

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

June 4, 2008
7:00 p.m.

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

Roll Call

Commissioners

Ken Lundie, President
Leo Padreddii, Vice President
Sally Campbell, Treasurer
Pietro Parravano, Secretary
James Tucker, Commissioner

Staff

Peter Grenell, General Manager
Marcia Schnapp, Director of Finance
Marietta Harris, Human Resource Manager
Robert Johnson, Harbormaster
Dan Temko, Harbormaster
Theresa DellaSanta, Deputy Secretary
Marc Zafferano, District Counsel

Public comments and questions were moved to right before the closed session.

Staff Recognition- Lundie commended Temko for his quick reaction in trying to oxygenate the Harbor to save the anchovies when the tide went low. Temko added recognition of the Pillar Point crew and fishermen for their help.

Consent Calendar

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

1 TITLE: **Minutes of Special Meeting May 21, 2008**
REPORT: Draft minutes
PROPOSED ACTION: Approval

Action: Motion by Campbell, second by Padreddii to approve Item 1. The motion passed.

Ayes: 3
Nays: 0

Abstentions: 2 (Lundie, Tucker)

2 TITLE: **Minutes of Meeting May 21, 2008**
REPORT: Draft minutes
PROPOSED ACTION: Approval

Padreddii informed the Board that there are a couple of edits that need to be made on the minutes. DellaSanta will make the corrections.

Action: Motion by Campbell, second by Parravano to approve Item 2. The motion passed.

Ayes: 4

Nays: 0

Abstention: 1 (Tucker)

The Board took up Item 6.5

6.5 TITLE: **Amendment to Non-Commercial Event Activity Permit and Application for Amended Permit for Friday, June 27th at 6pm through Sunday, June 29th at 8pm**
REPORT: Grenell, Application, Attachment
PROPOSED ACTION: To Be Determined

Grenell explained that this request is for a group of bikers who want to camp at Pillar Point Harbor's perched beach for the weekend. He added that the current District permit does not allow overnight use of harbor facilities and that action by the Board would need to first include amending the existing policy.

Campbell added that the group wants to use the facilities because they are holding a celebration of life at the American Legion for a bike club member who recently passed away. She added that she knew the man who passed away and he was a respectful and honest person. Campbell concluded that because they will be drinking at the Legion, they wanted the opportunity to be able to walk to perched beach and camp, rather than drive to local motels.

Larry Gasbarri, American Legion event coordinator, stated that most of the bike club members are older men and he doesn't expect any problems. He added that they would clean up according to the Harbormaster.

Temko stated his concern regarding problems associated with people drinking and coming to the Harbor and how it will be controlled. Temko said that bonfires need to be controlled and in an approved and contained fire pit. He added that rock cod season just began and people will visit the harbor early in the morning to use the area for fishing, and that the club needs to respect that. Gasbarri agreed.

Parravano stated his concern that staff has brought both an amendment to the existing policy and an application request in one item. He asked for clarification.

Grenell stated that first action would amend the current permit to allow for overnight use at the General Manager's discretion, and second action would approve the current application for overnight use with respect to the amendment.

Campbell said that the point of having a non-commercial event permit was for bringing additional income to the District. She added that when the Board went through the process of creating an event permit they had no criteria at that time to base it on and now that there is a practical situation, it should be looked at.

Temko stated that the area is good for camping and that the amendment is appropriate.

Tucker added that he is reluctant to support this, and added that he might approve if there is a condition that no motorcycles are allowed on the sand and that if any problems arise on Friday night then the permit becomes immediately null and void.

Action: Motion by Campbell, no second. Motion failed due to lack of a second.

Public Hearing –

3 TITLE: Preliminary Operating and Capital Budget for Fiscal Year 2008-2009

- A. Declare Meeting Open: President Ken Lundie
- B. Report of Notice Given: Grenell
- C. Staff Report and Recommendation: To Be Determined
- D. Public Testimony:
- E. Harbor Commission Questions:
- F. Close Public Testimony: President Ken Lundie
- G. Commission Deliberation:
- H. Recommended Commission Action: To Be Determined

Grenell informed the Board that this item is still in the statutory time period for public review and comment. He added that this item included a memo from Schnapp that shows changes that will be included in the final budget that will be brought on June 18th.

