



Special Closed and Regular Public Session of October 25, 2022

**Santa Cruz Port Commission
MINUTES**

Commission Members Present:

Reed Geisreiter	Chair
Darren Gertler	Vice-chair
Dennis Smith	Commissioner (<i>via Zoom</i>)
Stephen Reed	Commissioner
Toby Goddard	Commissioner

SPECIAL PUBLIC SESSION – 5:00 PM

Chair Geisreiter convened the special public session at 5:00 PM at the Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz CA (hybrid meeting platform).

1. Oral Communication
2. Announcement of Closed Session Pursuant to Government Code (Ralph M. Brown Act) Section 54956.8 and 54957.

At 5:00 PM, Chair Geisreiter announced that the Commission will meet in closed session to discuss agenda items 3 and 4.

SPECIAL CLOSED SESSION

3. Conference with Real Property Negotiators
Property: 616 Atlantic Avenue
Agency Designated Representative: H. MacLaurie
Under Negotiation: Lease
4. Public Employee Performance Evaluation
Title: Port Director

SPECIAL PUBLIC SESSION

5. Action and Vote Disclosure after Closed Session Pursuant to Government Code (Ralph M. Brown Act) Section 54957.1

Chair Geisreiter announced that the Commission took no reportable action in closed session on items 3 and 4.

Chair Geisreiter adjourned the special open session following the closed meeting at 6:50 PM.

REGULAR PUBLIC SESSION – 7:00 PM

Chair Geisreiter convened the regular public session at 7:00 PM at the Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz CA (hybrid meeting platform).

6. Pledge of Allegiance
7. Oral Communication

Chair Geisreiter announced that the Commission took no reportable action in closed session on items 3 and 4.

Commissioner Reed stated that with the upcoming November 8, 2022, election upon us, constituents are encouraged to reach out to District staff with any harbor related questions or inquiries.

CONSENT AGENDA

8. Approval of Minutes
 - a) Special Public Meeting of September 22, 2022
 - b) Special Closed and Regular Public Meeting of September 27, 2022
9. Approval of Resolution 22-24 – Reauthorizing Virtual Public Meetings in Accordance with Assembly Bill 361
10. Approval of O’Neill Sea Odyssey Sublease – 2222 East Cliff Drive, Suite 234 (Tenant: Monterey Bay National Marine Sanctuary Foundation)

MOTION: Motion made by Commissioner Goddard, seconded by Vice-chair Gertler to approve consent agenda items 8 through 10.
- *Motion carried unanimously.*

REGULAR AGENDA

11. Presentation by Coast Guard Auxiliary

Discussion: U.S. Coast Guard (USCG) Auxiliary Flotilla Commander, Bruce Krogstad, provided an overview of the local USCG Auxiliary Program for Flotilla 67 (District 11 Northern Region).

The Commission expressed appreciation for the USCG Auxiliary’s longstanding partnership with the Port District and the Auxiliary’s mission to promote recreational boating safety.

12. Mid Fiscal Year Review of Capital Improvement Program

Discussion: Port Director MacLaurie stated that as part of the FY23 budget approval process, the Commission elected to implement a mid-year review of the Capital Improvement Program (CIP) to receive project status and funding updates. She stated that this mid-year report is intended to provide project updates, obtain direction from the Commission on upcoming projects, and acquire feedback on additional information that may be useful to include in future reports.

Port Director MacLaurie highlighted the following:

- There are currently 27 projects funded in the District's CIP (excluding the Unallocated CIP Fund):
 - 6 have been completed (\$61,784 in expenditures)
 - 8 remain in progress (\$103,109 in expenditures to date)
 - 13 are slated to commence in future fiscal years.
- The CIP balance as of September 30, 2022, totals approximately \$1,934,654
- Two completed projects on the list are recommended for close out and reallocation of funding to the Unallocated CIP Fund:
 - Patrol Vessel Replacement (\$2,182).
 - Boatyard Marine Ways Upgrades (\$2,247).
- The Commission may consider redirecting current Pavement Repair funds (\$52,716) from the concession parking lot (exit lane and back gate driveway) to the fishery pier to address paving repair needs in that location.
- Since the FY23 budget was adopted, the District anticipates receiving the following:
 - \$525,000 in annual dredge reimbursement from the Corps
 - \$270,000 in insurance proceeds as a result of the tsunami

In response to a question posed by Chair Geisreiter, Port Director MacLaurie confirmed that if Paving Repair funding is diverted from the concession parking lot to the fishery pier, planned ADA improvements for the concession lot would not be impacted. Port Director MacLaurie stated that funding for the planned ADA improvement project in the concession parking lot is allocated in the Parking Upgrades Fund (\$48,376).

Commissioner Goddard expressed support for prioritizing Building Restoration projects in future CIP reports. Additionally, he stated that it may be beneficial to explore the feasibility of utilizing funds in the Sidewalk and Plaza Restoration Fund to repair portions of the damaged sidewalk near F-Dock.

