



Special Closed and Regular Public Session of April 27, 2021

**Santa Cruz Port Commission
MINUTES**

Commission Members Present (via teleconference):

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

SPECIAL PUBLIC SESSION – 5:30 PM

Chairman Goddard convened the special public session at 5:30 PM via teleconference.

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

At 5:30 PM, Chairman Goddard announced the Commission will meet in closed session to discuss agenda items 3 and 4.

SPECIAL CLOSED SESSION

3. Conference with Real Property Negotiators
Agency Designated Representative: M. Olin
Property: 616 Atlantic Avenue (Aldo's Restaurant)
Under Negotiation: Lease
4. Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation (1 Potential Case)

SPECIAL PUBLIC SESSION

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

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

Chairman Goddard adjourned the special open session following the closed meeting at 6:35 PM.

REGULAR PUBLIC SESSION – 7:00 PM

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

6. Pledge of Allegiance
7. Oral Communication

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

Chairman Goddard stated that tonight's meeting is being dedicated to the memory of Ed Larson.

Commissioner Smith stated that he has fielded numerous compliments from the boating community regarding the dredge crew's hard work maintaining the entrance channel depths. He expressed his gratitude to the crew for a successful dredge season.

Commissioner Smith suggested that staff work to identify possible solutions to reduce clutter on gangways and docks and ensure dock gates are securely closed and not left propped open.

CONSENT AGENDA

8. Approval of Minutes
 - a) Special Closed & Regular Public Meeting of March 23, 2021
9. Approval of Sublease Agreement from O'Neill Sea Odyssey – 2222 E. Cliff Drive, Suite 200 (Tenant: State Farm Insurance)

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

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

REGULAR AGENDA

10. Mutual Agreement to Terminate Lease dated January 1, 2020, between Santa Cruz Port District and A & I Olivieri, Inc., for 616 Atlantic Avenue, Santa Cruz

Discussion: Port Director Olin briefly recapped the background included in the staff report which caused Aldo's to vacate their former restaurant on Atlantic Avenue in June 2016 due to damage and deterioration of the seawall. Port Director Olin

explained that staff has worked with Aldo's owner, Mauro Olivieri, since that time to facilitate continuance of the restaurant operation at its temporary location on Mariner Park Lawn, and entered into a new lease agreement for a new restaurant to be constructed atop the seawall.

Port Director Olin reported that the Port District has granted Mr. Olivieri two extensions on the deadline for providing evidence of financing, and has offered a third extension in the form of a lease amendment. She reported that Mr. Olivieri has determined that the financing offered is not adequate to meet his needs for construction of the restaurant and he has declined to sign the lease amendment document.

Port Director Olin reported that as a result, the Port District and Mauro Olivieri have tentatively agreed to mutually terminate the lease for Atlantic Avenue. In the meantime, Aldo's will continue to operate the restaurant on Mariner Park Lawn on a month-to-month basis until the City's zoning permit expires or until a new restaurant opens at 616 Atlantic Avenue.

Port Director Olin stated that while she is disappointed at the outcome after so much effort she thanked Mr. Olivieri for how hard he worked to try and make this a reality, and for maintaining a professional and congenial working relationship despite hitting some very rough patches along the way.

MOTION: Motion made by Commissioner Reed, seconded by Commissioner Gertler to approve the letter mutually agreeing to terminate the Lease dated January 1, 2020, between Santa Cruz Port District and A & I Olivieri, Inc., for 616 Atlantic Avenue, Santa Cruz; and, authorize the Port Director to execute any additional documents as may be reasonably required in connection with the termination of the 2020 Lease, including but not limited to a document terminating/rescinding the recorded Memorandum of Lease.

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

11. Consideration of Application for 6-Pak Charter Operation (Joe and Raina Stoops)

Discussion: Harbormaster Anderson requested that the Commission consider authorization of a second charter operation for Joe and Raina Stoops. He stated that due to COVID-19, the Stoops' eco-charter business, which was approved by the Commission in 2017, has been negatively impacted. To offset financial losses associated with COVID-19, the Stoops' are requesting approval for a 6-pak fishing charter from their commercial slip in the south harbor.

Mr. Stoops thanked the Commission for their consideration and stated that the proposed charter operation will help offset some financial losses and ensure his vessel, *Taylor Gene*, remains viable despite a shortened commercial salmon season.

Commissioner Smith stated that parking impacts are always a primary concern when reviewing and considering charter applications. He stated that the Commission recently rescinded a charter permit from the proposed area of operation due to non operability, so he views this proposal as filling that slot. He expressed support for approving the proposed charter operation and encouraged Mr. Stoops to request his customers carpool or utilize remote parking. Commissioner Gertler agreed.

MOTION: Motion made by Commissioner Gertler, seconded by Commissioner Smith to authorize an additional charter operation (6-pak) for Joe and Raina Stoops of *Chartle Charters*.

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

12. Approval of FY22 Fee Schedule

Discussion: Port Director Olin recommended approval of the proposed FY22 fee schedule. She stated that the Commission reviews the fee schedule on an annual basis and makes periodic adjustments to user fees. She stated that fees were not reviewed or adjusted in FY21 due to COVID-19.

Commissioner Reed expressed support for the FY22 fee schedule as proposed.

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

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

13. Approval of FY22 Boatyard Fee Schedule

Discussion: Port Director Olin recommended approval of the proposed FY22 boatyard fee schedule. She stated that the proposed adjustments bring fees more in line with the services being provided.

A brief discussion ensued regarding the Pressure Wash for Trailerable Vessel fee. Commissioner Smith expressed his opinion that the proposed fee (\$4.00/ft., \$100 minimum fee) is exorbitant and suggested staff consider an alternative proposal.

There was consensus among the Commission to have staff further evaluate the Pressure Wash for Trailerable Vessel fee and bring back an alternate fee proposal for approval at the next regular public session.

14. COVID Response Measures Quarterly Report

Discussion: Port Director Olin stated that a year ago at the regular session of April 28, 2020, the Port Commission reviewed and approved proposed FY21 budget adjustments in response to impacts related to COVID-19, which included various expense reductions and funding reallocations to be reviewed quarterly by the Port Commission.

Port Director Olin highlighted that this is a very preliminary year-end review and noted the following:

- Increased revenue in the following categories:
 - Slip rent
 - Launch revenue
 - Visitor berthing
- Significant revenue loss in the following categories:
 - RV Park
 - Concession rent
 - Parking
- Overall, revenue is 3% under budget, but expenditure savings of more than twice what was proposed helped offset the revenue loss.

Port Director Olin reported future quarterly reports will return to a standard format.

15. Approval of Cash / Payroll Disbursements – March 2021 (*There was no discussion on this agenda item*)

MOTION: Motion made by Commissioner Smith, seconded by Vice-chairman Geisreiter to approve cash and payroll disbursements for March 2021 in the amount of \$556,290.94.

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

- *Smith*: YES
- *Reed*: YES
- *Goddard*: YES

INFORMATION

16. Port Director's Report

Pacific Gas & Electric (PG&E) Temporary Construction Easement Compensation

Port Director Olin stated that she was contacted by a PG&E representative requesting additional information on the Port District's claim for \$25,000 in unpaid temporary construction easement money that was filed in 2019 after PG&E's bankruptcy filing. She stated that receipt of payment is still pending/unknown, though if received, the unanticipated revenue could partially offset the increased cost of this year's insurance (see below).

Lockton Insurance Renewals

Port Director Olin stated that the District bound insurance coverage on April 1, 2021, with the overall cost exceeding budget by \$22,000. Port Director Olin discussed the various factors impacting this year's premiums.

US Army Corps of Engineers – Dredging Reimbursement

Port Director Olin stated that the US Army Corps of Engineers (USACE) has completed review of the District's 5-year audited dredge expenses, resulting in an increase to the annual dredging reimbursement level from \$385,000 to \$525,000.

Seawall Replacement Project – Accessway Improvements

Port Director Olin stated that the California Coastal Commission has authorized a time extension for the completion of Accessway Improvements associated with the Seawall Replacement Project. Completion of accessway improvements will now run concurrent with restaurant construction/completion (which was anticipated to be completed by January 2023).

California Special District Association (CSDA) Membership

Port Director Olin stated that the District has renewed its annual membership for CSDA as it is a requirement of the District's workers' compensation insurer, Special District Risk Management Authority (SDRMA).

Murray Street Bridge Retrofit Project

Port Director Olin stated that she has requested a meeting with City representatives to continue discussions regarding the proposed Murray Street Bridge Seismic Retrofit Project. She stated that project information provided by the City remains largely unchanged from 2012 discussions, but noted that further review of the appraisal report and memorandum of understanding will be necessary to ensure the Port District is made whole for its costs associated with the project.

Vice-chairman Geisreiter stated that it will be beneficial for the Port District to conduct its own independent review of the appraisal report.

17. Harbormaster's Report

Harbormaster Anderson stated that since the vessel insurance policy enforcement measures were approved by the Commission at the regular public meeting of September 22, 2020, total compliance has increased from approximately 41% to 87%. He stated that on April 1, 2021, the \$75 uninsured vessel fee was assessed and half of the customers who were assessed the fee have since come into compliance.

In response to a question posed by Vice-chairman Geisreiter, Harbormaster Anderson confirmed that the remaining 13% of customers who are not in compliance comprise of uninsured, underinsured, or expired certificates. Harbormaster Anderson stated that he is working with a small handful of customers who have reported obstacles obtaining adequate vessel insurance.

Commissioner Smith stated that Monterey Bay Salmon and Trout Project have a couple of events planned in May to release Chinook salmon smolts into the ocean environment from the Santa Cruz Municipal Wharf and the Monterey Municipal Wharf.

18. Facilities Maintenance & Engineering Report

Facilities Maintenance & Engineering Manager (FME) Wulf stated that the dredge crew has done a great job the year maintaining harbor entrance depths. He stated the crew is finishing the 2020-21 dredging season by focusing on deepening the area just outside the harbor's entrance.

FME Wulf stated that crews continue to identify and repair water leaks on the west side of the harbor.

FME Wulf stated that the gangway project is delayed until the pressure-treated lumber needed becomes available. The current lead time is approximately 8 weeks.

A brief discussion ensued regarding disposal of pressure treated lumber. Harbormaster Anderson stated that the Buena Vista Landfill may begin accepting pressure treated lumber for disposal in the near future.

19. Financial Reports

- a) Comparative Seasonal Revenue Graphs
- b) Preliminary Year-End Budget Report as of March 31, 2021
- c) Employee Count as of March 31, 2021
- d) Quarterly Fuel Sales Report
- e) Quarterly Boatyard Report
- f) Quarterly Concession Percentage Rent Report
- g) LAIF Statement & PMIA/LAIF Performance Report

Port Director Olin highlighted the following:

- Quarterly Fuel Dock Report: Net income is \$21,000 higher than projected in the prior year's report. Though we purchased and sold less fuel, we were able to maintain profitability.
- Concession income suffered as a result of COVID-19:
 - Crow's Nest paid minimum base rent for a total of 4 months (percent rent generated decreased from prior year and is estimated at \$167,000).
 - Johnny's Harborside paid only base rent all year (no percent rent was generated during FY21).
 - Café El Palomar generated only nominal percent rent (\$1,200 v. \$34, 000 last year).
 - Aldo's generated \$16,895 in percentage rent despite intermittent closures, which is more than the percent rent reported in the prior year.

