



Jim Hurst	Doug Albin	Daniel Platt	Richard Shoemaker	Grant Downie	Anna Neumann
Chairman	Vice Chairman	Commissioner	Commissioner	Commissioner	Harbormaster

NOYO HARBOR COMMISSION REGULAR MEETING AGENDA

**Thursday, January 12th at 6PM
Fort Bragg Town Hall**

Zoom Link:

<https://us02web.zoom.us/j/86718666201?pwd=Y0k5dnNIR1oxdGY1UWZmSnBEbUZDUT09>

Meeting ID: 867 1866 6201

Passcode: 731795

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT ON NON-AGENDA ITEMS:

The Noyo Harbor Commission welcomes input from the public. Please limit your comments to five minutes so that everyone may be heard. The Brown Act does not allow action to be taken on non-agenda items.

CORRESPONDENCE:

None

CONSENT CALENDAR

1. Approval of Minutes – Regular Meeting December 8th, 2022
2. Treasurer's report – December 2022
3. Resolution 2022-1 Virtual Meetings

CONDUCT OF BUSINESS:

1. Discussion and possible action on Task Order 4 for SHN

STAFF REPORTS AND RECOMMENDATIONS:

District Office:

Vessel Destruction Program Updates

Vessel Fire on January 3rd, 2023

Vessel Samurai

Tech Issues in Office

Winter Storm Damage

F.V. Christine

Attorney Report:

Matters from the Commissioners:

CONDUCT OF BUSINESS (Closed Session)

1. Employee Review of Harbormaster

Government Code Section 54957

ADJOURNEMENT: To the next regular meeting of Thursday February 9th at 6 pm, 2023.

NOYO HARBOR DISTRICT
STATEMENT OF ACCOUNTS
31-Mar-22

Chase Checking	\$229,368.27
Chase Money Market	\$1,020.64
LAIF	\$1,661,194.58

TOTAL OF ALL ACCOUNTS	\$1,891,583.49
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Profit & Loss Budget vs. Actual December 2022

	Dec 22	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Electricity	88.00	1,250.00	-1,162.00	7.04%
Encroachment Leases	0.00	20,000.00	-20,000.00	0.0%
Hoist Fees	0.00	83.37	-83.37	0.0%
Income	0.00	402.50	-402.50	0.0%
Late Fees	0.00	333.37	-333.37	0.0%
Park & Launch	1,769.00	2,917.00	-1,148.00	60.64%
Slip Rental Contract	38,555.67	54,167.00	-15,611.33	71.18%
Slip Rental Transient	0.00	5,000.00	-5,000.00	0.0%
Total Income	<u>40,412.67</u>	<u>84,153.24</u>	<u>-43,740.57</u>	<u>48.02%</u>
Gross Profit	40,412.67	84,153.24	-43,740.57	48.02%
Expense				
Advertising Expense	0.00	250.00	-250.00	0.0%
after hrs phone compensation	0.00	0.00	0.00	0.0%
AWAF Expense	0.00	0.00	0.00	0.0%
Bank Charges	149.26			
Communications Expense	307.59	250.00	57.59	123.04%
Conferences & Meetings	0.00	416.74	-416.74	0.0%
CSP General	1,765.00			
Deferred Maintenance	0.00	2,500.00	-2,500.00	0.0%
Dues and Subscriptions Exp	70.00	1,000.00	-930.00	7.0%
Emp. Health & Dental Insurance	638.88	2,083.37	-1,444.49	30.67%
Equipment Expense	0.00	83.37	-83.37	0.0%
Equipment Purchase	0.00	333.37	-333.37	0.0%
Fuel Expense	206.83	133.37	73.46	155.08%
Insurance Property & Liability	10,235.00			
Legal and Professional Fees	1,151.50	2,916.74	-1,765.24	39.48%
Marina Dredging Expense	803.75			
Office Expense	2,030.40	625.00	1,405.40	324.86%
Operating Supplies	695.42	750.00	-54.58	92.72%
Outside Services	0.00	83.37	-83.37	0.0%
Payroll Tax Expense	10,379.67	2,583.37	7,796.30	401.79%
Power	4,690.08	4,583.37	106.71	102.33%
Professional Expense	0.00	1,666.74	-1,666.74	0.0%
Repairs & Maintenance	3,254.20	3,750.00	-495.80	86.78%
Salary Expense	0.00	5,650.00	-5,650.00	0.0%
Sep. Ira	0.00	1,250.00	-1,250.00	0.0%
Taxes & Assessments	0.00	250.00	-250.00	0.0%
Utilities Expense	5,493.36	4,090.90	1,402.46	134.28%
Wages Expense (Hourly)	14,126.72	11,474.74	2,651.98	123.11%
Workers' Comp.	0.00	1,000.00	-1,000.00	0.0%
Total Expense	<u>55,997.66</u>	<u>47,724.45</u>	<u>8,273.21</u>	<u>117.34%</u>
Net Ordinary Income	-15,584.99	36,428.79	-52,013.78	-42.78%

