Board of Harbor Commissioners

Crescent City Harbor District

May 21, 2024

Regular Harbor Commission Meeting



Regular Meeting

Board of Harbor Commissioners of the Crescent City Harbor District

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

AGENDA

Date: Tuesday, May 21, 2024

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)

TO LISTEN (via telephone)

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

Dial (669) 900-6833, please enter 612 737 7734# (meeting ID)

or, one tap mobile: +16699006833,,6127377734#

1. Preliminary Items

- a. Call to Order
- b. Roll Call
- c. Pledge of Allegiance
- d. General Public Comments

The general comment period is provided for subjects not included on the agenda. Each person is limited to a maximum of 3 minutes of speaking time. The Board may not take action on non-agendized matters. However, the Board or its staff may briefly respond to statements or questions from the public. (Gov. Code § 54954.2(a)(2))

2. Consent Calendar

Consent Calendar items are considered routine and will be approved by one motion. The public, staff, or Commissioners may request specific items be removed from the Consent Calendar for separate consideration.

a. Approve Minutes of the April 16, 2024 Regular Meeting.

3. Unfinished Business

- a. Approve Letter to PFMC, CDFW, and Other Relevant Parties, Addressing Disparities in Fishing Regulations Affecting Crescent City Harbor.
- b. Select Preferred Contractor for RFP# 2024.03: Crescent City Harbor District Landscape Maintenance Services.

4. Communications and Reports

- a. Grants Update
- b. Revenue Generation Progress Report
- c. CEO/Harbormaster Report
- d. Harbor Commissioner & Ad Hoc Committee Reports

5. Adjourn to Closed Session

CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT

(Government Code section 54957)

Position: Finance Department

6. Report Out from Closed Session

7. MEETING ADJOURNMENT

Adjournment of the Board of Harbor Commissioners will be until the next meeting scheduled for <u>Tuesday</u>, <u>June 4</u>, <u>2024</u>, at 2 p.m. PDT. 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. Preliminary Items
 - a. Call to Order
 - b. Roll Call
 - c. Pledge of Allegiance



1. Preliminary Items

d. General Public Comments

The general comment period is provided for subjects not included on the agenda. Each person is limited to a maximum of 3 minutes of speaking time. The Board may not take action on non-agendized matters. However, the Board or its staff may briefly respond to statements or questions from the public. (Gov. Code § 54954.2(a)(2))



2. Consent Calendar

Consent Calendar items are considered routine and will be approved by one motion. The public, staff, or Commissioners may request specific items be removed from the Consent Calendar for separate consideration.

a. Approve Minutes of the April 16, 2024 Regular Meeting.

Regular Meeting Minutes of the Board of Harbor Commissioners of the Crescent City Harbor District

Harbor District Office, 101 Citizens Dock Road April 16, 2024 Crescent City, CA 95531 2:00 p.m.



Board of Harbor Commissioners of the Crescent City Harbor District

MINUTES

Regular Session, Tuesday, April 16, 2024, at 2:00 P.M.

CALL TO ORDER: 2:00 PM

ROLL CALL:

PRESENT: President HARRY ADAMS

Secretary RICK SHEPHERD Commissioner WES WHITE

Commissioner GERHARD WEBER

ABSENT: Commissioner BRIAN STONE

1) Public Comment

Linda Sutter commented that in her view the First Amendment rights of citizens addressing the Board had been infringed upon during previous meetings. A resident of Bayside RV Park expressed concern that a park rule requiring that RVs maintain current registration was burdensome and not evenly enforced. A harbor patron complained that he had been intimidated by harbor maintenance staff. He contrasted that experience with a much more positive encounter with Harbor Patrol Lieutenant Justin Hanks. The speaker praised Lt. Hanks for his professionalism and dedication.

2) Consent Calendar:

Approve Meeting Minutes: March 19, 2024 Regular Meeting and March 26, 2024 Special Meeting.

Commissioner White **moved** to approve the consent calendar. Commissioner Shepherd **seconded** the motion.

POLLED VOTE was called, MOTION CARRIED

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

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

3) New Business

3A) Approve Outer Boat Basin Bathymetric Survey to be Conducted by Cinquini and Passarino Surveying, Inc.

CEO/Harbormaster Petrick provided an overview, explaining that there were many reasons to conduct the bathymetric survey of the harbor. One was to gain an accurate understanding of the submerged area around the seawall for permitting of new construction. The survey would include an analysis of the sub-bottom terrain to identify rocks and debris underneath the silt layer. The survey would evaluate the entire outer boat basin, which would provide valuable data for CEQA/NEPA compliance. Mr. Petrick emphasized that by maintaining a regular schedule of surveys, it would be possible to establish a silting rate, which would be important for planning and many other purposes.

Sandy Moreno asked if sediment would be tested. CEO/Harbormaster Petrick clarified that testing sediment would not be included, and sediment testing would typically be much more expensive than the \$12,710 quoted for the bathymetric survey.

Commissioner Shepherd made a **motion** to approve the bathymetric survey, which Commissioner White **seconded**.

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

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

ABSENT: STONE // ABSTAIN: NONE

4) Unfinished Business

4A) Approve Fee Schedule Adjustment for RHV and Bayside RV Parks (Final Approval).

