



Board of Harbor Commissioners

Virginia Chang Kiraly, President
Vice President
Edmundo Larenas, Secretary
Tom Mattusch, Treasurer
Sabrina Brennan, Commissioner
Nancy Reyring, Commissioner

John Moren, Interim General Manager
Steven D. Miller, District Counsel

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.”

SPECIAL MEETING AGENDA

**January 16, 2019
7:00 PM**

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

Persons requiring special accommodation with respect to disability are directed to make such requests per the Americans With Disabilities Act to the Deputy Secretary to the Board at 650-583-4400, 48 hours in advance.

A.) Roll Call

B.) Closed Session

**TITLE: PUBLIC EMPLOYMENT pursuant to Government Code
54957(b): (General Counsel)**

C.) Adjournment

Agenda posted as required:
January 15, 2019 at 4:00 PM

Debbie Gehret
Deputy Secretary



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REGULAR MEETING AGENDA

**January 16, 2019
6:30 PM**

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

All Harbor District Commission meetings are recorded and posted at www.PacificCoast.tv within 48 hours of the meeting. Pacifica residents can tune into Comcast Channel 26 and residents from Montara through Pescadero can tune into Comcast Channel 27. Copies of the meetings can also be purchased from PCT and mailed for \$18.

Persons requiring special accommodation with respect to disability are directed to make such requests per the Americans With Disabilities Act to the Deputy Secretary to the Board at 650-583-4400, 48 hours in advance.

A.) Roll Call

B.) 1. Public Comments/Questions

The Public may directly address the Board of Harbor Commissioners for a limit of three (3) 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, it is requested that a speaker card is completed and given to the Deputy Secretary. The Chair will call your name at the appropriate time. Agenda material may be reviewed at the administration offices of the District, 504 Avenue Alhambra, 2nd Floor, El Granada, CA 94018 or online at www.smharbor.com.

2. Commissioner Comments

Commissioners may make public statements limited to five (5) minutes.

C). Consent

All items on the Consent are approved by one motion unless a Commissioner requests 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.

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

1. **Bills and Claims (Chan)**
Recommendation: Review Pre-Approved Bills and Claims in the amount of \$517,831.18. Pre-Approve Bills and Claims not to exceed \$500,000.
2. **Minutes – Special Meeting December 19, 2018 (Gehret)**
Recommendation: Approve Minutes of the Special Meeting of December 19, 2018.
3. **Minutes – Regular Meeting of December 19, 2018 (Gehret)**
Recommendation: Approve Minutes of the Regular Meeting of December 19, 2018.
4. **Budget Calendar (Pyle)**
Information only.
5. **Monthly Capital Projects Update (Moren)**
Information only.
6. **Commercial Activity Permit for Ruth E. Stein d.b.a. Valhalla of Santa Cruz to Charter a Privately-Owned Vessel at Pillar Point Harbor (Moren)**
Recommendation: Approve the Commercial Activity Permit (CAP) for Ruth E. Stein d.b.a. Valhalla of Santa Cruz (Permittee).

D). Discussion

7. **Board Organization; Election of Officers (Moren)**
Recommendation: Commission to elect a President to serve for 2019, and that the newly elected President then call for nominations for, and the Board elect, the remaining Officers of the Board.
8. **Location Change for Regular Meetings of Board of Harbor Commissioners; Adopt Resolution No.19-01 (Brennan)**
Recommendation: Adopt Resolution No.19-01 changing the Regular Meeting location to El Granada only.

9. Consider Hiring District Counsel (Brennan, Chang Kiraly, Larenas, Reyerling)

Recommendation: Direct the Interim General Manager on hiring of District Counsel.

10. Ad Hoc and Standing Committee Review and Assignments (Moren)

Recommendation: Review Standing and Ad Hoc Committees; the President appoints two Commissioners to each Committee as necessary.

11. Addition of One Deputy Harbormaster Position (Pyle)

Recommendation: Approve the recommended staff addition of one Deputy Harbormaster (DHM) position.

12. Oyster Point Yacht Club Lease Amendment Execution (Reyerling)

Recommendation: Authorize the Interim General Manager to execute a negotiated lease amendment with Oyster Point Yacht Club (OPYC), which has already been reviewed by District Counsel.

13. Labor and Employment Legal Services (Larenas)

Recommendation: Direct the Interim General Manager on the process of hiring a labor and employment legal services firm.

14. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Significant exposure to litigation pursuant to Government Code Section §54956.9(d)(2) Claim by John Schulz.

E). Discussion/Action on Pulled Consent Items (if any)

F). Future Agenda Items

G). December Activity Reports: Interim General Manager/Operations, Administration

Information only.

H). Adjournment

The next Regular Meeting will be held on February 20, 2019 at the San Mateo County Harbor District Office, 504 Avenue Alhambra, Ste. 200, El Granada, CA 94018 at 6:30 PM.

Agenda posted as required:
January 11, 2019 at 4:00 PM



Debbie Gehret
Deputy Secretary



Staff Report

TO: Board of Harbor Commissioners

FROM: Kin Yip Chan, Accounting Technician

DATE: January 16, 2019

SUBJECT: Review Bills and Claims in the Amount of \$517,831.18

Total Disbursements being submitted for your review: **\$517,831.18**

Dept. Code	Description	Amount
103	Administration & Commissioners	\$ 44,064.87
201	Pillar Point Harbor	\$ 313,912.01
301	Oyster Point Marina	\$ 45,465.10
	Employee Deductions	\$ 27,800.49
	Payroll / Benefits	\$ 86,588.71
Total Bills & Claims for Review:		\$ 517,831.18

Pre-Approved Payroll Notes:

Payroll Paydate 12/14/18 \$ 136,538.18

Payroll Paydate 12/28/18 \$ 116,067.57

Total Payroll for Period: \$ 252,605.75

Background: The Board Pre-Approved Bills and Claims up to \$500,000 for this month and all payroll related claims. Actual Bills and Claims paid for the period are \$498,523.81. Of this amount, \$19,307.37 is awaiting approval.

