



Special Closed and Regular Public Session of May 28, 2024

**Santa Cruz Port Commission
MINUTES**

Commission Members Present:

Stephen Reed Chair
Toby Goddard Commissioner
Reed Geisreiter Commissioner

Commission Members Absent:

Dennis Smith Vice-chair
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) §54956.8, §54956.9(d)(1)

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. Conference with Real Property Negotiators
Property: Murray Street Bridge Seismic Retrofit Project
Agency Designated Representative: H. MacLaurie
Negotiating Parties: City of Santa Cruz
Under Negotiation: Right-of-Way Acquisition
4. Conference with Legal Counsel – Existing Litigation (1 Case)
Joseph Tomasello v. Santa Cruz Port District
(Santa Cruz County Superior Court Case No. 22CV02701)

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 5:30 PM.

REGULAR PUBLIC SESSION – 5:30 PM

Chair Reed convened the regular public session at 5:34 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 Reed announced that the Commission took no reportable action in closed session on items 3 and 4.

CONSENT AGENDA

8. Approval of Minutes
 - a) Special Closed and Regular Public Meeting of April 23, 2024

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Geisreiter to approve consent agenda item 8.
- *Motion carried. Vice-chair Smith and Commissioner Gertler ABSENT.*

REGULAR AGENDA

9. General Election of November 2024
 - a) Approval of Resolution 24-03 – Serving Notice to County Clerk of Election Office to be filled and Transmittal of Map and Boundaries
 - b) Approval of Resolution 24-04 – Ordering an Election and Requesting Consolidating of the Election
 - c) Administrative Calendar

Discussion: Commissioner Geisreiter proposed the following revision to Resolution 24-03:

- Under Item 2, replace the word “district” with “division.” “Must be a registered voter in the *division*.”

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Geisreiter to approve Resolution 24-03 and Resolution 24-04, with the proposed revision listed above.
- *Motion carried. Vice-chair Smith and Commissioner Gertler ABSENT.*

10. Award of Contract for North Harbor Transformer Replacement Project (NTE \$1,335,250)

Discussion: Port Director MacLaurie stated that a request for proposals for the North Harbor Transformer Replacement Project was readvertised, commencing April 15, 2024. She stated that two bids were received by the submission deadline, and Anderson Pacific Engineering Construction, Inc., was the low bidder.

Port Director MacLaurie stated that \$617,600 is currently available in the Capital Improvement Program (CIP) for the North Harbor Transformer Replacement Project, leaving a funding shortfall of approximately \$717,650. She recommended that the Commission authorize using \$153,089 in reallocated CIP funds and \$564,561 in unrestricted cash to cover the shortfall.

Commissioner Goddard expressed support for moving this critical project forward.

MOTION: Motion made by Commissioner Geisreiter, seconded by Commissioner Goddard to award a contract for the North Harbor Transformer Replacement Project; authorize the Port Director to execute the contract; authorize a not-to-exceed amount of \$1,335,250 for the construction budget including a contingency of approximately 5%; and approve an appropriation in the FY25 budget for the amount of the contract plus contingency.
- *Motion carried. Vice-chair Smith and Commissioner Gertler ABSENT.*

11. Support Letter for Golden State Salmon Association Hatchery Funding Request

Discussion: Commissioner Goddard requested that the Port District's legislators be copied on this support letter. Chair Reed agreed.

MOTION: Motion made by Commissioner Geisreiter, seconded by Commissioner Goddard to provide Port District support for the Golden State Salmon Association's hatchery funding request.
- *Motion carried. Vice-chair Smith and Commissioner Gertler ABSENT.*

12. Approval of Cash/Payroll Disbursements – April 2024

Discussion: In response to questions posed by the Commission, staff provided additional information on the following warrants:

- Warrant # EFT – 3/16/24-3/31/24 Payroll Direct Deposit (1)
Staff stated that \$80,942.76 is for payroll
- Warrant # EFT – 3/16/24-3/31/24 Payroll Direct Deposit (2)
Staff stated that \$40,642.01 is for payroll taxes

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Geisreiter to approve cash and payroll disbursements for April 2024, in the amount of \$1,389,927.56.
- *Motion carried. Vice-chair Smith and Commissioner Gertler ABSENT.*

INFORMATION

13. Port Director's Report

Port Director MacLaurie stated that Rad Lab Designs quoted the District approximately \$26,000 for developing additional design and marketing materials for the 616 Atlantic Avenue lease proposal package. The Commission indicated that the current conceptual plans are sufficient for marketing at this time.

14. Harbormaster's Report

Harbormaster Anderson stated that the concession parking lot pay-on-foot station located near the beach market has been successfully relocated to the center of the parking lot and is working well.

A brief discussion ensued regarding California State Parks Lifeguards utilizing the observatory space at 2218 East Cliff Drive (Crow's Nest Restaurant) for a dispatch office space. The Commission expressed support for formalizing a sublease agreement between Crow's Nest Restaurant and California State Parks.

The Commission expressed support for Senate Bill 1066, The Marine Flare Producer Responsibility Act, emphasizing the critical need to implement safe management solutions for expired flares.

15. Facilities Maintenance & Engineering Manager's Report

Facilities Maintenance & Engineering (FME) Manager Wulf stated that entrance dredging has concluded for the season, and crews are demobilizing pipe from the beach, floating pipeline, and preparing *Twin Lakes* to be moved to its off-season mooring on June 10, 2024.

FME Manager Wulf stated that the Port District executed a contract with SSB Construction to facilitate repairs and recoat the metal roof at 413 Lake Avenue. He noted that the project commenced today, Tuesday, May 28, 2024, and is anticipated to take approximately six days to complete.

In response to a question posed by Commissioner Goddard, FME Manager Wulf stated that stormwater runoff as a result of improper drainage is accelerating the growth of the sinkhole in the area of FF-Dock. He added that as part of the proposed sinkhole repair project, drainage in the area will be improved.

Commissioner Goddard commended the appearance of the completed Concession Parking Lot Paving Project.

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

- a) Comparative Seasonal Revenue Graph
- b) LAIF Statement
- c) CLASS Statement

17. Delinquent Account Reporting (*There was no discussion on this agenda item*)
18. Harbor Patrol Incident Response Report – April 2024 (*There was no discussion on this agenda item*)
19. Written Correspondence (*There was no discussion on this agenda item*)
 - a) Letter from Port Director MacLaurie to Monterey Bay Fisheries Trust Executive Director Melissa Mahoney
20. Port Commission Review Calendar / Follow-Up Items (*There was no discussion on this agenda item*)

Chair Reed adjourned the regular public session at 6:18 PM.



Stephen Reed, Chair