20. Delinquent Account Reporting (*There was no discussion on this agenda item*)
21. Harbor Patrol Incident Response Report – February 2021 (*There was no discussion on this agenda item*)
22. Written Correspondence (*There was no discussion on this agenda item*)
 - a) Letter to Congressman Panetta from Chairman Goddard
 - b) Letter to Pacific Fishery Management Council from Monterey Bay Harbors
23. Port Commission Review Calendar / Follow-Up Items (*There was no discussion on this agenda item*)

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

Toby Goddard, Chairman



TO: Port Commission

FROM: Holland MacLaurie, Administrative Services Manager

DATE: May 14, 2021

SUBJECT: Approval of Sublease Agreements from O'Neill Sea Odyssey – 2222 E. Cliff Drive, Suite 208 (Tenant: Dr. Donald Markle)

Recommendation: Approve O'Neill Sea Odyssey sublease agreement.

BACKGROUND

Dr. Donald Markle currently subleases Suite 208 at 2222 East Cliff Drive. The tenant seeks to extend the lease term through December 31, 2022.

ANALYSIS

The terms of the sublease agreement are below:

Tenant: Dr. Donald Markle
Term: July 1, 2021 – December 31, 2022
Rent: \$779.53 / month (\$4.72 SF)
Area: 2222 E. Cliff Drive, Suite 208 (165 SF)
Use: Office Space
Insurance: \$1 million, with Santa Cruz Port District named as additional insured

IMPACT ON PORT DISTRICT RESOURCES

Tenant rent is increasing by \$12.28 per month. The Port District receives 16% of OSO's sublet revenue.

ATTACHMENTS: A. O'Neill Sea Odyssey Sublease Agreement
B. List of O'Neill Sea Odyssey Subleases

EIGHTH AMENDMENT TO LEASE

This Eighth Amendment to Lease (“Eighth Amendment”), dated for reference purposes only as May 5, 2021, is made by and between O’Neill Sea Odyssey, a California nonprofit corporation (“Landlord”) and Dr. Donald Markle, an individual (“Tenant”).

RECITALS

A. Landlord and Tenant entered into that certain Lease dated December 7, 2009 (“Lease”), for certain Premises consisting of 165± square feet and commonly known as 2222 East Cliff Drive, Suite 208, Santa Cruz, California (“Premises”).

B. The capitalized terms used and not otherwise defined herein shall have the same meanings and definitions as set forth in the Lease.

AMENDMENT PROVISIONS

1. Term. The Lease Term for the Premises shall be modified to continue in force from July 1, 2021, until it expires on December 31, 2022 (“New Term”).

2. Base Rent. From 7/1/2021 until 12/31/2022: \$779.53/month.

3. General:

3.1 Effect of Amendment; Ratification. Except as otherwise modified by this Eighth Amendment, the Lease shall remain unmodified and in full force and effect. In the event of any conflict or inconsistency between the terms and conditions of the Lease and the terms and conditions of this Eighth Amendment, the terms and conditions of this Eighth Amendment shall prevail.

3.2 Attorney’s Fees. The provisions of the Lease respecting payment of attorney’s fees shall also apply to this Eighth Amendment.

3.3 Counterparts. If this Eighth Amendment is executed in counterparts, each counterpart shall be deemed an original.

3.4 Authority to Execute Amendment. Each individual executing this Eighth Amendment on behalf of a partnership or corporation represents that he or she is duly authorized to execute and deliver this Eighth Amendment on behalf of the partnership and/or corporation and that this Eighth Amendment is binding upon the corporation or partnership in accordance with its terms.

3.5 Governing Laws. This Eighth Amendment and any enforcement of the agreements and modifications set forth above shall be governed by and construed in accordance with the laws of the State of California.

4. **Tenant Improvements:** Landlord shall not be required to provide any Tenant Improvements to the Premises during the New Term or any subsequent Extension Terms.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment as of the date and year first above written.

LANDLORD:
O'Neill Sea Odyssey,
a California nonprofit corporation

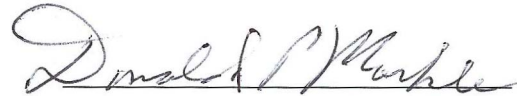
By: 

DATED: May 6, 2021

Its: Board Chair

TENANT:
Donald Markle

DATED: May 12, 2021



SANTA CRUZ PORT DISTRICT
By:

DATED: _____, 2021

Marian Olin
Its: Port Director

OSO 2222 East Cliff Drive Leases as of 05/12/2021

Space	Tenant	Term	Expires	Amt/Sq ft	Sq. feet	Total	Renewal Status
200	State Farm - Chris Buich	5 years (1)	7/31/2026	\$ 4.69	616	\$ 2,886.35	
204	Laurel Andres, MFCC	2 yrs	7/31/2021	\$ 3.93	210	\$ 825.00	
208	Dr. Donald Markle	1.5 yr	12/31/2022	\$ 4.72	165	\$ 779.53	
212	Martha Macambridge	1 year	12/14/2021	\$ 4.31	270	\$ 1,163.00	
216	Mary Morgan	5 Year (1)	3/31/2023	\$ 4.88	478	\$ 2,332.25	
220	Estriatus Law	2 yrs	3/14/2022	\$ 4.42	337	\$ 1,490.97	
234	Surfrider Foundation	1 yr	7/31/2021	\$ 2.66	432	\$ 1,149.00	
222	O'Neill Sea Odyssey	25 years	12/31/2028	\$ -	1207	\$ -	25 Years
TOTAL MONTHLY					3715	\$ 10,626.10	
TOTAL ANNUAL						\$ 127,513.20	

(1) Suite numbers for 212 and 216 were switched on 6/11/2009 with approval from Harbor and City of SC



TO: Port Commission

FROM: Holland Mac Laurie, Administrative Services Manager

DATE: May 6, 2021

SUBJECT: Approval of Nexus Wealth Advisors Sublease Agreement – 365 B Lake Avenue
(Tenant: Boxine USA, Inc.)

Recommendation: Approve Nexus Wealth Advisors sublease agreement.

BACKGROUND

Christoph Frehsee, President of Boxine USA, Inc., a toy company dba Tonies, is requesting to sublease office space at 365 B Lake Avenue, commencing July 1, 2021. The subleased area will include exclusive use of the enclosed office space, described as the “Northeast Office,” and non-exclusive use of common areas.

ANALYSIS

The terms of the sublease agreement are below:

Tenant: Boxine USA, Inc.
Term: July 1, 2021, to June 30, 2022
Rent: \$825.00 / month
Area: 365 B Lake Avenue, Northeast Office Space
Use: Office Space
Insurance: \$1 million, with Santa Cruz Port District named as additional insured

IMPACT ON PORT DISTRICT RESOURCES

The master lease agreement for Nexus Wealth Advisors’ states that if the tenant (Nexus Wealth Advisors’) subleases any portion of the premises for any amount in excess of base rent, the Port District is entitled to collect no less than 50% of the amount in excess of the base rent. There is no impact on Port District resources associated with the sublease.

ATTACHMENTS: A. Nexus Wealth Advisor’s Sublease Agreement
B. List of Nexus Wealth Advisors Subleases

**365-B LAKE AVENUE
SUBLEASE AGREEMENT**

Parties. This sublease dated July 1st, 2021 is made by and between Nexus Wealth Advisors LLC ("Sublessor") and Boxine USA, Inc. located at 3000 El Camino Real, Building 4, Suite 200, Palo Alto, CA 94306 ("Sublessee").

Premises. Sublessor hereby subleases to Sublessee and Sublessee hereby Subleases from Sublessor for the term, at the rental rate specified, and upon all terms and conditions set forth herein, that certain real property, generally described as the "Northeast Office" located at 365-B Lake Avenue Santa Cruz in the County of Santa Cruz in the State of California ("Premises").

Term and Cancellation.

- a. Term. The term of this Sublease shall be one-year then month-to-month requiring a 30-day written notice of termination.
- b. Delivery and Condition of Premises. Sublessee hereby acknowledges delivery of the Premises and agrees to sublease the Premises in "as-is" condition.

Base Rent. Sublessee shall pay to Sublessor as rent for the Premises in advance on the 1st day of each calendar month as follows:

Base rent \$825.00 per month

Base rent to be adjusted in accordance with the Master Lease effective April 1 each year or any other rent adjustments made to the Master Lease.

Base rent to include exclusive use of the enclosed office space described above and non-exclusive use of common areas including: bathrooms, entryway and kitchen area. Base rent includes electrical, gas, and water utilities.

Payment of rent to be made payable to Nexus Wealth Advisors LLC, 365-B Lake Avenue, Santa Cruz, CA 95062 or at such other place that Sublessor may from time to time designate in writing.

Security Deposit. A security deposit of \$825.00 is due upon the execution of this Sublease.

Additional Terms: Sublessor and Sublessee acknowledge that the following terms are agreed upon and incorporated into this Sublease agreement:

Rent has been reduced to compensate for the sharing with Sublessor of at least half of the storage closet in the Northeast Office. With at least 24-hour notice, Sublessee agrees to provide Sublessor with access to the Northeast Office for sole purposes of access to the storage closet. Sublessor agrees to preserve the privacy rights of Sublessee.

Sublessee acknowledges that Sublessor may be making tenant improvements to the interior of the building at some point in the future and agrees to provide access for purposes of planning and design. Access to be arranged by appointment with no less than 24 hours advance notice.

Rent shall be due on the first of each month. If rent is not received in full by the 6th of the month due, a \$50 late fee shall be added along with interest compounded and accrued at the maximum permissible by law.

Use. The Premises shall be occupied and utilized for general office purposes only.

Master Lease and Master Sublease. Sublessor is subject to the terms of a master lease, herein after referred to as the "Master Lease" wherein the Santa Cruz Port District Commission is the Lessor ("Master Lessor") and Nexus Wealth Advisors is the Lessee ("Lessee").

- a. This Sublease is and shall be at all times subject and subordinate to the terms of the Master Lease.
- b. The terms, conditions and respective obligations of Sublessor and Sublessee to each other under this Sublease shall be construed in accordance with the terms of the Master Lease.
- c. During the term of this Sublease and for all periods subsequent for obligations that have arisen prior to termination of this Sublease, Sublessee does hereby expressly assume and agree to perform and comply with, for the benefit of Sublessor and Master Lessor, each and every obligation of Sublessor under the Master Lease.
- d. Sublessor has provided to Sublessee copy of Master Lease dated December 1, 2016.
- e. If/when the Master Lease is amended or replaced with a new Master Lease, a copy shall be provided to Sublessee.

Assignment of Sublease and Default.

- a. Sublessor hereby irrevocably authorizes and directs Sublessee, upon receipt of written notice from Master Lessor stating that a default exists by Sublessor in performance of its obligations under the Master Lease, to pay Master Lessor the Base Rent due and to become due under the Sublease. Sublessor agrees that Sublessee shall have the right to rely upon any such statement and request from Master Lessor, and that Sublessee shall pay such Base Rent to Master Lessor without any obligation or right to inquire as to whether such default exists and notwithstanding any notice from or claim from Sublessor to

the contrary and Sublessor shall have no right or claim against Sublessee for any such Base Rent payments so paid by Sublessee.

- b. No changes or modifications shall be made to this Sublease without the consent of Master Lessor.

DISPUTE RESOLUTION:

A. **MEDIATION:** Sublessor and Sublessee agree to mediate any dispute or claim arising between them out of this agreement, or any resulting transaction, before resorting to arbitration or court action, subject to paragraph B(2) below.

