



San Mateo County Harbor District Board of Harbor Commissioners

“To assure that the public is provided with clean, safe, well-managed, financially sound and environmentally pleasant marinas.”

REGULAR MEETING MINUTES

September 20, 2017
6:30 PM

Municipal Services Building
33 Arroyo Drive
South San Francisco, CA 94080

A.) Roll Call 6:30 PM – All Commissioners present

B.) 1. Public Comments/Questions

- James Lee – Disappointed July 25th meeting was canceled; questioned teleconference location of August 16th meeting; point out typo.
- Graham Stapelberg – World Surf League – available to answer any questions regarding the item (5) on the Agenda.

2. Commissioner Comments

- Commissioner Brennan – read a portion of a letter regarding Fuel Dock at Oyster Point Marina.
- Commissioner Chang Kiraly – attended Fish and Fleet Festival. Thanked the HMB Seafood Marketing Association and Harbor District staff.
- President Mattusch appointed himself to the Finance Committee.

D). Consent Calendar

ITEMS PULLED FROM THE CONSENT CALENDAR WILL BE HEARD AFTER DISCUSSION ITEMS.

Items 1, and 2 were pulled.

3. Minutes – Regular Meeting August 16, 2017 (Gehret)

3a. Distributed Materials - August 16, 2017

4. California Marine Affairs and Navigation Conference Board of Directors Election (CMANC) (McGrath)

Motion: (Chang Kiraly/Bernardo) Approve Consent Items 3 and 4.

Ayes: All in favor.

Nays: None

E). Discussion

6:40 PM - President Mattusch recused himself from Item 5 due to a conflict of interest. Vice President Chang Kiraly chairs Item 5.

5. Cartel Management Inc.: Sale of Assets to World Surf League (WSL) (McGrath)

Public Comments:

- Jonathan Marshall – General Counsel for World Surf League. Looking forward to holding Mavericks contest in 2017/2018. WSL looking for affirmation from community for WSL to hold event.
- Graham Stapelberg – Background of World Surf League and operation of worldwide surf contests for men and women. Moving forward with own branding and not using “Titans of Mavericks” name. Familiar with compliance requirements.
- John Bowling – not supportive of permit reassignment to World Surf League.
- Cassandra Clark - not supportive of permit reassignment to World Surf League.
- Brian Overfelt - not supportive of permit reassignment to World Surf League.
- Paul Hobi - not supportive of permit reassignment to World Surf League.
- Jeff Clark - not supportive of permit reassignment to World Surf League.
- James Lee – shouldn’t vote on permit reassignment.
- Michael McCreary – protect local interests.
- John Ullom - not supportive of permit reassignment to World Surf League.
- Grant Washburn - not supportive of permit reassignment to World Surf League.
- Graham Stapelberg – clarified that they will not be licensing the name “Titans of Mavericks.”
- Jonathan Marshall – further clarified that the name “Titans of Mavericks” is a part of the previous permit and would be only be used

in telling the story of Mavericks. Comment on Social Media regarding the name was a violation of the terms of the APA.

*Letter received from RIMON PC.

*Selected text from the Asset Purchase Agreement.

*PRA response distributed.

Motion by Chang Kiraly: That the Commission expressly does not confirm that it does not oppose the assignment and transfer of Permit 2016-01 from Cartel Management, Inc., to the World Surf League.

Motion failed due to lack of second.

No Action taken.

8:53 PM - Break.

9:04 Resume Meeting. President Mattusch presides.

9:24 PM - Motion: (Chang Kiraly/Brennan) to extend the meeting to 10:30 PM.

Ayes: All in favor.

6. FY 2015-16 Audited Financial Statements (Doyle/Henthorne/Pyle)

Motion: (Brennan/Larenas) Receive 2015-16 San Mateo County Harbor District Audited Financial Statements.

Ayes: All in favor.

*Hard copies of PowerPoint presentation distributed.

7. Commercial Activity Permit for Fathom Marine, LLC to Operate the Oyster Point Marina Fuel Dock and a Limited Boat Maintenance and Repair Facility (Moren)

*Revised Motion distributed.

