

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

**July 2, 2003
7:00 p.m.**

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

Roll Call

Commissioners

- James J. Tucker, President
- * Leo Padreddii, Vice President
- Pietro Parravano, Secretary / Treasurer
- ** Sally R. Campbell, Commissioner
- Ken Lundie, Commissioner

* absent

** late (arrived 7:04)

Staff

- * Peter Grenell, General Manager
- * Lindsay A. Marks, Director of Finance
- Robert Johnson, Harbormaster/Acting General Manager
- Dan Temko, Harbormaster
- Beverly Fontana, Deputy Secretary
- Marc L. Zafferano, District Counsel

**Public Comments/Questions — Public and Staff
Recognition - None**

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consent calendar are approved by one motion unless a request is made at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

- 1 TITLE: **Proclamation for Michael Stone**
 RECOMMENDATION: Approve Proclamation

Action: Motion by Parravano, second by Lundie to approve Proclamation for Michael Stone. Motion carried by 3 ayes, 2 absent (Campbell, Padreddii).

Public Hearing

- 2 TITLE: **Pillar Point RV Lot Length of Stay
Ordinance Section 3.8.2: Temporary
Exemption**

 RECOMMENDATION: Approve Temporary Exemption

Action: Tucker declared the public meeting open at 7:01 p.m. Johnson stated proper notice had been given. Johnson stated staff recommends approval of temporary exemption to Pillar Point RV Lot length of stay.

Greg Antone, representing KN Properties, addressed the Board. Antone stated since the packet of information was given to the Board the problem of an empty RV Lot has not gotten better. He did state due to the upcoming Fourth of July holiday, a few more recreational vehicles have shown up. Antone explained to the Board the reason he feels the Lot should receive this exemption. He added that records will be better kept and the Post Office and schools will notify KN Properties if any RV Lot users register as a permanent tenant from that address. Antone also stated after attending a Half Moon Bay City Council meeting he was informed that the TOT Tax is 28% of the revenue received by the City. Antone stated it is the wish of KN Properties to keep the maximum usage of the Lot to continue to provide their share of the revenue to the City and feels this can be done if they are granted the temporary exemption and able to attract users back to the Lot.

(Campbell arrived at 7:04 p.m.)

Motion by Campbell, second by Lundie to approve Plans and Specifications and authorize General Manager to seek construction bids. Motion carried by unanimous vote.

5 TITLE: **Oyster Point Marina/Park Gatehouse
Concrete Beam Repair: Contract
Amendment**

RECOMMENDATION: Approve Contract Amendment

Action: Johnson presented the report on this item. Staff recommends approving the contract change in an amount not to exceed \$126,000.

Tucker requested a copy of the invoice since the contract has gone to a Time and Materials repair project. Johnson stated the Board would be provided a copy of the invoices.

Motion by Lundie, second by Parravano to approve the contract amendment in an amount not to exceed \$126,000 with copies of the invoices provided to the Board for review. Motion carried by 4 ayes, 0 nays, 1 absent (Padreddii).

6 TITLE: **Resolution 04-02 Concerning District
Policy 6.4.5, Section 3**

RECOMMENDATION: To Be Determined

Action: Campbell stated she was under the understanding that this resolution was solely for reimbursement of insurance payments only and not co-payments and deductibles. She requested this resolution come back to the Board, she would like her vote to reflect a nay vote since she feels only insurance reimbursements should be paid out.

After research online Campbell stated she could not find where co-payments and deductible were okay for the Board to approve. She added that no Commissioners or staff is ever allowed payments for elective surgery.

Lundie stated that Commissioners should not receive any medical reimbursement for procedures, for which staff does not receive reimbursement.

Motion by Campbell, second by Lundie to once again put Resolution 04-02 before the Board again for a new vote. Motion was as follows: 2 ayes, 2 nays (Campbell, Lundie) and 1 absent (Padreddii). Motion failed.

Zafferano stated Resolution 04-02 has already been adopted and the Board may vote on making changes to it.

Campbell asked if there was any law stating it cannot be voted on again.

Lundie stated a motion could be made to rescind the resolution.

Motion by Campbell, second by Lundie to rescind Resolution 04-02 and Exhibit A of the resolution. Motion was as follows: 2 ayes, 2 nays (Parravano, Tucker), 1 absent (Padreddii). Motion failed.