Paragraphs B(2) and (3) apply whether or not the arbitration provision is initialed. Mediation fees, if any, shall be divided equally among the parties involved. If for any dispute or claim to which this paragraph applies, any party commences an action without first attempting to resolve the matter through mediation, or refuses to mediate after a request has been made, then that party shall not be entitled to recover attorney fees, even if they would otherwise be available to that party in any such action. THIS MEDIATION PROVISION APPLIES WHETHER OR NOT THE ARBITRATION PROVISION IS INITIALED.

B. **ARBITRATION OF DISPUTES:** (1) Sublessor and Sublessee agree that any dispute or claim in Law or equity arising between them out of this agreement or any resulting transaction, which is not settled through mediation, shall be decided by neutral, binding arbitration, including and subject to paragraphs 34B(2) and (3) below. The arbitrator shall be a retired judge or justice, or an attorney with at least 5 years of real estate transactional law experience, unless the parties mutually agree to a different arbitrator, who shall render an award in accordance with substantive California Law. In all other respects, the arbitration shall be conducted in accordance with Part III, Title 9 of the California Code of Civil Procedure. Judgment upon the award of the arbitrator(s) may be entered in any court having jurisdiction. The parties shall have the right to discovery in accordance with Code of Civil Procedure §1283.05.

(2) **EXCLUSIONS FROM MEDIATION AND ARBITRATION:** The following matters are excluded from Mediation and Arbitration hereunder: (i) a judicial or non-judicial foreclosure or other action or proceeding to enforce a deed of trust, mortgage, or installment land sale contract as defined in Civil Code §2985; (ii) an unlawful detainer action; (iii) the filing or enforcement of a mechanic's lien; (iv) any matter that is within the jurisdiction of a probate, small claims, or bankruptcy court; and (v) an action for bodily injury or wrongful death, or for latent or patent defects to which Code of Civil Procedure §337.1 or §337.15 applies. The filing of a court action to enable the recording of a notice of pending action, for order of attachment, receivership, injunction, or other provisional remedies, shall not constitute a violation of the mediation and arbitration provisions.

"NOTICE: BY INITIALING IN THE SPACE BELOW YOU ARE AGREEING TO HAVE ANY DISPUTE ARISING OUT OF THE MATTERS INCLUDED IN THE 'ARBITRATION OF DISPUTES' PROVISION DECIDED BY NEUTRAL ARBITRATION AS PROVIDED BY CALIFORNIA LAW AND YOU ARE GIVING UP ANY RIGHTS YOU MIGHT POSSESS TO HAVE THE DISPUTE LITIGATED IN A COURT OR JURY TRIAL. BY INITIALING IN THE SPACE BELOW YOU ARE GIVING UP YOUR JUDICIAL RIGHTS TO DISCOVERY AND APPEAL, UNLESS THOSE RIGHTS ARE SPECIFICALLY INCLUDED IN THE 'ARBITRATION OF DISPUTES' PROVISION. IF YOU REFUSE TO SUBMIT TO ARBITRATION AFTER AGREEING TO THIS PROVISION, YOU MAY BE COMPELLED TO ARBITRATE UNDER THE AUTHORITY OF THE CALIFORNIA CODE OF CIVIL PROCEDURE. YOUR AGREEMENT TO THIS ARBITRATION PROVISION IS VOLUNTARY." "WE HAVE READ AND UNDERSTAND THE FOREGOING AND AGREE TO SUBMIT DISPUTES ARISING OUT OF THE MATTERS INCLUDED IN THE 'ARBITRATION OF DISPUTES' PROVISION TO NEUTRAL ARBITRATION."

Sublessor's Initials *FO*

Sublessee's Initials *CF*

Attorney's Fees. If any party named herein brings an action to enforce the terms hereof or to declare rights hereunder, the prevailing party in any such action, on trial and appeals shall be entitled to his reasonable attorney's fees to be paid by the losing party as fixed by the Court.

Executed at: 365-B Lake Avenue, Santa Cruz, CA 95062

[Handwritten Signature]

Boxine USA, Inc. (Sublessee)
Christoph Frehsee, President

 5/5/2021

Date

[Handwritten Signature]
Lance A. Wexler (Sublessor)

 5/5/2021

Date

Marian Olin (Port Director/Master Lessor)

Date

Nexus Wealth Advisors Sublease List as of 5/13/2021

Space	Tenant	Term	Expires	Total	Renewal Status
365 B Lake Avenue, South Office	Petria, Inc.	MTM	MTM	\$1,949.43	
365 B Lake Avenue, Northeast Office	Boxine USA, Inc.	1-Year	6/30/2022	\$825.00	<i>In process</i>
TOTAL MONTHLY				\$2,774.43	

NEXUS WEALTH ADVISORS FY22 MONTHLY RENT \$5,221



TO: Port Commission
FROM: Marian Olin, Port Director
DATE: May 18, 2021
SUBJECT: Approval of FY22 Boatyard Fee Schedule

Recommendation: *Approve the FY22 Boatyard fee schedule and authorize the Port Director to waive or adjust fees as deemed appropriate.*

BACKGROUND

The Boatyard assesses a variety of fees for products and services. In January 2014, the Commission reviewed and approved an operating plan for the Boatyard, including a budget and rate schedule. A subsequent review of the Boatyard's rate schedule was last performed in April 2019. As a result of that review, fee adjustments were made to both the contractor application fee and contractor registration fee.

At its regular public session of April 27, 2021, the Commission reviewed proposed FY22 fees for the boatyard and determined that additional staff review of the Pressure Wash for Trailerable Vessel fee was needed. Staff has included a revised proposal for the Pressure Wash for Trailerable Vessel fee below.

ANALYSIS

The following fees are recommended for adjustment for FY22:

Boatyard Contractor Registration Fee - \$125.00/yr. proposed

Contractors seeking renewal to operate at the Boatyard are assessed an annual registration fee of \$100. Staff proposes increasing this fee to \$125 to more accurately account for the services provided by the District to the contractor (e.g., facility to operate, cleanup, hauling and shoring, environmental permits, free advertising, parking, etc.).

Pressure Wash for Trailerable Vessel

Self Service: \$2.00/ft., \$50 minimum fee proposed

Full Service by Boatyard Crew: \$4.00/ft., \$100 minimum fee proposed

Adding this fee to the schedule will establish a tiered rate for a service that is currently being offered and performed as full service only. Self-service requires entering into a written agreement to rent a power washer. The current amount being charged, \$1.50/ft., is not on the fee schedule and likely does not recoup staff services provided, water use, and associated impacts on the District's stormwater filtration system.

IMPACT ON PORT DISTRICT RESOURCES

There is no impact on Port District resources associated with adopting the fee schedule. Staff estimates modest additional revenue will be generated as a result of adjusting the fees, in the range of \$1,000 annually.

ATTACHMENT: A. FY22 Boatyard Fee Schedule (redline)

SANTA CRUZ HARBOR BOATYARD

RATE SCHEDULE

Haulout Rate

- Monohull: 2-Strap - \$12.00/ft., \$250.00 minimum, 4-Strap - \$15.00/ft.
- Multihull: 2-Strap - \$15.00/ft., \$300.00 minimum, 4-Strap - \$18.00/ft.

Haulout rate includes 2-strap haul, high pressure wash and shoring. Haulout and launch day not charged as lay days. Excessive marine growth subject to additional fee.

Hold in Straps/Survey Haul

- Haul, hang & relaunch only - \$10.00/ft, \$250.00 minimum, 1 hour maximum
- \$250.00/hour for additional time charged in ¼ hour increments
- High Pressure Wash - add \$1.50/ft

One-Way Haul

- Haul and load onto trailer - \$15.00/ft, \$250.00 minimum charge, 1 hour maximum
- Offload from trailer and launch - \$15.00/ft, \$250.00 minimum charge, 1 hour maximum
- High Pressure Wash – add \$1.50/ft

Lay Days / Yard Days

- Haul and launch days – no charge
- Days 1-14 - \$1.50/ft/day
- Days 15-30 - \$2.00/ft/day
- Day 31 and beyond - \$5.00/ft/day
- Mast / engine storage - \$15.00/day when available

Fee applies to vessels trailered in on per space basis. No free days for delays in ordering parts, hiring contractors, etc.

Wet Slips

- Current Visitor Berthing rates per marina fee schedule

Miscellaneous Fees

- Environmental Surcharge - \$5.00/day
- Hazardous Materials Disposal Fee - \$20.00 (small quantities of paint, solvents and used oil only - large quantities to be disposed of by vessel owner or contractor)
- Uninsured Vessel Fee - \$10.00/day
- Travelift & Crew - \$250.00/hr. \$250.00 minimum charge, additional time charged in ¼ hour increments
- Staff Services - \$65.00/hour
- Interior Bay Rental - \$50.00/day as scheduled by boatyard personnel
- Contractor Registration Fee - \$250.00 (non-refundable)
- Contractor Renewal Fee - \$125.00/yr.
- Pressure Wash for Trailerable Vessel – Self Service: \$2.00/ft., \$50.00 minimum AND Full Service: \$4.00/ft., \$100.00 minimum

Santa Cruz Harbor Boatyard • (831) 475-3002 • 493 Lake Avenue, Santa Cruz, CA 95062

Revised: April 27, 2021

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/2/2021	54806	Ace Portable Services	Portable Toilet Rental	\$ 211.86
4/2/2021	54807	Agnew, John	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54808	Allied Universal	Security Patrol	\$ 2,237.40
4/2/2021	54809	Amerigas	Ancillary Equipment Fuel	\$ 147.50
4/2/2021	54810	AT&T	Telephone	\$ 910.97
4/2/2021	54811	AT&T Mobility	Tablet Service	\$ 235.00
4/2/2021	54812	Atchison Barisone Condotti & Kovacevich	Legal Consultation	\$ 8,533.87
4/2/2021	54813	A Tool Shed Rentals	<i>Twin Lakes</i> Standby Generator Rental	\$ 10,808.00
4/2/2021	54814	B AND B Small Engine	Chainsaw Chain	\$ 97.93
4/2/2021	54815	Bay Building Janitorial, Inc.	Janitorial Services	\$ 5,292.00
4/2/2021	54816	Bay Plumbing Supply, Inc.	Urinal Replacement, Hose Bibs	\$ 383.46
4/2/2021	54817	Bayside Oil II, Inc.	Hazmat Disposal, Waste Oil Disposal, <i>Twin Lakes</i> Oil	\$ 2,479.51
4/2/2021	54818	Big Creek	Door Pull, Closed Bar Holder, Launch Ramp Tire Chocks, Saw Blades, Fuel Dock Lumber, Paint Pail	\$ 274.71
4/2/2021	54819	Blake Anderson	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54820	Boatswains Locker	<i>Twin Lakes</i> Standby Generator	\$ 19,818.39
4/2/2021	54821	Citi Cards	Breakroom Supplies	\$ 199.44
4/2/2021	54822	Comcast	Business Internet	\$ 275.07
4/2/2021	54823	Complete Mailing Service	Parking Sticker Notice, Statement Mailing & Postage	\$ 1,384.35
4/2/2021	54824	County of Santa Cruz DPW	Hazardous Waste Disposal	\$ 53.00
4/2/2021	54825	County of Santa Cruz DPW	7th & Brommer Lot Rental	\$ 1,200.00
4/2/2021	54826	Crow's Nest Restaurant	1/2 Concession Lot Garbage (Tenant Reimbursable)	\$ 1,970.23
4/2/2021	54827	David Hill	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54828	Don Kinnamon	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54829	Ewing Irrigation Products, Inc.	Soil, Hose Bib, Valve, Nozzles, PVC Hose, Adapter	\$ 85.71
4/2/2021	54830	Ferguson Enterprises, Inc.	Fire Sprinkler Fitting, Urinal Repair, Plumbing Parts	\$ 525.98
4/2/2021	54831	Garda CL West, Inc.	Deposit Courier Service	\$ 26.88
4/2/2021	54832	Garig Equipment	Travelift Oil Filter, Strap Replacement	\$ 964.81
4/2/2021	54833	Gottlieb, Landon	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54834	Grainger	Cordless Power Tools, Magnetic Strip, Hand Ratchets, Grinder, Tool Tote, Hex Wrench, Hook Pick Set, Cable Cutter, Safety Vests, Fuel Funnels, Flammables Cabinet, Dredge Tower Wind Sock	\$ 1,902.20
4/2/2021	54835	Horizon Water and Environment, LLC	Consulting Services: Regional General Permit Application	\$ 3,234.63
4/2/2021	54836	Hose Shop	Flange Kit	\$ 407.98
4/2/2021	54837	Jordan Rank	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54838	Jorgensen, Siegel, McClure & Flegel, LLP	Legal Consultation	\$ 783.75

