

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

**June 4, 2003
7:00 p.m.**

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

Roll Call

Commissioners

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

*absent

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**

Harbormaster Temko commended his staff for their ability to continue to do the necessary duties of maintaining the harbor with 3 of the patrolmen out due to medical reasons.

Don Coats has been doing a great job as Acting Harbormaster while Draper is out recovering from back surgery.

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consent calendar are approved by one motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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 21, 2003 Meeting**
 RECOMMENDATION: Approval

- 2 TITLE: **Commercial Activity Permit for the Light
Up the Sky- 4th of July Fireworks**
 RECOMMENDATION: Approval

- 3 TITLE: **Commercial Activity Permit for Ronald
Bode: Live Bait Tank at Pillar Point
Harbor**
 RECOMMENDATION: To Be Determined

Action: Motion by Padreddii, second by Lundie to approve the consent calendar. Motion carried by 3 ayes, 0 nay, 1 absent, 1 abstention (Campbell).

Campbell requested pulling item 1, and Grenell requested pulling item 3, for discussion. Campbell stated she would like to abstain from item 1.

Motion by Campbell, second by Padreddii to approve **item 2**. Motion carried by unanimous vote.

- 3 TITLE: **Commercial Activity Permit for Ronald
Bode: Live Bait Tank at Pillar Point
Harbor**
 RECOMMENDATION: To Be Determined

Action: Grenell pulled this item for discussion. He stated not enough information was presented and there were questions about the actual activity.

Temko added a few other comments and stated the applicant was in the audience and could come forward to speak.

Ronald Bode of Pacifica addressed the Board. Mr. Bode explained his plans and took questions and direction from the Board.

This item needed more information and was continued to the next Board meeting.

Public Hearing

4 TITLE: **Ordinance Code Amendment Section 3.8.2: Pillar Point RV Lot**

RECOMMENDATION: Adopt Proposed Ordinance Code 3.8.2 to Pillar Point RV Lot

Action: Tucker declared the Public Hearing opened at 7:16 p.m. Grenell stated proper notice was given for this item. The amendment includes the following language: “ the operator of the RV Lot may request a temporary exemption from the provisions of this section. The Board of Harbor Commissioners shall hold a public hearing on the request, and it may grant the exemption for a specified length of time, subject to reasonable conditions.”

During Public testimony Greg Antone, representing KN Properties, addressed the Board. Antone wanted to reiterate that the public shall be noticed whenever any proposed amendment to the RV Lot ordinance comes to the Board.

Motion by Padreddii, second by Campbell to close the Public Hearing. Public Hearing closed at 7:23 p.m. by unanimous vote.

Motion by Padreddii, second by Campbell to adopt proposed Ordinance Code Section 3.8.2. Motion carried by 3 ayes, 1 nay (Lundie), 1 absent (Parravano).

Continued Business

5 TITLE: **Loan Restructuring with Department of Boating and Waterways**

RECOMMENDATION: Adopt Resolution 02 — 03 and Approve Loan Restructuring Agreement, Authorize President of the Harbor Commission to Execute the Agreement Documents, and Authorize General Manager to Forward Documents Pertaining to Oyster Point Marina/Park to the City of South San Francisco for Concurrence

Action: Grenell stated this item is still pending approval by the Department of Boating and Waterways (DBAW) of the final draft documents. He said there is a conference call with District Counsel, himself and DBAW scheduled on June 16, 2003.

Grenell added this item could then be brought back to the Board in July.

Campbell asked if this would delay the potential 40 berths project. Grenell stated yes.

The Board agreed to continue this item to July 2003.

6 TITLE: **Adopt Resolution 25 — 03 to Approve Rates and Fees Schedule**
RECOMMENDATION: Adopt Resolution 25 — 03

Action: Grenell presented the report on this item. He stated there were no major changes, but Temko provided a list of some changes he would like made.

