



## Board of Harbor Commissioners

Nancy Reyerling, President  
Virginia Chang Kiraly, Vice President/Secretary  
Tom Mattusch, Treasurer  
Sabrina Brennan, Commissioner  
Edmundo Larenas, Commissioner  
James B. Pruett, 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 MINUTES

**October 21, 2020**

**1:00 PM – 4:00 PM**

San Mateo County Harbor District

#### **A) Roll Call** Time 1:02 PM

**Present:** Commissioner Reyerling, Commissioner Mattusch, Commissioner Larenas  
**Absent:** Commissioner Chang Kiraly, Commissioner Brennan  
1:05 PM Commissioner Chang Kiraly Enters

#### **B) Staff Recognition, Greg Gubser Retirement**

#### **C) 1. Public Comments/Questions**

#### **2. Committee Updates**

These Committee Updates were discussed under Discussion Items  
Oyster Point Marina Liaison Committee – Met on September 28, 2020  
Finance Committee – Met on September 30, 2020

**Motion:** (Chang Kiraly/Mattusch) Move Closed Session Items 1–5 to a future date to be determined by the Board President and General Manager.

**Ayes:** Reyerling, Chang Kiraly, Mattusch

**Nays:** Larenas

**Absent:** Brennan

**Motion passed**

#### **D) Consent**

Commissioner Reyerling Pulled Item 1

Commissioner Larenas Pulled Items 4 and 7

San Mateo County Harbor District – Regular Meeting Minutes – October 21, 2020

1:16 PM Commissioner Brennan Enters

**2. Minutes – Regular Meeting Minutes September 16, 2020 (Hadden)**

**Motion:** Approve Minutes of the Regular Board Meeting of September 16, 2020.

**3. California Division of Boating and Waterways (DBW) Boating Safety and Enforcement Equipment Grant Program (BSEE); Financial Assistance for Electronic Communications and PPE Safety Equipment for Patrol Boats; Adopt Resolution No. 20-14. (Moren)**

**Motion:** Adopt Resolution No. 20-14 to authorize acceptance and execution of a California Division of Boating and Waterways (DBW) Boating Safety and Enforcement Equipment Grant for \$5,828.87.

**5. First Quarter – Fiscal Year 2021 (Q1-21) Investment Report (van Hoff)**

For information only

**6. Pillar Point Harbor Lighted Boat Festival (Pruett)**

**Motion:** For the safety of the public, tenants, and staff with the intent to reduce the risk of spreading COVID-19, the San Mateo County Harbor District will not host or permit the 2020 Lighted Boat Festival at Pillar Point Harbor.

**8. Potential Tent Coverings for Outside Dining Areas to Assist in the Promotion of Social Distancing at Ketch Joanne, Ketch Café, and Order at the Corner (Pruett)**

**Motion:** Approve a request from the owners of Ketch Joanne Restaurant, Ketch Café, and Order at the Corner to install a temporary tent/covering over the outdoor dining areas to the satisfaction of the General Manager so long as restrictions are in place that limit indoor dining in response to the COVID-19 pandemic.

- 1) Approve the General Manager to submit a 30611 permit waiver request to the California Coastal Commission to allow for the installation of the temporary tent/covering.

**Motion:** (Chang Kiraly/Reyering) Approve Consent Items 2, 3, 5, 6, and 8.

**All in favor**

**Motion passed**

## **E) Discussion**

Discussion Items were re-ordered  
1, 9, 12, 10, 11, 4 and 7

### **1. Bills and Claims (van Hoff)**

**Motion:**

- 1) Review Pre-Approved Bills and Claims for September of \$277,125.25. Pre-Approve \$500,000 in Bills and Claims for October. Accept Pre-Approved Items in the amount of \$277,125.25 for September.
- 2) Approve \$54,644.80 for payment over the General Manager's authority of \$25,000.
- 3) Approve \$750,000 in Pre-Approved Items for November 2020 (there are three AP runs in November).

**Motion:** (Chang Kiraly/Mattusch) Approve Item 1 with Addendums  
**All in favor**  
**Motion passed**

**Motion:** (Chang Kiraly) Call for the Question  
**All in favor**  
**Motion passed**

### **9. Surfers Beach Restoration Pilot Project – Eelgrass Mitigation Update and Proposal (Moren)**

**Motion:** Approve increase in Capital Expenditure Appropriations of \$137,900 to cover anticipated engineering and planning costs for the Surfers Beach Restoration Pilot Project and required eelgrass mitigation efforts at Pillar Point Harbor.