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/2/2021	54839	Kelly-Moore Paint Company, Inc.	Traffic Marking Paint & Supplies	\$ 416.50
4/2/2021	54840	Kevin King	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54841	Lawson	<i>Twin Lakes</i> Christmas Tree Grease, Lines, Hose, O-Ring Adapters	\$ 1,532.55
4/2/2021	54842	Marina Ware	Quarterly Support: Electronic Key Access & MarinaWare Software Support	\$ 1,700.00
4/2/2021	54843	Marine Lien Sale Service	Vessel Lien Fee	\$ 160.00
4/2/2021	54844	McDermott, Dick	Parking Space Rental - 497 Lake Avenue	\$ 450.00
4/2/2021	54845	McMaster-Carr Supply Company	Booster Pump Parts, <i>Twin lakes</i> Couplings, <i>Twin Lakes</i> Jet Pump Parts, Washers	\$ 1,330.64
4/2/2021	54846	Mid County Auto Supply	Vehicle Battery, <i>Twin lakes</i> Standby Generator Alternator, Travelift Fuel Filter, Shop Rags, Wiper Blades, Adhesive, Spark Plugs, Air Filters, Disposable Gloves, Distilled Water, Travelift Lubricant, Thread Seal Tape, Ignition Coils, Oil Filters, Oil	\$ 1,471.25
4/2/2021	54847	Mission Uniform Service	Uniform Service	\$ 681.84
4/2/2021	54848	Nicholas Henning	Refuse Collection	\$ 3,020.00
4/2/2021	54849	Pacific Gas & Electric Company	Utilities	\$ 17,109.38
4/2/2021	54850	Palace Art & Office Supply	Office Supplies	\$ 78.81
4/2/2021	54851	Peterson	Dozer Master Link Repair Parts, Dozer Starter Repairs, <i>Dauntless</i> Starter, <i>Dauntless</i> Filters	\$ 5,521.49
4/2/2021	54852	Praxair Distribution Inc.	Welding Gas	\$ 75.03
4/2/2021	54853	Riverside Lighting & Electric	Nut Driver, Outlet Covers	\$ 33.92
4/2/2021	54854	San Lorenzo	333 Lake Avenue Siding, Launch Ramp Tire Chocks, Circular Saw	\$ 764.10
4/2/2021	54855	Michael Smith	Backflow Testing & Repair	\$ 844.00
4/2/2021	54856	SC Fuels	Fuel Dock Gas & Diesel	\$ 21,236.81
4/2/2021	54857	Santa Cruz Municipal Utilities	Utilities	\$ 15,060.40
4/2/2021	54858	Sean Rothwell	Quarterly Uniform Allowance	\$ 190.00
4/2/2021	54859	Soil Control Lab	Stormwater Testing	\$ 366.00
4/2/2021	54860	Southeast Publications	Boatyard Advertisement	\$ 519.00
4/2/2021	54861	Staples Credit Plan	Office Supplies	\$ 51.86
4/2/2021	54862	Superior Alarm Company	Quarterly Alarm Monitoring, Bell Replacement	\$ 549.00
4/2/2021	54863	The Home Depot Pro Institutional	Janitorial Supplies	\$ 1,675.35
4/2/2021	54864	WEX Bank	Fleet Fuel	\$ 1,677.17
4/2/2021	54865	West Coast Wire Rope	<i>Twin Lakes</i> Wire Rope, Shackles, Rigging Rope, <i>Dauntless</i> Wire Rope, Pike Poles	\$ 11,241.96
4/2/2021	54866	West Marine Pro	VHF Radio, <i>Twin Lakes</i> Lights	\$ 356.05
	54867	VOID		
4/7/2021	54868	J&J Boatworks	50% Deposit for Maintenance Work Boat Replacement	\$ 8,900.00
4/7/2021	54869	Moose Boats, Inc.	Progress Payment: Patrol Boat Replacement	\$ 147,001.67

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/16/2021	54870	Ace Portable Services	Portable Toilet Rental	\$ 105.93
4/16/2021	54871	Airtec Service	Harbor Office Heater Repair	\$ 228.00
4/16/2021	54872	Allied Administrators for Delta Dental	Dental Insurance	\$ 3,085.98
4/16/2021	54873	ALTMANN, JOE	Security Deposit Refund	\$ 609.84
4/16/2021	54874	Aramark	Uniform Service	\$ 91.74
4/16/2021	54875	AT&T	Telephone	\$ 1,791.05
4/16/2021	54876	Atchison Barisone Condotti & Kovacevich	Legal Consultation: California Voting Rights Act	\$ 1,897.50
4/16/2021	54877	CIT	Telephone System Lease	\$ 323.09
4/16/2021	54878	B AND B Small Engine	Hedger & Blower, Cutting Wheels	\$ 1,721.95
4/16/2021	54879	Bay Plumbing Supply, Inc.	Pipe Fittings, Irrigation Supplies, Drinking Fountain Repair Kit	\$ 366.77
4/16/2021	54880	Bayside Oil II, Inc.	Hazmat Disposal	\$ 585.00
4/16/2021	54881	Bobby's Pit Stop, Inc.	Patrol Vehicle Air Conditioning Repair	\$ 285.60
4/16/2021	54882	Bow Wow Pet Waste Products	Pet Waste Station Bags	\$ 300.77
4/16/2021	54883	Byte Technology	Website Maintenance	\$ 399.00
4/16/2021	54884	Carpi & Clay	Washington Representation	\$ 800.00
4/16/2021	54885	Central Coast Systems	Elevator Inspection, Elevator Test (\$885 Tenant Reimbursable)	\$ 1,475.00
4/16/2021	54886	Central Home Supply	Parking Lot Striping	\$ 87.27
4/16/2021	54887	Comcast	Business Internet & Television	\$ 267.47
4/16/2021	54888	Compass Bank	Taxable Loan Principle & Interest	\$ 139,885.45
4/16/2021	54889	Complete Mailing Service	Statement Mailing & Postage	\$ 558.23
4/16/2021	54890	Computer Technical Specialists, Inc.	E-mail Scanning & Backup	\$ 732.24
4/16/2021	54891	Conte's Generator Service	<i>Twin Lakes</i> Standby Generator Repair	\$ 1,936.28
4/16/2021	54892	County of Santa Cruz DPW	Hazardous Waste Disposal	\$ 128.50
4/16/2021	54893	County Specialty Gases	Welding Gas	\$ 86.34
4/16/2021	54894	Crystal Springs Water Co.	Boatyard Drinking Water	\$ 45.75
4/16/2021	54895	Data Ticket, Inc.	Citation Processing (February)	\$ 300.00
4/16/2021	54896	Ecosystems West Consulting Group	Annual Dredge Training	\$ 825.00
4/16/2021	54897	Elevator Service Company	Monthly Elevator Service (\$223.60 Tenant Reimbursable)	\$ 430.00
4/16/2021	54898	Ewing Irrigation Products, Inc.	Flex Hose	\$ 10.48
4/16/2021	54899	Garda CL West, Inc.	Deposit Courier Service	\$ 293.28
4/16/2021	54900	Glyer, Todd	Security Deposit Refund	\$ 1,623.73
4/16/2021	54901	Grainger	Solar Lights for Dredge, Gloves, Cutoff Wheels, Batteries	\$ 1,183.12
4/16/2021	54902	Granite Rock Company	Asphalt Patch	\$ 163.88
4/16/2021	54903	Vladimir, Gross	Security Deposit Refund	\$ 483.59
4/16/2021	54904	Gsolutionz	Telephone System Maintenance	\$ 216.95

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/16/2021	54905	HD Supply Facilities Maintenance, Ltd.	Trash Receptacles	\$ 401.01
4/16/2021	54906	Helping Hands Health Education	Employee CPR Training	\$ 275.00
4/16/2021	54907	Home Depot Credit Services	Paint, Drill Bits, Electrical Parts, Plumbing Parts, Hole Saws, Fire Sprinkler Hanger, Fire Sprinkler, Barricades, Light Fixture, Traffic Marking Paint, Table Saw, Jig Saw, Miter Saw	\$ 2,155.40
4/16/2021	54908	Jurovic, Stevan	Security Deposit Refund	\$ 295.34
4/16/2021	54909	Kangas, Pam	Security Deposit Refund	\$ 44.17
4/16/2021	54910	Kelly-Moore Paint Company, Inc.	Traffic Marking Paint, Primer for Tide Boards	\$ 670.28
4/16/2021	54911	Lastition, Chris	Security Deposit Refund	\$ 216.88
4/16/2021	54912	Lawson	Sockets, Work Light	\$ 248.57
4/16/2021	54913	Lazzeroni, Frank	Security Deposit Refund	\$ 241.88
4/16/2021	54914	Lighthouse Welding	<i>Dauntless</i> A-Frame Replacement / Repair	\$ 7,000.00
4/16/2021	54915	Lockton Insurance Brokers, LLC	Cyber Liability Insurance	\$ 3,920.40
4/16/2021	54916	LORE, RICHARD	Security Deposit Refund	\$ 307.50
4/16/2021	54917	Marine Travelift, Inc.	Travelift O-Ring	\$ 38.78
4/16/2021	54918	Matheson Tri-Gas, Inc.	Welding Gas	\$ 335.11
4/16/2021	54919	McMaster-Carr Supply Company	Corkscrew Packing Extractors, Vehicle Decals	\$ 263.50
4/16/2021	54920	Mesiti-Miller Engineering, Inc.	7th & Brommer Design Study	\$ 1,689.00
4/16/2021	54921	Mid County Auto Supply	<i>Twin Lakes</i> Gasket Adhesive, Dredge Vehicle Alternator, Windshield Washer Fluid, <i>Twin Lakes</i> Oil, Patrol Truck Headlight Lamp	\$ 376.66
4/16/2021	54922	Mills, Daniel	Security Deposit Refund	\$ 254.50
4/16/2021	54923	Mission Uniform Service	Uniform Service	\$ 542.20
4/16/2021	54924	Mutual of Omaha	Life/LTD/AD&D Insurance	\$ 876.42
4/16/2021	54925	Nicholas Henning	Refuse Collection	\$ 3,350.00
4/16/2021	54926	Operating Engineers Local Union No. 3	Union Dues (Payroll Deduction)	\$ 330.00
4/16/2021	54927	Pacific Gas & Electric Company	Utilities	\$ 406.97
4/16/2021	54928	Palace Art & Office Supply	Office Supplies	\$ 58.66
4/16/2021	54929	Patterson, Steve	Credit Balance Refund	\$ 347.10
4/16/2021	54930	Platt	Dock Electrical Cable	\$ 2,127.82
4/16/2021	54931	Riverside Lighting & Electric	333 Lake Avenue: Light Fixture, Breaker, Conduit, Cover Plate	\$ 136.08
4/16/2021	54932	San Lorenzo	Tide Board Lumber	\$ 284.70
4/16/2021	54933	SC Fuels	Fuel Dock Gas & Diesel	\$ 21,986.47
4/16/2021	54934	Santa Cruz Municipal Utilities	Utilities	\$ 2,271.84
4/16/2021	54935	Soil Control Lab	Stormwater Testing	\$ 366.00
4/16/2021	54936	SWRCB	Annual Stormwater Pollution Prevention Plan Permit: Dredge Maintenance & Boatyard	\$ 2,948.00
4/16/2021	54937	The Home Depot Pro Institutional	Janitorial Supplies	\$ 1,494.78

