



Board of Harbor Commissioners

Nancy Reyring, President
William Zemke, Vice President/Secretary
Tom Mattusch, Treasurer
Virginia Chang Kiraly, Commissioner
Edmundo Larenas, Commissioner
James B. Pruet, General Manager
Trisha Ortiz, District Counsel

San Mateo County Harbor District Board of Harbor Commissioners

“The Harbor District provides fiscally and environmentally responsible stewardship of its maritime resources, emergency response, and public access”

REGULAR MEETING AGENDA

December 21, 2022

1:00 PM – 5:00 PM

San Mateo County Harbor District

Pursuant to Government Code Section 54953(e) (Assembly Bill 361), the Boardroom will not be open for the December 21, 2022 Regular Meeting of the San Mateo County Board of Harbor Commissioners. The Meeting will be conducted remotely via video/teleconference.

The Public may watch and/or participate in the public meeting by joining the meeting through the Zoom Videoconference link provided below. The public may also join the meeting by calling the below listed teleconference phone number. Further instructions on how to make public comments throughout the videoconference or teleconference will be provided at the District website at www.smharbor.com. If you experience technical problems with the telephonic meeting, please contact Melanie Hadden at mhadden@smharbor.com or call at (650) 437-4368.

If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act (“ADA”), please contact Melanie Hadden, Deputy Secretary at mhadden@smharbor.com or (650) 583-4400 prior to this meeting for assistance

HOW TO JOIN THE MEETING:

The meeting will begin at 1:00 PM. Whether you participate online or by phone, you may wish to "arrive" early so that you can address any technology questions prior to the start.

ONLINE VIEWING AND PARTICIPATION:

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82521804518?pwd=RmtQbkdyY0JDeHduRlIVd2dUSkxCZz09>

Passcode: 129885

If you have not used Zoom on your computer before, you will be prompted to download and

install the Zoom software on your computer. If it is already installed, you may still be prompted to allow Zoom to run. Please enable the software to download and run to join the meeting via computer.

AUDIO

- **BY COMPUTER AUDIO:** When joining via the Zoom app, you will automatically be joined in via computer audio. You may be prompted to confirm that you wish to join via computer audio.
 - Please ensure your computers speakers are enabled and sound is switched on.
- **BY PHONE:** If you are unable to join via computer, or do not have speakers or a microphone on your computer, you can dial in for audio. You may call any one of the meeting numbers below and enter the meeting ID and password when prompted.
 - +1 669 900 6833 (San Jose)
 - +1 253 215 8782 (Tacoma)
 - +1 346 248 7799 (Houston)
 - +1 312 626 6799 (Chicago)
 - +1 929 205 6099 (New York)
 - +1 301 715 8592 (Germantown)
 - +1 877 853 5257 (Toll Free)
 - +1 888 475 4499 (Toll Free)

Webinar ID: 825 2180 4518
Passcode: 129885

HOW TO MAKE A PUBLIC COMMENT OR ASK A QUESTION:

If you would like to speak during the public comment portion of the meeting, you have the following options:

- **ONLINE:** Raise your hand in the meeting controls at the bottom of your screen.
- **PHONE:** Press *9 to raise your hand to request to be unmuted to make comments.

Note: Please request to speak using the method from which you prefer to comment. For example, if you are joining via computer (for viewing) *and* phone (for audio/commenting), please raise your hand by dialing *9 on the phone if you wish to use your phone to speak. If you wish to use your computer, please raise hand using the meeting controls at the bottom of your screen.

A) Roll Call

B) Public Comments/Questions

The Public may directly address the Board of Harbor Commissioners for a limit of two (2) minutes, unless a request is granted for more time, on any item of public interest within the subject matter jurisdiction of the San Mateo County Harbor District, that is not on the Regular Agenda. If a member of the public wishes to address the Board on an agenda item, it is requested that the member of the public wait until the item is in discussion before following the instructions provided on making a public comment. The Chair will call your name at the appropriate time. Agenda material may be reviewed online at www.smharbor.com.

C) Presentation of Proclamations/Resolutions

- a. Presentation of Proclamations for Commissioner Edmundo Larenas and Commissioner Nancy Reyerling from Senator Josh Becker representing San Mateo County.
- b. Presentation of Resolutions honoring Commissioner Edmundo Larenas and Commissioner Nancy Reyerling for distinguished service as members of the San Mateo County Harbor District Board of Commissioners.

D) Consent

All items on Consent are approved by one motion unless a Commissioner requests the item be withdrawn or transferred to Discussion. Any item on Discussion may be transferred to Consent. The Public may directly address the Board of Harbor Commissioners regarding items on Consent before or during the Commissioners' consideration of the Consent agenda.

ITEMS PULLED FROM CONSENT WILL BE HEARD AFTER DISCUSSION ITEMS.

