

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

**November 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 DellaSanta, Deputy Secretary  
Linda Noeske, District Counsel

## **Public Comments/Questions - None**

**Staff Recognition** — Temko congratulated Pillar Point Harbor Assistant Harbormaster John Draper for winning a seat on the Half Moon Bay Fire Protection Board of Directors.

## **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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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.

- |          |                         |  |
|----------|-------------------------|--|
| <b>1</b> | <b>TITLE:</b>           | <b>Minutes of Meeting October 17, 2007</b> |
|          | <b>REPORT:</b>          | Draft minutes                              |
|          | <b>PROPOSED ACTION:</b> | Approval                                   |

- 2      TITLE:                                    **Approval of Written Decision Regarding Discipline for Don Coats**  
REPORT:                                        Letter  
PROPOSED ACTION:                        Approve Written Decision Regarding Discipline for Don Coats
- 3      TITLE:                                    **Certified Employment List for Lead Maintenance Specialist**  
REPORT:                                        Certified Employment List  
PROPOSED ACTION:                        Adopt Certified Employment List

Grenell informed the Board that Item 2 needed to be put over to the next meeting as the letter was not yet ready.

**Action:** Motion by Campbell, second by Lundie to approve Items 1 and 3. The motion passed.

Ayes: 5  
Nays: 0

**Public Hearing** - None

**Continued Business** - None

**New Business**

- 4      TITLE:                                    **Limited Commercial Activity Permit for Mavericks, LLC from December 1, 2007 to April 7, 2008 at Pillar Point Harbor**  
REPORT:                                        Temko, Memo, Application  
PROPOSED ACTION:                        Approve Limited Commercial Activity Permit for Mavericks, LLC at Pillar Point Harbor

Temko informed the Board that he has met with the local Sheriff’s Department, Half Moon Bay Fire Department, State Park Rangers and Patrolmen and concerns have been mitigated.

Campbell asked if the money the District received for last year’s event which did not occur was refunded to Mavericks. Grenell said that Mavericks paid the District \$5,000 deposit for costs for that event and that money which was not refunded would be continued to this year’s event.

**Action:** Motion by Campbell, second by Lundie to approve Item 4. The motion passed.

Ayes: 5  
Nays: 0

- 5 TITLE: Proposed Sublease for Di Pietro and Shea, 401 Marina Blvd., Oyster Point Village, Oyster Point Marina/Park**  
**REPORT: Grenell, Memo, Sublease**  
**PROPOSED ACTION: Approve Sublease for Di Pietro and Shea, 401 Marina Blvd., Oyster Point Village, Oyster Point Marina/Park**

Grenell reported that the proposed sublease is for an accounting firm to locate at 401 Marina Blvd. near the Marina Inn hotel. He added that the District would receive a share of monies just as with the rest of the leases at Oyster Point.

**Action:** Motion by Padreddii, second by Lundie to approve Item 5. The motion passed.

Ayes: 5

Nays: 0

- 6 TITLE: Suspend Hiring Freeze for One Lead Maintenance Specialist (LMS) Position at Pillar Point Harbor**  
**REPORT: Grenell, Memo**  
**PROPOSED ACTION: Approve Suspension of Hiring Freeze for One Lead Maintenance Specialist (LMS) Position at Pillar Point Harbor**

Grenell informed the Board that the vacant LMS position at Pillar Point Harbor is currently occupied on a temporary basis by temporary promotion of a Deputy Harbormaster (DHM). The DHM position is vacant. He added that once the LMS position is filled on a regular basis by an internal promotion of a DHM, that DHM position will remain vacant. Tucker asked if there was any commitment made to fill the position of DHM. Grenell said no.

Campbell asked if the current temporary LMS will have to fill out an application for a possible permanent position. Grenell said he had done so. He added that the District advertised for the LMS position internally and received two applications.

A short discussion regarding the requirements and qualifications of a Lead Maintenance Specialist took place.

Temko concluded that the current temporary LMS is doing a great job and has had a positive effect on crew moral.

**Action:** Motion by Campbell, second by Lundie to approve Item 6. The motion passed.

Ayes: 4

Nays: 1 (Tucker)

- 6A TITLE: Motion to Reconsider Commission Action for a Six-Month Moratorium on Negotiations Regarding Ketch Joanne Restaurant and Harbor Bar Lease**  
**REPORT: Grenell**  
**PROPOSED ACTION: Approve Motion to Reconsider Commission Action for a Six-**

Month Moratorium on Negotiations Regarding Ketch Joanne  
Restaurant and Harbor Bar Lease

Tucker clarified that a motion passed at the last Board meeting ruled a six-month moratorium on negotiations with Ketch Joanne Restaurant and Harbor Bar and that under Robert's Rules of Order a motion must be made to reconsider by someone who voted with the majority.

**Action:** Motion by Campbell, second by Padreddii to approve Item 6A. The motion passed.

Ayes: 5  
Nays: 0

Eric Martinez spoke on behalf of Joanne Franklin regarding her lease with the District. Martinez passed out a letter which gives him specific authority to speak for the Ketch Joanne Restaurant and Harbor Bar. Martinez passed out a document showing how the District would benefit from purchasing the Huck Finn Sportfishing lease. He added that this would generate an extra three to four thousand dollars in percentage rent a month to the District. He concluded that over the next seven to eight years this would be sufficient to pay the District back the \$250,000 it might have to pay to buy out the Huck Finn lease.

- 7 TITLE: Bills and Claims in the Amount of \$425,074.68**  
**REPORT: Bills and Claims Detailed Summary**  
**PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$425,074.68 to cover payment of Bills and Claims**

Padreddii informed the Board that he has reviewed the Bills and Claims and found them in order. He added that a \$314,212.00 payment was made to Salt River Construction for dredging. He recommended approval.

