Special Closed & Regular Public Session of June 27, 2017

Santa Cruz Port Commission
MINUTES

Commissioners Present:
Toby Goddard  
Chairman  
Dennis Smith  
Vice-Chairman  
Reed Geisreiter  
Commissioner  
Stephen Reed  
Commissioner  
Darren Gertler  
Commissioner

SPECIAL PUBLIC SESSION – 5:00 PM

Chairman Goddard brought the special public session to order at 5:00 PM at the Santa Cruz Harbor Office, 135 Fifth Avenue, Santa Cruz, CA 95062.

1. Oral Communication


   At 5:01 PM, Chairman Goddard announced the Commission will meet in closed session to discuss agenda item 3.

SPECIAL CLOSED SESSION

3. Conference with Real Property Negotiators  
   Property: 7th and Brommer (Southwest Corner)  
   Agency Designated Representative: M. Olin  
   Negotiating Parties: County of Santa Cruz  
   Under Negotiation: Vacant Parcels

SPECIAL PUBLIC SESSION


   Chairman Goddard announced that the Commission took no reportable action in closed session on item 3.

   Chairman Goddard adjourned the special open session following the closed meeting at 6:20 PM.
REGULAR PUBLIC SESSION – 7:00 PM

Chairman Goddard brought the regular public session to order at 7:00 PM at the Santa Cruz Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz, CA 95062.

5. Pledge of Allegiance

6. Oral Communication

Chairman Goddard announced that the Commission took no reportable action in closed session on item 3.

CONSENT AGENDA

7. Approval of Minutes
   a) Special Closed Session of May 19, 2017
   b) Special Closed & Regular Public Session of May 23, 2017

8. Approval of Sublease Extension – Dave Jonas (X13)

MOTION: Motion made by Commissioner Reed, seconded by Commissioner Geisreiter to approve the consent agenda.
- Motion carried unanimously.

REGULAR AGENDA

9. Public Employee Appointment
   Position: Port Director

Discussion: Chairman Goddard announced that Marian Olin has been named Port Director.

Chairman Goddard requested that the Commission’s action include the termination of the ad hoc committee that was formed to assist during the port director recruitment process. He thanked members of the ad hoc committee for their hard work throughout the recruitment and hiring process.

Slip renter Richard Bartlett expressed his support for Port Director Olin and thanked her for her hard work and dedication.

Commissioners thanked Port Director Olin and welcomed her to her new position at the harbor.
MOTION: Motion made by Vice-Chairman Smith, seconded by Commissioner Gertler to:

1. Approve the job description;
2. Approve the Employment Agreement between Marian Olin and the Port District;
3. Approve termination of the ad hoc committee.
- *Motion carried unanimously.*

10. Approval of Six-Pak Charter Permit (Brian Thom)

Discussion: Port Director Olin introduced Mr. Brian Thom of Nomad Sailing Charters.

Harbormaster Marshall stated that Mr. Thom is requesting Commission approval to operate a 6-pak sailing charter from his slip on F-Dock.

Harbormaster Marshall stated that Mr. Thom is in good standing with the Port District, and she recommended approval.

Mr. Thom stated that it is his intention to operate both non-profit and for-profit sailing charters. Mr. Thom stated that he anticipates operating approximately 10 for-profit charters per month between April and October and 8 non-profit charters per month between September and May.

Mr. Thom stated that his primary interest is in serving his non-profit youth sailing program, which offers local students hands-on sailing instruction. Mr. Thom stated that he has partnered with alternative education programs at local high schools to actively engage youth who would otherwise not have access to the Monterey Bay.

Audience members expressed their support for Mr. Thom’s charter operation.

Chairman Goddard asked for additional on Mr. Thom’s proposed parking plan. Mr. Thom stated that his non-profit charters will not significantly impact visitor parking, as a shuttle van will be used to transport students. He stated that his van displays a current harbor slip renter parking permit. Mr. Thom stated that guests will be encouraged to utilize remote parking areas and carpool.

Vice-Chairman Smith stated that he supports Mr. Thom’s request, but would like staff to perform a comprehensive review of all charter operations and determine a maximum number of allowable charters, before presenting the Commission with future requests.
MOTION: Motion made by Vice-Chairman Smith, seconded by Commissioner Gertler to approve a six-pak charter permit for Mr. Brian Thom (Nomad Sailing Charters), contingent upon staff conducting a review of all harbor charter operations and determining a maximum number of allowable charters before any future requests are brought before the Commission.