Tucker asked for clarification on why the District faced a \$652,000 anticipated deficit and now has an anticipated deficit of \$572,000. Schnapp said that one deputy harbormaster position is being vacated at Pillar Point and a transfer from Oyster Point will take place. Campbell asked if that decision has been made. Grenell said yes.

Zafferano stated for the record, that the staff's decision for an employment termination will not be discussed because it is not an item on the agenda; however, general instructions can be

made to staff during the closed session on overall labor negotiations, which is on the agenda. Zafferano concluded that the Board may discuss personnel concerns but nothing can be changed.

Tucker asked if there were any changes at the budget workshop in May. Campbell informed Tucker the Board directed staff to report back within 90 days on all the possible solutions to save money. Tucker said he won't support adopting a negative budget. He concluded that he has several thoughts on cuts to the budget which will be discussed at the next meeting.

Lundie asked why there is no specific personnel item on the Agenda as he requested. Zafferano explained that the employee in question does not report to the Board, and the Board does not have authority to hold a personnel discussion.

No action taken.

The budget item will be scheduled on the June 18th Board meeting.

Continued Business

4 TITLE:	Request for Change Order Number 1 for Anzus Construction for Pillar Point Harbor Restroom Renovation project
REPORT:	Temko, Memo, Attachment
PROPOSED ACTION:	Approve Change Order Number 1 with Anzus Construction for Pillar Point Harbor Restroom Renovation project in an Amount Not to Exceed \$5,147.60

Temko stated that when the concrete floor was removed from over the drains, the building inspector found that there were no floor vents.

Tucker stated that this happens when working on remodel projects and he has no reservations about it. Tucker asked how the floor drains will be guarded from diverting back up the line.

Barry Day, Anzus Construction contractor, said that if there is a blockage the waste will go up the vents.

Campbell asked if Day anticipates anymore change orders. Day explained that there has been some discussion on site about adding more windows for ventilation and cosmetics. He added that it would be a nice touch to the restroom and would cost approximately three to four thousand dollars.

The Board agreed that it wouldn't be a problem to allow Day to install the windows and come back to them with Change Order #2.

Action: Motion by Tucker, second by Campbell to approve Item 4. The motion passed.

Ayes: 5

Nays: 0

- 5 TITLE: **Information Update: Contract for Professional Services for Parcel Map Survey at Oyster Point Marina/Park with Mid-Valley Engineering**
REPORT: Grenell, Draft Maps
PROPOSED ACTION: To Be Determined

Grenell informed the Board that parcels have been tentatively mapped and completed by Mid-Valley Engineering.

Tucker explained that this is really good news and that if the City of South San Francisco approves the four parcels of land it will be very rewarding for the District.

No action taken.

New Business

- 6 TITLE: **Limited Commercial Activity Permit for Leukemia and Lymphoma Society on Saturday, July 26th at Pillar Point Harbor**
REPORT: Temko, Application
PROPOSED ACTION: Approve Limited Commercial Activity Permit for Leukemia and Lymphoma Society at Pillar Point Harbor

Temko informed the Board that the annual Ocean Blue event will take place the same day. He has informed the Leukemia and Lymphoma Society who will coordinate with Ocean Blue to make sure their courses do not conflict. Temko recommended approval of the permit with waiver of fees.

Action: Motion by Tucker, second by Parravano to approve Item 6 with waiver of fee. The motion passed.

Ayes: 5

Nays: 0

- 7 TITLE: **Bills and Claims in the Amount of \$361,537.04**
REPORT: Bills and Claims Detailed Summary
PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$361,537.04 to cover payment of Bills and Claims

Padreddii informed the Board that he has reviewed the Bills and Claims and found them in order. He recommended approval.

Action: Motion by Padreddii, second by Parravano to approve the Bills and Claims in an amount of \$361,537.04. The motion passed.

Ayes: 5

Nays: 0

Reports for Possible Discussion/Action

Administration and Finance

8 General Manager - Grenell

Grenell informed the Board that he has received County candidate forms for elections. He asked for approval to return the papers following the same procedure as done in the past. The Board approved.

Grenell stated that he and Temko hosted the annual travel writers press media tour at Pillar Point Harbor and it went very well.

9 Director of Finance - Schnapp

Schnapp stated that her report reflects \$300,000 in elections cost because she had no basis for any other number. She added that she recently received the February 2008 elections costs from the County which came in at \$562,000 so election costs for the District can decrease.