1. [Bills and Claims \(van Hoff\)](#)

Recommendation:

- 1) Accept Pre-Approved Items in the amount of \$202,598.24 for November.
- 2) Approve \$500,000 in Pre-Approved Items for January 2023.

2. [Minutes – Regular Board Meeting Minutes of November 16, 2022 \(Hadden\)](#)

Recommendation: Approve Minutes of the November 16, 2022 Board Meeting

3. [Monthly Capital Project Update \(Moren\)](#)

Information only

4. **[Authorize Public Meetings to be Held via Teleconferencing Pursuant to Government Code Section 54953\(e\).](#)**

Recommendation: Adopt Resolution No. 22-30 reconsidering the circumstances of the COVID-19 State of Emergency and making findings to authorize meetings to be held via teleconferencing pursuant to Government Code Section 54953(e)

5. **[Amend MOU between OE3 and the District- Section 5.1 Promotion Standards- Basic Provisions \(van Hoff\)](#)**

Recommendation: Approve proposed amendment to the Memorandum of Understanding (MOU) between the San Mateo County Harbor District and Operating Engineers Local 3 (OE3) - Section 5.1 Promotion Standards- Basic Provisions; and authorize the General Manager to sign a Side Letter Agreement.

6. **[Approve Change Order #1 with Design/Engineering firm Sally Swanson Architects, Inc. to continue construction support on the Retail Center ADA Restroom Project at Pillar Point Harbor \(Moren\)](#)**

Recommendation: Authorize the General Manager to approve Change Order #1 with Design/Engineering firm Sally Swanson Architects, Inc. for an amount not to exceed \$50,500, to continue construction support on the Retail Center ADA Restroom Project and approve an increase in Capital Expenditure Appropriations for this amount to be funded by available working capital.

E) Discussion

7. **[Migrating Mural for Pillar Point Harbor \(Pruett\)](#)**

Information Only

8. **[Administration Building Water Damage Repair Project Construction Change Order Approval Consideration \(Moren\)](#)**

Recommendation: Authorize the General Manager to approve Change Order Request #1 from the construction contractor, Bhogal Brothers Construction, Inc., for the Administration Building Water Damage Repair Project for an additional amount of \$36,500, and authorize the General Manager to approve additional Change Orders up to 30% of the new adjusted project total of \$111,500 in the event there is a need for change orders due to still unforeseen challenges, or additional work needed, and authorize an increase in Capital Expenditure Appropriations of \$144,950 to be funded by available working capital.

9. **[Pillar Point Harbor C-1, 2, 3 Parking Lots and Launch Ramp Access Road Repair, Low Bid Consideration \(Moren\)](#)**

Recommendation: Pursuant to a publicly advertised Invitation for Bid (IFB), Authorize the General Manager to enter into an Agreement with the low bidding construction contractor, American Asphalt, Inc., for the Pillar Point Harbor C-1, 2, 3 Parking Lots and Launch Ramp Access Road Repair Project for an amount not to exceed \$727,868, with a 10% contingency in the event there is a need for change orders due to unforeseen challenges and authorize the General Manager to issue change orders up to the contingency amount and approve an increase in Capital Expenditure Appropriations of \$800,654.80 to be funded by available working capital.

10. [OceanCiders, LLC Lease \(Pruett\)](#)

Recommendation: Approve a Lease for OceanCiders, LLC to operate on the District owned property located at Upper Perch Beach, Pillar Point Harbor until December 31, 2025 and authorize the General Manager to execute the Lease.

11. [Lease Renewal Suite 100B \(Pruett\)](#)

Recommendation: Adopt Resolution No. 22-31 approving a lease agreement by and between the San Mateo County Harbor District, as landlord, and, Jennifer Oliverio, acting as sole proprietor, as Tenant.

12. [General Manager's Proposed 2023 Goals & Objectives \(Pruett\)](#)

Information only

13. [Amendment to Employment Contract for General Manager \(Chang Kiraly\)](#)

Recommendation: Approve Amendment No. 2 to Employment Agreement with James B. Pruett as General Manager and authorize Board President to execute.

14. [Publicly Available Salary Schedule & Special Compensation \(van Hoff\)](#)

Recommendation: Approve amended salary schedule to include increase in General Manager's salary pursuant to amendment to employment contract considered for adoption by the Harbor Commission on December 21, 2022.

F) Commissioner Comments

Commissioners may make public statements limited to two (2) minutes.

G) Future Agenda Items

H) November Activity Reports [General Manager](#), [Operations](#), [Administration](#)

Information only

I) Adjourn

The next Regular meeting will be held on January 18, 2023 at the San Mateo County Harbor District Office, 504 Avenue Alhambra, Ste. 200, El Granada, CA 94018 at 1:00 PM.

Agenda posted as required:



Melanie Hadden
Deputy Secretary