

**San Mateo County Harbor District
Board of Harbor Commissioners
Minutes**

**February 7, 2007
7:00 p.m.**

**Coastside County Water District Office
766 Main Street
Half Moon Bay, CA 94019**

Roll Call

Commissioners

James Tucker, President
Ken Lundie, Vice President
Leo Padreddii, Treasurer
Sally Campbell, Secretary
Pietro Parravano, Commissioner

Staff

Peter Grenell, General Manager
Eileen M. Wilkerson, Human Resource Manager
Marcia Schnapp, Director of Finance
Robert Johnson, Harbormaster
Dan Temko, Harbormaster
Theresa N. Hayes, Deputy Secretary
Marc Zafferano, District Counsel

Public Comments/Questions- None

Staff Recognition- None

New Business

1	TITLE:	Committee Assignments
	REPORT:	Memo
	PROPOSED ACTION:	To Be Determined

This item has been moved to the next meeting agenda.

Consent Calendar

All items on the consent calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda. Any item on the regular agenda may be transferred to the consent calendar.

- 2 TITLE: **Minutes of Harbor Commission Meeting January 17, 2007**
REPORT: Draft minutes
PROPOSED ACTION: Approval

Campbell asked that this item be move to continued business. This item was moved.

- 3 TITLE: **Records Destruction**
REPORT: Memo, Resolution
PROPOSED ACTION: Adopt Resolution 03-07 to Supersede 02-07 and Approve Destruction of District Records

Action: Motion by Padreddii, second by Lundie to approve item 3. The motion passed.

Ayes: 5

Nays: 0

Campbell recognized a typo on page six, second paragraph from the bottom; it states “the net impact on the District of demolition of three abandoned vessels would be \$1,079.00. She added that this should be \$10,790.00.

Action: Motion by Campbell, second by Lundie to approve the minutes of January 18, 2007 as amended. The motion passed.

Ayes: 5

Nays: 0

Public Hearing - None

Continued Business

- 4 TITLE: **Discussion Item: Rates and Fees Schedule for FY 2007-2008**
REPORT: Rates and Fees Schedule for FY 2006-07 for Reference
PROPOSED ACTION: To Be Determined

Parravano recused himself due to economic interest and left the room.

Grenell informed the Board that this item is on the Agenda to enable the Commission to receive public comment and to provide further opportunity to consider potential changes to rates and fees. He added that staff intends to bring preliminary recommendations for rates and fee changes on upcoming Agendas.

Padreddii questioned staff how they advise tenants at both harbors of the proposed changes in rates and fees. Grenell said they are notified on their monthly billing statements, and the Fiscal Year 2007-08 budget will be on every Agenda until approved by the Board and also noticed to tenants.

Grenell concluded that both Pillar Point Harbor and Oyster Point Marina/Park tenant meetings are in the process of being set up.

Campbell asked that on the current FY06-07 rates and fees schedule under launch ramp, recreational use only, the 20% discount to senior owner should state 65 years of age and older.

5 TITLE: **District Immediate and Projected Staffing Needs**
REPORT: Memo
PROPOSED ACTION: To Be Determined

Grenell stated that the Harbor Commission last spring took action to address staff costs by establishing a hiring freeze for the Deputy Harbormaster (DHM) position. The Commission suspended the freeze last Fall to fill a vacancy caused by the departure of another DHM. The freeze was then re-instituted and remains in place.

Grenell informed the Board that since the departure of another DHM at Pillar Point Harbor there have been various communications with management resulting in the following suggested changes:

Grenell first recommended that the Commission maintain the hiring freeze indefinitely, subject to review on a case-by-case basis as situations arise which would result in continued saving in salary and benefits.

Second, Grenell said he would fill Pillar Point Harbor's second DHM vacancy now by rotational transfer from Oyster Point Marina. This would result in substantial savings in salary and benefits by avoiding a new hire. He added that Oyster Point staff budget would decrease and Pillar Point staff budget would remain roughly the same.

Third, the DHM transfer from Oyster Point Marina will be made on a four to six-month rotational basis, determined by Grenell with input from Johnson and Charles White, Assistant Harbormaster. He added that seniority will not be a factor in making the decision.

Fourth, Grenell will work with Temko to improve management efficiency of the Pillar Point Harbor Patrol including the use of the Harbor office and maintenance building facilities. Since the Administration unit vacated the Harbor office building 2 ½ years ago, the vacated space is available for potential leasing for purposes of new revenue generation.