**Motion:** (Chang Kiraly/Brennan) As stated.  
**All in favor**  
**Motion passed**

### **12. Employee Leave Considerations Due to COVID-19 Pandemic; Approve Revision to Policy 6.5.11 (van Hoff)**

**Motion:** (Chang Kiraly/Mattusch) Approve revision to 6.5.11 "Leave Policy during Pandemic" to 1) include up to 80 additional Emergency Paid Sick Leave hours for employees who are members of OE3 and Harbormasters; and 2) incorporate new eligibility provision for First Responders as required by law.

**All in favor**  
**Motion passed**

**10. Finance Committee Report September 2020 Meeting (Chang Kiraly, Mattusch) regarding analysis of building or leasing administrative building and request for direction on funding options for building**

**Motion:** (Mattusch/Chang Kiraly)

**Option 1:** Fund with existing working capital:

Recommendation: Approve issuance of Design/Engineering and Project Management Request for Proposals for a new Administrative Building and update of the District's Capital Project Plan to include funding of the project from available working capital.,

**All in favor**

**Motion passed**

**11. Oyster Point Marina Joint Liaison Standing Committee Report September 2020 Meeting (Reyering, Chang Kiraly)**

Presented

**4. Monthly Capital Projects Update (Moren)**

Receive and file

**7. Receive the California Regional Water Quality Control Board, San Francisco Bay Region (2) Notice of Filing, Notice of Opportunity for Public Comment, and Notice of Public Hearing with Attachments on Amendment to the Water Quality Control Plan, San Francisco Bay Basin, and Draft Substitute Environmental Document to Establish a Bacteria Total Maximum Daily Load and Implementation Plan for Pillar Point Harbor and Venice Beach and Update Bacteria Objectives for Protecting Water Contact Recreation in the Basin Plan (Pruett)**

Receive and file

## **F) Closed Sessions**

**All closed Session Items were removed and will be placed on another meeting.**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to paragraph 1 of subdivision (d) of Section 54956.9

Name of Case: McHenry Fisheries, Inc. dba Pillar Point Seafoods, Plaintiff, v. Three Captains Sea Products, Inc., Defendant; and Three Captains Sea Products, Inc., Cross-Complainant, v. McHenry Fisheries, Inc., San Mateo County Harbor District, Sabrina Brennan, Edmundo Larenas, Tom Mattusch, Virginia Chang Kiraly, and Nancy Reyering (in their capacities as Harbor Commissioners only), Cross-Defendants

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: APN 047-083-060 Parcel 2 of the concessions building at Pillar Point Harbor consisting of approximately 2,595 square feet of space

San Mateo County Harbor District – Regular Meeting Minutes – October 21, 2020

Page 4 of 6

Agency Negotiators: James Pruett, Julie van Hoff  
Negotiating Party: Ketch Joanne Restaurant and Harbor Bar, Inc.  
Under Negotiations: price and terms of payment.

**3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: APN 047-083-060 Parcel 5 of the concessions building at Pillar Point Harbor consisting of approximately 1,300 square feet of space.

Agency Negotiators: James Pruett, Julie van Hoff  
Negotiating Party: Mavericks Surf Company, LLC  
Under Negotiations: price and terms of payment.

**4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: General Manager

**5. CONFERENCE WITH LABOR NEGOTIATORS**

Agency designated representatives: Nancy Reyering and Virginia Chang Kiraly  
Unrepresented employee: General Manager

**G) Commissioner Comments**

**H) Future Agenda Items**

**Motion:** (Brennan/Larenas) Move the Regular Meetings of the Harbor Commission to 6:30 PM.

**Ayes:** Brennan, Larenas

**Nays:** Chang Kiraly, Mattusch, Reyering

**Did not pass**

**Motion:** (Brennan/Larenas) Have a presentation from OPM Development similar to the presentation that was given at the OPM Liaison Committee at the next scheduled Regular Meeting of the Harbor Commission.

**Ayes:** Brennan, Larenas

**Nays:** Chang Kiraly, Mattusch, Reyering

**Did not pass**

**I) September Activity Reports General Manager, Operations, Administration**

Information only.



**J) Adjourn 3:22 PM**

Motion to Adjourn (Chang Kiraly/Reyering)  
All in Favor

Approved by the Board on November 18, 2020



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Melanie Hadden  
Deputy Secretary



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Nancy Reyering  
Board President