

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

January 21, 2004
7:00 p.m.

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

Roll Call

Commissioners

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

Staff

Peter Grenell, General Manager
Lindsay A. Marks, Director of Finance
Robert Johnson, Harbormaster
John Draper, Assistant Harbormaster
Beverly Fontana, Deputy Secretary
Marc L. Zafferano, District Counsel

Public Comments/Questions — Public and Staff Recognition

Continued Business

- 1 TITLE: **Reorganization of Harbor Commission**
RECOMMENDATION: To Be Determined

Action: Parravano requested a discussion take place before the election of officers began. He stated in the Harbors and Navigation Codes there is a section that addresses elections. Parravano stated with the past election sensitivity amongst the Commissioners perhaps it could be lessened if the election process was handled differently.

Tucker stated he had no problem with the way the election is currently done. Campbell stated many local agencies use the rotation system to fill positions on the Board.

Padreddii stated he is familiar with rotation system but stated he feels it should not be used for the Harbor District.

Lundie concurred that problems exist with the election. He stated he has come in contact with many other Boards and has never seen such a dysfunctional manner of handling the elections. He stated he, too, suggested the rotation system sometime ago and was ignored.

Parravano stated that it was good that a discussion on the election is happening but added he had no solution to the problem.

Tucker stated if the fact that he has been president for the last three years were a problem, he would step down from that position. Campbell once again called for the rotation system. Tucker stated he felt the officers should be chosen by their qualifications and the rotation system is something he will not support.

Campbell stated all the Commissioners are qualified, that was decided when the San Mateo County voters elected them. That makes all of them qualified to sit in any officer's position.

Parravano stated if the rotation system is something not all the Commissioners are for then perhaps a lottery system to elect officers could be used.

Tucker stated nominations could be taken for the positions.

Campbell nominated Commissioner Lundie for the office of President. Tucker asked for a second. Lundie declined. No second.

Padreddii nominated Commissioner Parravano for the office of President. Parravano stated he would only accept the nomination if it is based on a rotational term. Tucker asked for a second. Tucker stated he still has a problem with the rotation system. Tucker then seconded the nomination. Then suggested Parravano make a motion on how to fill the remaining positions. Parravano motioned a lottery fill the positions.

Zafferano stated he needed to research the Harbors and Navigations Code section being discussed to understand exactly what is being said in it. He stated a lottery system to fill officer positions is in question.

Parravano had nothing else to suggest since some Commissioners dismissed his two suggestions.

Campbell stated the Commission investigate the system other boards use to select their officers. She suggested each Commissioner return to the next meeting with that information.

Campbell put her suggestion in the form of a motion. Motion made to require each Commissioner complete research on other agencies similar to the Harbor Commission and see how their officers are placed in their positions. District Counsel researches the Harbors and Navigation Code Section 6.0.5.5 and see what the Commission may do to change it to custom fit the District. Motion seconded by Lundie.

Motion carried by 5 ayes, 0 nays. Matter continued to February 4, 2004.

Consent Calendar

All items on the consent calendar are approved by one motion unless a request is made 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.

2 TITLE: **Minutes of December 3, 2003 Meeting**
RECOMMENDATION: Approval

3 TITLE: **Minutes of January 7, 2004 Meeting**
RECOMMENDATION: Approval

Action: Motion by Parravano to approve items 2 and 3 with the following abstentions from item 3. Motion carried 5 ayes, 0 Nays on item 2, and 2 ayes, 3 abstentions on item 3.

Public Hearing - None

New Business

- 4 TITLE: **Title Reports for District Properties Needed as Exhibits to Loan Restructuring Agreement with Department of Boating and Waterways**
- RECOMMENDATION: Obtain Title Property Reports Working With the District Counsel in an Amount not to Exceed \$5,500

Action: Grenell stated this is the last requirement from the Department of Boating and Waterways in regard to the Loan Restructuring Agreement.

Campbell asked if this was for all the property the District owns. Grenell stated yes. Campbell stated the amount asked for each title report is too high; it should only be about \$450. She added there are title companies on the coast that may offer a better rate to the District. Campbell gave the names of two local places to contact for the reports.

Grenell requested the Board approve this item with an amended amount for the titles.

Motion by Campbell, second by Lundie to approve moving forward on obtaining the title reports for an amount of approximately \$450 for each. Motion carried by 5 ayes, 0 nays.

Continued Business – continued

- 5 TITLE: **Pillar Point Harbor Security Measures**
- RECOMMENDATION: To Be Determined

Action: Grenell stated this item appears on the agenda due to public request for increased security measures in and around Pillar Point Harbor. Staff had been working on this prior to the public's comments. The security funding is in the existing budget. Staff recommends approving the bid specifications and direct staff to advertise for purchase and installation.

