



## San Mateo County Harbor District Board of Harbor Commissioners

"To assure the public is provided with clean, safe, well-managed, financially sound and environmentally pleasant marinas."

### REGULAR MEETING MINUTES

March 21, 2018  
6:30 PM

Municipal Services Building  
33 Arroyo Drive  
South San Francisco, CA 94080

**A). Roll Call**– 6:34 PM - Commissioners Bernardo, Brennan, Chang Kiraly, Larenas and Mattusch present.

**B). 1. Public Comments/Questions** - None

#### **2. Commissioner Comments**

- Commissioner Larenas gave updates regarding the Wildlife Protection Committee, Climate Change Resilience Committee, and updates regarding the dredging, Surfers Beach and the West Trail Project. He thanked Supervisor Horsley for his help with the dredging project. Also pointed out Item 17 on this agenda and encouraged the public to stay if there was interest in this topic.
- Commissioner Brennan commented about strides being made by the committee for equity in women's surfing in Hawaii. Also read from an email from James Lee Han.

❖ 6:42 PM Commissioner Chang Kiraly calls for a five-minute recess.

#### **C). Special Presentation – California Special District Association (CSDA)/Special District Leadership Foundation (SDLF)**

- **Transparency Certificate of Excellence** –
  - ❖ San Mateo County Harbor District
- **Recognition in Special District Governance** –
  - ❖ Commissioners Brennan, Chang Kiraly, Larenas and Mattusch

## D). Consent Calendar

ITEMS PULLED FROM THE CONSENT CALENDAR WILL BE HEARD AFTER DISCUSSION ITEMS.

1. **Bills and Claims (Chan)**  
Recommendation: Review Pre-Approved Bills and Claims in the amount of \$443,684.42. Pre-Approve Bills and Claims not to exceed \$350,000.
2. **Minutes – Regular Meeting December 20, 2017 (Gehret)**  
Recommendation: Approve Minutes of the Regular Meeting of December 20, 2017.
3. **Minutes – Special Meeting January 17, 2018 (Gehret)**  
Recommendation: Approve Minutes of the Special Meeting of January 17, 2018.
4. **Minutes – Regular Meeting January 17, 2018 (Gehret)**  
Recommendation: Approve Minutes of the Regular Meeting of January 17, 2018.
5. **Minutes – Special Meeting February 5, 2018 (Gehret)**  
Recommendation: Approve Minutes of the Special Meeting of February 5, 2018.
6. **Minutes – Special Meeting February 21, 2018 (Gehret)**  
Recommendation: Approve Minutes of the Special Meeting of February 21, 2018.
7. **Minutes – Regular Meeting February 21, 2018 (Gehret)**  
Recommendation: Approve Minutes of the Regular Meeting of February 21, 2018.
8. **Regular Board Meeting Date Change from November 21 to November 14, 2018 (McGrath)**  
Recommendation: Approve the change in meeting date from November 21, 2018 to November 14, 2018 due to Thanksgiving holiday on November 22, 2018.
9. **Half Moon Bay Commercial Fisheries Trust's Fish and Fleet Festival; Request for Fee Waiver (McGrath)**  
Recommendation: Waive fees and approve Special Event Permit for the Half Moon Bay Commercial Fisheries Trust's Fish and Fleet Festival at Pillar Point Harbor, September 16, 2018.
10. **Capital Projects Update (Moren)**  
Receive and file.

**Motion:** (Bernardo/Mattusch) Approve Consent Calendar.

**Ayes:** Bernardo, Chang Kiraly, Larenas, Mattusch

**Nays:** Brennan

**Motion passed.**

## **E). Discussion**

### **11. Pillar Point Harbor West Trail Parking Lot Repair; Contract Award to Alaniz Construction, Inc., in the Amount of \$48,600 (Moren)**

**Motion:** (Brennan/Bernardo) Subject to due diligence and verification of insurance, bonds and other obligations outlined in the Special Conditions, authorize the General Manager to award contract in the award amount of \$48,600 to Alaniz Construction, Inc., and establish a contract contingency in the amount of 10% of the contract amount for unanticipated additional expenses associated with the contract and authorize the General Manager to issue changes up to the contingency amount.

**Ayes:** All in favor

**Motion passed.**

### **13. FY 2018/19 Harbor District Budget; First Look (Pyle)**

Report and presentation received.

### **14. San Mateo County Harbor District Ordinance Code Section 3.20.100 - Subletting of Berths; Amendment to Prohibit Short and Long-Term Vacation Rentals (Moren)**

**Motion:** (Mattusch/Bernardo)

Amend Section 3.20.100 of the District Ordinance Code to read: "Subletting by berth renters is not permitted. Berth renters are prohibited from renting their vessel overnight for any length of time, including short-term or long-term vacation rentals."

