

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

October 1, 2008
7:00 p.m.

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

Roll Call

Commissioners

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

Staff

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

Public Comments/Questions - None

Staff Recognition- Temko recognized the San Mateo County Resource Conservation District, Pillar Point Harbor staff, and all volunteers who helped with the Harbor Circulation study over the weekend.

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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 September 17, 2008 |
| | REPORT: | Draft minutes |
| | PROPOSED ACTION: | Approval |

- 2 **TITLE:** **Extension of Certified Hiring Lists for Accounting Technician and Accounting Specialist**
 REPORT: Memo
 PROPOSED ACTION: Approve a Six Month Extension of Certified Hiring Lists for Accounting Technician and Accounting Specialist

Action: Motion by Parravano, second by Padreddii to approve Items 1 and 2. The motion passed.

Ayes: 5
Nays: 0

New Business

The Board took up Item 4 next.

- 4 **TITLE:** **Minor Lease Amendment to Ketch Joanne Restaurant Lease**
 REPORT: Temko, Memo
 PROPOSED ACTION: Approve Minor Amendment to Ketch Joanne Restaurant Lease

Temko stated that Ketch Joanne would like a minor lease amendment to add outdoor seating to their restaurant. He added that the amendment enables compliance with insurance requirements. Temko stated that the outdoor seating would be beneficial to the Harbor, improve the look of the building, and generate more revenue to the District. Temko concluded that the partitions would be temporary and mobile so they can be removed at night.

Campbell questioned how this relates to the sidewalk widening project the District has been working on. Temko stated that this lease amendment would be to use the sidewalk existing as is now; when the District extends the sidewalk the amendment would be brought back to the Board.

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

Ayes: 5
Nays: 0

- 3 **TITLE:** **Monthly Car Show Event at Pillar Point Harbor – Mary Botham**
 REPORT: Campbell, Botham
 PROPOSED ACTION: To Be Determined

Mary Botham, Princeton Seafood Company, stated her intent to hold a monthly car show at Pillar Point Harbor utilizing the parking lot on Thursday nights from 3PM to 7PM. Botham stated that she feels it would bring people to the Harbor to buy from the fish markets and

Johanna Thomas, Environmental Defense Fund, stated she has been working with groundfish fishermen for the last 5 years on the fishing quota program. She added that a final vote will take place in November at the Pacific Fisheries Management Council meeting. Thomas said that IFQs give fishermen a secure access to set percentages of total allowable harvest and help fishermen move away from the threat of not knowing what they will be able to harvest each year; she added that it removes the Government from micromanagement.

She added that the benefit of the fish quota program raises the value of fish by at least 50% and sometimes it can quadruple. Thomas concluded that the fishing communities will have an effect on the vote and asked for the District's support to opposition of allocating harvest shares to fish processors.

Tucker asked how the program gets around an individual who might come in and buy a large amount of shares. Jeff Bettencourt stated that 3% is the maximum share that someone could hold of the total allowable catch; he concluded that you can never own more than the 3% cap. Parravano clarified that the processor can buy as much fish as they want, but all are capped at a 3% quota.

Jim Anderson, Pillar Point fisherman, stated his desire to have a District official present at the Pacific Fisheries Management Council meeting in November to give testimony during public comment. Campbell asked if Anderson is in support of the quota program. Anderson said it seems like the way to go and if the processors can be kept from having total control of the fisheries he is in support.

Grenell suggested that he and Temko work with Thomas and the fishermen on draft testimony and bring it back to the next Board meeting. Padreddii said he is in full support.

Jeff Bettencourt, Pillar Point fisherman, stated that the quota program will offer security to the fishermen and it's the closest thing to a guarantee they can get without having to worry about takeovers, and to enable long term security.

Michael Bell, Nature Conservancy, stated that the goal of the Central Coast Groundfish project is to preserve and protect the sustainability of the groundfish industry. He added that the entire fishery from the Mexico border to Canada is moving to a quota based management and he is asking for support that no quotas go to the fish processors. Bell concluded that it would be very helpful for a representative from the Harbor District to be present at the Pacific Fisheries Management Council for public comment.

