



Special Closed and Regular Public Session of October 25, 2022

**Santa Cruz Port Commission
MINUTES**

Commission Members Present:

Reed Geisreiter	Chair
Darren Gertler	Vice-chair
Dennis Smith	Commissioner (<i>via Zoom</i>)
Stephen Reed	Commissioner
Toby Goddard	Commissioner

SPECIAL PUBLIC SESSION – 5:00 PM

Chair Geisreiter convened the special public session at 5:00 PM at the Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz CA (hybrid meeting platform).

1. Oral Communication
2. Announcement of Closed Session Pursuant to Government Code (Ralph M. Brown Act) Section 54956.8 and 54957.

At 5:00 PM, Chair Geisreiter 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: 616 Atlantic Avenue
Agency Designated Representative: H. MacLaurie
Under Negotiation: Lease
4. Public Employee Performance Evaluation
Title: Port Director

SPECIAL PUBLIC SESSION

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

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

Chair Geisreiter adjourned the special open session following the closed meeting at 6:50 PM.

REGULAR PUBLIC SESSION – 7:00 PM

Chair Geisreiter convened the regular public session at 7:00 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 Geisreiter announced that the Commission took no reportable action in closed session on items 3 and 4.

Commissioner Reed stated that with the upcoming November 8, 2022, election upon us, constituents are encouraged to reach out to District staff with any harbor related questions or inquiries.

CONSENT AGENDA

8. Approval of Minutes
 - a) Special Public Meeting of September 22, 2022
 - b) Special Closed and Regular Public Meeting of September 27, 2022
9. Approval of Resolution 22-24 – Reauthorizing Virtual Public Meetings in Accordance with Assembly Bill 361
10. Approval of O’Neill Sea Odyssey Sublease – 2222 East Cliff Drive, Suite 234 (Tenant: Monterey Bay National Marine Sanctuary Foundation)

MOTION: Motion made by Commissioner Goddard, seconded by Vice-chair Gertler to approve consent agenda items 8 through 10.
- *Motion carried unanimously.*

REGULAR AGENDA

11. Presentation by Coast Guard Auxiliary

Discussion: U.S. Coast Guard (USCG) Auxiliary Flotilla Commander, Bruce Krogstad, provided an overview of the local USCG Auxiliary Program for Flotilla 67 (District 11 Northern Region).

The Commission expressed appreciation for the USCG Auxiliary’s longstanding partnership with the Port District and the Auxiliary’s mission to promote recreational boating safety.

12. Mid Fiscal Year Review of Capital Improvement Program

Discussion: Port Director MacLaurie stated that as part of the FY23 budget approval process, the Commission elected to implement a mid-year review of the Capital Improvement Program (CIP) to receive project status and funding updates. She stated that this mid-year report is intended to provide project updates, obtain direction from the Commission on upcoming projects, and acquire feedback on additional information that may be useful to include in future reports.

Port Director MacLaurie highlighted the following:

- There are currently 27 projects funded in the District's CIP (excluding the Unallocated CIP Fund):
 - 6 have been completed (\$61,784 in expenditures)
 - 8 remain in progress (\$103,109 in expenditures to date)
 - 13 are slated to commence in future fiscal years.
- The CIP balance as of September 30, 2022, totals approximately \$1,934,654
- Two completed projects on the list are recommended for close out and reallocation of funding to the Unallocated CIP Fund:
 - Patrol Vessel Replacement (\$2,182).
 - Boatyard Marine Ways Upgrades (\$2,247).
- The Commission may consider redirecting current Pavement Repair funds (\$52,716) from the concession parking lot (exit lane and back gate driveway) to the fishery pier to address paving repair needs in that location.
- Since the FY23 budget was adopted, the District anticipates receiving the following:
 - \$525,000 in annual dredge reimbursement from the Corps
 - \$270,000 in insurance proceeds as a result of the tsunami

In response to a question posed by Chair Geisreiter, Port Director MacLaurie confirmed that if Paving Repair funding is diverted from the concession parking lot to the fishery pier, planned ADA improvements for the concession lot would not be impacted. Port Director MacLaurie stated that funding for the planned ADA improvement project in the concession parking lot is allocated in the Parking Upgrades Fund (\$48,376).

Commissioner Goddard expressed support for prioritizing Building Restoration projects in future CIP reports. Additionally, he stated that it may be beneficial to explore the feasibility of utilizing funds in the Sidewalk and Plaza Restoration Fund to repair portions of the damaged sidewalk near F-Dock.

A discussion ensued regarding the list of current and future projects. There was consensus among the Commission for the following:

- Close out and reallocate remaining balances of the following two completed projects:

- \$2,182 from Patrol Vessel Replacement to Unallocated CIP Fund
- \$2,247 from Boatyard Marine Ways Upgrades to Unallocated CIP Fund
- Allocate \$75,000 to the Dredge Intermediate Fund (DIF) from the General Fund
- Redirect current Pavement Repair funds (\$52,716) from the concession parking lot (exit lane and back gate driveway) to the fishery pier.
- Research feasibility and costs for initiating sidewalk repairs on the west side (between E-Dock and F-Dock), utilizing funding in the Sidewalk & Plaza Restoration Fund (\$33,000).
- Identify funding sources for the following upcoming projects at a subsequent meeting:
 - 2222 East Cliff Drive Deck Replacement Project
 - North Harbor Transformer Replacement / Relocation Project

MOTION: Motion made by Commissioner Goddard, seconded by Commissioner Reed to:

- Reallocate the remaining balance of existing CIP project funding to close out the following projects:
 - \$2,182 from Patrol Vessel Replacement to Unallocated CIP
 - \$2,247 from Boatyard Marine Ways Upgrades to Unallocated CIP
- Redirect current Pavement Repair funds (\$52,716) from the concession parking lot (exit lane and back gate driveway) to fishery pier
- Research feasibility and costs for initiating sidewalk repairs on the west side (between E-Dock and F-Dock), utilizing funding in the Sidewalk & Plaza Restoration Fund.
- Allocate \$75,000 to the Dredge Intermediate Fund from the General Fund.
- *Motion carried unanimously.*

13. Port District Draft Response to City of Santa Cruz Environmental Impact Report for Rail Trail Segments 8 and 9 Project

Discussion: Port Director MacLaurie stated that an Ad-Hoc Committee meeting was held on October 18, 2022, to review the City of Santa Cruz Draft Environmental Impact Report (DEIR) for the Coastal Rail Trail Segments 8 and 9 Project. She stated that the committee has identified several areas where the DEIR does not sufficiently evaluate or mitigate potential impacts associated with the installation of a proposed west and/or east harbor trail connection on the Port District's operation.

She stated that the Ad-Hoc Committee has prepared draft response items for the full Commission's review and feedback. She stated that if the Commission is agreeable, staff will draft a formal response to the City and submit written comments during the public review period for the project, which concludes on November 11, 2022 (extended from November 4, 2022).

Vice-chair Gertler stated that it may be beneficial to explore alternative trail connection locations.

Audience members, Jean Brocklebank and Michael Lewis, expressed their concerns regarding the proposed project and were supportive of the District's draft responses.

There was a consensus among the Commission to support the Ad-Hoc Committee's draft response items and to direct staff to submit a formal response to the City's DEIR for the Coastal Rail Trail Segments 8 and 9 Project.

14. Approval of Cash / Payroll Disbursements – September 2022

Discussion: In response to a question posed by Commissioner Reed regarding Warrant # 57269 – Parking Machine Upgrades, Port Director MacLaurie stated that five (5) of the eight (8) Cale parking terminals throughout the harbor have been outfitted with screens that will enhance usability.

Port Director MacLaurie stated that staff has been working with the vendor, Scheidt and Bachmann, to make necessary improvements to the parking equipment in the concession parking lot.

MOTION: Motion made by Vice-chair Gertler, seconded by Commissioner Reed to approve cash and payroll disbursements for September 2022, in the amount of \$506,564.38.

- *Motion carried unanimously.*

INFORMATION

15. Port Director's Report

Murray Street Bridge Seismic Retrofit Project

Port Director MacLaurie stated that a withdrawal from the project escrow account has been initiated to fund the contract with TranSystems, Inc. for the design of the removal and replacement of FF-Dock, Rowing Dock, and Boatyard Dock (NTE \$400,000).

10-Year Dredge Permit Update

Port Director MacLaurie stated that the National Marine Fisheries Service (NMFS) has completed its consultation and permit issuance from the Corps is anticipated prior to November 1.

California Regional Water Quality Control Board (CRWQCB) – Dredge Permit Fees

Port Director MacLaurie stated that the new, 10-year dredge permit issued by the CRWQCB will assess annual fees based on the volume of north harbor material dredged (i.e., per cubic yard rate X cubic yards of north harbor material dredged).

16. Harbormaster's Report

In response to a question posed by Commissioner Goddard, Administrative Assistant Ghisletta confirmed that slip renters have 60 days to provide a valid insurance certificate meeting the District's insurance requirements before the monthly uninsured vessel fee of \$75 is assessed.

17. Facilities Maintenance & Engineering Manager's Report

Facilities Maintenance & Engineering (FME) Manager Wulf stated that crews have been working hard to mobilize dredge equipment in preparation of the upcoming season.

FME Manager Wulf stated that crews plan to move *Twin Lakes* from her off-season mooring in the north harbor to the entrance channel during the low tide on November 7, 2022.

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

- a) Comparative Seasonal Revenue Graphs
- b) Employee Count as of September 30, 2022
- c) Quarterly Budget Report as of September 30, 2022
- d) Quarterly Fuel Sales Report
- e) Quarterly Boatyard Report
- f) Quarterly Concession Percentage Rent Report
- g) LAIF Statement & PMIA/LAIF Performance Report
- h) FY22 Debt Service Coverage Ratio

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

20. Harbor Patrol Incident Response Report – September 2022 (*There was no discussion on this agenda item*)

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

Chair Geisreiter adjourned the regular public session at 8:33 PM.

Reed Geisreiter, Chair



TO: Port Commission
FROM: Holland MacLaurie, Port Director
DATE: November 15, 2022
SUBJECT: Approval of Resolution 22-25 – Reauthorizing Virtual Public Meetings in Accordance with Assembly Bill 361

Recommendation: *Approve Resolution 22-25.*

BACKGROUND

As a result of the continuing impacts of the COVID-19 pandemic, the Santa Cruz Port Commission approved Resolution 22-12 (Attachment B), allowing the legislative body of the Port District to conduct teleconference meetings in accordance with modified rules authorized under Assembly Bill 361 (AB 361).

ANALYSIS

Pursuant to AB 361, once the initial resolution is adopted, a local agency may meet virtually for a maximum period of 30 days. Prior to expiration of the 30 day period, the local agency must renew its resolution in order to continue meeting virtually under the modified rules.

Resolution 22-25 is presented for approval to continue meeting virtually under the modified rules provided for in AB 361.

IMPACT ON PORT DISTRICT RESOURCES

There are no impacts associated with approval of this resolution.

ATTACHMENTS: A. Resolution 22-25 – Reauthorizing Virtual Public Meetings in Accordance with Assembly Bill 361
B. Resolution 22-12 – Authorizing the Santa Cruz Port Commission to Conduct Teleconference Meetings in Accordance with Assembly Bill 361 as a Result of the Continuing COVID-19 Pandemic State of Emergency

Santa Cruz Port District
Resolution 22-25
November 22, 2022

On the motion of _____

Duly seconded by _____

A resolution reauthorizing the Santa Cruz Port Commission to conduct teleconference meetings in accordance with Assembly Bill 361 as a result of the continuing COVID-19 pandemic state of emergency.

WHEREAS, all meetings of the Santa Cruz Port Commission are open and public, as required by the Ralph M. Brown Act (California Government Code Section 54950 – 54963), to ensure that any member of the public may attend, participate, and watch the District’s legislative body conduct business; and,

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill 361 (AB 361), which amended Government Code Section 54953 to permit legislative bodies subject to the Brown Act the ability to meet under modified teleconferencing rules if they comply with specific requirements set forth in the statute; and,

WHEREAS, under AB 361, a local agency may teleconference under the modified rules if the legislative body holds a meeting during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on June 7, 2022, the Santa Cruz Port Commission held an initial teleconference meeting under AB 361 and adopted Resolution 22-12, finding that the requisite conditions exist for the Santa Cruz Port Commission to conduct remote teleconference meetings under modified rules.

WHEREAS, after its initial AB 361 teleconference meeting, a legislative body can continue to hold such teleconference meetings if the legislative body has reconsidered the circumstances of the state of emergency and determined that the state of emergency continues to directly impact the ability of the members to meet safely in person and that local officials continue to recommend measures to promote social distancing; and,

WHEREAS, the Santa Cruz Port Commission has reconsidered the circumstances of the current state of emergency and find that the COVID-19 pandemic continues to directly impact the ability of the Commission to meet safely in person and further finds that the Santa Cruz County Public Health Officer continues to recommend measures to promote social distancing; and,

WHEREAS, in the interest of public health and safety, due to the emergency caused by the spread of COVID-19, the Santa Cruz Port Commission deems it necessary to continue utilizing the modified teleconferencing rules set forth in AB 361 and authorizes remote meetings as set forth in the Resolution.

NOW, THEREFORE, the Santa Cruz Port Commission hereby RESOLVES, and ORDERS as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated into this resolution by reference.

Section 2. Acknowledgment of Governor’s Proclamation of a State of Emergency. The Board hereby acknowledges that the Governor of the State of California’s Proclamation of State of Emergency, as related to the COVID-19 pandemic, remains in effect.

Section 3. Remote Teleconference Meetings. The Port Director is authorized and directed to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with the modified teleconferencing rules as set forth in Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (1) thirty days from adoption of this Resolution, or (2) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Santa Cruz Port Commission may continue to teleconference without compliance with paragraph 3 of subdivision (b) of Section 54953.

