



## Board of Harbor Commissioners

Virginia Chang Kiraly, President  
Nancy Reyerling, Vice President  
Tom Mattusch, Treasurer  
William Zemke, Secretary  
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 AGENDA

**January 19, 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 January 19, 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](http://www.smharbor.com). If you experience technical problems with the telephonic meeting, please contact Melanie Hadden at [mhadden@smharbor.com](mailto: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](mailto: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=RmtQbkdyd2dUSkxZz09>

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)
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  - +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) [Proclamation for Neil McGeehan](#)

## C) 1. 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 review online at [www.smharbor.com](http://www.smharbor.com).

## D) Consent

All items on Consent are approved by one motion unless a Commissioner requests at the beginning of the meeting that an item be withdrawn or transferred to Discussion. Any item on Discussion may be transferred to Consent.

### ITEMS PULLED FROM CONSENT WILL BE HEARD AFTER DISCUSSION ITEMS.

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

1. Recommendation: Accept Pre-Approved Items in the amount of \$444,145.02 for December.
2. Approve a \$44,014.95 payment to Tyler Technologies, which is over the General Manager's authority of \$25,000.
3. Approve \$500,000 in Pre-Approved Items for February 2022.

#### 2. [Minutes – Regular Meeting Minutes December 15, 2021 \(Hadden\)](#)

Recommendation: Approve Minutes of the Regular Board Meeting of December 15, 2021

#### 3. [Minutes – Special Meeting Minutes December 15, 2021 \(Hadden\)](#)

Recommendation: Approve Minutes of the Special Board Meeting of December 15, 2021

#### 4. [Minutes – Special Meeting Minutes December 21, 2021 \(Hadden\)](#)

Recommendation: Approve Minutes of the Special Board Meeting of December 21, 2021

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

Recommendation: Adopt Resolution No. 22-01 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)

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

Information only

7. [Budget Calendar \(van Hoff\)](#)

Recommendation: Approve staff recommendation to set the 2022/2023 Budget Review and Development Cycle as detailed in the Staff Report.

8. [Second Quarter – Fiscal Year 2022 \(Q2-22\) Investment Report \(van Hoff\)](#)

Information only

9. [Employee Leave Considerations Due to COVID-19 Pandemic; Approve Revision to Policy 6.5.11 \(van Hoff\)](#)

Recommendation: Review and approve 6.5.11 “Leave Policy During Pandemic” which extends benefits to June 30, 2022.

10. [Pillar Point Harbor Johnson Pier Expansion and Dock Replacement Project Moffatt & Nichol Professional Services Agreement Amendment \(Moren\)](#)

Recommendation: Approve a Change Order to amend the ongoing Pillar Point Harbor Johnson Pier Expansion and Dock Replacement Project Design/Engineering Professional Services Agreement with Moffatt & Nichol for an additional amount of \$312,000 to include additional design, engineering and permitting for replacement of docks, D, E, F and G.

11. [Oyster Point Marina East Dock Replacement Design/Engineering Professional Services Agreement Amendment \(Moren\)](#)

Recommendation: Approve Change Order to amend the ongoing Oyster Point Marina East Dock Replacement Project Design/Engineering Professional Services Agreement with Moffatt & Nichol for an additional amount of \$191,800 to include additional design, engineering and permitting for the replacement of four dock access gangways servicing docks 1-6 and 11.

## E) Discussion

12. [Public Hearing on Draft Maps of Voting District Boundaries following the 2020 Census \(Pruett\)](#)

Recommendation: Hold public hearing on draft maps.

**13. Regulating use of District facilities for the Offload of Fish and Adopting Fees in Connection with Such Activities (Pruett)**

**Motion 1:**

**Visiting Fishing Vessels- Removing requirement for Commercial Activity Permit:**

Amend Section 5.10.010 of the Ordinance Code to allow wholesale commercial offloads without a commercial activity permit. Direct staff to publish notice in a newspaper of general circulation within the District, for not less than 20 days prior to Ordinance Code amendment adoption, and place the Resolution to amend Section 5.10.010 for consideration on the agenda for the February 16, 2022 District Board Meeting.