CEO/Harbormaster Petrick provided background by reviewing comparable rates for other RV parks in the area. It was clear that the market rate was much higher than the existing Bayside and RHV rates. Commissioner Weber provided an analysis of the inflation rate since the last rent increase in 2019. Essentially the new rate for 2024 was very close to the inflation adjusted 2019 rate. However, Commissioner Weber noted that the residents still ended up ahead, because the 2019 rate had stayed flat while inflation crept up during the intervening 5 years. This essentially gave residents a discount for five years. Commissioner Weber also discussed some other concerns, such as inequities from one resident to another, because some residents had been grandfathered at a lower rental rate. The new rate would apply equally to all residents. Commissioner Weber underscored everything by mentioning that the RV parks could not break even financially under the existing rate structure. CEO/Harbormaster Petrick added that even after the proposed 2024 rent increase, the parks were still expected to lose money, but at least at a more manageable level. It was not the harbor's goal to push anyone out, but simply to cover

rising costs as much as possible. In the absence of a rent increase, the harbor would end up having to close down the parks permanently.

Discussion then turned to whether the effective date of the rent increase could be delayed. Sandy Moreno suggested that the rent increase should occur in stages. The Board expressed its consensus that the effective date could be delayed until July 1st, but implementation would occur at the full proposed rate, without being phased in. Commissioner Weber **moved** to approve the revised fee schedule, effective July 1st, and the motion was **seconded** by Commissioner White.

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

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

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

4B) Approve Resolution 2024-01, which Concludes the Final Public Hearing on the CCHD Hazard Mitigation Plan, and Adopts the Final Version of the Plan.

Aislene Delane, Grant Writer and Manager for Community System Solutions (CSS), provided background. Ms. Delane explained that the mitigation plan was a requirement for certain federal grants, and the plan needed to be updated every five years. She encouraged the Board to adopt the proposed plan. No members of the public commented.

Commissioner White **moved** to approve Resolution 2024-01 and adopt the proposed plan. Commissioner Shepherd **seconded** the motion.

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

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

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

4C) Approve 50% Rent Abatement for 201 Citizens Dock Rd (Port O'Pints) Due to Unforeseen Permitting Delays.

The Board engaged in brief discussion, which was interrupted by Linda Sutter, who objected to the agenda item on procedural grounds. Ms. Sutter argued that a motion for reconsideration would be required because there had been a previous vote on the subject. There was some discussion amongst the Board as to whether it was truly the same subject because the amount of the rent abatement had been changed substantially. Kevin Hendrick highlighted a similar situation that had recently occurred with the Tri-Agency. Although Mr. Hendrick questioned whether a motion for reconsideration was truly required, in that instance, the Tri-Agency attorney recommended proceeding with a motion for reconsideration. Such a motion required a four-fifths majority to approve it, and it had to be placed on the agenda in advance of the meeting. Roger Gitlin agreed with the sentiments expressed by Mr. Hendrick. Out of an abundance of caution, the Board decided to table the matter.

5) Communications and Reports

5A) Grants Update

Aislene Delane, Grant Writer and Manager for Community System Solutions (CSS), provided an update. She discussed the Port Infrastructure Development Grant, which had been supplemented by a grant from the California Coastal Conservancy, to support planning for a new Citizens Dock. Design alternatives had been presented to the California Department of Fish and Wildlife, the California Coastal Commission, and the National Marine Fisheries Service on April 10th. The dock design process was incorporating feedback from public comments and the related environmental review by Moffatt and Nichols was continuing.

Mike Bahr, CEO and Grant Writer for Community System Solutions, reviewed the status of grant applications being prepared, and research being conducted for future grant applications. The discussion focused on a new grant opportunity under the Port Infrastructure Development Program administered by the U.S. Maritime Administration. The grant opportunity had the potential for approximately \$10 million to fund a second phase of the Harbor's Seawall and Citizens Dock project, which would include construction.

Discussion then turned to FEMA disaster funding to repair Anchor Way after a winter storm caused serious erosion. The damage had occurred over a year prior, and the damage threatened the structural integrity of the roadway and associated rock wall armoring. It appeared that FEMA was poised to award disaster relief funds, but several administrative issues needed to be resolved.

5B) Comptroller Report

Comptroller Thomas Zickgraf discussed the harbor's financial condition, and expressed concern that after the Fashion Blacksmith legal settlement, 113% of the harbor's tax proceeds were projected to be consumed by debt obligations. Given that tax proceeds provided only a minority of the harbor's funding (less than 20%), it didn't mean the harbor was insolvent, but it did represent a significant challenge because the debt service eroded money available for operations.

Sandy Moreno expressed concern about the harbor's debt obligations, which she identified as \$558,000 per year for a Fashion Blacksmith judgment and related legal settlement, and \$260,000 per year for a USDA tsunami repair loan.

5C) CEO/Harbormaster Report

CEO/Harbormaster Petrick reviewed his report to the Board, as contained in the Board's briefing packet. Discussion focused on a delegation that visited the harbor from Japan to discuss the 2011 tsunami. Mr. Petrick also discussed the adverse financial impacts from the salmon fishery being closed by regulators. The Board then discussed a bill in the California legislature (AB2220), which had intended to ban gill nets and also require commercial fishing vessels operating with a state permit to carry an independent third-party observer onboard. The bill would have imposed a significant financial burden on the commercial fishing industry, but the bill did not advance out of its legislative committee.

5D) Harbor Commissioner & Ad Hoc Committee Reports.

Commissioner White discussed a recent finance committee meeting. A decision had been made to have the Comptroller provide more "traditional" balance sheet and cashflow statements that were more directly exported from QuickBooks without adjustments.

Commissioner Shepherd discussed concerns about monitoring buoys placed to measure current flows as part of the Klamath River Renewal Corporation dam removal project. Some buoys had not been adequately anchored and were lost. Replacement buoys were scheduled for installation, but valuable data was being lost. Commissioner Shepherd also expressed frustration that the salmon fishery remained completely closed despite a strong run of salmon coming from the Klamath River. It was actually one of the largest salmon runs coming from the Klamath in many years.

