

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

**March 17, 2004
7:00 p.m.**

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

Roll Call

Commissioners

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

Staff

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

Public Comments/Questions — Public and Staff Recognition

Pillar Point Harbormaster Temko commended Deputy Harbormaster Randy Bankord for his quick response to an incident in the early morning hours in regard to a vessel taking on water. He elaborated on the incident for the Board. Board President Padreddii requested a letter of commendation be placed in Mr. Bankord's personnel file. Temko agreed and stated he would.

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consent calendar are approved by one motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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 March 17, 2004 Meeting**
RECOMMENDATION: Approval

Action: Parravano requested removing item 1 for discussion.

- 2 TITLE: **Extension of Approved Certified Employment List for Deputy Harbormaster A**
RECOMMENDATION: Extension of Deputy Harbormaster A Certified Employment List for Six Months

Action: Grenell stated he would like to remove item 2, stating the need for extension is no longer needed. No objection by the Commissioners.

Item 1 was now discussed:

- 1 TITLE: **Minutes of March 17, 2004 Meeting**
RECOMMENDATION: Approval

Action: Parravano stated there was an amendment to the minutes that was provided this evening. He requested the minutes be approved reflecting the amendment.

No objection from the Commissioners.

Motion by Lundie, second by Tucker to approve the minutes of March 3, 2004 with amendment. Motion carried by 4 ayes, 0 nays, 1 abstention (Campbell).

New Business

- 3 TITLE: **Harbor Commission Committee Assignments**
RECOMMENDATION: Announce Committee Assignments

Action: Padreddii stated he would like to keep the committee assignments the same as last year. He requested that any Commissioner not pleased with the assignments contact him and he will take it into consideration.

Lundie stated he objected to the committee assignments and stated he will put his objection in writing.

Padreddii stated the Committee Assignments are now approved.

Public Hearing - None

Continued Business

- 4 TITLE: **FY 2004-05 Budget Discussion**
RECOMMENDATION: To Be Determined

Action: Grenell stated a formal budget workshop is scheduled for April 21, 2004, and the copy of the draft budget will allow the Board time to review and make suggestions and allow staff to prepare responses for the workshop.

Tucker requested all the Commissioners get a copy of the health care memo for discussion at the workshop. Tucker also stated he wanted to go over capital projects line by line at the workshop.

Parravano requested complete comparison of the Business Plan with the Budget for the workshop.

Campbell concurred with Parravano on the Business Plan comparison with the Budget. Campbell requested a new column be added to show the actuals expenditures of FY02/03 in percentages. Campbell also requested a formal presentation of the budget for the Board either by graphs, spreadsheets or an oral presentation.

Lundie stated that he would like to see the liveboard rates the same at both harbors. Lundie asked for figures to be supplied in regard to increasing Oyster Point Marina's liveboard fees and decrease of Pillar Point Harbor's liveboard fees and the loss, if any, it would cause. Padreddii stated he is not in favor of increasing the fee at Oyster Point Marina/Park.

Harbormaster Johnson requested permission to issue a memo stating his request to have the fees remain the same this fiscal year and present it to the Board to review before the workshop. Campbell stated that was fine.

Campbell also questioned the Rates and Fees Schedule reflecting the mooring charge that had not been Board approved yet.

Grenell stated a presentation of the budget is a good idea and staff will be able to address more questions at the workshop.

Padreddii suggested the Board call or stop by to speak to staff with questions so that they may be ready with answers before or at the workshop.

- 5 **TITLE:** **Oyster Point Marina/Park East Basin Gatehouse and Gate Renovation Project: East Basin Gatehouse Fabrication and Construction**
- RECOMMENDATION:** Approve Re-Bidding of the Oyster Point Marina/Park New Gate House and Gate Renovation Project for Gatehouse Construction and Gate Fabrication

Action: Grenell deferred this item to Harbormaster Johnson for report presentation.

Johnson requested re-bidding of this project. He stated he would postpone the paving of the East Basin Parking Lot to get the East Basin Gatehouse project completed. He added that security for the berthers will improve when this project is complete.

Tucker asked if the pavement will hold up for another winter in the East Basin. Johnson stated yes with possibly only some minor repairs.

Motion by Tucker, second by Lundie to approve re-bidding of the Oyster Point Marina/Park new Gatehouse and Gate Renovation for Gatehouse construction and gate fabrication. Motion carried by 5 ayes, 0 nays.