PASSED AND ADOPTED, by the Santa Cruz Port District Commission this 22nd day of November 2022, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

APPROVED BY:

Reed Geisreiter, Chair
Santa Cruz Port District Commission

Santa Cruz Port District
Resolution 22-12
June 7, 2022

On the motion of Commissioner Goddard

Duly seconded by Commissioner Gertler

A resolution authorizing the Santa Cruz Port Commission to conduct teleconference meetings in accordance with Assembly Bill 361 as a result of the continuing COVID-19 pandemic state of emergency.

WHEREAS, all meetings of the Santa Cruz Port Commission are open and public, as required by the Ralph M. Brown Act (California Government Code Section 54950 – 54963), to ensure that any member of the public may attend, participate, and watch the District's legislative body conduct business; and,

WHEREAS, on September 16, 2021, Governor Newsom signed into law Assembly Bill 361 (AB 361), which amended Government Code Section 54953 to permit legislative bodies subject to the Brown Act the ability to meet under modified teleconferencing rules if they comply with specific requirements set forth in the statute; and,

WHEREAS, under AB 361, a local agency may teleconference under the modified rules if the legislative body holds a meeting during a proclaimed state of emergency and state or local officials have imposed or recommended measures to promote social distancing; and

WHEREAS, on March 4, 2020, in response to the COVID-19 pandemic, Governor Newsom issued a Proclamation of State of Emergency pursuant to California Government Code section 8550 et seq., which remains in effect; and,

WHEREAS, on September 30, 2021, the Santa Cruz County Public Health Officer, Dr. Gail Newel, strongly recommended that legislative bodies in Santa Cruz County engage in physical / social distancing by meeting via teleconference as allowed by AB 361; and,

WHEREAS, after its initial AB 361 teleconference meeting, a legislative body can continue to hold such teleconference meetings if the legislative body has reconsidered the circumstances of the state of emergency and determined that the state of emergency continues to directly impact the ability of the members to meet safely in person and that local officials continue to recommend measures to promote social distancing; and,

WHEREAS, the Port Commission finds that there is a continuing threat of COVID-19 to the community and requiring all members of the legislative body to appear in-person at meetings presents greater risk to the health and safety of the meeting participants resulting from reduced social distancing, increased exposure for those who are immunocompromised or unvaccinated, and challenges associated with fully ascertaining and ensuring compliance with vaccination, face coverings, and other safety measures at such public meetings; and

WHEREAS, in the interest of public health and safety, due to the emergency caused by the spread of COVID-19, the Santa Cruz Port Commission deems it necessary to utilize the modified teleconferencing rules set forth in AB 361.

NOW, THEREFORE, the Santa Cruz Port Commission hereby RESOLVES, and ORDERS as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and incorporated into this resolution by reference.

Section 2. Acknowledgement of Governor's Proclamation of a State of Emergency. The Board hereby acknowledges that the Governor of the State of California's Proclamation of State of Emergency, as related to the COVID-19 pandemic, remains in effect.

Section 3. Remote Teleconference Meetings. The Port Director is authorized and directed to carry out the intent and purpose of this Resolution, including conducting open and public meetings in accordance with the modified teleconferencing rules as set forth in Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (1) thirty days from adoption of this Resolution, or (2) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the Santa Cruz Port Commission may continue to teleconference without compliance with paragraph 3 of subdivision (b) of Section 54953.

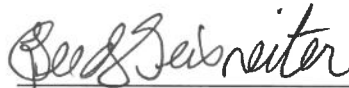
PASSED AND ADOPTED, by the Santa Cruz Port District Commission this 7th day of June, by the following vote:

AYES: Geisreiter, Gertler, Reed, Goddard

NOES: n/a

ABSENT: Smith

Approved by:



Reed Geisreiter, Chairman
Santa Cruz Port District Commission



TO: Port Commission

FROM: Renee Ghisletta, Administrative Assistant

DATE: November 14, 2022

SUBJECT: Approval of Clean Oceans International Sublease Agreement – 345 Lake Avenue, Suite F (Tenant: One People, One Reef)

Recommendation: *Approve Clean Oceans International sublease agreement.*

BACKGROUND

One People, One Reef currently subleases office space from Clean Oceans International (COI) and wishes to move from Suite G into Suite F. The lease effective date is predated to November 1, 2022, due to a delay in receiving an executed sublease agreement from COI.

The subleased area will include use of Suite F (shared with Surfrider Foundation), the shared restroom facility, kitchen, and adjacent deck.

ANALYSIS

The sublease agreement provided by the tenant (Attachment A) is basic, but outlines all pertinent terms. The terms of the sublease agreement are below:

Tenant: One People, One Reef
Term: Month-to-Month (effective November 1, 2022)
Rent: \$500 / month (\$2.00/SF)
Area: Suite F (250 SF)
Use: Office Space

IMPACT ON PORT DISTRICT RESOURCES

Based on provisions of the master lease, "additional rent" is not due to the District in connection with subletting in excess of the rent on a per square foot basis. There is no impact on Port District resources associated with the sublease.

ATTACHMENTS: A. Clean Oceans International Sublease Agreement
B. Premise Map

One People One Reef
345 Lake Ave Ste. F
Santa Cruz, 95062

Nicole Crane
Executive Director

This is a sublet lease agreement between Clean Oceans International and "One People One Reef", Santa Cruz, for a portion of the office space described as 345 Lake Ave, #F, Santa Cruz, Ca, 95062, in the Santa Cruz Small Craft Harbor. Space is sublet from Clean Oceans International, (COI) 345 Lake Ave, #G, Santa Cruz Ca. 95062 who in turn lease from Santa Cruz Port District.

The agreement is for shared office space with Surfrider Foundation, Santa Cruz Chapter, and unlimited access to private kitchen facilities and exterior deck space shared with Clean Oceans International and any of their tenants, clients or guests, and access to toilet facilities shared amongst all tenants in the building. Tenancy includes utilities at no additional charge. Internet access is available on a shared fee basis with COI by arrangement. Harbor parking is arranged through Santa Cruz Port District.

Lease shall begin on November 1st, 2022 and continue for one year. Tenancy is renewable by mutual agreement on the anniversary of that date. Tenancy is \$500 per month due and payable on the first day of each month. As per the general lease with Santa Cruz harbor the rent will increase by 4% each year. There is a \$500 damage deposit due and payable at the beginning of tenancy that is not to be applied to the last month's rent and is to be held solely to offset damage to the premises at the end of described tenancy.

If rent is not paid on the first of the month there will be a 3 day good faith grace period with no additional fees. Rent paid after the 3rd day of the month will be assessed a 10% late penalty up until the 7th day of the month. If rent is not received by the 7th day of the month the entirety of the agreement will become null and void and tenant agrees to vacate immediately. Exception to this stipulation may be had if both parties agree to a written amendment to this agreement.

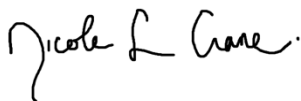
There are two desks in the room. Surfrider, Santa Cruz chapter will occupy the North desk and half of the West side desk. One People One Reef will occupy the South side desk and half of the West side desk. The same division will apply for the overhead storage spaces above the desks. The closet space will be divided as close to 50/50 as possible. Surfrider Foundation shall have their own sub-lease agreement with COI.

Tenants agree to honor all SC Harbor regulations and will hold harmless Santa Cruz Port District and COI for injury or damages due to infrastructure deficiency or acts of God. COI will refer all maintenance concerns to SC Port District and does not assume liability for repairs or delays due to non-functional infrastructure.

Agreed to on this 1st Day of November, 2022



James E Holm for Clean Oceans International

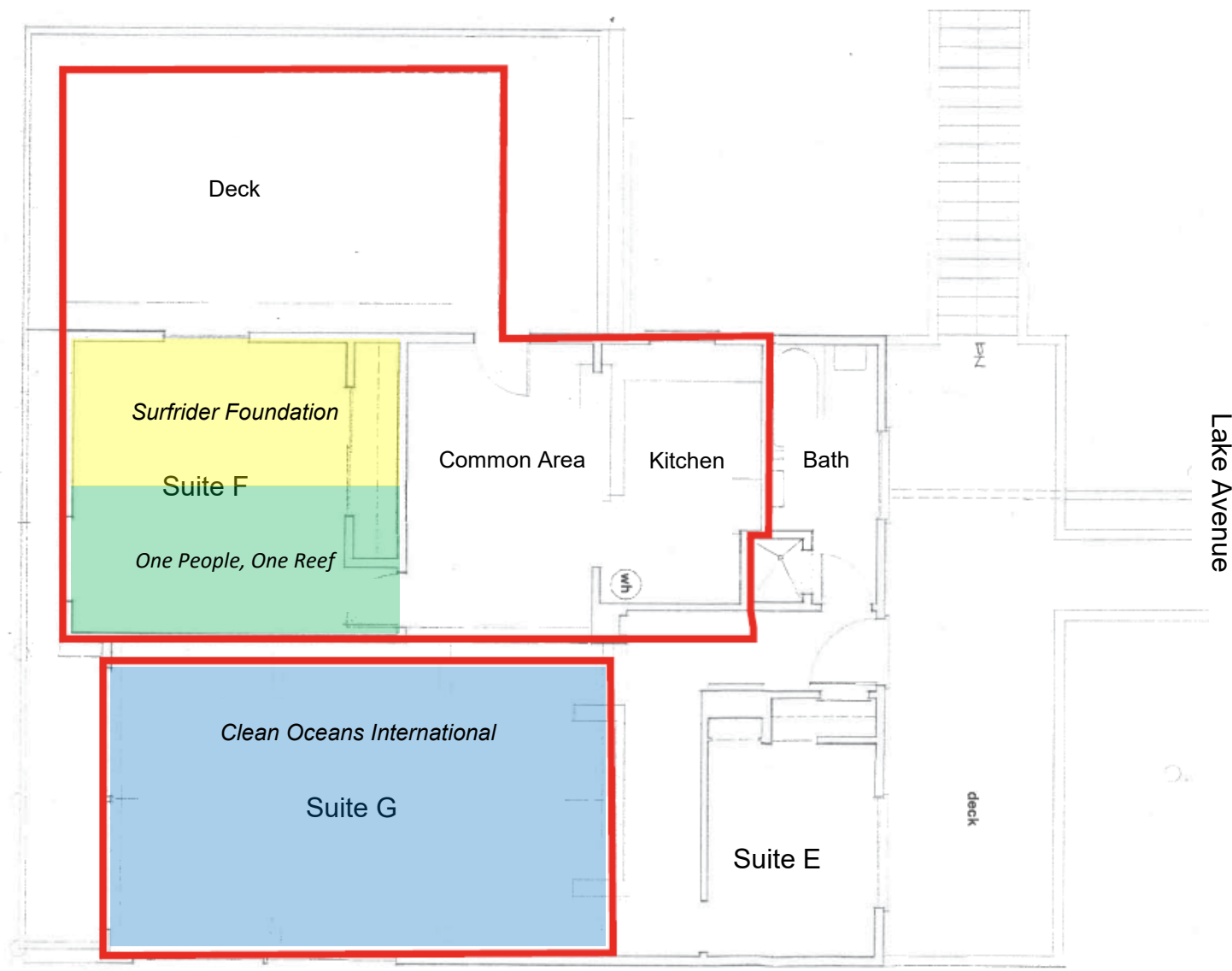


Nicole Crane for One People One Reef

PREMISE MAP

Clean Oceans International
345 Lake Avenue (upstairs)

Suite F (approx. 250 SF)
Suite G (approx. 400 SF)
Common Area / Kitchen (approx. 250 SF)



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TO: Port Commission

FROM: Renee Ghisletta, Administrative Assistant

DATE: November 14, 2022

SUBJECT: Approval of Clean Oceans International Sublease Agreement – 345 Lake Avenue, Suite F (Tenant: Surfrider Foundation)

Recommendation: *Approve Clean Oceans International sublease agreement.*

BACKGROUND

Surfrider Foundation is requesting to sublease office space at 345 Lake Avenue, Suite F. The lease effective date is predated to November 1, 2022, due to a delay in receiving an executed sublease agreement from Clean Oceans International.

The subleased area will include use of Suite F (shared with One People, One Reef), the shared restroom facility, kitchen, and adjacent deck.

ANALYSIS

The sublease agreement provided by the tenant (Attachment A) is basic, but outlines all pertinent terms. The terms of the sublease agreement are below:

Tenant: Surfrider Foundation
Term: Month-to-Month (effective November 1, 2022)
Rent: \$500 / month (\$2.00/SF)
Area: Suite F (250 SF)
Use: Office Space

IMPACT ON PORT DISTRICT RESOURCES

Based on provisions of the master lease, "additional rent" is not due to the District in connection with subletting in excess of the rent on a per square foot basis. There is no impact on Port District resources associated with the sublease.

ATTACHMENTS: A. Clean Oceans International Sublease Agreement
B. Premise Map

Surfrider Foundation
Sarah Damron | Southeast, Texas & Great Lakes Regional Manager
831.239.1520 |
sdamron@surfrider.org

Alli Webster
Chair - Santa Cruz Chapter
Surfrider Foundation
Cell: (610) 761-8994

This is a sublet lease agreement between Clean Oceans International and Surfrider Foundation, Santa Cruz, for a portion of the office space described as 345 Lake Ave, #F, Santa Cruz, Ca, 95062, in the Santa Cruz Small Craft Harbor. Space is sublet from Clean Oceans International, (COI) 345 Lake Ave, #G, Santa Cruz Ca. 95062 who in turn lease from Santa Cruz Port District.

The agreement is for shared office space with One People One Reef and unlimited access to private kitchen facilities and exterior deck space shared with Clean Oceans International and any of their tenants, clients or guests, and access to toilet facilities shared amongst all tenants in the building. Tenancy includes utilities at no additional charge. Internet access is available on a shared fee basis with COI by arrangement. Harbor parking is arranged through Santa Cruz Port District.

