

San Mateo County Harbor District Board of Harbor Commissioners Meeting Minutes

August 15, 2012
7:00 p.m.

Municipal Services Building
33 Arroyo Drive
South San Francisco, Ca. 94080
Butterfly Room

Roll Call

Commissioners

James Tucker, President
Leo Padreddii, Vice President
Robert Bernardo, Treasurer
Pietro Parravano, Secretary
William Holsinger, Commissioner

Staff

Peter Grenell, General Manager
Genevieve Frederick, Director of Finance
Marietta Harris, Human Resource Manager
Scott A. Grindy, Harbor Master
x Jean Savaree, District Counsel
Debbie Nixon, Deputy Secretary

x-absent

Public Comments/Questions – None.

Staff Recognition - None.

Bernardo recognized his father who was in the audience and stated that he is visiting from out of town. He stated it was also his birthday.

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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 Meeting August 1, 2012**
 REPORT: Draft minutes
 PROPOSED ACTION: Approval

Action: Motion by Padreddii, second by Holsinger to approve the consent calendar. The motion passed.

Ayes: 4
Nays: 0
Abstentions: 1 (Parravano)

Continued Business

- 2 TITLE: **Selection of Lowest Responsible Bidder for Pillar Point Harbor/Oyster Point Marina Slurry Sealing Project and Authorization to Execute Contract**
 REPORT: Grindy, Memo
 PROPOSED ACTION: Approve selection of Sigura Construction, Inc. as lowest responsible bidder and authorize execution of contract with Sigura Construction, Inc. in an amount not to exceed \$72,907.05

Grindy stated the Slurry Sealing project was for both harbor locations. He stated that one company attended the mandatory pre-bid conference and they submitted the only bid. He stated that Sigura Construction, Inc. had great references.

Holsinger asked Grindy if he had an understanding of what the job might cost before receiving any bids. Grindy stated he made phone calls to companies he has dealt with in Everett, WA to find out what a job like this would cost. He stated the bid that was submitted was not too far off from the information he obtained.

Tucker expressed concern regarding receiving only one bid. He stated that due to the timeliness of the project, he is not going to stop the process, but said that in the future he would request more than one. Grindy stated that he sent bid packets to local companies as

well as a few out of the area and hoped for a better response. He stated that most companies bid their jobs at the beginning of the year and thought that the reason for the lack of turnout was because those jobs are underway. Holsinger stated that in the future, if possible, the District should request bids on projects at the beginning of the year. Grenell stated that it was an option to not accept the bid, but due to the timeliness of the project, it was decided to move forward. He stated that the slurry sealing had to be done between crab and salmon seasons.

Bernardo asked what the timeline of the project was. Grindy stated that the goal is that Sigura Construction, Inc. would prep the area on a Sunday night and the project would begin Monday and conclude Wednesday.

Action: Motion by Holsinger, second by Parravano to approve selection of Sigura Construction, Inc. as lowest responsible bidder and authorize execution of contract with Sigura Construction, Inc. in an amount not to exceed \$72,907.05. The motion passed unanimously by a roll call vote.

Ayes: 5
Nays: 0

- 3 TITLE: **Selection of Lowest Responsible Bidder for Pillar Point Harbor Building Painting Project and Authorization to Execute Contract**
- REPORT: Grindy, Memo
- PROPOSED ACTION: Approve selection of OnPoint Construction as lowest responsible bidder and authorize execution of contract with OnPoint Construction in an amount not to exceed \$55,750.00

Grindy stated that several people attended the mandatory pre-bid conference, however only one company submitted a bid. He stated that the company has good references.

Parravano asked where OnPoint Construction was located. Grindy stated Millbrae.

Holsinger asked Grindy if he had an understanding of what the job might cost before receiving any bids. Grindy stated he did not for this project.

Action: Motion by Padreddii, second by Parravano to approve selection of OnPoint Construction as lowest responsible bidder and authorize execution on contract with OnPoint Construction in an amount not to exceed \$55,750.00. The motion passed unanimously by a roll call vote.

Ayes: 5
Nays: 0

- 4 TITLE: **Progress Report on Draft Harbor District Events Policy**
REPORT: Grenell, Harris, Memo, Attachments
PROPOSED ACTION: To be determined

Harris stated she is continuing to work on the draft events policy. She stated that she is working on a cost recovery schedule which will be similar to the one for Golden Gate Recreation Area, attached to her staff memo. Bernardo commended her on the work done so far. He asked for consideration of political or religious events as they would have to be handled in a different manner. Harris stated that she will have a special section in the policy to cover such occurrences and is working with counsel on it.

Holsinger asked if beach fires are permitted at the harbor. Harris stated they are. Holsinger asked if there will be fees for residents and non-residents as well as for non-profits and for profits. Harris stated there would be.

Harris stated that at the previous meeting, Holsinger inquired about security issues. She stated that she will be adding a procedure regarding safety. Holsinger stated that for political events, there could be a possibility that an opposing group might show up and speak out in protest, which could create a safety issue.

Tucker stated that this item will be continued to the next meeting.

