

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

**February 4, 2004  
7:00 p.m.**

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

**Roll Call**

**Commissioners**

Leo Padreddii, President  
Pietro Parravano, Vice President  
James Tucker, Treasurer/Secretary  
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**

Susie Flinn of El Granada addressed the Board. Ms. Flinn read the letter she had given to the General Manager earlier in the week. Ms. Flinn asked that the District and the Board to reconsider the eviction notice she received and to have it expunged from their record.

Ray Flinn of El Granada addressed the Board. Mr. Flinn apologized to staff for them having to be involved in his case involving another tenant.

## Continued Business

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

**Action:** Tucker stated this item was continued from the last meeting. Grenell produced a memo from other agencies and their election method. A moment was taken to read the memo.

Commissioner Lundie read a letter to the Board with his opinion of the past officers election process.

Campbell stated she had gathered information from other agencies and even though rotation is typically used for electing officers, it, too, can be manipulated.

Parravano stated his research also shows other district's use the rotation system. He added that even though other districts use the rotation system he was unsure how to implement it since the Harbors and Navigation Code state that an election needs to be held to elect the President and Secretary. He suggested that the election process be broken down into smaller steps to address it.

Tucker stated he would support the rotation system but still feels that the individual who serves as President has to be qualified to serve.

Motion by Tucker for the San Mateo County Harbor District to develop a rotation system for the President and Vice President officers of the Board, with the condition that, for the Vice President to advance to President, the individual must receive 3 votes, have 90% attendance of all of the noticed and posted Board meetings, and that individual participate on sub-committees assigned by the President. Tucker added his motion only addressed the top two positions.

Campbell stated if a rotation system is going to be used that it should include all officers.

Lundie stated the Harbors and Navigation Code provides that the only two officers required are the President and Secretary.

Campbell stated she did not like the restrictions on Tucker's motion for the office of President.

Lundie stated there are no laws that state a Harbor Commissioner even has to attend any meeting.

Padreddii stated all the officers should be included in the rotation system.

Vote for motion was as follows: 4 nays, 1 aye (Tucker). Motion failed.

Motion by Parravano that elections for the officers of the San Mateo County Harbor District next year be based on a rotation system. Campbell asked why the rotation

does not begin at tonight's election. Parravano dropped his motion and asked for other motions. No second to this motion.

Motion by Tucker, second by Parravano that the San Mateo County Harbor District officers of President, Vice President, Treasurer and Secretary be on a rotation basis and on the first meeting in January of each year the vote be taken by the Board and the offices rotated.

Tucker still wanted stipulations on the motion. Parravano stated the stipulations would create problems on the Board.

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

Tucker opened the floor for nominations for President. Padreddii stated the new rotation system should just have the officers move up, leaving only nominations for Secretary and Treasurer available.

Parravano concurred with Padreddii. Padreddii should move up to the office of President, Parravano should move up to Vice President. This left the seats for Secretary and Treasurer open.

Padreddii took over the chair at 7:42 p.m.

Padreddii stated the Board should discuss dividing the offices of Secretary and Treasurer.

Motion by Parravano, second by Tucker to nominate Campbell for the office of Secretary. Campbell declined the nomination stating she did not want the office of the Secretary.

Padreddii nominated Lundie for Secretary. Lundie declined the nomination.

Motion by Tucker, second by Lundie to combine the position of Secretary and Treasurer. Vote for motion was as follows, 3 nays, (Campbell, Parravano, Padreddii), 2 ayes. Motion failed.

Campbell stated she would accept the position of Secretary. Motion carried by 5 ayes, 0 nays.

Padreddii asked for a nomination of Treasurer. Motion by Parravano to nominate Lundie for Treasurer. Lundie declined the nomination, stated that he is interested only in being President.

Motion by Padreddii, second by Lundie to nominate Tucker for Treasurer.

Commissioner Campbell left the room at 7:46 p.m.

Motion carried by 3 ayes, 0 nays, 1 abstention (Lundie), 1 absent from vote (Campbell).

Tucker commented for the record that the proceeding debate and actions had taken 45 minutes, and appeared to be for naught.

## Consent Calendar

All items on the consent calendar are approved by one motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda. Any item on the regular agenda may be transferred to the consent calendar.

**2** TITLE: **Minutes of January 21, 2004 Meeting**  
RECOMMENDATION: Approval

**Action:** Motion by Lundie, second by Parravano to approve the Consent Calendar.

Lundie requested a word change on the second page of the draft agenda. The change was noted.

Motion carried by 4 ayes, 1 abstain (Campbell).

Campbell returned to the boardroom at 7:49 p.m. and asked to be removed from the office of Secretary.

Zafferano stated an action needed to take place to address the request for removal of Campbell from the position of Secretary.

Parravano stated that item is no longer open for discussion and requested the issue be addressed at another meeting.

Zafferano said that the Harbors and Navigation Code requires election of a secretary, and the Board needs to act.

Parravano made a point of order that the item is done and should be continued later.

Padreddii said there is a vacancy for Secretary.

