

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

June 17, 2015

6:30 p.m.

Municipal Services Building

33 Arroyo Drive

South San Francisco, CA 94080

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A.) Roll Call

Commissioners

Tom Mattusch, President
Nicole David, Vice President
Robert Bernardo, Secretary
Pietro Parravano, Treasurer
Sabrina Brennan, Commissioner

x-absent

Staff

Glenn Lazof, Interim General Manager
x Debra Galarza, Director of Finance
Marcia Schnapp, Interim Human Resource Manager
Scott A. Grindy, Harbor Master
Debbie Nixon, Deputy Secretary
Steven Miller, District Counsel

B.) Public Comments/Questions — John Ullom said he had spoken with Nancy Cave with California Coastal Commission and there were no permits applied for The Mavericks Contest in the last few years. **(0:47)**

Michael Stogner asked if Item 11 could be removed from the Agenda because it was placed by the Interim General Manager and the issue was complicated. He was also concerned about the police presence at the meeting on the April 25, 2015. **(2:58)**

Cynthia Knolls who is a Pollution Prevention Specialist discussed safe disposal of hazardous waste. She was working with Pillar Point Harbor regarding proper disposal among boaters, the program is called The Dockwalker program. **(6:17)**

Sabrina Brennan read a letter dated June 17, 2015 written by her. The letter was regarding the open meeting on May 26, 2015 and the public's right to video tape

public meetings and also about her concerns about having public meetings in the same space that alcohol is being served. Her letter that she read is attached. (7:54)

Lamont Phemister commented on the May 26 meeting and stated that it is very important to not interfere with recording of public meetings. He added that this is a very serious issue and wanted to make sure it doesn't happen again. (10:37)

C.) Staff Recognition- None

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calendar are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to the regular agenda.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

(12:59)

- 1 **TITLE:** **Minutes of Meeting April 15, 2015 – 6:30 p.m.**
 REPORT: Draft minutes
 PROPOSED ACTION: Approval

- 2 **TITLE:** **Minutes of Meeting April 30, 2015**
 REPORT: Draft minutes
 PROPOSED ACTION: Approval

- 3 **TITLE:** **Minutes of Meeting May 4, 2015**
 REPORT: Draft minutes
 PROPOSED ACTION: Approval

- 4 **TITLE:** **Updated Signatory Card List for the San Mateo County Harbor District's Financial Institution Accounts**
 REPORT: Memo, List of signatures, Resolution
 PROPOSED ACTION: Adopt Resolution 19-15 to authorize execution of financial institution generated signature forms for the San Mateo County Treasurer's office and U.S. Bank

- 5 **TITLE:** **Authorizing the Renewal of the San Mateo County Harbor District's Liability, Property and Other Insurance Policies for Fiscal Year 2015-16**
 REPORT: Memo, Policies Resolution
 PROPOSED ACTION: Adopt Resolution 21-15 approving renewal of liability, property and other insurance policies for Fiscal Year 2015-16

- 6 **TITLE:** **Bad Debt Write-Offs**
 REPORT: Memo, Resolution

PROPOSED ACTION: Adopt Resolution 17-15 to Approve Write-Offs of uncollectable berthing accounts for current and past years in the amount of \$83,671.07

7 TITLE: **Turbo Data Contract for Parking Citation Processing**
REPORT: Memo, Resolution
PROPOSED ACTION: Adopt Resolution 08-15 to approve the contract with Turbo Data

8 TITLE: **Oyster Point Marina/Park Trash Compactor Purchase**
REPORT: Grindy, Memo, Resolution
PROPOSED ACTION: Adopt Resolution 22-15 to approve purchase of Marathon compactor

Action: Motion by Mattusch, second by Parravano to approve the consent calendar. The motion passed unanimously.

Ayes: Bernardo, Brennan, David, Mattusch, Parravano

E.) New Business

(13:21)

9 TITLE: **Proclamation for Oyster Point Yacht Club in Recognition of the 50th Anniversary**
REPORT: Proclamation
PROPOSED ACTION: Approval

Action: Motion by Parravano, second by Bernardo to approve the Proclamation for Oyster Point Yacht Club in Recognition of the 50th Anniversary. The motion was passed unanimously.