New Business

- 5 TITLE: **Resolution 19-12 Authorizing the General Manager to Execute a Grant Agreement with the Department of Boating and Waterways not to exceed \$40,000 from the Abandoned Watercraft Abatement Fund for Oyster Point Marina/Park**
REPORT: Grenell, Memo, Resolution 19-12
PROPOSED ACTION: Adopt Resolution 19-12 to authorize the General Manager to execute a grant agreement not to exceed \$40,000.00 with the Department of Boating and Waterways under the Abandoned Watercraft Abatement Fund

Grenell stated that this item is to request grant funds from the Department of Boating and Waterways to remove abandoned vessels from Oyster Point Marina/Park and stated a similar item was on the previous agenda for Pillar Point Harbor.

Holsinger asked if private marinas could apply for grants of these types. Grenell stated he didn't believe they could.

Action: Motion by Parravano, second by Holsinger to adopt resolution 19-12 to authorize the General Manager to execute a grant agreement not to exceed \$40,000.00 with the Department of Boating and Waterways under the Abandoned Watercraft Abatement Fund. The motion passed unanimously by a roll call vote.

Ayes: 5
Nays: 0

- 6 TITLE: **Resolution 18-12 Authorizing the General Manager to Execute a Boating Infrastructure Grant Agreement with the Department of Boating and Waterways Not to Exceed \$250,000.00 from the Department of the Interior, Fish and Wildlife Service, Boating Infrastructure Grant Program**
- REPORT: Grenell, Memo, Resolution 18-12
- PROPOSED ACTION: Adopt Resolution 18-12 authorizing the General Manager to execute a grant agreement with the Department of Boating and Waterways not to exceed \$250,000.00 from the Department of the Interior, Fish and Wildlife Service, Boating Infrastructure Grant Program

Grenell stated that this is a Federal Grant that is available through the Department of Boating and Waterways and would be used for Guest Dock improvements at Oyster Point Marina/Park. He stated that if approved, the contract must be accompanied by a Resolution adopted by the Board of Harbor Commissioners stating the District agrees to the terms and conditions and authorizes the General Manager to execute the contract.

Bernardo commended staff for obtaining the grant.

Action: Motion by Holsinger, second by Bernardo to adopt resolution 18-12 authorizing the General Manager to execute a grant agreement with the Department of Boating and Waterways not to exceed \$250,000.00 from the Department of the Interior, Fish and Wildlife Service, Boating Infrastructure grant program. The motion passed unanimously by a roll call vote.

Ayes: 5
Nays: 0

- 7 TITLE: **Resolution 17-12 Regarding Board's Intention to Issue Tax-Exempt Obligations for Financing of Pillar Point Harbor Projects**
- REPORT: Grenell, Memo, Resolution 17-12
- PROPOSED ACTION: Adopt Resolution 17-12 regarding financing of Pillar Point Harbor projects

Grenell stated that this is a very important item for the District. He stated that it provides the potential for reimbursement of District project pre-construction costs, with no risk, no cost and no commitment required. He stated if and when the Harbor District chooses to execute a sizeable improvement project that would be beyond the District's own cash reserves to cover the cost, the District would be looking for outside financing. He stated that the law provides

that the governing Board of an agency may adopt a resolution that enables the agency to be reimbursed for all pre-construction costs from the financing proceeds, and that reimburses your cash reserves for those preconstruction costs. It is a mechanism to maintain a more even cash flow. He reiterated that this does not commit the Harbor District to anything, it will cost the District nothing, and it provides this opportunity if in the future we are in that position. Tucker stated it is just an option for the District. Holsinger stated, as he understood, there was no laps to the Resolution. Grenell stated that was correct. Holsinger stated that if and when it is passed, the authority and opportunity to recapture funds remains. Grenell stated that was correct. Holsinger asked if a distinction was made between use of the funds to retain or improve income generation for the District versus those that don't. Grenell stated it does not make this distinction.

Parravano asked Grenell if the Department of Boating and Waterways needs to sign off on any District projects. Grenell stated that pursuant to our loan agreement with the Department of Boating and Waterways, any expenditure on a project by the District greater than \$1.5 million requires prior departmental approval.

Sabrina Brennan stated that she has a few concerns about this item and urged the Commission to continue the item to the next meeting which is on the coastside so more people would have an opportunity to hear about it. She stated that her understanding is that the District would take on another \$25 million in debt and that was a concern to her. She stated that back in March 2012 there was a Strategic Planning and Finance and Priorities Workshop where this item was not discussed. She asked the Commission to seek community input.

Holsinger asked Brennan if she was opposed to adoption of the resolution. Brennan stated she was.

Action: Motion by Holsinger, second by Tucker to adopt resolution 17-12 regarding financing of Pillar Point Harbor projects. The motion passed unanimously by a roll call vote.

Ayes: 5
Nays: 0

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| 8 | TITLE:
REPORT:
PROPOSED ACTION: | Bills and Claims in the Amount of \$422,303.07
Bills and Claims Detailed Summary
Approval of Bills and Claims for payment and a transfer in the amount of \$422,303.07 to cover payment of Bills and Claims |
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Bernardo stated he reviewed the bills and claims and recommended approval.