Commissioner Weber discussed the harsh reality of the harbor's financial condition, although he remained optimistic that with focused attention and swift action, the harbor could return to solid ground.

President Adams discussed his activities with the Japanese delegation that had been mentioned by CEO/Harbormaster Petrick earlier in the meeting. President Adams expressed optimism that regulators agreed to allow a rockfish and lingcod season, although he disagreed with depth restrictions that were imposed.

6) Adjourn to Closed Session

CONFERENCE REGARDING REAL PROPERTY NEGOTIATIONS

(Government Code section 54956.8)

Agency negotiator: Tim Petrick, CEO/Harbormaster

Real Properties: To be determined. Authorization for price and terms of payment.

Negotiating with: LRE Development

7) Report Out from Closed Session

Nothing to report.

ADJOURNMENT TO THE BOARD OF HARBOR COMMISSIONERS NEXT REGULAR MEETING SCHEDULED FOR TUESDAY MAY 7, 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	



3. Unfinished Business

a. Approve Letter to PFMC, CDFW, and Other Relevant Parties, Addressing Disparities in Fishing Regulations Affecting Crescent City Harbor.

Subject: Request for Equitable Fishing Regulations for Crescent City Harbor

[NOTE: once the letter is approved in final form, it will be formatted on Harbor District letterhead and addressed to the Pacific Fisheries Management Council, the California Department of Fish and Wildlife, the Office of the Governor, various State and Federal legislators, and other relevant parties]

[Proposed Text]

The Crescent City Harbor District Board of Harbor Commissioners feels compelled to address a matter of great importance that affects not only our harbor but our entire community. Our primary concern lies with the persistent and inexplicable disparities in fishing regulations and enforcement that are apparent when comparing our harbor with neighboring regions. Most notably, these disparities are evident with the Oregon port of Brookings, which is merely 10 miles north of us.

Disparities and Enforcement Issues

Despite our proximity, Crescent City fishermen face significantly restrictive fishing regulations, starkly contrasting with those allowed in Brookings, Oregon. Notably, Oregon permit holders are allowed a monthly open access limit of 5,500 pounds of ling cod, whereas California has set this limit at zero for our waters. For this species alone, the missed revenue opportunity for each boat approaches \$200,000 annually.

Additionally, while the Pacific Marine Management Council (PMFC) has sanctioned a nearly unrestricted salmon season in Brookings, Crescent City has been excluded from salmon fishing entirely. It has been reported that this drastic measure was influenced by a request from Fishery Director Charles Bonham, leading to a full closure of both commercial and sport fishing for salmon in California.

To get into specifics, while Brookings enjoyed a two-week unrestricted commercial salmon season from April 16th to April 30th and a generous sport salmon season from May 16th through August 31st, Crescent City was denied similar opportunities. Such decisions undermine the economic stability of our harbor because fishermen are compelled to leave Crescent City and tie up their boats at Brookings or other harbors.

Fishermen from Oregon are allowed to purchase a daily California fishing permit and subsequently land their catch in Brookings, Oregon. Boats departing from Brookings can enter California waters, catch their Oregon rockfish limit and their Oregon salmon limit

(outside of 3 miles from the coast), and then return to Brookings. Conversely, fishermen operating out of Crescent City do not have this flexibility and are barred from similar reciprocal activities. This differential treatment raises profound questions about the consistency and fairness of fishery management practices.

Furthermore, Oregon fishermen have been caught by law enforcement acting even more egregiously by completely ignoring the requirement to purchase a California license. These fishermen often take charter boats departing from Oregon, fish along the reefs outside of Crescent City, and then return to Brookings with their catch. This blatant disregard for regulations exacerbates the economic and ecological impacts on our community and calls for greater enforcement to ensure equity.

Need for Accurate Data and Improved Management

Another major concern is the inadequacy of the current data system used before implementing any fishery closure or restriction. The data system for groundfish management needs to be accurate and factual, ideally collected through hook and line methods from our local area. Currently, computer models used to justify fishery closures have relied on data that is not relevant to our local fisheries. We respectfully request more funding for data collection to properly assess fish stocks through in-person assessment of the ocean's resources.

We are confident that if regulators utilize these more accurate assessment approaches, they will validate the experience of our local fishermen, who have found that Quillback Rockfish are not overfished. Unfortunately, this reality in the water is not recognized in official government reports and regulatory rulemaking.

Accordingly, we call for more reliable scientific data to form the basis of published Quillback mortality rates. One reason the published data is likely flawed is that it does not take into account the current practices of our local fishermen. For example, our local fishermen are diligent about using approved methods to handle bycatch with descending devices. Local observations suggest that Quillback Rockfish do not suffer significantly from barotrauma when released using these careful methods. Our community is ready to assist in data collection and offer insights based on firsthand experience, which is crucial for accurate stock assessments and effective fishery management.

To balance our economic needs with fishery conservation goals, we propose that the season for fishing at 20 fathoms should be from May 15 to October 15. This recognizes the danger of ocean conditions during the winter months and prioritizes the safety of fishermen, particularly tourists who may not be familiar with our local waters.

Community Efforts and Call to Action

We have taken a proactive approach to educating the public, especially tourists, about fishing regulations and conservation practices. Our efforts include the installation of educational signage in harbor areas and the distribution of flyers to promote awareness about overfished species and responsible fishing practices.

Having done everything we can think of using our own resources, we now turn to you. Your immediate attention and action on this matter would not only rectify long-standing inequities but also significantly aid in the economic and social vitality of Crescent City and Del Norte County.