**Action:** Motion by Padreddii, second by Lundie to approve Item 7. The motion passed.

Ayes: 5  
Nays: 0

## **Reports for Possible Discussion/Action**

### **Administration and Finance**

**8 General Manager - Grenell**

Grenell said the 71-Berth and Haul-Out project's Haul-Out study should be complete in approximately one to two more months.

Campbell asked when the Restroom project will get started. Temko said he had received approval from the Fire Marshall that morning. He is waiting for approval from the County.

**9 Director of Finance - Schnapp**

Schnapp stated that there is a typo in the bills and claims and the \$314,212.00 payment should state Salt River Construction as the vendor. Schnapp informed the Board that both Harbors have had positive operating results, which the District has not seen in a long time.

**10 Human Resources Manager - Wilkerson**

Nothing further to add to written report.

## **Operations**

**11 Oyster Point Marina/Park - Johnson**

Johnson said that West Basin dredging is moving along very well. He added that his crew moved approximately 27 boats in three and a half hours and commended them for working so well together.

Johnson added that he would like the current job description for the Lead Maintenance Specialist reviewed. He said the incumbents in the current position have been taking a lead on supervising search and rescue.

**12 Pillar Point Harbor – Temko**

Lundie said there was a power outage at Pillar Point Harbor the previous night from 6pm to 1am. He asked what the reason was. Temko said he was informed that PG&E was changing their power lines.

## **Board of Harbor Commissioners**

**13 A. Committee Reports**  
Ferry Service Committee (Campbell, Padreddii)

Padreddii stated that the results of their meeting are in Grenell's memo.

Tucker said he had some concerns regarding competition between South San Francisco and Redwood City for Measure "A" sales tax money, but no longer does since many of the County Transportation Authority Board members are South San Francisco representatives or have ties to the City.

Padreddii added that the money is for Ferry Terminals and Redwood City is not

supposed to have a terminal for several years, and therefore should not get any of these funds.

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.**

Parravano stated that he liked the brochure that was made for the Non-Commercial Event Activity Permits. Campbell and Parravano added that the brochures should be mailed along with statements to tenants and various agencies within San Mateo County.

**14 TITLE: Identify Real Property Negotiator Pursuant to Government Code §54956.8**  
REPORT: Zafferano  
PROPOSED ACTION: Identify Real Property Negotiator Peter Grenell for Item 16

Tucker identified Grenell as real Property negotiator for Item 16.

**15 TITLE: Identify Real Property Negotiator Pursuant to Government Code §54956.8**  
REPORT: Zafferano  
PROPOSED ACTION: Identify Real Property Negotiators Sally Campbell and Pietro Parravano for Item 17

Tucker identified Campbell and Parravano for Item 17.

**Action:** Motion by Parravano, second by Lundie to move to Closed Session. The motion passed unanimously at 7:43pm.

## **Closed Session**

**16 TITLE: Conference with Real Property Negotiator: Francesco Carrubba dba Caffe Riace, Inc., Parcel 5, One Johnson Pier, Lessees 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

**Action:** Motion by Lundie, second by Parravano to adjourn to Open Session. The motion passed unanimously at 8:00pm.

## Open Session, Continued

- 18 TITLE: **Restaurant Lease for Francesco Carrubba dba Caffe Riace Inc., For Parcel 5, Lessees' Building, Pillar Point Harbor**
- REPORT: Grenell, Lease, Resolution 33-07
- PROPOSED ACTION: Adopt Resolution 33-07 and Approve Restaurant Lease for Francesco Carrubba dba Caffe Riace Inc., For Parcel 5, Lessees' Building, Pillar Point Harbor

**Action:** Motion by Padreddii, second by Lundie to approve the lease, conditioned upon removal of Paragraph 2.7. The motion passed.

Ayes: 5  
Nays: 0

Tucker recessed the meeting at 8:01pm to enable the execution of the lease.

**Action:** Motion by Lundie, second by Padreddii to adjourn to Closed Session. The motion passed unanimously at 8:06pm.

## Closed Session, Continued

- 17 TITLE: **Conference with Real Property Negotiator: Ketch Joanne Restaurant and Harbor Bar, Parcel 3, One Johnson Pier, Lessees 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: Campbell and Parravano
- PROPOSED ACTION: To Be Determined

**Action:** Motion by Parravano, second by Lundie to adjourn to Open Session. The motion passed unanimously at 8:35pm.

## Open Session, Continued

Reportable action from Closed Session, Item 17:

The District is concerned regarding the appearance or perception of a gift of public funds.

(At the November 21st Board meeting Campbell clarified that her decision was based on her perception that it was a misuse of public funds.)

**Action:** Motion by Tucker, second by Lundie that the San Mateo County Harbor District Board of Harbor Commissioners withdraws the prior moratorium on negotiations regarding the Ketch Joanne and Harbor Bar lease; that the plan for the lease as presented in Closed Session is not acceptable to the District; and the District's negotiating committee consisting of Commissioners Sally Campbell and Pietro Parravano is hereby dissolved; and the Board has determined and hereby decides to cease further negotiations with Ketch Joanne and Harbor Bar.

## Adjournment

**Action:** Motion by Lundie, second by Padreddii to adjourn. The motion passed unanimously at 8:37 p.m.

APPROVED BY:

*James Tucker*

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James Tucker  
President

ATTESTED BY:

*Theresa DellaSanta*

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Theresa DellaSanta  
Deputy Secretary