



Special Closed and Regular Public Session of March 22, 2016

**Santa Cruz Port Commission  
MINUTES**

*Commission Members Present:*

Toby Goddard	Chairman
Dennis Smith	Vice-chairman
Reed Geisreiter	Commissioner
Stephen Reed	Commissioner
Bill Lee	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 5<sup>th</sup> 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 and 4.

**SPECIAL CLOSED SESSION**

3. Conference with Labor Negotiators  
Agency Designated Representative: L. Ekers  
Employee Organization: Harbor Employees Association / Port Director
4. Conference with Real Property Negotiators  
Property: 790 Mariner Park Way, Suite A, Santa Cruz, CA  
Agency Designated Representative: L. Ekers  
Negotiating Parties: J. Beauregard (Chardonnay)  
Under Negotiation: Lease

**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 6:50 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.

6. Pledge of Allegiance

7. Oral Communication

Discussion: Chairman Goddard announced that the Commission took no reportable action in closed session on agenda items 3 and 4. He stated that regular agenda items #11 and #18 will be discussed out-of-order and presented as the first regular agenda items for discussion.

Port Director Ekers provided an update on the harbor entrance safety zone that was enacted by the Coast Guard on Friday, March 18, 2016. She stated that Coast Guard Captain of the Port Patrick Nelson (Sector San Francisco) and Lieutenant Ben Stanley (Station Monterey) are in attendance to provide additional information, if needed.

Port Director Ekers stated that Coast Guard's implementation of the safety zone on Friday afternoon, left little opportunity for the District to perform public outreach to the boating community. She recognized that weather conditions were favorable for experienced boaters wishing to transit the entrance, but stated that not all boaters who use the harbor are local, and many are unfamiliar with the current entrance conditions. Port Director Ekers stated that the District is aware of the impacts the safety zone has created.

Harbormaster Marshall stated that the District originally contacted the Coast Guard to inquire about the feasibility of enacting a safety zone for the harbor entrance, due to the shoaled conditions. She stated that the District originally reviewed and approved a 16-page draft form of the safety zone notice, which did not restrict vessel traffic through the entrance.

Harbormaster Marshall explained that after Port District review, the Coast Guard shortened the safety zone notice to one page. The shortened notice included language which restricted all vessel traffic through the entrance. She stated that at the District's urging, the Coast Guard modified the safety zone to allow Harbor Patrol staff to authorize passage of the entrance, if suitable weather conditions permit.

Harbormaster Marshall reviewed the check-in process for vessels wishing to gain permission to transit the entrance.

Coast Guard Captain of the Port Nelson expressed his regret for the way the information was released and distributed to the public. He stated that releasing information on a Friday afternoon left little time for public outreach or corrections. He stated that the safety zone was enacted due to safety concerns, noting they have reports of at least three vessels nearly capsizing while transiting the entrance.

Audience members expressed their dissatisfaction with the enactment of the safety zone. Audience members asked the following questions:

- What is the main reason for enacting the safety zone and restricting vessel traffic?
- Shoaled conditions have existed since December 2015, why did it take until February to enact a safety zone?
- What is the District's plan to resolve the shoaled conditions and reopen the entrance to vessel traffic?
- What is the process for obtaining authorization to transit the entrance?

In response to several questions posed by audience members, Port Director Ekers stated that the Port Commission met in February to declare an emergency to help augment dredging operations. She stated that staff has researched additional methods to supplement the current dredge plan, but have been unsuccessful in finding a cost effective method to rapidly clear the shoaling.

A discussion ensued about the resources available to boaters who wish to transit the entrance (including daily soundings) and the appropriate methods for contacting Harbor Patrol to receive authorization.

Port Director Ekers reviewed current permit regulations, set forth by regulatory agencies, which limit the operating hours for the dredge. She stated that the dredge will continue to operate under emergency conditions until entrance conditions return to safe and navigable depths.

Port Director Ekers fielded questions about the dredge crew makeup, noting that a shift to an in-house crew occurred in 2011, after the former dredge crew declined to accept Port District employment benefits.