Recommended Motion:

- 1) Accept Bills and Claims in the amount of \$517,831.18, including \$498,523.81 pre-approved on December 19, 2018 and \$19,307.37 approved on January 16, 2019.
- 2) Pre-Approve \$500,000 in Bills and Claims until next meeting date. This reflects an increase of previous pre-approvals to more accurately reflect monthly payables.

Attachments:

[Bills and Claims/Cal Card Top 5](#)

[Legal Fees](#)



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San Mateo County Harbor District Board of Harbor Commissioners

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SPECIAL MEETING MINUTES

December 19, 2018
5:30 PM

San Mateo County Harbor District
Conference Room
504 Avenue Alhambra, Ste. 200
El Granada, CA 94018

A) Roll Call 5:30 PM Commissioners Bernardo, Chang Kiraly, Mattusch present
Commissioners Brennan and Larenas absent.

No public comments.

B) Closed Session

1) TITLE LEASE AMENDMENT WITH OYSTER POINT YACHT CLUB
Property: Oyster Point Yacht Club 911 Marina Dr.
South San Francisco
Agency negotiator: [John Moren, Steve Miller]
Negotiating parties: [Kirby Combs, Commodore]
Under negotiation: Price and Terms of Payment

1) Board directed staff to take appropriate action regarding a potential Oyster Point Yacht Club Lease Amendment.

C) Adjournment 6:05 PM

Debbie Gehret
Deputy Secretary

President
Virginia Chang Kiraly



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REGULAR MEETING MINUTES

December 19, 2018
6:30 PM

San Mateo County Harbor District
Conference Room
504 Avenue Alhambra, Ste. 200
El Granada, CA 94018

- A) Roll Call** – Commissioners Bernardo, Chang Kiraly, Mattusch present
Commissioners Brennan, Larenas absent.
- B) Staff Introductions:**
- **Julie van Hoff** - Interim Director of Operations/Incoming Director of Administrative Services
 - **Jose Barbosa** – Harbor Worker B
- C) Outgoing Commissioner Recognition:** Robert Bernardo
- Congressional Record – Congresswoman Jackie Speier
 - Certificate of Recognition – State Senator Jerry Hill
 - Certificate of Recognition – State Assemblymember Kevin Mullin
 - Resolution – San Mateo County Board of Supervisors
 - Proclamation – City of South San Francisco
 - Resolution No.18-19 & gavel plaque – San Mateo County Harbor District
- Motion:** (Mattusch/Chang Kiraly) Adopt Resolution No.18-19 to commend Commissioner Robert Bernardo for his extensive and dedicated service on the Harbor Board.
- Ayes: All in favor. Resolution No.18-19 passed.**
- D) 1. Public Comments/Questions**
- **Sherry Ingles** – Comments to Robert Bernardo. Concerns about vessels carrying passengers related to the Mavericks surf.

- **Lane Coopersmith** – Requests for safety features such as cameras at the harbor; also comments about berth fee for only slip available to their fishing vessel. Suggests research on how other harbors charge fishing/commercial fishing vessels.

2. Commissioner Comments

- **Robert Bernardo** – Thanked all agencies for the recognitions, the public, Harbor District staff and PCT cameraman, Steve Brown for all of the support over the past eight (8) years.
- **Tom Mattusch** – Acknowledged Commissioner Bernardo for his work with the Harbor District over his eight (8) years on the Board.
- **Virginia Chang Kiraly** – Shared list of accomplishments of the Harbor District over the past 2018 year.
Thanked Commissioner Bernardo for his time on the Board and especially assisting her when she was first appointed to the Board. Thanked Lisa Damrosch for her efforts, the public and Interim General Manager, John Moren.

E) Consent

ITEMS PULLED FROM CONSENT WILL BE HEARD AFTER DISCUSSION ITEMS.

1. **Bills and Claims (Chan)**
Recommendation: Review Pre-Approved Bills and Claims in the amount of \$459,785.60. Pre-Approve Bills and Claims not to exceed \$350,000.
2. **Minutes – Special Meeting October 4, 2018 (Gehret)**
Recommendation: Approve Minutes of the Special Meeting of October 4, 2018.
3. **Minutes – Special Meeting October 9, 2018 (Gehret)**
Recommendation: Approve Minutes of the Special Meeting of October 9, 2018.
4. **Minutes – Special Meeting October 17, 2018 (Gehret)**
Recommendation: Approve Minutes of the Special Meeting of October 17, 2018.
5. **Minutes – Regular Meeting October 17, 2018 (Gehret)**
Recommendation: Approve Minutes of the Regular Meeting of October 17, 2018.
6. **Minutes – Special Meeting November 5, 2018 (Gehret)**
Recommendation: Approve Minutes of the Special Meeting of November 5, 2018.
7. **Minutes – Special Meeting November 14, 2018 (Gehret)**
Recommendation: Approve Minutes of the Special Meeting of November 14, 2018.

8. Minutes – Regular Meeting November 14, 2018 (Gehret)

Recommendation: Approve Minutes of the Regular Meeting of November 14, 2018.

9. Authorized List of Signatures with San Mateo County Treasurer's Office; Adopt Resolution No.18-18 (Henthorne)

Recommendation: Approve list of Harbor District authorized signers for the San Mateo County Treasurer's Office and adopt Resolution No.18-18.

10. Bad Debt Write-Off Request (Henthorne)

Recommendation: Authorize the Interim General Manager to write-off as bad debt a total of \$15,562 in accounts receivable: \$8,783 from Oyster Point Marina and \$6,779 from Pillar Point Harbor.

11. Half Moon Bay Commercial Fisheries Trust's 2019 Fish and Fleet Festival; Request for Fee Waiver (Moren)

Recommendation: Waive fees and approve Special Event Permit for the Half Moon Bay Commercial Fisheries Trust's fifth annual Fish and Fleet Festival at Pillar Point Harbor, Sunday, September 15, 2019.

12. Monthly Capital Projects Update (Moren)

Receive and file.

Motion: (Mattusch/Bernardo) Approve Items 1-12 on Consent.

Ayes: All in favor.

