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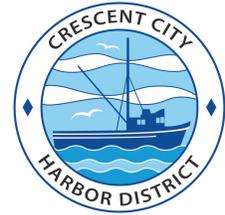
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MIKE RADEMAKER
CEO/Harbormaster

November 14, 2025

Chair Joey Borges and Members of the Board
Del Norte County Board of Supervisors
981 H Street, Suite 200
Crescent City, CA 95531

Re: Updated Harbor Facilities Plan (November 2025) – Request for County Approval Pursuant to Measure C (2018) and Intergovernmental Agreement #2020-025

Chair Borges and Members of the Board:

This report provides the Board of Supervisors with the procedural and statutory background underlying the Crescent City Harbor District's request for County approval of the updated Harbor Facilities Plan (HFP), revised in November 2025. The HFP is submitted in compliance with Del Norte County Ballot Measure C (2018) and the binding intergovernmental Agreement #2020-025 between the County and the Harbor District.

Under Measure C and the Agreement, the Harbor Facilities Plan serves as the publicly approved document that governs how Measure C transient occupancy tax (TOT) revenues may be used for harbor repair and maintenance after the USDA loan obligation is satisfied each fiscal year. The Crescent City Harbor District Board of Harbor Commissioners formally reviewed and approved the updated HFP at its November 12, 2025 regular meeting, and now requests County approval as the final step required to activate the plan for continued Measure C reimbursements.

I. BACKGROUND – MEASURE C (2018) AND AGREEMENT #2020-025

Measure C increased the countywide Transient Occupancy Tax and directed that a defined portion of the additional revenue be allocated to the Crescent City Harbor District for two specific purposes:

1. **Repayment of the Harbor's existing USDA loan** (2012 Harbor Restoration Project); and
2. **Repairs and maintenance of Harbor District facilities**, provided those activities are conducted under a *publicly approved* Harbor Facilities Plan.

This structure was reaffirmed and operationalized in **Agreement #2020-025**, executed between the County and the Harbor District. Key provisions include:

- **Section 4 – Reimbursement Mechanism**

Measure C revenues are deposited into a dedicated Harbor account administered by the County Auditor-Controller.

The Harbor District must:

1. Conduct repair and maintenance projects listed in an approved HFP;
2. Document expenditures; and
3. Request reimbursement from the Measure C Harbor Account.

The County Auditor reimburses to the extent of available funds after the fiscal year’s USDA loan obligation has been satisfied.

- **Section 5 – Requirement for a Publicly Approved Harbor Facilities Plan**

The HFP must be:

- Adopted by the Harbor District at a publicly noticed meeting, and
- Submitted to the Del Norte County Board of Supervisors for approval at a publicly noticed hearing conducted pursuant to Government Code § 65090.

Only after both approvals may Measure C revenues be used for repair and maintenance activities beyond the USDA loan obligation.

II. APPLICATION OF MEASURE “C” LANGUAGE

Section 3 of the voter-approved 2018 Measure C specifies that a portion of the increased transient occupancy tax revenue allocated to the Crescent City Harbor District may be used **“to make needed repairs and maintenance on Harbor District facilities pursuant to a publicly-approved Harbor Facilities Plan.”** Although brief, this text carries broad and permissive meaning when interpreted under ordinary rules of statutory construction, local government finance law, and the Harbor District’s enabling statutes.

1. The Scope of “Repairs and Maintenance” Under Measure C

The phrase “repairs and maintenance” is notably expansive. In public-works and municipal-finance contexts, “repairs” routinely includes any work undertaken to restore, rehabilitate, or return an asset to a safe, functional, or serviceable condition. Likewise, “maintenance” encompasses ongoing, preventative, operational, and cyclical activities necessary to preserve the usefulness, integrity, and expected life of public infrastructure.

California courts, the State Controller’s Office, and public agency accounting standards (including GASB 34 and Public Contract Code terminology) consistently interpret the combined term “repair and maintenance” to include:

- Corrective work to address structural wear, deterioration, corrosion, or damage
- Replacements-in-kind of components that have reached the end of their service life
- Rehabilitation or reconditioning of existing infrastructure or equipment
- Utility, electrical, and mechanical system repairs or replacements
- Paving, resurfacing, and concrete work required to maintain safe public access
- Dock, pile, seawall, and marine structure rehabilitation
- Maintenance dredging where it restores designed operational depths
- Preventative and routine maintenance such as system servicing, cleaning, painting, and component rejuvenation
- Work required to comply with evolving safety, code, and regulatory standards

2. The Legal Meaning of “Facilities” in the Harbor District Context

Measure C applies to “Harbor District facilities,” a term that is also broadly construed. The Harbor District is a special district formed under the Harbors and Navigation Code and related local acts. Under these authorities, “facilities” are understood to include all physical structures, improvements, fixed and movable equipment, and appurtenant infrastructure that the District owns, operates, or is responsible for maintaining.