Campbell added that users of the Harbor have expressed concern with cameras on the docks. They feel it will have a "big brother" effect on their privacy. Draper stated the cameras would not be on the docks, they would be on the building and only have a sweeping view of the docks, from a distance. Nonetheless, it was requested to have the words "monitor the docks" removed from the staff report.

Motion by Campbell, second by Padreddii to approve the specifications and direct staff to advertise for purchase and installation. Motion carried by 5 ayes, 0 nays.

6 TITLE: **Change Order # 4 for Zeiger Engineers, Inc.:
Oyster Point East Basin Parking Lot Lighting
Engineering**

RECOMMENDATION: Approve Change Order # 4 in an Amount Not to Exceed \$5,600.00

Action: Johnson presented a brief report on this item. Staff recommends approving Change Order #4 in an amount not to exceed \$5,6000.

Motion by Campbell, second by Lundie to approve Change Order #4 in an amount not to exceed \$5,600.00. Motion carried by 5 ayes, 0 nays.

7 TITLE: **Request for Proposals for Oyster Point
Marina/Park Fishing Pier Repair: Engineering
Services**

RECOMMENDATION: Authorize Staff to Prepare and Issue Request for Proposals for Oyster Point Marina/Park Fishing Pier Repair

Action: Johnson presented a brief report on this item and requesting approval for the publication of the Request for Proposals.

Motion by Padreddii, second by Campbell to authorize staff to prepare and issue Request for Proposals for Oyster Point Marina/Park fishing pier repair. Motion carried by 5 ayes, 0 nays.

8 TITLE: **Vacuum Sewer Pit Construction Management
Services/Geotechnical Services: Northgate
Environmental Management Inc.**

RECOMMENDATION: Authorize Payment in the Amount of \$14,674.70 for Construction Management/Geotechnical Services With Northgate Environmental Management Inc.

Action: Johnson presented the report on this item. Campbell asked if this amount being requested was in the existing budget. Johnson stated \$88,000 was approved in the 2000/2001 budget and the funds were put in reserve at that time. She stated they should show up on the existing budget. Johnson stated he would then request they show on the current budget for capital improvements.

The Board will still have to approve the expenditure. Campbell wanted to know where the transfer will come from. Grenell requested this item be tabled while Johnson could show where the funds would come from on the budget and come back to it.

Request granted.

- 9 TITLE: **Milestone 1 Progress Report From Consultant
Jan Schroeder: Management Staff Coaching**
RECOMMENDATION: To Be Determined

Action: Jan Schroeder, of Jan Schroeder Consulting, gave a brief summary of the report she presented to the Board. Schroeder stated she is now ready to move forward with her consulting project. She has plans to meet with the 2 Harbormasters and Director of Finance to enhance their working relationship. She will continue to work with the General Manager and help him with his priorities and coaching the Director of Finance.

Ms. Schroeder states she feels that the General Manager has made progress in his leadership of the harbor.

Campbell asked what type of improvements has Ms. Schroeder has seen. She stated she has seen some of the improvements in the communications of staff members. Schroeder stated some of the issues that show improvement cannot be discussed in an open session forum.

Campbell asked what she has on her agenda for the next stretch of her services. Schroeder stated she would like to see closure on some of the issues, to see job performances improve and assist employees with getting past certain issues.

- 10 TITLE: **Establishment of an Assistant General
Manager/Human Resources Manager
Classification**
RECOMMENDATION: To Be Determined

Action: Lundie stated that some time ago both 10 and 11 on tonight's agenda were voted down. He wanted to know why they were brought back to the Board.

He questioned Zafferano if it was true they had to be voted back on by the majority of the voters when it was first voted on. Zafferano stated that procedure is from Robert's Rules of Order, and he is unsure if the District has formally adopted Robert's Rules of Order as its rules of orders. He stated that if Robert's Rules of Order are followed Lundie's statement is correct.

Tucker stated the District does subscribe to Robert's Rules of Order. He stated these items came to be back on the agenda as a result of the evaluation of the General Manager in Closed Session.

Lundie stated whether or not it was discussed in Closed Session he said it needed to be handled by one of the majority vote casters suggested it return for consideration. Tucker stated the title is changed on item 11 and it had not been discussed before.

Zafferano suggested the Board go back and take up item 8 on the agenda while he reviewed Robert's Rules of Order. It was agreed to do this.

11 TITLE: **Relocation of District Administration Unit**
RECOMMENDATION: To Be Determined

Action: This item was also being postponed until later in the meeting with item 10.