## **CONSENT AGENDA**

8. Approval of Minutes (Discussed out of order)
  - a) Special Public Session of January 29, 2016
  - b) Special Public Session of February 4, 2016
  - c) Special Public Budget Session of February 9, 2016
  - d) Regular Public Session of February 23, 2016

Discussion: Chairman Goddard stated that a correction to the special public session minutes of January 29, 2016, should be made to reflect that Commissioner Lee was in attendance to inspect the construction of the new dredge and not him.

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

### **REGULAR AGENDA**

#### 18. Update on *Seabright* Replacement Project (Discussed out of order)

Discussion: Ancil Taylor of Bean Consulting provided an update on the dredge procurement process, stating that the new dredge is approximately 75% complete. He stated that the new dredge is scheduled to arrive during the week of May 16, with commissioning taking place during the first week of June.

In response to a question posed by Vice-chairman Smith, Mr. Taylor stated that an owner's manual, listing all parts and part numbers for the new dredge will be made available to the District. He stated that if the District wishes to purchase spare parts to reduce down-time due to a mechanical or electrical breakdown, the owner's manual will be beneficial.

Commissioner Geisreiter asked if the new dredge will be equipped with a density meter. Port Director Ekers explained that DSC currently owes the District a credit of \$30,000-\$33,000 related to the dimensions of the suction pipe installed on the new dredge. She stated that DSC offered the District a density meter in exchange for the credit, but noted that the after-market cost of a density meter is approximately \$20,000-\$23,000. Mr. Taylor stated that the District will acquire a density meter at a later date.

Chairman Goddard asked for additional details on the wall thickness of the suction pipe. Mr. Taylor explained that the specifications called for 1" wall thickness on the suction pipe, but DSC inadvertently fabricated the ladder and all fittings to the standard ½" wall thickness. He stated that substantial time and effort will be involved to remove the ½" pipe. Mr. Taylor stated that the 1" wall thickness was specified to triple the lifespan of the pipe, but noted that ½" wall thickness is satisfactory.

#### 11. Approval of Contract Change Order for Replacement Dredge (Discussed out of order)

Discussion: Port Director Ekers stated that a credit in the amount of approximately \$30,000 is owed to the District by DSC for issues relating to the dimensions of the suction pipe.

Port Director Ekers stated that if approved, the available credit will be applied toward the purchase of a moveable work platform for the new dredge. She stated that the moveable work platform will improve safety and allow the crew better access to the snorkel.

Port Director Ekers stated that the dredge crew is supportive of the addition.

MOTION: Motion made by Vice-chairman Smith, seconded by Commissioner Lee, to approve Contract Change Order (No. 4) adding a moveable platform to facilitate inspection and work around the snorkel on the new dredge in an amount not to exceed \$43,300.  
- *Motion carried unanimously.*

9. Approval of Resolution 16-03 – Emergency Action for Dredging Operations

MOTION: Motion made by Commissioner Reed, seconded by Commissioner Geisreiter to approve Resolution 16-03.  
- *Motion carried unanimously.*

10. Adoption of Modifications to Port Commission Policies / Procedures Manual

Discussion: The Port Commission performed an initial review of the Port Commission Policies / Procedures Manual. The following changes were recommended:

- **Section 1030.1, Paragraph 6:** Eliminate the word “substantially”
- **Section 3010.3:** Replace “Each speaker shall limit his remarks to three (3) minutes, except as otherwise specifically provided for in these rules, or except as time is extended by the Chair” **with** “Each speaker shall limit his remarks to three (3) minutes, except as otherwise specifically provided for in these rules, or except as time is increased or decreased by the Chair”
- **Section 2110:** Refer to Policy Committee

There was consensus among the Commission to send this item to the Policy Committee for additional review, prior to acceptance.

11. Approval of Contract Change Order for Replacement Dredge (Discussed out of order)

12. Authorize the Purchase of a Used 50-Ton Rough Terrain Crane (NTE \$200,000)

Discussion: Facilities Maintenance and Engineering Manager Kerkes stated that the District’s current 18-ton Lorain Crane is operable, but in need of extensive

repairs. He stated that repairs to the electrical system and turret will be required prior to the next dredge season, if a new crane is not purchased.