Motion passed.

F) Discussion

13. Potential Elimination of Motorized Personal Watercraft Zone 1 in the Monterey Bay National Marine Sanctuary (Moren)

Presentation by Paul Michel of Monterey Bay National Marine Sanctuary.
Presentation received.

Public Comments:

- **Jeff Clark** – Thanked Commissioner Bernardo. Comments related to days of training in Zone 1, and the importance of training on Personal Watercraft (PWC) being available to save lives. Need public outreach for awareness. He would be willing to do a PowerPoint presentation to communicate what is accomplished with PWCs in Zones 1 and 5.
- **Jason Stark** – A lifeguard for State Parks, emphasized the importance of hours of training and the use of PWCs for rescues.
- **Matthew Cavaco** – Spent thirteen (13) years in the Coast Guard; Zone 1 is really important to efforts to rescue out at Mavericks in Zone 5. Concerned if Zone 1 is taken away, it will never be given back. Doesn't believe that PWCs are contributing to pollution concerns.

- **Tim West** – Congratulated Commissioner Bernardo. Rescues for WSL and has rescued numerous surfers at Mavericks via PWC. Comments related to surf warning vs. surf advisory doesn't make sense the way the rules are potentially set up. Zone 1 important for safety/rescue training. Mavericks will have more people not less; and should be considered as the "Mount Everest" of waves.

Direction to staff: Work with Jeff Clark and surfing community for PowerPoint presentation.

16. Discussion and Possible Action on Morningstar Fisheries Request to Assign its Lease with the District (Moren)

Motion: (Bernardo/Mattusch) #1. Approve a request by Morningstar Fisheries (Tenant) to assign its lease with the District (the "Lease") to an as-yet unformed entity that is expected to be called Morningstar Fisheries LLC. The assignment would be effective (a) upon formation of Morningstar Fisheries LLC, as evidenced by submission to the District of a certified copy of the Articles of Organization filed with the Secretary of State of California, demonstrating proof of formation of the new entity, and (b) upon payment to the District of \$10,000 in lieu of the payment required under the Lease. If the Commission adopts this alternative, it should authorize the Interim General Manager to execute the necessary documentation to give effect to the assignment upon satisfaction of the above conditions.

Ayes: All in favor.

Motion passed.

17. Johnson Pier: End of Pier Improvements (Moren)

Public Comments:

- **Porter McHenry** – Requests Commission to move forward.

Motion: (Bernardo/Mattusch) #2. Direct staff to publicly advertise a Request for Proposal seeking qualified design/engineering firms to further gain community input, finalize design improvements, present proposals to the Board for approval, compile technical specifications, submit regulatory permitting, then prepare bid documents for public bid.

Ayes: All in favor.

Motion passed.

14. Approve Employment Agreement for Interim General Manager

Motion: (Mattusch/Bernardo) Approve employment agreement for Interim General Manager.

Ayes: All in favor.

Motion passed.

15. Discussion and Possible Action on the Process for Conducting a Search for a New General Manager (Moren)

Motion: (Mattusch/Bernardo) #1 The Board form an advisory (ad hoc) committee to manage the GM search process and advise the Board accordingly. This would

be considered best practices and is consistent with District past practices in its last GM search. Absent an ad hoc committee, it may be difficult to manage the search process efficiently. The ad hoc committee could be empowered to work with staff to carry out any or all of the following tasks.

Ayes: All in favor.

Motion passed.

President Chang Kiraly appointed Commissioner Mattusch and herself to the ad hoc New General Manager Search Committee

Motion: (Mattusch/Bernardo) #2 Direct staff to issue a Request for Proposal (RFP) for a qualified professional public sector executive search firm. Depending on Board (or ad hoc committee) direction, the RFP could be a short form request for qualifications that firms could respond to quickly, or it could be the District's more lengthy standard RFP form. Depending on Board direction, staff or the ad hoc committee could receive and evaluate proposals and then report to the Board as to the recommended process and timeline for conducting a search.

Ayes: All in favor.

Motion passed.

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

H) Future Agenda Items

I) November Activity Reports: General Manager/Operations

Administration;

Information only.

J) Adjournment 8:52 PM

Motion: (Mattusch/Bernardo) Adjourn meeting.

Ayes: All in favor.

Motion passed.

Debbie Gehret
Deputy Secretary

President
Virginia Chang Kiraly



Staff Report

TO: Board of Harbor Commissioners
FROM: Anita Pyle, Director of Administrative Services
DATE: January 16, 2019
SUBJECT: Budget Calendar

Recommendation/Motion:

No action is necessary regarding the calendar; the dates shown align with regularly scheduled meetings of this Commission and meet the statutory requirements of the Harbors and Navigation Code.

This Commission may elect to provide guidance and instruction to staff or the Finance Committee to ensure adequate review of the budget in development.

Policy Implications:

Harbors and Navigation Code 6093 provides statutory requirements for budget development.

Fiscal Implications/Budget Status:

None

Alternatives Considered:

None

Background/Discussion:

This Commission is charged with developing a budget in two stages: by adopting a preliminary budget prior to June 15 of each fiscal year (H&N 6093) and delivering a final budget to the County Board of Supervisors by August 1 of each year (H&N 6093.3).

Staff proposes the following calendar to meet the statutory requirements of the Harbors and Navigation Code.

1/16/19	Harbor Commission reviews budget calendar
2/20/19	Harbor Commission receives 2018/19 mid-year budget review

- 3/20/19 Harbor Commission reviews and provides direction on “first look” 2019/20 budget, including major maintenance and capital projects
- 4/17/19 Harbor Commission reviews, adopts Preliminary Budget for 2019/20
- 4/25/19 Legal notice published stating that a preliminary budget has been adopted and final budget will be adopted June 19, 2019 (H&N 6093.1)
- 5/15/19 Harbor Commission reviews adopted Preliminary Budget
- 6/19/19 Harbor Commission adopts final budget, as may be amended, for 2019/20
- 7/31/19 Deadline to report Final budget to County Board of Supervisors

The Budget that this Commission adopts is the primary tool used to illustrate to the public how funds are received and spent, and where the priorities of this Commission are, especially related to capital and major maintenance projects. The document must be clear and understandable to the non-financial member of the public.

