

Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun

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MINUTES OF THE AD HOC COMMITTEE ON BLUE CARD RATES February 4, 2014 at 1:00 p.m. 660 Davis Street, San Francisco, California 94111

Committee members present

Knute Michael Miller, Chairman
Capt. Steve Roberts
Mr. John Schneider
Mr. Mike Jacob
Mr. John Cinderey

Staff present

Allen Garfinkle, Executive Director
Roma Cristia-Plant, Assistant Director
Kelly Dolcini, Staff Services Analyst
Dennis Eagan, Board Counsel

Others present

San Francisco Bar Pilot Capt. Rick Hurt, San Francisco Bar Pilots Counsel Mr. Ray Paetzold

Open Meeting:

1. Call to Order and Roll Call.

Chairman Miller called the meeting to order at 1:02 p.m. All Committee members were present, constituting a quorum.

2. Request approval of minutes of November 28, 2012 meeting.

As the Board and hence Committee member composition has changed since the November 28, 2012 meeting, there were not enough members who were present at that meeting to constitute a quorum for purposes of approving minutes. Clerical, non-substantive changes were noted and the minutes were approved without a vote.

3. Review Blue Card rate definitions used by the San Francisco Bar Pilots and previously discussed by the Committee, and for which there has been consensus.

As it was 14 months since the Committee last met, Mr. Paetzold was asked to give some background on the work previously accomplished by the Committee to those who were participating for the first time. He explained that the Committee was formed to develop plain-English definitions for charges reflected on the pilotage rate sheet (the “blue card”). All of these rates have been successfully defined by consensus save for three outstanding issues, which were discussed under agenda item 4.

4. Identify existing Blue Card rate definitions used by the San Francisco Bar Pilots for which consensus has not yet been reached. Discuss and develop consensus.

Outstanding charges on the rate sheet on which a consensus had not been reached were, DELAY EN ROUTE (871 DT), ANCHORING AFTER DEPARTURE (853 AN), and PILOT CARRIED AWAY (840 DT).

The Committee did not discuss the Anchoring after Departure, having determined that there are no further issues concerning the application of this code.

The Committee commenced discussion of the Pilot Carried Away charge (840DT). The concern from an industry standpoint was that it is unclear from the charge when it starts and stops. Mr. Paetzold indicated that it starts when the ship is at the pilot station and the pilot determines that it is unsafe to disembark, and ends when the pilot returns to the jurisdiction, which, if airline travel is involved, would mean the airport nearest the pilot office. The issue is still outstanding whether the charge is by 24-hour day or calendar day. Mr. Paetzold indicated he would look into how the charge has historically been applied and report back to the Committee at the next meeting.

The Delay Enroute (871 DT) charge was discussed next. Mr. Jacob framed the discussion by providing the Committee with a handout detailing what he believed to be the key considerations when attempting to clarify the charge. Capt. Hurt and Mr. Paetzold described how the rates are applied and when it begins and ends. They explained that when the use of one of these rates determined necessary, the master of the ship is made aware that a delay is being charged and the basis for the charge. The Operations Pilot reviews the charge before it is applied to the invoice. They further explained that the charge, as computed by the pilot, is a net delay, taking into consideration the amount of time a routine passage would take. It was reiterated that the charges do not happen in a vacuum and they are rarely disputed.

Mr. Jacob explained that there has been no problem with the practical application of the charges, just that the definition on the rate sheet is not informative enough to fully explain the charge and how it is applied. Mr. Jacob offered the Committee proposed language for the charge which incorporates the concept of net delay and reflects what the pilots are currently doing, as follows:

871DT - Delay Enroute, including VTS ordered, per hour: Hourly charge when a vessel fails to complete its transit on time as planned. Any vessel transit which is interrupted, delayed, or slowed, for any cause, such that the net delay time (difference between how much time the job would have required without the delay and the actual time spent on the job) exceeds one-half hour is subject to the delay enroute charge. This charge is charged in one-half hour increments for every half hour or portion thereof, with a minimum charge of one hour.

5. Develop and approve communication to the Board related to the Ad Hoc Committee's work product and recommendations. Possible Committee recommendation to the Board.

Mr. Paetzold volunteered to examine the Committee discussion, and along with Mr. Jacob's suggested solutions, prepare definitions to present to the Committee at the next Committee meeting.

6. Public Comments on Matters not on the agenda.

There were none.

7. Proposals for additions to next meeting agenda.

The Committee asked that the two remaining issues be addressed at the next meeting, which are Pilot Carried Away and Delay Enroute. It was further suggested that the Committee meet prior to or following a Finance Committee meeting, as there is overlap between the membership of the two Committees. The next Finance Committee will meet prior to March 28, 2014.

8. Adjournment.

The Committee adjourned at 2:27 p.m.

Respectfully submitted,



Kelly Dolcini
Staff Services Analyst