Profit & Loss Budget vs. Actual December 2022

	<u>Dec 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Other Income/Expense				
Other Expense				
SLC Fish Cleaning Station	337.50			
SLC Vessel Demo	1,232.50			
Tsunami Hazard	-37,914.00			
Total Other Expense	<u>-36,344.00</u>			
Net Other Income	<u>36,344.00</u>			
Net Income	<u>20,759.01</u>	<u>36,428.79</u>	<u>-15,669.78</u>	<u>56.99%</u>

Profit & Loss

December 2022

Dec 22

Ordinary Income/Expense	
Income	
Electricity	88.00
Park & Launch	1,769.00
Slip Rental Contract	38,555.67
Total Income	40,412.67
Gross Profit	40,412.67
Expense	
Bank Charges	149.26
Communications Expense	307.59
CSP General	1,765.00
Dues and Subscriptions Exp	70.00
Emp. Health & Dental Insurance	638.88
Fuel Expense	206.83
Insurance Property & Liability	10,235.00
Legal and Professional Fees	1,151.50
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Office Expense	2,030.40
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Total Expense	55,997.66
Net Ordinary Income	-15,584.99
Other Income/Expense	
Other Expense	
SLC Fish Cleaning Station	337.50
SLC Vessel Demo	1,232.50
Tsunami Hazard	-37,914.00
Total Other Expense	-36,344.00
Net Other Income	36,344.00
Net Income	20,759.01

Noyo Harbor District

Paycheck history report

Paychecks from Dec 01, 2022 to Dec 31, 2022 for all employees from all locations

Pay date	Name	Total pay	Net pay	Pay method
12/16/2022	Koski, Bruce null	\$ 761.94	\$ 664.94	Check
12/16/2022	Koski, Jay	\$ 2,300.32	\$ 1,731.58	Check
12/16/2022	McLaughlin, Kimberly A	\$ 1,153.44	\$ 969.99	Check
12/16/2022	Neumann, Anna T	\$ 5,450.00	\$ 4,075.85	Check
12/16/2022	Scotfield, Robert	\$ 1,103.40	\$ 932.15	Check
12/02/2022	Koski, Bruce null	\$ 756.50	\$ 660.64	Check
12/02/2022	Koski, Jay	\$ 2,129.60	\$ 1,626.42	Check
12/02/2022	McLaughlin, Kimberly A	\$ 528.00	\$ 481.81	Check
12/02/2022	Neumann, Anna T	\$ 2,500.00	\$ 1,931.11	Check
12/02/2022	Scotfield, Robert	\$ 1,037.00	\$ 880.98	Check



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Jim Hurst Doug Albin Daniel Platt Richard Shoemaker Grant Downie Anna Neumann
Chairman Vice Chairman Commissioner Commissioner Commissioner Harbormaster

NOYO HARBOR COMMISSION REGULAR MEETING AGENDA MINUTES

**Thursday, December 8th, 2022 at 6PM
Fort Bragg Town Hall**

CALL TO ORDER: The meeting was called to order by Jim Hurst at 6:00pm.

ROLL CALL

Present: Dan Platt, Richard Shoemakers, Grant Downie, Doug Albin, Jim Hurst

Staff Present: Anna Neumann

PLEDGE OF ALLEGIANCE was led by Grant Downie

PUBLIC COMMENT ON NON-AGENDA ITEMS:

The Noyo Harbor Commission welcomes input from the public. Please limit your comments to five minutes so that everyone may be heard. The Brown Act does not allow action to be taken on non-agenda items.

None

CORRESPONDENCE:

None

Chair Hurst moved the District report on the vessel Jolene to the front of the meeting

Anna Neumann gave a review of the incident of the vessel Jolene and Resource Environmental that occurred at the back launch ramp. The equipment brought by Resource Environmental was undersized to handle the task of removing the vessel and the vessel crumbled on the back launch ramp. The vessel had to be broken up into pieces and was moved to the staging area which was fenced and lined with plastic and waddles. Neumann and Scott Perkins from SHN have been working on an inspection report for Resource Environmental outlining points of potential weakness in their work plan and requiring a more detailed work plan to be submitted 5 days prior to any more work beginning. Neumann asked if Dan Platt could continue to be involved in the project as he has the experience in this topic.