Steve Fitz, Pillar Point fisherman, spoke on behalf of his Uncle Steve who would have agreed with the rest of the speakers. Fitz stated that he opposes quotas to the fish processors because the fishermen are already under such intense regulations that the profit margins are already slim. He concluded with his support for a Harbor official to attend the meeting in November.

Campbell suggested that Grenell and a Commissioner attend the Pacific Fisheries Management Council meeting to represent the Harbor District.

Parravano thanked all the speakers for their testimony. He added that he is in full support of the quota program and opposition to the fish processors. Parravano suggested revising the resolution to include community based management with no processor shares at all. Parravano and the speakers will get together to revise the resolution.

No action was taken. This item will be brought back to the October 15th Board meeting.

- 6 **TITLE:** **Limited Commercial Activity Permit Renewal for Mavericks Surf Ventures Inc.**
 REPORT: Grenell, Application
 PROPOSED ACTION: Approve Limited Commercial Activity Permit Renewal for Mavericks Surf Ventures Inc.

Grenell informed the Board that the only change since last year's event is that the use fee went up \$3,000 to \$13,000.

Grenell stated that it is Maverick's desire to enter into a three-year license agreement. He added that the terms and fees are negotiable.

Tucker stated that a license eliminates competition and would give Mavericks exclusivity; he added that he would be in support if a substantial increase in fees is part of a license agreement.

Scott Anderson, Mavericks Surf Ventures Inc., stated that their intent for a license agreement is solely for budgetary forecasting purposes.

Campbell said she agrees with Tucker.

Campbell questioned whether staff costs are being covered in the event. She asked for a full accounting of the Mavericks events. Grenell stated that staff will prepare a full accounting.

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

Ayes: 5

Nays: 0

- 7 **TITLE:** **Limited Commercial Activity Permit for Leukemia and Lymphoma Society at Pillar Point Harbor on Saturday, October 25, 2008**
 REPORT: Temko, Memo
 PROPOSED ACTION: Approve Limited Commercial Activity Permit for Leukemia and Lymphoma Society at Pillar Point Harbor on Saturday, October 25, 2008

Temko stated that he is recommending that the Leukemia and Lymphoma Society pay the permit fees for this event because it is a triathlon and a considerable amount of staff time is used to oversee the water event.

Action: Motion by Tucker, second by Campbell to approve Item 7. The motion passed.

Ayes: 5

Nays: 0

Continued Business

- 8 **TITLE:** **Draft Updated District Business Plan for Department of Boating and Waterways (DBW)**
 REPORT: Grenell, Draft Amended Business Plan
 PROPOSED ACTION: Approve Draft Updated District Business Plan for Department of Boating and Waterways (DBW) and Forward to DBW

Grenell said that this item would be discussed in Closed Session. The Board agreed.

- 9 **TITLE:** **Update on Pillar Point Harbor Restroom Renovation Project Completion**
 REPORT: Temko, Memo
 PROPOSED ACTION: To Be Determined

Temko informed the Board that the San Mateo County Building Department did a final inspection and the restroom passed. He added that a number of items still need to be cleaned up and there are a few minor issues that need to be completed, but that the restroom can be open to the public during that time.

Campbell asked when the restroom will be open.

Barry Day, Anzus, stated that the restroom will be open on Saturday, October 4th. Day gave a brief presentation on the minor issues that need to be completed. He reiterated that the restroom will be open by Saturday the 4th.

No action was taken.

Campbell left the room.

New Business, Continued

- 10 **TITLE:** **Bills and Claims in the Amount of \$196,243.43**
 REPORT: Bills and Claims Detailed Summary
 PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$196,243.43 to cover payment of Bills and Claims

Padreddii informed the Board that he reviewed the Bills and Claims and found them in order. He recommended approval.

