

**San Mateo County Harbor District
Board of Harbor Commissioners
Meeting Minutes**

**June 1, 2005
7:00 p.m.**

**Coastside County Water District
766 Main Street
Half Moon Bay, California**

Campbell called the meeting to order at 7:00 p.m.

Roll Call

Commissioners

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

Staff

Peter Grenell, General Manager
Eileen Wilkerson, Human Resources Manager
Robert Johnson, Harbormaster
Dan Temko, Harbormaster
Michele Shahrok, Deputy Secretary
Marc Zafferano, District Counsel

**Public Comments/Questions — Public and Staff
Recognition**

The Public may directly address the Board of Harbor Commissioners for a limit of three minutes, unless a request is granted for more time, on any item of public interest within the subject matter jurisdiction of the San Mateo County Harbor District, Board of Harbor Commissioners that is not on the regular Agenda. If a member of the public wishes to address the Board on an Agenda Item, that person must complete a Public Speaker Form and wait until that Item comes up for discussion. Agenda material may be reviewed at the administration offices of the District, 400 Oyster Point Blvd., Suite 300, South San Francisco, CA 94080.

Persons requiring special accommodation with respect to physical disability are directed to make such requests per the Americans With Disabilities Act to the Deputy Secretary to the Board at 650-583-4400.

Grenell stated that, after eight years, patience finally paid off and we have received the fully executed Department of Boating and Waterways Loan Restructuring Agreement. The new berth and facilities project will start soon when the project Ad Hoc Committee is convened.

Temko praised the Pillar Point crew for their work over the busy Memorial Day weekend. He received a letter from a couple of charter boat passengers who had had too much to drink and were escorted to their hotel by the harbor crew. The couple thanked the crew and apologized for their actions, stating that they felt the crew handled the matter very professionally.

Johnson advised that the Oyster Point Marina crew likewise worked commendably over the Memorial weekend during the halibut bite

Campbell advised that she continues to receive positive comments regarding the work dock. She thanked both harbor crews for doing a great job.

Peggy Beckett advised that the couple mentioned by Temko had come into her store and the couple said that the harbor crew had saved their lives by not allowing them to drive.

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.

- 1 TITLE: **Minutes of May 18, 2005 Meeting**
 REPORT: Draft Minutes
 PROPOSED ACTION: Approve Minutes

- 2 TITLE: **Records Destruction**
 REPORT: Staff Report, Resolution 11—05
 PROPOSED ACTION: Adopt Resolution 11—05 to Approve Destruction of District Records

- 3 TITLE: **Side Letter Agreement Amending the Memorandum of Understanding Between San Mateo County Harbor District and Operating Engineers Local Union No. 3**
 REPORT: Memo, Side Letter Agreement
 PROPOSED ACTION: Approve Side Letter Agreement Amending the Memorandum of Understanding

Action: Campbell removed Item 4 to New Business.

Motion by Tucker, second by Lundie to approve Items 1-3. Motion carried by unanimous vote.

Continued Business

Campbell then took up Item 13.

- 13 TITLE: Johnson Pier Rehabilitation Project: Engineering and Construction Management Services**
- REPORT: Staff Report, Proposals
- PROPOSED ACTION: Approve and Authorize the General Manager to Execute a Contract with Moffatt & Nichol Engineers for Provision of Engineering/Construction Management Services in an Amount Not to Exceed \$171,588.00

Action: Grenell advised that the District received six proposals from firms wishing to undertake design and engineering and construction management for rehabilitating Johnson Pier. He and Temko interviewed four firms and recommend that Moffatt & Nichol Engineers be approved. The work will include survey of utility lines, water and pilings, and alternative recommendation for a solution.

Temko advised that though proposal review showed less proposed level of effort was associated with significantly less cost. The firm HPA dedicated roughly half the hours to planning and engineering of other firms, no hours permitting, and two-fifths the hours for construction management. Temko said it is very important to have a knowledgeable engineer on the job consistently, and it appears that HPA would provide less oversight of the project. With Moffatt & Nichol, the engineers actually have a three-person dive team. They have in-house expertise and do not sub-out any of the work so that there will be one firm answerable for the job. They have done work for the Harbor before.