CONSENT CALENDAR: A Motion by Richard Shoemaker to accept the items on the Consent Calendar was made. 2nd by Dan Platt. Approved 5-0-0

CONDUCT OF BUSINESS:

Parking lot rental to Noyo Center for Marine Science and Noyo Fish Company

A short discussion was had about the parcels of land in front of Noyo Center for Marine Science and Noyo Fish Company. Neumann clarified that each of the businesses had approached the District about official use of that space as they have been both unofficially utilizing it. She also clarified that rental rates were on an annual basis, not monthly. Chair Hurst proposed the idea of selling that property to each of the respective landowners.

MOTION: Richard Shoemaker made a motion to extend a two year lease at \$0.75 annually for parcels labeled 51-54 on the staff provided map to the adjacent property owners. 2nd by Dan Platt. Approved: 4-1-0 . Hurst descended.

Day Use, Park/launch and annual parking lot fees

Neumann led a discussion on parking lot fees and how they have last been raised in 2019 and how the consumer price index increases have been affecting the District. In order to keep up with other harbors and increase in daily goods Neumann suggested an increase in park and launch, day use and annual fees. Grant Downie asked about pricing in other harbors and what services our harbor offers versus other harbors. Neumann replied that we are in-line with other harbor services for park and launch with the exception of a fish cleaning station, which is underway. Neumann asked if a public hearing necessary to increase rates. Jim Hurst said no, this is a public meeting and it is all the notice that was required. Richard Shoemaker suggest we move to \$20 for park and launch fees and asked if that was a reasonable increase. Neumann suggested that the increase would be too steep and put us out of line with other marinas.

MOTION: Doug Albin made a motion to increase the park and launch fees to 15\$, day use parking to \$7 and annual launch pass fee to \$175, effective Jan 1st, 2023. 2nd by Dan Platt. Approved 5-0-0

Staff Provided Financial Reports

Neumann led a discussion on the currently provided financial reports do not leave a clear picture to commissioners on District spending. She proposed changes to allow her to provide a profit and loss statement, actual versus real budget spending in addition to the statement of accounts, and paycheck history report. She would no longer provide the deposit report and the check register. Jim Hurst agreed that a profit and loss would be helpful to monitor District spending. Richard suggested that Neumann begin as soon as possible and reach out with any questions.

Cost of living increase for hourly employees

Neumann referenced the consumer price index as a reason for increasing the hourly rate for all employees. In her initial agenda packet she included information on how this would affect the annual budget and misused the term retroactive. Jim Hurst and Richard Shoemaker agreed the term was incorrect and the important information was how the increase would affect the remaining wages budget line item. Jim Hurst also stated that the District would see a small increase to the payroll taxes expenses as a result of the increase.

MOTION: Richard Shoemaker made a motion to increase the hourly employees pay rates by 8.1% at the start of next pay period. 2nd by Dan Platt. Approved 5-0-0

Modifications to the Harbormaster Contract

Jim Hurst led a discussion on the amendments to the harbormaster contract that was a result of the employee review of Harbormaster Anna Neumann. The amendment would increase the harbormaster annual salary.

MOTION: Dan Platt made a motion to approve the Harbormaster Contact Amendment effective 9/14/2022. 2nd by Grant Downie. Approved 5-0-0

STAFF REPORTS AND RECOMMENDATIONS:

District Office:

Corrosion on main water lines

Neumann provided an update on the corrosion on the water main and how the butterfly valve may be inadequate the stopping any water flows if the main were to become compromised. Richard provided some realistic references on how much the project may cost to complete after Grant Downie questioned the price estimates provided by the District. Neumann said they will work toward getting a quote from Akaff Construction and will present the commission with more information before any funds are spend.

Parking for refrigeration trucks

Neumann explained the local police chief was searching for locations to reference refrigeration trucks be moved to if the City of Fort Bragg passed an ordinance that they could not park in neighborhoods. Jim Hurst discussed how the trucks park on N. Harbor drive, roughly 3-4 trucks 2-3 nights a week and thought that the trucks parking the S. Harbor parking lot would bother anyone. Richard and Anna discussed that the District could attempt a trail bases with any of the trucking companies if they were interested in the opportunity, the District did not have to over committee. Neumann said she would reach back out to Chief Cervenka and let him know that the District is interested and bring back any action to the commission.