Commissioner Geisreiter stated that it is his belief that Mr. Thom’s charter approval should not be contingent upon staff performing a review. Commissioner Reed agreed.

Commissioner Geisreiter suggested approving the request from Mr. Thom and then directing staff to initiate a timely review.

Chairman Goddard suggested that the Commission send this item to the Policy / Operations Committee for review. Vice-Chairman Smith expressed support for moving this item quickly.

Vice-Chairman Smith withdrew his motion.

MOTION: Motion made by Vice-Chairman Smith, seconded by Commissioner Reed to approve a six-pak charter permit for Mr. Brian Thom (Nomad Sailing Charters).

- Motion carried unanimously.

A discussion ensued regarding the feasibility of conducting a capacity study for charter operations in the harbor.

Port Director Olin stated that staff will begin research and schedule a Policy/Operations Committee in July or August.

There was consensus among the Commission to send this item to the Policy/Operations Committee for review. Commissioners agreed that the Policy / Operations Committee will determine specific criteria to guide staff’s research

11. Approval of Resolution 17-07 – Special District Risk Management Authority (SDRMA) Election Ballot for Board of Directors

Discussion: Port Director Olin stated that staff recommends casting the Port District’s votes for Mike Schaefer (incumbent) of the Costa Mesa Sanitary District, David Aranda (incumbent) of the Mountain Meadows Community Services District, Cindi Beaudet of the Temecula Public Cemetery District, and Jean Bracy (incumbent) of the Mojave Desert Air Quality Management District. She stated that these candidates have previous experience holding seats on various boards representing special districts.
MOTION: Motion made by Commissioner Geisreiter, seconded by Vice-Chairman Smith to direct staff to cast the Port District’s votes for Mike Sheafer, David Aranda, Cindi Beaudet, and Jean Bracy for the SDRMA Board of Directors and approve Resolution 17-07.
- Motion carried unanimously.

12. Status of Almar Patrol Boat

Discussion: Harbormaster Marshall stated that staff has submitted a $380,000 grant application to the Division of Boating and Waterways (DBW) to replace the District’s patrol vessel, Almar.

Harbormaster Marshall stated that the Almar was surveyed by Rodgers and Associates Certified Marine Surveyors on March 17, 2017. Harbormaster Marshall stated that the survey indicates that the vessel is in operable condition, but is showing signs of age and use. She stated that the surveyor estimated that Almar has approximately 2-5 years of serviceable life remaining.

Additionally, Harbormaster Marshall stated that a representative from DBW has also surveyed the vessel and concluded that it is nearing the end of its service life, making it eligible for return and replacement.

Harbormaster Marshall stated that if awarded, funding ($380,000) will be used to purchase a larger, heavier patrol vessel, which will be better-suited to safely perform rescue operations and enforcement in the area.

Harbormaster Marshall stated that notification of grant approval is anticipated in mid-July, with funding and procurement commencing in October 2017. She stated that the District will be responsible for a 10% cost share, with DBW covering 90% of the total new vessel cost. She stated that staff will work with the Commission to budget and prepare for an approximate 10% costs share for the project, if approved.

Harbormaster Marshall fielded questions from the Commission about the status of Almar, the new patrol vessel, and grant funding. She highlighted the information below:

- The District’s smaller patrol vessel Scout is in good working condition and will be deployed for inner-harbor and/or near-shore incidents and rescues;
- The amount requested includes funding for new engines, but Almar’s engines can be transferred to the new patrol vessel if needed;
- Almar’s electronics will be transferred to the new patrol vessel;
- The new patrol vessel will be stored in the same berth;
• There are no additional requirements and/or certifications needed to operate the new patrol vessel;
• The new patrol vessel will come with a trailer;
• The new patrol vessel will have the same basic hull design (different manufacturer);
• DBW will reclaim Almar upon the District’s acquisition of a new patrol vessel.

HARBORMASTER Marshall stated that staff is exploring a few different vessel options for the new patrol vessel and will present options for Commission consideration, if the grant is approved.

13. Approval of Cash / Payroll Disbursements – May 2017

MOTION: Motion made by Vice-Chairman Smith, seconded by Commissioner Geisreiter to approve the Cash / Payroll Disbursements for May 2017, in the amount of $462,367.78.
- Motion carried unanimously.

INFORMATION

14. Port Director’s Report

U.S. Army CORPS of Engineers Work Plan
Port Director Olin stated that she has invoiced the U.S. Army Corps of Engineers for dredging expense reimbursement.

