

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

**March 3, 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 J. Tucker, 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
Shari Chapin, Acting Deputy Secretary
Marc L. Zafferano, District Counsel

**Public Comments/Questions — Public and Staff
Recognition**

Bob Strickland President of United Anglers of California addressed the Board. Mr. Strickland requested permission to place a pen at Oyster Point Marina/Park to raise White Sea bass.

Padreddii stated the Board had no objections to this kind project and requested staff to work with Mr. Strickland to help him attain the information needed to proceed with this project.

Lundie asked questions about some safety issues. Lundie was concerned with the District's involvement in any rescues that might involve and endanger the Harbor Patrol. Mr. Manchester provided answers to Commissioner Lundie's questions.

Parravano asked questions about safety issues also. Mr. Manchester provided answers to Commissioner Parravano's questions.

Andrew Bautista of El Granada addressed the Board. Mr. Bautista feels the idea of a kayak company in the Harbor is a great idea, he stated it will help bring business to the area and he supports it.

Ken Howell of California Canoe and Kayak addressed the Board. Mr. Howell stated California Canoe and Kayak tried rental kayaks from the harbor. He stated the kayakers wanted to go outside the harbor and were asked to sign a waiver that they would not. Some did anyway, and some rescues were necessary. Mr. Howell requested if this permit is allowed that California Canoe and Kayak also be allowed to set up on District property.

John Lull of El Granada of California Canoe and Kayak addressed the Board. Mr. Lull stated he is an instructor and wanted to address safety issues. He, too, feels non-experienced kayakers are in danger if they go outside the break wall. Kayak renters need to be made aware of the dangers in the Mavericks area, and in general, outside the break wall.

Commissioner Lundie requested Mr. Howell of California Canoe and Kayak to return to the microphone. Lundie asked Mr. Howell how much of a financial burden he thinks another company renting kayaks would create for his company. Mr. Howell thanked Commissioner Lundie for the question. He stated he felt it would make an impact although he is not sure how much at this time. Lundie stated he feels the original Commercial Activity Permit holder should be afforded some consideration, but added competition is sometimes good for the public. He felt he would like to have the District keep a record of the impact this new permit may have on the original permit holder.

Grenell stated Half Moon Bay Kayak Company would not have an exclusive right to perched beach and California Canoe and Kayak may also apply for use of that land.

Parravano asked if California Canoe and Kayak is paying Half Moon Bay Yacht Club for use of its space. Howell stated yes on a month-to-month basis.

Keith Miller of California Canoe and Kayak addressed the Board. Mr. Miller gave a brief history of his company and its services. He stated he was fine with the competition of another kayak rental in the area. He did state he felt the operation of Half Moon Bay Kayak Company would most definitely have an effect on his business. He also asked if the District discovered that the area was in need of

another business of the same type in such close proximity. Mr. Miller asked that the District reconsider the application before them tonight.

Tucker stated he supported the application and felt that California Canoe and Kayak was just unhappy with the competition.

Motion by Tucker, second Padreddii to approve the Commercial Activity Permit and License agreement with Half Moon Bay Kayak Company.

Parravano asked the General Manager whether there is a policy on the number of Commercial Activity Permits allowed. Grenell stated no, the District has them on Land Based Permits and Inspected and Uninspected Sports fishing Vessels. Grenell stated there is one vacancy for the Land Based Permit, and we have a waiting list of one person. Parravano asked if the 71 Berth Project was taken into consideration before recommending this applicant's approval. Grenell stated that he and Harbormaster Temko did consider the 71-berth project and the restroom project while considering this permit. He stated that the issue had been discussed with the applicant, that they may need to be relocated, and that the District retains the right to do so. The application agreed to be moved if necessary.

Parravano added that he feels the location chosen for the activity may create conflict for other boating users' groups. He also feels the area will be congested.

Parravano offered to the maker of the motion two amendments. First, that the applicant relocate their operation to Half Moon Bay Yacht Club, thus allowing the public to chose between the two companies and have one place where rental kayaks are located, and secondly, that users of the service only go out with guides and not outside the inner harbor.

Padreddii stated he thought the recommendations of Commissioner Parravano are not compatible with this motion.

Padreddii called for the question. A vote was taken as follows: 2 ayes, 2 nays (Parravano, Lundie), 1 absent (Campbell).

Grenell asked if the permit recommendations is adjusted, will it have to be brought back before the Board for reconsideration.

Lundie stated he misunderstood what motion the roll call was being taken on. Padreddii stated he understood the mistake and reiterated the original motion.

New Business - Continued

- 5 TITLE: **Bills and Claims in the Amount of
\$57,487.41**
- RECOMMENDATION: Approve Bills and Claims

Action: Tucker stated the amount has been amended the new amount for approval is \$57,663.94. The amendment stems from the removal of a bill of \$73.47 and addition of \$250.00 for a Surety Bond. Motion by Tucker, second by Lundie to approve the Bills and Claims in the amended amount of \$57,663.94. Motion carried by 4 ayes, 1 absent (Campbell).