Lastly, Grenell added that upcoming capital projects will involve a considerable amount of attention and time from Johnson. He said that following the DHM transfer to Pillar Point Harbor, Oyster Point Marina supervisory staff would be re-allocated on a temporary basis to assist in project task coverage which would result in salary and benefit savings.

Campbell questioned whether San Francisco Water Transit Authority (WTA) was sending in their own project coordinator to facilitate their upcoming projects, as she had understood it.

Grenell stated that Steve Castleberry, WTA, Director, has said he would like his staff to be project coordinator for purposes of sediment testing and dock removal and the geotechnical terminal services. Grenell added that Johnson, however, will continue to act as project manager for other items involving WTA, for example, the breakwater and the urgency item on tonight's agenda regarding the United States Army Corps of Engineers. He said Johnson has more knowledge of the site than anybody from the WTA.

Campbell asked whether the District has money for approval for anything else besides the two items on the Agenda tonight.

Grenell stated that WTA has approved up to \$300,000.00 for the two items on tonight's Agenda, but the District continues to work with USACE on the breakwater.

Tucker suggested focusing on staffing itself and WTA when we get to that item.

Grenell reiterated that besides the WTA projects, there are numerous jobs which will require intensive work from staff, and the most efficient way to address this is to have Johnson focus his time on those upcoming jobs. The net result will be a five figure cost saving and completed work.

John Draper, Assistant Harbormaster and Shop Steward at Pillar Point Harbor, stated that he understands a hiring freeze means no new hires, however when an employee leaves staffing levels should be kept the same. Draper stated he doesn't think a transfer from Oyster Point Marina is fair because in effect they will be short staffed. He added that he feels the Harbor Patrol is taking the brunt of the District's cost saving benefits. Draper concluded that morale is at an all time low at Pillar Point Harbor.

A short discussion about why some members of the Board and staff were not copied on memos from the Harbormasters regarding staffing levels took place. Grenell stated Johnson had numerous personnel issues in his memo that were not suitable for public viewing.

Lundie said he needs to know what the managers feel about how a transfer from one harbor to the other will affect their operations. Johnson stated that the focus of his memo was to look into the future of the District where he identified some specific personnel sensitive material.

Johnson suggested that the hours of operations be modified and landscape services for routine maintenance should be done. Although the Oyster Point Marina crew has said things will be

tight, they are willing to work together to handle the maintenance in order to avoid extra costs. Johnson concluded that his crew understands the need for the transfer and they support it; they do have a volunteer to be the first to transfer.

Lundie stated that he is concerned that a transfer from Oyster Point Marina to Pillar Point Harbor will have a negative impact on operations at Oyster Point Marina. He added that being a life-long member of the union he does not think its right that a seniority rule will not be a criterion in the deciding factor.

Johnson said a concern he and Temko had was making sure whoever was transferred was willing and ready because Pillar Point Harbor needs someone who has had all necessary training for search and rescue.

Wilkerson added Operating Engineers Local Union #3 has not included seniority rules in their contract language and the District has no formal written policy.

Parravano stated that this item started with the staffing levels and has grown into reallocation of staff and dealing with current capital projects. He added that to make the best decision he needs to deal with each issue separately. He asked that staff clarify what a Lead Maintenance Specialist (LMS) is and where an LMS fits in with a DHM.

Temko stated that his operations have two DHM's working under the LMS to focus mainly on maintenance; however, they are still able to do search and rescue. Temko added that there is a lot of job sharing in his operations.

Parravano asked if there is a way to designate DHM's for maintenance and for search and rescue in order to fulfill the needs at each Harbor. Grenell said that he and the Harbormasters have looked at that alternative for the last few years, but with the reduced staff it was put on hold.

Parravano asked each Harbormaster if it would be easier for them if they had a defined role for each LMS and all DHM's; and in addition, do they each have enough resources at their operations to do this.

Johnson said he has been meeting with his crew regarding structural changes in staff. They have looked at introducing a maintenance worker and reducing from eight DHM's to six.

Campbell stated that the basic issue before us tonight is whether it is in the District's best interest to do a transfer from one Harbor to the other and this should be looked at and decided upon.

Tucker said that the issue we are asked to decide upon is whether or not to keep the hiring freeze in place as recommended by Grenell.