In municipal law, the term “facilities” is intentionally comprehensive. It captures not only primary structures but all components integral to the functioning of a public harbor. This includes, but is not limited to:

- Docks, piers, floats, gangways, pilings, and mooring systems
- Seawalls, revetments, breakwaters, shoreline protection, and erosion-control measures
- Utilities such as electrical, water, wastewater, stormwater, and lift-station systems
- Hoists, cranes, loading platforms, fendering systems, and marine-operations equipment
- Harbor buildings, public restrooms, offices, maintenance shops, and storage structures
- Parking lots, sidewalks, curbs, storm drains, roadways, and circulation infrastructure
- Fueling infrastructure, safety systems, lighting, and navigational features
- Public-access walkways, viewing areas, and visitor-serving amenities
- Any associated improvements required to keep the harbor safe, functional, and compliant with regulatory requirements

California courts typically interpret “facilities” to include *both physical structures and their integral systems and appurtenances*. The absence of limiting language in Measure C reinforces that voters intended broad operational discretion so long as expenditures relate to existing harbor assets and are carried out under a publicly approved Harbor Facilities Plan.

3. Combined Effect: A Broad and Operable Authority for Harbor Infrastructure Work

Read together, the terms “repairs,” “maintenance,” and “facilities” in Measure C establish a permissive and functional framework. Nothing in the ballot text, enabling statutes, or Agreement #2020-025 suggests a restrictive interpretation. Instead, the combined language delegates broad authority to maintain, repair, and rehabilitate the Harbor’s built environment in accordance with a publicly approved Harbor Facilities Plan.

III. PROCEDURAL HISTORY AND HARBOR DISTRICT ACTIONS

The Crescent City Harbor District undertook a comprehensive update of the Harbor Facilities Plan during 2025 to reflect current facility conditions, ongoing capital needs, and the extensive repairs required due to accumulated storm damage and aging infrastructure.

At its publicly noticed regular meeting on November 12, 2025, the Crescent City Harbor District Board of Harbor Commissioners:

1. Reviewed the updated Harbor Facilities Plan (November 2025);
2. Took public comment;
3. Formally adopted the updated HFP by Board action (*see Resolution 2025-12 attached*)

This approval satisfies the first requirement of Agreement #2020-025. The second requirement—approval by the County Board of Supervisors—is now before you for consideration.

IV. CONTENT OF THE UPDATED HARBOR FACILITIES PLAN

The updated HFP, included in the submission packet, consolidates the full spectrum of Harbor repair, maintenance, and capital rehabilitation needs into a unified planning document. The plan provides a long-term, prioritized framework for the responsible stewardship of Harbor assets and ensures that any expenditure of Measure C revenue for repair or maintenance is tied to an approved, public, transparent planning document.

V. REQUESTED ACTION

The Crescent City Harbor District respectfully requests that the Del Norte County Board of Supervisors:

1. **Authorize placement of the HFP on the next available consent calendar**, as requested by the Harbor District, to maintain continuity of funding and reimbursement procedures; and
2. **Approve the Updated Harbor Facilities Plan (November 2025)** pursuant to Measure C (2018) and Agreement #2020-025

The Crescent City Harbor District appreciates the Board's continued collaboration and oversight in administering Measure C revenues for the benefit of the community. Approval of the updated Harbor Facilities Plan will ensure that essential harbor infrastructure remains safe, resilient, and economically productive for the residents and businesses of Del Norte County.

Respectfully submitted,

A handwritten signature in black ink that reads "Michael Rademaker". The signature is written in a cursive, flowing style.

Michael Rademaker
CEO/Harbormaster
Crescent City Harbor District

Attachments:

- Updated Harbor Facilities Plan (November 2025)
- CCHD Board of Harbor Commissioners Resolution 2025-12
- Intergovernmental Agreement #2020-025 (Measure C Implementation Agreement)