Lease shall begin on November 1st, 2022 and continue for one year. Tenancy is renewable by mutual agreement on the anniversary of that date. Tenancy is \$~~5~~600 per month due and payable on the first day of each month. As per the general lease with Santa Cruz harbor the rent will increase by 4% each year. There is a \$~~5~~600 damage deposit due and payable at the beginning of tenancy that is not to be applied to the last month's rent and is to be held solely to offset damage to the premises at the end of described tenancy.

If rent is not paid on the first of the month there will be a 3 day good faith grace period with no additional fees. Rent paid after the 3rd day of the month will be assessed a 10% late penalty up until the 7th day of the month. If rent is not received by the 7th day of the month the entirety of the agreement will become null and void and tenant agrees to vacate immediately. Exception to this stipulation may be had if both parties agree to a written amendment to this agreement.

There are two desks in the room. Surfrider, Santa Cruz chapter will occupy the North desk and half of the West side desk. One People One Reef will occupy the South side desk and half of the West side desk. The same division will apply for the overhead storage spaces above the desks. The closet space will be divided as close to 50/50 as possible. One People One Reef shall have their own sub- lease agreement with COI.

Tenants agree to honor all SC Harbor regulations and will hold harmless Santa Cruz Port District and COI for injury or damages due to infrastructure deficiency or acts of God. COI will refer all maintenance concerns to SC Port District and does not assume liability for repairs or delays due to non-functional infrastructure.

Agreed to on this ~~11~~2st Day of November, 2022



James E Holm for Clean Oceans International

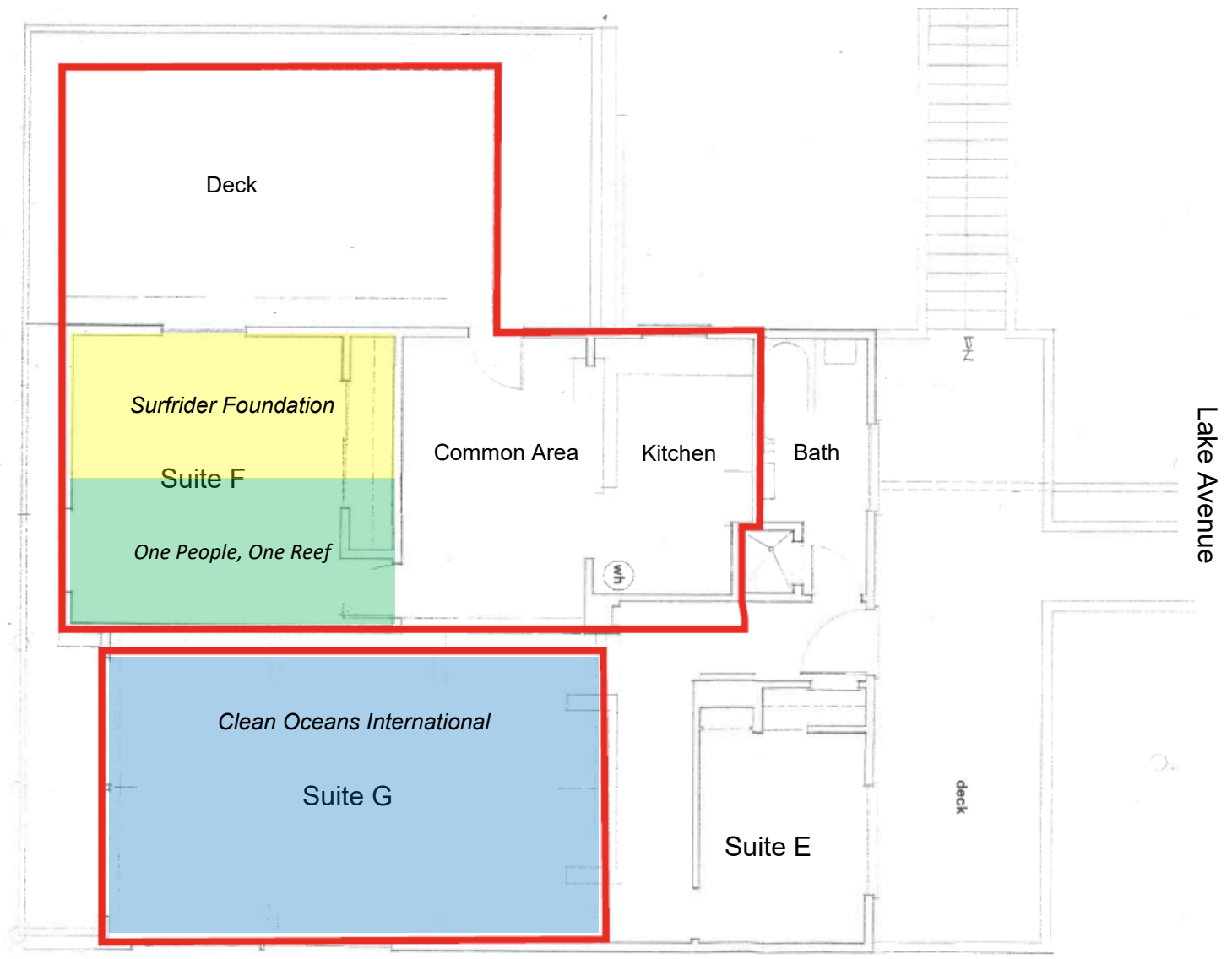
Michelle Kremer

Michelle Kremer Sarah Damron for Surfrider Foundation

PREMISE MAP

Clean Oceans International
345 Lake Avenue (upstairs)

Suite F (approx. 250 SF)
Suite G (approx. 400 SF)
Common Area / Kitchen (approx. 250 SF)



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Santa Cruz Port District
Resolution 22-26
November 22, 2022

On the motion of _____

Duly seconded by _____

A resolution authorizing the Port Director to execute documents for the release of escrow funds for the Murray Street Bridge Seismic Retrofit and Barrier Replacement Project ("Project").

WHEREAS, the City of Santa Cruz ("City") and Caltrans are completing a state-mandated seismic retrofit of the Murray Street Bridge which spans Santa Cruz Harbor; and,

WHEREAS, effective August 10, 2021, the City and the Port District entered into a Possession and Use Agreement ("Agreement") to grant immediate possession and use of portions of the Port District's real property to construct the Project, and a Memorandum of Possession and Use Agreement ("Memorandum") for recording purposes; and,

WHEREAS, upon execution of the Possession and Use Agreement, the City tendered into escrow the sum of \$5,149,000 (Five Million, One Hundred Forty-Nine Thousand Dollars), which represents the City's offer of just compensation for the acquisition of temporary and permanent construction easements (\$345,818) and curative work (\$4,803,182); and,

WHEREAS, the City and Port District continue to negotiate a final Settlement Agreement, which will dictate actual just compensation for the temporary and permanent construction easements and curative work; and,

WHEREAS, the Port Director, as authorized signor, may request a release of escrow funds to cover costs incurred by the Port District as a result of the Project.

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz Port District Commission hereby authorizes the Port Director of the Santa Cruz Port District (as signor) to execute documents for the release of escrow funds for the Murray Street Seismic Retrofit and Barrier Replacement Project.

PASSED AND ADOPTED, by the Santa Cruz Port District Commission this 22nd day of November 2022, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Approved by:

Reed Geisreiter, Chairman
Santa Cruz Port District Commission



TO: Port Commission
FROM: Holland MacLaurie, Port Director
DATE: November 21, 2022
SUBJECT: Award Contract for 2222 East Cliff Drive Deck Replacement Project

Recommendation: *Award a contract for 2222 East Cliff Drive Deck Replacement Project; authorize the Port Director to execute the contract; and authorize a not-to-exceed amount of \$825,000 for construction; and approve an appropriation in the FY23 budget for the amount of the contract plus a contingency.*

BACKGROUND

The 2222 East Cliff Drive Deck Replacement Project was advertised for public bids commencing November 4, 2022. The project was advertised in accordance with the procedures contained in the California Public Contract Code. On November 21, 2022, one bid was received for the project from SSB Construction (SSB). SSB submitted a base bid of \$758,266.

SSB began business in 1945 and has been providing a wide range of construction services across the west coast for over 75 years. SSB holds licensing as a Class B General Building Contractor, C51 Steel Structural, C39 Roofing, and C33 Painting. Staff has checked the submittal proposal and qualifications and is satisfied that SSB can fulfill the contract requirements.

ANALYSIS

Work, as part of this project, will consist of demolishing the existing deck, inspecting and replacing deteriorated structural framing components as needed, and installing a new decking surface, which will include flashing and a waterproofing membrane.

Construction Budget

The figures below represent the estimated construction budget based on SSB's bid:

Contract Amount	\$ 758,266
Contingencies (approx. 9%)	<u>66,734¹</u>
Total Construction Cost	\$ 825,000

¹ While the base bid amount aims to include costs for all structural repairs, a comprehensive assessment of the structural components cannot be achieved until demolition of the existing deck is performed.

Permits

The California Coastal Commission approved a Coastal Development Permit Waiver for this project on November 18, 2022.

A general building permit from the City of Santa Cruz is currently pending. Project plans have been routed for review and all applicable permit fees have been paid. Permit issuance is anticipated in the coming weeks.

IMPACT ON PORT DISTRICT RESOURCES

The 2222 East Cliff Drive Deck Replacement Project was not considered in the FY23 budget or Capital Improvement Program. Completion of this project is necessary to repair critical infrastructure and restore access to the second-story deck, which has been closed since July 2021. To fund this project, the Commission may elect to utilize reserve funding or unrestricted cash.

The Port District's available cash balance as of November 21, 2022, is approximately \$8.4 million (See Attachment A).

The Port District's Reserve Fund currently totals \$2,110,644. As indicated in the Reserve Fund Policy (Attachment B), conditions on use are generally limited to unanticipated, non-recurring needs (i.e., unexpected situations such as natural or man-made disasters, unanticipated drop in revenues, and other unforeseen emergencies or extraordinary circumstances that the District may face on an infrequent basis). If the Commission elects to utilize reserve funding for this project, a subsequent resolution for appropriating the funds will occur at an upcoming meeting.

ATTACHMENTS: A – Cash Flow Projection (November 21, 2022)
 B – Reserve Fund Policy

CASH FLOW PROJECTION

11/21/2022

SOURCE/LOCATION

CASH ON HAND	12,888,854
MONTHLY REVENUES	850,000
MONTHLY EXPENSES	(675,000)
DEBT SERVICE	
INSURANCE PREMIUMS	
ESTIMATED CASH ON HAND->>>	13,063,854

Fund

Dredge Intermediate	267,780
Reserve Fund	2,110,644
Cap. Improv.	1,918,399
Election	200,000
PEMHCA	0

Total Designated Funds	\$ 4,496,823
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Comerica	874,861
LAIF	12,013,993

Total Cash on Deposit	\$ 12,888,854
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Available Cash	\$ 8,392,031
BBVA Reserve	1,016,916

TOTAL CASH	\$ 9,408,947
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Cash Available (not held @ BBVA)	\$ 8,392,031
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Santa Cruz Port District
General Fund Reserve Policy
Adopted November 24, 2015

Reserve Policy Objectives

To strengthen the financial stability of the District against economic uncertainty, unexpected situations such as natural or man-made disasters, unanticipated drop in revenues, and other unforeseen emergencies or extraordinary circumstances that the Port District may face that are infrequent in occurrence.

Target Amount Held in Reserve

The Port District will strive to hold in reserve an amount equal to 25 percent of the District's annual operating expenses in the current fiscal year's adopted general fund budget. The District recognizes that reserve fund amount may fluctuate and may need to be rebuilt over time as needed.

Funding Sources

The reserve fund will generally come from one-time revenue and from excess revenues over expenditures. Examples of one-time revenue include infrequent sales of Port District assets, infrequent revenues from development and grants, or other sources that are typically non-recurring in nature.

Conditions on Use of Reserves

The use of reserves shall generally be limited to unanticipated, non-recurring needs. Reserve fund balances shall not be used for normal or recurring annual operating expenditures.

The Port Director shall make recommendations to the Port Commission for use of reserves. Appropriations from this reserve fund shall require a resolution approved by the Port Commission.

Requests for use of reserves shall occur only after exhausting the current year's budgetary flexibility. The Port Director shall, within six months of its use, present to the Port Commission a plan and timeline for replenishing the reserve fund. .