Summary/Recommendation:

No action is necessary regarding the calendar; the relevant dates shown align with regularly scheduled meetings of this Commission and meet the statutory requirements of the Harbors and Navigation Code.

This Commission may elect to provide guidance and instruction to staff or the Finance Committee to ensure adequate review of the budget in development.



Staff Report

TO: Board of Harbor Commissioners
FROM: John Moren, IGM/Director of Operations
DATE: January 16, 2019
SUBJECT: Monthly Capital Projects Update

Recommendation/Motion:

Receive Monthly Capital Projects Update

Fiscal Implications/Budget Status:

All Capital Projects are budgeted appropriately

Capital Projects Update:

- **PPH H-Dock Replacement Project: Initiated 1/17**
 - Public meeting to gain input from public/tenants/stakeholders was held January 23rd.
 - Public input was addressed in a new drawing and sent with an additional questionnaire to all H-Dock tenants on March 21st.
 - Addressed input gathered at first meeting. Second public meeting held May 15th.
 - Draft 75% design/engineering technical specifications being completed, will bring to Board for final plan input/approval and direction to publicize ITB.

- **PPH Fishing Pier Repair and Access Walkway Rehabilitation: Initiated 3/17**
 - Consultant M&N working on Design/Engineering/Permitting.
 - Initial drawings and technical memos submitted for review 2/22/18, consultant finalizing Tech Specs accordingly.
 - 65% submittals reviewed May 2nd, consultant working on revisions.
 - CDP, NWP, and NOI applications submitted on June 22, 2018. CCC CDP waiver approved in October 2018.

- **PPH Retail/Restaurant Sidewalk Expansion Project: Initiated 5/16**
 - Regulatory compliance/permitting taking place. CEQA NOE filed with County Clerk's Office.
 - Final revised Project plans, after CCC Notice of Incomplete Filing Status, were submitted to CCC for review and CDP Waiver issued.
 - SMC Bldg. Permit approved, Invitation to Bid initiated, bids opened July 11, 2018. Bid approved by Board July 18th. Proposed construction start date of September 17th, immediately after the Fish and Fleet event.
 - Contract agreement fully executed. Notice to Proceed to be issued 9/15/18.
 - Project progressing ahead of schedule, sidewalk in front of retail strip poured in one week, little disruption. Working on punch list items.

- **PPH West Trail Shoreline Protection Project: Initiated 5/15**
 - Geotech testing, core sampling, took place 11/6/17. CCC issued an Incomplete Filing Status on 1/17/18. Consultant currently revising Project plans and addressing CCC concerns.
 - Met with GHD and their sub-consultant at West Trail on 2/15/18 to discuss soil nail wall construction methods for further submittals to CCC.
 - GHD provided update presentation to Public/Board at April 18th BoC Meeting.
 - Consultant GHD directed to re-look at beach nourishment alternatives with emphasis on Living Shoreline options per CCC. Working with Program Manager to apply for Coastal Conservancy Grant for funds assist.

- **PPH Launch Ramp Dredge Project: Initiated 5/16**
 - Bid Docs 80% complete, awaiting final tech specs CDP submittal. Additional sediment testing was required for use of airport property.
 - Project approved for Disaster Relief Funding by FEMA/CalOES
 - FAA approved staging site within airport boundary.
 - Sediment removed will be beneficially re-used either at Surfers Beach or West Trail.
 - Airport ground lease for sediment staging has been approved.

- **PPH Johnson Pier Terminus Improvement Project: Initiated 6/16**
 - Preliminary stakeholder/public meetings held on May 29th and July 17th to gather input/ideas on needed alterations.
 - Staff seeking direction from Board to move forward with an RFP for design/engineering alternatives based on information gathered thus far.
 - Moving forward with sleeving pilings on timber platform.
 - Design/engineering RFP for re-design of pier terminus in progress.

- **PPH Launch Ramp and Restroom Replacement Project: Initiated 3/17**
 - Applied for \$3.7M DBW Launch Ramp Facilities Grant for funding, Board approval application Jan 17, 2018.
 - Met with DBW reps at launch ramp site on April 3rd for a site needs evaluation, appears favorable for restroom, boat wash, rip/rap erosion

- repair, drainage trench and fish cleaning station replacement, awaiting grant results.
- Discussed DBW LRF Grant with DBW on October 24, anticipate award results soon.
 - **PPH RV Park Restroom Project: Initiated 11/17**
 - Consultant working on survey and initial drawings. Met with City of Half Moon Bay and CCC on June 1st.
 - Discussed project with CCC on October 3, 2018.
 - HMB Study Session held Jan 8, 2019.
 - **PPH Harbormaster's Office Alterations Project: Initiated 10/17**
 - Project approved by Board at Dec '17 meeting. Tech Specs, Bid Docs and permitting in progress.
 - Preliminary construction drawings currently at 90% completion, CCC/CDP Waiver approved.
 - Working on construction Bid Docs.
 - **PPH Harbormaster's Office Roof Replacement Project: Initiated 11/17**
 - Bids opened on 8/17/18. Lowest responsible and responsive bid approved at 9/19/18 Board meeting. Contract awarded and executed.
 - Work on the roof replacement 70% complete.
 - **PPH Renovation of West Restroom/Shower/Laundry and New West Trail Restroom: Initiated 9/17**
 - RFP for design/engineering in progress, finalizing details for scope of work.
 - **PPH Parking Lot B, C2, C3 Repair Project: Initiated 5/18**
 - Slurry/stripe project schedule pushed out due to conflict with Sidewalk Expansion priority project, will take place after.
 - **Surfers Beach Sand Replenishment Pilot Project: Initiated 10/15**
 - Consultant working closely with Sanctuary staff to move forward, clarification request letters sent 11/7/17. Staff attended MBNMS Advisory Council meeting in Monterey December 15, 2017.
 - Staff and consultant hosted combined agency, meeting on site 2/26/18. USACE, Sanctuary, CCC, EPA reps in attendance.
 - Consultant Damitz met with USACE, NOAA and GFNMS on 5/3/18 to discuss monitoring strategy.
 - Consultant Damitz presented Project update at May 23, 2018 Board meeting.
 - DBW Grant approved, Board approved Grant Agreement at May 23, 2018 meeting.
 - Engineering and Sediment Sampling/Analysis RFP submissions opened on 8/14/18. Highest ranked respondents awarded contracts.
 - Technical Advisory Group to meet November 8, 2018.

