

Board of Harbor Commissioners

Crescent City Harbor District

16 May 2023

Regular Harbor Commission Meeting



Regular Meeting

Board of Harbor Commissioners of the Crescent City Harbor District

Wes White, President Harry Adams, Secretary
Rick Shepherd, Commissioner; Brian Stone, Commissioner; Gerhard Weber, Commissioner

AGENDA

- Date:** **Tuesday, May 16 2023**
- Time:** **Open Session 2:00 p.m., Closed Session follows**
- Place:** **101 Citizens Dock, Crescent City, CA, and via Zoom Webinar,**

VIRTUAL MEETING OPTIONS

TO WATCH (via online)

<https://us02web.zoom.us/j/6127377734>

TO LISTEN (via telephone)

Dial (669) 900-6833, please enter 612 737 7734# (meeting ID)
or, one tap mobile: +16699006833,,6127377734#

Call to Order

Roll Call

Pledge of Allegiance

Public Comment

This portion of the Agenda allows the public to comment to the Board on any issue not itemized on this Agenda, however, the Board may not take action or engage in discussion on any item that does not appear on the Agenda. Periods when public comments are allowed, Harbor Commissioners will allow attendees to submit questions and/or comments using the Zoom in-meeting chat function. The Harbor Commission asks that members of the public keep questions and comments succinct and relevant.

Regular Session

1. Consent Calendar

- a. Approval of the Meeting Minutes of the May 2, 2023 Regular Meeting.**

2. Comptroller's Report, Review Balances

3. New Business

- a. Review and Vote to approve Northern Knights Car Show and Swap Meet to take place in the Harbor Parking Lot August 19th.**

4. Unfinished Business

- a. Grants Update**
- b. Filet Station Update – Josh Mims**
- c. Dredge Permit Update**

5. Communications and Reports

- a. CEO/Harbormaster Report**
- b. Ad Hoc Committee Reports (as needed)**
- c. Harbor Commissioner Reports**

6. Closed Session

a. CONFERENCE WITH LEGAL COUNSEL – ONGOING LITIGATION

(Government Code section 54956.9(d)(2))

Significant Exposure to Litigation: One case based on correspondence with Fashion Blacksmith regarding claim for damages.

b. CONFERENCE WITH LEGAL COUNSEL – ONGOING LITIGATION

(Government Code section 54956.9(d)(2))

Ongoing Litigation: One case based on correspondence with REC regarding lease terms.

c. CONFERENCE WITH LABOR NEGOTIATORS

(Gov. Code section 54957.6)

Unrepresented Employee: CEO/Harbormaster

District's Designated Representative: Ruben Duran, General Counsel

7. Adjourn Closed Session

8. Report out of Closed Session

9. Consideration of Amendment to Employment Agreement with CEO/Harbormaster

10. MEETING ADJOURNMENT

Adjournment of the Board of Harbor Commissioners will be until the next meeting scheduled for Tuesday, June 6, 2023, at 2 p.m. PST. The Crescent City Harbor District complies with the Americans with Disabilities Act. Upon request, this agenda will be made available in appropriate alternative formats to person with disabilities, as required by Section 12132 of the Americans with Disabilities Act of 1990 (42 U.S.C. §12132). Any person with a disability who requires modification in order to participate in a meeting should direct such request to (707) 464-6174 at least 48 hours before the meeting, if possible.



1. Consent Calendar

- a. Approval of the Meeting Minutes of the May 2, 2023 Regular Meeting.**

Public Comment?

**Regular 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

May 2, 2023
2:00 p.m.



Board of Harbor Commissioners of the Crescent City Harbor District

MINUTES

Open Session, Tuesday May 2, 2023 at 2:00 P.M.

CALL TO ORDER: **2:00 PM**

ROLL CALL:

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

ABSENT: *None*

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENT:

Annie Nehmer inquired about the chainlink fences and concrete barriers being used for future projects. No other members of the public commented.

1) CONSENT CALENDAR:

1A) Approval of Meeting Minutes from the April 18th, 2023 Open Session.

Commissioner Stone requested grammatical corrections found throughout minutes, and to add clarification to his report discussing his meetings about wind power with California Representatives. Commissioner Shepherd **moved** to approve the amended version of the previous meeting's minutes. Secretary Adams **seconded** the motion.

POLLED VOTE was called, **MOTION CARRIED:**

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

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

2) COMPTROLLER'S REPORT/ REVIEW BALANCES

Comptroller Thomas Zickgraf reviewed the account balances with the Board, noting that the harbor received a payment for secured property tax. The harbor's tax proceeds had declined.

Comptroller Zickgraf reported that the harbor's cash position had decreased since December 2022, and he brought attention to additional operational expenses and several one-time infrastructure investments. The data suggested that the harbor would break even at the end of fiscal year, meeting budget goals.

No members of the public commented

3) NEW BUSINESS

3A) Presentation by the Del Norte Visitor's Bureau

The Del Norte Visitor's Bureau presented a short video to the public that highlighted the marketing data collected from the county over the current fiscal year. The presentation showed an increase in online digital impressions for the county and projected growth looking forward. The Visitor's Bureau gave credit to the Board of Harbor Commissioners for donations that aided the Bureau's efforts.

