



<b>Regular Meeting Minutes of the Board of Harbor Commissioners of the Crescent City Harbor District</b>	
Harbor District Office, 101 Citizens Dock Road Crescent City, CA 95531	July 19, 2016 5:30 p.m.

**Call to Order**

President Ramsey called the meeting to order in open session at 5:32 p.m.

**Roll Call**

Present were Commissioner Phillips, Commissioner White, Secretary Feller, and President Ramsey.

**Public Comment on Closed Session Items**

President Ramsey asked for public comment on closed session items and received none.

***The Board of Harbor Commissioners adjourned to closed session at 5:35 p.m.***

**Closed Session Items**

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

***The Board of Harbor Commissioners reconvened in open session at 6:00 p.m.***

**Report Out of Closed Session**

President Ramsey reported no actions to report taken in closed session.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner White.

**Public Comment**

President Ramsey asked for public comment and received none.

**Business Items**

**1. Consent Agenda**

- A) Approval of the warrant list since the July 5, 2016 Harbor Commission Special Meeting
- B) Approval of the minutes of the July 5, 2016 Harbor Commission Special Meeting

Secretary Feller motioned to approve the consent calendar; it was seconded by Commissioner Phillips.

Secretary Feller requested clarification regarding the closeout payment to Hemmingson in the amount of \$98,000. Harbormaster Helms noted that the Del Norte Transportation Commission would reimburse the Harbor for the final work and confirmed to the Commission that he had physically viewed the completed tasks by the contractor.

Commissioner White noted the Card Member Service payment and reminded staff that the Commissioners had requested that the invoice showing the breakdown of charges be included; Ms. Fansler acknowledged and stated that it would be provided. Mr. White additionally requested an A/R report to which Ms. Fansler also acknowledged and stated that it would be given once the financials are entirely moved over to the Quickbooks system.

There were further questions about duplicate items on page 3 and 5 and Ms. Fansler stated that the duplication was due to a payment being made with two checks.

**Action:** On a motion by Secretary Feller, seconded by Commissioner Phillips, and carried on a 4-0 polled vote with Commissioner Bailey absent, the Board of Harbor Commissioners of the Crescent City Harbor District voted to approve the consent calendar items A and B as presented.

## **2. Presentation of the FY 2016-2017 operating budget for the Crescent City Harbor District**

**Action:** On a motion by Commissioner White, seconded by Secretary Feller and carried on a 4-0 polled vote with Commissioner Bailey absent, the Board of Harbor Commissioners of the Crescent City Harbor District adopted the FY 2016-2017 operating budget for the Crescent City Harbor District as presented.

Some discussion was had concerning how the budget would be handled moving forward.

## **3. Presentation of Resolution (No. 2016-004) based on the Harbor Commission's action at the July 5, 2016, meeting authorizing participation in the State of California's Local Agency Investment Fund of the Pooled Money Investment Account**

Harbormaster Helms noted that Secretary Feller had pointed out that this topic needed a resolution. The State Treasurer's office provided the resolution template.

**Action:** On a motion by Commissioner White, seconded by Commissioner Philips, and carried on a 4-0 polled vote, the Board of Harbor Commissioners of the Crescent City Harbor District adopted Resolution No. 2016-004.

## **4. Presentation of a Resolution (No. 2016-005) based on the Harbor Commission's action at the July 5, 2016 meeting authorizing transferring funds to US Bank to have the ability to participate in the State of California's Pooled Money Investment Account program**

Commissioner Phillips questioned in what way this resolution is different than a previous one, to which President Ramsey stated that the Board of Supervisors must approve the Harbor to work with US Bank. Mr. Phillips recalled a discussion on the topic in the past.

**Action:** On a motion by Commissioner Phillips, seconded by President Feller, and carried on a 4-0 polled vote with Commissioner Bailey absent, the Board of Harbor Commissioners of the Crescent City Harbor District adopted Resolution No. 2016-005.