- **OPM Fuel Dock Replacement Project: Initiated 4/18**
 - Project design/engineering RFP in progress.

- **OPM Dock 12 (13,14) / East Dock Replacement: Initiated 3/18**
 - Design/engineering RFP proposals received 9/5/18 and were evaluated.
 - Highest ranked firm's proposal will be brought to Board for consideration.

- **Admin Office Alterations Project: Initiated 10/16**
 - Design consultant made recommendations for scope of work that will help to secure approval of application for building permit. Per plan checker, specific requirements are necessary to meet space ventilation in order to gain approval of the building permit, plan revision underway.

- **OPM Gravel Parking Lot Project: Initiated 7/18**
 - RFP in progress for design/engineering services. Parking lot to be paved and striped in accordance with ADA standards.

- **PPH Exterior Lighting Restoration Project: Initiated 4/18**
 - Scope includes removal/replacement of all exterior lamp and lighting fixtures throughout Pillar Point Harbor. RFP for design/engineering in progress.

- **Signage/Wayfinding Program Project: Initiated 6/18**
 - Project will include a programmatic plan for new aesthetically pleasing interpretive signage/wayfinding consistent with ADA guidelines. RFP for design/engineering in progress.



Staff Report

TO: Board of Harbor Commissioners

FROM: John Moren, Interim General Manager

DATE: January 16, 2019

SUBJECT: Commercial Activity Permit for Ruth E. Stein d.b.a. Valhalla of Santa Cruz to Charter a Privately-Owned Vessel at Pillar Point Harbor

Recommendation/Motion:

Motion: Approve the Commercial Activity Permit (CAP) for Ruth E. Stein d.b.a. Valhalla of Santa Cruz (Permittee) to charter a privately-owned uninspected luxury charter yacht for fishing, sightseeing tours, surfing events, special events and burials at sea at Pillar Point Harbor (PPH) until December 31, 2019 and authorize the Interim General Manager to execute the permit in a form approved by legal counsel.

Policy Implications:

Consistent with the San Mateo County Harbor District's (District) goal of promoting and providing waterborne services to the local community.

District Code of Ordinances 5.10.010 (E):

The District may not issue commercial activity permits for more than sixteen (16) inspected small passenger vessels and six (6) uninspected small passenger vessels at Pillar Point Harbor without first determining the impact of said additional permits on the District's facilities and the surrounding community.

For calendar year 2019, the District anticipates that five of six CAPs for uninspected vessels will be renewed. The approval of this CAP will result in the issuance of six of six permits for uninspected vessels.

Fiscal Implications/Budget Status:

Commercial Activity Permit application fee of \$258 has been paid. Permittee will provide a \$500 deposit and be responsible for passenger fees as required in the current rates and fees schedule, as approved by this Commission.

Background/Discussion:

The Permittee is requesting approval to conduct business at PPH and agrees to be responsible for hiring a USCG Certified Captain to pilot a 46' luxury yacht. Pursuant to the terms and conditions of this CAP, Permittee will be allowed to charter the vessel owned and insured by her for fishing, sightseeing tours, surfing events, special events, and burials at sea. Hours of operation will vary depending on the scheduled time of each individual event. No overnight guests/use will be permitted. The CAP, attached to this report, describes the rights and obligations of the parties and adequately protects the District. The term of the CAP is for the remainder of the 2019 calendar year but is freely terminable by the District sooner if necessary. The CAP may be approved and renewed annually thereafter.

If the Board elects to approve this CAP, the Permittee may allow up to 6 persons chartering the vessel to board at the launch ramp. In the event that the permittee has the vessel USCG Documented, the Permittee may allow additional passengers up to the maximum capacity of the vessel. All customers will park as space permits, in designated areas, on a first come, first served basis. Permittee will be responsible for keeping the area used clean and ensure no potential environmental hazards occur.

Summary/Recommendation:

Staff recommends the Board approve the Commercial Activity Permit for Ruth E. Stein d.b.a. Valhalla of Santa Cruz to charter a privately-owned vessel at Pillar Point Harbor for fishing and sightseeing tours at Pillar Point Harbor until December 31, 2019 and authorize the General Manager to execute the permit in a form approved by legal counsel.

Attachments:

[Attachment 1 - Commercial Activity Permit Application](#)

[Attachment 2 - Proposed Commercial Activity Permit](#)



Staff Report

TO: Board of Harbor Commissioners
FROM: John Moren, Interim General Manager
DATE: January 16, 2019
SUBJECT: Board Organization; Election of Officers

Recommendation/Motion:

Motion: Nominate Commissioner _____ to serve as President of the Board of Commissioners until the first meeting of January 2020.

Motion: Nominate Commissioner _____ to serve as Vice President of the Board of Commissioners until the first meeting of January 2020.

Motion: Nominate Commissioner _____ to serve as Secretary of the Board of Commissioners until the first meeting of January 2020.

Motion: Nominate Commissioner _____ to serve as Treasurer of the Board of Commissioners until the first meeting of January 2020.

Motion: Nominate Commissioner _____ to serve as alternate, in the President's absence, to the LAFCO Independent Special Districts' Selection Committee (ISDSC) (Govt. Code §56332)

Policy Implications:

Harbors and Navigation Code §6055 requires the appointment by the Board of a President and Secretary.

Harbors and Navigation Code §6071 requires the Commission to appoint a Treasurer and that the Commission has earlier determined that the Treasurer should be a Commissioner.

