



Special Closed and Regular Public Session of September 27, 2016

Santa Cruz Port Commission MINUTES

Commission Members Present:

Toby Goddard	Chairman
Dennis Smith	Vice-chairman
Reed Geisreiter	Commissioner
Bill Lee	Commissioner
Stephen Reed	Commissioner

SPECIAL PUBLIC SESSION

Chairman Goddard brought the special public session to order at 5:00 PM at the Santa Cruz Harbor office conference room, 135 5th Avenue, Santa Cruz, CA 95062.

1. Oral Communication (*There was no discussion during oral communication*)
2. Announcement of Closed Session Pursuant to Government Code (Ralph M. Brown Act) Section 54957.6 and 54956.8

Chairman Goddard announced the Commission will meet in closed session to discuss agenda items 3 – 5.

SPECIAL CLOSED SESSION

3. Conference with Legal Counsel – Pending Litigation (2 Cases)
4. Conference with Real Property Negotiators
Property: 365 B Lake Avenue
Agency Designated Representative: L. Ekers
Under Negotiation: Lease
5. Conference with Real Property Negotiators
Property: 493 A Lake Avenue
Agency Designated Representative: L. Ekers
Under Negotiation: Lease

SPECIAL PUBLIC SESSION

6. 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 – 5.

Chairman Goddard adjourned the special open session following the closed meeting at 6:50 PM.

REGULAR PUBLIC SESSION – 7:00 PM

Chairman Goddard brought the regular public session to order at 7:00 PM at the Santa Cruz Harbor Public Meeting Room, 365 A Lake Avenue, Santa Cruz, CA 95062.

7. Pledge of Allegiance
8. Oral Communication

Chairman Goddard announced that the Commission took no reportable action in closed session on items 3 – 5.

CONSENT AGENDA

9. Approval of Minutes
 - a) Special Public Session of August 3, 2016
 - b) Regular Public Session of August 23, 2016

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

REGULAR AGENDA

10. Presentation by United States Coast Guard Station Monterey – Capabilities & Services

Discussion: Chief Petty Officer Phillip Dawalt of the United States Coast Guard gave a presentation on the services and capabilities of Coast Guard Station Monterey relative to search and rescue missions, emergency response times, and general patrol within the Monterey Bay.

The Commission expressed their appreciation for the continued cooperative working relationship between the Port District and Coast Guard Station Monterey.

11. Public Hearing to Approve Resolution 16-11 – Adopting a Revised Conflict of Interest Code

Discussion: Port Director Ekers explained that a public hearing is needed to update the Port District's Conflict of Interest Code to delete the Port Engineer position and add the Facilities Maintenance and Engineering Manager position to the list of designated positions.

Chairman Goddard opened the hearing for public comments, and none heard, closed the meeting.

MOTION: Motion made by Commissioner Geisreiter, seconded by Vice-chairman Smith, to approve Resolution 16-11, adopting a revised Conflict of Interest Code.
-Motion carried unanimously.

12. Award of Contract for Removal and Replacement of Aboveground Fuel Dispenser Containment Sumps and Piping

Discussion: Marina Management Specialist Izenstark explained that there are currently three failing fuel containment sumps located at the fuel dock. He stated that the fuel containment sumps are located beneath each fuel dispenser and are responsible for detecting and automatically shutting down each dispenser, in the event of a fuel spill.

Marina Management Specialist Izenstark stated that the project was advertised for informal public bids in accordance with the procedures contained in the Public Contract code. He stated that one bid was received for the project, in the amount of \$96,432, from Triton Construction.

Marina Management Specialist Izenstark explained that the original bid included replacement of all three fuel dispensers and sumps. Upon further investigation, staff concluded that the fuel dispensers are within their serviceable life, as they were replaced in 2007. Marina Management Specialist Izenstark stated that Triton's bid was amended to exclude replacement of the fuel dispensers, resulting in a revised bid from Triton in the amount of \$69,840.

