

Guest Column - The Crescent City Harbor: A sad legacy of broken promises, bad faith practices and public indifference

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For the past 16 months, I've observed operations at the Crescent City-Del Norte County Harbor. My one word description of the Harbor District is: DISAPPOINTMENT.

My original interest in Harbor operations involved the factual lack of any appreciable progress on inner harbor basin dredging in and around the Fashion Blacksmith pier. From that observation, I discovered many disturbing irregularities of unethical negotiations, misappropriation of public funds, inappropriate and rude public interaction from the harbormaster, a highly questionable sub-leasing agreement with a solar power venture capitalist investment group, locked public restrooms and a general unkept public appearance of the Harbor.

The Harbor is a district, its own governance, a board of five elected commissioners who oversee all aspects of Harbor operations. The five commissioners are: Rick Shepherd, President/Commissioner; Harry Adams,

Secretary/Commissioner; Wes White (past president), Commissioner; Brian Stone (past president), Commissioner; Gerhard Weber, Commissioner;

The harbormaster is Tim Petrick, appointed by the commission.

Commissioners White and Stone have the longest tenure and in my opinion, have set an unsavory tone in creating a 5-0 rubberstamp board leading me to find suspect operations which do not benefit the public or harbor tenants.

The general appearance of the harbor until very recently has been an eyesore. Many complaints of closed public restrooms and long-standing public feces outside those closed toilets have come to the community's attention. One individual who contacted me requesting anonymity, contacted Harbormaster Petrick about the closed public restrooms and was, allegedly, confronted with, in his words, "... rude, condescending, indifferent behavior" by Harbormaster Petrick and was told restrooms were for moorage vessel tenants, ONLY." Public restrooms are reserved for harbor tenants ONLY? I think not. The laundry list of questionable behavior continues:

The sad saga of the Towe family was another tragic case of Harbor Commissioners acting in bad faith. The Towe family owned and operated the Harbor RV Anchorage from 1977-2017. Kenneth and Rachel Towe invested substantial capital initially and over the decades more funds to improve the park and building their business. Ken passed away a few years ago. His widow was considering selling Anchorage and recouping her investment.

Ms. Towe actually found several interested buyers; however, commissioners reportedly instructed then-Harbormaster Richard Young to discourage the prospective, interested parties from moving forward with a purchase, according to Ms. Towe. This peculiar behavior by the commission sent an ominous mixed message to Ms. Towe and to any interested parties: "Hands off the Anchorage RV Park." The harbor apparently had other (unannounced) plans for the property. Ms. Towe also attempted to renegotiate the Anchorage lease, but to no avail. Then-Harbormaster Young was unresponsive and uncooperative in negotiation with Ms. Towe. The harbormaster and commissioners dragged their feet, allowing the lease to terminate, then, shockingly, expropriated the property with zero compensation to Ms. Towe. The harbormaster even retained the Towe's business telephone number without Ms. Towe's permission. The Harbor Commission simply took possession of the property. The wearing of two hats by the Harbor Commission, one as landlord, the other as business liquidator was and is clearly unethical and possibly illegal. Failure of this government agency in unceremoniously taking this business was clearly wrong. A tenant could build a robust, viable business only to have that long-standing business usurped by unscrupulous individuals operating under the cloak of government.

The Board of Supervisors voted to place on the ballot two years ago, a 20 percent increase on the Transient Occupancy Tax. Voters passed the tax increase and the BOS voted 4-1, your's truly dissenting, to transfer those additional proceeds to assist the harbor now claiming to be in financial straits and attempting to retire 2011 Tsunami-created debt. During this same chaotic era, the Harbor Commission purchased the adjoining

privately held Bayside RV Park for \$600,000, upon acquiring the balance of the Bayside lease. The results were the same. Via a long-term ground lease, both Anchorage and Bayside were transferred to Renewable Energy Partners venture capitalist and principal, Alex Lemus, in return for Pacific Power solar grid credits. At present, evictions have begun at both parks on a dozen cases. The harbor is paying attorneys \$3,000-\$5,000 of public money per eviction with zero cost to the Lemus group.

The relationship with long-term tenant Fashion Blacksmith is similarly very suspect. The Harbor District-owned structure is in ramshackle condition. State inspectors have recently completed a structure review on the verge of possible condemnation. The report is pending. Years-old, gaping holes on the north-facing building have yet to be addressed or repaired despite many requests by Fashion to have the conditions mitigated. Constant foot dragging by Harbormaster Petrick is not only disheartening but in sync with his long-standing disdain and indifference to Fashion Blacksmith. A recent email from Petrick to commissioners disclosed long-standing personal animus toward Fashion Blacksmith, far exceeding any modicum of a normal business relationship. One must ask why the harbor has been so derelict in responding to a tenant's needs. Do commissioners have other plans for the dilapidated building presently occupied by Fashion? Since mid-2015, Fashion Blacksmith principals have pleaded with the Harbor to dredge the accumulated sand and mud at the Fashion pier, apparently to deaf ears. In 2020, tenant Fashion pleaded with then-Harbor president Stone for expedient dredging so Fashion could continue to serve the needs of larger vessel repair. Again, Stone and the board with what I can only describe as depraved indifference, was unresponsive to tenant Fashion, which has resulted in injuring this tenant's on-going commerce and its ability to conduct effective business. The public word is out that ingress and egress for larger vessels in the inner harbor is inaccessible. Fashion has employed between 11-15 well-paid, skilled employees. Now a skeleton crew hangs on to the meager workload of small craft repairs.

It gives me no solace to call out two individual commissioners who, in my opinion, are responsible for this unacceptable behavior: White and Stone have abused their positions as commissioners. Both have been influential on the commission implementing policy compromising harbor tenants. I wholeheartedly support progress and improving our harbor, retaining the long, productive history of a working harbor but not at the expense of throwing the baby out with the bathwater. A tourist-friendly, well-run harbor can not only exist but flourish with a multi-function working harbor.

Nearly a year and a half ago, this critical dredging issue was brought to commissioners' attention, again! Harbormaster Petrick received a \$9,900 bonus enhancement, in June. Outrageous! I rhetorically ask what success did Harbormaster Petrick realize in the months of tepid effort on the inner basin dredging issue? Candidly, no progress has been achieved.

I hold all five commissioners responsible for squandering public funds on the lack of measurable results by employee Petrick. These two deficient, self-serving commissioners should resign from the Harbor Commission or face recall.

Two different Harbor Commission positions are open in November. One position is held by Rick Shepherd, the other position is held by appointed Commissioner Gerhard Weber.

Voters, it's your turn to speak out. Prospective candidates, it's your turn to speak up.

Roger Gitlin is a retired Del Norte County Supervisor.