Tucker stated that the CalCard total was \$16,000 and under Pillar Point was \$11,000. He asked Frederick if she recalled what those charges were for. She stated she didn't recall but would look into it and get back to him with that information.

Action: Motion by Bernardo, second by Parravano to approve the bills and claims. The motion passed unanimously by a roll call vote.

Ayes: 5
Nays: 0

Tucker stated that he had a late public comment speaker slip from Sabrina Brenna and called upon her to speak. He stated that she was not in the audience. Deputy Secretary Nixon left the room to check if she was in the lobby area. Nixon returned and stated she was not out there.

Reports for Possible Discussion/Action Administration and Finance

9 General Manager - Grenell

Grenell stated that two tenant appreciation dates have been scheduled: Oyster Point Marina/Park will be held on October 9, 2012 at 5:00 p.m. at the Oyster Point Yacht Club and Pillar Point Harbor will be held October 23, 2012 at 5:00 p.m. right outside the Harbor Master's office. He invited the Commissioners to attend both events.

Grenell stated that the Pacific States Fisheries Commission will hold a luncheon on August 20, 2012 at 12:00 p.m. honoring Mike McHenry. He stated McHenry brought a load of baby salmon from a Sacramento hatchery to San Francisco Bay for release.

Parravano stated that the Pacific States Fisheries Commission is a Federal agency that oversees fishery issues and habitat issues in the west coast states and in Idaho. He stated that they meet annually and this year it will be in San Francisco.

10 Director of Finance - Frederick

Frederick stated that the Thursday after the last Board meeting, she contacted the new auditing firm to set up an appointment. She stated that they were available the following Monday. She thanked Galarza for being available and gathering the necessary information for the auditors in such short notice.

Frederick stated that she received authority from the DMV to sell certain vessels and has scheduled a date for lien sale of September 11, 2012 at Oyster Point Marina/Park. She stated that since the notice from the DMV, one tenant has made full payment and another has made a commitment to pay their balance in full by the end of the week. Frederick stated that the DMV has also authorized the sale of two boats at Pillar Point Harbor and the Assistant Harbor Master will be working with

the vendor to schedule the date for that lien sale.

Bernardo thanked Frederick for her cost recovery efforts. He asked if the District was on schedule to pay down the debt. Frederick stated we are. Tucker added that there is a possibility to pay the debt down one year early.

11 Human Resources Manager – Harris

Harris stated that she and Nixon met with Pacifica Community Television (PCTV) at the Municipal Services Building so PCTV could see the layout of the room. She stated that the plan is to do a trial recording at the next Board meeting.

Operations

12 Oyster Point Marina/Park – Grindy

Grindy stated that since the report, the light pole fixtures at Pillar Point Harbor have been installed.

Holsinger asked if the number for occupancy included any boats that are now being liened or sold. Grindy stated it did include them.

Bernardo stated that he liked the detail in the report and likes to be able to compare numbers from previous years. He gave credit to Mickelson and Morrison and stated they do a great job.

13 Pillar Point Harbor – Grindy

Board of Harbor Commissioners

14 A. Committee Reports

None.

Tucker stated that there has been some recent talk about environmental issues at Pillar Point Harbor. He asked Grenell if there is a subcommittee that would deal with those issues. Grenell stated that various committees over the years have dealt with such issues, but there isn't a current committee. He stated that he has been talking to Grindy regarding those types of issues and will be preparing a summary that gives a state of the Harbor District relative to environmental concerns. Tucker stated that he would like to form an Ad Hoc committee and appointed Padreddii and Holsinger to an Environmental Committee. Grenell stated that there are

concerns at each location and reminded the Commission that for the Ferry Terminal when WETA was in the permit stage, three oyster studies needed to be done to provide the permit authorities with relevant information.

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.

Holsinger commented that he remembers swimming off the beach at Princeton-by-the-Sea when he was a child where the Romeo Pier is and having the ability to do that with confidence was wonderful. He stated it would be great if we could promote it that way today. Grenell stated that there is one piece of beach that has contamination and is posted by County Environmental Health and it is located just between Barbara's Fish Trap and the opening of Dennison Creek. He stated that the beach Holsinger is talking about has not been posted and people do go out there. Grenell stated that coincidentally he was communicating with Kellyx Nelson, Director of the Resource Conservation District and asked her to make a verbal presentation to the Commission in September and give an update on their water quality study. He stated that it will be the 5th of September or two weeks later. Tucker asked that it be the first meeting in October. Grenell stated he will ask her.

Padreddii stated that there is a large area at Oyster Point Marina that is a dirt lot and the Fire Department was concerned with overgrown vegetation. He stated that staff at Oyster Point Marina keeps everything well maintained and the fire department is no longer concerned.

Adjournment

Action: Motion by Parravano, second by Bernardo to adjourn the meeting. The motion passed unanimously at 7:40 p.m.

The next scheduled meeting will be held on September 5, 2012 at the Comfort Inn, 2930 Cabrillo Highway, Half Moon Bay at 7:00 p.m.

Debbie Nixon
Deputy Secretary

James Tucker
President