



Special Closed and Regular Public Session of September 24, 2024

**Santa Cruz Port Commission
MINUTES**

Commission Members Present:

Stephen Reed	Chair
Dennis Smith	Vice-chair
Toby Goddard	Commissioner
Reed Geisreiter	Commissioner
Darren Gertler	Commissioner

SPECIAL PUBLIC SESSION – 4:00 PM

Chair Reed convened the special public session at 4:00 PM at the Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz, CA.

1. Oral Communication
2. Announcement of Closed Session Pursuant to Government Code (Ralph M. Brown Act) §54957 and §54957.6.

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

SPECIAL CLOSED SESSION

3. Public Employee Performance Evaluation
Title: Port Director
4. Conference with Labor Negotiators
Agency Designated Representative: H. MacLaurie
Employee Organization: Harbor Employees' Association, Operating Engineers Local 3, and Harbor Management Group

SPECIAL PUBLIC SESSION

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

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

Chair Reed adjourned the special open session following the closed meeting at 5:19 PM.

REGULAR PUBLIC SESSION – 5:30 PM

Chair Reed convened the regular public session at 5:30 PM at the Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz CA (hybrid meeting platform).

6. Pledge of Allegiance
7. Oral Communication (*Discussed out of order*)

Chair Reed moved discussion of Item 9 (Reconsideration of a Formal Name for 2222 East Cliff Drive) ahead of the Consent Agenda. Chair Reed acknowledged the large crowd in attendance (estimated at 50) to discuss the naming of the Port District-owned building at 2222 East Cliff Drive.

Audience member Bengie Hodges introduced herself and expressed her interest in serving on the Board of Port Commissioners. (The appointment to fill the vacancy will occur at next month's regular public meeting.)

CONSENT AGENDA

8. Approval of Minutes
 - a) Regular Public Meeting of August 27, 2024

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Geisreiter to approve consent agenda item 8.
- *Motion carried unanimously.*

REGULAR AGENDA

9. Reconsideration of a Formal Name for 2222 East Cliff Drive (*Discussed out of order*)

Discussion: Commissioner Geisreiter stated that in accordance with the Port Commission Policies and Procedures Manual, as well as the Brown Act, he requested this item be placed on tonight's agenda. He stated that following the regular public session of August 27, 2024, where he voted in support of establishing a formal name for the Port District-owned building at 2222 East Cliff Drive as the Santa Cruz Waterfront Center, he recognized the error in his vote and would like to request that the Commission reconsider the prior decision.

Commissioner Geisreiter stated that if there is consensus among the Commission to rescind the prior decision / action from the August 27, 2024, meeting, that staff should then be directed to develop a formal naming policy for review at a future meeting to guide the Commission in establishing formal names for Port District-owned buildings.

There was consensus among the Commission to rescind the previously established name for the Port District-owned building at 2222 East Cliff Drive and discuss a path forward during tonight's meeting.

Vice-chair Smith stated that at the August 27, 2024, meeting he requested that establishing a formal name for the building be postponed to a future meeting to allow additional time for public notification and comment. He stated that it is his opinion that any name established for the building should reflect the rich history associated with Jack O'Neill and the harbor. He stated that he is supportive of establishing a formal name for the building during tonight's meeting that incorporates the O'Neill name. Commissioner Gertler agreed.

Members of the audience spoke in support of establishing a formal name for the building during tonight's meeting that incorporates the O'Neill name. Many suggested that the building be named the "O'Neill Building" or the "O'Neill Waterfront Center."

Commissioner Geisreiter stated that he is supportive of formalizing a naming policy prior to establishing a name for the building. He stated that having a formal naming policy will help establish general principles, naming conventions, and specific terms associated with assigning names to Port District owned buildings.

Vice-chair Smith again stated that he is supportive of the Commission establishing a formal name for the building during tonight's meeting that incorporates the O'Neill name. He stated that if a formal name will not be established during tonight's meeting, that at a minimum, the Commission should commit to incorporating the O'Neill name as part of any future assignment.

Commissioner Goddard provided context for the initial proposal to establish "Santa Cruz Waterfront Center" as the formal name for the building. He stated that it is his opinion that the name reflects the building's significant waterfront location and aligns with central activities that occur in the vicinity. He acknowledged the strong public interest regarding this item, but maintained his initial opinion and support for the Santa Cruz Waterfront name.

