

Meeting Date: June 14, 2016	Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun 660 Davis Street, San Francisco, CA 94111 BOARD MEETING MINUTES	Page 1 of 4
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Board Members Present

Jennifer Ferrera Schmid, President, Public Member
Dave Connolly, Vice President, Public Member
Captain George H. Livingstone, Pilot Member
Captain Joe Long, Pilot Member

Board Members Absent

John Schneider, Wet Cargo Industry Member
Vacant, Dry Cargo Industry Member
Vacant, Public Member
Benjamin De Alba, Assistant Secretary for Rail and Ports, representing the Secretary of the California State Transportation Agency (CalSTA)

Staff Present

Allen Garfinkle, Executive Director
Roma Cristia-Plant, Assistant Director
Dennis Eagan, Board Counsel
Sigrid Hjelle, Office Technician

Public Present

Knute Michael Miller, Past Board President; Captain Peter McIsaac, Port Agent; Ray Paetzold, San Francisco Bar Pilots (SFBP) Business Director-General Counsel; Mike Jacob, Pacific Merchant Shipping Association (PMSA) Vice President and General Counsel; and Brig. Gen. Chester L. Ward, MD.

OPEN MEETING:

1. Call to Order and Roll Call – President Schmid

President Schmid called the meeting to order at 1:00 p.m. Assistant Director Cristia-Plant called the roll and confirmed a quorum.

2. Review, discuss and possibly approve the draft contract for a pilot fatigue study with San Jose State University Research Foundation, and authorize the Executive Director to finalize and execute the agreement. Possible Board action to approve the draft contract for a pilot fatigue study with San Jose State University Research Foundation, and authorize the Executive Director to finalize and execute the agreement. – Executive Director Garfinkle/Assistant Director Cristia-Plant

Executive Director Garfinkle provided the Board with a summary of the events that lead up to the proposed draft contract with the San Jose State University Research Foundation (SJSURF) including: the legislation requiring the study; the research was conducted by the Pilot Fitness

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Committee of various occupational fatigue studies, including many conference calls with leading researchers in the field of occupational fatigue; the Board’s efforts reviewing proposals from several governmental researchers that resulted in the selection of the SJSURF research team; Board staff’s contract drafting efforts; and the cooperation of staff from CalSTA, the Department of Finance, California Highway Patrol and the Department of Motor Vehicles that ensured the availability of funding for the entire study in this year’s budget. He thanked Assistant Director Cristia-Plant for spearheading the contract preparation and budget processes.

Assistant Director Cristia-Plant confirmed for Commissioner Long that if the Board approves the SJSURF contract, Board staff will contract for and encumber funds equaling the total amount of the SJSURF proposal, and that according to State encumbrance policies, the Board will have two fiscal years to spend the encumbered funds. She also confirmed that the contract with SJSURF is for a period longer than two years, and should the actual study take longer than two years from the start date of the contract, the Board will need to encumber funds in a future year’s budget to pay study costs that are incurred after this time period.

Vice President Connolly thanked Board staff and the Pilot Fitness Committee members for their hard work completing the researcher selection and the contracting process. Commissioner Long answered a query from Vice President Connolly, and confirmed that the pilots are supportive of the study, and provided input to the Pilot Fitness Committee to develop the scope of work for the contract.

Vice President Connolly then commented that the study will be a groundbreaking effort, and questioned the viability of collecting data for two of the study tasks that require pilot personal data collection. Commissioner Long responded that the issue of collecting individual pilot personal data was addressed early on during the development of the study scope of work. Commissioner Long stated that each pilot is an individual, and that “informed consent” will be required before the collection of pilot physical and biometric data. He further stated that the study will need to collect data from a statistically significant number of pilot participants, that actigraphy and psychomotor vigilance testing are optional study tasks, and that if there isn’t a statistically significant number of participants for these tasks, the study will still proceed without these tasks being performed. Past Board President Miller confirmed Commissioner Long’s statements.

Assistant Director Cristia-Plant confirmed for Vice President Connolly that the study contract requires a Confidential Nondisclosure Agreement between SJSURF and the SFBP, that this agreement does not now exist and is part of Task 1 in the BOPC’s contract with SJSURF, and that this agreement will be subject to Board review and approval. Vice President Connolly also commented that he was glad that SJSURF included a mariner on its study team. Assistant Director Cristia-Plant and Commissioner Long stated that the study budget includes a small amount of funding for Captain Filor, and that Captain Filor will be a technical resource for the

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rest of the study team. Executive Director Garfinkle stated that Captain Filor brings the study team piloting knowledge outside of the SFBP.

President Schmid thanked staff for the many hours of work on the project, and queried Port Agent McIsaac about the impacts to the pilots participating in the study, especially with the significant pilot involvement necessary for the next Pilot Trainee Training Program entrance examination scheduled for June 2017. Port Agent McIsaac confirmed that the pilot participation in the study will be challenging, especially when the study participation overlaps with training.

Mr. Jacob thanked the Board staff for their efforts, especially for the quick work on the study budget issue, and also thanked the pilots for their cooperation and efforts. Past Board President Miller stated that if the Board approves the contract today, he anticipates the Pilot Fitness Committee will meet in July to continue work on the project.

MOTION: Vice President Connolly moved to approve the draft contract for a pilot fatigue study with the San Jose State University Research Foundation. Commissioner Long seconded the motion.

VOTE: YES: Schmid, Connolly, Livingstone and Long.
NO: None.
ABSTAIN: None.

ACTION: The motion was approved.

MOTION: Commissioner Long moved to authorize Executive Director Garfinkle to finalize the draft contract, including the authority to make minor, technical amendments, and to execute the contract for a pilot fatigue study with the San Jose State University Research Foundation. Vice President Connolly seconded the motion.

VOTE: YES: Schmid, Connolly, Livingstone and Long.
NO: None.
ABSTAIN: None.

ACTION: The motion was approved.

3. Public comment on matters not on the agenda.

There were no public comments on matters not on the agenda.

4. Proposals for additions to next month's agenda.

There were no proposals for additions to the next Board meeting agenda.

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5. Adjournment.

President Schmid adjourned the meeting at 1:28 p.m.

Submitted by:



Allen Garfinkle, Executive Director