

San Mateo County Harbor District Board of Harbor Commissioners Minutes

January 17, 2007
7:00 p.m.

Municipal Services Building
33 Arroyo Drive
South San Francisco, CA 94083

Roll Call

Commissioners

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

New Business

- 1 TITLE: **Reorganization of Harbor Commission: Selection of Officers**
REPORT: Parravano
PROPOSED ACTION: To be determined

Action: Motion by Lundie, second by Campbell to elect James Tucker as President. The motion carried by 5 ayes, 0 nays.

Motion by Campbell, second by Padreddii to elect Lundie as Vice President. The motion carried by 5 ayes, 0 nays.

Motion by Campbell, second by Lundie to elect Padreddii as Treasurer. The motion carried by 5 ayes, 0 nays.

Motion by Parravano, second by Lundie to elect Campbell as Secretary. The motion carried by 5 ayes, 0 nays.

Commissioners

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

Fissori stated that he has spoken with personnel from the City of South San Francisco who may be separately studying locating a convention center at Oyster Point/Marina Park. He said the City's intentions need to be determined early on.

Fissori added that hospitality is a major element of Pacifica Companies' vision for Oyster Point Marina/Park. The hotel architect they would want to use for the project is Joseph Wong Design Associates, a top designer for business.

Tucker questioned whether it is Fissori's belief that the convention center will not work. Fissori stated that a convention center is a big expense and he is not sure it will pay for itself, but he is willing to work with it.

Grenell suggested the District continue to work with Pacifica Companies.

Campbell asked Fissori whether or not he would continue to manage this project regardless of the convention center.

Fissori stated they are willing to work with it, but hopes it gets moving forward soon.

Campbell suggested working in phases to get the project moving ahead sooner. She added that she likes what she sees in Pacifica Companies.

No action taken.

4	TITLE:	Extension of License Option for California Abalone Company
	REPORT:	Grenell
	PROPOSED ACTION:	To Be Determined

Grenell stated that potential action was to be taken tonight on this item if Hayes had agreed to the terms set by the Board at a previous meeting in December. Hayes sent a letter to the District rescinding his Commercial Activity Permit application and stated separately that he could not agree to some of the Board's conditions. Grenell added that the letter was received in the beginning of December and there has been no communication since. Grenell informed the Board that since Hayes' license has expired and he does not wish to renew under Board's conditions, Hayes should now remove his operations from Pillar Point. He added Hayes has 180 days to do that.

No action taken.

5	TITLE:	District Immediate and Projected Staffing Needs Including Certified Employment List Process
	REPORT:	Memo
	PROPOSED ACTION:	To Be Determined

Grenell stated that he requested a written review and analysis relative to staffing from Johnson and Temko of their respective Harbors. After reviewing each, he has provided Johnson and Temko with questions in response to their written reports to get a better understanding of the situation before he reports to the Board. Grenell suggested this item be put over to the next Agenda.

Grenell stated he is seeking direction from the Board on what to do in the meantime with the hiring freeze and the certified list for Deputy Harbor Master (DHM), which expires the first week of March.

Lundie questioned whether or not the hiring freeze which was approved for a six month period has expired. Grenell said he is looking for clarification from the Board on that.

Tucker stated that if the two applicants left on the certified list are not available then create a new certified list. The rest of the Board agreed.

Tucker added that he is inclined to keep the hiring freeze in effect until after the budget process.

Padreddii stated that he understood the hiring freeze was for only one Deputy Harbor Master and he would not want to see the safety of the Harbor community affected.

Parravano added that the hiring freeze was put into place until information from staff is received to use to determine to lift the freeze. Grenell said he intends to bring that information to the Board.

Campbell said she understood the hiring freeze would stay in place until the Department of Boating & Waterways loans situation is resolved. She concurred with Tucker on getting through the budget process before lifting the hiring freeze. Campbell added that she would consider a transfer of a DHM from Oyster Point Marina/Park to Pillar Point Harbor.