#### **Public Comment:**

- Mary Larenas (via email read by President Chang Kiraly) supportive of change in District Ordinance Code 3.20.100.

**Ayes:** All in favor

**Motion passed.**

### **15. San Mateo Resource Conservation District (RCD); Contract Amendment; Additional Funding of \$110,000 (Moren)**

**Motion:** (Brennan/Larenas) Authorize the General Manager to enter into a First Agreement Amendment, in accordance with the proposal from the San Mateo Resource Conservation District, for an additional amount not-to-exceed \$110,000 through FY 2019.

**Ayes:** All in favor

**Motion passed.**

### **17. Rules for Preparation and Distribution of Meeting Agendas (Resolution 19-13); Development of a Policy Requiring Board Approval for Commissioner Items (McGrath)**

**Motion:** (Chang Kiraly/Bernardo) The Policy on the placement of Commissioner items on the agenda is suspended, and staff is directed to return to the meeting of April 18, 2018 with a policy regarding 'Rules for the Preparation and Distribution of Meeting Agendas' that requires Board approval for placement of a Commissioner item on the agenda and the Harbor District and Harbor Board are committed to zero-tolerance of

harassment and discrimination based on our Policy 6.2.5 Harassment, Discrimination and Retaliation Prevention.

**Ayes:** Bernardo, Chang Kiraly, Mattusch

**Nays:** Brennan, Larenas

**Motion passed.**

**12. District Elections: 'At-Large' Change to 'Zone-Based' (McGrath/Miller)**

**Public Comment:**

- Brigid O'Farrell – supports California Voting Rights Act (CVRA). Urges Commission to consider a slower timeline.
- Sepi Richardson – suggests this item to be tabled with additional discussions. Directed comments to the Board regarding dynamics.
- Kathryn Slater-Carter – does not see the need to rush this; take time. The SMCHD would not necessarily need the same boundaries at the SMC Board of Supervisors as Resolution 18-04A suggests as there are different needs.
- James Lee Han (via email read by President Chang Kiraly) – in support of press release issued by Commissioners Brennan and Larenas.

**Motion:** (Brennan/Larenas) Approve Resolution No.18-04-A of the San Mateo County Harbor District declaring its intent to transition from at-large to by-district elections for members of the Board of Harbor Commissioners under Elections Code Section 10010 commencing in November 2018.

- ❖ 8:54 PM Commissioner Chang Kiraly calls for a five-minute recess.
- ❖ 9:00 PM Commissioner Chang Kiraly reconvened the meeting.

**Public Comment:**

- T.J. Glauthier – (via email ready by President Chang Kiraly) encourages Board to resist being rushed into making a decision on CVRA and not to be pressured and feel threatened by lawyers.

**Ayes:** Brennan, Larenas

**Nays:** Bernardo, Chang Kiraly, Mattusch

- ❖ **9:27 PM Motion:** (Bernardo/Mattusch) Extend meeting by five minutes. All in favor.  
**Motion passed.**

**(Item 16) Motion:** (Chang Kiraly/Bernardo) The Commission elected to take not action at this time.

**Ayes:** Bernardo, Chang Kiraly, Mattusch

**Nays:** Brennan, Larenas

**Motion passed.**

- ❖ 9:35 PM Adjournment.

## ITEMS NOT HEARD

**17. Nominations for California Special Districts Association (CSDA); Board of Directors, Seat A (McGrath)**

Policy: The Commission may consider nomination of a Commissioner or managerial employee for possible election to the California Special Districts Association Board of Directors, if a Commissioner or managerial employee is interested.

## **F). Commissioner Items**

Note: The Agenda titles in this section are set by individual Commissioners in accordance with District Policy without Staff consultation or input. The following agenda titles do not reflect any opinion or position of the District:

**18. Commissioner Larenas has directed that the following title be placed on the agenda: "San Mateo County Harbor District Policy 6.2.5 Harassment, Discrimination and Retaliation Prevention Policy: Request for Update"**

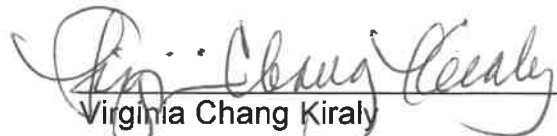
**19. Commissioner Brennan has directed that the following title be placed on the agenda: "Tom Mattusch Sexually Harassed Me and Lied About It"**

## **G). Discussion/Action on Pulled Consent Items (if any)**

## **H). February Activity Reports: General Manager; Administration; Operations**

**I). Adjournment 9:35 PM Motion (Mattusch/Bernardo) Adjourn meeting.**  
All in favor. Motion passes.

  
Debbie Gehret  
Deputy Secretary

  
Virginia Chang Kiraly  
President