

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

**August 16, 2006
7:00 p.m.**

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

Roll Call

Commissioners

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

Staff

Peter Grenell, General Manager
Eileen M. Wilkerson, Human Resource Manager
Marcia Schnapp, Director of Finance
Robert Johnson, Harbormaster
Dan Temko, Harbormaster
Theresa N. Hayes, Deputy Secretary
Marc Zafferano, District Counsel

X Absent

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

Roger Jones addressed the Board to review his position regarding his claim that was denied at the May 17, 2006 Board meeting. Mr. Jones summarized dates and times of events surrounding the February 28, 2006 sinking of his commercial fishing boat at Oyster Point Marina/Park. He requested further investigation.

Tucker questioned when Mr. Jones was on the USS Oriskany in Vietnam. Jones responded 1964-68, A Division, Steamed Heat. The matter will be placed on the September 6th commission meeting agenda as a closed session item and Mr. Jones was informed of this.

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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 August 2, 2006 Meeting**
 REPORT: Draft Minutes
 PROPOSED ACTION: Approval

- 2 TITLE: **Certified Employment List Extension – Deputy Harbor Master (A)**
 REPORT: Memo, Certified Employment List
 PROPOSED ACTION: Approve Certified List Extension for Deputy Harbor Master (A) to September 6, 2007

Lundie abstained from Item 1.

Action: Motion by Padreddii, second by Tucker to approve the Consent Calendar. The motion passed.

Ayes: 3
Nays: 0
Abstentions: 1 (Lundie Item 1)

Public Hearing — None

New Business

- 3 TITLE: **Appoint Deputy Secretary to the Board**
 REPORT: Ordinance Code Section 2.1.6
 PROPOSED ACTION: Appoint Theresa Hayes as Deputy Secretary to the Board

Action: Motion by Tucker, second by Lundie to appoint Theresa Hayes as Deputy Secretary to the Board. The motion passed.

Ayes: 4
Nays: 0

- 4 TITLE: **Limited Commercial Activity Permit (CAP): Leukemia and Lymphoma Society and Waiver of Fee**
 REPORT: Staff Report, Application
 PROPOSED ACTION: Approve Limited Commercial Activity Permit with

Waiving of Permit Fee and \$100 deduction in berth rent as prize.

Action: Motion by Tucker, second by Padreddii to approve Limited Commercial Activity Permit with waiving of permit fee and \$100 deduction in berth rent as prize. The motion passed.

Ayes: 4
Nays: 0

5 TITLE: **Review and Renew District Investment Policy**
REPORT: Policy, Amendments, Resolution 54-06
PROPOSED ACTION: Adopt Resolution 54-06 to Renew District Investment Policy

Action: Motion by Padreddii, second by Lundie to adopt Resolution 54-06 to Renew District Investment Policy. The motion passed.

Ayes: 4
Nays: 0

6 TITLE: **Bills and Claims in the Amount of \$165,128.58**
REPORT: Bills and Claims Detailed Summary
PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$165,128.58 to cover payment of Bills and Claims

Action: Lundie advised that he had reviewed the Bills and Claims. Motion by Lundie, second by Padreddii to approve the Bills and Claims for payment and a transfer in the amount of \$165,128.58 to cover payment of Bills and Claims. The motion passed.

Ayes: 4
Nays: 0

Continued Business

7 TITLE: **Minor Amendment to Classification, Wage And Salary Schedule – Fiscal Year 2006-07**
REPORT: Staff Report, Classification, Wage And Salary Schedule – Fiscal Year 2006-07
PROPOSED ACTION: Adopt minor amendment to the Classification, Wage And Salary Schedule – Fiscal Year 2006-07

Action: Motion by Tucker, second by Lundie to adopt minor amendment to the Classification, Wage And Salary Schedule – Fiscal Year 2006-07. The motion passed.

Ayes: 4
Nays: 0

8 TITLE: Selection of Pillar Point Harbor Restroom Construction Contractor
REPORT: Memo
PROPOSED ACTION: Select _____ as lowest responsible bidder and authorize execution of a contract with _____ in an amount not to exceed \$_____ to construct Pillar Point Harbor Restroom

Grenell reported that no bids were received in response to the bid solicitation for the Pillar Point Harbor Restrooms. Grenell is investigating reasons for the lack of response. Five potential candidates attended the pre-bid meeting. Grenell will meet with Tucker and Architects to review the bond and insurance levels and recommended re-bidding the project.