Motion: (Chang Kiraly/Bernardo) Approve the Commercial Activity Permit, as amended, for Fathom Marine, LLC to operate the Oyster Point Marina fuel dock and a limited boat maintenance and repair facility for up to a 15-month period, until December 31, 2018 and authorize the General Manager to execute the permit in a form approved by legal counsel.

Ayes: Bernardo, Chang Kiraly, Mattusch, Larenas

Nays: Brennan

8. Strategic Plan Development: Selection of Consultant (Hodges/McGrath)

Motion: (Bernardo/Chang Kiraly) Approve Rauch Communications Consulting Inc. as Consultant for development of the District's Strategic Plan, and authorize the General Manager to execute a contract with Rauch Communication Consultants Inc., consistent with the Request for Proposals and the proposal received, in an amount not to exceed \$77,970 and to authorize the General Manager to execute additional work authorizations in a contingency amount of 10% of the executed contract.

Public Comments:

- James Han – supports community outreach and geographic equity.

Ayes: All in favor.

9. FY 2017-18 Capital Improvement Plan Budget Revisions (Pyle)

Information only

*Hard copies of PowerPoint presentation distributed.

10:24 PM - Motion: (Brennan/Larenas) to extend the meeting to 11:00 PM.

Ayes: All in favor.

10. Approve a Work Directive with Consultant GHD for Phase II of the Pillar Point Harbor West Trail Erosion Protection Project, Services for Final Design; Engineering, Bid Documents and Construction Support (Moren)

Public Comments:

- James Han – Supports public engagement. Consider Sea-Level Rise, Climate Change and managed retreat.

Motion: (Chang Kiraly/Bernardo) Authorize the General Manager to execute a Work Directive with GHD for Phase II of the Pillar Point Harbor West Trail Erosion Protection Project, to include services for final design, engineering, bid documents and construction support, in accordance with the previously Board approved 2016 Professional Services Agreement, for an amount not-to-exceed \$249,722, as outlined in the attached proposal; establish a contract contingency in the amount of 10% of the contract amount for unanticipated additional expenses associated with the contract and authorize the General Manager to issue change orders up to the contingency amount.

Ayes: Bernardo, Chang Kiraly, Mattusch

Nays: Brennan, Larenas

G). Discussion/Action on Pulled Consent Items (if any)

1. Bills and Claims (Chan)

Motion: (Chang Kiraly/Larenas) Approve Bills and Claims.

Ayes: All in favor.

Items unheard

2. Minutes – Special Meeting August 16, 2017 (Gehret)

11. Pillar Point Harbor Fishing Pier, Access Walkway and Adjacent Breakwater Repair Project (Moren)

Recommendation: (i) Authorize the General Manager to execute a Work Directive, in accordance with the previously Board approved 2016 Professional Services Agreement, with Moffat and Nichol (M&N) for an amount not-to-exceed \$82,600 for design, engineering, regulatory compliance and construction management for

repairs to the Pillar Point Harbor (PPH) Fishing Pier, adjacent access walkway and protective breakwater; (ii) establish a contract contingency in the amount of 10% of the contract amount for unanticipated additional expenses associated with the contract and authorize the General Manager to issue change orders up to the contingency amount.

12. This Item was removed.

13. Pillar Point Harbor, Oyster Point Marina Electrical Improvement Project Competitive Bid Acceptance (Moren)

Recommendation: (i) Authorize the General Manager to award a contract to the lowest responsive and responsible bidder, Atlas/Pellizzari Electric, Inc. in the amount of \$487,000 and, (ii) establish a contract contingency in the amount of 10% of the contract amount for unanticipated additional expenses associated with the contract and authorize the General Manager to issue change orders up to the contingency amount.

F). Commissioner Items

14. Legal Fees (Brennan)

Information only.

*Legal costs spreadsheet distributed.

15. Review and Current Status of Surfer's Beach RV Lot Non-Compliance (Larenas)

Information only.

H). August Activity Reports; General Manager, Admin, Operations

President Mattusch – Directed that Items 11, 13, 14, 15 return at October 18th Board Meeting.


I). Adjournment: 10:58 PM

Motion: (Chang Kiraly/Mattusch) Adjourn Meeting.

Ayes: All in favor.



Debbie Gehret
Deputy Secretary



Tom Mattusch
President