

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

April 15, 2009
7:00 p.m.

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

Roll Call

Commissioners

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

Staff

Peter Grenell, General Manager
Marcia Schnapp, Director of Finance
Marietta Harris, Human Resource Manager
Robert Johnson, Harbormaster
Dan Temko, Harbormaster
Marc Zafferano, District Counsel

Public Comments/Questions — none.

Staff Recognition- Temko thanked the Pillar Point Harbor staff for running things smoothly while he was on vacation.

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

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| 1 | TITLE: | Minutes of Meeting April 1, 2009 |
| | REPORT: | Draft minutes |
| | PROPOSED ACTION: | Approval |

Action: Motion by Lundie, second by Tucker to approve item 1. The motion passed.

Ayes: 5
Nays: 0
Abstentions: 0

Public Hearing

- 2 TITLE: **Continuance of Hearing: Draft Preliminary Operating and Capital Budget for Fiscal Year 2009-10**
- A. Declare Hearing Open: President Padreddii
B. Report of Notice Given: Grenell
C. Staff Report and Recommendation: Draft Budget FY 2009/10
D. Public Testimony:
E. Harbor Commission Questions:
F. Close Public Testimony: President Padreddii
G. Commission Deliberation:
H. Recommended Commission Action: To Be Determined

Grenell informed the Board that Notice was issued.

Schnapp stated that she and the General Manager considered several options depending on certain scenarios happening like the Ferry Terminal. Schnapp recommended staying with the current proposed budget.

Campbell said that she thought the budget overall was very satisfying. She did have an issue with the security shack at Oyster Point Marina and would like it deleted.

Grenell stated that the future is uncertain and that it would not make sense to invest money in a security shack that might be demolished in the near future due to new development.

Johnson would like to meet with Grenell and Schnapp to possibly reallocate some of those funds to improve the facility and the current guard shack. Grenell said that he will meet with Johnson and if something surfaces of real importance, he will bring it to the Board.

Grenell addressed his concern that for the May 6, 2009 board meeting, there will be only three Commissioners in attendance. On May 6th the Board is scheduled to approve the Preliminary Budget and wanted the Commissioners to find the budget in order so that it can be approved on May 6th.

Continued Business

- 3 **TITLE:** **District Rates and Fees for FY2009-2010**
 REPORT: Staff Report, Rates and Fees Schedule, Resolution No. 04-09
 PROPOSED ACTION: Adopt Resolution No. 04-09 to approve Rates and Fees

Zafferano recommended that this item be split into two items, one for Oyster Point Marina rates and fees and one for Pillar Point Harbor rates and fees where Lundie and Parravano will recuse themselves.

Padreddii stated that the Board would proceed with Pillar Point Harbor first.

Lundie and Parravano recused themselves and left the room.

Action: Motion by Tucker, second by Campbell to approve the Rates and Fees for FY2009-10 for Pillar Point Harbor. The motion passed.

Ayes: 3
Nays: 0
Abstentions: 0

Lundie and Parravano returned to their seats.

Action: Motion by Parravano, second by Campbell to approve the Rates and Fees for FY2009-10 for Oyster Point Marina. The motion passed.

Ayes: 5
Nays: 0
Abstentions: 0

Campbell stated that she was very pleased with Schnapps' report. She read the report from beginning to end with out confusion. Schnapp thanked Grenell, the staff and the Board for their continued support.

New Business

- 4 **TITLE:** **California Society of Municipal Finance Officers**
 REPORT: **Outstanding Financial Reporting Award**
 Schnapp, Certificate of Award

PROPOSED ACTION: To Be Determined

Schnapp stated that when she arrived in the Finance department, they were fifteen months behind and has worked the last three years to bring things up to date. This year for the first time, the Accounting Unit received an outstanding financial performance award for FY2007-08.

Zafferano stated that Mr. Fil, who is the President of CSMFO and Finance Director for the City of San Carlos, is a close colleague of his and considers him, besides Schnapp, one of the finest Finance Directors. If you can meet Mr. Fil's standards, you are doing very well.

Padreddii stated that he has been on the board for twelve years and has never seen this award presented to the District before.

Campbell would like something put in Schnapp's file.

- 5 **TITLE:** **AB 825 (Blakeslee): Dungeness crab traps: Support**
 REPORT: Memo, Letter, Attachments
 PROPOSED ACTION: Approve and Authorize General Manager to send letter for the Harbor Commission supporting AB 825 (Blakeslee) to Assemblyman San Blakeslee

Grenell stated that the District has been requested by Blakeslee's staff to write a letter of support. AB 825 would loosen up current restrictions that would allow fishing for both species at one time instead of catching one, going back to the harbor to unload gear and then going back out to catch the other species.

Parravano gave some history that back in the 1980's when fishing was abundant, a bill was passed to regulate the amount of Rock crab and Dungeness crab being caught. Now due to the current economic status, the present situation does not really make sense.

Action: Motion by Parravano, second by Lundie to allow the General Manager to send support letter. The motion passed.