**Motion 2:**

**Nonlessee Commercial Fish Buyers**

**Option 1:**

Allow Nonlessee Fish Buyers

No action needed from the Board.

**Option 2:**

Maintain Current Practice to Prohibit Commercial Activity Permits for Nonlessee Fish Buyers

Amend Section 5.10.010 of the Ordinance Code to remove the authority to issue commercial activity permits to nonlessee fish buyers. Direct staff to publish notice in a newspaper of general circulation within the District, for not less than 20 days prior to Ordinance Code amendment adoption, and place the Resolution to amend Section 5.10.010 for consideration on the agenda for the February 16, 2022 District Board Meeting.

**Motion 3:**

**Floating Docks**

**Option 1:**

Allow Commercial/self-unloading of Catch from the Floating Docks:

The Harbormaster is directed to allow commercial offload of seafood from the floating docks to nonlessee fish buyers who are properly permitted to conduct business on District facilities, fishers self-offloading to themselves for transport off Pillar Point Harbor, or sales to current restaurant or fish market tenants of the Harbor District.

**Option 2:**

Prohibit the Commercial offloading from the Floating Docks/Allow Self offloading:

The Harbormaster shall prohibit the commercial offload of seafood from the floating docks to nonlessee commercial fish buyers and allow commercial

fishers to self-offload to themselves for transport off Pillar Point Harbor or sales to current restaurant or fish market tenants of the Harbor District.

**Motion 4:**

**Use of the Public Hoist:**

**Option 1:**

**Restrict the Hoist to Supplies and Equipment Only:**

No action needed from the Board.

**Option 2:**

**Allow Self Offloading of Both Equipment and Catch:**

The Public Hoist at Pillar Point Harbor may be used by tenants of Pillar Point Harbor to load or unload equipment and catch. Catch may only be self-offloaded by the fisher to the fishers equipment. No commercial or wholesale activity directly to fish buyers on board Pillar Point Harbor may take place at the hoist.

**Option 3:**

**Allow the Onloading & Offloading of Equipment, Supplies, and Catch:**

The Public Hoist at Pillar Point Harbor may be used to load or unload equipment, supplies, and catch.

**Motion 5:**

**Fees**

Direct staff to publish notice in a newspaper of general circulation within the District, for not less than 20 days prior to Ordinance Code amendment adoption, and place the Resolution to amend the Wharfage Fees Ordinance Code Section 3.10.160 for consideration on the agenda for the February 16, 2022 District Board Meeting.

And further, adopt Resolution Number No. 22-02, a Resolution of the Board of the San Mateo County Harbor District adopting a \$85 per hour fee for use of the public hoist at Pillar Point Harbor and a fee of \$0.05 for each pound fin and shellfish based on gross weight for commercial offload and onload and for self-unloading.

**14. [Keet Nerhan, DBA KN Properties; Approve Assignment of Lease to Pillar Point Harbor LLC, DBA Pillar Point RV Park \(van Hoff/Pruett\)](#)**

Recommendation: Approve request by Keet Nerhan, DBA KN Properties ("Lessee") to assign its lease with the District (the "Lease") to Pillar Point Harbor LLC, DBA Pillar Point RV Park and authorize the General Manager to execute the Consent to Assignment of Lease.

**15. Amendment to Employment Contract for General Manager (Chang-Kiraly)**

Recommendation: Approve Amendment No. 1 to Employment Agreement with James B. Pruett as General Manager and authorize Board President to execute.

**16. Salary Schedule and Special Compensation (van Hoff)**

Recommendation: Approve amended salary schedule to include increase in General Manager's salary pursuant to employment contract considered for adoption by the Harbor Commission on January 19, 2022.

**17. CY2022 Board Organization; Election of Officers (Staff)**

Recommendation: Commissioner to elect a President to serve for 2022, and that the newly elected President then call for nominations for, and the Board elect any remaining Officers of the Board.

**F) Commissioner Comments**

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

**G) Future Agenda Items**

**H) December Activity Reports General Manager, Operations, Administration**

Information only

**I) Adjourn**

The next Regular meeting will be held on February 16, 2022 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:

January 14, 2022



Melanie Hadden  
Deputy Secretary