Johnson stated for conformity he agrees with Temko's proposed changes for towing, adding the fish sales and dockside pump out charges. Johnson did have two suggested changes. One was to remove the wording "gratis anchoring" at Oyster Point Marina/Park and removal of the \$30.00 filing fee for leases, Commercial Activity Permits and Berthing applications. The suggested changes were noted by staff and will be made.

Motion by Campbell, second by Padreddii to adopt Resolution 25— 03 with mentioned amendments. Motion carried by 4 ayes, 0 nays, 1 absent (Parravano).

7 TITLE: **Adopt Resolution 26 — 03 to Approve Wage and Salary Classification Schedule**
RECOMMENDATION: Adopt Resolution 26 — 03

Action: Grenell presented the report on this item.

Campbell asked if the Wage and Salary rates on the schedule match the ones agreed to with the Unions. Grenell stated yes. Campbell requested the figures from last year's Wage and Salary Classification Schedule to compare to the current schedule.

Marks stated the increases in the FY2003/04 wages include COLA (1.4%), and an agreed upon 2.5% for the union members. Marks added the managers also have a COLA and the 2.5% in their contracts.

The General Manager's contract was not present to review, but Tucker asked if he, too, was entitled to the 2.5% also. Grenell stated he thought his contract states he receives what the Board agrees to give to the remaining District staff.

Motion by Padreddii, second by Lundie to adopt Resolution 26—03. Motion carried by 4 ayes, 0 nays, 1 absent (Parravano).

8 TITLE: **Preliminary Budget FY 2003-04**
RECOMMENDATION: To Be Determined

Action: Grenell stated this item is on the agenda to give the public and/or the Board a continued chance to discuss the budget. Grenell said a Comparison of Revenue sheet had been passed out to the Board as requested by Tucker.

Grenell requested an addition of \$6,000 for web site management. This would fall under the Administration/advertisement/promotion line item. The web page could be enhanced by an increased budget. Initially the amount was \$1,200, but did not allow money for the web page. Campbell concurred with Grenell and added web pages are a good source of information for the public. Campbell stated she would suggest a full \$10,000 for the web page. The line amount for Administration/advertisement/promotion would now read \$11,200.

The budget item will be continued until the June 18th meeting, at which time the Board will fix the Final Budget to the Board for adoption.

9 TITLE: **Pillar Point Harbor Restroom Redesign:
Update**
RECOMMENDATION: To Be Determined

Action: Grenell stated a response to the District's request for the use of the State Department of Parks and Recreation's restroom design has been received. Parks and Recreation has denied the use of the plans.

Grenell stated the District would have had to make changes on the plans, anyway in order to have them meet the needs of the District such as adding the laundry facilities.

It was suggested by staff that the District publish Request for Proposals (RFP) for the restroom design.

Motion by Campbell, second by Lundie to go out for Request for Proposals (RFP) for the restroom design. Motion carried by 4 ayes, 0 nays, 1 absent (Parravano).

Grenell added that the Restroom Committee would be kept informed of the outcome of the Request for Proposals process.

- 10 TITLE: **Princeton Boatyard Site Environmental Survey Request of Proposals (RFP)**
RECOMMENDATION: To Be Determined

Action: Grenell presented the report on this item.

Campbell stated she has had many coastside people approach her in regard to the boatyard. They expressed their concerns that it might close. She explained she told them there is no plan at this time for that and that the District and Commissioners are working on the future of the boatyard. She added the boatyard property is one that would be a good investment for the District.

Padreddii stated he felt the District should not purchase the boatyard since it is not a successful revenue generator for the District. He said that if someone were interested in running the boatyard it would be more feasible.

Campbell agreed with Padreddii in regard to the lack of revenue from the boatyard, but stated there are two different issues here, one being the purchase of property and the other the boatyard management. The District would not lose money on any land purchase on the coast.

Motion by Campbell, second by Lundie to publish a Request for Proposals for the Environmental Site Survey of the Princeton Boatyard property. Motion carried by unanimous vote.