Santa Cruz Port District
ACCOUNTS PAYABLE MONTHLY CHECK REGISTER
 October 2022

Date	No.	Vendor	Description	Amount
10/11/2022	57352	Ace Portable Services	Portable Toilet Rental	\$ 214.67
10/11/2022	57353	Allied Administrators for Delta Dental	Dental Insurance	\$ 3,020.12
10/11/2022	57354	AmeriDyn	Dynamics Support	\$ 45.00
10/11/2022	57355	Amerigas	Ancillary Equipment Fuel	\$ 304.60
10/11/2022	57356	AT&T	Telephone Service	\$ 1,138.18
10/11/2022	57357	Bay Building Janitorial, Inc.	Janitorial Services, Refuse Collection	\$ 9,192.00
10/11/2022	57358	Bay Plumbing Supply, Inc.	2222 East Cliff Drive Eye Wash Station Removal (\$396.49 Tenant Reimbursable), Dock Flanges, Toilet Tank, Toilet Cartridge	\$ 643.71
10/11/2022	57359	Bayside Oil II, Inc.	Waste Oil Disposal, Waste Fuel Removal	\$ 749.50
10/11/2022	57360	Big Creek	Fish Table Lumber, Saw Blade, Driver Bit	\$ 141.56
10/11/2022	57361	Blake Anderson	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57362	Brandi, Gina	Security Deposit Refund	\$ 554.33
10/11/2022	57363	Cale America, Inc.	Parking Machine Door Repair, Receipt Paper, Monthly Service (June - September)	\$ 3,797.99
10/11/2022	57364	Carpi & Clay	Washington Representation	\$ 800.00
10/11/2022	57365	Comcast	Business Internet	\$ 329.21
10/11/2022	57366	Complete Mailing Service	Statement Mailing & Postage	\$ 617.80
10/11/2022	57367	County of Santa Cruz Department of Public Works	Hazmat Disposal	\$ 37.00
10/11/2022	57368	County Specialty Gases	Welding Gas	\$ 105.09
10/11/2022	57369	Data Ticket, Inc.	Citation Processing (August)	\$ 709.43
10/11/2022	57370	David Hill	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57371	Elevator Service Company	Monthly Service	\$ 430.00
10/11/2022	57372	Ewing Irrigation Products, Inc.	Burlap for Pile Repair	\$ 57.77
10/11/2022	57373	Fehr Engineering Company, Inc.	Engineering Services: Lift Station Assessment	\$ 2,700.00
10/11/2022	57374	Ferguson Enterprises, Inc.	Thread Adapter, Pile Straps	\$ 37.63
10/11/2022	57375	Garda CL West, Inc.	Deposit Courier Service	\$ 509.98
10/11/2022	57376	Gottlieb, Landon	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57377	Grainger	Disposable Gloves, Drill Bits, Oil Absorbent, Boatyard Sump Float Switch	\$ 987.25

Santa Cruz Port District
ACCOUNTS PAYABLE MONTHLY CHECK REGISTER
 October 2022

Date	No.	Vendor	Description	Amount
10/11/2022	57378	Gsolutionz	Telephone System Maintenance	\$ 263.15
10/11/2022	57379	Guy, Parker	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57380	Hose Shop	Booster Pump Water Service Hose	\$ 610.48
10/11/2022	57381	Independent Electric Supply, Inc.	Booster Pump Fuse	\$ 130.57
10/11/2022	57382	John Haynes	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57383	Johnson Hicks Marine Electronics	Batteries	\$ 15.30
10/11/2022	57384	Lawson	Booster Pump Flanges, <i>Twin Lakes</i> Christmas Tree Fittings, Offshore Pipe Bolts	\$ 1,591.35
10/11/2022	57385	Linde Gas & Equipment, Inc.	Flap Discs, Welding Gas	\$ 533.39
10/11/2022	57386	Nigel Cunliffe	Car Show T-Shirts	\$ 2,321.56
10/11/2022	57387	Marine Lien Sale Service	Vessel Lien Fees	\$ 180.00
10/11/2022	57388	Matheson Tri-Gas, Inc.	Welding Gas	\$ 71.73
10/11/2022	57389	McMaster-Carr Supply Company	Booster Pump Hex Screws & Washers	\$ 896.50
10/11/2022	57390	Melrose, Peter	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57391	Mesiti-Miller Engineering, Inc.	Engineering Services: 7th Avenue & Brommer Design Development, Westside Seawall Replacement Preliminary Engineering	\$ 15,670.20
10/11/2022	57392	Michael K. Nunley & Associates, Inc.	Engineering Services: Lift Station Assessment	\$ 4,584.79
10/11/2022	57393	Mid County Auto Supply	Heat Resistant Paint, Maintenance Vehicle Door Panel Retainers, Maintenance Vehicle Starter, Brake Cleaner	\$ 532.20
10/11/2022	57394	Mission Uniform Service	Uniform Service	\$ 1,073.65
10/11/2022	57395	Moore & Sons Outboard Motors, Inc.	<i>Scout</i> 100 Hour Service	\$ 1,498.39
10/11/2022	57396	Operating Engineers Local Union No. 3	Union Dues (Payroll Deduction)	\$ 268.00
10/11/2022	57397	Capital One Trade Credit (OSH)	Flag Mount, Hex Screws	\$ 111.11
10/11/2022	57398	Pacific Gas & Electric Company	Utilities	\$ 389.45
10/11/2022	57399	RDO Equipment Co.	<i>Squirt</i> Starter Motor	\$ 743.93
10/11/2022	57400	Red Hills Environmental, LLC	Sediment Sampling & Analysis Plan Final Payment	\$ 65,800.00
10/11/2022	57401	Red Wing Shoe Store	Dredge Staff Work Boots	\$ 260.33
10/11/2022	57402	Rowe Machinery	<i>Dauntless</i> Rudder Repair & Bushings	\$ 13,499.04
10/11/2022	57403	San Lorenzo	Security Camera Installation Supplies	\$ 18.90

Santa Cruz Port District
ACCOUNTS PAYABLE MONTHLY CHECK REGISTER
 October 2022

Date	No.	Vendor	Description	Amount
10/11/2022	57404	Michael Smith	Backflow Testing	\$ 654.00
10/11/2022	57405	Santa Cruz Fire Equipment Company	Fire Extinguisher Service	\$ 2,422.70
10/11/2022	57406	Santa Cruz Records Management, Inc.	Document Shredding	\$ 49.90
10/11/2022	57407	Santa Cruz Tire & Auto Care	Patrol Vehicle & Parking Shuttle Maintenance	\$ 419.45
10/11/2022	57408	SC Fuels	Fuel Dock Gas & Diesel	\$ 75,126.17
10/11/2022	57409	Scheidt & Bachmann	Concession Lot Parking Equipment Monthly Warranty	\$ 2,630.75
10/11/2022	57410	Santa Cruz Municipal Utilities	Utilities	\$ 11,710.08
10/11/2022	57411	Sean Rothwell	Quarterly Uniform Allowance	\$ 190.00
10/11/2022	57412	Superior Alarm Company	Quarterly Alarm Monitoring	\$ 228.00
10/11/2022	57413	The Home Depot Pro Institutional	Janitorial Supplies, Waterless Urinal Cartridges	\$ 3,860.75
10/11/2022	57414	Tio, Federico	Security Deposit Refund	\$ 396.25
10/11/2022	57415	Total Secure Technology	Technical Support (July)	\$ 172.50
10/11/2022	57416	Uline	Stainless Steel Strapping & Tensioner	\$ 668.50
10/11/2022	57417	U.S. Bank Equipment Finance	Copier Lease	\$ 151.31
10/11/2022	57418	WEX Bank	Fleet Fuel	\$ 2,919.41
10/11/2022	57419	Verizon Wireless	Cell Phone & Tablet Service	\$ 322.81
10/11/2022	57420	West Coast Wire Rope	Rigging Wire Rope, Web Slings	\$ 3,345.99
10/11/2022	57421	West Marine Pro	<i>Dauntless</i> Anodes, Electrical Breakers	\$ 551.51
10/11/2022	57422	William Fisher Architecture, Inc.	Engineering Services: I-Dock Restroom & Shower Building Design	\$ 7,574.55
10/11/2022	57423	US Relay	Webcam Service	\$ 484.00
10/21/2022	57424	CIT	Telephone System Lease	\$ 323.09
10/21/2022	57425	Barnum, Coady	Security Deposit Reimbursement	\$ 290.50
10/21/2022	57426	Berge, Chris	Security Deposit Reimbursement	\$ 194.08
10/21/2022	57427	Burke, Williams & Sorensen, LLP	Legal Consultation	\$ 612.00
10/21/2022	57428	California Special Districts Association	Annual Membership Dues	\$ 8,810.00
10/21/2022	57429	City of Santa Cruz Finance Department	Annual Stormwater User Charges	\$ 8,830.76
10/21/2022	57430	Comcast	Business Internet	\$ 419.85
10/21/2022	57431	County of Santa Cruz Department of Public Works	7th Avenue & Brommer Overflow Lot Rental	\$ 1,200.00
10/21/2022	57432	Crystal Springs Water Co.	Boatyard Drinking Water	\$ 72.50

Santa Cruz Port District
ACCOUNTS PAYABLE MONTHLY CHECK REGISTER
 October 2022

Date	No.	Vendor	Description	Amount
10/21/2022	57433	Evans, Craig	Security Deposit Reimbursement	\$ 359.01
10/21/2022	57434	FedEx Office	Shipping	\$ 151.65
10/21/2022	57435	Freemon, Lawrence	Tree Trimming	\$ 663.00
10/21/2022	57436	Garda CL West, Inc.	Excess Time Fee	\$ 7.33
10/21/2022	57437	Herbert, James	Employee Expense Reimbursement: Work Boots	\$ 50.00
10/21/2022	57438	McDermott, Dick	497 Lake Avenue Installment Payment	\$ 4,535.45
10/21/2022	57439	Mesiti-Miller Engineering, Inc.	Structual Engineering Services: 2222 East Cliff Drive Deck Replacement Project	\$ 819.00
10/21/2022	57440	Mickel, Scott	Security Deposit Reimbursement	\$ 63.50
10/21/2022	57441	Mid County Auto Supply	Trailer Tongue Coupler	\$ 22.80
10/21/2022	57442	MKB Stormwater Innovation	Boatyard Catch Basin Filters	\$ 3,869.00
10/21/2022	57443	Moore & Sons Outboard Motors, Inc.	<i>Patrol Boat Kinnamon</i> 300 Hour Service	\$ 6,418.22
10/21/2022	57444	Pacific Gas & Electric Company	Utilities	\$ 26,840.26
10/21/2022	57445	Palace Business Solutions	Office Supplies	\$ 348.87
10/21/2022	57446	PNC Bank, N.A.	Taxable Loan Principle & Interest	\$ 134,552.04
10/21/2022	57447	Riverside Lighting & Electric	Parking Lot Lighting	\$ 1,000.00
10/21/2022	57448	Rooney, Kevin	Security Deposit Reimbursement	\$ 537.60
10/21/2022	57449	Salas O'Brien Engineers, Inc.	Engineering Services: 2222 East Cliff Drive Deck Replacement Project	\$ 3,994.38
10/21/2022	57450	Santa Cruz Municipal Utilities	Utilities	\$ 10,005.68
10/21/2022	57451	Shimmick, John	Security Deposit Reimbursement	\$ 393.60
10/21/2022	57452	Staples Credit Plan	Office Supplies	\$ 79.54
10/21/2022	57453	Total Secure Technology	Technical Support (September)	\$ 23.75
10/21/2022	57454	Warren, Karen	Security Deposit Reimbursement	\$ 116.56
10/21/2022	57455	West Marine Pro	Boatyard Retail Items	\$ 321.92
10/21/2022	57456	William Fisher Architecture, Inc.	Engineering Services: I-Dock Restroom & Shower Building Design	\$ 5,819.57
10/27/2022	57457	Randazzo Enterprises, Inc.	Vessel Disposal (SAVE Grant Reimbursable)	\$ 13,552.00
10/5/2022	Various	Various Employees	9/16/22-9/30/22 Payroll	\$ 8,962.58
10/20/2022	Various	Various Employees	10/1/22-10/15/22 Payroll	\$ 8,920.99
10/1/2022	EFT	ElectronicPayments	Fuel Dock Credit Card Fees	\$ 871.01

Santa Cruz Port District
ACCOUNTS PAYABLE MONTHLY CHECK REGISTER
 October 2022

Date	No.	Vendor	Description	Amount
10/1/2022	EFT	Gravity Payments	Front Desk Credit Card Fees	\$ 2,549.86
10/1/2022	EFT	Merchant Services	Online Billpay Credit Card Fees	\$ 252.83
10/1/2022	EFT	Merchant Services	CALE Credit Card Fees	\$ 1,781.87
10/1/2022	EFT	Merchant Services	Boatyard Credit Card Fees	\$ 690.82
10/1/2022	EFT	Transaction Express	Online Billpay ACH Fees	\$ 621.73
10/1/2022	EFT	Windcave, Inc.	Concession Lot Credit Card Fees	\$ 2,439.42
10/5/2022	EFT	PAYCHEX	9/16/22-9/30/22 Payroll Direct Deposit	\$ 58,785.56
10/5/2022	EFT	PAYCHEX	9/16/22-9/30/22 Payroll Taxes	\$ 27,594.70
10/5/2022	EFT	PAYCHEX	Payroll Service Fees	\$ 400.89
10/5/2022	EFT	CalPERS	Health Insurance	\$ 39,835.35
10/5/2022	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 7,198.67
10/5/2022	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 6,160.34
10/5/2022	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 1,390.05
10/5/2022	EFT	CalPERS	457 Contributions (Payroll Deduction)	\$ 4,290.72
10/5/2022	EFT	Empower Retirement	457 Loan Repayments (Payroll Deduction)	\$ 568.90
10/7/2022	EFT	Comerica Commercial Card Services	WhenIWork Subscription, Fuel Dock Signage, Constant Contact Subscription, Zoom Subscription, Postage, Recruitment Advertising, Board Clerk Conference Registration, Printing, Uniform Shirts, Uniform Jackets, Capital Staff Tour Refreshments, Commission Meeting Refreshments, Air Tank Inspection, Workplace Subscription, Pressure Washer Wand, Equipment Fuel, Cutting Wheels, Signage Hardware, Angle Grinder, Oscillating Tool, American Flags, Hand Soap, Cobweb Duster, Maintenance Vehicle Brake Pads, Work Knives, Socket Adapters, Bronze Bolts, Air Nozzles, Dredge Vehicle Cup Holders, Booster Keypad, Office Supplies, Concession Lot Back Gate Arm, Public Hoist Repair Parts	\$ 11,752.63
10/10/2022	EFT	Gravity Payments	Front Desk Credit Card Gateway Fee	\$ 18.78
10/12/2022	EFT	California Department of Tax and Fee Administration	Quarterly Sales Tax Return	\$ 6,724.00

Santa Cruz Port District
ACCOUNTS PAYABLE MONTHLY CHECK REGISTER
 October 2022

Date	No.	Vendor	Description	Amount
10/12/2022	EFT	California Department of Tax and Fee Administration	Underground Storage Tank Maintenance Return	\$ 1,096.00
10/12/2022	EFT	Comerica Bank	Service Charges	\$ 1,468.17
10/20/2022	EFT	PAYCHEX	10/1/22-10/15/22 Payroll	\$ 61,769.28
10/20/2022	EFT	PAYCHEX	10/1/22-10/15/22 Payroll	\$ 28,744.23
10/20/2022	EFT	PAYCHEX	Payroll Service Fees	\$ 350.38
10/20/2022	EFT	PAYCHEX	Time & Attendance Fees	\$ 109.00
10/20/2022	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 7,321.84
10/20/2022	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 6,165.27
10/20/2022	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 1,407.87
10/20/2022	EFT	CalPERS	457 Contributions (Payroll Deduction)	\$ 4,095.02
10/20/2022	EFT	Empower Retirement	457 Loan Repayments (Payroll Deduction)	\$ 568.90
10/30/2022	EFT	Windcave, Inc.	Concession Lot Credit Card Gateway Fee	\$ 595.28
Total October 2022 Disbursements				\$ 794,005.92

Santa Cruz Port District
135 5th Avenue
Santa Cruz, CA 95062
831.475.6161
831.475.9558 Fax
www.santacruzharbor.org



PORT COMMISSIONERS:
Toby Goddard
Dennis Smith
Reed Geisreiter
Stephen Reed
Darren Gertler

TO: Port Commission
FROM: Holland MacLaurie, Port Director
DATE: November 15, 2022
SUBJECT: Port Director's Report – November 22, 2022

Murray Street Bridge Project Update

Negotiations for a final settlement agreement with the City of Santa Cruz for the Murray Street Bridge project have been ongoing. The City's original offer of \$5,149,000 was not accepted by the District. Negotiations resumed after completion of the District's independent appraisal. The City has recently submitted a revised settlement offer totaling \$7,585,077. Port District counsel is currently reviewing the revised agreement, which will be presented to the Commission for review during an upcoming closed session.

