.

ON A MOTION BY COMMISSIONER BAILEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED THE AGREEMENT FOR PROFESSIONAL SERVICES WITH RICHARD D. YOUNG FOR THE PERIOD OF ONE YEAR, CONTINGENT OF COUNSEL'S APPROVAL.

6. **Discussion and consideration of adoption of *A Proclamation of the Board of Harbor Commissioners of the Crescent City Harbor District Honoring CEO/Harbormaster Richard Young on His Retirement and Recognizing His Years of Service to the District*. Take action as necessary and appropriate.**

Discussion was held regarding adopting a proclamation honoring former CEO/Harbormaster Richard Young on his retirement and for his work at the Harbor.

ON A MOTION BY COMMISSIONER RAMSEY, SECONDED BY COMMISSIONER FELLER, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS APPROVED AND ADOPTED A PROCLAMATION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CRESCENT CITY HARBOR DISTRICT HORNORING CEO/HARBORMASTER RICHARD

YOUNG ON HIS RETIREMENT AND RECOGNIZING HIS YEARS OF SERVICES TO THE DISTRICT.

7. **Discussion and consideration of a list of Surplus Property items, including vessels, vehicles, and miscellaneous equipment and materials. Declare the listed items as surplus property, subject to sale, and direct staff to set a date for the sale of these declared surplus property items pursuant to Harbor District regulations. Take action as necessary and appropriate.**

Discussion was held regarding the surplus property items. The list of items was presented in the agenda packet. Commissioners wanted to know why the desk, tables and chairs were listed as surplus items as the Harbor still meets at the offices at Citizens Dock Road on occasion. Mr. Helms noted that he is trying to clean the area out and get new furniture and have a more community friendly meeting room, saving aside three desks and some chairs. The file boxes will be moved out also to make the space more useable. A file cabinet with a drawer for each commissioner could be provided instead of the large desks, which will save room. Commissioners Ramsey and Bailey stated that they would like to see the Commission go back to meeting at the Harbor offices. Mr. Helms was asked to get the list of items that were already declared surplus and put all the items on one list for the Commissioners to review.

ON A MOTION BY COMMISSIONER PHILLIPS, SECONDED BY COMMISSIONER RAMSEY, AND UNANIMOUSLY CARRIED ON A POLLED VOTE, THE CRESCENT CITY HARBOR DISTRICT BOARD OF COMMISSIONERS DIRECTED STAFF TO SET THE DATE OF THE SALE, AND DECLARED THE ITEMS SURPLUS PROPERTY AS PRESENTED.

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

The following committee reports were made:

Budget Committee – no report.

Design Oversight – no report.

Events – discussion was held regarding the ribbon cutting costs of \$2,500.00 before staff costs are added.

Landlord Tenant Committee – Commissioner Phillips noted that there have been discussions with tenants regarding moving or improving their buildings.

Park Model Construction – no report.

Real Estate Policy/Lease Committee – no report.

Visitor's Center Committee – Mr. Perry noted the document has been printed, but he was not sure where it is right now due to a staff personal emergency.

Dutra Dispute Resolution Committee – no report.

Insurance Committee – no report.

Employee Negotiations 2014 Committee – closed session information.

Zoning and Land Use – the draft has been prepared and is being reviewed by another agency at this time.

Marketing Committee – no report.

Maintenance and Repair – Commissioner Feller noted that Mr. Helms has a list that is prioritized.

IGRC – no report.

Tri-Agency – Commissioner Feller reported that they have not met; however, they have taken possession of the Top Blue Marine Building on Front Street. Discussion is ongoing regarding a resolution of fees owed, deposits, etc. The building will be declared surplus property.

Two-by-Two Committee – no report

Chamber Committee – Commissioner Phillips noted that there was misinformation regarding the Harbor having a Tall Ships Festival; the Chamber has no intention of doing anything April 22-27th with regard to the Tall Ships visit.

Port Safety – June 11th is the next meeting.

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

The following topics were discussed under the CEO's report: 1) Suzanne Dockal – said that The Harbor is within 20 responses of getting all the information necessary; 2) Designation of offloading/loading slips – B29 and B30 were designated; 3) Meter locks – have been purchased for the utility meters, they are the same as the residential meters; 4) ID badges – staff will be wearing badges and will need them to order or for security purposes; 5) Meetings – the CEO's calendar of meeting was listed for the Commissioners information; 7) List of projects – from the 2011 tsunami and their status were provided, now need to bill out and get approved; 8) Staff Training – a records retention webinar will be attended by three staff members; 9) Marketing – Northwest Yachting has expressed interest in printing an article on the Harbor, staff will be writing the article; and 10) CEO Goals – discussed with the President and they are listed

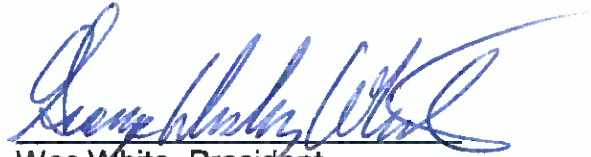
10. **Board Comments.**

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 Bailey said the Harbor is off to a good start; Commissioner Phillips wanted to thank and pass on his appreciation to those who put on the ribbon cutting; Commissioner Ramsey asked about the vessel slip assignments. Mr. Helms noted that he is waiting for the ordinance information to come back from Counsel. Staff was directed to push counsel to get the ordinance completed and set a special meeting if necessary. Commissioner Ramsey asked about the F/V Miss Joanne. Commissioner Feller noted that the ribbon cutting was an awesome event and he liked some of the new ideas including identification badges the CEO has come up with. He wanted to know about the locks for the meters. Mr. Helms noted that they are like a seal and are commonly used on residential meters. Commissioner Feller wanted to know if counsel could be asked if the Harbor needs to have some policy regarding the locks on the meters. President White asked if the new CEO was having Thursday meetings with the fishermen and the past CEO held, and he complimented Mr. Helms, noting that he is pleased with the progress. Mr. Helms will be meeting regularly with fishermen or other who wish to meet soon.

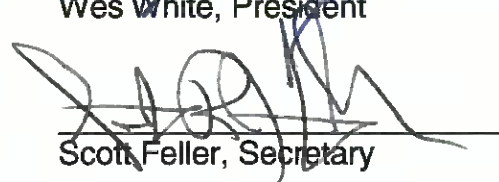
President White recessed the open session at 8:16 p.m. and immediately reconvened in closed session. The closed session was adjourned at 8:45 p.m. and President White announced that no action was taken in closed session.

11. Adjournment to the Regular Meeting scheduled on April 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 8:46 p.m., until the next regularly scheduled meeting on April 15, 2014.



Wes White, President



Scott Feller, Secretary

Approved this _____ day
of _____, 2014.