

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

September 17, 2003
7:02 p.m.

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

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

Frank Preston, a sailing boat owner at Pillar Point Harbor, addressed the Board. Mr. Preston stated he was sorry to see the boatyard close. He provided information for other boaters as to where they may bring their vessels in the event they need repair. He was happy with, and suggested, Anderson's Boatworks in Sausalito, they also will do emergency haul-outs.

Harbormaster Temko wanted to recognize Mr. Preston by stating that he has logged more hours than any other sailors out of Pillar Point Harbor. He sails in foul or fair weather. Padreddii, who spoke on behalf of the Harbor Commission, congratulated Mr. Preston for his sailing endeavors.

Consent Calendar— none

Public Hearing — None

Continued Business

- 1 TITLE: **Amendment to Ordinance Code Section 3.04.180 Relating to Vessels on Moorings: Live Aboard Vessels**
- RECOMMENDATION: Introduce Draft Amendment to Ordinance Code Section 3.04.180 and Authorize Publication of Public Notice

Action: Grenell presented a brief update on this item. Temko then took over the presentation and explained the amendments made since the last meeting. The changes came about after consulting with Harbormaster Johnson, District Counsel and public input.

Campbell requested a further change to item “e”; she asked that one sentence be struck. Temko stated that could be done. With agreement the sentence pertaining to filing complaints was struck. She also stated that the amount mooring users will be charged should be stated before the proposed ordinance amendment goes to publication.

Temko stated he feels the rate can be determined later and addressed later before the ordinance is adopted. Johnson added the period before the ordinance becomes adopted would allow for input on the amount mooring users should be charged.

Parravano commented on section “c” of the proposed amendment. He stated he thought the District had a designated number of liveaboards allowed. Temko stated Pillar Point Harbor does not. Johnson added that Oyster Point Marina/Park does have a designated number imposed by BCDC. Parravano asked if the moorings put in via a grant are subject to any special requirements that may in conflict with this proposed amendment change. Temko stated no.

Parravano asked about a charge for use of the pump-out vessel. Temko stated no longer does the harbor patrol go out to vessels for pumping. The vessels need to come to the pump-out station located on the fuel dock.

Motion by Campbell, second by Parravano to introduce draft amendment to Ordinance Code Section 3.04.180 and authorize publication of public notice.

Craig Mead of Pillar Point Harbor addressed the Board. Mr. Mead addressed many of the issues in the proposed amendment. He passed out to the Board and Harbormasters a copy of his concerns and comments.

Campbell stated many of Mr. Mead's comments were valid and she would like to amend her motion, amending the moving of vessels clause to state weather permitting. Temko stated 60 days is a long period of time to take a vessel out of the harbor and there are always a few days of good weather in any given 60 days even in the winter. Campbell said she does agree somewhat with Temko's comment, but her issue is to protect the boaters. Temko stated safety is always first and foremost with him.

Grenell reiterated tonight's motion only allows this proposed ordinance to go to publication and allow berthers to input comments and suggestions, as they are welcome to do so.

Campbell stated she would trust Temko's judgment and not change her motion in regard to the weather permit issue.

John Lynker of Pillar Point Harbor addressed the Board. Mr. Lynker stated some of his concerns that the proposed amendment would inflict on him. He agreed that the mooring users should not be charged the full berthers amount since a mooring user does not have access to all the "privileges" of a berth holder.

Motion carried by 3 ayes, 0 nays, 2 absent (Lundie, Tucker).

2 TITLE: Vessel Liability Insurance for Oyster Point Marina/Park Tenants
RECOMMENDATION: Adopt Resolution 31—03

Action: Grenell presented a brief report on this item before handing it over to Harbormaster Johnson.

Johnson stated he has worked with the District's insurance broker on this item. The liability insurance will cover the vessels in the Oyster Point Marina/Park and hold the District as a certificate holder.

Campbell stated she has been trying to obtain liability insurance for the District for over 11 years. She is pleased to see this come before her. Her problem was this does not include Pillar Point Harbor.

Padreddii suggested this item be voted on tonight and Pillar Point Harbor come back on a later agenda. Campbell stated no, she was not confident it would get done.

Parravano asked questions as to when and where the vessel needs to be located in order to be covered, as in the harbor or outside the breakwater. Johnson stated he believes it would follow the vessel but as he is inexperienced in this field, he stated he would find out from the District's insurance broker for exact coverage wording.