Dredge Permit Update

The U.S. Army Corps of Engineers issued a new, 10-year dredge permit on November 2, 2022. The permit will allow for the continuation of annual maintenance dredging within the harbor through April 30, 2032.

Encroachment Permit – 216 4th Avenue

The Port District has issued an encroachment permit to the property owner at 216 4th Avenue (harbor adjacent property near the lower west side). The property owner has obtained the necessary regulatory approvals to construct an ADU on the lower portion of his property, which is not readily accessible from 4th Avenue. The encroachment permit will allow for temporary ingress and egress of construction related equipment to the property via the harbor's west side parking lot (utilizing two parking spaces). The encroachment permit will remain valid for the duration of construction, which is anticipated to last 10 months. A fee of \$8,500 has been paid for the permit.

Coast Guard Auxiliary Change of Watch

Harbormaster Anderson and I will be attending the upcoming Coast Guard Auxiliary Change of Watch ceremony on Saturday, November 19, 2022.

Port Commission December Meeting Schedule

If there is sufficient business, the regular public meeting in December will be rescheduled to Tuesday, December 13, 2022, at 7 PM.



TO: Port Commission
FROM: Blake Anderson, Harbormaster
DATE: November 9, 2022
SUBJECT: Harbormaster's Report

Dungeness Crab Fishery Update

The California Department of Fish and Wildlife has delayed the start of commercial Dungeness crab season and restricted methods of take in the recreational fishery, which opened on November 5, 2022. The decision was made due to the presence of humpback whales and the potential for entanglement in the area between the Sonoma/Mendocino County line and the CA/Mexico border. Recreational take of Dungeness crab is permitted only by means other than conventional traps, such as hoop nets and snares. Although these methods are typically used in shallow water crab fisheries some anglers have had success using hoop nets this season. The next wildlife assessment is expected on or before November 23, 2022.

New Deputy Harbormaster – Kyle Kingdom

The Port District is excited to welcome its newest Deputy Harbormaster Kyle Kingdom to the team. Kyle grew up in Santa Cruz and attended Harbor High School and Cabrillo College. He has been a State Parks lifeguard for the last seven years. Kyle comes to us with an extensive ocean background and good working knowledge of the Harbor Patrol's search and rescue function. He began his field training on November 4, which will include several months of non-sworn operational training before uniformed field training begins.



2022 Lighted Boat Parade

Staff is preparing for the return of the Lighted Boat Parade on Saturday, December 3, 2022. After a two year hiatus due to COVID-19, staff expects that this year's event will be well-attended. Staff is appreciative that, once again, the Coast Guard Auxiliary has offered to assist with gate security, visitor safety, and crowd management throughout the event. The event starts at 5:30 PM and this year's theme is "Deck the Hulls".



Perishable Skills Training

All Deputy Harbormaster staff participated in a quarterly firearms qualification and perishable skills training on November 16.

Annual Fuel Dock Operator Training

Deputy Harbormasters, operations, and maintenance staff participated in an annual fuel dock operations training with Triton Construction. The annual training, which is required under the District's operating permit, included a review of the fuel system, troubleshooting, emergency procedures, record keeping, hazmat mitigation, and best management practices.

Fisheries Report

The fisheries report consists of data from two sources: the Department of Fish and Wildlife (DFW) and H&H Fresh Fish (resident fish buyer). The data from DFW is partially redacted in accordance with federal fisheries laws. Data is considered confidential when less than three separate vessels land species at any one port. For species landed by three or more separate vessels, the full data is made public and includes weight and value. For other data, the species landed is shown with no weight data.

October 2022 – Total Port Landings:

Species	Weight (lbs.)	Ex-Vessel (per lbs.)	Approx. Value
Bluefin Tuna	5,798.90	\$6.84	\$39,669.65
Albacore Tuna	12,526.95	\$1.51	\$18,954.27
Halibut	1,361.50	\$6.35	\$8,646.53
Lingcod	806.5	\$3.37	\$2,718.25
Vermillion Rockfish	639.50	\$3.07	\$1,964.80
Yellowtail Rockfish	57.5	\$2.86	\$164.50
Jack Mackerel	5,379.75	\$1.21	\$6,514.97
Total Reported:	26,570.60 lbs.		Total Ex-Vessel: \$78,632.97

Species also landed* - Chinook Salmon, Northern Anchovy, Pacific Sardine, Pacific Pompano, Rockfish (various), Pacific Mackerel, White Croaker, Petrale Sole, Thresher Shark, Jacksmelt, Bonito, Thorneyhead Shortspine, Thorneyhead Longspine, Sandabb, Jacksmelt, Rock Crab

**Weight and value data redacted by Fish and Wildlife pursuant to Fish and Game Code, Section 8022.*

October 2022 – Resident Buyer Landings:

Species	Weight (lbs.)	Ex-Vessel (per lbs.)	Approx. Value
Bluefin Tuna	5,178.00	\$6.50	\$33,657.00
Halibut	388.00	\$6.00	\$2,328.00
Lingcod	684.00	\$3.00	\$2,052.00
Mackerel	75.55	\$2.00	\$151.10
Rock Crab	1,261.00	\$3.00	\$3,783.00
Rock Fish (various)	382.00	\$3.00	\$1,146.00

Soles	16.95	\$3.00	\$50.85
Bonito	49.05	\$2.00	\$98.10
Sanddabs	7.70	\$2.00	\$15.40
Sablefish (Blackcod)	497.00	\$3.00	\$1,491.00
Total Reported: 8,539.25 lbs.		Total Ex-Vessel: \$44,772.45	



TO: Port Commission
FROM: Carl Wulf, Facilities Maintenance Engineering Manager
DATE: November 22, 2022
SUBJECT: Facilities Maintenance & Engineering Manager's Report

Dredging Operations:

Twin Lakes

Twin Lakes was moved from her off-season mooring in the north harbor to the entrance channel during the low tide on Monday, November 7, 2022. The entrance sounding taken on November 9, 2022, shows that good depth was maintained during the off-season. The sediment at the mouth of the entrance will be the first focus of digging for the season, which began on Wednesday, November 16, 2022.



Dauntless

Dauntless was splashed on September 6, 2022, following off-season maintenance at the boatyard, and is ready for service.

Squirt

North Harbor mobilization is underway, Squirt is connected to the discharge pipe and is docked at the end of J-dock awaiting the start of the season. North Harbor dredging is scheduled to commence around December 5, 2022.

Maintenance:

Pile Repair – Phase 4

Under current pile repair and replacement permits, maintenance staff has completed jacketing two of the three critical piles under the East Public Pier. The last remaining critical pile identified for Phase 4 is located at the fuel dock and will be repaired in conjunction with upcoming low tides prior to November 30, 2022.

Deck Replacement Project – 2222 East Cliff Drive

A Request for Proposals (RFP) for the Deck Replacement Project was issued on November 4, 2022, and two potential bidders, SSB Construction and Rockaway Construction, attended the mandatory pre-bid meeting on November 10, 2022. Bids will be opened on Monday, November 21, 2022. Building permits with the City are currently pending.

G-Dock Lift Station Assessment

MKN & Associates has provided 90% plans & specifications for the G-dock lift station improvements. Staff is currently reviewing the documents before submitting them to the City for their input and permit requirements.

West Side Seawall Inspection Update

Mesiti Miller Engineering (MME) was on site November 7, 8, and 9, to take measurements of the west side seawall with an ultrasonic steel thickness gauge and to photograph and observe the exposed face of the seawall. A condition assessment report will follow soon.

TranSystems, Inc.

Staff has set up bi-weekly meetings with TranSystems to follow the progress on the following two projects:

- Replacement and Relocation of Tsunami-Damaged North Harbor Transformers
- Murray Street Bridge Seismic Retrofit Project

I-Dock Restroom and Shower Facility

William Fisher Architecture, Inc. is finalizing the designs and specifications for the reconstruction of the I-Dock restroom and shower facility. Plans will be submitted to the City in the next two weeks.

Electrical Service Upgrade Project – 333 Lake Avenue

Due to supply chain issues, the delivery of the electrical panels for the Electrical Service Upgrade Project at 333 Lake Avenue has further been delayed until December 2022.

Pavement Repairs

Staff has solicited informal bids for the pavement repairs planned at the fishery pier and a section of the west side sidewalk (between F-Dock and E-Dock). At this time, based on the preliminary quotes adequate funding for the west side sidewalk repairs may not be available in the Capital Improvement Program.

CHARTER / BUSINESS USE OF SLIPS ANNUAL REPORT

2022

CHARTER FEE

Small (6 Pak): \$119 x passenger capacity/12-month
 Medium (7-48 Pak): \$119 x 2 x passenger capacity/12-month
 Large (49+ Pak): \$2.00 /per passenger (base fee may apply)

Operator	Pak Rating	Slips Originating From		Annual Revenue Calculation		Discounts		Annual Adjusted Revenue		Comments	
		Commission	Waiting List	Slip Rent	Charter Fee	Public Benefit	Other	Slip Rent (less discounts)	Charter Fee (less discounts)		
Barbarossa Fishing (Payton, J.)	6			n/a	714	0	0	0	714	PC approval April 2022, commenced May 2022 (Launch Ramp Operation)	
California Classic Sail (Roberts, F)	6		1	9,162	714	0	0	9,162	714	Reduced pak rating from 12-pak to 6-pak (Dec 2020)	
Chardonnay (Beauregard, J.)	49	1		14,659	39,660	0	0	14,659	37,660	Minimum base charter fee \$2,000 per month, annual fee varies (\$2 per passenger)	
Chartle Charters (Stoops, J.)	6		1	5,659	714	0	0	5,484	714		
Go Fish Santa Cruz Charters (Thomas, J.)	6	1		5,666	714	0	0	5,666	714		
Lighthall Yacht Charters (Lighthall, S.)	12	2		14,354	1,428	0	0	14,354	1,428	2 slips, 2 6-pak charter vessels	
Monterey Bay Charters (Dolan, T.)	6		1	6,658	714	0	0	6,658	714		
Nomand Sailing Charters (Thom, B.)	6		1	10,994	714	0	0	10,994	714		
O'Neill Yacht Charters (O'Neill, T.)	49-99	1		16,877	20,524	0	0	16,877	20,524	Annual fee varies (\$2 per passenger)	
Pacific Yachting & Sailing (Beauregard, J.)	72	11		67,755	8,568	0	0	67,755	8,568	11 slips, 12 small 6-pak charter vessels (PC approval April 2019)	
Santa Cruz Coastal Charters (Armstrong, R.)	6		1	5,825	714	0	0	5,825	714		
Santa Cruz Sport Fishing (Adams, R.)	6		1	5,666	714	0	0	5,666	714		
Sea Spirit (Stoops, J.)	30		1	7,989	7,140	0	0	7,989	7,140		
Seabright Sportfishing (Collins, J.)	6		1	2,355	714	0	0	2,355	714	PC approval March 2022, commenced April 2022	
Stagnaro Charters - Legacy (Stagnaro, K.)	46	1		10,994	5,474	0	0	10,994	5,474	Stagnaro Fishing - Slip awarded prior to creation of wait list	
Stagnaro Charters - Velocity (Stagnaro, K.)	65	1		11,911	7,735	0	0	11,911	7,735		
Waypoint Sport Fishing (Olsen, B.)	6		1	8,359	714	0	0	8,359	714		
<i>No operators are paying the Waiting List Bypass Fee in 2022.</i>						2022	\$0	\$0	\$204,709	\$95,669	
						2021	\$0	\$0	\$184,593	\$54,728	

BUSINESS USE OF SLIP

Annual Business Use Fee Formula is Equal to 1.5 x slip rent

Operator	Pak Rating	Slips Originating From		Annual Revenue Calculation		Discounts		Annual Adjusted Revenue		Comments
		Commission	Waiting List	Slip Rent	Bus. Use Fee	Public Benefit	Other	Slip Rent (less discounts)	Charter Fee (less discounts)	
Kayak Connection (Grigsby, J.)	N/A	1		4,723	2,362	0	0	4,723	2,362	U-Dock Float
Pegasus Racing (Kahn, P.)	N/A		1	10,994	5,497	0	0	10,994	5,497	
Vessel Assist (Ash, M.)	N/A	1		4,838	2,419	0	0	4,838	2,419	
West Marine (Repass, R.)	N/A		1	6,658	3,329	0	0	6,658	3,329	
Wizard Yachts (Lee, B.)	N/A		1	9,986	4,993	0	0	9,986	4,993	
						2022		\$37,200	\$18,600	
						2021		\$36,198	\$18,099	

NON-CHARTER / NON-BUSINESS USE DISCOUNTED SLIPS ANNUAL REPORT

2022

DISCOUNTED SLIPS

Programs receiving public benefit discounts

Operator	Pak Rating	Slips Originating From		Annual Revenue Calculation		Discounts		Annual Adjusted Revenue		Comments	
		Commission	Waiting List	Slip Rent	Charter Fee	Public Benefit	Other	Slip Rent (less discounts)	Charter Fee (less discounts)		
O'Neill Sea Odyssey	49	1		2,010	0	100%	0	0	0		
Santa Cruz Sailing Foundation	N/A	1		6,451	0	50%	0	0	3,226	Benefit discount reduced from 100% to 50% on 12/1/21. PC action October 2020.	
Sea Scouts	N/A	1		11,146	0	100%	0	0	0	Annual slip rent revenue NH Wide 45' rate @ 60'	
UCSC Community Center	N/A	4		16,977	23,320	50%	0	16,977	11,660	50% discount applied to "Annual Base Rent" only, not slips.	
						2022	\$17,597	\$0	\$16,977	\$14,886	
						2021	\$21,990	\$0	\$16,448	\$11,190	



To: Port Commission
 From: Blake Anderson, Harbormaster
 Date: November 15, 2022
 Subject: 2021-2022 Vessel Use List Review

BACKGROUND

Port District Ordinance Section 302.1 – *Regular Use of Vessel* requires all slip licensees to make continuous personal use of their vessel on a regular basis. Continuous personal use is defined as taking the boat out of the slip and harbor for any length of time on at least ten separate days during any twelve-month period.

