

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

October 20, 2010
7:00 p.m.

Municipal Services Building
33 Arroyo Drive
South San Francisco, Ca. 94080

Roll Call

Commissioners

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

Staff

- Peter Grenell, General Manager
- Julie Turner, Director of Finance
- Marietta Harris, Human Resource Manager
- Robert Johnson, Harbormaster
- Marc Zafferano, District Counsel
- Debbie Nixon, Deputy Secretary

x-absent

Public Comments/Questions – None.

Staff Recognition- None.

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

- 1 TITLE: **Minutes of Meeting October 6, 2010**
REPORT: Draft minutes
PROPOSED ACTION: Approval

- 2 **TITLE:** **Support Letter for HR2548**
 REPORT: Grenell, Support Letter
 PROPOSED ACTION: Approval

Campbell moved item 3 to continued business.

Action: Motion by Tucker, second by Padreddii to approve the consent calendar. The motion passed.

Ayes: 3
Nays: 0
Absent: 2 (Lundie, Parravano)

Continued Business

- 3 **TITLE:** **Adopt Resolution 15-10 to Amend the Final 2010-11 Integrated Operating and Capital Budget of the San Mateo County Harbor District**
 REPORT: Grenell, Resolution
 PROPOSED ACTION: Adopt Resolution 15-10 to Amend the Final 2010-11 Integrated Operating and Capital Budget of the San Mateo County Harbor District

Grenell stated that this item is a continuation of a previous action made by the Harbor Commission and it needs to be passed by Resolution.

Action: Motion by Tucker, second by Padreddii to adopt Resolution 15-10 to amend the Final 2010-11 Integrated Operating and Capital Budget of the San Mateo County Harbor District. The motion passed.

Ayes: 3
Nays: 0
Absent: 2 (Lundie, Parravano)

- 4 **TITLE:** **Limited Commercial Activity Permit (LCAP) for Mavericks Surf Contest Event: Half Moon Bay Surf Group, Inc. or Mavericks Surf Ventures, LLC**
 REPORT: Grenell, Memo, Attachments
 PROPOSED ACTION: To Be Determined

Grenell stated that Mavericks Surf Ventures, LLC is seeking a permit renewal from last year and Half Moon Bay Surf Group, Inc. seeks a new permit. He stated that a draft permit was in the Board packet. He stated that he received a letter from Attorney Marotta who represents Mavericks Surf Ventures, LLC. The letter asked that the Commission put this item over to

allow the two groups to reach an agreement. Grenell stated that Campbell had two public speaker forms, one from Keir Beadling of Mavericks Surf Ventures, LLC and one from Katherine Clark of Half Moon Bay Surf Group, Inc..

Campbell asked Clark to address the Commission. Clark thanked the Commission for their consideration and all time spent on this matter. She stated that the group has reorganized and redefined itself as the group that will be managing the event. She stated that at this time she feels it is important to make a decision for the event. She has continued to work with agencies and has been putting together details to ensure that the group is 100% ready to efficiently and professionally put on the event. She is confident that she has the proper support from everyone to put on a successful event.

Tucker asked Clark if this is a different group than appeared before the Commission at the last meeting. Clark stated it is a different group than before as she was not tied to either group at the last meeting. She has joined with the Half Moon Bay Surf Group. Tucker stated that the last application stated that the Boy and Girls Club was a sponsor. He wanted to know if they are still supporting the group now. Clark stated that they were never formally signed up with either group but if the Half Moon Bay Surf Group is awarded the permit, they will be seeking their support.

Tucker asked if they are successful in getting the permit, he asked if she is prepared to address the problems from last year, i.e., the rogue wave and the injuries that occurred with the spectators on the beach due to that wave. Clark stated that she has developed a very complete operation plan. The beach will be closed; there will be no public access to the beach. There will be snow fencing placed up on the bluff as per the sheriff's department recommendation. There will be additional security, more so than last year. She stated that there will be public viewing areas as well.

Tucker asked if Clark will be the contact person for the Half Moon Bay Surf Group. She stated yes.

Campbell stated that she has heard rumors of financial problems and stated that the cost to put on this event is \$500,000.00. Clark agreed. Campbell asked if their group has the money to support the event. She stated that she does and would like to defer to Barracuda Networks for further information. Chris Ferrato addressed the Commission. He stated that Barracuda Networks is committed to support the event in full for the next three years.

Keir Beadling addressed the commission. He stated that he is the CEO of Mavericks Surf Ventures, LLC. He asked the Commission to put this item over so that both groups can come to an agreement.