**5. Discussion of granting clients of Fashion Blacksmith one day in advance of dry docking and one day following dry docking at no charge to assist our tenant's competitive bidding position**

Harbormaster Helms gave a short background on the issue; Fashion Blacksmith is unable to remove boats from the water except at high tide. The proposal is to grant free docking one day prior to and one day following dry docking to aid the competitive position of the Harbor.

Commissioner White requested to know whether the Harbor or Fashion Blacksmith initiated the conversation. Harbormaster Helms stated that it was initiated by the Harbor because the restriction is caused by the inability of the Harbor to dredge at the moment.

Commissioner White motioned to approve the proposal, which was seconded by Secretary Feller.

Commissioner White asked for further clarification concerning when the fees would be waived, and if it could be modified easily after dredging. Discussion ensued between the Commissioners around the implementation of a sunset clause.

**Action:** On an amended motion by Secretary Feller, seconded by Commissioner White, and carried on a 4-0 polled vote with Commissioner Bailey absent, the Board of Harbor Commissioners of the Crescent City Harbor District approved waiving berthing rate fees the day before and the day after dry docking under the sole discretion of the Harbormaster, to be reviewed again in one year.

**6. Presentation about a Request for Proposal to provide Electrical Maintenance Services for the Harbor District**

Harbormaster Helms stated that the Harbor administration is publically circulating proposals to provide electrical maintenance. Attorney's Black and Rice prepared the RFP which includes a 2 year contract, option for additional 2 years, and 30-day out clause. This process and contract ensures compliance with all regulations for work within the Harbor district including adhering to prevailing wage.

Commissioner Phillips expressed concern over the Harbor's options if the low bid received was from Crescent Electric. Mr. Helms noted that there is not much flexibility even for a low bid due to prevailing wage law. Commissioner White asked Mr. Helms to clarify if there is discretion provided; Harbormaster Helms stated there is some discretion provided for with just cause. Mr. Helms noted that the RFP is publicized and respondents do so with their qualifications.

Commissioner White asked for further clarification on the extent that the contract binds the Harbor and it was noted that the contract is for 2 years for work performed under \$45,000; both maintenance and non-maintenance work is described to include new construction under that threshold. Commissioner White expressed concern over a lack of reference to performance to code; Secretary Feller echoed the sentiment and stated that is a current problem, and wishes that a clear tie be made to regulatory performance.

Commissioner White asked for clarification if there could be any cost consideration given and Harbormaster Helms noted that in selection there is not because it is tied to prevailing wage; the only criterion which can be used are history and efficiency of performance.

The Commissioners discussed further small changes and clarification within the proposed contract to include a change of reference to CEO instead of Helms' name specifically, an inclusion of definition of cost and cost plus, and exemption of work performed by Harbor staff

**Action:** President Ramsey suggested tabling the item until the next meeting and the Commission consented.

## **7. Commissioner Reports**

Commissioner White noted the following upcoming events: small business mixer on August 24 at Enoteca; Grills Gone Wild on Sept. 3; Mentor Mingle on September 29; Sea Cruise on October 7-8; a Visitor Bureau meeting later in the week and a Tri-Agency meeting later in the month

Some discussion ensued by the Commission regarding the Tri-Agency, funding issues, and its future.

President Ramsey noted that there has not been an IGRC meeting or a Harbor Safety meeting.

Harbormaster Helms discussed the informal meeting which occurred earlier in the day which was put together by Sheriff Apperson to include personal watercraft users and beachgoers; also noted a discussion with Linda Sutter that took place regarding an ordinance on the subject passed by Marin County which had been appealed to the courts by PWC user groups but the Courts upheld the original ordinance.

## **8. CEO Report**

Harbormaster Helms stated that staff has been focused on revenue generation. Staff met with an interested party regarding the vacant Englund Marine building. Additional ideas are being considered concerning vacant floor space. One idea is an indoor craft and artisan mercantile.

The conference call with the Coastal Conservancy on the subject of the RV park has been postponed.