We look forward to your cooperation and are available for any discussions or information sharing that might facilitate resolution of these pressing issues.

Best regards,

Crescent City Harbor District Board of Harbor Commissioners



3. Unfinished Business

b. Select Preferred Contractor for RFP# 2024.03: Crescent City Harbor District Landscape Maintenance Services.

Proposal #1: Cutting Edge Lawn Care



261 N Beckstead Ave Smith River, California 95567 707-951-4241

We appreciate the opportunity to present our landscape maintenance proposal to the Crescent City Harbor District! It would be our privilege to provide landscape maintenance for the Harbor.

Executive Summary: Cutting Edge has been in business for 11 years. We currently have 75 annually contracted customers and are constantly doing additional handyman services associated with landscape work.

The company was started by my uncle Esteban Contreras and Erick Lucafield. Cutting Edge has a long history of satisfied customers. We have several customers who have been with us longer than 10 years.

I am Eddie Contreras and I took over as president of the company two and a half years ago. We are a lifelong family in this community. I was born and raised here. This is not just "A" Harbor. To me, this is my family's Harbor. So I feel great pride at the opportunity to present this bid.

At Cutting Edge our approach to landscape maintenance is rooted in sustainability, efficiency, and community enhancement. We believe that the outdoor spaces of Crescent City California Harbor District are not just areas to be maintained, but opportunities to create vibrant, welcoming environments that reflect the district's commitment to excellence.

Our Work Philosophy

We operate on the principle that a well-maintained landscape is integral to the overall image and experience of the Harbor District. Our team is dedicated to Proactive Maintenance: Regularly scheduled services and inspections to ensure pristine conditions year-round.

Choosing Cutting Edge means selecting a partner invested in the Harbor District's future. We bring:

Expertise: 11 Years of experience in coastal landscape management, understanding the unique challenges and opportunities it presents.

Innovation: Utilization of the latest technology and methods to deliver superior results with greater efficiency.

Reliability: A track record of completing projects on time and within budget, without compromising on quality.

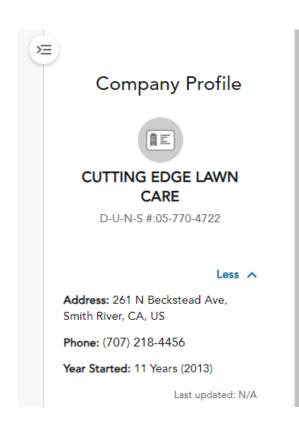
Identification of the Contractor:

Cutting Edge Lawn Care
Sole Proprietor
261 N Beckstead Ave Smith River, California 95567
707-951-4241
CA Biz Lic Crescent City Lic # 05561

Staffing Resources:

Cutting Edge currently employs 4 full-time and 6 part-time employees. All employees are fully trained and competent to do all manner of landscape maintenance tasks safely and efficiently. We anticipate adding 4 additional employees if we win this bid.

The two principal persons responsible for working with the District as points of contact are: Eddie Contreras 707-951-4241 Owner Esteban Contreras 707-218-5885 Owner



Fiscal Stability: DUNS# 05-770-4722

As you can see we've been in business for 11 years. We currently deposit more than \$12K/Month in Coast Central Bank. We have plenty of money and plenty of credit to facilitate the Harbor Landscaping project as we are bidding it.

Experience:

Already mentioned this several times. 11 years and ALL manner of landscape maintenance work including mowing, edging, trimming, pruning, tree removal and trimming, stump grinding, brushing, planting, sod cutting, and on and on. You name it we've done it several times!

If you are curious to hear about us here are a couple of my favorite customers that would happily talk about us with you!

Key References:

Tamara Leighton 707-218-6424 (Works with the City) (can substantiate several years) Henry Griger 618-709-6851 (Knows Everyone In Town!) (can substantiate several years) Jim Roberson 707-951-7527 (Pelican Bay Warden) (can substantiate several years)

Resources:

We have an office and 2 yards where we park and store equipment. We pride ourselves on the type and quality of equipment. All of our equipment is new and the best. We believe that not only does this type of equipment work better and faster, but it projects the image of success that is important to us. When the community sees us on the Harbor Property they will be impressed with how we look and operate. And of course, company shirts and sweatshirts are worn to provide a "uniform look".



We have multiple company trucks. 5 Company trailers, 3 Gravely Stand on Mowers, Countless Stihl weed eaters and trimmers, blowers. Equipment is not an issue with us!





Proposed Method to Accomplish the Work:

For the sake of space, I am not going to re-print it again here but the work to be done is all work that is referred to in "Exhibit A" "Scope of Services" found in the RFP - Landscape Maintenance Issued on 4-3-2024 issued by the Crescent City Harbor District

The following bid is for 26 mows and blows throughout a 12-month period. There are a couple of months out of the year where the grass grows very fast so will need 3 mows and blows during those months, and the remainder will only need 2 mows and blows per month. This totals 26 of each for the year.

This bid includes an allowance for up to 5 tree removals annually at no additional cost and we will also throw in all stump grinding for free as well!

Item	Quantity	Price Per	Total Price
Annual Grass cutting service	26.0	\$2,654.00 / 1	\$ 69,000.00

Total Bid \$ 69,000.00

OPTION 2: Including Bayside RV Park

Item	Quantity	Price Per	Total Price
Annual Grass cutting service	26.0	\$2,654.00 / 1	\$ 69,000.00
Bayside RV Park	26.0	\$365.00 / 1	\$ 9,500.00
		Total Bid	\$78.500.00



3. Unfinished Business

b. Select Preferred Contractor for RFP# 2024.03: Crescent City Harbor District Landscape Maintenance Services.