Action: Motion by Tucker, second by Lundie to approve reissuing the bid package for the Pillar Point Harbor Restroom Project as may be revised following discussion with Tucker and Jensen or Macy of Jensen and Macy Architects Inc. The motion passed.

Ayes: 4
Nays: 0

9 TITLE: Pillar Point Harbor Paving Contract: Acceptance, Recording of the Project, and Approval of Final Payment to Union City Construction
REPORT: Staff Report and Attachments
PROPOSED ACTION: Accept the improvement completed by Union City Construction as part of the Pillar Point Maintenance and Rehabilitation Project, Phase II, and authorize staff to file a Notice of Completion with the County Recorders office, and approve a total final payment of \$8,848.59 to close the contract.

Temko reported that the project is substantially completed. Overall the project is good although there are a few tasks that need to be finished. Temko is waiting for the final detailed bill itemizing the additional \$522. He recommended placing item on the September 6th Agenda.

Action: By consensus the Board agreed to move the item to the September 6th Agenda.

10 **TITLE:** **Application and Agreement for Medicare Coverage Resulting From Employee Medicare Division Election**
REPORT: Memo, Resolution 53-06, Application and Agreement
PROPOSED ACTION: Adopt Resolution 53-06 Authorizing Execution of the Application and Agreement for Medicare Coverage for Employees of the San Mateo County Harbor District who are members of the California Public Employees' Retirement System.

Action: Motion by Lundie, second by Padreddii to adopt Resolution 53-06 Authorizing Execution of the Application and Agreement for Medicare Coverage for Employees of the San Mateo County Harbor District who are members of the California Public Employees' Retirement System. The motion passed.

Ayes: 4
Nays: 0

11 **TITLE:** **Suspend Hiring Freeze for one Deputy Harbormaster (A) Position at Pillar Point Harbor**
REPORT: Memo
PROPOSED ACTION: Approve suspension of hiring freeze for one Deputy Harbormaster (A) position at Pillar Point Harbor.

Grenell reported that the District has received a resignation creating a second vacancy effective August 31st in the position of Deputy Harbor Master at Pillar Point Harbor. Grenell recommends lifting the hiring freeze for the sole purpose of filling this specific vacancy. Temko and Johnson have provided the Board with staffing needs.

Lundie confirmed that staff is asking only to replace the person leaving, maintaining one vacancy.

Temko reviewed the impacts a reduced staff has on public safety and search and rescue.

Tucker reiterated that the Board did not take the hiring freeze lightly and the District's financial situation has not improved. Tucker recommending continuing this item until the first meeting in October to give the Board, including Campbell, time to review and consider their decision.

After brief discussion the Board agreed to move the item to the September 6th Agenda and the Priorities Workshop Agenda on September 27th.

Action: Motion by Tucker, second by Padreddii to move this item to the September 6th Agenda and the Priorities Workshop Agenda on September 27th. The motion passed.

Ayes: 4
Nays: 0

Parravano requested that Grenell prepare information to help the Board make their decision that includes activities in addition to search and rescue such as special events, educational tours, increased visibility and interaction with the public, and a potential reconfiguration of staff with cost savings.

Temko stated that interpretive efforts are increasing with the demographics of Pillar Point Harbor. A second vacant position will have an adverse impact on those interpretive efforts.

URGENCY ITEM:

TITLE:	Consideration of Amendment No. 1 to Agreement Between the Department of the Army and the San Mateo County Harbor District for the Oyster Point Breakwater Reconfiguration Project
REPORT:	Amendment No. 1 to Agreement Between the Department of the Army and the San Mateo County Harbor District for the Oyster Point Breakwater Reconfiguration Project
PROPOSED ACTION:	Approve Amendment No. 1 and authorize General Manager to forward a cash contribution to the Department of the Army in an amount not to exceed \$49,000

Action: Motion by Tucker, second by Lundie to add an Urgency Item to the Agenda. The motion passed.

Ayes: 4
Nays: 0

Grenell reported that the United States Army Corps of Engineers (USACE) urgently requests that the Harbor District forward a further share contribution in the amount of \$49,000. USACE needs to finish their design report by September 30, 2006 so that they can get all approvals to move forward with the Oyster Point Breakwater Reconfiguration Project as quickly as possible. The Harbor District will cover current expenses with immediate funds and the Water Transit Authority (WTA) will reimburse the District 100%. The District was just notified of the USACE's financial need and the details.

