

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

March 4, 2009
7:00 p.m.

Comfort Inn
2930 Cabrillo Highway
Half Moon Bay, CA 94019

Roll Call

Commissioners

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

x- Tucker

Public Comments/Questions — Campbell stated that she had made an inappropriate remark at a previous Board meeting and wanted to apologize for doing so. She concluded that she did not intend to be derogatory towards anyone. Padreddii said apology accepted.

Staff Recognition- None

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

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| 1 | TITLE: | Minutes of Meeting February 18, 2009 |
| | REPORT: | Draft minutes |
| | PROPOSED ACTION: | Approval |

Action: Motion by Lundie, second by Parravano to approve Item 1. The motion passed.

Ayes: 3
Nays: 0
Abstentions: 1 (Campbell)

Public Hearing

- 2 TITLE: **Draft Preliminary Operating and Capital Budget for Fiscal Year 2009-10**
- A. Declare Hearing Open: President Padreddii
B. Report of Notice Given: Schnapp
C. Staff Report and Recommendation: Draft Budget FY 2009/10
D. Public Testimony:
E. Harbor Commission Questions:
F. Close Public Testimony: President Padreddii
G. Commission Deliberation:
H. Recommended Commission Action: To Be Determined

Schnapp reported notice was given.

Grenell informed the Board that presenting the draft preliminary budget will formally start the budget process for FY 2009-2010.

Padreddii suggested that the Board take this home to review it further and be prepared to discuss it at the March 18th budget workshop meeting. The Board agreed.

Action: Motion by Campbell, second by Lundie to continue the public hearing to the March 18th meeting.

Ayes: 4
Nays: 0

Continued Business

- 3 TITLE: **Pillar Point Harbor Sidewalk Improvements: Approval of Plans and Specifications for Construction**
- REPORT: Temko, Memo
PROPOSED ACTION: Approve Plans and Specifications

Temko stated that he has met with 2 contractors who can do the concrete work. He requested that the Board approve approximately \$10,000 extra to the budgeted amount of \$105,000 in order to include some nautical-themed artistic features in the concrete work.

Campbell stated that she is on the Promotions and Marketing Committee and would like to stay involved with the project. Temko said he will plan to keep the Committee involved.

Padreddii asked if staff has received approval from the County. Temko replied yes and added that he received a waiver for a coastal permit.

Action: Motion by Campbell, second by Lundie to approve Item 3 with the addition of an amount not to exceed \$10,000 for artistic features. The motion passed.

Ayes: 4
Nays: 0

Parravano stated that staff will come back to the Board for anything that exceeds the total of \$115,000. Temko said yes.

New Business

- 4 **TITLE:** **Limited Commercial Activity Permit for Leukemia and Lymphoma Society on Saturday, May 2nd at Pillar Point Harbor**
- REPORT:** Temko, Application
- PROPOSED ACTION:** Approve Limited Commercial Activity Permit for Leukemia and Lymphoma Society on Saturday, May 2nd at Pillar Point Harbor with Waiver of Fees

Temko stated that this is a recurring event at the Harbor and has low impact on staff. He recommended approval.

Action: Motion by Lundie, second by Parravano to approve Item 4. The motion passed.

Ayes: 4
Nays: 0

- 5 **TITLE:** **Limited Commercial Activity Permit for Coastside Infant Toddler Center on Sunday, May 17th at Pillar Point Harbor**
- REPORT:** Temko, Application
- PROPOSED ACTION:** Approve Limited Commercial Activity Permit for Coastside Infant Toddler Center on Sunday, May 17th at Pillar Point Harbor with Waiver of Fees

Temko stated that this is a yearly event at the Harbor and has low impact on staff. He recommended approval.

Action: Motion by Lundie, second by Parravano to approve Item 5. The motion passed.

Ayes: 4
Nays: 0

Parravano requested that these events be posted to the District website and sent to the San Mateo County Convention and Visitors Bureau for their website.

- 6 TITLE: Bills and Claims in the Amount of \$136,204.93**
REPORT: Bills and Claims Detailed Summary
PROPOSED ACTION: Approval of Bills and Claims for payment and a transfer in the amount of \$136,204.93 to cover payment of Bills and Claims

Parravano informed the Board that he reviewed the bills and claims and found them in order. He recommended approval.