- 6 **TITLE:** **Engineering Services Contract Award for Oyster Point Marina/Park Fishing Pier Repair**
- RECOMMENDATION:** Authorize Staff to Execute a Contract with Concept Marine Associates in an Amount Not to Exceed \$32,725 to Provide Engineering Services for Fishing Pier Repair

Action: This item was also deferred to Harbormaster Johnson for report presentation.

Johnson stated he received 9 proposals for this project, and after interviewing 3 of the proposers he is recommending executing a contract with Concept Marine Associates.

Motion by Campbell, second by Lundie to authorize staff to execute a contract with Concept Marine Associates in an amount not to exceed \$32,725 to provide Engineering Services for fishing pier repair. Motion carried by 5 ayes, 0 nays.

New Business

7 TITLE: Emergency Disposal of Sunken Vessels at Pillar Point Harbor

RECOMMENDATION: Direct Staff to Contract with Tiger Divers for an Amount not to Exceed \$7,949.00 to Dispose of the Derelict Vessels

Action: Temko presented the report on this item. Temko added the Department of Boating and Waterways abatement fund would reimburse the District for 90% of the cost for disposing the vessels.

Campbell asked if the vessels had dislodged from moorings. Temko stated yes.

Motion by Campbell, second by Tucker to contract with Tiger Divers for an amount not to exceed \$7,949 to dispose of two derelict vessels. Motion carried by 5 ayes, 0 nays.

8 TITLE: Commercial Activity Permit Application: Manuel Escobar, Gravy Sportsfishing Charter

RECOMMENDATION: Approve Commercial Activity Permit and License Agreement for Manuel Escobar, Gravy Sportsfishing Charter

Action: Grenell presented the report on this item. Mr. Escobar has provided all the necessary information with his application.

Motion by Tucker, second by Lundie to approve Commercial Activity Permit and License Agreement for Manuel Escobar, Gravy Sportsfishing Charter. Motion carried by 5 ayes, 0 nays.

9 TITLE: Purchase of Tractor for Oyster Point Marina/Park Landscape Maintenance

RECOMMENDATION: Authorize Staff to Purchase a Tractor with Necessary Attachments in an Amount Not to Exceed \$9,500

Action: Harbormaster Johnson stated the staff would like to purchase a tractor to maintain the large areas of land at Oyster Point Marina. The tractor and its attachments will allow the Oyster Point Marina/Park crews to avoid renting a backhoe when one is needed and mow the areas not covered by the contractor landscaping company.

Johnson stated staff has been looking at used tractors and is requesting approval to purchase a tractor.

Commissioner Campbell asked about the ongoing contract with a landscaping company the District has and how this will affect them. Johnson stated the landscaping contractor does not maintain all of the areas, only along the promenade. Campbell asked how much the landscaping contract is costing the District. Johnson stated \$21,000 a year. Johnson added that even with our landscaping contract staff still maintains quite a bit of the property on their own. The purchase of the tractor will allow staff to maintain their share in a more efficient manner and less time.

Johnson mentioned the possibility of hiring a Harbor Worker to maintain the property with the tractor and canceling the contract with the outside landscaping company, thus saving the District the \$21,000.

Campbell stated she would support the purchase of the tractor if in fact the outside contract for landscaping was discontinued and staff performed the maintenance.

Padreddii stated he does not agree with canceling the landscaping service until the area is guaranteed to be kept up by staff.

Motion by Campbell to approve the purchase of the tractor with the proviso that the Board receives at the next meeting a proposal for an additional staff member to work on a 40 hour a week basis to cover all the property maintenance in question and letting go of the outside landscaping contractor. She also requested a spreadsheet showing the justification of the purchase of the tractor.

This motion received no second.

Motion by Tucker, second by Lundie to authorize staff to purchase a tractor with necessary attachments in an amount not to exceed \$9,500.

Parravano, based on the comments by Campbell, stated he too would like a little more information on the in-house maintenance of the property being discussed before approving the purchase of the tractor.

Padreddii stated if this motion passes he is directing staff to discuss presenting more information on in-house maintenance of the property.

Padreddii called for the question. Harbormaster Johnson wanted to make a comment but the call for the question remained.

Roll call began. Motion carried by 1 nay (Campbell). Lundie presented a Point of Order and asked the District's Counsel if Johnson should not be allowed to state his comment. Lundie stated he would like to hear the comment Johnson had to make

since it might be something he would take into consideration when placing his vote. Zafferano stated the President could call for the question at any time he feels ready.