Motion by Lundie, second by Tucker to revisit the position. Motion carried by 4 ayes, 0 nays, 1 abstention (Campbell).

Motion by Lundie, second by Padreddii to nominate Tucker for Secretary. Motion carried by 4 ayes, 1 abstention (Campbell).

## Continued Business

- 3      TITLE:                                    **Continuation of Jan Schroeder Contract Pursuant to Commission Review of January 2004**
- RECOMMENDATION:    Approve Continuation of Contract with Jan Schroeder and Authorize Expenditure not to Exceed \$5,000

**Action:** Grenell stated at the last meeting the Board basically gave Ms. Schroeder permission to continue with her contract. Grenell wanted to have the Board formally approve continuing the contract.

Motion by Tucker, second by Lundie to continue the contract with Jan Schroeder in an amount not to exceed \$5,000. Motion carried by 4 ayes, 1 nay (Campbell).

- 4      TITLE:                                    **Pillar Point Harbor Contract: Acceptance, Recording of the Project, and Approval of Final Payment to Granite Construction Company**
- RECOMMENDATION:    Accept the Improvement Completed by Granite Construction Company as part of the Pillar Point Harbor Maintenance and Rehabilitation Project, Phase 1, Authorize Staff to file a Notice of Completion with the County Recorders Office, and Approve Final Payment of \$23,910.53 to Close the Contract

**Action:** Temko presented the report on this item.

Motion by Lundie, second by Tucker to accept the improvement completed by Granite Construction Company as part of the Pillar Point Harbor Maintenance and Rehabilitation Project, Phase 1, authorize staff to file a Notice of Completion with the County Recorders Office, and approve final payment of \$23,910.53 to close the contract. Motion carried by 5 ayes, 0 nays.

5 TITLE: **Establishment of an Assistant General Manager/Human Resources Manager Classification**

RECOMMENDATION: To Be Determined

**Action:** Grenell presented information as to this item being once again placed on the agenda.

Bill Beckett of El Granada addressed the Board. Mr. Beckett stated he was not in favor of hiring this staff member but felt the Board should be hiring an employee who addresses the amount of money that is lost when written off by unpaid debts of berth holders. He suggested the District receive an Abstract of Title before allowing any vessels to move into the harbor. This would help to receive a history of the people interested in using the harbor as a rental place for their vessels. He also stated too much money has been written off instead of making better attempts to collect unpaid debts.

Tucker suggested the General Manager work with Jan Schroeder to better define the Human Resources Manager job description and to obtain input from the Board.

Motion by Tucker, second by Padreddii to go out to hire an Assistant General Manager/Human Resources Manager including working with Ms. Schroeder as suggested.

Parravano stated he could not support the motion as stated. Parravano feels the position of Assistant General Manager was not something discussed as part of the plan to help with the personnel issues and is not something he is comfortable with at this time.

Tucker modified his motion to state that staff proceed to hire a Human Resources Manager with input from the Commissioners on the requirements for this position and to work with Ms. Schroeder as suggested. Padreddii amended his second to the first motion to second this motion.

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

6 TITLE: **Relocation of District Administration Unit**

RECOMMENDATION: To Be Determined

**Action:** Grenell also presented information as to why this item is once again on the agenda.

Motion by Tucker, second by Padreddii to direct the General Manager to research locations and leases and return to the Board with the information for a vote. Motion carried by 3 ayes, 2 nays (Campbell, Lundie).

Padreddii added that approving this item means the Board will review the possibility of relocating when all the information requested of the General Manager is completed and returned to them for review.

## New Business

7 TITLE: **Renew Agreement for Special Services:  
Labor and Employee Relations with  
Liebert Cassidy Whitmore**

RECOMMENDATION: Approve Contract with Liebert Cassidy  
Whitmore

**Action:** Grenell stated an Agreement was received from Liebert Cassidy Whitmore and the only change to the agreement was the change in billing rate of a junior associate.

Campbell asked for an update on the status of the Polices and Procedures project currently being worked on by Liebert Cassidy Whitmore. Grenell I updated the Board, he stated there would be an item on the next agenda recommending the Board approve Liebert Cassidy Whitmore to prepare new policies needed for the District to comply with new federal and state laws as to the current Polices and Procedures.

Campbell asked if the District should go out for bids before automatically renewing contracts with legal/labor counsel. Grenell stated he had not received Board direction to go out to bid, and since Liebert Cassidy Whitmore is currently involved in 3 major projects it would be better to allow them to finish those issues before considering requesting proposals.

Parravano asked if the agreement with Liebert Cassidy Whitmore is a month-to-month contract or annual. Grenell stated it is currently annual but the Board could chose to have a month-to-month arrangement.

Motion by Tucker, second by Parravano to approve contract with Liebert Cassidy Whitmore. Motion carried by 4 ayes, 0 nays,

**8** TITLE: **Coffee Kiosk Proposal for Pillar Point Harbor**

RECOMMENDATION: To Be Determined

**Action:** Campbell stated this item should be on the March 3, 2004 agenda. Grenell stated it would be rescheduled.

Bill Beckett of El Granada addressed the Board. Mr. Beckett stated he and the other lease holders in Pillar Point feel that this item would be unfair and would adversely affect their businesses, which in some cases are already suffering.