Each year, staff identifies use list candidates based on specific criteria as outlined in the Vessel Use List Administration Policy (Attachment A). Once the use list is generated, those licensees selected are required to log ten uses within a specified period (12 months) to verify the ocean-going use of their vessel. If the minimum use requirement is not met, the licensee may be subject to the slip revocation process.

The policy and operations committee met in July 2018, to review the “regular use” requirement. Items discussed in that meeting included enforcement philosophy relating to Ordinance 302.1, use list criteria/selection, and licensee outreach regarding unused vessels. Based on the committee discussion, staff was directed to craft a policy relating to the administration of the use list. Subsequent to that meeting, staff implemented the *Vessel Use List Administration Policy* (attached).

ANALYSIS

This review covers the 2021-2022 use list (October 1, 2021 – September 30, 2022).

In total, 14 licensees were placed on the vessel use list for 2021-2022. A breakdown of the statistics is below:

STATISTICS:	NORTH HARBOR	SOUTH HARBOR
Total No. of Slips:	452	388
No. of customers on 2021-2022 use list:	9	5
No. of customers who met ten minimum uses:	1	1
No. of slips voluntarily released (from use list):	3	1
No. of extensions issued	0	0
No. of medical waivers:	1	1
No. of slip renters issued revoke notices for non-use:	4	2

Although staff understands that 100% compliance with the use list is unlikely, the list serves as a catalyst to speed up the sale or disposal of vessels that are no longer being used. Many times, those licensees placed on the use list are no longer interested in boating but hold onto their vessel and slip because they don't know what else to do in that situation. The use list administration process gives staff an opportunity to review the options available to boaters holding on to unused vessels. In staff's experience, most issues surrounding vessel use can be resolved without the need for the revocation process.

As depicted in the table above, fourteen licensees were placed on the 2021-2022 list; two complied with the use requirement; four slips were voluntarily released; two were granted medical waivers, six licensees were issued revoke notices for non-use and have until November 30, 2022, to appeal.

2022-2023 Use List

Harbor staff has identified twelve vessels for the 2022-2023 use list based on criteria outlined in the policy. Initial notification letters were sent out on November 15, 2022, and staff will be in contact with those individuals throughout the next twelve months to ensure vessel use is achieved. Those licensees will have the period of December 1, 2022 – November 30, 2023, to complete the uses.

IMPACT ON PORT DISTRICT RESOURCES

There are no impacts to Port District resources in reviewing this report.

ATTACHMENTS: A. Vessel Use List Administration Policy

SUBJECT: Administration of Vessel Use List		
<i>Issued Date: September 3, 2018</i>	<i>Revised Date: September 3, 2018</i>	<i>Prepared By: Staff</i>
<i>Standard Operating Procedure: 1.22</i>	<i>Approved By:</i>	<i>Approval Date: February 13, 2019</i>

Staff shall use the following guidelines when selecting licensees for placement on the annual *Vessel Use List*.

PROCEDURE:

The vessel use requirement (Santa Cruz Port District Ordinance 302.1) is intended to ensure active boating and proper administration of the paid waiting list for slips. Additionally, the requirement aids in identifying and preventing illegal slip transference and illegitimate vessel partnerships.

Slip licensees selected for placement on the *Vessel Use List* will be required to check-in with harbor office 10 times per year when they use their vessel. Pursuant to the SLA, the vessel will be required to leave the entrance channel and venture onto the open waters of the Monterey Bay for any amount of time. Specifically, uses may not be called in from the slip or from within the harbor while moored.

Selection:

Selection to the use list shall only be made after obtaining satisfactory evidence that would lead one to reasonably believe the slip licensee is not making at least 10 ocean-going trips per year.

Staff shall make use list selections based on the following reason(s):

1. Obvious signs of vessel inoperability including*:
 - Excessive growth on the hull or running gear
 - Damaged or missing equipment
 - Animal nests/droppings

*If a licensee is placed on the list due to obvious signs of vessel inoperability, then the physical condition that led to the determination should be documented with photographs and stored in the licensee’s file.
2. Expired vessel registration
3. Failure to pick up parking stickers in a timely manner
4. Suspected vessel/slip transference issues including:
 - Suspected illegal partnerships
 - Suspected unreported vessel ownership changes
5. Other suspicious circumstances which may indicate non-use by the licensee, so long as those circumstances and concerns can be specifically and reasonably articulated by staff.

“Random” selections shall not be made, nor shall slip licensees be added to the list two years in a row (unless an extension has been granted). Liveaboards may be placed on the list based on the same criteria as non-liveaboards but not solely because they live aboard their vessel.

Generally, staff should keep the number of people selected to a manageable number so that the program can be effectively and efficiently administered.

Additionally, where practicable, staff should make contact with those slip renters suspected of non-use throughout the year to discuss the use requirement prior to the creation of the official list.

Verification

Those selected to the *Vessel Use List* must check-in with the harbor office 10 times per year when they make a voyage.

- During office hours, licensees should call the harbor office on the phone or via VHF Channel 09
- After hours, licensees should contact Harbor Patrol on VHF Channel 09

When contacted, staff must reasonably verify that the licensee is aboard and that the vessel leaves the harbor entrance and log the vessel use. (Note: Ship’s logs shall not be used for purposes of verifying vessel use.)

Extensions and Exemptions

This policy is not intended to limit staff’s discretion in administering and/or enforcing the list. Within the spirit of the ordinance, staff should be able to reasonably justify any extensions or exemptions granted to licensees.

Licensees selected for the *Vessel Use List* who are unable to fulfill the requirement may appeal to the Harbormaster, in writing, to request an extension or exemption for that year based on extenuating circumstances. Each request shall be considered on a case-by-case basis by the Harbormaster.

Some possible reasons for limited term extensions or exemptions may include but are not limited to:

- Personal medical/health issues
- Familial obligations
- Major mechanical or structural issues
- Other extenuating circumstances

When limited term extensions or exemptions are granted the conditions should be documented in writing and placed in the licensees file and also recorded on the master list at the front desk.

Compliance / Documentation

Each year staff shall compile a master list of slip licensees selected for the annual vessel use list, and create a vessel use log to be used by staff to document uses by slip licensees.

The following documents shall be maintained in the slip licensee’s file:

- Any supporting documentation (i.e., photos and notes of contact(s) with slip licensee)
- A letter informing slip licensees of placement on the annual vessel use list

- Two reminder letters sent to slip licensees reminding them of the requirement and relevant due dates
- A letter of fulfillment sent to licensees who comply with the requirement.

Licensees who comply shall not be placed on the list the following year.

Non-Compliance / Documentation:

Staff shall work on non-compliance issues on a case-by-case basis and may initiate the revocation process. Revocation for non-compliance should be a last resort as staff is encouraged to work with licensees before it gets to that point. Staff should explain to out-of-compliance licensees that they have options including:

- Vessel Turn-In Program (VTIP)
- Sale of the vessel through a 1yr SLA
- Voluntary release of the slip and relocation to another harbor
- Slip Leave Option (Leave of Absence)

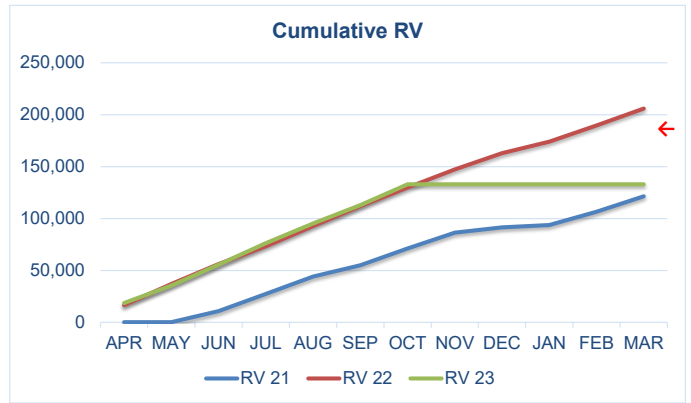
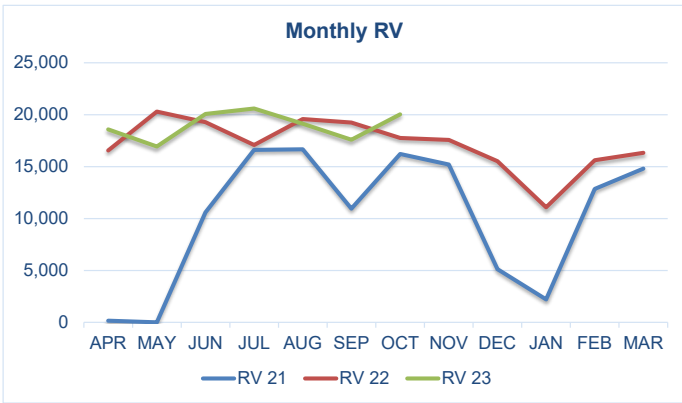
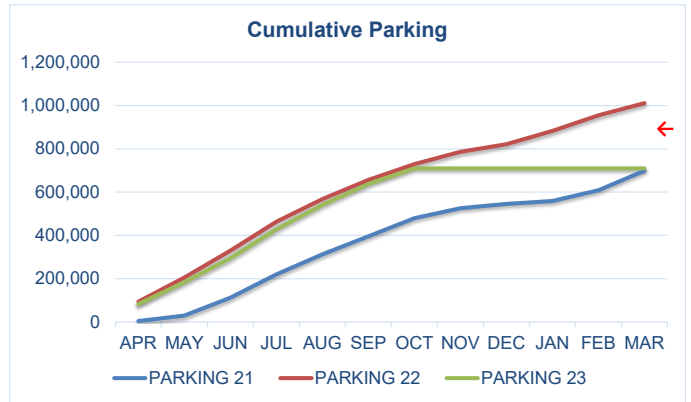
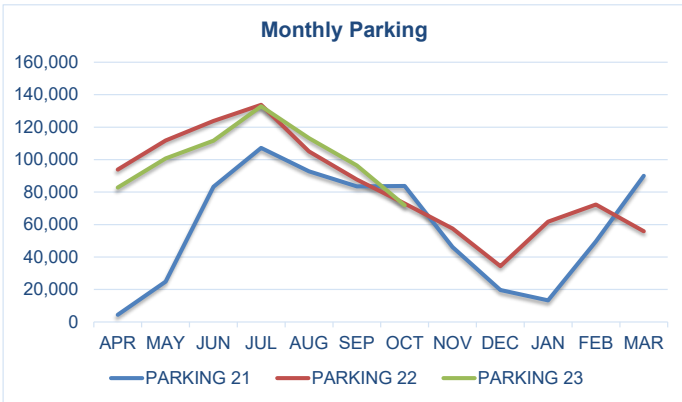
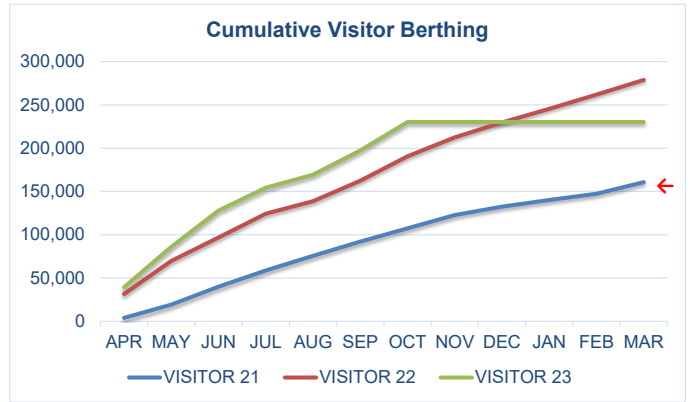
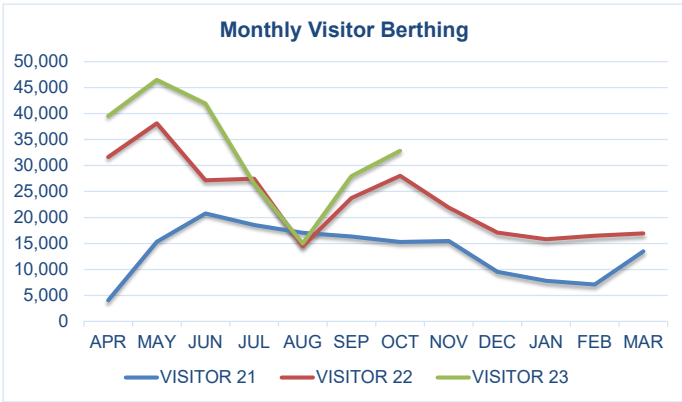
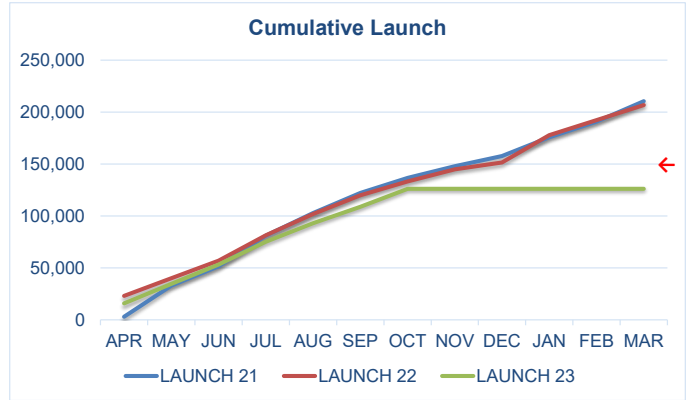
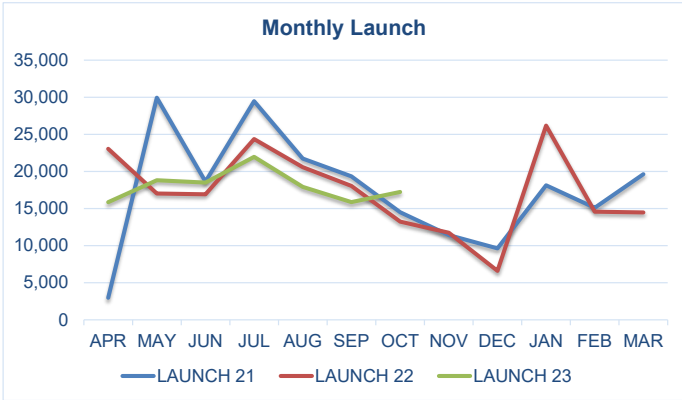
If the licensee fails to respond to staff's recommendations, the revocation process shall be initiated by the Harbormaster.

