



Special Closed and Regular Public Session of May 25, 2021

**Santa Cruz Port Commission
MINUTES**

Commission Members Present (via teleconference):

Toby Goddard	Chairman
Reed Geisreiter	Vice-chairman
Dennis Smith	Commissioner
Darren Gertler	Commissioner
Stephen Reed	Commissioner

SPECIAL PUBLIC SESSION – 4:30 PM

Chairman Goddard convened the special public session at 4:30 PM via teleconference.

1. Oral Communication
2. Announcement of Closed Session Pursuant to Government Code (Ralph M. Brown Act) Section 54956.8 and 54956.9(d)(2)

At 4:30 PM, Chairman Goddard announced the Commission will meet in closed session to discuss agenda items 3 through 6.

SPECIAL CLOSED SESSION

3. Conference with Real Property Negotiators
Agency Designated Representative: M. Olin
Negotiating Parties: 2222 E. Cliff Drive (O'Neill Sea Odyssey)
Under Negotiation: Lease
4. Conference with Real Property Negotiators
Agency Designated Representative: M. Olin
Negotiating Parties: 493 Lake Avenue, Suite B (Johnny's Harborside Restaurant)
Under Negotiation: Lease
5. Conference with Real Property Negotiators
Agency Designated Representative: M. Olin
Negotiating Parties: City of Santa Cruz
Under Negotiation: Memorandum of Understanding – Murray Street Bridge
6. Conference with Legal Counsel – Pending Litigation (1 Case)

SPECIAL PUBLIC SESSION

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

Chairman Goddard announced that the Commission took no reportable action in closed session on items 3 through 6.

Chairman Goddard adjourned the special open session following the closed meeting at 6:39 PM.

REGULAR PUBLIC SESSION – 7:00 PM

Chairman Goddard convened the regular public session at 7:00 PM via teleconference.

8. Pledge of Allegiance
9. Oral Communication

Chairman Goddard announced that the Commission took no reportable action in closed session on items 3 through 6.

Commissioner Smith commented that the commercial salmon season has had a productive start, crediting the success to California Fish and Wildlife hatchery raised/released fish.

Chairman Goddard expressed optimism that this may be the last virtual meeting, noting that he anticipates resuming in-person meetings as soon as next month, pending the State's new COVID-19 guidelines that are anticipated to take effect June 15, 2021.

CONSENT AGENDA

10. Approval of Minutes
 - a) Special Closed & Regular Public Meeting of April 27, 2021
11. Approval of Sublease Agreement from O'Neill Sea Odyssey – 2222 E. Cliff Drive, Suite 208 (Tenant: Dr. Donald Markle)
12. Approval of Sublease Agreement from Nexus Wealth Advisors – 365 B Lake Avenue, Northeast Office Space (Boxine USA, Inc.)

MOTION: Motion made by Commissioner Smith, seconded by Vice-chairman Geisreiter to approve the consent agenda.

- *Motion carried unanimously by roll call vote.*
 - *Geisreiter: YES*
 - *Gertler: YES*
 - *Smith: YES*
 - *Reed: YES*
 - *Goddard: YES*

REGULAR AGENDA

13. Approval of FY22 Boatyard Fee Schedule

Discussion: Port Director Olin stated that at the regular public session of April 27, 2021, the Commission reviewed proposed FY22 fees for the boatyard and determined that additional staff review of the Pressure Wash for Trailerable Vessel fee was needed. She stated that a revised proposal for the Pressure Wash for Trailerable Vessel fee is proposed, which establishes a tiered rate for self-service and full-service.

Commissioner Smith expressed support for the proposed rate.

MOTION: Motion made by Commissioner Smith, seconded by Commissioner Reed to approve the FY22 boatyard fee schedule and authorize the Port Director to waive or adjust fees as deemed appropriate.

- *Motion carried unanimously by roll call vote.*

- *Geisreiter: YES*
- *Gertler: YES*
- *Smith: YES*
- *Reed: YES*
- *Goddard: YES*

14. Approval of Cash / Payroll Disbursements – April 2021

Discussion: In response to a question posed by Vice-chairman Geisreiter regarding the multiple invoices related to the *Twin Lakes* Generator, FME Wulf stated that extensive and lengthy off-site repairs were performed on the District's standby generator, which necessitated a long-term rental of a similar generator from A Tool Shed. He stated that a new, marine-grade generator has been purchased and the rental generator has been returned. The plan is to use the existing (repaired) generator as a backup after the new generator is installed on *Twin Lakes*.

MOTION: Motion made by Commissioner Smith, seconded by Vice-chairman Geisreiter to approve cash and payroll disbursements for April 2021, in the amount of \$1,295,668.32.