Background/Discussion:

Commissioner Chang Kiraly currently serves as President of the Board of Commissioners; Commissioner Robert Bernardo served as Vice President; Commissioner Larenas serves as Secretary, Commissioner Mattusch as Treasurer.

The President serves as the District's representative and voting member to the Local Agency Formation Commission's (LAFCO's) Independent Special Districts' Selection Committee (ISDSC). This Commission may elect to select an alternate to serve in this role, in the President's absence.

Summary/Recommendation:

Staff recommends this Commission elect a President to serve for 2019, and that the newly elected President then call for nominations for, and the Board elect any remaining Officers of the Board.



Board Report

TO: Board of Harbor Commissioners

FROM: Commissioner Brennan

DATE: January 16, 2019

SUBJECT: Location Change for Regular Meetings of Board of Harbor Commissioners, Adopt Resolution No.19-01

Recommendation/Motion:

Adopt Resolution No. 19-01, amending Resolution No.38-16, establishing that all regular meetings of the Harbor Commission will be held on the third Wednesday of each month, held only in El Granada at the San Mateo County Harbor District Administration Office.

Policy Implications:

Harbors and Navigation Code 6063 states that "The Board shall hold at least one meeting a month, at such time as is fixed by Ordinance of the board. The meeting shall be held within the district and shall be open to the public.

District Ordinance 2.05.020 states that the time and place of the regular meetings of the Board of Harbor Commissioners shall be as designated by a Resolution adopted by the Board of Harbor Commissioners.

Fiscal Implications/Budget Status:

None. The City of South San Francisco has offered the Municipal Services Building at no charge to the Harbor District.

Alternatives Considered:

Continue to alternate locations between coastside and bayside locations every other month.

Background/Discussion:

Resolution No.38-16 stated that the Board of Harbor Commissioners shall continue to hold a regular meeting monthly on the third Wednesday of each month. Further, that the regular meeting in these odd numbered months of January, March, May, July, September, and November shall be held at the Municipal Services Building, 33 Arroyo Drive, South San Francisco, California 94080; and that the regular meeting of

these even numbered months of February, April, June, August, October, and December shall be held at 504 Avenue Alhambra, El Granada, California 94018 Each regular meeting shall begin at 6:30 p.m. and terminate no later than 9:30, unless extended by the Commission.

It is now suggested to hold all regular Board meetings on the coastside, at the Harbor District Admin Office every month.

Summary/Recommendation:

Adopt Resolution No.19-01, amending Resolution No.38-16 establishing that all regular meetings of the Harbor Commission will be held on the third Wednesday of each month, held only in El Granada at the San Mateo County Harbor District Administration Office.

Attachments:

[Resolution No.19-01](#)



Board Report

TO: Board of Harbor Commissioners

FROM: Commissioners Sabrina Brennan, Virginia Chang Kiraly, Edmundo Larenas, Nancy Reyerling

DATE: January 16, 2019

SUBJECT: Consider Hiring District Counsel

Recommendation/Motion:

Direct the Interim General Manager on hiring of District Counsel.

Policy Implications:

None

Fiscal Implications/Budget Status:

Unknown at this time.

Alternatives Considered:

None.

Background/Discussion:

The Harbor Commission discussed the hiring process for District Counsel at the January 10, 2019 Special Meeting. The Board discussed a process in which each Commissioner may identify a legal firm of their choice and direct the Interim General Manager to obtain proposals.

It is anticipated that proposals will be provided at the meeting.

Summary/Recommendation:

Direct the Interim General Manager on hiring of District Counsel.



Staff Report

TO: Board of Harbor Commissioners

FROM: John Moren, Interim General Manager

DATE: January 16, 2019

SUBJECT: Ad Hoc and Standing Committee Review and Assignments

Recommendation/Motion:

Recommendation: Review Standing and Ad Hoc Committees; the President appoints two Commissioners to each Committee as necessary.

Policy Implications:

Policy 3.0 addresses Committee membership.

Fiscal Implications/Budget Status

None at this time

Background/Discussion:

Annually, the President (re-)appoints two Commissioners to each of the Committees shown in below chart, as may be amended.

	Brennan	Chang Kiraly	Larenas	Mattusch	Reyering		General Manager	Admin, Finance	Operations
<u>Standing:</u>									
Climate Change Resilience									
Finance									
Oyster Point Marina Liaison									
Wildlife Protection									
Additional									
Additional									
<u>Ad Hoc:</u>									
Management Staff Search									
Strategic Planning									
Social Media									

This Commission may also consider amending the list of Committees now or at any time in the future. A standing Committee is deemed to be a legislative body when it has continuing jurisdiction over a particular subject matter and is therefore subject to Brown Act requirements. Ad Hoc Committees are formed for a specific purpose and are to be terminated on completion of their assigned task. Ad Hoc Committees do not represent a quorum, are not deemed to be a legislative body, and are therefore not subject to Brown Act requirements.

Each Committee will be supported by a member of staff. Depending on Committee meeting times, staff will be present at meetings to the greatest extent possible.

Summary/Recommendation:

Staff recommends the President appoint two Commission members to each Committee.



Staff Report

TO: Board of Harbor Commissioners

FROM: Anita C. Pyle, Director of Administrative Services

DATE: January 16, 2019

SUBJECT: Addition of One Deputy Harbormaster Position

Recommendation/Motion:

Approve the recommended staff addition of one Deputy Harbormaster (DHM) position.

Policy Implications:

District Ordinance 2.10.020B describes the duties of the General Manager: The General Manager employs such employees as the General Manager deems necessary for the proper administration of the District and the proper operation of the works of the District, in accordance with the District's personnel policies. Compensation of such employees and the General Manager is subject to approval by the Board of Harbor Commissioners.

Fiscal Implications/Budget Status:

The recommended addition of one DHM position in this report will result in an additional cost of approximately \$100,000 for salaries and benefits. This cost will be absorbed in the current budget as there are savings due to vacancies.

Alternatives Considered:

None. If we don't provide adequate staffing, it would result in increased overtime costs and the inability of the Harbor patrol to be available for emergency situations at night, which is unacceptable.