In addition to the documentation listed under "Compliance / Documentation" above, the following documents shall be maintained slip licensee's file:

- Letter informing slip licensees of any limited term extension or exemption granted
- Letter to slip licensees documenting failure to fulfill the requirement / slip revocation process

Santa Cruz Port District
SEASONAL INCOME
 For the Seven Months Ended October 31, 2022

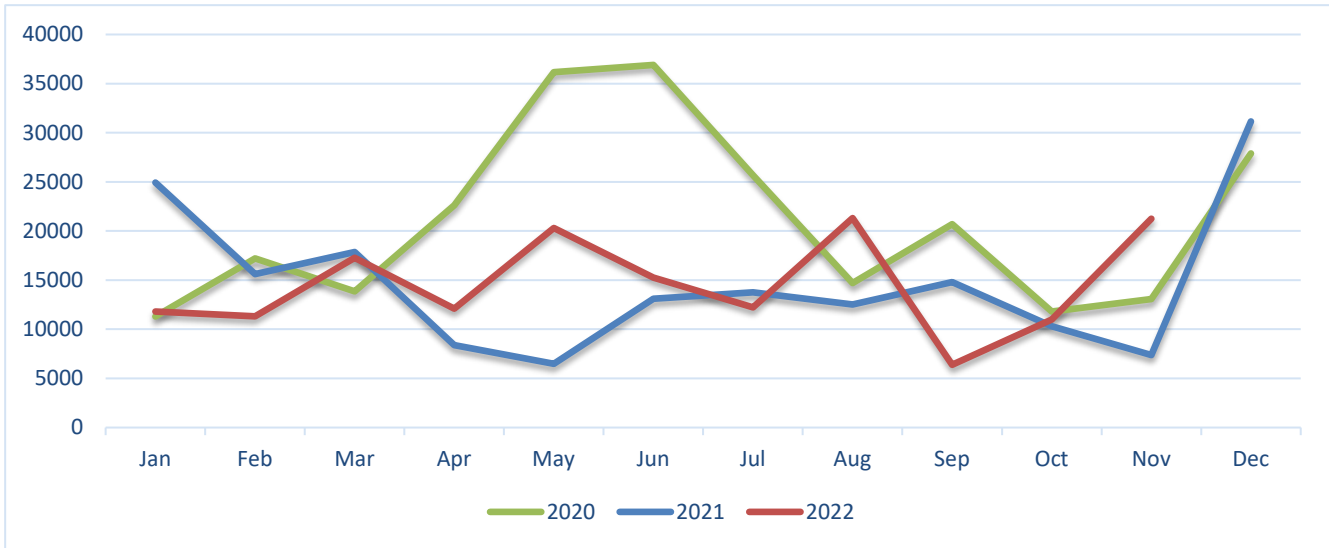
FY23 Budget ←



Santa Cruz Port District
60 DAY DELINQUENT ACCOUNTS

The following accounts have balances 60 days delinquent as of November 15, 2022

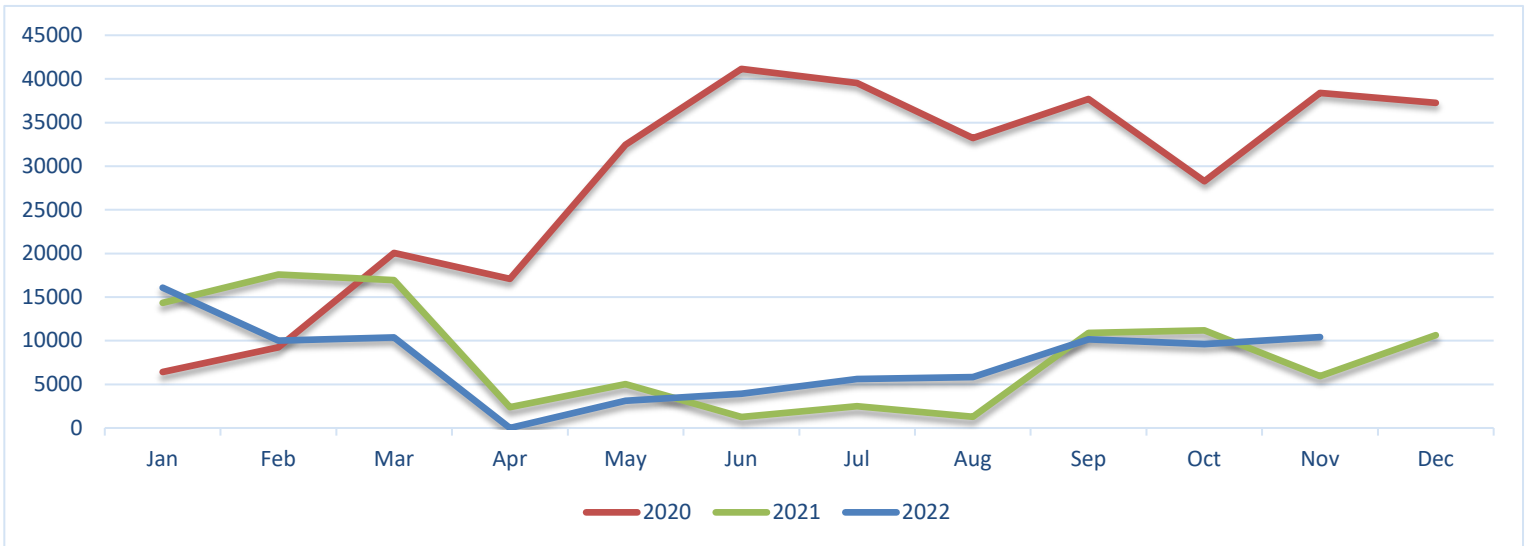
Account Number	Current Month	30 Day Balance	60 Day Balance	90 Day Balance	Total Balance
4076	1,396.03	1,401.33	836.89	0.00	3,634.25
29573	871.81	899.59	892.37	0.00	2,663.77
55256	614.84	592.90	546.09	0.00	1,753.83
44946	540.60	536.37	507.15	0.00	1,584.12
1934	579.36	575.47	398.83	0.00	1,553.66
56971	539.44	500.51	471.58	0.00	1,511.53
57834	512.00	508.00	229.96	0.00	1,249.96
56297	379.94	377.03	349.12	0.00	1,106.09
29726	501.47	356.02	199.38	0.00	1,056.87
58012	445.22	441.76	79.09	0.00	966.07
48666	496.88	418.60	0.05	0.00	915.53
3180	409.77	407.04	35.00	0.00	851.81
57117	158.94	157.85	131.75	0.00	448.54
58296	155.06	154.00	127.93	0.00	436.99
58308	155.06	154.00	127.93	0.00	436.99
58520	179.00	175.59	25.03	0.00	379.62
59448	86.13	85.63	60.13	0.00	231.89
59158	86.13	86.07	21.56	0.00	193.76
59941	25.41	25.41	100.32	0.00	151.14
59994	25.47	25.47	82.47	0.00	133.41
Total	\$ 8,158.56	\$ 7,878.64	\$ 5,222.63	\$ -	\$ 21,259.83



Santa Cruz Port District
90+ DAY DELINQUENT ACCOUNTS

The following accounts have balances 90 days delinquent or greater as of November 15, 2022

Account Number	Current Month	30 Day Balance	60 Day Balance	90+ Day Balance	Total Balance	Commercial Slip	Action
57057	590.62	586.09	581.56	1,565.63	3,323.90	X	Revoke
57024	41.16	-	490.84	1,568.37	2,100.37	X	Bad Debt
3574	160.39	159.32	158.26	777.36	1,255.33		Revoke
58910	-	-	-	1,112.82	1,112.82		Bad Debt
59335	89.12	88.62	88.12	491.37	757.23		Revoke
59763	88.14	87.63	87.13	318.52	581.42		Revoke
57443	87.88	87.38	92.88	285.37	553.51		Revoke
57229	87.13	86.63	87.63	148.76	410.15		Revoke
58302	90.55	90.02	89.48	63.95	334.00		Revoke
Total	\$ 1,234.99	\$ 1,185.69	\$ 1,675.90	\$ 6,332.15	\$ 10,428.73		





TO: Port Commission
FROM: Sean Rothwell, Assistant Harbormaster
DATE: November 10, 2022
SUBJECT: Harbor Patrol Incident Response Report – October 2022

Search and Rescue, Patrol Boat Response

- 10/13/22 Harbor Patrol responded to a report of a swimmer in distress in the area of Sunny Cove Beach. Upon arrival, Harbor Patrol and State Park Lifeguards assisted the subject to shore. The subject was then admitted to a Psychiatric Health Facility for evaluation.
- 10/22/22 Harbor Patrol responded to a report of a cliff rescue in the area of Natural Bridges State Beach. Prior to arrival, the victims were extracted from the cliffs by Santa Cruz Fire. Harbor Patrol returned to the harbor without incident.
- 10/23/22 Harbor Patrol responded to a report of two paddleboarders in distress in the area of Cowell's Beach. Upon arrival, both paddleboarders indicated they were not in distress. Harbor Patrol returned to harbor without incident.
- 10/25/22 Harbor Patrol responded to a report of a vessel fire in the area of Manresa State Beach. Prior to arrival, it was determined to be the U.S. Navy conducting pyrotechnics drills. Harbor Patrol returned to the harbor without incident.

Crime Reports, Assist Outside Department, and Incident Reports

- 10/1/22 Harbor Patrol took a stolen property report after items were reported missing from an outrigger storage box on Harbor Beach. No suspect information available.
- 10/5/22 At the request of Netcom, Harbor Patrol responded to a medical emergency in the area of 17th Avenue. Upon arrival, Harbor Patrol administered CPR / first aid to a subject until Santa Cruz Fire and AMR arrived on scene to continue resuscitation efforts. Despite lifesaving efforts, the subject later passed away.
- 10/7/22 Harbor Patrol responded to a report of a subject who tripped and fell in the area of 7th and Brommer Street. The subject was evaluated by Harbor Patrol and determined to be inebriated. The subject was transported to Dominican Hospital by ambulance for further evaluation.
- 10/12/22 Harbor Patrol took to an accident report after an electric scooter collided with a curb in the area of Q-Dock. The subject sustained minor lacerations and was transported to Dominican Hospital by ambulance for further evaluation.

- 10/13/22 Harbor Patrol responded to a report of an unconscious subject inside a vehicle parked along Atlantic Avenue. The subject was taken into custody by Santa Cruz Police for public intoxication.
- 10/18/22 Harbor Patrol responded to a medical emergency in the area of 9th Avenue. Upon arrival, Harbor Patrol took over resuscitation efforts on a subject experiencing cardiac arrest. The subject was transported to Dominican Hospital by ambulance where she later passed away.
- 10/19/22 Harbor Patrol responded to a report of an intoxicated subject who fell along the Arana Gulch Multi-Use Trail. The subject was taken into custody by Harbor Patrol for public intoxication and transported to Santa Cruz County Jail.
- 10/20/22 Harbor Patrol responded to a report of a domestic disturbance in the area of FF-Dock. Harbor Patrol deescalated the situation and requested assistance from the Santa Cruz Sheriff's Department, as child abuse was suspected. The case was turned over to Child Protective Services.
- 10/21/22 At the request of the Santa Cruz Police Department, Harbor Patrol responded to a report of a combative suspect resisting arrest in the area of Seabright Avenue and Broadway. Upon arrival, Harbor Patrol assisted in taking the subject into custody.
- 10/27/22 Harbor Patrol, along with numerous other law enforcement agencies, responded to a report of an active shooter at Santa Cruz High School. After an extensive investigation, the incident was determined to be a hoax.
- 10/27/22 Harbor Patrol conducted a traffic enforcement detail within the harbor and cited one vehicle for CVC 22450 - Failure to Stop at a Stop Sign.