No members of the public commented.

3B) Review and vote to approve Northern Knights Car Show and Swap Meet

The Northern Knights Car Club presented the Board with details about the harbor hosting their car show/ swap meet on August 19th this year. Northern Knights wants to utilize the harbor's space to bring the community together with this event. After sharing details, Northern Knights then inquired what the harbor requires to move forward with the event. Commissioner Stone recommended that Northern Knights bring these details/inquiries to the harbor's events committee before the Board approves the event.

A member of the public commented that the current date the event is scheduled for overlaps with the Farmer's Market. No other members of the public commented.

3C) Review and vote to approve Resolution No. 2023-06- Citizens' Dock Planning Project

Harbormaster Tim Petrick reported that Resolution's 2023-06 & 2023-07 are both required for the harbor to accept the grant money awarded by the Coastal Conservancy. If approved, both resolutions will be attached to the grant contract. President White requested to vote on both Resolution 2023-06 & 2023-07 due to the resolutions being connected. Commissioner Stone **moved** to approve the resolutions together. Commissioner Weber **seconded** the motion. President White called for a vote:

POLLED VOTE was called, **MOTION CARRIED:**

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

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

3D) Review and vote to approve Resolution 2023-07- South Beach Access Improvement Project

Resolution 2023-07 was approved alongside the previous resolution.

3E) Review, select, and vote to approve Engineer’s Estimate for Emergency Repairs on Anchor Way/ Whaler Island

Harbormaster Petrick reported that FEMA is requiring bid estimates in order to move forward with disaster relief, and then he presented two different engineer estimate bids to the Board. After discussion, Commissioner Stone **motioned** to accept the fixed amount bid from Moffatt and Nichol. Commissioner Shepherd **seconded** the motion. President White called for a vote:

POLLED VOTE was called, **MOTION CARRIED:**

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

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

4) UNFINISHED BUSINESS

4A) Grants Update

Mike Bahr reported multiple updates about the different grants he is working on. Bahr highlighted that the CERF grant was still in final review, and that he recently submitted the paperwork for the PIDP (Port Infrastructure Development) grant. President White asked Bahr if he had been tracking new grants that were not listed with his update, Bahr confirmed that he was actively investigating new grant opportunities.

No members of the public commented.

4B) Beneficial Reuse Permit Update

Harbormaster Petrick reported that Pacific Affiliates pulled more samples on Friday, April 28th, and he is hoping to have results ready to share with the public for the next meeting. Harbormaster Petrick also reported that the sample results from the outer boat basin were already trickling in, but he had not received enough results to share. Commissioner Stone requested a written “roadmap” for the dredging project for clarity on its timeline.

No members of the public commented.

5) COMMUNICATIONS AND REPORTS

5A) CEO/Harbormaster Report

In the beginning of his report Harbormaster Petrick requested that if boat owners damage harbor property, to inform the harbor as soon as possible. Not reporting damage will result in invoices being sent to perpetrators.

Harbormaster Petrick reported that he is working on new leases for businesses coming into the harbor: turning Chartroom II into surf/beach rentals, and designating a space for food truck vendor "Fizzles". Petrick also reported that more businesses are wanting to establish in the harbor.

5B) AD HOC Committee Reports

- i. Tri-Agency: Commissioner Stone reported that in Tri-Agency's last meeting, they had a redevelopment work statement with the agencies goals, "Tri-Agency Working Plan for 2023". In the meeting they also approved the budget, discussed CERF grants, the effects of wind power on the community, and possibly creating a CCA (Community Cooperative Association) to lower power costs for community.
- ii. KRRC: Harbormaster Petrick reported that KRRC met briefly and informed him that they are in the process to relocate buoys, they requested coordinates for the ones needing relocation/removal.
- iii. Signage: Secretary Adams reported that he and Commissioner Weber traveled around the harbor and discussed ideas for updating signs in harbor.
- iv. Chamber: Commissioner Shepherd reported that the Chamber group met on Zoom.
- v. Finance: Commissioner Weber reported the finance committee's last meeting had a positive outlook. President White reported that the audit is now underway, and the harbor is working on catching up on it's audits as well as establishing a routine in keeping caught up.

5C) Harbor Commissioner Reports

- i. President White had nothing to report.
- ii. Secretary Adams had nothing to report.
- iii. Commissioner Weber had nothing to report.
- iv. Commissioner Stone reported there have been various meetings with Representatives to discuss wind power, and they inquired about the harbor's operations and maintenance. Commissioner Stone also reported he and President White are preparing to go to the wind conferences in Sacramento. The California Energy Commission conference on May 9th, and Offshore Wind California on the 10th and 11th. Commissioner Stone plans to meet with the California Legislature on the 12th to discuss the legislative steps regarding wind power.
- v. Commissioner Shepherd reported that crab season is currently being extended to June 1st, with a fathom restriction.