Staff is considering bringing forth a proposal to turn the car wash into a storage facility. To bring the car wash back to functionality looks to cost over \$150,000. A storage facility would be inexpensive, and

would require little ongoing labor expense. Secretary Feller requested that other ideas be presented as well. Some discussion ensued about the history behind the building and the previous owner, as well as the current status of the property. Secretary Feller noted that he investigated a car wash in Grants Pass that utilizes lasers, did not appear to be a large investment, and the attendant stated it was very profitable.

Commissioner Phillips stated that the burl lot was now for sale. Commissioner White asked if there had been feedback given on the current proposal to which Harbormaster Helms stated there had not been due to Attorney Black's absence.

Harbormaster Helms noted that the harbor is looking to find a way to use less dumpsters and would like to install cameras to catch illegal dumpers. Commissioner White stated the Harbor should be supportive but not take lead on the issue.

Harbormaster Helms stated that a walk-through was done with Colburn Electric through the boat basin and many things were discovered which had been done incorrectly including grounding and corrosion issues. They are documenting the before and after of the process to correct. The communication is good with them and they hope to be finished in three weeks but the pedestals are a challenge and may extend the timeline. Breakers may be the way to go in the future but would require Harbor staff to ascertain their status annually. Heaters may dispel corrosion.

Mr. Helms discussed the process for reimbursement from FEMA. Congressman Huffman has made a call and the check may be cut by mid-August, it will then go to Cal OES and then to the Harbor. Cal OES has been contacted by the Harbor but has not heard anything from FEMA yet.

Harbormaster Helms requested that Secretary KymmieScott provide a brief description of the system the City Council uses for agendas and minutes, utilizing iPads and Adobe Acrobat, to the Commission. The Commission supported Harbor staff in pursuing a look at costs for the Harbor to implement a simplified version of the system.

Harbormaster Helms noted that Fashion Blacksmith has invested in the shipyard to contain sandblasting and it looks good. A letter has been sent to crab pot storer to remove their pots within 30 days or they will receive a bill.

Ms. Fansler conveyed that staff has received training on the marine operating system and they are on target regarding timing of implementation. Additionally, as noted before they are in the process of converting all the old Marina data to Quickbooks.

Harbormaster Helms stated that the Harbor Facebook page broke 1500 likes, which catches them up to the City's page. Rene from Bicoastal Media postponed a meeting and will meet on Monday. There is also a land use discussion which has been postponed until September due to a timing conflict that the other party has.

Some discussion occurred around putting up dogs on leash signs and the number of cats in the harbor.


**9. Board Comments.**

Secretary Feller asked about South Beach Outfitters and the status of the 501c3. Mr. Helms noted that Attorney Black is working on the documents and it is only in preliminary stages. Secretary Feller also questioned if the staff had heard from the Army Corps regarding the dredge materials in the ponds to which Mr. Helms stated no, but there had been additional sampling.

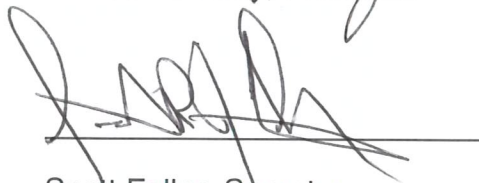
Commissioner Phillips noted that it does not appear that Smokehouse BBQ has ever cashed their \$700 check and that the books cannot be closed until that is accounted for. He also noted that the raccoon problem is getting worse with activity on the boats.

**10. Adjournment**

*The Board of Harbor Commissioners adjourned at 7:14 p.m. to the next scheduled meeting on Tuesday, August 2, 2016 at 5:30 P.M. at the Harbor District Office, 101 Citizens Dock Road, Crescent City, California.*



James Ramsey, President



Scott Feller, Secretary

Approved this \_\_\_\_\_ day  
of \_\_\_\_\_, 2015.  
Possession

**Attest:**

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Kymmie Scott, Secretary to the Board