John Lynker of Pillar Point Harbor once again addressed the Board. Mr. Lynker stated he feels that Pillar Point Harbor should also be included in liability insurance.

Johnson stated, Padreddii concurred this item has been worked on for the past 2 years and to not approve it now would be a setback to all the hard work.

Campbell stated she agrees, but will only approve this item if a time-limit is set on Pillar Point Harbor to come up with their own liability insurance for berthers.

Temko added that in the past the commercial fishermen have strongly disagreed to holding liability insurance. The insurance will have to be done somewhat differently to accommodate the commercial fishermen.

Johnson stated the issue of doing the harbors one at a time was discussed within management. Management, along with District Counsel, knew the policies would be different and more work needed for the commercial fishermen at Pillar Point Harbor and then decided to proceed with Oyster Point Marina/Park first.

Motion by Campbell, second by Parravano to adopt Resolution 31—03 and to include an 8-month timeframe on Pillar Point Harbor to produce a preliminary report from staff on liability insurance for berthers. Motion carried by 3 ayes, 0 nays, 2 absent (Lundie, Tucker).

New Business

- 3** TITLE: **Bills and Claims in the Amount of \$226,734.07**
RECOMMENDATION: Approval

Action: Parravano stated he had reviewed the Bills and Claims and would like to include two additional bills and delete one bill. The amended amount to approve is now \$244,928.07. Motion by Campbell, second by Padreddii to approve Bills and Claims in the amended amount of \$244,928.07. Motion carried by 3 ayes, 0 nays, 2 absent (Lundie, Tucker).

Reports for Possible Discussion/Action

Administration and Finance

- 4** **General Manager Grenell**

Action: Grenell stated he would take any questions of his written report.

5 Director of Finance Marks

Action: Marks stated she would take any questions of the AB 1542 Disclosure Statements, FY 2002-03 provided as her report.

Operations

6 Oyster Point Marina/Park — Johnson

Action: Johnson stated the concrete beam repair is complete. Johnson stated he would provide the Board a final total cost when he receives it. Johnson thanked the Board for their support of this project. He also expressed complete satisfaction with the work of North Coast Divers and Biggs and Cardoza Engineering for their work on this project.

Johnson added he would be coming back to the Board with the gate project for their direction on how to proceed.

Johnson stated that again there have been two more thefts at the dry storage. Johnson was hoping to provide a copy of the police report. The problem with theft at the dry storage is that both the South San Francisco Police Department and users of the dry storage are holding him, Johnson, accountable. He lets them know that the District leases the property and are attempting to hold the lessees' accountable and increase security.

Grenell stated staff and District Counsel are in discussion with King Ventures, the lessee, regarding breach of lease issues and the next steps to take. King has told Grenell that he is unable to hire a competent employee to be at the dry storage site.

Campbell stated King Ventures needs to have a time limit to comply with the lease. Grenell stated the lease does have time limit requirements in them. These time limits have been included in the past notices of breach of contract to King Ventures.

Padreddii stated he spoke to the City Manager of South San Francisco in regard to the out-dated stop sign at the guard shack at Oyster Point Marina/Park. He was able to have the City replace the sign at no charge to the District.

7 Pillar Point Harbor — Temko

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

Campbell asked when the paving project was to begin. Temko stated it will begin on September 22, 2003.

Campbell also asked for a fishing update. Temko stated fishing has slowed down for albacore, although squid is doing well. Rockfish is close to shore and has been excellent, sports fishermen have been doing great. Salmon is not being caught around Pillar Point Harbor. The fish have moved up north and most of the salmon fishermen have traveled up to that area to take advantage of the end of salmon season. Temko stated albacore is still lingering around as he had caught one locally. He added that off the boat fish sales are doing well on the weekend when fish are available; the weekdays are a little slow.

Board of Harbor Commissioners

- 8 A. Committee Reports — none
 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: No Commission statements or items to add to the agenda.

Closed Session

Motion by Parravano, second by Campbell to adjourn the meeting. Meeting adjourned at 8:17 p.m. by unanimous vote.

Adjournment

APPROVED BY:

ATTESTED BY:

Leo Padreddii
Vice President

Beverly Fontana
Deputy Secretary