1) ADJOURN OPEN SESSION

ADJOURNMENT TO THE BOARD OF HARBOR COMMISSIONERS NEXT REGULAR MEETING SCHEDULED FOR TUESDAY, MAY 16, 2023 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 _____, 2023

Wes White, President

Harry Adams, Secretary



2. Comptroller's Report, Review Balances

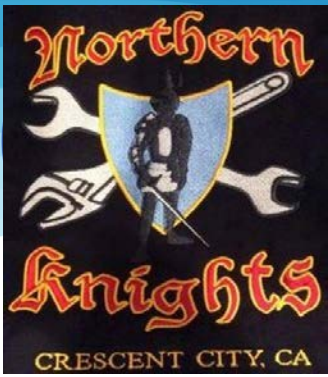
Public Comment?



3. New Business

- a. Review and Vote to Approve Northern Knights Car Show and Swap Meet to take place in the Harbor Parking Lot on August 19th, 2023.**

Public Comment?



NORTHERN KNIGHTS PROPOSAL:

- \$500 event fee.
- \$250 for security & cleaning
- \$25 for each vendor
(swap meet stalls not charged)

CCHD RESPONSIBLE FOR:

- extra garbage cans and disposal

STILL WORKING ON:

- Insurance

Public Comment?





4. Unfinished Business

a. Grants Update

Public Comment?



4. Unfinished Business

b. Filet Station Update – Josh Mims

Public Comment?



4. Unfinished Business

c. Dredge Permit Update

Public Comment?

Dredging Roadmap

Pre-Dredge Surveys & Other Considerations

- Sampling and analysis plan
- Sediment sampling and characterization
- Identify disposal / beneficial reuse site
- California Environmental Quality Act (CEQA)

Permitting & Agency Consultations

- **Dredging & Disposal/Beneficial Reuse**
- US Army Corps of Engineers (USACE)
- North Coast Regional Water Quality Control Board (NCRWQCB)
- California Coastal Commission (CCC)
- CA Department of Fish and Wildlife (CDFW)
- National Marine Fisheries Service (NMFS)
- U.S. Fish and Wildlife Service (USFWS)
- US Environ. Protection Agency (USEPA)

Dredging & Post-Dredge Reporting

- RFP and selection of dredge contractor
- Pre-and post dredge bathymetric surveys
- Reporting per permit conditions

Permit Requirements Potentially Applicable to Dredging & Disposal Activities

Agency	Regulations	Required Authorization
North Coast Regional Water Quality Control Board (NCRWQCB)	Federal Clean Water Act, Sections 401 and 402 California Porter- Cologne Water Quality Control Act	401 Water Quality Certification or Waste Discharge Requirements, National Pollutant Discharge Elimination System (NPDES) general permit for discharge of stormwater from construction sites
U.S. Army Corps of Engineers (USACE)	Federal Clean Water Act, Section 404, Rivers and Harbors Section 10	Permits for dredge and fill activities below ordinary high-water mark in waters of the United States; Federal action requires NEPA compliance
U.S. Fish and Wildlife Service (USFWS)	Federal Endangered Species Act (ESA)	Determined through USACE consultation with USFWS
National Marine Fisheries Service (NMFS)	Federal Endangered Species Act (ESA)	Determined through USACE consultation with USFWS
California Coastal Commission (CCC)	California Coastal Act (CCA)	Coastal Development Permit
California Department of Fish and Wildlife (CDFW)	California Endangered Species Act (CESA)	Determined through consultation with CDFW
U.S. Environmental Protection Agency (USEPA)	Marine Protection, Research and Sanctuaries Act, and the related regulations published at 40 CFR Part 220-227	Suitability determination if ocean disposal is pursued (HOODS or other locations)

Note: Each agency permit or consultation typically requires an application submittal including application form(s), detailed project description, and fees (if applicable).



5. Communications and Reports

a. CEO/Harbormaster Report

CCHD met with FEMA inspectors, Hazard Mitigation, and consultants on May 11th. We went through every inch of the Groin, Breakwater, and Anchor Way identifying storm damage. It's a long process, but we have had great cooperation from FEMA and Cal OES and we look forward to an award of Disaster and Mitigation funding.

We have begun to work out some details on new leases for a potential food truck island/beer garden. We hope to have the area operating by mid-summer. It will be a great place to hang out with family and friends for the local community and visitors alike.

Mike Rademaker and I have been working with County staff and the Sheriff on cooperative agreements for the Harbor Police. The Sheriff's Department has been very supportive of our efforts, and we look forward to working together closely with Sheriff's Deputies.

Water Safety Day is in the planning process for this year again. It will be held on June 7th on Whaler Island. The event is for our local students and is not open access. The public is welcome to watch from areas outside the barriers.

I will be presenting about the projects that we are working on in the harbor and our economic development plans at the Del Norte Economic Development Summit at Lucky 7 Casino on Friday the 19th.



5. Communications and Reports

b. Ad Hoc Committee Reports (as needed)

Public Comment?



5. Communications and Reports

c. Harbor Commissioner Reports

- (1) Commissioner Gerhard Weber**
- (2) Commissioner Rick Shepherd**
- (3) Commissioner Brian Stone**
- (4) Secretary Harry Adams**
- (5) President Wes White**

Public Comment?



6. Adjourn to Closed Session

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