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/16/2021	54938	Triton Construction	Fuel Dispenser Repairs	\$ 1,394.40
4/16/2021	54939	U.S. Bank Equipment Finance	Copier Lease	\$ 151.31
4/16/2021	54940	US Relay	Webcam Service	\$ 484.00
4/16/2021	54941	Verizon Wireless	Cell Phone & Tablet Service	\$ 261.17
4/16/2021	54942	Mark Larsen DBA: Viking	Window Cleaning	\$ 30.00
4/16/2021	54943	West Marine Pro	VHF Radio	\$ 172.59
4/16/2021	54944	Burke, Williams & Sorensen, LLP	Legal Consultation	\$ 130.00
4/30/2021	54945	Ace Portable Services	Portable Toilet Rental	\$ 105.93
4/30/2021	54946	Air & Lube Systems, Inc.	Oil Filter Crusher	\$ 7,661.36
4/30/2021	54947	Allied Universal	Security Patrol	\$ 2,100.67
4/30/2021	54948	American Leak Detection	Leak Detection	\$ 495.00
4/30/2021	54949	AT&T	Telephone	\$ 1,299.96
4/30/2021	54950	AT&T Mobility	Tablet Service	\$ 235.00
4/30/2021	54951	Bay Plumbing Supply, Inc.	Pipe Fittings	\$ 25.43
4/30/2021	54952	Big Creek	Drill Bit	\$ 9.79
4/30/2021	54953	Brune, William	Security Deposit Refund	\$ 203.12
4/30/2021	54954	Bumpus, Winston	Security Deposit Refund	\$ 144.84
4/30/2021	54955	Burke, Williams & Sorensen, LLP	Legal Consultation	\$ 1,225.50
4/30/2021	54956	Citi Cards	Breakroom Supplies	\$ 599.91
4/30/2021	54957	Comcast	Business Internet	\$ 275.07
4/30/2021	54958	Crow's Nest Restaurant	1/2 Concession Lot Garbage (Tenant Reimbursable)	\$ 2,457.18
4/30/2021	54959	Ewens, Michael	Security Deposit Refund	\$ 162.12
4/30/2021	54960	Ewing Irrigation Products, Inc.	Herbicide & Fertilizer	\$ 143.17
4/30/2021	54961	FedEx Office	Shipping	\$ 75.06
4/30/2021	54962	Garda CL West, Inc.	Deposit Courier Service	\$ 4.48
4/30/2021	54963	Grainger	Welding Gloves, Drain Openers, Respirators & Filters, Coveralls, Architectural Ruler, Dumpster Wheel	\$ 735.20
4/30/2021	54964	Home Depot Credit Services	Pipe Fittings, Wet / Dry Vacuum, Mixing Container & Brush, Staple Gun, PVC Pipe, Wedge Anchors	\$ 475.58
4/30/2021	54965	Internal Revenue Service	COVID-19 Employer Tax Credit Refund	\$ 4,320.58
4/30/2021	54966	Jorgensen, Siegel, McClure & Flegel, LLP	Legal Consultation	\$ 1,815.00
4/30/2021	54967	Kouvaris, Andrew	Security Deposit Refund	\$ 733.01
4/30/2021	54968	Lockton Insurance Brokers, LLC	Insurance Premiums	\$ 293,333.97
4/30/2021	54969	Marine Lien Sale Service	Vessel Lien Fee	\$ 160.00
4/30/2021	54970	Mid County Auto Supply	Star Bit Socket	\$ 8.26
4/30/2021	54971	Mission Uniform Service	Uniform Service	\$ 193.64
4/30/2021	54972	Mutual of Omaha	LTD/Life/AD&D Insurance	\$ 834.74

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/30/2021	54973	Nicholas Henning	Refuse Collection	\$ 3,260.00
4/30/2021	54974	Pacific Gas & Electric Company	Utilities	\$ 31,881.09
4/30/2021	54975	Palace Art & Office Supply	Office Supplies	\$ 77.70
4/30/2021	54976	Quadient, Inc.	Postage	\$ 597.33
4/30/2021	54977	Quadient Leasing USA, Inc.	Postage Meter Lease	\$ 206.67
4/30/2021	54978	Santa Cruz County Environmental Health Service	Boatyard HazMat Permit Fee	\$ 449.00
4/30/2021	54979	Santa Cruz Records Management, Inc.	Document Shredding	\$ 24.50
4/30/2021	54980	Santa Cruz Sentinel	Online Newspaper Annual Subscription	\$ 132.27
4/30/2021	54981	SC Fuels	Fuel Dock Gas & Diesel	\$ 24,044.13
4/30/2021	54982	Scheidt & Bachmann	Concession Lot Parking Machines Extended Warranty	\$ 2,554.13
4/30/2021	54983	Santa Cruz Municipal Utilities	Utilities	\$ 15,223.90
4/30/2021	54984	Southern Counties Lubricants	<i>Twin Lakes</i> Engine Oil	\$ 942.08
4/30/2021	54985	Staples Credit Plan	Office Supplies	\$ 48.01
4/30/2021	54986	Svendsen's Boat Works	Boatyard Retail Items	\$ 317.48
4/30/2021	54987	The Home Depot Pro Institutional	Janitorial Supplies	\$ 401.43
4/30/2021	54988	WEX Bank	Fleet Fuel	\$ 2,543.91
4/30/2021	54989	Zimmerman, Charles	Security Deposit Refund	\$ 43.96
	54990	<i>VOID</i>		
4/30/2021	54991	Lockton Insurance Brokers, LLC	Insurance Premiums	\$ 18,000.00
4/5/2021	Various	Various Employees	3/16/21-3/31/21 Payroll	\$ 9,076.32
4/20/2021	Various	Various Employees	4/1/21-4/20/21 Payroll	\$ 11,514.65
4/1/2021	EFT	ElectronicPayments	Fuel Dock Credit Card Fees	\$ 234.53
4/1/2021	EFT	Gravity Payments	Front Desk Credit Card Fees	\$ 2,087.37
4/1/2021	EFT	Merchant Services	Parking Machine Credit Card Fees	\$ 4,240.57
4/1/2021	EFT	Merchant Services	Boatyard Credit Card Fees	\$ 646.66
4/1/2021	EFT	Merchant Services	Online Billpay Credit Card Fees	\$ 361.35
4/1/2021	EFT	Transaction Express	Online Billpay ACH Fees	\$ 511.60
4/2/2021	EFT	CalPERS	Health Insurance	\$ 46,047.33
4/2/2021	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 7,164.79
4/2/2021	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 7,633.76
4/2/2021	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 1,503.61
4/5/2021	EFT	PAYCHEX	3/16/21-3/31/21 Payroll	\$ 61,566.21
4/5/2021	EFT	PAYCHEX	3/16/21-3/31/21 Payroll	\$ 30,041.48
4/5/2021	EFT	PAYCHEX	Payroll Service Fees	\$ 498.65
4/5/2021	EFT	PAYCHEX	Time & Attendance Fees	\$ 109.00
4/6/2021	EFT	Empower Retirement	457 Payment (Payroll Deduction)	\$ 3,188.03

Santa Cruz Port District
Accounts Payable Monthly Check Register
 April 2021

Date	No.	Vendor	Description	Amount
4/7/2021	EFT	Comerica Commercial Card Services	Launch Ramp Signs, Web-Based Meeting Subscription, H2S Meter Shipping, South Harbor Dock Drawing Scans, California Voting Rights Act Virtual Workshop, Shipping, Recruitment Advertising, Shower Door Handles, Rainbuster Adhesive, Galvanized Flashing, Used Refrigerant Disposal, Workplace App Subscription, Prosper Forms Subscription, 401 Certification Application, Bay Planning Coalition Webinar, Tool Cabinet, Owl Decoy, Boatyard Signage, VHF Radio, Sump Pumps, Fire Sprinkler Hangers, Smog Check, Dock Notice Boxes, DMV Registration Copies, Shower Door Handle, Boatyard Retail Items	\$ 6,801.24
4/9/2021	EFT	Comerica Bank	Service Charges	\$ 723.43
4/10/2021	EFT	Gravity Payments	Front Desk Credit Card Gateway Fee	\$ 17.92
4/15/2021	EFT	California Department of Tax & Fee Administration	Underground Storage Tank Maintenance Return	\$ 460.00
4/15/2021	EFT	California Department of Tax & Fee Administration	Sales & Use Tax Return	\$ 3,727.00
4/20/2021	EFT	PAYCHEX	4/1/21-4/20/21 Payroll	\$ 62,995.78
4/20/2021	EFT	PAYCHEX	4/1/21-4/20/21 Payroll	\$ 32,330.40
4/20/2021	EFT	PAYCHEX	Payroll Service Fees	\$ 523.95
4/23/2021	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 7,006.55
4/23/2021	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 7,652.26
4/23/2021	EFT	CalPERS	Retirement Contributions (Employee & Employer)	\$ 1,487.89
4/23/2021	EFT	CalPERS	Unfunded Accrued Liability	\$ 25,304.62
4/23/2021	EFT	CalPERS	Unfunded Accrued Liability	\$ 524.14
4/23/2021	EFT	CalPERS	Unfunded Accrued Liability	\$ 2,541.93
4/26/2021	EFT	Empower Retirement	457 Payment (Payroll Deduction)	\$ 3,815.66
4/30/2021	EFT	Windcave, Inc.	Concession Lot Credit Card Device Charges	\$ 749.80
Total April 2021 Disbursements				\$ 1,295,668.32



TO: Port Commission
FROM: Blake Anderson, Harbormaster
DATE: May 17, 2021
SUBJECT: Harbormaster's Report

Salmon Season

The commercial salmon season south of Pigeon Point started on May 1, 2021. Fishing has been up and down and trollers have had to contend with windy conditions and congested fishing grounds. As expected, a considerable fleet has made the voyage south to the only open grounds on the west coast resulting in heavy visitation by transient commercial vessels. On the busiest day, staff counted 42 commercial salmon vessels on the end-ties. It is expected that most visiting vessels will travel north during the next closure on May 28, in anticipation of the June 16, opening north of Pigeon Point.



California Association of Harbormasters and Port Captains (CAHMPC) Meeting

Staff participated remotely in a CAHMPC meeting on April 22, 2021. Of note was a presentation by Cal OES (Governor's Office of Emergency Services) and the California Department of Conservation on tsunami mitigation measures specific to harbors and marinas. The presentation outlined areas subject to tsunami impacts as well as mitigation measures, infrastructure assessment, and real-time response considerations.