8 TITLE: **Vacuum Sewer Pit Construction Management Services/Geotechnical Services: Northgate Environmental Management Inc.**
RECOMMENDATION: Authorize Payment in the Amount of \$14,674.70 for Construction Management/Geotechnical Services With Northgate Environmental Management Inc.

Action: This item was postponed from earlier in the meeting.

Johnson stated he would do an internal department reallocation of funds from his budgeted dredging engineering for this item. Tucker requested Johnson only transfer the exact amount from the dredging engineering fund to this project. Johnson stated he is going to have to restructure his capital improvements to allow him to continue with the gatehouse project.

Tucker asked Campbell if this was sufficient for her. She stated yes.

Motion by Tucker, second by Campbell to authorize payment in the amount of \$14,674.70 for Construction Management/Geotechnical Services with Northgate Environmental Management Inc. with the approval of the transfer of funds from the dredging budget. Motion carried by 5 ayes, 0 nays.

12 TITLE: **Bills and Claims in the Amount of \$1,016,725.01 from Board Meeting of January 7, 2003**
RECOMMENDATION: Approval

Action: Marks stated she reviewed the Bills and Claims.

Motion by Tucker, second by Lundie to approve the Bills and Claims in the amount of \$1,016,725.01. Motion carried by 5 ayes, 0 nays.

New Business

- 13 TITLE: **Bills and Claims in the Amount of \$ \$122,888.79
(current)**
RECOMMENDATION: Approval

Action: Parravano stated he had reviewed the Bills and Claims and found them to be in order.

Motion by Parravano, second by Campbell to approve the Bills and Claims in the amount of \$122,888.79. Motion carried by 5 ayes, 0 nays.

Reports for Possible Discussion/Action

Administration and Finance

14 General Manager Grenell

Action: Grenell stated he had nothing to add to his written report.

15 Director of Finance Marks

Action: Marks stated she has provided a draft budget schedule for the Board to review.

She also stated she is working on the collections procedures and wanted to note that at this time there is only one entry in the 90-day category at Oyster Point Marina.

Campbell asked if the collections policy she read is ready to come back to the Board for review. Marks stated it is a procedure and only requires the General Manager's approval. Campbell asked that the Finance Committee meet and review the procedure before it goes into effect. Marks stated she would set up a meeting.

Operations

16 Oyster Point Marina/Park — Johnson

Action: Johnson stated a written letter from Club Nautique has been received showing their interest in a lease with the District. He stated he would provide more information as it becomes available.

17 Pillar Point Harbor — Draper

Action: Draper stated he had nothing to report but would take any questions.

Campbell asked how the crab season has been going. Draper stated crabbing has slowed down a little bit. The weather has been a little tough. A few drag boats have been fishing for Halibut.

Items 10 and 11 were taken up at this point of the agenda.

10 TITLE: Establishment of an Assistant General Manager/Human Resources Manager Classification
RECOMMENDATION: To Be Determined

11 TITLE: Relocation of District Administration Unit
RECOMMENDATION: To Be Determined

Action: Zafferano stated in respect to item 11 that it would have to be voted to be placed on the agenda by a motion of one of the majority voters. Zafferano stated he is not sure at this time of the vote outcome from the first time it was placed on the agenda.

Tucker suggested postponing these two items until further voting research could be done. The Board agreed. Items 10 and 11 continued.

Board of Harbor Commissioners

18 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.

Action: Lundie requested a copy of the lease of the fire department. Grenell stated he would provide a copy to all the Commissioners.

Campbell requested an item be placed on the agenda for discussion on the first meeting in March. The item is in regard to a proposed coffee kiosk in the Pillar Point Harbor area.

Continued Business - continued

19 TITLE: **Identify Labor Negotiator Pursuant to Government Code §54957.6**

RECOMMENDATION: Identify General Manager Peter Grenell as District Labor Negotiator

Action: Grenell was identified as the labor negotiator for the following Closed Session item.

Motion by Lundie, second by Padreddii to go into closed session.

Break taken at 8:30 p.m.

Closed Session began at 8:30 p.m.

Closed Session

20 TITLE: **Conference with Labor Negotiator Pursuant to Government Code § 54957.6: Operating Engineers Local 3**

RECOMMENDATION: To Be Determined

21 TITLE: **Public Employee Performance Evaluation:
General Manager Pursuant to Government
Code §54957**
RECOMMENDATION: To Be Determined

**Motion by Lundie, second by Parravano to resume to open session at
9:22 p.m.**

Action: No reportable action.

Adjournment

Motion by Parravano, second by Lundie to adjourn the meeting. Meeting adjourned by unanimous vote at 9:23 p.m.

APPROVED BY:

ATTESTED BY:

James J. Tucker
President

Beverly Fontana
Deputy Secretary