Lundie concluded that the District has the ability to hire from a certified list. He said the main concern is to save the District money, however the downside is crews will have to work more overtime, decreased morale and possible workers comp claims. He said he voted for the hiring freeze on the basis that there would be no more hires, but he never intended to vote for it to lower staff levels through attrition. He suggested hiring someone from the current certified list. He reiterated that, the District can't forget to take care of rank and file as they are the "nuts and bolts" of the District.

Tucker asked that the Board make a motion on the recommendation made by staff on whether to maintain the hiring freeze and do a transfer or lift the freeze for a new hire.

Campbell said that originally she thought the best interest of the District was a transfer from Oyster Point Marina to Pillar Point Harbor, but since reallocation of staffing has been brought in she thinks the hiring freeze should be lifted for this position only and be filled from the certified list.

Action: Motion by Campbell, second by Lundie to remove the freeze for the one position at Pillar Point Harbor and fill it from the certified list. The motion passed.

Ayes: 5

Nays: 0

Parravano said he needs to know if it is possible to have more defined roles between patrolmen.

Tucker asked that Wilkerson work on a scope of duties and go through the Union to meet and confer process.

Item 19 was taken up.

19	TITLE:	Ship to Shore Lease
	REPORT:	Grenell
	PROPOSED ACTION:	To Be Determined

Grenell handed out to the Board a proposal from Franco Carrubba, owner of Caffè Riace in Palo Alto. He stated that the lease for Ship to Shore Fish Market expires on March 1, 2007 and that Carrubba is interested in taking over the lease.

Grenell informed the Board that Carrubba recently acquired the Shoreline Station in Half Moon Bay and currently owns and operates eight operations in Palo Alto and Stanford.

Maurice Carrubba, Franco's son, stated they would like to bring a Sicilian style café to the Harbor serving local fish, homemade pasta, sausage and gelato. He added that they do everything from an average deli to catering and fine dining and feels they are a good fit. He concluded that they are ready to work and willing to run a first class establishment.

Tucker asked if Carrubba has looked at the District's background questionnaire. Carrubba said he has not yet looked at it, but once he sees it he can have it back to the District within a day.

Campbell asked Carrubba why they want to take on another operation.

Franco Carrubba stated he has four children to help him including Jeffery Miller of Red River Smokehouse and he feels he can revive the property by investing his money in it.

6 **TITLE:** **Deputy Harbormaster Level of Training**
 REPORT: Memo
 PROPOSED ACTION: Accept Department of Boating and Waterways (DBAW)
 Master Certificate Which Requires Completion of Five (5)
 Classes or Coast Guard Masters License or Equivalent to
 Achieve Minimum Qualifications to Meet Promotion
 Standards from Deputy Harbormaster A to Deputy
 Harbormaster B

Wilkerson stated she found a situation where an employee had taken many of the classes the District required from DBAW. The employee also has a U.S. Coast Guard License and took a class that equated to DBAW's Coastal Navigation class. The District's MOU with the Union states they must take these exact classes.

Wilkerson added that she researched with Johnson and Temko, and connected with DBAW. DBAW has a waiver program and recognizes the U.S. Coast Guard license as part of their DBAW Master's Certificate Program. She added that in the MOU it states the General Manager is authorized to develop alternative training.

Wilkerson concluded that completion of the DBAW Master's Certificate, regardless of the waivers included, qualifies a Deputy Harbormaster A DHM(A) to promote to a Deputy Harbormaster B DHM(B).

Schnapp asked what the cost for this is. Wilkerson said there is a significant savings because the District will send an employee to one class that fulfills all requirements rather than several individual classes. She added that the District would not have to expend additional travel funds for training. Temko concluded that by accepting the Coast Guard license instead of the navigation class, the District saves the cost of having to duplicate sending someone to a class they have already taken.

Action: Action by Campbell, second by Lundie to accept DBAW Master Certificate. The motion passed.

Ayes: 5
Nays: 0

New Business, Cont'd.

- 7 TITLE: **Proclamation Honoring Deputy Harbormaster Kevin Miles**
 REPORT: Proclamation
 PROPOSED ACTION: Approve Proclamation Honoring Deputy Harbormaster Kevin Miles

Tucker read the proclamation honoring Deputy Harbormaster Kevin Miles for the record.

Temko stated that he wished he could vote for this item.

Action: Motion by Lundie, second by Parravano to approve proclamation honoring Deputy Harbormaster Kevin Miles.