Ayes: Bernardo, Brennan, David, Mattusch, Parravano

F.) Public Hearing

(14:16)

10 TITLE: **Final Operating and Capital Budget for Fiscal Year 2015/16 by Resolution 20-15 Pursuant to Harbors and Navigation Code §6093.1**
A. Declare Hearing Open: President Mattusch
B. Report of Notice Given: Debbie Nixon, Deputy Secretary
C. Staff Report and Recommendation: Budget FY 2015/16
D. Public Comment:

E. Commission Deliberation:

H. Recommended

Commission Action: Adopt Resolution 20-15 to Adopt the Final FY2015/16
Operating and Capital Budget

(15:35)

Public Comment:

Support

Budd Ratts

Action: Motion by David, second by Bernardo to adopt Resolution 20-15 to adopt the Final FY2015/16 Operating and Capital Budget. The motion passed unanimously.

Ayes: Bernardo, Brennan, David, Mattusch, Parravano

Action: Motion by Brennan, second by David to make the following changes to the transmittal letter. 1) Mention move from accrual budget to reporting depreciation. 2) Change the mention of robust fishing season. 3) Desire for 5 year capital budget plan. 4) Budget change moving from an accrual budget to a cash budget. The motion passed unanimously.

Ayes: Bernardo, Brennan, David, Mattusch, Parravano

G.) New Business

(32:06)

11 TITLE: **Policy Regarding Elected Officials' Conduct and
Communication with District Staff**
REPORT: Lazof, Memo
PROPOSED ACTION: Approve proposed policy

(36:45)

Public Comment:

Oppose

John Ullom

Action: Motion by Bernardo, second by Parravano to approve the policy regarding Elected Officials' Conduct and Communication with District Staff with the following changes: 1) Paragraph A. Remove Poor behavior from sentence Poor Behavior towards staff is not acceptable, 2) Paragraph 4. Remove often from sentence but may often be secondary to the District's operational needs, 3) Remove paragraph 7(a) Routine Requests for Information. 4) Remove paragraph 8. Non-Routine Requests Requiring Special Effort.

Ayes: Bernardo, David, Mattusch, Parravano

Nays: Brennan

(1:08:39)

12 TITLE: **Contract with Regional Government Services: Approval of Adding Additional Staffing: Public Information and Transparency Officer; Human Resources Support**
REPORT: Lazof, Memo
PROPOSED ACTION: Approve proposed policy

(1:13:36)

Public Comment:

Oppose

John Ullom

Action: Motion by Mattusch, second by David to approve the contract with Regional Government Services: Approval of Adding Additional Staffing: Public Information and Transparency Officer; Human Resources Support. The motion passed.

Ayes: Bernardo, David, Mattusch, Parravano

Nays: Brennan

(1:26:17)

13 TITLE: **New/Revised Job Descriptions:**
1) Administrative Services Manager (New)
2) Harbor Master – Assistant General Manger Operations (Revised)
REPORT: Lazof, Memo
PROPOSED ACTION: Approve job descriptions; Administrative Services Manager Salary set at Human Resources Director level, on interim basis. Assistant General Manager Salary to be unchanged from prior to description revision.

Action: Motion by Mattusch, second by David to approve #1 adding grant writing to the administrative service manager in addition and also deferring #2 until we look into a better job title and job specifications. The motion passed unanimously.

Ayes: Bernardo, Brennan, David, Mattusch, Parravano

(1:38:44)

14 TITLE: **Process for Approval of District Response to LAFCo Municipal Service Review**
REPORT: Lazof, Memo
PROPOSED ACTION: The Commission may authorize the President to issue the final letter of response, or may call a Special Meeting to review this response, proposed for June 23, 2015.

(1:41:57)

Public Comments:

Item 21 was taken up prior to item 20.

(2:20:22)

- 21** **TITLE:** **Consideration and Direction to Staff Regarding a Social Media Plan**
- REPORT:** Lazof, Memo; Additional Information: Brennan
- PROPOSED ACTION:** The Commission may provide direction to Staff regarding a Social Media Plan for the District

(2:21:54)

Public Comments:

Support

Joe Falcone

Undeclared

Martha Poyatos provided information only

Action: The Commission discussed creating a social media plan and directed the Interim General Manager to work with Phondini at an amount of \$1,000 per month and to create a social media plan. The Interim General Manager will then bring a Request for Proposal back to the Board at a later meeting for direction and action. No formal action was taken.