Attorney Report:

None

Matters from the Commissioners:

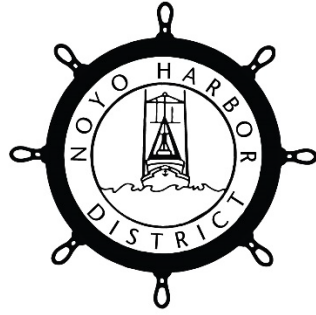
A short review of the lighted boat parade was given by Richard Shoemaker, Dan Platt and Grant Downie.

CONDUCT OF BUSINESS (Closed Session)

Closed session was moved the January 2023 meeting

ADJOURNEMENT:

Dan Platt made a motion to adjourn at 7:30. 2nd by Doug Albin. Approved



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RESOLUTION NO. __2023-1__

**RESOLUTION OF THE NOYO HARBOR COMMISSION
MAKING THE LEGALLY REQUIRED FINDINGS TO CONTINUE TO
AUTHORIZE THE CONDUCT OF REMOTE “TELEPHONIC”
MEETINGS DURING THE STATE OF EMERGENCY**

WHEREAS, on March 4, 2020, pursuant to California Gov. Code Section 8625, the Governor declared a state of emergency; and

WHEREAS, on September 17, 2021, Governor Newsom signed AB 361, which bill went into immediate effect as urgency legislation; and

WHEREAS, AB 361 added subsection (e) to Gov. Code Section 54953 to authorize legislative bodies to conduct remote meetings provided the legislative body makes specified findings; and

WHEREAS, as of November 1, 2021, the COVID-19 pandemic has killed numerous Californians; and

WHEREAS, social distancing measures decrease the chance of spread of COVID-19; and

WHEREAS, this legislative body previously adopted a resolution to authorize this legislative body to conduct remote “telephonic” meetings; and

WHEREAS, Government Code 54953(e)(3) authorizes this legislative body to continue to conduct remote “telephonic” meetings provided that it has timely made the findings specified therein;

NOW, THEREFORE, IT IS RESOLVED by the Commissioners of the Noyo Harbor District as follows:

1. This legislative body declares that it has reconsidered the circumstances of the state of emergency declared by the Governor and at least one of the following is true: (a) the state of emergency continues to directly impact the ability of the members of this legislative body to meet safely in person; and/or (2) state or local officials continue to impose or recommend measures to promote social distancing.

The above and foregoing Resolution was introduced by Commissioner _____, seconded by Commissioner _____, and passed and adopted at a regular meeting of the Noyo Harbor District held on the 12th day of January, 2023, by the following vote:

AYES:

NOES:

ABSENT:

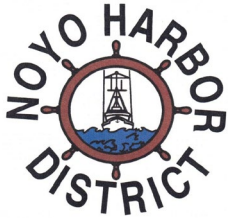
ABSTAIN:

RECUSED:

Jim Hurst
Chair

ATTEST:

Anna Neumann
Harbormaster



NOYO HARBOR DISTRICT AGENDA ITEM SUMMARY

AGENDA ITEM #: 1
MEETING DATE: 1/12/2023

TITLE

Task Order for SHN for Dredge Project

RECOMMENDED ACTION

ANALYSIS

SHN is requesting that the Harbor District sign Task Order 4 to begin working on bathymetric surveys, mooring basin sampling plan, eelgrass monitoring plan and the preparation of permits from the California Coastal Commission, US Army Corp of Engineers, North Coast Regional Water Quality Control Board, and California Department of Fish and Wildlife.

FISCAL IMPACT

Significant. SNH is estimating this work will cost \$94,000. This money would come from the District's reserves. At this time the Dredge funding Ad Hoc has not found any funds to pay for funding. The District office also has not heard back from the PA Joint Cable Committee on the allocation of funds.

ATTACHMENTS

Task Order 4



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Task Order No. 4

SHN–Noyo Harbor District Master Services Agreement

1. Master Services Agreement

This Task Order represents the mutual agreement of SHN and Noyo Harbor District for the project described below. The Task Order will be performed and controlled under the terms and conditions of the Master Services Agreement between SHN Consulting Engineers & Geologists, Inc. and Noyo Harbor District (421058) dated October 14, 2021.

2. Project Description

- A. The scope of work to be provided by SHN to CLIENT includes all necessary personnel, materials, and equipment necessary to provide Planning, Engineering, Geological, and Biological services for Phase 1 of the Noyo Mooring Basin Dredging Project. Phase 1 consists of all planning, engineering, and geological services required to obtain approvals necessary for dredging of the Mooring Basin. Phase 2 (not included in this scope) will consist of studies and permitting of dredge material disposal.
- B. CLIENT is aware that work on Project has begun in good faith, and that remaining work will follow execution of this Task Order by both CLIENT and SHN. CLIENT's request to begin work prior to execution of this Task Order constitutes CLIENT's acceptance of this Task Order and all of its provisions with respect to work performed both prior to and after execution of this Task Order unless such work was performed pursuant to separate written or as otherwise expressly set forth to the contrary herein.