Water Taxi Update

The new water taxi has been painted with antifouling paint and will be placed at the end of X-Dock where staff will continue to prepare for the upcoming season. It is expected that service will begin on Father's Day weekend (June 19-20, 2021) which is in line with the State of California re-opening plan.

Firearms Training

Deputy Harbormaster staff completed a quarterly firearms training and qualification on April 28, 2021.

Mid-County Fire Agency - Marine Rescue Training

Deputy Harbormaster staff hosted several training sessions with rescue swimmers from the Central Fire District. The Aptos-La Selva Fire District and Central Fire District recently consolidated and are now known as the Central Fire District of Santa Cruz County. The purpose of the training was to better familiarize Aptos-La Selva Fire personnel with the patrol boat and the role of the Harbor Patrol.

Moore 24 Boats

The Moore 24 National Championships were held over the weekend of May 10-11, 2021. The field consisted of 23 boats enjoying great sailing conditions over seven races. First place honors went to Pegasus Racing.

Fisheries Report

The fisheries report consists of data from two sources: the Department of Fish and Wildlife (DFW) and the 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.

April 2021 – Total Port Landings:

Species	Weight (lbs.)	Ex-Vessel (per lbs.)	Approx. Value
Dungeness Crab	10,184.17	\$8.10	\$82,464.19
Total Reported: 10,184.17 lbs.		Total Ex-Vessel: \$82,464.19	

Species also landed* - Sablefish, Lingcod, CA Halibut, Rockfish (various species), Rock Crab, Thornyhead Shortspine, White Croaker, Flounder, Pacific Herring, Jacksmelt, Sole

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

April 2021 – Resident Buyer Landings:

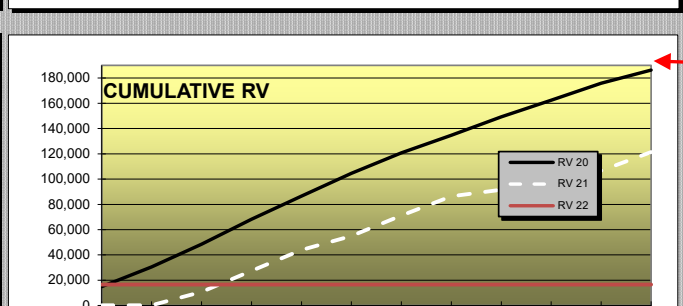
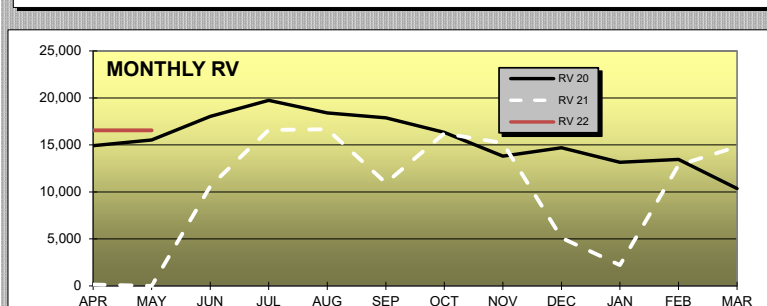
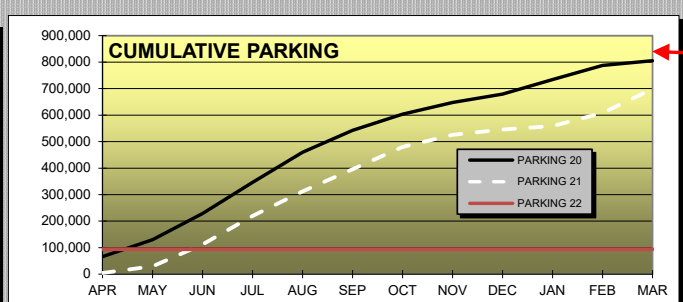
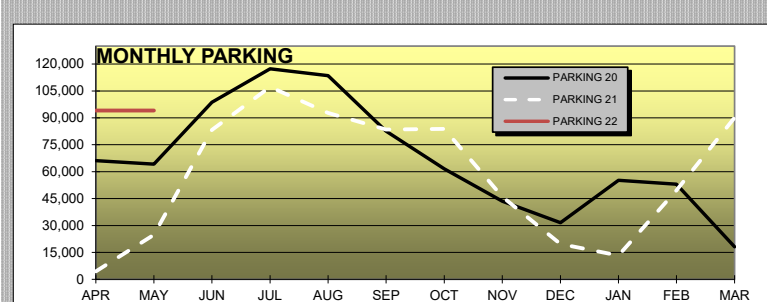
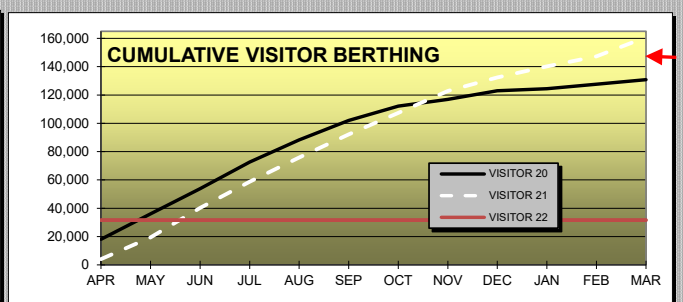
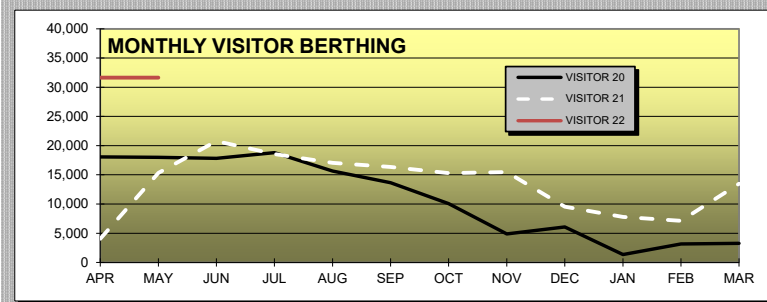
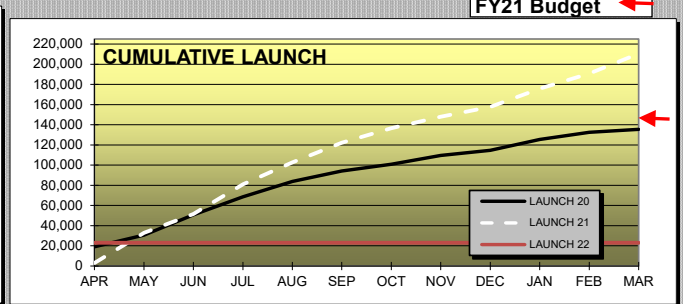
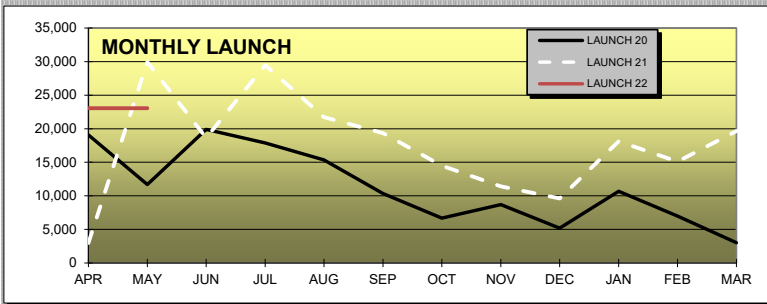
Species	Weight (lbs.)	Ex-Vessel (per lbs.)	Approx. Value
Dungeness Crab	5,270.07	\$10.00	\$52,700.70
CA Halibut	358.55	\$7.00	\$2,509.85
Starry Flounder	63.20	\$2.00	\$126.40
Soles	32.80	\$2.00	\$65.60
Rock Crab	1,505.10	\$3.50	\$5,267.85
Thornyhead Shortspine	1.50	\$2.00	\$3.00
Sablefish	596.50	\$3.00	\$1,789.50

Total Reported: 7,827.72 lbs.