Action: Motion by Tucker, second by Lundie to approve Amendment No. 1 and authorize the General Manager to forward a cash contribution to the Department of the Army in an amount not to exceed \$49,000. The motion passed.

Ayes: 4

Reports for Possible Discussion/Action

Administration and Finance

12 General Manager – Grenell

Action: Grenell added to his written report.

LAFCo: Grenell attended LAFCo hearing on Harbor District’s Service Review on August 16th. It is rescheduled to September 20th. Grenell observed another District’s Sphere of influence review that follows a Service Review in the LAFCo process. LAFCo may determine whether a sphere of influence should be coterminous with San Mateo County boundaries, greater than or less than.

Election: Tucker and Lundie are unopposed for the 2006 election. No election will take place and no further action is needed. Not only does this represent a personal saving to the Commissioners seeking office, it represents a significant saving to the District of funds budgeted in the FY 2006-07 Final Budget.

CSDA Proposition 1B: Proposition 1B is a Bond Act on the November ballot. CSDA is asking if the Harbor District has a position. The Bond Act will provide funding for harbor and port security through the State. The funding agency is the Office of Emergency Services. Grenell recommended that the Harbor District consider this proposition. By consensus the Board directed that the item be placed on the September 6th Agenda.

Location for September 27th Board Priorities Workshop: Grenell provided a selection of locations and associated costs. By consensus the Board selected the least expensive venue for the meeting, Oyster Point Yacht Club.

WTA: WTA, Department of Boating and Waterways (DBAW), and the City Manager for the City of South San Francisco will meet on August 21st at the Harbor District Administrative Office to review the current WTA proposal that falls short of the District’s requirement for full reimbursement. In addition, the group will discuss relocating the utilities at Oyster Point Marina/Park and the possibility of the City of South San Francisco funding the project with redevelopment dollars.

13 Human Resource Manager – Wilkerson

Action: Nothing further to add to written report.

14 Finance Director – Schnapp

Action: Nothing further to add to written report.

Operations

15 Oyster Point Marina/Park — Johnson

Action: Johnson added to his written report.

USACE: Johnson met with USACE today. He is confident that USACE is fast

tracking the Oyster Point Breakwater Project.

Gatehouse Project: Notice of Substantial Completion has been issued to North Coast Divers.

16 Pillar Point Harbor — Temko

Action: Temko added to his written report.

He complimented Commissioner Lundie for facilitating the transport of the sailing vessel *Bad Attitude*, and Colleen Paige on locating new owners for the sailing vessel.

Board of Harbor Commissioners

17 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.

18 TITLE: **Identify Real Property Negotiator Pursuant to Government Code §54956.8**

REPORT: Zafferano

PROPOSED ACTION: Identify Real Property Negotiator Peter Grenell

19 TITLE: **Identify Labor Negotiator Pursuant to Government Code §54957.6**

REPORT: Zafferano

PROPOSED ACTION: Identify Labor Negotiator Peter Grenell

District Counsel, Marc Zafferano identified Grenell as the Real Property Negotiator and Labor Negotiator for items 20 and 21.

Action: Motion by Tucker, second by Lundie to adjourn to Closed Session. The motion passed.

Ayes: 4

Nays: 0

BREAK: 7:58 p.m. to 8:05 p.m.

Closed Session

20 TITLE: **Conference with Real Property Negotiator: Ketch Joanne Restaurant and Harbor Bar, Parcel 3, One Johnson Pier, Lessees Building, APN 047-083-060, Pillar Point Harbor, El Granada, San Mateo County Regarding Lease, Price, and Terms and Conditions Pursuant to Government Code Section §54956.8**

REPORT: Grenell

PROPOSED ACTION: To Be Determined

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

Action: Parravano reconvened Open Session at 9:11 p.m. Zafferano reported that there was no reportable action from Closed Session.

Adjournment

Motion by Lundie, second by Tucker to adjourn the meeting. Motion carried by unanimous vote at 9:12 p.m.

APPROVED BY:

ATTESTED BY:

Pietro Parravano
President

Theresa N. Hayes
Deputy Secretary