U.S. Army CORPS of Engineers Change in the Command Ceremony
Port Director Olin stated that the U.S. Army Corps of Engineers (San Francisco District) will hold a Change of Command ceremony on Friday, June 30, 2017, in Sausalito. At the ceremony, LTC John C. Morrow will transfer command to LTC Travis J. Rayfield after serving as the District’s 54th Commander and District Engineer since 2014. Port Director Olin stated that she and Chairman Goddard will attend the event.

California Marine Affairs and Navigation Conference (CMANC)
Port Director Olin stated that CMANC may host its annual fall meeting September 13 - 15, 2017, in Santa Cruz, California.

Twin Lakes Beachfront Project Update
Port Director Olin stated that the County has received a submittal for the design of the retaining wall along East Cliff Drive. The County has scheduled a meeting to discuss the submittal. She reported that the District’s Project Manager, Dale Hendsbee, will be attending.

Commissioner Reed suggested that a harbor Business Roundtable meeting be held to provide updates to District concessionaries.
Public Comment Period on Review of National Marine Sanctuaries
Port Director Olin stated that an Executive Order has been issued which will reconsider the addition of the Davidson Seamount into the Monterey Bay Sanctuary, potentially ending its protections.

15. Harbormaster's Report

Harbormaster Marshall stated that the SUP Shack has been permitted to store up to four paddleboards on a section of the fuel dock extension. Fees are being charged accordingly.

Harbormaster Marshall stated that Deputy Harbormasters participated in UC Santa Cruz Police Department's annual, one-week Active Shooter Training. She stated that Port Director Olin observed a portion of the training.

Chairman Goddard commended Deputy Harbormaster Rothwell for successfully completing the U.S. Coast Guard Captain's License 80-hour training. Harbormaster Marshall stated it is her intention to have more deputy harbormasters participate in the training in the future.


Facilities Maintenance & Engineering Manager (FME) Kerkes expressed his support for Port Director Olin.

Autolift
FME Kerkes stated that the recently replaced autolift will not be surplused, due to its poor condition.

2017-18 Dredge Operations
FME Kerkes stated that crews plan to operate Twin Lakes in the north harbor to dredge the X-J channel and culvert area. He stated that Twin Lakes will be more efficient than Squirt, and facilitate dredging to the 16' design depth allowed in the X/J channel fairway and culvert area.

Crews will complete dredging with Twin Lakes in the north harbor by October 30, 2017. Crews will then move Twin Lakes to the south harbor to begin entrance dredging in early-November. Remaining dredging of the north harbor will be accomplished using Squirt.

In response to a question posed by Commissioner Reed, FME Kerkes clarified that dredging permits do not allow dredging of the entrance channel to begin until November 1, 2017.

Snorkel
FME Kerkes stated that crews will need to work to repair and replace a portion of the snorkel before the beginning of the season. Chairman Goddard noted that the snorkel has been in service for 31+ years and asked if it is still operable. FME Kerkes stated that the snorkel is nearing the end of its service life, but should last through the upcoming season.
17. 2016 Use List Review

Administrative Assistant MacLaurie reviewed the criteria for placing a licensee on the vessel use list. She stated that the 2016 Use List Report is attached for review.

Chairman Goddard asked for additional details on use list requirements for Yacht Club Dry Storage renters. Administrative Assistant Mac Laurie stated that the yacht club is responsible for identifying and notifying the District of yacht club dry storage vessels needing placement on the list. She stated that the Port District monitors and logs the use of each vessel, however does not implement the revocation process if a renter does not comply. Revocations must be performed by the Yacht Club.

Administrative Assistant Mac Laurie stated that Dry Storage renters are subject to the use provisions, but are typically excluded from the annual list. Chairman Goddard suggested monitoring dry storage use in upcoming years, since demand for those spaces exists.

18. Review of Delinquent Accounts *(There was no discussion on this agenda item)*


a) Comparative Seasonal Revenue Graphs
b) Preliminary Budget Report (Year-End)

Commissioner Geisreiter commended staff on their budgeting.


Commissioner Gertler asked for additional information regarding the incident in May that involved a vessel hitting the dredge cable while transiting the entrance channel. Port Director Olin stated that the claim has been denied, as the District’s Slip License Agreement (SLA) releases the District from liability for vessel damage associated with hitting the dredge. Port Director Olin stated that the individual may appeal his claim to the Commission.

Commissioner Reed suggested adding signage reminding users that the harbor is a small craft / shallow draft harbor, with a controlling depth of eight feet in the slip fairways.

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

Chairman Goddard adjourned the regular public session at 8:27 pm.

Toby Goddard, Chairman