Padreddii did allow Johnson to present his comment. Johnson stated he would like to further investigate the in-house issue and present it to the Board before a complete vote being taken on this item.

Tucker withdrew his motion and Lundie withdrew his second.

Johnson would provide the information requested and this item will be continued to the next agenda, stating he wanted all Commissioners please with the item.

10 TITLE: Bills and Claims in the Amount of \$103,636.88
RECOMMENDATION: Approval

Action: Tucker stated he reviewed the Bills and Claims and has two amendments to make. The amendments are the removal of \$235.93, and the addition of \$4,471.33. The amended amount to be approved is now \$107,872.28.

Motion by Tucker, second by Parravano to approve the amended Bills and Claims in the amount of \$107,872.28.

Campbell asked what Tucker's amount of \$588.66 is for in the Bills and Claims. Tucker stated it is medical reimbursement.

Motion carried by 3 ayes, 2 nays (Campbell, Lundie).

Reports for Possible Discussion/Action

Administration and Finance

11 General Manager Grenell

Action: Grenell stated he has supplied additional information as requested by Commissioner Campbell in regard to the Post Office Lot in his written report.

12 Director of Finance Marks

Action: Marks had nothing to report.

Operations

13 Oyster Point Marina/Park — Johnson

Action: Johnson stated he had nothing to add to his report but would take questions.

Campbell asked about fuel status at Oyster Point Marina/Park. Johnson stated fuel is flowing and vessels are returning to fuel up at marina. Campbell suggested Johnson call some of the other Harbors and alert them to the fact that Oyster Point Marina/Park's fuel dock is up and running. Johnson stated that was a good suggestion.

14 Pillar Point Harbor — Temko

Action: Temko stated occupancy is steady at 95% and he had nothing else to report but would take questions.

Board of Harbor Commissioners

15 A. Committee Reports

Action: No 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: Parravano thanked Harbormaster Johnson for his understanding of the Commissioner's requests and comments on item #9. He appreciated that Johnson is willing to consider cooperation of all the Commissioners on the item. Campbell concurred with Parravano.

Duncan MacLean, President of the Half Moon Bay Fishermen's Marketing Association, addressed the Board at this time. Mr. MacLean stated the Pacific Coast Federation of Fishermen's Association, which is the parent association of the Marketing Association, is having a "get to know them" drive to reintroduce the association to the community.

MacLean requested permission of the Board to attend and present the presentation at the District's April 21, 2004 Board meeting. He added the time is limited for them to attend and present their program since salmon season opens on May 1st.

Campbell requested the General Manager place the presentation on the April 21, 2004 agenda.

MacLean also asked for a support letter to the Legislatures for a bill to limit the quantity of crab pots allowed per season.

Parravano added this bill is sponsored by and the letter of support should be addressed to Assemblyman Mark Leno.

Grenell stated he could meet with Mr. MacLean and get the letter of support together and mailed before he leaves for Washington D.C. on Monday, the 22nd.

Continued Business - continued

- 16 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 District's labor negotiator for the following Closed Session item.

Motion by Lundie, second by Campbell to adjourn to Closed Session. Motion carried by unanimous vote at 8:26 p.m.

Closed Session began at 8:45 p.m.

Closed Session

- 17 TITLE: **Conference with Labor Negotiator Pursuant to Government Code § 54957.6: Operating Engineers Local 3**
 AGENCY Peter Grenell
 NEGOTIATOR:
 RECOMMENDATION: To Be Determined

Action: No reportable action.

Parravano and Marks left the meeting at 9:30 p.m., with Parravano recusing himself from item 18.

**18 TITLE: Conference with Legal Counsel: Anticipated
Litigation, Initiation of Litigation (1 Case)
Regarding San Mateo County Harbor District
vs. Flinn Pursuant to Government Code
§ 54956.9(c)**
RECOMMENDATION: To Be Determined

Action: Mediation settlement agreement approved by a 4 aye, 0 nay, 1 recused (Parravano) vote.

Motion by Tucker, second by Campbell to reconvene to Open Session. Motion carried by a unanimous vote at 9:40 p.m.

Adjournment

Motion by Tucker, second by Campbell to adjourn the meeting. Motion carried by a unanimous vote at 9:41 p.m.

APPROVED BY:

ATTESTED BY:

Leo Padreddii
President

Beverly Fontana
Deputy Secretary