A discussion ensued regarding the list of current and future projects. There was consensus among the Commission for the following:

- Close out and reallocate remaining balances of the following two completed projects:

- \$2,182 from Patrol Vessel Replacement to Unallocated CIP Fund
- \$2,247 from Boatyard Marine Ways Upgrades to Unallocated CIP Fund
- Allocate \$75,000 to the Dredge Intermediate Fund (DIF) from the General Fund
- Redirect current Pavement Repair funds (\$52,716) from the concession parking lot (exit lane and back gate driveway) to the fishery pier.
- Research feasibility and costs for initiating sidewalk repairs on the west side (between E-Dock and F-Dock), utilizing funding in the Sidewalk & Plaza Restoration Fund (\$33,000).
- Identify funding sources for the following upcoming projects at a subsequent meeting:
 - 2222 East Cliff Drive Deck Replacement Project
 - North Harbor Transformer Replacement / Relocation Project

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Reed to:

- Reallocate the remaining balance of existing CIP project funding to close out the following projects:
 - \$2,182 from Patrol Vessel Replacement to Unallocated CIP
 - \$2,247 from Boatyard Marine Ways Upgrades to Unallocated CIP
- Redirect current Pavement Repair funds (\$52,716) from the concession parking lot (exit lane and back gate driveway) to fishery pier
- Research feasibility and costs for initiating sidewalk repairs on the west side (between E-Dock and F-Dock), utilizing funding in the Sidewalk & Plaza Restoration Fund.
- Allocate \$75,000 to the Dredge Intermediate Fund from the General Fund.
- *Motion carried unanimously.*

13. Port District Draft Response to City of Santa Cruz Environmental Impact Report for Rail Trail Segments 8 and 9 Project

Discussion: Port Director MacLaurie stated that an Ad-Hoc Committee meeting was held on October 18, 2022, to review the City of Santa Cruz Draft Environmental Impact Report (DEIR) for the Coastal Rail Trail Segments 8 and 9 Project. She stated that the committee has identified several areas where the DEIR does not sufficiently evaluate or mitigate potential impacts associated with the installation of a proposed west and/or east harbor trail connection on the Port District's operation.

She stated that the Ad-Hoc Committee has prepared draft response items for the full Commission's review and feedback. She stated that if the Commission is agreeable, staff will draft a formal response to the City and submit written comments during the public review period for the project, which concludes on November 11, 2022 (extended from November 4, 2022).

Vice-chair Gertler stated that it may be beneficial to explore alternative trail connection locations.

Audience members, Jean Brocklebank and Michael Lewis, expressed their concerns regarding the proposed project and were supportive of the District's draft responses.

There was a consensus among the Commission to support the Ad-Hoc Committee's draft response items and to direct staff to submit a formal response to the City's DEIR for the Coastal Rail Trail Segments 8 and 9 Project.

14. Approval of Cash / Payroll Disbursements – September 2022

Discussion: In response to a question posed by Commissioner Reed regarding Warrant # 57269 – Parking Machine Upgrades, Port Director MacLaurie stated that five (5) of the eight (8) Cale parking terminals throughout the harbor have been outfitted with screens that will enhance usability.

Port Director MacLaurie stated that staff has been working with the vendor, Scheidt and Bachmann, to make necessary improvements to the parking equipment in the concession parking lot.

MOTION: Motion made by Vice-chair Gertler, seconded by Commissioner Reed to approve cash and payroll disbursements for September 2022, in the amount of \$506,564.38.

- *Motion carried unanimously.*

INFORMATION

15. Port Director's Report

Murray Street Bridge Seismic Retrofit Project

Port Director MacLaurie stated that a withdrawal from the project escrow account has been initiated to fund the contract with TranSystems, Inc. for the design of the removal and replacement of FF-Dock, Rowing Dock, and Boatyard Dock (NTE \$400,000).

10-Year Dredge Permit Update

Port Director MacLaurie stated that the National Marine Fisheries Service (NMFS) has completed its consultation and permit issuance from the Corps is anticipated prior to November 1.

California Regional Water Quality Control Board (CRWQCB) – Dredge Permit Fees
Port Director MacLaurie stated that the new, 10-year dredge permit issued by the CRWQCB will assess annual fees based on the volume of north harbor material dredged (i.e., per cubic yard rate X cubic yards of north harbor material dredged).

16. Harbormaster's Report

In response to a question posed by Commissioner Goddard, Administrative Assistant Ghisletta confirmed that slip renters have 60 days to provide a valid insurance certificate meeting the District's insurance requirements before the monthly uninsured vessel fee of \$75 is assessed.

17. Facilities Maintenance & Engineering Manager's Report

Facilities Maintenance & Engineering (FME) Manager Wulf stated that crews have been working hard to mobilize dredge equipment in preparation of the upcoming season.

FME Manager Wulf stated that crews plan to move *Twin Lakes* from her off-season mooring in the north harbor to the entrance channel during the low tide on November 7, 2022.

18. Financial Reports (*There was no discussion on this agenda item*)

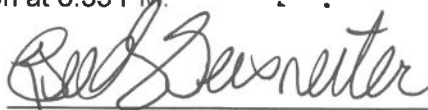
- a) Comparative Seasonal Revenue Graphs
- b) Employee Count as of September 30, 2022
- c) Quarterly Budget Report as of September 30, 2022
- d) Quarterly Fuel Sales Report
- e) Quarterly Boatyard Report
- f) Quarterly Concession Percentage Rent Report
- g) LAIF Statement & PMIA/LAIF Performance Report
- h) FY22 Debt Service Coverage Ratio

19. Delinquent Account Reporting (*There was no discussion on this agenda item*)

20. Harbor Patrol Incident Response Report – September 2022 (*There was no discussion on this agenda item*)

21. Port Commission Review Calendar / Follow-Up Items (*There was no discussion on this agenda item*)

Chair Geisreiter adjourned the regular public session at 8:33 PM.



Reed Geisreiter, Chair