(2:42:36)

- 20** **TITLE:** **Discussion of Role of the San Mateo County Harbor District through the Beach Replenishment Committee as Potential Lead Agency in a Sand Replenishment Effort at Surfer's Beach**
- REPORT:** David, Memo
- PROPOSED ACTION:** Approve San Mateo County Harbor District as local lead agency in this effort

Action: Motion by David, second by Brennan for District to become the lead agency in the sand replenishment effort at Surfers Beach. The motion passed unanimously.

Public Comment:

Supports

John Dooley

Action: Motion by Brennan, second by Bernardo to extend meeting to 11:00 p.m.

Adjourn to closed session at 9:44 p.m.

Action: Unanimous vote to extend meeting to 11:30 p.m.

J.) Closed Session

- 27 TITLE: **Closed Session—Public Employment Pursuant to Government Code Section 54957(b). Title: Labor Negotiator**

Item 28 was not taken up.

- 28 TITLE: **Conference with Legal Counsel—Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2). One Case**

K.) New Business, Continued

(2:56:49)

- 29 TITLE: **Award Contract for Labor Negotiator Services**
REPORT: Lazof
PROPOSED ACTION: Authorize the General Manager to enter into an agreement for services in support of labor negotiations under terms deemed by the General Manager to be in the District's best interest and in a form approved by legal counsel.

Action: Move by David, second by Parravano to award contract to Deborah Glasser for labor negotiator services. The motion passed.

Ayes: Bernardo, David, Mattusch, Parravano

Nays: Brennan

These following items were not taken up at the meeting.

H.) Staff Reports: a) Administration and Finance

- 22 **Interim General Manager – Lazof**
- 23 **Director of Finance – Galarza**
- 24 **Interim Human Resources Manager – Schnapp**

b) Operations

- 25 **Oyster Point Marina/Park and Pillar Point Harbor – Grindy**

I.) Board of Harbor Commissioners

26 A. Committee Reports

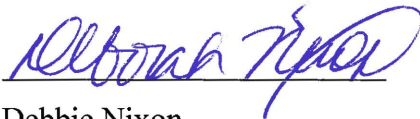
- 1) Water Quality and Public Safety Committee (May 14, 2015)
- 2) Beach Replenishment Committee (May 19, 2015)

B. Commissioner Statements and Requests

1. The Board of Harbor Commissioners may make public statements limited to five (5) minutes.
2. Any Commissioner wishing to place an item on a future agenda may make a motion to place such an item on a future agenda

L.) Adjournment

Action: Motion by Mattusch, second by Parravano to adjourn the meeting. The motion passed at 11:28 p.m.



Debbie Nixon
Deputy Secretary



Tom Mattusch
President

Wednesday, June 17, 2015

Re: California Open Meeting Concerns

Dear President Mattusch and Commissioners,

The Harbor District and law enforcement missed an opportunity to provided better guidance at the May 26th Special Meeting.

In addition to the unfortunate removal of John and Dan Ullom's livestream device the meeting was held during cocktail hour and alcohol was being consumed before, during and after the meeting.

From my seat I could see SSFPD and public member John Ullom standing by the barroom door and later on the deck. At one point I was concerned Mr. Ullom would be tasered. I saw public member Bill Kehoe intervene on the deck and deescalate the situation. It's my understanding that a SSF police officer told Mr. Ullom that he knew who he was and the officer credited Mr. Ullom for being the source of all the problems with the Harbor District.

With so many elected officials, public agency staff members, SSFPD and County Sheriff in the room it's a very sad commentary that the public right to record and broadcast public meetings was violated.

As board President during the meeting I regret not stopping the meeting when I first noticed a problem between SSFPD and a member of the public. The meeting was a disgrace in many ways and reflects poorly on all five Harbor Commissioners.

Going forward I hope elected officials and law enforcement will do a better job serving the public and adhere to California open meeting laws.

Sincerely,



Sabrina Brennan