- 6 TITLE: **1st Budget Workshop for FY 2004-05**
- RECOMMENDATION: To Be Determined

Action: Padreddii stated he had just gotten the budget this week and had not had the time to review it. Tucker stated that was fine with him and he had one request that he had turned over to the Director of Finance.

The next scheduled workshop is April 21, 2004 at the Oyster Point Yacht Club. Harbormaster Johnson stated the Yacht Club is available to the District, as far as he knows. He stated he would confirm and get back to the General Manager.

Parravano stated waiting 6 weeks before the next budget meeting is too long. It was suggested to place it on the next agenda. Grenell stated he would place it on the March 17th agenda.

Reports for Possible Discussion/Action

Administration and Finance

7 General Manager Grenell

Action: Grenell added a few items to his written report. He stated the National Marine Sanctuary Program has announced its decision on the boundary change between the Gulf of The Farallones National Marine Sanctuary and the Monterey Bay National Marine Sanctuary. It was decided there would be no actual boundary line change. There will be a Northern Management Area effective from March 1, 2004, which will be managed by the Gulf of The Farallones National Marine Sanctuary. This Area extends northward from the Santa Cruz/San Mateo County

line. On March 24th in Half Moon Bay the Program will inform the public of the change.

Parravano added to Grenell's statement. He stated this action has been a long time coming. The issue has always been access for San Mateo County residents.

Grenell also wanted to highlight item 8, Local Coastal Program (LCP) Midcoast Update, of his report and asked the Board to review it, since it did affect the District.

Padreddii briefly spoke of the value of CMANC and his conversation with Congressman Lantos.

Parravano stated in reference to the previous meeting when the discussion of sending financial support to the CMANC Reception came up, that the District send support by supplying the seafood for their donation. Since the District was requesting that CMANC not serve farmed salmon, the District could provide the alternative.

Grenell stated the donation check had not yet been mailed, he was holding it until there was confirmation that no farmed salmon was to be served. Grenell added that in the past it was the practice that CMANC did supply California food products, a practice that had been stopped, due to the cost. Believing that it may be too late to make a change from financial donation to a seafood donation, the check was chosen to be mailed when a no farmed salmon confirmation is received.

8 Director of Finance Marks

Action: Marks stated she has been mainly working on the budget and had nothing to report at this time.

Operations

9 Oyster Point Marina/Park — Johnson

Action: Johnson stated he had no written report. He reported that the occupancy remains unchanged. He also stated a report will be given at the next meeting on the fishing pier. He updated the status of the fuel dock.

10 Pillar Point Harbor — Temko

Action: Temko stated the Mavericks contest did occur as planned. He stated there were two complaints that he felt were valid and he plans to address them. The parking lots were full and side streets were congested. He stated the waves were breaking, although not as big as past contests, but it was a well-attended event.

Grenell added that Doug Epstein, Maverick's event organizer, contacted him and he requested renewing the permit for next year. Grenell informed him that he will first meet with Harbormaster Temko and discuss this year's event before informs Epstein if the permit could be renewed for next year.

Board of Harbor Commissioners

11 A. Committee Reports

Action: No committee reports.

B. Commission Statements and Requests

The Board of Harbor Commissioners may make public statements and requests. Requests may be made to place items on future agendas.

Action: Tucker stated he had a question related to the budget in regard to the medical benefits for retired Commissioners. He thought it was no longer in effect. He requested staff research this and get back to the Board with the last action on this item.

Parravano announced on March 17, 2004 the California Legislature will hold their annual Fisheries Forum in Sacramento.

Continued Business - continued

- 14 TITLE: **Identify Labor Negotiator Pursuant to Government Code §54957.6**
- REPORT: Zafferano
- PROPOSED Identify General Manager Peter Grenell as District
- ACTION: Labor Negotiator

Action: The General Manager was identified as the District's labor negotiator for the Closed Session item.

Motion by Tucker, second by Lundie to adjourn to Closed Session. Motion carried by a unanimous vote at 8:52 p.m.

Closed Session began at 9:02 p.m.

Closed Session

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

Parravano recused himself from item 16 and left the meeting room.

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

Motion by Tucker, second by Lundie to adjourned Closed Session and resume Open Session. Motion carried by unanimous vote at 9:28 p.m.

Action: No reportable action.

Adjournment

Motion by Lundie, second by Tucker to adjourn the meeting. Motion carried by a unanimous vote at 9:30 p.m.

APPROVED BY:

ATTESTED BY:

Leo Padreddii
President

Beverly Fontana
Deputy Secretary