Padreddii stated this item will come back to the Board on March 3<sup>rd</sup> and encouraged the other leaseholders to attend and share their comments and concerns.

**9** TITLE: **Removal of Abandoned Vessels at Pillar Point Harbor**

RECOMMENDATION: Adopt Resolution 02—04 and Authorize the General Manager to Execute the Grant Agreement with the Department of Boating and Waterways in the Amount of \$35,000 from the Abandoned Watercraft Abatement Fund

**Action:** Temko presented the report on this item. Lundie stated he had no objection to this item. He did request a hold on one of the vessels destined to be destroyed. He stated it may have some historical interest and he is researching the history and if there is any interest in this vessel being taken and restored. He requested a 60-day reprieve. Temko stated this was fine with him.

Ray Flinn of El Granada addressed the Board. Mr. Flinn stated there is an abandoned vessel in the Harbor he would be interested in removing at no cost to the Harbor. Padreddii stated Flinn should meet with Temko to address this issue further.

Motion by Campbell, second by Lundie to adopt Resolution 02—04 and authorize the General Manager to execute the Grant Agreement with the Department of Boating and Waterways in the amount of \$35,000 from the Abandoned Watercraft Abatement Fund. Motion carried by 5 ayes, 0 nays.



- 10 TITLE: **Rescind Resolution 10—88 and Authorize General Manager to Propose Write-Off of Debts Owed the District**  
RECOMMENDATION: Adopt Resolution 01—04

**Action:** Marks presented the report on this item.

Motion by Tucker, second by Lundie to adopt Resolution 01—04. Motion carried by 5 ayes, 0 nays.

- 11 TITLE: **Bills and Claims in the Amount of \$74,788.96**  
RECOMMENDATION: Approval

**Action:** Parravano stated he did review the Bills and Claims and would like to amend the amount with an additional check of \$250.00. The amended amount for approval is now \$75,038.96.

Motion by Parravano, second by Tucker to approve the amended Bills and Claims.

Campbell asked about the continued participation in CMANC since she noticed a \$900 payment in the current Bills and Claims. Tucker stated this is for the annual dues. She also questioned the payment to O'Leary. Temko stated this final payment is due since the District was on the boatyard property for an additional 30 for days for clean up.

Motion carried by 5 ayes, 0 nays.

## **Reports for Possible Discussion/Action**

### **Administration and Finance**

#### **12 General Manager Grenell**

**Action:** In addition to his written Grenell asked Zafferano to report that he had been able to talk to the title company and according to Zafferano the title company has agreed to amend the cost of the titles to reflect a savings.

Zafferano thanked Commissioner Campbell for her input.

### 13 Director of Finance Marks

**Action:** Marks reviewed some of the budget workshop dates and times.

Tucker requested the actual Board meeting be held after the budget workshop at Oyster Point Yacht Club. Johnson stated the Yacht Club holds their own meeting on Wednesday nights but the District could use the larger room. Johnson was asked to arrange the meeting room use. He stated he would do so.

## Operations

### 14 Oyster Point Marina/Park — Johnson

**Action:** Johnson had nothing to add to his written report.

### 15 Pillar Point Harbor — Temko

**Action:** Temko thanked Oyster Point Marina staff for the use of their sander machine to clean the docks of moss, etc. to make them safer.

## Board of Harbor Commissioners

### 16 A. Committee Reports

**Action:** Parravano stated the Finance Committee had met to review the collection procedures. Tucker asked if the stamp procedure was also discussed. Campbell stated not at this last meeting. The stamp use procedure was discussed at the last meeting.

### 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:** Campbell requested a verbal update on the Post Office Lot at the next meeting. Grenell stated the County has been holding up the process over parking. Grenell stated he would provide a full report at the next meeting.

Lundie thanked the General Manager for providing information on a copy of the lease with the El Granada fire department.

## Continued Business

- 17    TITLE:                            **Identify Labor Negotiator Pursuant to Government Code §54957.6**  
      RECOMMENDATION:    Identify General Manager Peter Grenell as District Labor Negotiator

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

Motion by Tucker, second by Lundie to adjourn to break at 8:42 p.m. Motion carried by unanimous vote.

Closed Session began at 8:52 p.m.

## Closed Session

- 18    TITLE:                            **Conference with Labor Negotiator Pursuant to Government Code §5457.6: Operating Engineers Local 3**  
      RECOMMENDATION:    To Be Determined

Motion by Tucker, second by Lundie to reconvene to open session. Motion carried by unanimous vote at 9:20 p.m.

## Adjournment

**Action:** Nothing to report from Closed Session.

Motion by Lundie, second by Tucker to adjourn the meeting. Motion carried by unanimous vote at 9:21 p.m.

APPROVED BY:

ATTESTED BY:

\_\_\_\_\_  
Leo Padreddii  
President

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Beverly Fontana  
Deputy Secretary