Temko stated his concerns that one less DHM will ruin morale and have adverse safety affects. Temko said he knows his crew would step up to the plate as far as public safety but if the District keeps cutting back, then people will not want to work there if they have to work too much overtime and graveyard shifts and not be able to take vacations. He added that a transfer from Oyster Point would be viable.

Lundie stated that while he agrees with Tucker and Campbell he also sees Temko's point. He said that losing Kevin Miles as a Deputy Harbor Master is a big loss of someone with a lot of experience. Lundie said he needs to do a lot of research before he makes a decision on whether or not to lift the hiring freeze.

Campbell stated she would like Grenell to come back to the next Board meeting with information regarding a transfer of a DHM from Oyster Point to Pillar Point.

This item was moved to the next Agenda.

New Business, Continued

6 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 from item 6.

Grenell stated that this item is on the Agenda to begin the process to review and finalize the rates and fees for FY 2007-08. Staff plans to keep this item on succeeding Agendas to maximize opportunities for review and public comment as input to the Board’s decisions.

Grenell directed the Board to page two of Schnapp’s memo, which shows diagrams on operating expense based on certain assumptions. One diagram in particular needs to be achieved by the District: the District needs to reduce expenditures and raise revenue.

Will Larson, Oyster Point Marina/Park tenant, stated to the Board his opposition to the proposed raised fees on live aboard permits. Larson said that as a live aboard at Oyster Point the rate increases proposed are fairly large “in connection with what you get and what you pay”. He also said that he could not afford to keep his boat if the fee is raised.

Tucker informed Larson that during the budget process he will have more opportunities to speak to the Board.

Campbell added that there should be a tenant meeting set up at Oyster Point Marina/Park and she would like to see the Pillar Point Advisory committee revived to do the same at Pillar Point Harbor.

No action was taken.

7 TITLE: Amendment to Commercial Activity Permit for Anthony J. Anastole: Pillar Point Harbor
REPORT: Staff Report
PROPOSED ACTION: Approve Amendment to Commercial Activity Permit for Anthony J. Anastole

Temko stated that Anastole was previously approved to operate his vessel at Oyster Point Marina/Park. He would like to amend his permit to do business in Pillar Point Harbor as well. Temko concluded that Anastole appears to work diligently and professionally.

Action: Motion by Lundie, second by Parravano to approve item 7. The motion passed.

Ayes: 5
Nays: 0

8 TITLE: Introduce Amendment to Ordinance Code: Add Section 3.1.17.12 Residential Tenant with Multiple Vessels

REPORT: Staff Report
PROPOSED ACTION: Approve Introduction of Ordinance Code Amendment:
Section 3.1.17.12

Grenell explained this item is an introduction of a Code amendment and if the Board chooses to approve the introduction the statutory process of public notification and review will begin. The item would be brought back at the end of February for final approval.

Grenell stated the purpose of the amendment is to address boater tenants who own more than one boat and alternate nights on their boats to avoid paying live aboard fees.

Campbell asked how many cases would be impacted. Johnson stated there are at least four individuals he knows of at Oyster Point Marina/Park. Temko added he is aware of at least one person at Pillar Point Harbor.

Lundie confirmed that the impact of the amendment would result in one live aboard permit for one vessel being issued. Temko stated that additional live aboard permits may be required by one owner if the family is too large for one vessel.

Action: Motion by Parravano, second by Tucker to approve Introduction of Ordinance Code Amendment Section 3.1.17.12. The motion passed.