Background/Discussion:

After a thorough review of current staffing levels and the workload/responsibilities of the District as well as overtime costs, it is recommended that this Commission consider adding an additional DHM position.

Currently, our staffing levels only allow one person to be on duty during the night shift at Pillar Point Harbor. To be properly prepared to respond to an emergency situation at night we need an additional DHM position. The additional DHM position will also reduce overtime costs.

Summary/Recommendation:

Staff recommends this Commission authorize the addition of one DHM position.



Board Report

TO: Board of Harbor Commissioners
FROM: John Moren, IGM/Director of Operations
DATE: January 16, 2019
SUBJECT: Oyster Point Yacht Club Lease Amendment Execution

Recommendation/Motion:

Motion: Authorize the Interim General Manager to execute a negotiated lease amendment with Oyster Point Yacht Club (OPYC), which has already been reviewed by District Counsel.

Fiscal Implications/Budget Status:

Positive fiscal impact, as the proposed lease amendment increases the monthly rent from \$285 to \$570 per month. In addition, includes bar revenues which had not previously been included in the terms.

Background/Discussion:

The Interim General Manager (IGM) seeks authorization from the Board to execute a previously negotiated lease amendment with OPYC. The District has had a lease with OPYC since 1982, when OPYC spent \$130K to construct the building. The original lease was for a 25-year term and was renewed for another 25 years in 2007. Originally the monthly rent was reduced, only \$25/month, due to construction costs and has incrementally increased since. The current monthly rent is \$285.88 per month, plus 10% of member dues and rentals.

The lease term now expires in 2032 and is currently not co-terminus with the District's involvement with South San Francisco. OPYC has subleased use of its leased property without District approval, which provided an opportunity to re-negotiate and improve historic lease terms. The District sent notice of default and negotiated an opportunity to cure. OPYC has agreed to the terms of the lease amendment as means of curing.

The proposed terms of the lease amendment are a significant Improvement, base rent increases, doubles from \$285.88 to \$570. Percentage Rent will be in addition to Base Rent and includes, 10% of OPYC gross receipts, including OPYC bar sales, which were not previously included, and 5% of OPYC Bar Service revenue from sublease activities.

Other terms include: Term of Lease co-terminus with District's agreement with SSF, requires increased community use of space, and requires OPYC to submit community use reports bi-annually.

Terms of the current lease to protect the District stay in effect, current lease places responsibility for maintenance of structure on OPYC, no risk to District. The District has indemnity protection both under lease and from City from construction-related claims.

Summary/Recommendation:

Authorize the Interim General Manager to execute the attached negotiated lease amendment with Oyster Point Yacht Club, which has already been reviewed by District Counsel.

Attachments:

[Attachment 1 - Current OPYC Lease](#)

[Attachment 2 - Proposed Lease Amendment](#)

[Attachment 3 - OPYC/Dominic's Services Agreement](#)



Board Report

TO: Board of Harbor Commissioners
FROM: Commissioner Edmundo Larenas
DATE: January 16, 2019
SUBJECT: Labor and Employment Legal Services

Recommendation/Motion:

Direct the Interim General Manager on the process of hiring a labor and employment legal services firm.

Policy Implications:

None

Fiscal Implications/Budget Status:

Unknown at this time.

Alternatives Considered:

Direct the Interim General Manager to issue a Request for Proposals (RFP) for labor and employment legal services; or

Direct the Interim General Manager to enter into an agreement with a specific legal firm.

Background/Discussion:

Liebert Cassidy Whitmore (LCW) currently provides legal advice to the District for labor and employment issues.

Summary/Recommendation:

Direct the Interim General Manager on the process of hiring a labor and employment legal services firm.



Item 14

No Staff Report



Activity Report

TO: Board of Harbor Commissioners
FROM: John Moren, IGM/Director of Operations
DATE: January 16, 2019
PERIOD: December 2018

Pillar Point Harbor:

Construction Update & General Status Updates:

- Misc. maintenance work in progress throughout the marina
- Landscaping in facility
- PPH moorings have been inspected and upgraded

Miscellaneous:

- Ongoing training
- Cross training with OPM staff
- Safety meetings
- Mavericks WSL Surfing Comp Prep Meetings ongoing
- 327 launches at boat ramp 12/1/18 thru 12/31/18
- 5 Training sessions with Deputy Harbor Masters

Occupancy Overview:

- Total occupancy: 100%, 369 slips, 369 occupied.

Search and Rescue Activity Highlights & Urgent Need Activities:

- 12/1/18 thru 12/31/2018
 - 2 Search & Rescue
 - 24 Patrol Vessel & DHM Calls
 - 3 Medical
 - 2 Law Enforcement

EMS-Clean Marina Activities:

- Vessel inspections are ongoing
- Registration and Insurance enforcement
- Nonpayment enforcement

Calendar Reminder Items of Events and Activities:

- Beach Clean Up – Pacifica Beach Coalition Saturday, December 8th.
- Mavericks Challenge Surf Contest – TBD On-going

31st Annual Lighted Boat Festival December 8th

Lighted Boat Festival was a great success! 61 boats participated with over 50 prizes given out from 17 generous sponsors. Thank you to all the staff for putting a great family event together for the 36th year.

