



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 AGENDA

October 21, 2020

1:00 PM – 4:00 PM

San Mateo County Harbor District

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020, as revised on March 31, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC’s social distancing guidelines which discourage large public gatherings, the Boardroom will not be open for the October 21, 2020 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 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 or enter it into your browser to join via Zoom web app:

<https://us02web.zoom.us/j/88925053484?pwd=M3JGeHh1UGJWY3laZ2dXazRrZGRDQT09>

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)
- **Meeting ID: 889 2505 3484**
- **Meeting Password: 219102**

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) Staff Recognition, [Greg Gubser Retirement](#)

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 reviewed online at www.smharbor.com.

2. Committee Updates

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

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 \(van Hoff\)](#)

Recommendation:

- 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).

2. [Minutes – Regular Meeting Minutes September 16, 2020 \(Hadden\)](#)
Recommendation: 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. \(Moren\)](#)
Recommendation: 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.

4. [Monthly Capital Projects Update \(Moren\)](#)
Receive and file

5. [First Quarter – Fiscal Year 2021 \(Q1-21\) Investment Report \(van Hoff\)](#) For information only

6. [Pillar Point Harbor Lighted Boat Festival \(Pruett\)](#)
Recommendation: 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.

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

8. [Temporary Tent Coverings for Outside Dining Areas to Assist in the Promotion of Social Distancing at Ketch Joanne, Ketch Café, and Order at the Corner \(Pruett\)](#)
Recommendation:
 - 1) 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.

- 2) 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.

E) Discussion

9. [Surfers Beach Restoration Pilot Project – Eelgrass Mitigation Update and Proposal \(Moren\)](#)
Recommendation: 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.
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](#)
Recommendations:
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.
Option 2: Fund with issuance of debt:
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 the issuance of debt.
11. [Oyster Point Marina Joint Liaison Standing Committee Report September 2020 Meeting \(Reyering, Chang Kiraly\)](#)
12. [Employee Leave Considerations Due to COVID-19 Pandemic; Approve Revision to Policy 6.5.11 \(van Hoff\)](#)
Recommendation: Approve revision to 6.5.11 "Leave Policy during Pandemic".

F) Closed Sessions

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
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

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

H) Future Agenda Items

I) September Activity Reports [General Manager](#), [Operations](#), [Administration](#)

Information only.

J) Adjourn

The next Regular meeting will be held on November 18, 2020 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:

October 16, 2020 at 4:00 PM

Melanie Hadden
Deputy Secretary