Proposal #2: R.A. Kirkland Inc.

April 22, 2024

- R.A. Kirkland's Inc. Proposal for the Landscape Maintenance for Crescent City Harbor District
- 2.01 General approach is to Plan, organize, control, and motivate.
- 2.02a. Landscape maintenance is unique in that is dictated by plant life cycle and the weather. Work requirements are reasonable predictable but influenced by the seasons and our local coastal weather patterns plus plant selection. These are influences affecting planting and maintenance which in turn affect staffing.

Labor pool requires both specialized and depth to respond to an installation the size and carried to the proposed for the CC Harbor.

R.A. Kirland's started in 1995 and has 29 years maintaining over 175 local sites including private, commercial, and institutional on the yar round bases with both new and mature landscaping makes us unique to this are and a good selection for the CC Harbor District project.

Kirkland's longevity and breadth of experience demonstrate the ability and capability necessary to provide the Crecent City Harbor District with the level of care demanded of the proposed landscape.

R.A. Kirkland's Inc is a perfect fit and would ensure the Crescent City Harbor with the performance it will require of the contractor selected.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 04/09/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRO	DUCER			CONTAC NAME:	Justine Ma	artin			
Red	woods Leavitt Insurance Agency			PHONE (A/C, No	Evt). (707) 46	55-6508	FAX (A/C, No)	(707) 4	65-5422
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Estimated Annual Premium Schedule

State	Class Code	Loc	Class Description	Payroll	Rate	Net Rate	Estimated Annual Premium
CA	0042	1	LANDSCAPE GARDENING INCLUDING MAINTENANCE OF GARDENS	\$500,000.00	6.27	0.048007	\$31,350.00
CA			SubTotal				\$31,350.00
CA	9898		EXPERIENCE MODIFICATION	\$31,350.00	1.24		\$7,524.00
CA	9887		SCHEDULE CREDIT	\$38,874.00	0.33		-\$12,828.00
CA	0063		PREMIUM DISCOUNT	\$26,046.00	0.088		-\$2,292.00
CA	0900	1	EXPENSE CONSTANT				\$160.00
CA	0936	İ	STATE W.C. FRAUD ASSESSMENT	\$24,164.00	0.004	1 10	\$100.00
CA	0935		STATE W.C. ADMINISTRATIVE ASSESSMENT	\$24,164.00	0.025		\$595.00
CA	0937	İ	CA INSURANCE GUARANTY	\$24,164.00		-	\$0.00
CA	0938		CA UNINSURED EMPLOYERS FUND		0.002		\$36.00
CA	0939	İ	CA SUBSEQUENT INJURY FUND	\$24,164.00	0.016		\$384.00
CA	0940		OSHF ASSESSMENT	\$24,164.00	0.007		\$176.00
CA	0943		LABOR ENFORCEMENT & COMPLIANCE	\$24,164.00	0.007		\$172.00
CA	9741	İ	CATASTROPHE PREMIUM	\$500,000.00	0.02		\$100.00
CA	9740	İ	TERRORISM PREMIUM	\$500,000.00	0.03		\$150.00
CA		İ	SubTotal				-\$5,723.00
CA	İ	İ	Total For State			0.048007	\$25,627.00
CA			Total For Policy			0.048007	\$25,627.00
CA			Minimum Premium			1-11-11	\$750.00

If during the policy term or at final audit, the Zip Code for any California location is determined to be other than the corresponding Zip Code upon which premium was originally calculated, the premium will be subject to adjustment to reflect exposures in the actual Zip Code.

Coverage for acts of terrorism is included in your policy. You are hereby notified that the Terrorism Risk Insurance Act, as amended in 2019, defines an act of terrorism in Section 102(1) of the Act: The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury-in consultation with the Secretary of Homeland Security, and the Attorney General of the United States-to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion. Under your coverage, any losses resulting from certified acts of terrorism may be partially reimbursed by the United States Government under a formula established by the Terrorism Risk Insurance Act, as amended. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States Government generally reimburses 80% beginning on January 1, 2020 of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. Government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses exceeds \$100 billion in any one calendar year. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

The portion of your annual premium that is attributable to coverage for acts of terrorism is: \$150.00, and does not include any charges for the portion of losses covered by the United States government under the Act.

Earthquake, Catastrophic Industrial Accidents and Noncertified Acts of Terrorism

Coverage for earthquake, catastrophic industrial accidents and noncertified acts of terrorism is included in your quote. This coverage applies to any single event resulting from an earthquake, catastrophic industrial accident, or noncertified act of terrorism which results in aggregate workers' compensation losses in excess of \$50 million. The portion of your quoted premium that is attributable to this coverage is: \$100.00



2.02c Identification of Contractor

R.A. Kirkland's Inc. a California Corporation California Business License 04298 2427 Howland Hill Road, P.O. Box 511 Crescent City, CA 95531 Phone (707) 218-7182

Email: lolvera@cbh1.com FED E.I.D. 20-8824735

2.02d Staffing

Kirkland employs 11 on a year-round basis.

Direct contact for the Crescent City Harbor District: Randy Kirkland, owner, President of R.A.