- 61 Boats Participated
- 2500-3000 Spectators (most ever)

- 1st Place Recreation “Reel Nautli” C-23 David Vatert
- 2nd Place Recreation “Nicole Marie” C-7 Joe Pimentel

- 1st Place Commercial “Rosella” G-06 Berry Day
- 2nd Place Commercial “Sadie K” Jake Bunch

Sponsors:

Half Moon Bay Lodge, Sam’s Chowder House, Barbara’s Fish Trap, Pasta Moon, Mezza Luna, Cameron’s Pub, Half Moon Sport Fishing, Half Moon Bay Brewery, Old Princeton Landing, Ketch Joanne’s, The Press, Harbor Pizza, Maverick’s Surf Shop, Indian Beach House, Seville Tapas



Oyster Point Marina/Park:

General Status & Construction Update

- Misc. maintenance work in progress throughout the marina
- SSF/Kilroy Development Project underway, AHM and DOO attended monthly public project meeting
- OPM continues on Generator Power
- Winter prep. & Storm checks

Miscellaneous:

- Crew Training, continued to cross train with PPH staff
- Registration, liveaboard and insurance enforcement ongoing

Occupancy Overview:

- On 1/2/19 occupancy: 408 slips, 324 occupied, 79%

Search and Rescue Activity Highlights & Urgent Need Activities:

- 12/1 thru 12/31: 11 vessel activities, 2 Fire, 2 Police Business, 1 Coast Guard, 35 Call Outs
- 1 SPCA, 2 Fish & Wildlife

EMS-Clean Marina Activities:

- Vessel inspections are ongoing

Calendar Reminder Items of Events and Activities:

- WETA began a dredge episode on November 27th

Administration:

See related Staff Report for update on Capital Projects

Grants

- Working with FEMA and CalOES for project funding assistance
- Continuing efforts to identify potential grant funding for all CIP's

ADA Coordinator

- Continued work on issues identified in the ADA Transition Plan/Self Evaluation. Incorporating CalOES "Strategies for Inclusive Planning Emergency Response" in our ERP. This addition to the ERP facilitates more comprehensive inclusion of planning for people with access and functional needs, including people with disabilities as well as other groups disproportionately impacted in emergencies.

District Safety

- Target Solutions - OSHA required courses, continuing to assign safety refresher courses for 2018.
- 2019 DBW Boater Safety Survey/Kits – Continuing to work with DBW Vivian Matuk at PPH and OPM to send out Dock Walker boater safety surveys with statements. Tenants will deliver completed surveys to the HM office for boater safety kits.
- Continuing increased training efforts to promote excellent Customer Service.



Activity Report

TO: Board of Harbor Commissioners
FROM: Anita Pyle, Director of Administrative Services
DATE: January 16, 2019
PERIOD: December 2018

Board of Harbor Commissioners

Regular Commission Meeting – December 19, 2018

Public Records Act Requests (PRAs)

Goal: To respond to all PRA's in a manner compliant with State Law.

New PRAs Received:

- Emily O'Donohoe, Rein & Clefton Law – Johnson Pier Leases – 12/14/18

Completed PRAs:

- John H. Cigavic III, Esq. for Joshua Gift ("Itsphishi") – 9/13/18
- John Ullom – OPM JPA – 11/15/18

On-going PRAs:

- Lisa Damrosch – Morning Star space & Three Captains – 10/13/18
- John Sims, Commodore – OPYC – 10/29/18
- Bruce McPhillips – Oyster Point Yacht Club – 11/5/18
- Emily O'Donohoe, Rein & Clefton Law – 17 Johnson Pier Permits – 11/20/18

Accounting

- Operations – Recurring Operating activities
 - Accounts Payable (A/P), Employee Reimbursements – biweekly
 - 2 AP runs processed
 - Updating A/P vendor master lists, 1099 info, purchase orders, updating major contract reconciliations, update CA Use Tax spreadsheet

- Positive Pay Upload to US BANK
 - Recurring journal entries
- Accounts Receivable (Cash Batches)
 - Daily Cash Batch review, account adjustment review
 - Month-end – The Marine Program (TMP) to GL reconciliation and rollover to next period
 - State of CA FTB Intercept program – received and filed reports and payments
 - Assist with collections of major balances, filing liens, boat sales
 - Monthly AR Report
 - PPH Standing meeting to go over “problem” accounts
 - Send accounts to Collections (Rash Curtis)
 - Monthly AR report review
- Banking
 - Reconciliation of all bank and investment accounts
- Payroll processing – biweekly
 - 2 payroll cycles processed
 - 2 new hires – benefit explanation, gather new employee forms and setup in ADP
 - 1 employee term – retirement w/ CalPERS, submit required information to CalPERS
 - CALPERS/ICMA reporting uploads for 457 savings plans
- Audit FY17-18
 - Audit Checklist – pulling support for auditors
 - Audit Fieldwork week of 12/4 – answering questions from auditors
 - GASB 68 schedule preparation/review
 - GASB 75 actuary report – coordination/review with Demsey Filliger, journal entry prep
- Board Meeting – 12/19/18
 - Bills & Claims
 - Legal Fees
 - Authorized List of Signatures
 - Bad Debt Write-Off
- Grants
 - DBW SAVE reimbursement request for \$74,600 – in progress
- HR
 - Accounting Specialist – 12/21 – Panel interview with candidates
- Special Projects
 - In progress – Set up vendors on account - Cal Card optimization
 - AP Process Manual – in progress
 - Admin Postage Machine Lease renewal – in progress
 - Contract Management Project – in progress
 - Payroll Process Manual
 - Payroll – 457/FSA 2% Employer contribution – work with ADP to implement changes for all staff effective 1/1/19

- Payroll – Holiday Premium – work with ADP to implement changes for OE3 effective 1/1/19
- Accounting Tech I Process Manual

Human Resources

- **Prepared Check Request for Medical & Life Insurance**
 - OE3 Trust Fund
 - Teamsters
 - SDRMA Medical
 - SDRMA Ancillary
 - Standard Life Insurance
- **Human Resource Association (HRA) Meeting**
 - Attended the monthly HRA meeting hosted by the City of Millbrae
- **Personnel**
 - Prepared paperwork for one employee evaluation.
 - Prepared four Personnel Action Forms.
 - Prepared separation paperwork for General Manager.
 - Tracked FMLA usage for employees who are currently eligible.
 - Provided Flex Spending Account paperwork for 2019 enrollment to Navia.
 - Prepared paperwork for two new hires
- **Employment Recruitment**
 - Deputy Harbormaster B/Training Officer review and interview setup stage.
 - Deputy Harbormaster A & B second review recruitment.
 - Assisted with interview set-up for Accounting Specialist.
- **Northwest Administrators, Inc.**
 - Worked with vendor to obtain Vision Care (VSP) benefit information.

Administration

- **Preparation of Board Packet**
 - Assisted with finalizing the 12/19/18 Board packet and delivery