Lundie asked how much was budgeted for the project? Temko advised that the entire amount budgeted was \$854,750 for the repair work, including \$29,000 for survey of the underside and pilings, leaving the rest for construction.

Campbell asked who oversaw the last fiasco? Temko advised that it was Concept Marine and Grenell advised they did not submit an offer this time.

Motion by Tucker, second by Lundie to award the contract for the Johnson Pier Rehabilitation Project to Moffatt & Nichol for \$171,588. Motion carried by 5 Ayes, 0 Nays.

Jim Brady, Moffatt & Nichol Senior Structural Engineer, was in the audience and thanked the Board and advised that it was an honor to be selected.

- 12 TITLE: Preliminary Operating and Capital Budget for**

FY 2005-2006: Review and Comment

REPORT: Adjusted Preliminary Capital and Operating Budget for
FY 2005-2006
PROPOSED ACTION: To Be Determined

Action: Campbell asked for any comments from the Commission. Receiving none, she stated that the Final Budget will be acted upon at the next Commission meeting.

New Business

4 TITLE: **Bank Account Signatures**
REPORT: Memo, Resolution 12—05,
Policy and Procedure
PROPOSED ACTION: Adopt Resolution 12—05 and Approve
Policy and Procedures

Action: With regard to Page 3, paragraph 5, Tucker questioned line 4 that reads, in pertinent part, "...require one live signature..." Wilkerson advised that she copied that from the policy manual. Tucker advised that it should read "...requires two signatures..."

With regard to paragraph 6, Tucker recommended eliminating the paragraph. advised that there are four officers on the Board but they rotate and that it may be more efficient for all five Commissioners to be signatories. Tucker recommended this be done. Grenell said he will bring the Item to the next meeting. Campbell advised to change "officer" to "duly elected Commissioner".

Motion by Tucker, second by Padreddii to adopt Resolution 12-05 as amended. Motion carried by 5 Ayes, 0 Nays.

5 TITLE: **Passenger Service Fee Waiver for Captain's
Kids' Fishing Program Trips**
REPORT: Letter, Attachment
PROPOSED ACTION: Approve Fee Waiver

Action: Temko said the Coastside Fishing Club is proposing having a kids' fishing program to reach out to the children of members of the Armed Services in the Iraq, Afghanistan and Bosnia conflicts. It would include a free barbeque on Perched Beach and the area would be cordoned off. It would be a noncommercial activity where no permit would be required and it would be good for business. They ask for a fee waiver.

Peggy Beckett of Huck Finn Sport Fishing addressed the Board. She advised that they want to have fishing trips for children of parents whose units have been to Iraq or are going or are training people who will be going. The boats are waiving their passenger fees. She said the May

trip had to be cancelled because of weather. She would like the Board to approve waiving the fees for these trips. There will be a barbeque on Sunday, June 5 at 2:30 p.m. and she invited the Commissioners.

Parravano suggested that the Harbor Commission acknowledge the service of veterans to this country and our gratefulness, through a written document handed to the veterans and children. He said that acknowledgement would be important for the children as part of families that are going through hardships.

Campbell asked Grenell to draft a Proclamation and show it to Parravano. Grenell pointed out that, since the event would be held the coming Sunday, there would not be time for all of the Commissioners to review it. Campbell advised she would sign it if none of the others could.

Temko advised there would be a total of five free trips. Peggy Beckett advised there will be three boats this weekend. Padreddii said he is very supportive of the veterans and children. Tucker advised he would go to the barbecue.

Motion by Lundie, second by Tucker, to defer the normal passenger fees for a series of fishing trips and to allow the use of Perched Beach for the barbeque. Motion carried by unanimous vote.

