



San Mateo County Harbor District Board of Harbor Commissioners

“To assure that the public is provided with clean, safe, well-managed, financially sound and environmentally pleasant marinas.”

REGULAR MEETING MINUTES

November 15, 2017
6:30 PM

Municipal Services Building
33 Arroyo Drive
South San Francisco, CA 94080

A.) Roll Call - Present: Commissioners Brennan, Chang Kiraly, Larenas, Mattusch
Absent: Commissioner Bernardo

B.) 1. Public Comments/Questions

- Dayla Soul – comments directed to President Mattusch. Supportive of independent third-party law firm for investigation.
- James Lee Han – comments directed to President Mattusch. Supportive of independent third-party law firm for investigation.
- Kathryn Slater-Carter – agrees with previous comments. Supportive of independent third-party law firm.
 - Email print outs from Russel Kayser, Beth Pielert and Brent Turner.

2. Commissioner Comments

- Commissioner Chang Kiraly commented to the editorial that was printed in the Half Moon Bay Review, pointing out that she had excused herself from the August 2nd Oyster Point Marina Liaison Committee meeting, and did not merely walk out, so as not be in violation of the Brown Act. She also presented a handout.
- Commissioner Larenas commented regarding the claim of sexual harassment and the present climate of inequality in society. Will work within the structure in place within the District to ensure that the process is fair.

C). Consent Calendar

ITEMS PULLED FROM THE CONSENT CALENDAR WILL BE HEARD AFTER DISCUSSION ITEMS.

Items 1, 2, 6, 7, 8, 9, 11 were pulled from Consent.

3. **Minutes – Regular Meeting September 20, 2017 (Gehret)**
Recommendation: Approve Minutes of the Regular Board Meeting of September 20, 2017.
4. **Minutes – Regular Meeting October 18, 2017 (Gehret)**
Recommendation: Approve Minutes of the Regular Board Meeting of October 18, 2017.
5. **First Quarter – Fiscal Year 2018 (Q118) Investment Report (Pyle)**
Information only.
10. **Commercial Activity Permit for Jacob Walding to Charter his Privately-Owned Vessel at the Pillar Point Harbor(Moren)**
Recommendation: Approve new Commercial Activity Permit for Jacob Walding.

Motion: (Chang Kiraly/Brennan) approve Consent Items 3, 4, 5, 10.

Ayes: Brennan, Chang Kiraly, Larenas, Mattusch

Nays: None

Absent: Bernardo

Motion passed.

D). Discussion

12. **Oyster Point Marina Financial Analysis (Pyle)**
Presentation handout. Presentation by Casey Cornwell of Dornbusch Associates.

Public Comment:

- James Han - comments regarding occupancy at OPM. Great report, but not supportive of renewal of JPA for thirty years or spending tax dollars at OPM.
- John Ullom – excellent report. Not supportive of allocating Enterprise funds to OPM. Report should address potential future economic downturn.
- TJ Gauthier – suggested that this analysis should be reviewed by the Finance Committee first, before coming to the Harbor Board in a crisper fashion. Stated concerns about operating loss.
- Kathryn Slater-Carter – agrees with previous commenters Supportive of funds going to Pillar Point and suggests work to have a management agreement with SSF and have them fund capital improvements at OPM.

Motion: (Chang Kiraly/Brennan) Direct staff to negotiate with Dornbusch, an increase in scope and cost to the existing contract to encompass comments received this evening, specifically inclusion of a discussion of an operating agreement; scenarios related to unanticipated negative scenarios and to clarify the impact of the phasing of the development on the potential expense and revenue stream.

Ayes: Brennan, Chang Kiraly, Larenas, Mattusch

Nays: None

Absent: Bernardo

Motion passed.

13. Policy re Continuation of Unfinished Business Items on the Agenda (McGrath)

Public Comment:

- James Han – commented regarding letter distributed to the Board. (Email handout). Supportive of Commissioner items coming back to be heard by the Board.

Motion: (Brennan/Larenas) Amend the Policy to clarify that each Commissioner gets one new item per meeting/twelve items per year, and if an item is not heard due to time constraints, the item(s) rolls over to the following meeting, but would not preclude the Commissioner from having an additional item.