Ayes: 5
Nays: 0

- 8 TITLE: **Limited Commercial Activity Permit for LYNX Educational Foundation at Pillar Point Harbor**
 REPORT: Application
 PROPOSED ACTION: Approve Limited Commercial Activity Permit for LYNX Educational Foundation With Fee Waiver at Pillar Point Harbor

Temko stated this is an educational ship tour that he says he is happy to have in the Harbor.

Action: Motion by Campell, second by Lundie to approve Item 8.

Ayes: 5
Nays: 0

- 9 TITLE: **Pillar Point Harbor: Agreement for Professional Services with Bishop Diving and Salvage for Demolition of Three Abandoned Vessels in an Amount Not to Exceed \$12,850.00**
 REPORT: Staff Report, Resolution
 PROPOSED ACTION: Adopt Resolution 04-07 to Approve Demolition of Three Abandoned Vessels and Authorize General Manager to Execute Agreement with Bishop Diving and Salvage in an Amount Not to Exceed \$12,850.00

Temko informed the Board that adoption of this resolution is necessary to be reimbursed by DBAW's Abandoned Watercraft Abatement Fund.

Action: Motion by Campbell, second by Parravano to approve Item 9. The motion passed.

Ayes: 5
Nays: 0

10 TITLE: Agreement with San Francisco Bay Water Transit Authority (WTA) for Geotechnical Studies, Sediment Testing Services and Dock Removal Plans and Specifications for Ferry Terminal Construction and Dredging at Oyster Point Marina/Park at No Cost to the Harbor District and Authorization to Retain Technical Contractual Services

REPORT: Memo, Attachments

PROPOSED ACTION: Authorization to Execute Agreement with Water Transit Authority and to Execute Contracts with Moffatt & Nichol Engineers in an Amount not to Exceed \$127,738.00 for dredging sediment testing and plans and specifications for dock and slip removal, and with Treadwell & Rollo, Inc. in an Amount not to Exceed \$135,000.00 for terminal geotechnical studies.

Grenell stated that this request is for two separate but related and essential items of work for pre-construction. He said the reason the request is before the Board tonight is that the WTA felt that the District should be the onsite controller of the Oyster Point Marina to get the work done. He stated that the Harbor District's costs will be paid for by the WTA.

Parravano asked if the City of South San Francisco is a signatory for this project. Grenell stated that it is not and that the District has not used the City as a signatory on any projects. The City is brought in only where there are leases or where there is some other direct City participation.

Action: Motion by Campbell, second by Lundie to approve Item 10. The motion passed.

Ayes: 5
Nays: 0

URGENCY ITEM

Action: Motion by Campbell, second by Padreddii to add Item 10A to the agenda. The motion passed.

Ayes: 5
Nays: 0

10A Title: **Authorize the General Manager to Execute an Agreement with Gregg Drilling for the Required Geotechnical Investigation as Established by the Scope of Work Issued by the U.S. Army Corps of Engineers for the Oyster Point Breakwater Reconfiguration Project in an Amount not to Exceed \$60,490.00.**

Report: Staff Report, Attachment
Proposed Action: Approve Authorization for General Manager to Execute an Agreement with Gregg Drilling for the Required Geotechnical Investigation as Established by the Scope of Work Issued by the U.S. Army Corps of Engineers for the Oyster Point Breakwater Reconfiguration Project in an amount not to exceed \$60,490.00, Determine That the Best Interest of the District Would Be Served Without Issuing a Request For Proposals, and Waive Applicable Provisions of Ordinance Code Chapter 2.7 Pursuant to Paragraph 2.7.2.2 of the Code.

Grenell informed the Board that the next step for USACE to implement the breakwater project is to get geotechnical work done including the proposed drilling. Grenell added that only one firm in the Bay Area has the vessel that has the technical capabilities to carry this project out. That vessel will go to Southern California on April 1, 2007 and be gone for several months. If the work is not done now, the project could be delayed by a year. He concluded that the District has funds budgeted for this and ultimately the District will get reimbursed.

Action: Motion by Lundie, second by Campbell to approve item 10A. The motion passed.

Ayes: 5
Nays: 0

11 TITLE: **December 31, 2006 Quarterly District Investment Balances Report**
REPORT: Report
PROPOSED ACTION: Approve December 31, 2006 Quarterly District Investment Balances Report

Padreddii informed the Board he reviewed the December 31, 2006 Quarterly District Investment Balances Report and found it in order.

No action was needed.