- *Motion carried unanimously by roll call vote.*

- *Geisreiter: YES*
- *Gertler: YES*
- *Smith: YES*
- *Reed: YES*
- *Goddard: YES*

INFORMATION

15. Port Director's Report

Regional General Permit Update

Port Director Olin stated that Administrative Services Manager MacLaurie will provide an update on the application process for the Regional General Permit (RGP). Administrative Services Manager MacLaurie stated that over the last 18 months, she has worked with the District's consultant to obtain the technical reports needed to satisfy the RGP application requirements. She stated that the District's application has been submitted to the U.S. Army Corps of Engineers, as well as the California Regional Water Quality Control Board. She stated that at this time, the process continues to move forward, and it is anticipated that the RGP could be obtained within the next 4-6 months.

Lease for a Restaurant Business to be located at 616 Atlantic Avenue, Santa Cruz, CA

Port Director Olin stated that the lease opportunity for a restaurant business to be located at 616 Atlantic Avenue is currently out to bid. Bids are due Friday, July 16, 2021, at 11:00 AM.

O'Neill Yacht Charters (OYC)

Port Director Olin stated that after pausing all operations during the COVID-19 pandemic, OYC has announced that they will begin operations under their new charter permit beginning Sunday, June 20, 2021, on Father's Day. The new charter permit includes a \$2 per passenger fee. Additionally, she stated that temporary berthing for the former *Team O'Neill* catamaran on the F1 end-tie, will be permitted to stay for a 6-month period after the new charter vessel commences operation, noting that a 3-month extension may be granted by staff.

Congressman Panetta Visit

Port Director Olin stated Congressman Panetta visited the harbor on Friday, May 21, 2021. Chairman Goddard, Port Director Olin, and Harbormaster Anderson provided a tour of the harbor on the patrol boat and discussed the annual dredging reimbursement funding process. Congressman Panetta expressed his support for the Port District's future funding goals and acknowledged the opportunity for identifying improvement in the process.

Olin Set to Retire

Port Director Olin announced her retirement effective August 15, 2021. Port Director Olin thanked staff and the Commission for their support over the years.

16. Harbormaster's Report

Harbormaster Anderson reported that on Sunday, May 16, 2021, Harbor Patrol responded to a report of a man and two children being swept into the ocean in the area of Main Beach after the San Lorenzo River mouth breached. Harbormaster Anderson commended Deputy Harbormasters Kevin King and David Hill for their response efforts and life-saving actions that saved the two children's lives.

Harbormaster Anderson stated that on April 29, 2021, the Port District received a notice of violation from the City of Santa Cruz Wastewater Treatment Facility due to an exceedance of copper in effluent that is discharged to the City's sanitary sewer. He stated that staff met with a City inspector on-site to address the violation and identify corrective measures. As a result, Harbormaster Anderson stated that a new media vessel was purchased to remedy

the exceedances. The unanticipated purchase cost of \$7,200 was originally planned to be made in 2022. Harbormaster Anderson stated that he will move forward with the objective of ensuring that boatyard housekeeping meets requirements and that this new filtration system is properly maintained.

17. Facilities Maintenance & Engineering Report

Dredge Operations

FME Wulf stated that entrance dredging has concluded for the season, and crews have removed all pipe from the beach, broken down all floating pipeline, and prepared *Twin Lakes* to be moved to the offseason mooring on June 1, 2021. He stated that *Squirt* will be hauled out at the boatyard for off-season maintenance next week.

FME Wulf stated the 2020-21 Dredge Report will be prepared for Commission review at the regular public session of July 27, 2021.

Maintenance

FME Wulf stated that the gangway project is underway. He stated that crews will plan accordingly to minimize disruptions to commercial fishing operations.

Paving Project

FME Wulf stated that informal bids will be solicited for paving repairs in the north harbor.

In response to a question posed by Commissioner Smith, FME Wulf stated that the geotechnical investigation of the east access road embankment was performed by Haro, Kasunich, and Associates and the Port District is awaiting the final report.

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

- a) Comparative Seasonal Revenue Graphs

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

20. Harbor Patrol Incident Response Report – April 2021

In response to a question posed by Chairman Goddard, Harbormaster Anderson corrected the location of the incident on April 1, 2021, as Shark Tooth Beach in Davenport (not Shark Fin Cove).

21. Written Correspondence

- a) Letter to Port Commission & Staff, from S. Rypka
- b) Letter to Chairman Goddard, from B. McCarthy
- c) Letter to Supervisor Coonerty, from Chairman Goddard
- d) Letter to Senator Padilla, from State Senator Laird
- e) Letter to Senator Padilla, from City of Santa Cruz Mayor Donna Meyers

A brief discussion ensued regarding letter 21 (a). Commissioners Smith and Reed stated that they have observed the one-wheel vehicles and bicycles operating in the harbor at

excessive speeds and acknowledged the need for increased awareness, particularly as it relates to pedestrian safety.

Chairman Goddard stated that a response letter was provided to B. McCarthy regarding letter 21 (b).

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

Chairman Goddard adjourned the regular public session at 7:45 PM.



Toby Goddard, Chairman