Facilities Maintenance and Engineering Manager Kerkes stated that staff has identified a larger crane (50-ton, 100' reach), which will provide additional benefits to the dredging operation, such as assisting with snorkel placement and deploying the Toyo Pump.

Vice-chairman Smith stated that he understands the need for a new crane, but noted that \$200,000 is a substantial amount to spend. He questioned if a less expensive model can be found.

In response to a question posed by Commissioner Lee, Port Director Ekers stated that in FY16, \$50,000 was budgeted for crane repair costs. She stated that the entirety of that amount has not been used, but an additional \$5,000 has been added for FY17.

Commissioner Reed stated that he is supportive of the purchase, noting that safety is compromised when equipment is run past its useful life. Chairman Goddard agreed, but noted that the timing of the purchase would have been better if worked into the Capital Improvement Project.

Port Director Ekers stated that anticipated reimbursement funding from the U.S Army Corps of Engineers will help offset the \$200,000 purchase price.

Commissioner Reed asked if there is any value associated with the current 18-ton Lorain crane. Facilities Maintenance and Engineering Manager Kerkes stated that the value is approximately \$20,000 to \$30,000.

MOTION: Motion made by Commissioner Reed, seconded by Commissioner Lee to authorize the purchase of a used 2004 Link-Belt 4x4 Rough Terrain 50-ton Crane in an amount not to exceed \$200,000.  
- *Motion carried. Commissioner Smith voting NO.*

13. Approval of Resolution 16-04 – Honoring RJ Lyerly of Carpi & Clay

MOTION: Motion made by Commissioner Reed, seconded by Commissioner Geisreiter to approve Resolution 16-04.  
- *Motion carried unanimously.*

14. Approval of Cash / Payroll Disbursements – February 2016

Discussion: Commissioner Smith asked for additional information on Warrant # 45040 – Security Service. Harbormaster Marshall stated that the warrant amount pays for two full-time security officers for one month.

Commissioner Goddard asked for additional information on Warrant # 44963 – CalPERS Unfunded Liability. Administrative Services Manager Olin stated that the unfunded liability is a paid to CalPERS for the tiered retirement system, on a monthly basis.

Chairman Goddard asked if Warrant # 45091 – Sewer Line Repair (493 Lake Avenue) is reimbursable by the tenant. Port Director Ekers stated that the sewer line is not within the leasehold area.

- MOTION: Motion made by Commissioner Reed, seconded by Vice-chairman Smith to approve cash/payroll disbursements for February 2016, in the amount of \$808,924.84.  
- *Motion carried unanimously.*

## **INFORMATION**

### 15. Port Director's Report

#### Monitoring Project for Aldo's Seawall

The Monitoring Project for Aldo's Seawall is moving forward. Request for Proposals for the feasibility portion will be published soon, with award of the project taking place in April or May 2016.

#### Employee Recognition

Deputy Harbormaster Blake Anderson has been selected as a Red Cross Central Coast Hero. DHM Anderson was selected out of 42 candidates as a Central Coast Hero for his life-saving efforts during a rescue in 2015.

#### Walton Lighthouse

Jim Thoits and Bill Simpkins would like to install a decorative ship wheel onto the door of the lighthouse. There will be no cost to the District.

Vice-chairman Smith stated that he is concerned about the potential for vandalism, but expressed his support for the decoration. There was consensus among the Commission to allow Mr. Thoits and Mr. Simpkins to place a decorative ship wheel onto the door of the lighthouse.

### 16. Harbormaster's Report

Harbormaster Marshall reported that two liened vessel sold at auction.

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

### 18. Update on *Seabright* Replacement Project (Discussed out of order)

There was no discussion on this agenda item 19-24.

19. Bi-Annual Slip Vacancy Report / Waiting List Statistics
20. Delinquent Account Reporting
21. Review of Financial Reports
  - a) Comparative Seasonal Revenue Graph
  - b) Tsunami Financial Overview
22. Crime/Incident/Citation Report – February 2016
23. Written Correspondence
  - a) CSDA Board of Directors Call for Nominations (Seat B)
24. Port Commission Review Calendar/Follow Up Items

Chairman Goddard adjourned the regular public session at 9:11 PM



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Toby Goddard, Chairman