MOTION: Motion made by Commissioner Geisreiter, seconded by Vice-chair Smith, to rescind the Port Commission's previous action during the August 27, 2024, regular public session to formally name the Port District-owned building at 2222 East Cliff Drive as the Santa Cruz Waterfront Center; direct staff to develop a formal policy for naming Port District owned buildings; and incorporate the O'Neill name as part of any future naming assignment.
- *Motion carried by roll-call vote:*

- Reed: NO
- Smith: YES
- Geisreiter: YES
- Goddard: NO
- Gertler: YES

10. Acceptance of Final FY24 Audited Financial Statement

Discussion: Port Director MacLaurie thanked Paul Kaymark of Nigro & Nigro, as well as Finance Officer Eldridge, for their work on the FY24 audited financial statement. She stated that staff recommends acceptance of the final FY24 audited financial statement, which incorporates the following minor language change:

- Language added to address the reduction in marine general liability coverage limits in FY24 due to increasingly high insurance premium renewal rates (Note 14, page 40).

MOTION: Motion made by Commissioner Geisreiter, seconded by Vice-chair Smith to accept the FY24 audited financial statement.
 - *Motion carried unanimously.*

11. Award of Contract for Santa Cruz Waterfront Center Painting Project

Discussion: Port Director MacLaurie stated that three bids were received for the project, with Selway Construction submitting the lowest bid in the amount of \$59,000.

She provided the figures below that represent the estimated construction budget based on Selway Construction's bid:

Contract Amount	\$59,000
<u>Contingencies (approx. 5%)</u>	<u>\$5,900</u>
Total Construction Cost	\$64,900

She stated that staff will perform outreach to tenants to inform them of the upcoming project and work to mitigate any project impacts. Additionally, she stated that after consulting with the painting contractor, the building color will remain a monochromatic white.

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Gertler to award a contract to Selway Construction; authorize the Port Director to execute contract; authorize a not-to-exceed amount of \$64,900; and approve an appropriation in the FY25 budget for the amount of the contract plus contingency.
 - *Motion carried unanimously.*

12. Approval of Cash/Payroll Disbursements (*There was no discussion on this agenda item*)

MOTION: Motion made by Commissioner Geisreiter, seconded by Vice-chair Smith to approve cash and payroll disbursements for August 2024, in the amount of \$644,061.02.

- *Motion carried unanimously.*

13. Port Director's Report

Discussion: In response to a question posed by Commissioner Geisreiter, Port Director MacLaurie stated that there has been no additional communication from Verizon Wireless regarding negotiations for the installation of a cell tower in the vicinity of the O-Dock restroom.

Commissioner Goddard expressed appreciation for staff's participation in the County of Santa Cruz's Local Hazard Mitigation Plan updates.

In response to a question posed by Commissioner Geisreiter, Port Director MacLaurie stated that the City of Santa Cruz anticipates providing a notice of intent to award a contract to Shimmick Construction Company for the Murray Street Bridge Seismic Retrofit and Barrier Replacement Project in the coming days.

14. Harbormaster's Report

Discussion: Commissioner Geisreiter expressed appreciation for the new fisheries report layout and found the seasonal comparisons enlightening.

Commissioner Goddard recommended that the fisheries data be forwarded to Martin Associates to be utilized for the Port District's upcoming Economic Impact Assessment.

15. Facilities Maintenance & Engineering Manager's Report

Facilities Maintenance & Engineering Manager (FME) Wulf stated that the contractor is making progress on the North Harbor Transformer Project, aiming to finish underground work before the start of the rainy season. He stated that delivery of the transformers is expected by the end of the year.

In response to a question posed by Vice-chair Smith, FME Manager Wulf stated that staff has not been able to locate the source of excess water near the O-Dock restroom facility. He stated that despite extensive demolition and exploration, no viable leads were found.

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

- a) Comparative Seasonal Revenue Graph
- b) LAIF and CLASS Statements

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

18. Harbor Patrol Incident Response Report – August 2024

In response to a question posed by Commissioner Geisreiter, Harbormaster Anderson confirmed that a suspect has been arrested and charged with attempted murder for the shooting incident that occurred on August 8, 2024.

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

Chair Reed adjourned the regular public session at 6:47 PM.



Stephen Reed, Chair