A discussion ensued about the materials to be used for the new fuel containment sumps. Marina Management Specialist Izenstark stated that stainless steel will be used, which will have a service life of approximately 7-10 years, depending on the elements. He stated that covering the dispensers and sumps while not in use may extend the life of the equipment.

Commissioner Lee suggested that staff research options to extend the life of the equipment.

Port Director Ekers stated that revenue generated from fuel dock sales averages approximately \$74,500 per year and may be used to offset the cost of the containment sumps replacement, with a minor overrun to the program.

MOTION: Motion made by Commissioner Reed, seconded by Commissioner Lee to adopt the plans and specifications and award a contract for the Removal and Replacement of Aboveground Fuel Dispenser Containment Sumps and Piping; authorize the Port Director to execute the contract; authorize a not-to-exceed amount of \$75,000 for construction; and approve an appropriation in the FY17 budget for the amount of the contract plus a 7% contingency.
- *Motion carried unanimously.*

13. Acceptance of FY 16 Audited Financial Statement

Discussion: Port Director Ekers presented the final FY16 audited financial statement, noting that the only variance from the draft audit, which was presented in August, is a correction to the pension liability figure, which is outlined in the staff report.

Chairman Goddard expressed his appreciation for the inclusion of the Bartel Associates Consolidated GASB 68 Reporting Information report.

MOTION: Motion made by Commissioner Geisreiter, seconded by Commissioner Lee to accept the FY16 audited financial statement.
- *Motion carried unanimously.*

14. Approval of Cash / Payroll Disbursements – August 2016

Discussion: Chairman Goddard reported that a correction to the cash / payroll disbursements should be made to reflect that warrant #46181 is payment for a claim settlement, and not a key refund.

MOTION: Motion made by Vice-chairman Smith, seconded by Commissioner Geisreiter to approve cash/payroll disbursements for August 2016, in the amount of \$723,152.46.
- *Motion carried unanimously.*

INFORMATION

15. Port Director's Report

AA Dock

AA Dock will reopen this week, after being closed due to the sinkhole adjacent to Aldo's. Structural engineers have deemed the access to AA dock as currently secure for use by the public.

Aldo's Restaurant

A portion of Mariner Park's lawn has been removed in preparation for the temporary relocation of Aldo's Restaurant.

North Harbor Dredging

North harbor dredging is anticipated to start October 3, 2016.

Twin Lakes Beachfront Project

Construction on the Twin Lakes Beachfront Project is anticipated to start on October 3, 2016. Two lanes of traffic will remain open during the duration of construction.

16. Harbormaster's Report

As part of the closeout process for a recent Division of Boating and Waterways (DBAW) equipment grant, a DBAW representative visited the harbor to inspect all equipment and installation.

In response to a question posed by Vice-chairman Smith, Harbormaster Marshall provided an update on Deputy Harbormaster vessel / off-shore certification training.

17. Facilities Maintenance & Engineering Manager's Report *(There was no discussion on this agenda item)*

18. Administrative Services Manager's Report

The Commission thanked Administrative Services Manager Olin for her update on the Water Board's proposed inclusion of the harbor on the State Water Resources Control Board's Clean Water Act Section 303(d) list.

19. Delinquent Account Reporting

20. Review of Financial Reports

- a) Comparative Seasonal Revenue Graph
- b) FY16 Debt Service Coverage Ratio

21. Crime/Incident/Citation Report – August 2016 *(There was no discussion on this agenda item)*

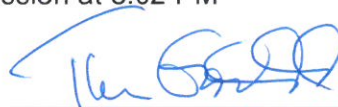
22. Upcoming Events

23. Written Correspondence

- a) Letter from Big Sisters Big Brothers of Santa Cruz County to Port Commission

24. Port Commission Review Calendar/Follow-Up Items

Chairman Goddard adjourned the regular public session at 8:02 PM



Toby Goddard, Chairman