Ayes: Brennan, Larenas

Nays: Chang Kiraly, Mattusch

Absent: Bernardo

Motion failed.

14. 2018 Contract Negotiations: Deborah Glasser, Labor Relations, LLC Proposal (Pyle)

Motion: (Chang Kiraly/Mattusch) Approve contract with Deborah Glasser, Labor Relations LLC, with an estimated cost of \$25,000 based on the hourly rates shown in the attached draft agreement and authorize General Manager to execute agreement, and appoint Deborah Glasser, Labor Relations, LLC, Steve McGrath, General Manager, and Anita Pyle, Director of Administrative Services to serve on the Labor Negotiations Team for the San Mateo County Harbor District for the Fiscal Year 2018-19.

Ayes: Chang Kiraly, Larenas, Mattusch

Nays: Brennan

Absent: Bernardo

Motion passed.

9:25 PM Motion: (Brennan/Larenas) To extend the meeting by 15 minutes.

Ayes: Brennan, Chang Kiraly, Larenas, Mattusch

Nays: None

Absent: Bernardo

Motion passed.

15. Quorum of the Commission at a Committee Meeting; Committee of the Whole (McGrath)

Public Comment:

- James Han – supportive of Committees of the Whole.

Motion: (Brennan/Larenas) Direct staff to develop a policy to allow the Board to have Committees of the Whole.

Ayes: Brennan, Larenas

Nays: Chang Kiraly, Mattusch

Absent: Bernardo

Motion failed.

1. Bills and Claims (Chan)

Motion: (Brennan/Larenas) Motion to approve Bills and Claims.

Ayes: Brennan, Chang Kiraly, Larenas, Mattusch

Nays: None

Absent: Bernardo

Motion passed.

9. Commercial Activity Permit for Donald Smith to Rent his Privately-Owned Vessel at the Oyster Point Marina (Moren)

Motion: (Brennan/Larenas) Approve new Commercial Activity Permit for Donald Smith, a current tenant, to rent his privately-owned vessel for day trips at the Oyster Point Marina until December 31, 2018 and authorize the General Manager to execute the permit in a form approved by legal counsel.

Ayes: Brennan, Chang Kiraly, Larenas, Mattusch

Nays: None

Absent: Bernardo

Motion passed.

9:40 – Commissioner Chang Kiraly leaves the room.

6. First Quarter – Fiscal Year 2018 (Q118) Rent Report (Pyle)

Motion: (Brennan/Larenas) Approve Item 6.

Ayes: Brennan, Larenas, Mattusch

Nays: None

Absent: Bernardo, Chang Kiraly

Motion passed.

Revised handout for Item 6.

9:43 – Commissioner Chang Kiraly returns.

8. 2017 30th Anniversary Pillar Point Harbor Lighted Boat Festival (Moren)

Saturday, December 9, 2017 6-8 PM

11. Report on Attendance at California Special District Association Annual Conference, Monterey (Brennan)

Items not heard

16. Emergency Oyster Point Marina Fuel Dock Electrical Repairs (Moren)

Recommendation: Receive report regarding emergency electrical repairs at Oyster Point Marina Fuel Dock (PCC 22050).

E). Commissioner Items

17. Committee Member Attendance at Committee Meetings (Larenas)

Information only

18. Commissioner Serving Two Incompatible Offices (Brennan)

Information only.

19. Legal Fees (Brennan)

Information only. Handout

20. Review and Current Status of Surfer's Beach RV Lot (Larenas)

Update

F). Discussion/Action on Pulled Consent Items (if any)

2. Minutes – Special Meeting August 16, 2017 (Gehret)

Recommendation: Approve Minutes of the Special Board Meeting of August 16, 2017.

7. First Quarter – Fiscal Year 2018 (Q118) Financial Report and Spending Authority (Pyle)

Information only.


G). September Activity Reports:


General Manager; Administration; Operations

Information only.

H). Adjournment:

Motion: (Chang Kiraly/Brennan) 9:45 PM de facto.


Debbie Gehret
Deputy Secretary


Tom Mattusch
President