- 6 TITLE: Renew Limited Commercial Activity Permit for Tom Mattusch, Coastside Fishing Club, Vagabundos Del Mar, Wilderness Unlimited**
- REPORT: Limited Commercial Activity Permit Application
- PROPOSED ACTION: Approve Renewal of Limited Commercial Activity Permit for Tom Mattusch, Coastside Fishing Club, Vagabundos Del Mar, Wilderness Unlimited

Action: Campbell pulled this Item from the Agenda because the second part of the documentation was only able to be provided to the Board at the start of tonight's meeting. The Item will be heard at the next Commission meeting.

- 7 TITLE: Rates and Fees Schedule for FY 2005-2006**
- REPORT: Memo, Resolution 13-05 Rates and Fees Schedule
- PROPOSED ACTION: Adopt Resolution 13-05 to Approve Rates and Fees Schedule for FY 2005-2006

Action: Motion by Tucker, second by Parravano to adopt Resolution 13-05 approving the Rates and Fees Schedule for FY 2005-2006. Motion carried by 5 Ayes, 0 Nays.

- 8** TITLE: **FY 2005-2006 Audit Services**
REPORT: Memo, Resolution 14-05
PROPOSED ACTION: Adopt Resolution 14-05 Authorizing General Manager to Execute a Contract with Birnbaum & Co. for Audit Services for Fiscal Year 2005-2006 in an Amount Not to Exceed \$17,680.00

Action: Grenell advised that the District received and evaluated three audit proposals for FY 2005-2006. She said that Leonard G. Birnbaum and Co. presented the lowest offer in an amount not to exceed \$17,680.

Campell asked if the Treasurer was involved in the review and selection process. Grenell responded that he was not. Campbell said, in the future, to have the Treasurer involved.

Motion by Padreddii, second by Lundie to adopt Resolution 14-05 authorizing the General Manager to execute a contract with Birnbaum & Co. for audit services for Fiscal Year 2005-2006 in an amount not to exceed \$17,680.00, Motion carried by 5 Ayes, 0 Nays.

- 9** TITLE: **Video Surveillance System for Oyster Point Marina/Park**
REPORT: Staff Report
PROPOSED ACTION: Approve Purchase of a Video Surveillance System for Oyster Point Marina/Park in an Amount Not to Exceed \$8,524.68

Action: Johnson requested that this Item be pulled from the Agenda. He advised he is not comfortable with his initial recommendation and needs to do more research.

- 10** TITLE: **New Computer Server for Pillar Point Harbor**
REPORT: Staff Report
PROPOSED ACTION: Approve Purchase of New Computer Server in an Amount Not To Exceed \$14,000.00

Action: Wilkerson advised that Irvine Consulting Services has been assisting with planning an upgrade for the server at Pillar Point Harbor in order to facilitate more effective and efficient computer operations. She said that the day before, the main server at the Administrative Office went down, which lost 12 to 25 hours worth of work. Oyster Point Marina also went down because they are on a wireless connection to the Administrative Office.

Parravano asked if a Request For Proposals had been done. Wilkerson said it had not. Campbell asked if this was the best the District could do at the best price. Wilkerson responded that Irvine Consulting is giving a bulk discount. The estimate for the equipment is \$10,000 to \$12,000 so the total \$14,000 price tag is very good.

Wilkerson asked whether the Board wanted her to bring the Item back on June 15. Lundie said because both facilities were down, to go with Irvine now. Padreddii agreed. Wilkerson said she would have Irvine obtain other quotes in any case. Wilkerson advised that the main server, two hard drives and the backup all froze and Irvine does not know why. Korbett Cockrell of Irvine Consulting was at the office until 8:00 p.m., could not fix the problem, and had to take the hard drives to Emeryville, where they backed up from midnight Monday evening until 10:00 a.m. Tuesday.

Motion by Lundie, second by Tucker to approve purchase of a new computer server in an amount not to exceed \$14,000.00. Motion carried by 5 Ayes, 0 Nays.