October Parking Citations: 336



November 10, 2022

Nathan Nguyen, Assistant Director
City of Santa Cruz Public Works Department
809 Center Street, Room 201
Santa Cruz, CA 95060

Dear Mr. Nguyen:

On behalf of the Santa Cruz Port Commission, I would like to thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the Coastal Rail Trail Segments 8 & 9 Project. As stated in the DEIR, the proposed 2.2-mile bicycle and pedestrian path will span a portion of the Santa Cruz Harbor and include a West Harbor Trail Connection and an optional East Harbor Trail Connection, both of which would terminate and deposit users onto Santa Cruz Port District (Port District) property.

Over the years, the Port District has worked cooperatively with the City and County on various projects to improve publicly accessible trails in and around Santa Cruz Harbor to support walking, jogging, and bicycling, as well as coastal access (most recently the Arana Gulch Multi-Use Trail Project and the Twin Lakes Beachfront Improvement Project).

The Port District recognizes the benefits of the Coastal Rail Trail project and supports the City's efforts to improve safety and mobility for non-motorized users along the project corridor. However, the proposed West and/or East Harbor Trail Connections associated with the project will concentrate an increased number of pedestrians and bicyclists onto the Port District's already narrow and congested access roads, and lead to increased user conflict (especially with the rise of e-bicycles that travel at higher rates of speed).

Additional analysis is needed to sufficiently evaluate and mitigate potential impacts associated with the proposed installation of a West and/or East Harbor Trail Connection. The Port District submits the following comments for City review and response:

1. Section 1.6 – Public Outreach

Section 1.6 of the DEIR describes the City's public outreach efforts for the project. The DEIR fails to reflect the City's public outreach efforts to the Port District. The report should show that City representatives presented project information at a Port Commission Regular Public Session on November 23, 2021, and attended an extensive onsite walkthrough with Port District staff on December 7, 2021.

At both meetings, the Port Commission and Port District staff provided valuable feedback regarding the potential impacts associated with the proposed installation of a West and/or East Harbor Trail Connection on land use, public safety, and traffic safety. Based on the findings in the DEIR, the Port District's feedback was not considered or incorporated.

2. Section 2.6 – Project Construction

Section 2.6 of the DEIR states that estimated construction for this project is anticipated to commence in 2023 or 2024. The DEIR fails to evaluate how the construction timeline for this project will align with the City’s pending Murray Street Bridge Seismic Retrofit Project, which is also scheduled to commence in 2023. The proposed project area cannot accommodate two competing, large-scale construction projects at once.

3. Section 2.7 – Required Permits and Approvals

Section 2.7 of the DEIR is intended to outline the various government entities and regulatory agencies that will provide necessary approvals, permits, and agreements for the proposed project. The DEIR does not sufficiently address the process for obtaining Port District approval for the proposed West and/or East Harbor Trail Connections, which will utilize and terminate on Port District property.

Additionally, the DEIR does not provide sufficient information regarding the City’s process for determining whether the West and/or East Harbor Trail Connections will be incorporated into the final design.

4. Section 3.8 – Hydrology and Water Quality

Section 3.8 of the DEIR is intended to evaluate potential impacts relating to hydrology and water quality on and around the project corridor.

The DEIR inaccurately assesses Santa Cruz Harbor as Woods Lagoon and does not detail the historical relationship between the two waterbodies. As outlined in Chapter 2 of the Water Quality Control Plan for the Central Coast Basin (and indicated in the DEIR), Santa Cruz Harbor and Woods Lagoon are classified as having differing beneficial uses and are not synonymous. As such, the DEIR is deficient and does not adequately analyze potential environmental impacts to water quality within Santa Cruz Harbor.

Additionally, the report fails to acknowledge that Santa Cruz Harbor is a receiving water of both City and County storm drain systems. One storm drain in particular, which is located in the proposed area of the East Harbor Trail Connection, has the potential to significantly impact water quality in the Santa Cruz Harbor by introducing pollutants at a level that may exceed protective water quality criteria standards associated with the California Regional Water Quality Control Board’s impaired waterway listing. The DEIR does not sufficiently evaluate these potential impacts.

5. Section 3.9 – Land Use and Planning

Section 3.9 of the DEIR is intended to identify and evaluate impacts related to land use and planning that may arise through implementation of the proposed project (including the West and/or East Harbor Trail Connection points). Table 3.9-1 – Summary of Impacts on Land Use and Planning states the following:

“The Project would increase connectivity across established communities by providing a pedestrian and bicycle trail using an existing corridor without disturbing existing residential, commercial, and industrial uses along the Project corridor [emphasis added].”

Despite prior feedback submitted by the Port District, the DEIR fails to evaluate the land use impacts associated with the installation of a West and/or East Harbor Trail Connection on the Port District's operation. As indicated in the DEIR, the Port District maintains a Coastal-Dependent land use designation, which allows for the operation and maintenance of a small craft harbor. Additionally, the City of Santa Cruz General Plan and Zoning Ordinance, which includes the Harbor Development Plan, allows for new development within the harbor, but only if it is compatible with existing uses.

The proposed West and/or East Harbor Trail Connections, as designed, are not compatible with the Port District's existing land use and will significantly impair the present and potential uses of Port District property.

As proposed, the West and/or East Harbor Trail Connections will deposit users onto the Port District's single lane access roads, which are intended to facilitate movement of Port District personnel and equipment between the northern and southern portions of the harbor and provide emergency response routes for Harbor Patrol when responding to law enforcement details within the harbor.

The DEIR estimates that the proposed project may deposit an increased number of daily users into the harbor via the West and/or East Harbor Trail Connections. The DEIR fails to analyze how the increased pedestrian and bicycle traffic will impact the Port District's ability to safely utilize its access roads for daily operations and emergency response.

Additionally, the proposed East Harbor Trail Connection will deposit users into an area of the harbor that is utilized by the Port District's dredge operation for critical storage, staging, and heavy equipment maintenance. The area is frequently designated as a construction zone, requiring the use of hard hats and other mandatory safety equipment for entry.

The DEIR fails to analyze how the increased pedestrian and bicycle traffic will impact the Port District's ability to safely utilize the area near the proposed East Harbor Trail Connection for critical storage, staging, and heavy equipment maintenance.

The DEIR fails to evaluate land use compatibility as it relates to the proposed installation of a West and/or East Harbor Trail Connection on the Port District's operation. The DEIR finding that cumulative development (including the installation of a West and/or East Harbor Trail Connection) would not result in significant cumulative land use impacts is unsubstantiated and requires additional review.

6. Section 3.11 – Public Safety and Services

Section 3.11 of the DEIR is intended to identify and evaluate impacts related to public safety that may arise through implementation of the proposed project (including the West and/or East Harbor Trail Connections).

The DEIR does not sufficiently evaluate public safety impacts associated with the installation of a West and/or East Harbor Trail Connection. The report includes a list of agencies that provide police protection services within the project area, including Santa Cruz Police Department, Santa Cruz County Sheriff's Office, California Highway Patrol, and California Department of Fish and Wildlife. The report is deficient, as it fails to include Santa

Cruz Harbor Patrol, who is tasked with providing law enforcement, first responder, and marine search and rescue services within the project area.

The Santa Cruz Port District employs 8 fully sworn peace officers who are responsible for providing primary law enforcement services within Santa Cruz Harbor. Regarding the optional East Harbor Trail Connection, the DEIR makes the following determination:

“...the Project impacts to police services would be slightly higher because this additional connection point could encourage more people to use the trail and slightly increase the number of trail users. However, the increase in number of trail users would be minimal, and existing police and emergency services would be sufficient [emphasis added].”

This determination is unsubstantiated, as the report fails to assess impacts on Santa Cruz Harbor Patrol’s ability to maintain acceptable service ratios and response times given the increased number of users that will be introduced to the harbor via the East Harbor Trail Connection. It should be noted that the DEIR is deficient, as it does not analyze impacts to police services associated with the proposed West Harbor Trail Connection.

7. Section 3.12 – Transportation

Section 3.12 of the DEIR is intended to identify and evaluate impacts related to transportation, traffic circulation, and traffic safety for the proposed project (including the West and/or East Harbor Trail Connection points).

Despite prior feedback submitted by the Port District, the DEIR fails to sufficiently evaluate the impacts associated with the installation of a West and/or East Harbor Trail Connection on bicycle, pedestrian, and vehicle safety, particularly as it relates to user conflict and congestion at the proposed trail connection points.

As proposed, the West and/or East Harbor Trail Connections will deposit users onto the Port District’s single lane access roads, which are not capable of accommodating an increased number of multimodal users. The Port District’s access roads are comprised of uneven terrain, blind corners, and pinch points. Designated bike lanes and pedestrian sidewalks do not exist. Depositing an increased number of users onto these service roads via a West and/or East Harbor Trail Connection will significantly increase the potential for conflict between bicyclists, pedestrians, and vehicles (including service and delivery vehicles, heavy equipment, and trailerable vessels).

The DEIR includes various state, regional, and local policies that guide transportation planning decisions within the project area. By failing to sufficiently analyze the impacts associated with the installation of a West and/or East Harbor Trail Connection on bicycle, pedestrian, and vehicle safety, the DEIR is deficient and in direct conflict with the following policies and objectives:

- **2045 Santa Cruz County Regional Transportation Plan – Policy 2.4**
Reduce the potential for conflict between bicyclists, pedestrians, and vehicles.
- **City of Santa Cruz Active Transportation Plan – Policy 4.2**
Focus on improving bike and pedestrian safety at intersections using best practices and emerging tools.

- **Santa Cruz County General Plan and Local Coastal Program – Objective 3.10**
To encourage pedestrian travel as a viable means of transportation, by itself and in combination with other modes, to achieve at least 7% of all trips through walking, by increasing and improving pedestrian facilities, particularly in urban areas and reducing the conflicts between pedestrians and other modes of travel.

8. Section 3.15.10 – Recreation

Section 3.15.10 is intended to evaluate impacts on recreational facilities that may arise through implementation of the proposed project (including the West and/or East Harbor Trail Connections). As stated in the DEIR, Santa Cruz Harbor is designated as a recreational facility.

The DEIR fails to sufficiently evaluate impacts on recreational facilities associated with the installation of a West and/or East Harbor Trail Connection. The report estimates that the proposed project will deposit an increased number of daily users into the harbor via the West and/or East Harbor Trail Connections. It is anticipated that additional daily users will increase impacts on the Port District's facilities (i.e., public restroom facilities, paved access roads and parking lots, etc.), such that substantial physical deterioration will occur or be accelerated.

As indicated in the Harbor Development Plan, the Port District looks to work cooperatively with the City and other responsible agencies to explore innovative transit systems which would enhance the recreational use of Santa Cruz Harbor.

However, the Port District must ensure that proposed projects are sited and designed in a way so as not to interfere or create conflicts with current harbor uses. The Port District submits this public comment letter to address numerous potential conflicts associated with the project's proposed installation of a West and/or East Harbor Trail Connection.

The Port District looks forward to working closely with the City as the Coastal Rail Trail Segments 8 & 9 Project progresses.

Sincerely,



Reed Geisreiter
Santa Cruz Port Commission Chair

Santa Cruz Port District Port Commission Review Calendar / Follow-Up Items 2022-23

2022

January-March

- ✓ H&H Fresh Fish Lease Exp. 01/31/2022
2 (3) year options to extend
- ✓ Bayside Marine Lease Exp. 01/31/2022
no option to extend
- ✓ Committee Assignments for 2022
- ✓ Sea Scouts' Biannual Report
- ✓ FY 23 Budget
- ✓ Review 5-year CIP
- ✓ Santa Cruz Yacht Club Lease Exp. 03/31/2022
no option to extend
- ✓ Slip Vacancy Biannual Report / Waiting List Statistics
- ✓ Form 700 Filing (due by 03/31 each year)

April-June

- ✓ Chardonnay Lease Exp. 05/31/2022
1 (5) year option to extend
- ✓ PY&S Lease Exp. 05/31/2022
1 (5) year option to extend
- ✓ Biennial Update to Conflict-of-Interest Code

July-September

- ✓ Annual O'Neill Sea Odyssey Report (review slip rent reduction / charter fee. PC action of 07/07)
- ✓ Dredge Report 2022-23
- ✓ Sea Scouts' Biannual Report
- ✓ Slip Vacancy Biannual Report / Waiting List Statistics

October-December

- ✓ Mid Fiscal Year Review of CIP
- Nexus Wealth Advisors Lease Rent Review at Option Period Ending 11/30/2022
- Annual Vessel Use List Review
- Annual Review of Business Use of Slips
- Ethics Training Update (due by year end)
- Port Commission Officers for 2023

Committee Review Items

- Comprehensive Review of Charter Fees
- Public Benefit Discount Policy

Key

- Pending
- In process
- ✓ Done

2023

January-March

- Committee Assignments for 2023
- Sea Scouts' Biannual Report
- Slip Vacancy Biannual Report / Waiting List Statistics
- FY 24 Budget
- Review 5-year CIP
- Form 700 Filing (due by 03/31 each year)
- Biennial Anti-Harassment/Anti-Discrimination Training
- Crow's Nest Beach Market Rent Review at Option Period Ending 4/30/2023
- Intero Real Estate Lease Exp. 05/31/2022
no option to extend

April-June

- Dredge Report 2023-24

July-September

- Annual O'Neill Sea Odyssey Report (review slip rent reduction / charter fee. PC action of 07/07)
- Sea Scouts' Biannual Report
- Slip Vacancy Biannual Report / Waiting List Statistics

October-December

- Annual Vessel Use List Review
- Annual Review of Business Use of Slips
- Ethics Training Update (due by year end)
- Mid Fiscal Year Review of CIP
- Port Commission Officers for 2024

Future Calendar

- 7th and Brommer Property Assessment
- ABC End-Tie Review after Murray Street Bridge Retrofit
- Pedestrian Traffic Safety Improvements Review