Schnapp asked for direction from the Board on additional cuts to the budget.

10 Human Resources Manager - Harris

Nothing further to add to written report.

Operations

11 Oyster Point Marina/Park - Johnson

Johnson informed the Board that construction of the breakwater will begin on July 7th. Grenell added that a small groundbreaking ceremony will take place during that week.

12 Pillar Point Harbor – Temko

Temko stated that there has been interest in vacant slips. He added that rock cod season has begun and is off to a good start.

Board of Harbor Commissioners

13 A. Committee Reports

75th Anniversary (Campbell, Parravano)

Campbell informed the Board that the August 16th event is in its planning stages and coming along very well. She added that there will be activity booths at the event, and that Grenell will request sponsorship from Franco Carrubba, Keet Nerhan and Half Moon Bay Brewery.

Campbell asked the Board to decide whether they want to do a time capsule. The Board agreed to go ahead with it.

URGENCY ITEM #13.5

Action: Motion by Parravano, second by Padreddii to add the Urgency Item to the Agenda. The motion passed.

Ayes: 5

Nays: 0

16 TITLE:	Assembly Bill 983 (Ma)
REPORT:	Grenell
PROPOSED ACTION:	Adopt Oppose Position on Assembly Bill 983 and Authorize General Manager to Send Position Letter to Legislative Representative

Grenell informed that Board that AB983 will require an agency to contract with technical experts to guarantee plans and specifications are legal.

The Board agreed to oppose.

Action: Motion by Tucker, second by Padreddii to approve Urgency Item 13.5. The motion passed.

Ayes: 5

Nays: 0

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.

Lundie expressed his gratitude at seeing the sailboat gone from the rip rap at Pillar Point.

- 14 TITLE: **Identify Labor Negotiator pursuant to Government Code §54957.6**
REPORT: Zafferano
PROPOSED ACTION: Identify Labor Negotiator Peter Grenell

Lundie identified Grenell as Labor Negotiator.

Public Comments/Questions-

Temko stated that he understands the District's financial situation, but would like the Board to consider who they are laying off. He added that the employee who has been laid off does a fine job at the Harbor and he would regret seeing him go.

John Draper, Pillar Point Assistant Harbormaster, asked why Administration can hire a temporary employee when they need help, but operations always takes the hit when cuts need to be made. Draper concluded by asking why a wage and benefit study was done for operations only and not for the Board or Management.

Bill Pope, Operating Engineers representative, stated that he was at the Board meeting in December of 2007 when the Commission deliberated and decided to hire a new employee rather than do a transfer. He asked why the Board has chosen to lay off that employee six months later only to do a transfer.

Steve Trusso, Half Moon Bay fisherman, stated that the employee is a qualified patrolman and this would be a loss to the boating community.

Randy Bankord, Deputy Harbormaster, concurred with Draper. He added that he and his coworkers depend on each other when they are out doing their jobs. Bankord stated that he hopes the Board will reconsider the decision to lay the employee off. He concluded that he doesn't want to see anyone get hurt due to the lack of staff.

David Arington, Deputy Harbormaster, concurred with Draper and Bankord. He added that with the layoff, the quality of safety is jeopardized.

Jason Koulouris stated that he has enjoyed working at Pillar Point Harbor.

Lundie asked whether the employee being laid off would automatically go to the top of the hire list. Harris replied yes. Lundie asked if the District were to rehire the employee would he start from where he was laid off or would he have to do the entire probation period over again. Grenell said he can start from where he left off.

Action: motion by Campbell, second by Padreddii to move to closed session. The motion passed unanimously at 8:35 p.m.

Closed Session, Continued

15 TITLE: **Conference with Labor Negotiator pursuant to Government Code §54957.6: Operating Engineers Local Union No. 3**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

16 TITLE: **Conference with Labor Negotiator pursuant to Government Code §54957.6: Teamsters Union Local 856**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

Action: Motion by Parravano, second by Campbell to adjourn to Open Session. The motion passed unanimously at 9:14 p.m.

There was not reportable action from Closed Session.

Adjournment

Action: Motion by Parravano, second by Tucker to adjourn the meeting. The motion passed unanimously at 9:15 p.m.

APPROVED BY:

ATTESTED BY:

Ken Lundie
President

Theresa DellaSanta
Deputy Secretary