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| 11 | TITLE: | Bills and Claims in the Amount of \$56,447.30 |
| | REPORT: | Bills and Claims Detailed Summary |
| | PROPOSED ACTION: | Approve Bills and Claims for payment and a transfer in the amount of \$56,447.30 for payment of the Bills and Claims |

Action: Tucker advised that he had reviewed the bills and claims. Motion by Tucker, second by Padreddii to approve bills and claims for payment and a transfer in the amount of \$56,447.30 for payment of the bills and claims. Motion carried by 4 Ayes, 1 Nay (Lundie).

14 General Manager Grenell

Action: Campbell asked Grenell to comment on the pollution question at Pillar Point. Grenell added to his written report that there is a chronic high coliform count at Pillar Point Harbor, at the mouth of the storm drain, west of Barbara's Fishtrap restaurant. He has been in touch with the Regional Water Quality Control Board and Supervisor Gordon's office, which has been aware of the problem for some time. On Friday, June 3, a group of visiting mayors will be at Pillar Point Harbor as part of UN World Environment Week. Grenell advised that he will push the RWQCB to issue a letter to the County and/or Granada Sanitary District to solve the problem, and will keep the Board apprised at future meetings.

15 Director of Finance – There is no Director of Finance.

Campbell asked about the Director of Finance position. Wilkerson advised that the first Technical Panel interviews were the next day.

- 16 Human Resource Manager Wilkerson** - Wilkerson advised that Harbor Worker B testing is June 9 and that the new Accounting Specialist is going through her pre-employment background check.

Operations

17 Oyster Point Marina/Park — Johnson

Action: Johnson advised that, on June 22, Deputy Harbor Master Gubser will be presenting a water safety public education program at Pacifica. All are invited. There will be a press release Monday or Tuesday of the next week. The Pacifica community is providing free advertising.

18 Pillar Point Harbor — Temko

Action: Temko referred to the attachment to his report, a May 24, 2005 letter from Coastside Fishing Club requesting a permit to hold their annual Salmon Derby on June 25, 2005, at Perched Beach. The derby benefits the Coastside Fishing Club and brings a lot of boats into the harbor. The derby places little demand on staff. The Club brings dumpsters and members police themselves. They do not need a permit but would like a “nod” from the Commissioners. There were no objections from the Commission.

Board of Harbor Commissioners

- 19**
- A. Committee Reports
Tucker stated the Fire District Lean Committee will report 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.

Action: Parravano distributed a report submitted by a group called Sustainable San Mateo County. The group wants Parravano to be part of an advisory committee. He asked the Board whether they could give a presentation. Campbell said to put the Item on the July 6 Agenda. Parravano advised the group had positive things to say about the two harbors.

Campbell advised that on June 15, the Board will meet in Closed Session to review Grenell and complete his performance evaluation since his contract ends August 31, 2005.

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

Board of Harbor Commissioners

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.

Action: Lundie inquired as to the status of ordering business cards. Shahrok distributed a prepared form for the Commissioners to complete and return, advising what information they want on the cards.

Motion by Tucker, second by Lundie to adjourn to Closed Session. Motion carried by unanimous vote at 7:56 p.m.

Closed Session

- 21 TITLE: **Conference with Real Property Negotiator: Parcel #AP 047-264-030, El Granada, San Mateo County, San Mateo County Harbor District and Half Moon Bay Fire Protection District, Regarding Lease or Sale Price, Terms, and Conditions Pursuant to government Code § 54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined
- 22 TITLE: Identify Real Estate Negotiator Pursuant to Government Code § 54956.8
REPORT: Zafferano
PROPOSED ACTION: Identify Real Estate Negotiator Peter Grenell

Action: Zafferano stated there was no reportable action from Closed Session.

Adjournment- Motion by Tucker, second by Lundie to adjourn the meeting. Motion carried by unanimous vote at 7:57 p.m.

APPROVED BY:

ATTESTED BY:

Sally Campbell
President

Ken Lundie
Secretary

Michele Shahrok
Deputy Secretary