Action: Motion by Parravano, second by Campbell to approve the bills and claims in the amount of \$136,204.93. The motion passed.

Ayes: 4
Nays: 0

Reports for Possible Discussion/Action

Administration and Finance

7 General Manager - Grenell

Nothing further to add to written report.

8 Director of Finance - Schnapp

Schnapp clarified that it was Temko who found the designs for the sidewalk.

9 Human Resources Manager - Harris

Nothing further to add to written report.

Operations

10 Oyster Point Marina/Park - Johnson

Johnson informed the Board that his crew decided they will hold a fishing derby on Saturday, May 18th. He stated that the decision was made earlier that day and staff is

in preliminary stages of organizing the event.

Parravano asked in regard to the wave impacts from modifying the breakwater entrance if the agreement the District has with the United States Army Corps of Engineers (USACE) addresses any adverse impacts. Campbell said she recalled there was something in the agreement.

Johnson said the original plans the District had developed by GKO called for floating breakwater/wave attenuators and through the design and engineering process it was stated by USACE that it was not necessary.

Grenell informed the Board that USACE does have \$150,000 left in their breakwater reconfiguration budget; he added that staff has also requested federal appropriation funding for the wave attenuators. Grenell concluded that in the meantime he will review the Corps agreement with Counsel.

Parravano stated that there are sources available for funding of wave energy development

Lundie asked what the floating breakwaters consist of. Johnson stated that they are pre-cast panels made of concrete.

Johnson said he will keep the Board updated through the process.

11 Pillar Point Harbor – Temko

Nothing further to add to written report.

Board of Harbor Commissioners

12 A. Committee Reports
Oyster Point Development Committee (Campbell, Tucker)

Campbell stated that the Oyster Point Development meeting will be discussed in closed session.

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.

None.

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

Zafferano identified Grenell as labor negotiator.

- 14 TITLE: Identify Real Property Negotiator Pursuant to Government Code §54956.8**
REPORT: Zafferano
PROPOSED ACTION: Identify Real Property Negotiator Peter Grenell

Zafferano identified Grenell as real property negotiator.

Padreddii informed the Board that there is an urgency item that the Board needs to take up.

URGENCY ITEM

Grenell stated that he received notice earlier in the day from DellaSanta that she will resign her duties in order to move on with a significant career enhancement and will be leaving the District by the end of the month. An urgency item is needed to enable filling the impending vacancy.

- 15 TITLE: Suspension of Hiring Freeze and Authorize General Manager to fill the Impending Vacancy in the AIII Classification, Administrative Assistant and Deputy Secretary to the Board**
REPORT: Grenell, Memo
PROPOSED ACTION: Suspend the Hiring Freeze and Authorize the General Manager to Immediately Start the Process and to Fill the Impending Vacancy in the AIII Classification, Administrative Assistant and Deputy Secretary to the Board with Minimum Delay and Disruption in District Business

Action: Motion by Campbell, second by Lundie to add to the Agenda. The motion passed.

Ayes: 3

Nays: 1 (Parravano)

Parravano stated that he is opposed.

Campbell retracted her support and voted no. Padreddii stated that this is not going to work and asked how the District will run the Board meetings when DellaSanta is gone.

Zafferano clarified that the purpose of this vote is only to add the item to the Agenda and not whether or not to approve the item. He asked DellaSanta for clarification on what the original vote was. DellaSanta stated that the original vote was 3-1.

Campbell stated that she is opposed to filling the position because the District has hired a Human Resource Manager, Director of Finance and 2 assistants to the Finance Director; Campbell felt there is potential within that Department to fulfill the duties.

Campbell and Parravano both stated they would not support filling the position.

Lundie said he can not make a vote until he is informed of how the duties will be handled and who will handle them.

Grenell stated that he was disappointed to hear the possibility of not filling the vacancy. He said at this moment the District is adequately staffed and other employees can not take over the AIII Classification without working outside their job description which ultimately could lead to a grievance. He added that the extent and depths of the duties of the job have expanded further than the original description. Grenell stated that DellaSanta has worked on numerous special projects with the Harbormasters and the entire Management team. Grenell concluded that if the position is not filled and Finance staff is used instead, then the Finance Unit will suffer.

Campbell asked Harris for her input. Harris said the position is not only answering phones; she said the position spends a lot of time preparing agendas, minutes, and set up for the Board meetings.