Kirkland's, Inc. at (707) 218-7182

Job Supervisor: Telly Arispe (707)951-7118

Senior Site Foreman: Lance Woodard (925) 858-0030

2.02e Fiscal Stability
Chase Bank 04/18/2024
Edward Jones 04/18/2024
Cholwell, Benz & Hartwick CPA'S 03/14/2024

2.02 f2.02 1 Experience

Debbie & Bob Cochran May 17, 2021-05-24 Steve Alexander, Pastor Smith River Baptist Church May 17, 2021-05-24 Christie Lynn Rust, United Methodist Church, Crescent City Four Square Church

2.02 f202 2 Resources

- 1. 6 Commercial riders
- 2. 12 Mowers
- 3. 12 Weed eaters
- 4. 12 Hedge Trimmers
- 5. 12 Blowers
- 6. 5 Company Trucks
- 7. 4 Open trailers

2.02g Proposed Method to Maintain Crescent City Harbor

Staffing 10 men 1 day every week April-September. Schedule 2days per month for 6month October-March week for 6months Meetings as requested with Crescent City Harbor staff. Detailed Monthly Invoices showing areas and tasks performed.

2.02hi 1 Insurance

Kirkland's if chosen will provide insurance in the form required by Crescent City Harbor District.

2.02hii CURRENT VALUE OF WORK

See Cholwell, Benz & Hartwick attached as 2

2.02hiii EMR RATIO FOR WORKERS COMP SEE WROIB attached.

2.02 lx R.A Kirland's, Inc. will provide insurance with enumerated requirements if selected.

2.02I Litigations History- None to report

2.02j Work History

Steve Alexander May 17, 2021-05-2021 Christie Lynn Rust May 17, 2021 Grace Evangelical Lutheran Church Council May 17, 2021 Debbie and Bob Cochran May 17, 2021 Four Square Church

3.02 PRE- PROPOALS MEETING:

Met with Mr. Tim Petrick on a "WALK AROUND" of the site and proposed work on May 12, 2021.

Pre Proposal meeting

FORMAT OF PROPOSAL AND SUBMITTAL.

As per the request for proposals to provide landscape maintenance service to The Crescent City Harbor District FRP Dated: April 22, 2024 And this Document Dated April 22, 2024

EXHIBIT A SCOPE.

R.A. KIRKLAND'S, INC. has reviewed the scope of service and acknowledges that they are incorporated in any proposed agreement for landscape of maintenance of lands.

Randy A. Kirkland, April 22, 2024 President R.A. Kirkland's, Inc. 2427 Howland Hill Road P.O. Box 511 Crescent City, CA 95531 Phone 707-218-7182 lolvera@cbh1.com 12555 Manchester Road St. Louis, MO 63131-3729 314-515-2000 www.edwardjones.com

Edward Jones

April 8, 2024

To Whom It May Concern:

Our client, The R A Kirkland 2011 Trust, Randy A. Kirkland (TTEE), is approved to exercise the Personal Line of Credit with Edward Jones. As of April 8, 2024, the account provided an available line of credit of \$100,649.95.

This letter is a verification of the account and does not constitute a commitment to extend credit to any parties.

Should you have any additional questions please contact their Financial Advisor, Michael T. Sullivan at (707)-465-3877.

Sincerely,

Ivan Alvarez – Senior Service Specialist Customer Loan Department



April 17, 2024

To Whom it May Concern:

This letter is to confirm that Randy Kirkland of R.A. Kirkland Inc. has been a client in good standing with Chase Bank since 5/22/2008.

Randy Kirkland has a line of credit with Chase of \$58,000.00.

If you have any questions, I can be reached on my Direct Dial at (707) 464-4106 or (707) 465-6270.

Sincerely,

Jacqualine Berger

Branch Manager/Vice President



144 Butte St. Crescent City, CA 95531 www.ccfoursquare.org 707-464-9501 roger@ccfoursquare.org

April 16, 2024

To Whom It May Concern:

I am writing to enthusiastically endorse **Kirkland's Lawn Service** for the bid they are pursuing. Having engaged their services for over 15 years, I have been consistently impressed by their professionalism, expertise, and commitment to excellence.

Kirkland's Lawn Service has demonstrated a remarkable ability to transform outdoor spaces into aesthetically pleasing and well-maintained landscapes. Their attention to detail and proficiency in landscaping techniques ensure that each project is completed to the highest standards, regardless of its size or complexity.

Beyond their technical skills, the team at **Kirkland's Lawn Service** operates with integrity, reliability, and a genuine passion for their work. They communicate effectively, collaborate seamlessly, and consistently deliver results that exceed expectations. Their dedication to customer satisfaction is evident in every interaction, making them a trusted partner for any landscaping project.

I am confident that **Kirkland's Lawn Service** has the expertise and capability to excel in the project for which they are seeking a bid. Their track record of success, combined with their professionalism and commitment to excellence, make them an ideal choice for any landscaping endeavor.

I wholeheartedly recommend **Kirkland's Lawn Service** and am available to provide further information or discuss their qualifications in more detail if needed. Please feel free to contact me at your convenience.

Sincerely

Roger Bodenstab

Lead Pastor

Foursquare Church www.ccfoursquare.org

707-954-1825

From: dlclrt@aol.com

To: "ewright7378@charter.net" <ewright7378@charter.net>

Cc: Bcc:

Priority: Normal

Date: Monday May 17 2021 5:43:54PM

Randy Kirkland

To Whom It May Concern:

My husband and I contacted Mr. Randy Kirkland regarding an estimate on bringing our lawn back to life. Mr. Kirkland arrived when he said he would. He walked around our lawn, advised us of several problems that were going on and let us know what he could do to remedy the situation. A few days after our meeting, we received a bid with very detailed explanations of everything he would do to repair the lawn and about how long it would take. His bid was extremely reasonable for what he proposed.

Within a few days of letting him know that we wanted him to begin, his crew of six or seven arrived, performed numerous tasks simultaneously, cleaned up after themselves and were gone. Our lawn began to grow back, fill in and turn green. His employees always arrived with proper equipment and didn't waste a minute getting to work. We are extremely appreciative of his expertise and work.