Ayes: 5
Nays: 0

9 TITLE: Oyster Point Marina/Park: Agreement for Professional Services with Bishop Diving and Salvage for Demolition of Three Abandoned Vessels in an Amount Not to Exceed \$10,790.00
REPORT: Staff Report, Resolution
PROPOSED ACTION: Approve Demolition of Three Abandoned Vessels and Authorize General Manager to Execute Agreement with Bishop Diving and Salvage in an Amount Not to Exceed \$10,790.00

Johnson stated the net impact on the District of demolition of the three abandoned vessels would be \$1,079.00. Demolition is a precursor to receiving grant funding from the Department of Boating and Waterways (DBAW) from the Abandoned Watercraft Fund. Johnson added the accounts on the vessels have been turned over to a collection agency and concluded that all three vessels are considered abandoned and are not sellable on the open market.

Action: Motion by Lundie, second by Campbell to approve demolition of three abandoned vessels, approve resolution 01-06 and authorize General Manager to execute agreement with Bishop Diving and Salvage in an amount not to exceed \$10,790.00. The motion passed.

Ayes: 5
Nays: 0

- 10 TITLE: Oyster Point Marina/Park: Agreement for Professional Services with Parker Diving Services for Demolition and Removal of M/V Andromeda in an Amount Not to Exceed \$15,000, Plus the Actual Cost for Disposal of Fuel and Hazardous Waste.**
- REPORT: Staff Report
- PROPOSED ACTION: Approve Removal and Demolition of M/V Andromeda and Authorize General Manager to Execute Agreement with Parker Diving Services in an Amount Not to Exceed \$15,000 Plus the Actual Cost for Disposal of Fuel and Hazardous Waste

Johnson stated that he had to take emergency action on the demolition of this vessel. He expressed thanks to Parravano and Padreddii for approval and Tucker for his attention to this matter.

Johnson added that the vessel has already been demolished and the demolition went very well. He has a promissory note from the owner to pay in full. Johnson concluded that the owner has been conscientious since day one regarding trying to demolish the vessel and Johnson foresees no problems with the District being paid.

Action: Motion by Padreddii, second by Lundie to approve removal and demolition of M/V Andromeda and authorize General Manager to execute agreement with Parker Diving Services in and amount not to exceed \$15,000 plus the actual cost for disposal of fuel and hazardous waste.

Ayes: 5
Nays: 0

- 11 TITLE: Attendance at CMANC Washington Week of March and Seafood Donation to CMANC Reception**
- REPORT: Grenell
- PROPOSED ACTION: To Be Determined

Grenell informed the Board that the California Marine Affairs and Navigation Conference (CMANC) is scheduled for Monday, March 19th through Friday, March 23rd. He asked if the Board would like him to attend and if any Board member would like to attend.

Grenell added that CMANC is organizing a reception with California seafood and asked if the District should participate. He will bring more details about the reception to the Board.

Tucker asked the Board if they want to send Grenell to CMANC, the Board agreed to have Grenell attend. Tucker asked if the District should send a contribution.

Parravano suggested Grenell come back to the Board with more information before they decide on what to donate.

Campbell suggested the District send some smoked salmon. This was favorably viewed by the Board.

12 TITLE: **Records Destruction**
REPORT: Staff Report, Resolution
PROPOSED ACTION: Adopt Resolution 02-07 to Approve Destruction of District Records

Grenell informed the Board that the records listed are correspondence that meet the requirements for destruction of District Policy 2.1.4 Records Management.

Action: Motion by Campbell, second by Lundie to adopt resolution 02-07 to approve destruction of District records. The motion passed.

Ayes: 5
Nays: 0

13 TITLE: **Bills and Claims in the Amount of \$131,509.79 through January 5, 2007**
REPORT: Bills and Claims Detailed Summary
PROPOSED ACTION: Approval of Bills and Claims in the amount of \$131, 509.79 to cover payment through January 5, 2007

Lundie stated he reviewed the bills and claims through January 5, 2007 and found them in order.

Action: Motion by Lundie, second by Campbell to approve the bills and claims in the amount of \$131,509.79 through January 5, 2007. The motion passed.

Ayes: 5
Nays: 0

14 TITLE: **Bills and Claims in the Amount of \$233,464.95**
REPORT: Bills and Claims Detailed Summary
PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$233,464.95 to cover payment of Bills and Claims

Lundie stated he reviewed the bills and claims and found them in order.