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| 12 | TITLE: | Bills and Claims in the Amount of \$278,530.12 |
| | REPORT: | Bills and Claims Detailed Summary |
| | PROPOSED ACTION: | Approval of Bills and Claims for payment and a transfer in the amount of \$278,530.12 to cover payment of Bills and Claims |

Campbell left the room.

Padreddii informed the Board he reviewed the Bills and Claims and found them in order. He added that the reason for the high amount is that a payment to Dutra Construction was made in the amount of \$154,595.14.

Action: Motion by Padreddii, second by Lundie to approve Item 12. The motion passed.

Ayes: 4

Nays: 0

Reports for Possible Discussion/Action

Administration and Finance

13 General Manager - Grenell

Grenell handed out an article about marine protected areas and marine reserves from Pacific Coast Federation of Fisherman's Associations; for update on the issue.

He recommended that no closed session take place tonight because the item on Ship to Shore has not enough information provided and Half Moon Bay Kayaking is not considering their expansion proposal anymore.

14 Director of Finance - Schnapp

Schnapp reiterated that at a previous meeting she stated the District would save upwards of \$100,000 with no new staff hire, but that goes away with the approval of item five. Schnapp concluded that instead of increasing revenue by \$250,000.00 the District now needs to increase it by \$350,000.00.

15 Human Resources Manager - Wilkerson

Wilkerson informed the Board she met with each staff member of Oyster Point to review policies and personnel files. She added that they are very professional.

Operations

16 Oyster Point Marina/Park - Johnson

Johnson thanked Wilkerson and said she was well received by his staff.

He informed the Board of the proposed fishing derby to be held at Oyster Point Marina. He said there wasn't much excitement with the fishing clubs until he mentioned that they would be challenging the Oyster Point Harbor Patrol.

Johnson thanked the Board for approving the contract with Treadwell & Rollo (see item 10). If the contract had not been approved some significant cost saving opportunities could have been missed. Johnson concluded that he is concerned with WTA taking a lead role in this and that he does not plan to take a passive role as there will be significant savings by being proactive on the project.

17 Pillar Point Harbor – Temko

Temko stated there have been several incidents over the past week where his crew has responded, including a flooding vessel in the Harbor which they kept from sinking.

Temko added that he met with operations staff of the United States Coast Guard (USCG) San Francisco Sector who plan to increase their presence in the Harbor. He concluded that the Pillar Point staff has a good working relationship with the USCG.

Campbell requested that Temko let the District's webmaster know as soon as possible about the LYNX educational ship (see item 7) coming to Pillar Point Harbor.

Parravano questioned Temko whether he was notified of the missing sailing vessel that has been on the news. Temko said they have been notified and an initial search has been conducted in the Pillar Point Harbor area. Temko added that a diver found a bumper with a rope attached which has been turned over to the United States Coast Guard for examination.

Grenell stated that he met with a County staff member about participation in the County's computerized geographical information system that provides high resolution aerial photography of the entire County. He added that this system can be used on as-needed basis.

Board of Harbor Commissioners

- 18 A. Committee Reports
Oyster Point Liaison (Campbell, Padreddii)

Campbell stated that previous WTA items on the agenda have covered the report.

- B. Commission Statements and Requests
The Board of Harbor Commissioners may make public statements and requests. Requests may be made to place items on future agendas.

Campbell requested the support of the Commission to focus on Parravano's request to have each Harbor focus on the duties of their employees and how the District might run more efficiently. Wilkerson was directed to look into this.

Tucker requested that a special Commission meeting be set up. The special meeting will be a study session on items such as DBAW, the median strip, leases, staffing, administration office and WTA. This meeting is tentatively scheduled for the end of February.

Campbell announced that Joanne Franklin of Ketch Joanne's Restaurant and Harbor Bar is taking over the Red Ginger building; however, Joanne intends to finish out her seven year lease with the District at Pillar Point Harbor.

Continued Business, Cont'd

- 20 TITLE: **Identify Real Property Negotiator Pursuant to Government Code §54956.8**
REPORT: Zafferano
PROPOSED ACTION: Identify Real Property Negotiator Peter Grenell

This item was not taken up as there was no Closed Session following.

Closed Session

- 21 TITLE: **Conference with Real Property Negotiator: Ship to Shore Fish Market and BBQ Deck, Parcel 5, One Johnson Pier, Lessee Building, APN 047-083-060 Pillar Point Harbor, El Granada, San Mateo County: Regarding Lease, Price and Terms and Conditions Pursuant to Government Code Section §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