I would highly recommend Randy and his crew to anyone looking for lawn and yard care.

Sincerely,

Debbie (and Bob) Cochran dlclrt@aol.com

From: dlclrt@aol.com

To: "ewright7378@charter.net" <ewright7378@charter.net>

Cc: Bcc:

Priority: Normal

Date: Monday May 17 2021 5:43:05PM

Randy Kirkland

Crescent City Harbor District,

We have been asked to provide a reference to your office regarding Mr. Randy Kirkland and his lawn care and maintenance business.

Mr. Kirkland recently began caring for the lawn around Grace Lutheran Church on Cooper Street including the areas around our surrounding buildings. He also maintains the lawn at a house the church owns on the corner of Arlington and Washington Blvd. We are extremely pleased with his professionalism, knowledge, and work product. His crew arrives, goes to work immediately and leaves no mess behind. Our lawns are already showing great improvement.

We would not hesitate to recommend that your board of commissioners entrust Mr. Kirkland with your property.

Sincerely,

Grace Evangelical Lutheran Church Council 188 E. Cooper Crescent City, CA 95531 707-464-4712 From: "Steve Alexander" <steveandkarena@charter.net>

To: ewright7378@charter.net

Cc: Bcc:

Priority: Normal

Date: Monday May 17 2021 10:20:22AM Recommendation for Kirkland Landscaping

To whom it may concern

I want to give a strong recommendation for Kirkland landscaping company in regards to the landscaping needs of the Harbor District. Randy and his crew always does a great job for our church and he comes highly recommended.

Thank you
Steve Alexander
Pastor, Smith River Baptist Church

Sent from my iPad

From: "Christie Lynn Rust" <christielynnrust@gmail.com>

To: ewright7378@charter.net

Cc: Bcc:

Priority: Normal

Date: Monday May 17 2021 10:33:05AM Letter of reference for Randy Kirkland

To whom it may concern,

I have known Mr. Kirkland for many years now regarding his Lawn and Garden care business. I have known of the supreme quality that he extends to all of his clients. For years I have been the representative for the United Methodist Church here in Crescent City. In that time, Mr. Kirland's service has done an outstanding job keeping our church looking extremely nice. They have kept the lawns mowed on a regular basis, removed any weeds and regularly fertilized the lawns. They have also expertly repaired and replaced many components of the automatic watering system. Two years ago they also removed and replaced all the bushes and plants just to beautify the church grounds. For all of this, he and his crew did at no cost to our church! I am still overwhelmed by his generosity that he and his team of workers showed to our church!

Outside the church, I personally have hired his firm to do all my lawn and gardening. I have also shared his references to many of my friends and family members. They have also been very happy with his service.

In conclusion, I highly respect and recommend Mr. Kirkland and his crew of hard working professionals to you for your lawn and garden needs! His professional approach to his business and his choice of employees is top notch! I urge you to choose these very hard workers for your needs. I rate them a 10 out of 10.

Very Sincerely,

Christie Lynn Rust United Methodist Church, Crescent City 218-6769 April 22, 2024 R.A. Kirkland's, Inc. 2427 Howland Hill Road P.O. Box 511 Crescent City, CA 95531 lolvera@cbh1.com Phone 707-218-7182

Harbor \$70,000.00 Bayside RV Park \$ 9,600.00 Redwood Harbor Village \$9,600.00

Total Bid \$89,200.00

Randall a Kirkland, President, April 22, 2024

R.A. Knbland 4/22/2024

OPTION 1: (Main Harbor Only) \$70,000.00

OPTION 2: (Includes Bayside RV Park, Excludes RHV) \$79,600.00



3. Unfinished Business

b. Select Preferred Contractor for RFP# 2024.03: Crescent City Harbor District Landscape Maintenance Services.

Proposal #3: CCHD In-House Landscaping

Cost Estimate for the Crescent City Harbor District (CCHD) to Provide Landscaping Services In-House

Estimate Provided by: Rich Salvaressa, CCHD Maintenance Foreman

Required personnel: 2 full-time (40 hours per week) maintenance workers to do the core portions of the harbor at a basic level of service, and potentially up to 3 full-time employees if a level of service is desired that will be equivalent to what has been provided by the Kirkland company over the past few years. In addition to providing a more comprehensive level of service, 3 full-time employees would allow for landscaping Bayside RV Park, but 2 employees would not.

Employee rate of pay, benefits, and payroll taxes: A Maintenance Worker [I] earns \$20.00 per hour, which equals \$41,600.00 per year.

Employment benefits and payroll taxes are variable depending upon individual employee selections for health insurance, retirement, and other factors, but generally amount to an additional 20% on top of the employee's base pay. For a Maintenance Worker [I] this would amount to an additional \$8,320.00

There are additional costs to CCHD for employees relating to human resources, information technology, payroll services, uniforms, and insurance. For simplicity, these ancillary costs are estimated at \$3,000 per employee per year.

In total, this amounts to \$52,920.00 per employee per year. For two full-time employees this would be **\$105,840.00** per year. For three full-time employees, this would be **\$158,760.00** per year.

This estimate does not include equipment costs, fuel costs, and equipment maintenance costs, among other costs, because it is clearly evident that substantial costs savings will be realized by using an outside contractor.



a. Grants Update

Public Comment?