Action: Motion by Lundie, second by Campbell to approve the bills and claims in the amount of \$233,464.95. The motion passed.

Ayes: 5

Nays: 0

Reports for Possible Discussion/Action

Administration and Finance

15 General Manager - Grenell

Nothing further to add to written report.

16 Director of Finance - Schnapp

Schnapp stated she is looking into improving collections. Her goal for the District is to first get all accounts under 12 months delinquent and then work to get the accounts under 6 months delinquent. This would save each Harbor approximately \$120,000 per year.

17 Human Resources Manager - Wilkerson

Nothing further to add to written report.

Operations

18 Oyster Point Marina/Park - Johnson

Johnson stated that the District's Risk Manager, Paul Walker, is in the audience. He added that Walker came out to Oyster Point and did a walk around looking at the promenade and potential trip hazards in development of the upcoming budget. He thanked Walker for his support.

19 Pillar Point Harbor – Temko

Nothing further to add to written report.

Lundie asked Temko what the status is of the wooden sail boat that sunk at the “C” dock. Temko stated he believes the owners want to get rid of it.

Padreddii questioned Temko's memo that stated rock cod is now closed. Temko clarified that sport rock cod is closed, however some commercial rock cod is still open.

Board of Harbor Commissioners

Tucker expressed his appreciation for Parravano's leadership in the past year; a lot was accomplished. He thanked Parravano for being active in the community and for the great job Parravano did.

Campbell concurred with Tucker and added that it has been a great year. Padreddii agreed.

After brief discussion, the Board expressed its desire to reorganize committee assignments. Reorganization of committee assignments has been added to the next Agenda.

20 A. Committee Reports

Hotel Development (Campbell, Tucker)

Minutes included in agenda packet.

OPM Liaison (Campbell, Padreddii)

This meeting is rescheduled for January 18, 2007

DBAW (Campbell, Tucker)

Minutes included in agenda packet.

Campbell stated that Grenell omitted the discussion of a possible three year deferment in his minutes. Grenell said he would revise the minutes.

Pillar Point Restroom (Campbell, Parravano)

Minutes handed out before start of meeting.

Parravano asked Grenell to discuss his meeting with Half Moon Bay Kayak Company.

Grenell stated that he and Temko met with an owner of the Half Moon Bay Kayak Company and they expressed their desire to put a ten foot by forty foot modular unit next to their current establishment where they would sell retail kayak gear. They would like a five year lease and would pay the District additional revenue.

Grenell added that he discussed Campbell's and Parravano's suggestion of co-occupying a prefab unit and they had no interest.

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.

Lundie requested that Schnapp have a schedule of the rates and fees comparing what the District charges now and what they propose to charge for tenants to compare.

Tucker added the District needs to remind tenants that according to the District payment plan tenants are still paying for last year's total rate & fee increases that were spread over last year, this year and next year.

After brief discussion, the Board agreed to have the Past President vote first and Commissioners alphabetically after that from now on for all Board decisions.

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

Tucker identified Grenell as real property negotiator.

Action: Motion by Lundie, second by Parravano to move to Closed Session. The motion passed at 8:25 p.m.

Ayes: 5

Nays: 0

Closed Session

- 22** 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

Open Session, Continued

Action: There was no reportable action from closed session.

- 23** TITLE: **Ship to Shore Lease**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

This item was put over to the next Agenda.

Adjournment

Action: Motion by Campbell, second by Lundie to adjourn the meeting. The motion passed by unanimous vote at 8:41 p.m.

The next regularly scheduled meeting will be held on February 7, 2007 at the Coastside County Water District, 766 Main Street, Half Moon Bay, CA 94019 at 7:00 p.m.

APPROVED BY:

James Tucker

James Tucker
President

ATTESTED BY:

Theresa N. Hayes

Theresa N. Hayes
Deputy Secretary