Beadling: MSV has proprietary plans which cannot be used by others. Without these, no one else could produce a contest without violating MSV's proprietary rights. MSV has trademarked "Mavericks Surf Contest." The other group has interfered with MSV. MSV has no problem with the surfers or the community. The other group is going the wrong way, and is proceeding in violation of MSV's rights. Approval of their application tonight would be participating in their wrongdoing. MSV remains ready to negotiate an agreement privately, a compromise supported by both groups.

Campbell stated that she is disappointed. When everyone attended the last meeting, everyone left with the understanding that the two groups were going to get together and form one group. She stated that it doesn't appear that such has happened and raised the question as to why the item should be postponed another time.

Campbell also asked Beadling if his group has the funds needed for the event.

Beadling: Stated that it has been difficult to connect with HMB Surf Group. He has no ability to release his intellectual property.

Tucker: Asked Beadling how many times since Sept. 1 he has spoken with HMBSG.

Beadling: Replied that he had to go through intermediaries.

Tucker: Expressed his annoyance about the District being put in the middle of the dispute. All the District does is allow the use of its facilities; and, it seems no one has gotten together. Tucker asked Beadling if he had called Clark and Washburn.

Beadling: Replied that he didn't know she has authority.

Campbell: Said that no meeting was set two weeks ago.

Beadling: Said he hasn't got an audience.

Padreddii: Last time the Commission said to work it out; this hasn't happened. Time is passing, and it should have been worked out.

Beadling: Again said that the Commission should postpone the item until the next Board meeting.

Tucker: Asked Grenell about insurance and indemnification of the District.

Grenell: Replied that these are included in the permit.

Campbell and Tucker asked for Clark to step forward. Tucker asked if she had had contact with MSV.

Clark: Said there was no communication with MSV in the last several weeks. There was some initial talk which went nowhere, but none during the past month.

Action: Motion by Tucker, second by Campbell to approve the Limited Commercial Activity Permit for Half Moon Bay Surf Group, Inc. The motion passed.

Tucker: Asked Grenell about possible problems with crab season.

Grenell: Replied there have been and would not be any problems with crab season.

Ayes: 3
Nays: 0
Absent: 2 (Lundie, Parravano)

- 5 TITLE: **Land-Based Commercial Activity Permit (CAP) for C.J. Kimo Sloan, Jr. for Tie-Dye Shirt and Other Apparel Sales at Surfers Beach**
REPORT: Grenell, Memo, Attachments
PROPOSED ACTION: Do not approve a land-based Commercial Activity Permit (CAP) for C.J. Kimo Sloan, Jr.

This item was put over until the next meeting per the request of the applicant.

New Business

- 6 TITLE: **Possible cancellation of Harbor Commission Meetings on December 15, 2010 and/or January 5, 2011**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

Action: Motion by Padreddii, second by Tucker to cancel the December 15, 2010 and January 5, 2011 Commission meetings. The motion passed.

Ayes: 3
Nays: 0
Absent: 2 (Lundie, Parravano)

- 7 TITLE: **Bills and Claims in the Amount of \$103,744.52**
REPORT: Bills and Claims Detailed Summary
PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$103,744.52 to cover payment of Bills and Claims

Tucker stated that he reviewed the bills and claims and found them in order. He recommended approval.

Action: Motion by Tucker, second by Padreddii to approve the bills and claims. The motion passed unanimously.

Ayes: 3
Nays: 0

Absent: 2 (Lundie, Parravano)

Public Hearing — None.

Reports for Possible Discussion/Action Administration and Finance

8 General Manager - Grenell

Grenell mentioned that the Resource Conservation District has received the grant funds for its Half Moon Bay water quality study that were suspended during the state and budget crisis.

9 Director of Finance - Turner

Nothing further to add to written report.

10 Human Resources Manager - Harris

Nothing further to add to written report.

Operations

11 Oyster Point Marina/Park - Johnson

Nothing further to add to written report.

12 Pillar Point Harbor – Johnson

Nothing further to add to written report.

Board of Harbor Commissioners

13 A. Committee Reports

None

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.

Closed Session - None

Adjournment

Action: Motion by Tucker, second by Padreddii to adjourn the meeting. The motion passed unanimously at 7:45 p.m.

The next scheduled meeting will be held on November 3, 2010 at the Comfort Inn, 2930 Cabrillo Highway, Half Moon Bay at 7:00 p.m.

Debbie Nixon
Deputy Secretary

Sally Campbell
President