New Business

- 11 TITLE: **Contract for Consultant Services with Jan Schroeder**
RECOMMENDATION: To Be Determined

Action: Tucker presented the report on this item. He stated the Administration/Personnel Committee (Parravano and himself) have met with Jan Schroeder and would like to contract with her once again to begin the evaluation of the General Manager.

Padreddii stated he felt comfortable with the past performance of Ms. Schroeder.

Campbell stated she felt Ms. Schroeder did not report on her last contract as she was instructed to do. Campbell felt contracting with her again without results and a report is something she could not vote on at this time. She stated she would like to ask questions of Ms. Schroeder before accepting her contract.

Lundie concurred with Campbell, stating he has not seen any changes from the previous contract.

Tucker suggested continuing this item to the next Board meeting. No objections were made and the item will appear on the June 18, 2003 agenda.

12 TITLE: **Bills and Claims in the Amount of
\$110,723.46**
RECOMMENDATION: Approval

Action: Tucker stated in the absence of Treasurer Parravano he had reviewed the Bills and Claims and finds them to be in order.

Motion by Tucker, second by Campbell to approve the Bills and Claims in the amount of \$110,723.46.

Campbell stated she had made the second for discussion purposes. She questioned an entry concerning Tucker. Tucker stated this entry is for health co-payment and deductibles as approved by a District resolution.

Both Lundie and Campbell stated they feel the resolution didn't state this was the case. Tucker stated it was. A copy of the resolution was not present to review.

Campbell requested this item and amount be removed from the Bills and Claims until the resolution could be reviewed.

Roll call on the motion was as follows; 2 ayes, 2 nays (Campbell & Lundie), 1 absent (Parravano).

Tucker stated the Bills and Claims need to be paid and will not be paid with the failure of the motion.

Grenell requested the Commissioners approve the Bills and Claims so that the District's financial obligations can be addressed.

Motion by Tucker, second by Padreddii to approve the Bills and Claims in the amount of \$110,723.46. Once again roll call on the motion was as follows; 2 ayes, 2 nays (Campbell & Lundie), 1 absent (Parravano).

Motion by Campbell, second by Lundie to approve the Bills and Claims minus the amount of Tucker's insurance co-payments until the resolution has been clarified.

Tucker changed his position so that the Bills and Claims could be approved for payment.

Motion by Tucker, second by Padreddii to approve the Bills and Claims minus the amount due to Tucker. Motion carried by 4 ayes, 0 nays, 1 absent (Parravano). The amended amount of the Bills and Claims is \$109,846.50.

Reports for Possible Discussion/Action

Administration and Finance

13 General Manager Grenell

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

14 Director of Finance Marks

Operations

15 Oyster Point Marina/Park — Johnson

Action: Johnson updated the Board on the progress of the concrete beam repair project. He stated he was impressed with the job North Coast Divers has been doing on this project.

16 Pillar Point Harbor — Temko

Action: Temko shared with the Board a plaque presented to him by the United States Coast Guard that he accepted on behalf of the San Mateo County Harbor District.

Board of Harbor Commissioners

- 17 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: Tucker requested a closed session item in regard to the General Manager's evaluation be on the next agenda.

Motion by Lundie, second by Campbell to adjourn to closed session. Motion carried by unanimous vote at 8:21 p.m.

Closed session began at 8:29 p.m.

Closed Session

**18 TITLE: Conference with Legal Counsel (1 case)
Existing Litigation regarding San Mateo
County Harbor District vs. Princeton
Abalone, Pursuant to Government Code
§54956.9 (a)**
RECOMMENDATION: To Be Determined

Motion by Lundie, second by Campbell to reconvene to open session at 8:37 p.m.

Zafferano reported the action on closed session item: The Settlement Agreement with Princeton Abalone has been approved by a 4 ayes, 0 nays, 1 absent (Parravano) vote.

Adjournment

Motion by Lundie, second by Campbell to adjourn the meeting. Meeting adjourned by unanimous vote at 8:39 p.m.

APPROVED BY:

ATTESTED BY:

James J. Tucker

Beverly Fontana

President

Deputy Secretary