Total Ex-Vessel: \$62,462.9

Facilities Maintenance Engineering Report – May 2021
Verbal Report Only

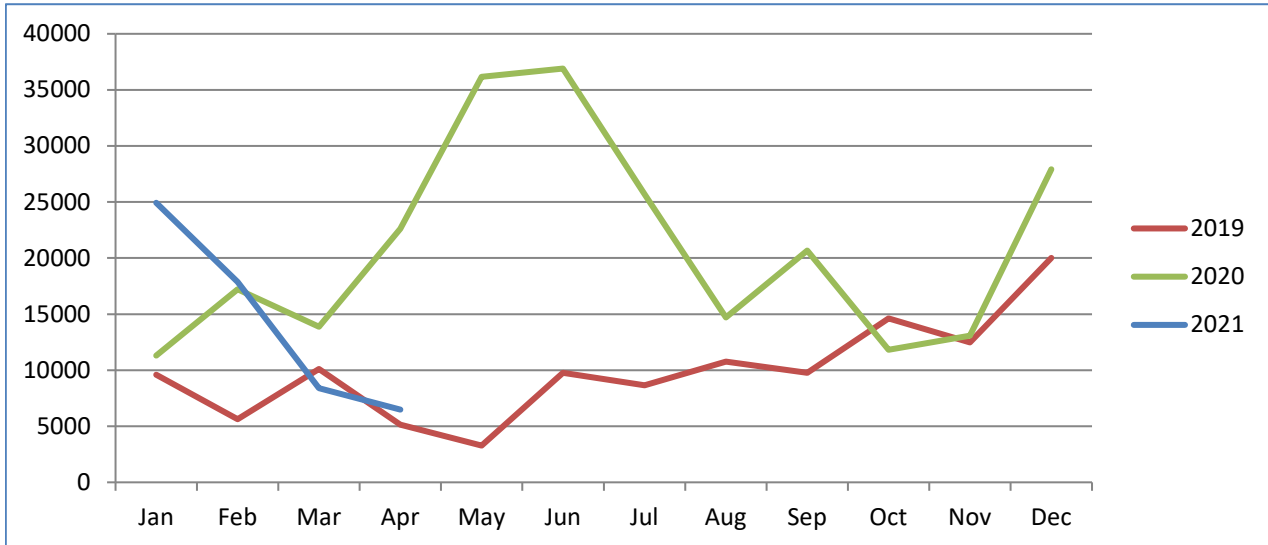
SEASONAL INCOME



Santa Cruz Port District
60 DAY DELINQUENT ACCOUNTS

The following accounts have balances 60 days delinquent as of May 17, 2021

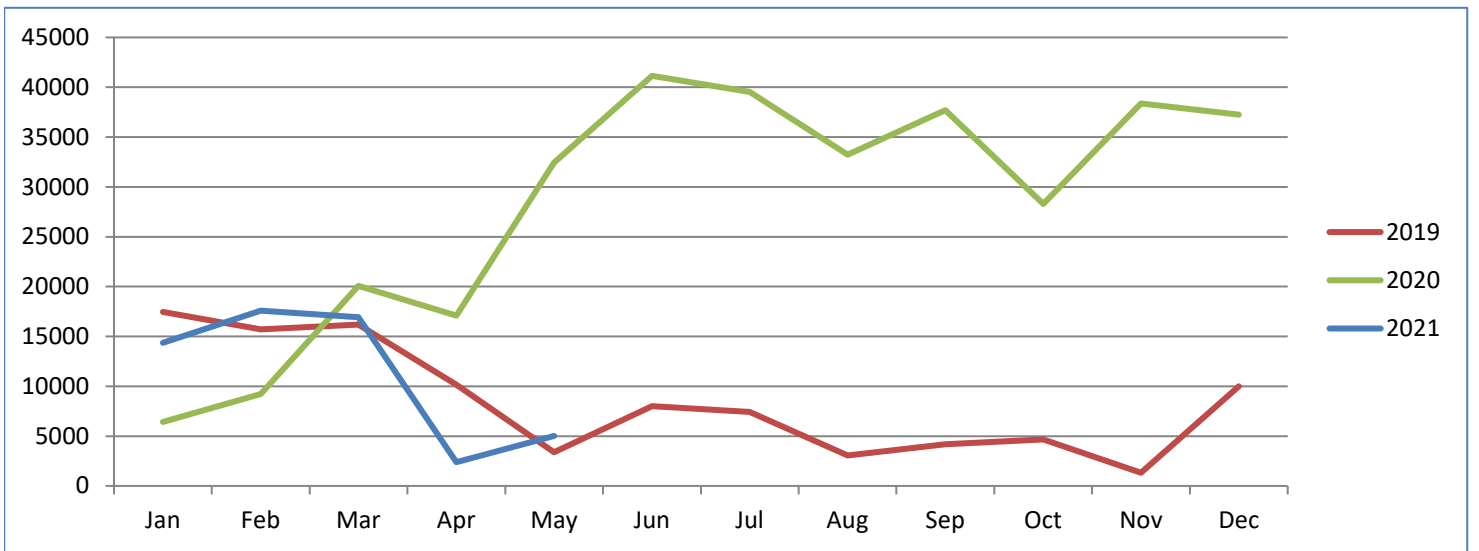
Account Number	Current Month	30 Day Balance	60 Day Balance	90 Day Balance	Total Balance
56433	487.07	517.99	427.54	0.00	1,432.60
56511	488.12	456.30	362.60	0.00	1,307.02
57901	412.65	409.48	381.30	0.00	1,203.43
2093	521.71	473.16	73.89	0.00	1,068.76
48956	445.29	416.30	62.25	0.00	923.84
106	232.29	230.38	22.26	0.00	484.93
58733	28.71	0.00	445.78	0.00	474.49
58758	197.56	152.06	29.48	0.00	379.10
Total:	2,813.40	2,655.67	1,805.10	0.00	7,274.17



Santa Cruz Port District
90+ DAY DELINQUENT ACCOUNTS

The following accounts have balances 90 days delinquent or greater as of May 17, 2021

Account Number	Current Month	30 Day Balance	60 Day Balance	90+ Day Balance	Total Balance	Commercial Slip	Action
2203	-	635.60	558.18	583.46	1,777.24		Revoke
56783	33.13	-	351.23	693.99	1,078.35		Bad Debt
48028	202.83	201.38	199.94	166.30	770.45		Revoke
58520	173.46	172.25	171.05	147.25	664.01		Revoke
3574	152.06	151.03	149.99	123.96	577.04		Revoke
56146	-	8.73	-	141.23	149.96		Bad Debt
TOTAL:	561.48	1,168.99	1,430.39	1,856.19	5,017.05		





TO: Port Commission
FROM: Sean Rothwell, Assistant Harbormaster
DATE: May 11, 2021
SUBJECT: Harbor Patrol Incident Response Report – April 2021

Search and Rescue, Patrol Boat Response

- 4/1/21 Harbor Patrol responded to a report of a swimmer in distress in the area of Shark Fin Cove. Prior to arrival, the swimmer self-rescued. Harbor Patrol returned to harbor without incident.
- 4/2/21 Harbor Patrol responded to a report of a disabled vessel in the area of Blacks Beach. Upon arrival, Harbor Patrol contacted the vessel operator who was securely anchored and awaiting assistance from TowBoatU.S. Harbor Patrol remained on scene until TowBoatU.S. towed the vessel to the harbor without incident.
- 4/3/21 Harbor Patrol responded to a report of a surfer in distress in the area of the Hook. Harbor Patrol performed a search of the area until receiving notification that the surfer had self-rescued. Harbor Patrol returned to harbor without incident.
- 4/4/21 Harbor Patrol responded to a report of a subject in distress in the area of Secrets Cove. Once on scene, Harbor Patrol brought the victim onboard the patrol vessel with assistance from a Central Fire rescue swimmer and State Parks personal watercraft (PWC) units. Harbor Patrol transported the victim to the launch ramp where he was transported to Dominican Hospital by paramedics.
- 4/8/21 Harbor Patrol responded to a report of a swimmer in distress in the area of La Selva Beach. Upon arrival, the swimmer self-rescued. Harbor Patrol returned to harbor without incident.
- 4/8/21 Harbor Patrol responded to a report of a disabled vessel in the harbor entrance drifting toward the jetty. Upon arrival, the vessel had been towed out of the harbor and away from the jetty by a good Samaritan. Harbor Patrol assumed the tow until TowBoatU.S. arrived and towed the vessel back into the harbor.
- 4/9/21 Harbor Patrol responded to a report of a flare sighting offshore of Sunset State Beach. Prior to arrival, it was determined to be prayer lanterns in the sky and the call was canceled.
- 4/10/21 Harbor Patrol responded to a report of a swimmer in distress in the area of La Selva Beach. Prior to arrival, the swimmer self-rescued. Harbor Patrol returned to harbor without incident.
- 4/10/21 Harbor Patrol responded to a report of a disabled vessel in the harbor entrance. Upon arrival, Harbor Patrol contacted the vessel operator who was being assisted by

two State Park rescue swimmers. Harbor Patrol towed the vessel to safety without incident.

- 4/13/21 Harbor Patrol responded to a report of a vessel adrift in the area of Main Beach. Upon arrival, Harbor Patrol located an unmanned sailboat dragging anchor. Harbor Patrol towed the vessel to harbor and contacted the owner.
- 4/17/21 Harbor Patrol responded to a report of a swimmer in distress in the area of Steamer Lane. Upon arrival, the swimmer self-rescued. Harbor Patrol returned to harbor without incident.
- 4/17/21 Harbor Patrol responded to a report of a possible capsized vessel in the area of Point Santa Cruz. Harbor Patrol conducted a search of the area with assistance from landside units. No signs of distress were found. Harbor Patrol returned to the harbor without incident.
- 4/17/21 Harbor Patrol responded to a report of two kayakers in distress in the area of the Santa Cruz Municipal Wharf. Upon arrival, Harbor Patrol brought two kayakers on board the patrol boat with assistance from Santa Cruz Fire Department rescue swimmers. Harbor Patrol transported the kayakers to the public landing. No injuries reported.
- 4/18/21 Harbor Patrol responded to a report of a vessel adrift in the area of Twin Lakes Beach. Upon arrival, Harbor Patrol located an unmanned powerboat dragging anchor. TowBoatU.S. towed the vessel to harbor without incident.
- 4/20/21 Harbor Patrol responded to a report of a kayaker in distress in the area of Seabright Beach. Upon arrival, Harbor Patrol brought the victim on board the patrol vessel and transported her to the launch ramp to be evaluated by paramedics for symptoms of seasickness. The victim was cleared by paramedics and a courtesy transport back to the Santa Cruz Municipal Wharf was provided by Harbor Patrol.
- 4/25/21 Harbor Patrol responded to a report of two swimmers in distress in the area of Sunny Cove. Upon arrival, Harbor Patrol brought one victim on board the patrol vessel with assistance from rescue swimmers. The other victim was assisted to shore by rescue swimmers. Harbor Patrol transported the victim to the harbor where he was evaluated by paramedics.
- 4/25/21 Harbor Patrol responded to a report of a vessel taking on water in the area of Cowell's Beach. Upon arrival, Harbor Patrol located a vessel securely anchored and determined it was not taking on water. Harbor Patrol conducted a search of the area with assistance from U.S. Coast Guard units. No signs of distress were found. All units were canceled. Harbor Patrol returned to harbor without incident.

Crime Reports, Assist Outside Department and Incident Reports

- 4/3/21 Harbor Patrol responded to a report of a physical altercation involving two male subjects in the area of F-dock. Upon arrival, Harbor Patrol contacted the two suspects in a vehicle. Harbor Patrol separated and detained the suspects on suspicion of public intoxication. Following an investigation, with assistance from

Santa Cruz Police Department and California Highway Patrol, both subjects were released. No charges filed.

- 4/6/21 Harbor Patrol responded to a report of a family disturbance at the Santa Cruz Harbor RV Park after an altercation occurred involving a minor. Once on scene, Harbor Patrol requested assistance from Santa Cruz County Psychiatric Health Facility (PHF) services in evaluating the minor. Following an evaluation, PHF determined that no further action or intervention was recommended.
- 4/8/21 Harbor Patrol responded to a report of a family disturbance at the Santa Cruz Harbor RV Park, involving the same minor from April 6, 2021. Harbor Patrol requested assistance from PHF and it was determined that the child was suffering a mental health crisis and was admitted to the PHF acute psychiatric inpatient program for further evaluation.
- 4/11/21 Harbor Patrol took an accident report after a vessel collision occurred after a sailboat collided with a moored powerboat. Both parties exchanged information. Minor damage to the powerboat was reported. No injuries were reported.
- 4/18/21 Harbor Patrol responded to a report of a pedestrian who had fallen from the tetrapods along the West Jetty walkway down to the sandbar within the channel (low tide). Harbor Patrol brought the victim on board the patrol vessel and transported him to AA-dock where he was treated by paramedics for minor injuries.
- 4/27/21 Harbor Patrol responded to a report of an oil spill from a commercial vessel moored at T-dock. Upon arrival, the vessel's crew was actively working on containing a hydraulic fluid leak. Harbor Patrol deployed absorbent pads and assisted with containment and cleanup. The vessel owner was invoiced for the cost recovery.
- 4/29/21 Harbor Patrol took an accident report after a vessel collided with a neighboring vessel in the area of Q-dock. Minor damage was reported to the neighboring vessel. Both parties exchanged information. No injuries reported.

April Parking Citations: 384

SAM SUSAN RYPKA
204 Seaview Avenue
Santa Cruz, CA 95062

May 5, 2021

via email and hand-delivered

Marian Olin, Port Director
Harbor Commissioners Toby Goddard,
Reed Geisreiter, Stephen Reed,
Dennis Smith and Darren Gertler
135 Fifth Avenue
Santa Cruz, CA 95062

Re: Pedestrian Safety at the Harbor

Director and Commissioners:

I have lived in the Seabright neighborhood for over 40 years. One of the many benefits of living here is the proximity to the harbor. I literally walk around it every day and appreciate the beauty, serenity and safety the harbor offers.

Recently, however, there has been an influx of single-wheeled, motorized, boards that can go approximately 20 mph. I believe they are called Onewheels and are manufactured in Santa Cruz. The riders I have witnessed disregard people in their path as they speed by. These board riders are dangerous to pedestrians and bike riders, as well as to themselves. Most Onewheelers have limited control and cannot readily stop. They wear thick protective clothing realizing the likelihood of crashing.

I urge you to prohibit these boards and any other electric one-wheel cycles from operation at the harbor. Please do not wait until someone gets seriously hurt. The peaceful harbor is not the place for this recreation.

Thank you for your attention in this escalating problem.

