

Minutes Open Session	Joint Rules and Regulations and Fitness Meeting Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun	Date: March 21, 2013
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Committee Members Present

Capt. David Wainwright (Chair of Rules and Regulations Committee)
 Capt. Steve Roberts (Chair of Pilot Fitness Committee)
 BG Chet Ward
 Dr. Robert Kosnik (Arrived late at 9:53 a.m.)

Committee Members Absent

RADM Frank Johnston;
 John Cronin;
 Barbara Price

Staff Present

Allen Garfinkle, Executive Director;
 Dennis Eagan, Board Counsel;
 Sigrid Hjelle, Office Technician

Others Present

Gabor Morocz, BTH Ex Officio designee;
 Knute Mike Miller, BOPC President Emeritus;
 Capt. Joe Long, Board Member

Public Present

No members of the public attended the meeting.

1. Call to Order and Roll Call.

The meeting was chaired by Mr. Wainwright. Mr. Wainwright called the meeting (open session) of the Joint Rules and Regulations and Fitness Committee to order at 9:41 a.m. Due to absences, no quorum was established for either committee. A quorum was soon established for Fitness upon committee member Kosnik’s arrival at 9:53 a.m.

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2. Approval of Minutes of the February 26, 2013 Joint Committee Meeting.

Mr. Eagan noted the following corrections to the last sentence of item number 5 of the minutes from February 26, 2013: “SFBP also suggested that the language concerning absence from duty for medical reasons be standardized. The current draft refers variously to "incapacitated," "illness," "sickness," "personal injury," and "disability." It was agreed to substitute for these various terms the phrase, "absent from duty for medical reasons."

It was noted that SFBP also suggested that the words "inland pilot" be deleted throughout the Board's regulations. It was agreed to adhere to the Joint Committee's past practice, which has been to delete this term only in sections that the Board is revising. Deletion of "inland pilot" throughout the regulations will await a comprehensive amendment that updates language throughout the regulations.”

The Joint Committee deemed the minutes to be approved—without objection. There was no motion made due to the fact that no quorum was established at this time.

3. Discuss status of market analysis or actual market analysis (if ready) required to complete regulatory package for submission to the office of administrative law. Possible Committee action to recommend to full Board approval of regulatory package for submission to OAL.

The Joint Committee decided to wait for Dr. Kosnik to arrive before discussing agenda item numbers 3 and 4.

The meeting moved on to agenda item number 5.

Agenda item number 3 was discussed after the meeting resumed from a short break.

Board staff was charged with promptly gathering and charting data that reflects medical cost breakdowns. Once this data is collected and collated, the market analysis can be completed.

President Emeritus, Mike Miller, graciously volunteered to help staff. Mr. Miller offered to collect the fiscal data and prepare a fiscal and economic analysis with some narrative.

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4. **Review and discuss regulatory package prepared by Gabor Morocz and Board Counsel Eagan in preparation for submission to the Office of Administrative Law.**

The committee members reviewed the current versions of the Notice and the Initial Statement of Reasons (ISOR) and found that it went through multiple reviews and corrections by Mr. Miller and Mr. Eagan. The pieces on fiscal and economic impact are still missing and will be developed after receipt of the final report from the adviser collecting the pricing information for the planned medical services.

5. **Review any edits to the body or text of forms as presented at the February 26, 2013 meeting. Possible Committee action to recommend that the Board review and accept the fitness regulations as submitted.**

Mr. Eagan presented edits to the 28-page document titled *Express Terms*. Most of the changes were grammatical in nature. Inconsistent terms were replaced. The entire document was perused to the satisfaction of all present committee members.

Mr. Gabor Morocz telephonically presented the edits to the forms, along with Mr. Eagan, and again, the changes were grammatical.

Mr. Wainwright called for a break at 11:14 a.m. He called the meeting back to order at 11:28 a.m. and directed the attention of committee members to agenda item number 3.

Committee members discussed procedural issues of finalizing the text of the regulations. Since the Joint Committee did not have a sufficient quorum, it was decided the current text of the regulations will be offered to the Board for approval at the next Board meeting on March 28, 2013— as a staff proposal. Mr. Roberts will advise the Board about the committee’s work on the text.

6. **Public comment on matters not on the agenda.**

There were no comments.

7. **Proposals for additions to next Committee meeting agenda.**

Mr. Roberts moved that the preliminary draft market analysis and text and forms of the Fitness Regulations be presented to the upcoming full Board meeting and that agenda item number 5 be removed from the next Joint meeting of the Rules and Regulations and Fitness Committees.

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8. **Adjournment.**

Mr. Wainwright adjourned the open session of the Joint Rules and Regulations and Fitness Committee meeting at 12:23 p.m.

Allen Garfinkle, Executive Director

Prepared by: Sigrid Hjelle