Action: Motion by Padreddii, second by Tucker to approve the Bills and Claims in the amount of \$196,243.43. The motion passed.

Ayes: 4

Nays: 0

Campbell re-entered the room.

Reports for Possible Discussion/Action

Administration and Finance

11 General Manager - Grenell

Grenell informed the Board that the parcel maps for Oyster Point are ready for submittal. The firm is working on an application now.

12 Director of Finance - Schnapp

Schnapp stated that she received a letter from Lee Buffington's office in regard to the closure of Lehman Brothers; the Lehman Brothers securities will be written off the County books and all of the pool participants will be charged approximately 5%, or, roughly \$350,000.

Schnapp informed the Board that Workers Compensation came in at \$119,000 rather than the \$140,000 she projected.

13 Human Resources Manager – Harris

Nothing further to add to written report.

Operations

14 Oyster Point Marina/Park - Johnson

Johnson thanked Padreddii for his attendance at South San Francisco's Day in the Park. Padreddii recognized Johnson for his efforts; he added that the event was a big success.

Johnson stated that occupancy is 340 tenants.

Johnson informed the Board that staff met with the City in regard to modifying the fishing pier restroom interior. He thanked Charles White and Jim Merlo for their involvement.

Johnson informed the Board that the South End Dolphin running club had their 5 mile run over the weekend and the winner finished in 28 minutes.

Johnson concluded that he plans to bring the security issue back to the Board at the

next meeting. He has not received a response from Cal State Patrol, and plans to now recommend the second lowest bidder.

15 Pillar Point Harbor – Temko

Temko informed the Board that the Coastside Infant Toddlers run took place over the weekend and went very well.

Temko added that the San Mateo County Resource Conservation District did dye testing in the Harbor over the weekend and it went well.

Temko concluded that the F/V Irene will be launched this Saturday, October 4th at 2PM.

Board of Harbor Commissioners

- 16** A. Committee Reports
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 heard positive comments on the dye testing at Pillar Point Harbor over the weekend. He added that there was a lot of public outreach and it was very well handled.

- 17** 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 Real Property Negotiator.

- 18** TITLE: **Identify Labor Negotiator Pursuant to Government Code §54957.6**
REPORT: Zafferano
PROPOSED ACTION: Identify Labor Negotiator Peter Grenell

Zafferano identified Grenell as Labor Negotiator.

Action: Motion by Tucker, second by Parravano to adjourn to Closed Session. The motion passed unanimously at 8:35PM.

Closed Session

- 19 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
- 20 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
- 21 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
- 22 TITLE: **Conference with Real Property Negotiator: Parcel 5, APN 047-083-060, Pillar Point Harbor, San Mateo County; SMCHD with Franco Carrubba dba Caffe Riace Regarding Lease Price, Terms, and Conditions, pursuant to Government Code §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined
- 23 TITLE: **Conference with Labor Negotiator pursuant to Government Code §54957.6: Operating Engineers Local Union No. 3**
REPORT: Grenell
PROPOSED ACTION: To Be Determined
- 24 TITLE: **Conference with Labor Negotiator pursuant to Government Code §54957.6: Teamsters Union Local 856**
REPORT: Grenell

PROPOSED ACTION: To Be Determined

Action: Motion by Campbell, second by Padreddii to adjourn to Open Session. The motion passed unanimously at 9:47PM.

Open Business, Continued

There was no reportable action from Closed Session.

25 TITLE: **Discussion and Direction Regarding Franco Carrubba Lease Termination**
REPORT: Grenell, Memo
PROPOSED ACTION: To Be Determined

Action: Motion by Tucker, second by Campbell to terminate the lease, seek to recover funds, and seek a new tenant.

Ayes: 5
Nays: 0

Adjournment

Action: Motion by Tucker, second by Campbell to adjourn the meeting. The motion passed unanimously at 9:48 p.m.

APPROVED BY:

ATTESTED BY:

Ken Lundie
President

Theresa DellaSanta
Deputy Secretary