Nervously yours,



Sam Susan Rypka

rypka@comcast.net

Toby Goddard

Santa Cruz Port District

135 Fifth Ave.

Santa Cruz, CA. 95062

Dear Toby,

Imagine a beautiful Memorial Day afternoon down at the harbor. You see the water taxi pull up with a full load of tourists. You watch as a family of four exits the boat and a small boy says to his mom "I just saw my first sea otter". Toby you can make this happen. I am asking you to guarantee that the water taxi will be up and running this summer.

The harbor needs the water taxi. The water taxi is a perfect way for people to get up close and personal with the harbor. There is nothing better than cruising up and down the harbor on the water taxi seeing all the marine life and all the boats. When parking is limited on the weekend the water taxi makes it very easy to get to Aldos and the Crow Nest.

With all the tourists and locals using the water taxi on the weekends this will benefit all the restaurants and shops in and around the harbor. More people lead to more revenue and more jobs down at the harbor.

Think of how successful the water taxi can be. Your next worry is the program is so successful that you need to buy 2 more boats and hire some more people to man this fleet of water taxis.

RECEIVED
5-10-21 38

But some people think that that bringing the water taxi is too expensive to provide to the community for free. Even though the water taxi costs money to operate the water taxi could bring much more revenue and tourism to the port district. Therefore, even though it is expensive to operate the water taxi there are financial benefits to bringing back the water taxi. The water taxi benefits the community in the long run. We should still bring back the Santa Cruz water taxi even if there is a cost associated with it.

Toby the harbor needs the water taxi to be running again this summer. There is so much value that the water taxi brings to the harbor. Try the best you can to see that come Memorial Day the water taxi is up and running.

Sincerely Yours,

Bill McCarthy

641 Mello Lane

Santa Cruz CA. 95062

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

May 6, 2021

Supervisor Ryan Coonerty
County of Santa Cruz
701 Ocean Street, 5th Floor
Santa Cruz, CA 95060

Dear Ryan:

Many thanks to you and your staff for your extraordinary efforts to submit a funding request to Senator Feinstein on behalf of Santa Cruz Port District. We recognize the timing was incredibly tight and we appreciate your willingness to support our request on such short notice.

As you know, the federal funding reimburses the Port District for approximately 35% of the annual cost of dredging the federal navigation channel. While this funding is critical to the harbor's operation and supports local jobs and businesses, it is also important to note that the agreement also benefits the federal government by reducing its cost share for maintaining safety and navigability of the harbor channel for commercial and recreational boaters, and assuring access for coastal mariners seeking refuge.

Lastly, I want to acknowledge your recent announcement that you will not be seeking another term as supervisor in 2022. Congratulations and thank you for many years of outstanding public service to the Santa Cruz community!

Sincerely,

A handwritten signature in blue ink, appearing to read "Toby Goddard". The signature is stylized and cursive.

Toby Goddard
Chairman, Santa Cruz Port District Commission

CAPITOL OFFICE
STATE CAPITOL, ROOM 4040
SACRAMENTO, CA 95814
TEL (916) 651-4017
FAX (916) 651-4917

MONTEREY DISTRICT OFFICE
99 PACIFIC STREET, SUITE 575-F
MONTEREY, CA 93940
TEL (831) 657-6315
FAX (831) 657-6320

SAN LUIS OBISPO DISTRICT OFFICE
1026 PALM STREET, SUITE 201
SAN LUIS OBISPO, CA 93401
TEL (805) 549-3784
FAX (805) 549-3779

SANTA CRUZ DISTRICT OFFICE
701 OCEAN STREET, SUITE 318A
SANTA CRUZ, CA 95060
TEL (831) 425-0401
FAX (831) 425-51

SANTA CLARA COUNTY SATELLITE
TEL (408) 847-6101

California State Senate

SENATOR
JOHN LAIRD

SEVENTEENTH SENATE DISTRICT



COMMITTEES

BUDGET SUBCOMMITTEE #1
(EDUCATION)
CHAIR
JOINT LEGISLATIVE AUDIT
VICE CHAIR
APPROPRIATIONS
BUDGET & FISCAL REVIEW
JOINT LEGISLATIVE COMMITTEE
ON BUDGET
JUDICIARY
LABOR, PUBLIC EMPLOYMENT
& RETIREMENT
NATURAL RESOURCES & WATER
RULES
JOINT LEGISLATIVE
COMMITTEE ON RULES

May 17, 2021

The Honorable Alex Padilla
United States Senate
B03 Russell Senate Office Building
Washington, DC 20510

**SUBJECT: FY22 Request for Congressionally Directed Spending for Annual Maintenance
Dredging of Cruz Harbor's Federal Navigation Channel -- \$525,000**

Dear Senator Padilla,

I am writing to request your support for congressionally directed funding for Santa Cruz Harbor's dredging program in FY22 in the amount of \$525,000. I have served the Santa Cruz community for many years, as City Councilor, Mayor, and now as Senator. I also have a background in environmental concerns, having served as California Secretary of Natural Resources, and as an instructor of environmental policy at the University of California, Santa Cruz. Taken together, these experiences have given me a strong foundation of knowledge in local government operations and environmental concerns, in addition to an awareness of the interconnected projects and needs of Santa Cruz.

Santa Cruz Harbor is a small craft harbor and federal navigation project on California's Central Coast, constructed by the U.S. Army Corps of Engineers ("USACE") in 1964, and operated by the Santa Cruz Port District in accordance with its federal legislative mandates – commercial fishing, recreation and harbor of refuge. In addition to providing refuge for coastal mariners, Santa Cruz Harbor supports a seasonal presence by the US Coast Guard (USCG), while the Santa Cruz Harbor Patrol provides year-round marine search and rescue services in North Monterey Bay. Santa Cruz Harbor Patrol responded to 304 search and rescue calls from 2015 to 2020, and saved 251 lives, functions that simply cannot be performed without a safe and navigable channel in place. Additionally, Santa Cruz Harbor supports commercial operations including commercial fishing, charter and business operations, and provides berthing for several public entities including the California Air National Guard, California Department of Fish and Wildlife, California State Parks and numerous programs that benefit the public.

From 1964 to 1986, annual maintenance dredging of the federal channel was performed by the USACE. In 1986, under an agreement between USACE and the Port District, the Port District began to perform annual maintenance dredging of the federal channel as the non-federal sponsor under a cost sharing agreement. That agreement was renewed in 2015, and provides for annual reimbursement to the Santa Cruz Port District for 35% of the actual cost of dredge operations and maintenance, setting the federal cost share at \$525,000 per year.

I respectfully request your support of Congressionally directed funding for Santa Cruz Harbor in the amount of \$525,000. This funding is critical to maintaining safe and navigable depths in the federal channel at Santa Cruz Harbor and supports a successful partnership between the federal government and local sponsor that serves the interests of future generations, promotes public safety, reduces federal costs, promotes economic stability and supports local jobs. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "John Laird". The signature is written in a cursive style with a large initial "J" and a stylized "L".

John Laird
California State Senator
District 17



MAYOR AND CITY COUNCIL

809 Center Street, Room 10, Santa Cruz, CA 95060 • (831) 420-5020 • Fax: (831) 420-5011 • citycouncil@cityofsantacruz.com

May 17, 2021

The Honorable Alex Padilla
112 Hart Senate Office Building
Washington, DC 20510

RE: FY22 Request for Congressionally Directed Spending for Annual Maintenance Dredging of the Santa Cruz Harbor's Federal Navigation Channel -- \$525,000

Dear Senator Padilla:

I am writing to request your support for Congressionally Directed Spending for the Santa Cruz Harbor's dredging program in FY22 in the amount of \$525,000.

The Santa Cruz Harbor is a small craft harbor and federal navigation project on California's Central Coast that was constructed by the U.S. Army Corps of Engineers (USACE) in 1964 and is operated by the Santa Cruz Port District in accordance with its federal legislative mandates—commercial fishing, recreation, and harbor of refuge. In addition to providing refuge for coastal mariners, the Santa Cruz Harbor supports a seasonal presence by the U.S. Coast Guard, while the Santa Cruz Harbor Patrol provides year-round marine search and rescue services in North Monterey Bay. Santa Cruz Harbor Patrol responded to 304 search and rescue calls from 2015 to 2020 and saved 251 lives, functions that simply cannot be performed without a safe and navigable channel in place. Additionally, the Santa Cruz Harbor supports commercial operations, including commercial fishing and charter and business operations, and provides berthing for several public entities, including, but not limited to, the California Air National Guard, California Department of Fish and Wildlife, California State Parks, and numerous programs which benefit the public.

From 1964 to 1986, annual maintenance dredging of the federal channel was performed by the USACE. In 1986, under an agreement between USACE and the Santa Cruz Port District, the Santa Cruz Port District began to perform annual maintenance dredging of the federal channel as the non-federal sponsor under a cost-sharing agreement. That agreement was renewed in 2015 and provides for annual reimbursement to the Santa Cruz Port District for 35% of the actual cost of dredge operations and maintenance, setting the federal cost share at \$525,000 per year.

I respectfully request your support for Congressionally Directed Spending for the Santa Cruz Harbor in the amount of \$525,000. This funding is critical to maintaining safe and navigable depths in the federal channel at the Santa Cruz Harbor and supports a successful partnership between the federal government and local sponsor that serves the interests of future generations, promotes public safety, reduces federal costs, promotes economic stability, and supports local jobs. Thank you for your consideration.

Sincerely,

Donna Meyers
Mayor

Port Commission Review Calendar 2021-22

2021

January-March

- ✓ Ethics Training Update
- ✓ Committee assignments for 2021
- ✓ Sea Scouts' biannual report
- ✓ Slip vacancy biannual report / waiting list statistics
- ✓ FY 22 Budget
- ✓ Review 5-year CIP
- ✓ Form 700 Filing (due by 03/31 each year)
- ✓ Biennial Anti-Harassment/Anti-Discrimination Training

April-June

- Dredge Report 2021-22 (postponed to July)

July-September

- Review of O'Neill Sea Odyssey slip rent reduction / charter fee. PC action of 07/07
- Sea Scouts' biannual report
- Annual Vessel Use List Review
- Slip vacancy biannual report / waiting list statistics
- Johnny's Harborside Restaurant lease exp. 8/15/2021 (*no option to extend*)

October-December

- Annual review of business use of slips
- Port Commission officers for 2022
- Bayside Marine lease exp. 01/31/2022 (*no option to extend*)

Committee Review Items (*timeline not specified*)

- Comprehensive Review of Charter Fees
- Public Benefit Discount Policy

Key

- Pending
- In process
- ✓ Done

2022

January-March

- Ethics Training Update
- Committee assignments for 2022
- Sea Scouts' biannual report
- Slip vacancy biannual report / waiting list statistics
- FY 23 Budget
- Review 5-year CIP
- Form 700 Filing (due by 03/31 each year)
- Biennial Anti-Harassment/Anti-Discrimination Training
- Santa Cruz Yacht Club lease exp. 03/31/2022 (*no option to extend*)

April-June

- Dredge Report 2022-23
- Annual Vessel Use List Review
- Biennial Update to Conflict of Interest Code

July-September

- Review of O'Neill Sea Odyssey slip rent reduction / charter fee. PC action of 07/07
- Sea Scouts' biannual report
- Slip vacancy biannual report / waiting list statistics

October-December

- Annual review of business use of slips
- Port Commission officers for 2023

Future Calendar

- ABC End-Tie review after Murray Street Bridge Retrofit
- 7th and Brommer Property Assessment