GRANTS UPDATE

PRESENTED TO

CCHD BOARD OF COMMISSIONERS



CCHD GRANTS AWARDED									
Grant Name	Grant Funder	Funded Projects	Project Amount	Grant Amount Awarded	Match Requirement (Remaining)	Grant Start Date	Project Timeline	Current Status	
Port Infrastructure Development Grant (PIDP) 2022	ODOT - Maritime Administration	Construction of a new seawall 2) repair and renovate the seafood packing and trucking area 3) replace the aged cargo handling equipment atop the seawall	\$9,208,207.00	\$7,366,565.60	\$1,570,489.00	Jan-23	1-Jan-28	Design process utilizing public comments and environmental review continuing. Next steps are bathometric and geotechnical studies of the area.	
CA Coastal Conservancy Grant Citizen's Dock Planning	CA Coastal Conservancy	Design, Environmental Impact Studies and Permitting for construction of a new Citizens' Dock.	\$927,000.00	\$927,000.00	\$143,000 (In-Kind)	Jun-23	36 months	Design process utilizing public comments and environmental review continuing. 15% design documents for Citizens' Dock completed.	
CA Coastal Conservancy Grant South Beach Bathroom	CA Coastal Conservancy	Design, Permitting and Construction of Bathrooms and Showers on Anchor Way, near Starfish Way.	\$450,000.00	\$450,000.00	\$117,000 (In-Kind)	Jun-23	36 months	Identfying general contractor next step.	
Harbor Mitigation Grant Program (HMGP)	Cal OES and FEMA	Identify Highest best use of developable properties; 2) Design & Engineering; NEPA/CEQA; for Climate Resiliency Solutions along Harbor waterfront	\$1,500,000.00	\$1,350,000.00	\$150,000.00	Jan-24	Must be completed within 5 years of obligation	RFPs for Resiliency projects and Highest best property released. Vertical wall RFP on agenda for approval.	

CCHD PARTNERING ON GRANTS AWARDED TO OTHER AGENCIES								
STPG Climate Adaptation Transportation Planning (partnering with Del Norte Local Transportation Commission)	Caltrans and OPR	Del Norte Local Transportation Commission awarded to 1) Identify climate mitigation projects along U.S. Hwy 101 and Anchor Way along South Beach.	\$250,000.00	\$250,000.00	\$8,000.00	Summer 2023	30 months	Public commet period open.
CA Coastal Conservancy Grant Fish Filet Building, Bathroom and Pop Up Store (partnering with DNATL Community Food Council)	Coastal Conservancy	DNATL Community Food Council awarded grants for 1) Installation of Fish Filet Building; 2) Purchase and Installation of bathroom and pop-up store	\$500,000.00	\$500,000.00	\$0.00	Dec-23	36 months	Permitting of site location at County.
Port Infrastructure Development Grant (PIDP) 2024	ODOT - Maritime Administration	Construction of Citizens Dock	\$10,000,000.00	\$8,000,000.00	\$2,000,000.00	May 10 2024	2Q 2024	Application submitted on 5/10/24.
CCHD GRA	CCHD GRANTS APPLIED FOR UNDER REVIEW							
Grant Name	Grant Funder	Project Applied For	Project Amount	Grant Amount Requested	Match Requirement	Announcement Date	Project Timeline	Status
Storm Damage Disaster Response 4683	FEMA	Repair of Anchor Way Breakwater, Anchor Way Road and Whaler Island Groin Breakwater	\$3,500,000.00	\$3,500,000.00	6%	Q1 2024	18 months	Project at FEMA CRC for review.
Storm Damage Disaster Response 4683 - Build Back Better	FEMA	Construct new Anchor Way Breakwater, Anchor Way road and Whaler Island Groin Breakwater.	\$7,695,828.00	\$7,695,828.00	6%	Spring 2024	18 months	Project at EEMA CRC for review.

Crescent City Harbor District Grant Tracking Chart 5_21_24

GRANT OPPORTUNITIES WORKING ON								
Grant Name	Grant Funder	Project Applying For	Project Amount	Grant Amount To Request	Cost Sharing/Match Requirement	Grant Submittal Date	Grant Announcement	Status
Program to Support Offshore Wind Infrastructure Improvement	CA Department of Energy	Planning Studies and Commercial Area Development/Construction to support offshore wind efforts	\$2,000,000.00	\$2,000,000.00	\$200,000.00	2Q 2024	4Q 2024	Working on list of projects to include once the application is released.
Boating Infrastructure Grant	DBW	Boat Ramps	\$1,500,000	\$1,500,000	TBD	TBD	3Q 2024	Gathering data for application. Awaiting application release.
EDA Public Works Program	U.S. EDA	Infrastructure Construction Projects and new equipment	\$3,450,000.00	\$3,000,000.00	\$450,000.00	Rolling Application	Funding available in 2024	Reviewing project eligibility criteria.
Community Energy Reliability and Resilience Investment Program	CA Energy Commission	Installation of Microgrids	\$2,500,000.00	\$2,500,000.00	TBD	July 12, 2024	Funding available in 2024	Gathering data for application.



b. Revenue Generation Progress Report

Public Comment?



c. CEO/Harbormaster Report



- d. Harbor Commissioner & Ad Hoc Committee Reports
 - (1) Commissioner Gerhard Weber
 - (2) Commissioner Wes White
 - (3) Commissioner Brian Stone
 - (4) Secretary Rick Shepherd
 - (5) President Harry Adams

Public Comment?



5. Adjourn to Closed Session

CONFERENCE WITH LEGAL COUNSEL - PUBLIC EMPLOYEE APPOINTMENT

(Government Code section 54957)

Position: Finance Department

6. Report Out from Closed Session

7. MEETING ADJOURNMENT

Adjournment of the Board of Harbor Commissioners will be until the next meeting scheduled for <u>Tuesday</u>, <u>June 4, 2024</u>, at 2 p.m. PDT. 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.