Parravano asked for explanation of the resolution. Lundie stated that he feels the resolution should state that no employee or Commissioner receive medical reimbursement for procedures not allowed by the District's insurance carriers.

Zafferano stated this might cause invasion of privacy and stated caution should be used pursuing this avenue.

Campbell then asked Zafferano to explain to her how she can go about removing her name as a supporting vote of Resolution 04-02.

Zafferano stated the first motion was correct. The record will now show that she and Lundie both do not support this resolution.

Campbell wanted to be sure that the record show that she does not support Resolution 04-02 as was adopted. She requested the minutes of this meeting be placed behind Resolution 04-02.

Zafferano stated that is not the usual thing to do since nothing was changed on the resolution.

Campbell continued to stress she wants her name off the original resolution.

Motion by Campbell, second by Lundie to remove elective surgery from co-payments and deductibles.

Campbell rescinded her first motion and moved to have Resolution 04-02 be revised to state co-payments or deductibles that are not available to all employees in the standard insurance polices issued by the Harbor District be allowed as reimbursable by Commissioners. Second by Lundie.

Parravano asked if this motion was an amendment to the resolution. Tucker stated a yes vote on the motion would amend the original resolution.

Vote on motion was as follows: 2 ayes, 2 abstentions (Parravano, Tucker), 1 absent (Padreddii). Motion failed.

The Board asked District Counsel for verification of the vote outcome. Zafferano stated this meant the vote did not pass.

New Business

- 7 TITLE: **Bills and Claims in the Amount of
\$106,412.98**
- RECOMMENDATION: Approval

Action: Parravano stated he had reviewed the Bills and Claims and found them to be in order.

Motion by Parravano, second by Lundie to approve the Bills and Claims in an amount of \$106,412.98. Motion carried by 4 ayes, 0 nays, 1 absent (Padreddii).

Reports for Possible Discussion/Action

Administration and Finance

- 8 **General Manager Grenell**

Action: No report.

- 9 **Director of Finance Marks**

Action: No report.

Operations

- 10 **Oyster Point Marina/Park — Johnson**

Action: Johnson presented an update to his written report in regard to dock repairs.

Johnson also stated he and Mr. Trombulak have reached an agreement to allow him to operate out of Oyster Point Marina/Park.

Lundie asked if Mr. Trombulak was okay with waiting until Grenell gets back from vacation to sign the Commercial Activity Permit. Johnson stated it was okay with Mr. Trombulak since he doesn't plan to start operation out of Oyster Point Marina until August 1.

11 Pillar Point Harbor — Temko

Action: Temko wanted to thank Commissioner Campbell for the information she passed on to him regarding another piece of unexploded ordnance in the harbor. The information provided was handled confidentially and it gave the bomb squad a smaller area to explore to locate the depth charge. The area was searched and nothing else of danger was found. The possibility that items could be buried under the sludge will be something considered if in the future work will be done around the pier area.

Temko added the Fourth of July fireworks event is coming along. A change this year will be the parking location of the truck with the fireworks in it. The new Fire Marshall stated the truck needs to be parked well away from buildings, an area has been located and the truck will be parked there. The airport also stated the event needs approval from the FAA. The FAA approval takes up to 60 days, but something is going to be worked out and this will be addressed next year now that the committee is aware of it.

Lundie asked if something has been worked out with the Monterey Bay National Sanctuary in the event more ordnance is located. Temko stated an observer did accompany the Navy divers on this last trip to search for marine mammals in the area of the planned detonation.

Board of Harbor Commissioners

12 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: Lundie thanked District Counsel Zafferano for supplying him information on the Veterans wavier of fees at the District.

The information given to Lundie was marked confidential and he would like the information to be public so that he could share it with those who approached him about the Veterans use of the Harbor.

Lundie then requested an agenda item in Half Moon Bay on this issue be placed on a future agenda for discussion.

Parravano stated the Fitzgerald Marine Reserve will be initiating a resource assessment survey, which will last about 1-½ years. The Reserve has asked him to be part of the advisory counsel. The first meeting is scheduled for July 8 from 1-4 p.m. at the Farm Bureau.

Closed Session — None

Adjournment

Motion by Parravano, second by Lundie to adjourn the meeting. Meeting adjourned by unanimous vote at 8:12 p.m.

APPROVED BY:

ATTESTED BY:

James J. Tucker
President

Beverly Fontana
Deputy Secretary