3. Scope of Services

- A. The professional services provided by SHN for the above-described project are limited to work scope associated with Planning, Engineering, Geologic, and Biological services as outlined below:
 - (i) Bathymetric Survey - SHN will hire a qualified sub-consultant to conduct the bathymetric survey of the mooring basin. The sub-consultant will perform all work necessary to complete the survey and map for this Project.
 - (ii) Mooring Basin Sampling, Analysis, and Implementation – SHN will prepare the Mooring Basin Sampling and Analysis Plan. When complete SHN will implement the plan.
 - (iii) Eelgrass Monitoring Plan – SHN will prepare and implement the Eelgrass Monitoring Plan for this Project.
 - (iv) Permit Application and Fees – SHN will prepare and make application to all required agencies (CCC, USACE, MCRWQCB, CDFW, MCAQMD, etc.) for Project.

4. Work Schedule



- A. SHN will perform the services described in the Scope of Services, in conformance with the following schedule:
 - (i) Work will be performed on an as-needed basis and as required to meet Noyo Harbor District’s timelines and any potential grant deadlines.

5. Fees

SHN will be compensated for these services on a time and expenses basis. Fees are estimated as ninety four thousand dollars (\$94,000.00).

Fees DO NOT include Prevailing Wage Rates.

In Witness Whereof, the parties have executed this Task Order the day and year first set forth.

SHN Consulting Engineers & Geologists, Inc.

CLIENT: Noyo Harbor District

Address: 335 S. Main Street
Willits, CA 95490

Address: 19101 S. Harbor Drive
Fort Bragg, CA 95437

By: Jason Island, PE

By: _____

Title: Willits Regional Principal

Title: _____

Signature: _____

Signature: _____

Date: _____

Date: _____

License #: PE 64809



District Office Reports

Vessel Destruction Program Update

The hazmat surveys have come back on the vessels that are slated for destruction. All wooden boats in the program have a considerable amount of lead-based paints which increases the cost of disposal. It is likely that the District will not have the funds in the grant program to accomplish as many vessels as we had originally anticipated.

Vessel Fire on January 3rd 2023

A vessel on B dock caught fire on the morning of January 3rd. Harbormaster noticed the smoke from the District office and called emergency services. The fire was put out by Fort Bragg Fire Department and Coast Guard was on stand-by. The vessel owner is taking responsibility for the boat and is working with their insurance company to removed and destroy the vessel.

Vessel Samurai

District office has been working with the Umpqua Bank after the Samurai was repossessed from the owners. The bank did not want the boat and attempted to abandon the vessel in the Harbor District slip it occupies. District staff was able to convince the bank that signing the boat over to the District was a better option and we are working together to transfer the Coast Guard documentation numbers to the District. Someone has stepped forward and is interested in purchasing the vessel from the District once the transfer is complete.

Tech Issues in the District Office

The power flickers over the winter storms took a toll on some of the older equipment in the office. The battery backup system and one computer died. The office has been working on backing up all computer information and programs in anticipation of this event and no data was lost, however the old marina management system was totally lost. The office was able to pull important reports from the old marina management system including amounts owed to the District and customer information. Office has been slowly working toward the full transition to Dockwa, the new marina management system, but is now fully reliant on that system.

Winter Storms Damage

Govern Newsom has submitted a request to the White House for a Presidential Emergency Declaration to support ongoing storm response and recovery efforts. If approved the declaration will activate the federal government behind California's storm response and allow the state to immediately access federal resources. While the District has not experienced any drastic damage that impairs our ability to operate, we do have some damage. Pilings have been

ripped out by larger boats, a significant amount of debris has entered the marina, and our underwater infrastructure has yet to be assessed for damage. The increase sediment in the water column will also likely expedite our timeline for dredging the mooring basin. As emergency funds become available the District should consider our points of weakness and try to receive funding to bolster our infrastructure in the event of another storm.

FV Christine

The FV Christine has become more and more of a problem for Harbor staff, the vessel is taking on significant amounts of water and is fully reliant on shore power to stay afloat. The vessel is a documented boat and the District does not have any funds in the vessel destruction program left to dismantle this boat if it was surrendered. The office staff has tried to help get the owner to DMV to get the boat registered under the appropriate categories to be eligible for the SAVE program, but no steps have been taken there either. He has also not taken any steps to fix the vessel himself. The slip is paid for and he is being charged for the pumping services as well for the resources he has used of the harbors.