Ayes: 5
Nays: 0
Abstentions: 0

- 6 **TITLE:** **Marine Life Protection Act Process (MLPA): Legislative Oversight**
 REPORT: Memo, Letter
 PROPOSED ACTION: Approve and Authorize General Manager to send letter to California Senate President Pro Tem

Grenell stated that in 1999 the State passed the Marine Life Protection Act to protect marine habitat in State waters. The MLPA Task Force and Department of Fish and Game have been steadily working to establish a system of Marine Protected areas up and down the State. They

have completed the Central and North Central Coast regions and are currently working on Southern California. It has come to the attention of several legislators that the monitoring of the MLPA implementation might be in jeopardy due to the economic crisis. The original projected cost per year was \$250,000 and now it is estimated at \$30-\$40 million a year. Several Senators want an examination of whether it is possible to adequately implement the MLPA's, there is also a related issue of a possible conflict of interest with a non-profit sector participant involved heavily with the development of the MLPA. Grenell stated that it would be reasonable to have the Senate inquire into these matters. One potential problem is that if MPA's are established that are no fishing zones and can not be regulated and monitored, then fisherman can not fish in these zones but there will be no way to determine if the MPA's are achieving their purpose.

Action: Motion by Tucker, second by Lundie to allow the General Manager to send the letter. The motion passed.

Ayes: 5
Nays: 0
Abstentions: 0

- 7 **TITLE:** **Harbor Maintenance Trust Fund: Support for Fair Distribution of Funds**
 REPORT: Memo, Letters, Attachments
 PROPOSED ACTION: Approve and Authorize General Manager to send letters to District Congressional Representatives Eshoo and Speier

Grenell stated that this is important for all harbors. There are hundreds of millions of dollars now in this trust fund that the harbors can put to good use and over the years that money has not been adequately distributed as intended to maintain the harbors. This money can be used for breakwater projects, dredging and navigation needs. These letters will be sent to Congressional Representatives Eshoo and Speier asking for their support to resolve this issue.

Action: Motion by Lundie, second by Campbell to allow the General Manager to send the letters. The motion passed.

Ayes: 5
Nays: 0
Abstentions: 0

- 8 **TITLE:** **Bills and Claims in the Amount of \$ 181,241.92**
 REPORT: Bills and Claims Detailed Summary
 PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$181,241.92 to cover payment of Bills and Claims

Parravano informed the board that he reviewed the bills and claims and found them in order. He recommended approval.

Action: Motion by Parravano, second by Campbell to approve the bills and claims in the amount of \$181,241.92. The motion passed.

Reports for Possible Discussion/Action

Administration and Finance

- 9 **General Manager – Grenell** –Lundie stated that it was a good report.
- 10 **Director of Finance – Schnapp** – Lundie stated that it was another good report.
- 11 **Human Resources Manager – Harris** – Campbell asked if the District has a legal obligation to go through each application for the Administrative Assistant/Deputy Secretary position that we have received. Harris stated yes, but it is a quick process.

Operations

- 12 **Oyster Point Marina/Park – Johnson** – Johnson added that on April 30th he is holding a tenant meeting to go over Rates and Fees and other miscellaneous items. Also, the District has published a request for bids for the Bay Trail slurry sealing at Oyster Point Marina. No commitments have been made to anyone; the Board will make the final decision after bids are received.

Padreddii asked about the boat that washed up against the San Mateo Bridge on Tuesday. Johnson stated that it was a tenant from Oyster Point Marina that left Sunday for a cruise. Johnson didn't find out until Monday afternoon that the boat's transmission malfunctioned and they were on anchor which then broke. The boat never asked for assistance from Oyster Point Marina. Johnson heard that another tenant did ferry them to their boat and back. It was not safe for the Harbor to do a wellness check due to the high winds. The boat belongs to a retired shrimp fisherman.

Campbell asked if Johnson noticed how the high winds affected the Marina. Johnson stated that the winds were coming from the northwest; when the winds are from the southeast then the wave energy hits the Marina.

- 13 **Pillar Point Harbor – Temko** - none

Board of Harbor Commissioners

- 14 A. Committee Reports

Tucker stated that the Oyster Point Development Committee met and that topic

will be discussed in Closed Session.

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.

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

Zafferano identified Grenell as the real property negotiator.

Action: Motion by Tucker, second by Lundie to adjourn to closed session. The motion passed unanimously at 7:32 pm.

Closed Session

- 16 TITLE: **Conference with Real Property Negotiator: Parcels APN 015-010-060, 015-010-260, 015-010-270, Oyster Point Marina/Park, City of South San Francisco, San Mateo County; San Mateo County Harbor District with King Ventures Regarding Lease Price, Terms and Conditions, Pursuant to Government Code §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined
- 17 TITLE: **Conference with Real Property Negotiator: Median Strip, APN 047-262-010, El Granada, San Mateo County: Regarding Sale or Lease Price and Terms and Conditions Pursuant to Government Code Section §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined
- 18 TITLE: **Conference with Real Property Negotiator: Parcels APN 015-010-060, 015-010-260, 015-010-270, Oyster Point Marina/Park, City of South San Francisco, San Mateo County; San Mateo County Harbor District with San Francisco Bay Water Emergency Transportation Authority (WETA) Regarding Lease Price, Terms and Conditions, Pursuant to Government Code §54956.8**

REPORT: Grenell
PROPOSED ACTION: To Be Determined

Action: Motion by Tucker, second by Campbell to adjourn to Open Session. The motion passed unanimously at 8:05 pm.

Open Session, Continued

There was no reportable action from Closed Session.

Adjournment

Action: Motion by Lundie, second by Parravano to adjourn the meeting. The motion passed unanimously at 8:06 pm.

The next regularly scheduled meeting will be held on May 6, 2009 at the Comfort Inn, 2930 Cabrillo Highway, Half Moon Bay, CA 94019 at 7:00 p.m.

Agenda Posted As Required:
April 8th at 4:00 p.m.

Peter Grenell
Acting Deputy Secretary

Sally Campbell
Acting President