Lundie said Grenell has very valid points. He said he knows the position does a lot of work; and he felt it would not be fair for other employees to do the job if they are working outside of their classification.

Schnapp stated that DellaSanta spends a large amount of time supporting the Board and it is critical to fill the position. She concluded that it is not a duty of the Financial Unit.

Parravano felt that the way this was presented to the Board was not done right. He felt that there was an assumption that the Board would approve it. Parravano concluded that there are possibilities of part-time work or contracting the work and felt that the Board needs to consider options before making a decision.

Padreddii stated that the Board is only voting to lift the hiring freeze and not to fill the position.

Campbell stated that she would like to see a report from Grenell and Harris on the different options before making a decision.

Grenell asked what the criteria would be for the report.

Parravano stated that he would like to see a report that would show how the District can save money and how the job duties can be changed.

Campbell said she would like to see how the District can save money and would like the job description to go back to only Deputy Secretary and answering the phones. She said she knows a lot of responsibilities have been added to DellaSanta's duties and she wondered if these job duties couldn't be done by other staff.

Grenell said he will plan to provide the Board with a full description of current job duties, and any special and relatively recent special projects and duties that have been added. He concluded that alternative options will be provided as requested.

Grenell informed the Board that his staff report includes a list of several high priority tasks that need to be fulfilled immediately; he suggested that the Board at least lift the hiring freeze in order to hire temporary help to get these tasks done.

Campbell said she would support temporary help as long as there is a time limit. Grenell said he would require temporary help through the month of April.

Parravano said he will not support temporary help until he receives a report on alternative options.

Padreddii stated that there is not a quorum to lift the freeze to hire temporary work and suggested that the discussions end.

Temko stated that he felt he heard through Board discussions that there was a quorum in supporting lifting the freeze for temporary help and asked for clarification.

Campbell said she would support lifting the hiring freeze if it were for temporary help for a maximum of 30 days.

Grenell said he would like to have temporary help at least long enough to enable training for handling the duties of supporting the Board. He suggested that the temporary help be approved to April 30th in order for the help to attend and become comfortable with at least two board meetings.

Campbell said she will support until April 25th.

Action: Motion by Campbell, second by Lundie to approve lifting the hiring freeze to hire temporary help until April 25th and for Grenell and Harris to report to the Board on alternative options for the position prior to hiring a permanent position.

Ayes: 4

Nays: 0

Action: Motion by Lundie, second by Parravano to adjourn to closed session. The motion passed unanimously at 8:00 p.m.

Closed Session

- 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

Items 15 and 16 were considered together.

- 17** TITLE: **Conference with Real Property Negotiator: Median Strip, APN 047-262-010, El Granada, San Mateo County: Regarding Sale or Lease Price and Terms and Conditions Pursuant to Government Code Section §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

- 18** TITLE: **Conference with Real Property Negotiator: Parcels APN 015-010-060, 015-010-260, 015-010-270, Oyster Point Marina/Park, City of South San Francisco, San Mateo County; San Mateo County Harbor District with King Ventures Regarding Lease Price, Terms and Conditions, Pursuant to Government Code §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

- 19** TITLE: **Conference with Real Property Negotiator: Parcels APN 015-010-060, 015-010-260, 015-010-270, Oyster Point Marina/Park, City of South San Francisco, San Mateo County; San Mateo County Harbor District with San Francisco Bay Water Emergency Transportation Authority (WETA) Regarding Lease Price, Terms and Conditions, Pursuant to Government Code §54956.8**
REPORT: Grenell
PROPOSED ACTION: To Be Determined

- 20** TITLE: **Conference with Real Property Negotiator: 400 Oyster Point Blvd. Suite #300, South San Francisco, San Mateo County Regarding Lease Price and Terms and Conditions Pursuant to Government Code Section §54956.8**
REPORT: Grenell, Memo
PROPOSED ACTION: To be Determined

Action: Motion by Lundie, second by Parravano to adjourn to Open Session. The motion passed unanimously at 8:51 p.m.

Adjournment

No reportable action from closed session.

Action: Motion by Campbell, second by Lundie to adjourn the meeting. The motion passed unanimously at 8:52 p.m.

APPROVED BY:

ATTESTED BY:

Sally Campbell
Vice President

Theresa DellaSanta
Deputy Secretary