

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

Pier 9, Suite 102, San Francisco, CA 94111  
Phone: (415) 397-2253 Fax: (415) 397-9463  
E-mail: [allen.garfinkle@bopc.ca.gov](mailto:allen.garfinkle@bopc.ca.gov)  
Website: [www.pilotcommission.org](http://www.pilotcommission.org)



July 19, 2010

**May 19, 2010  
RULES AND REGULATIONS  
COMMITTEE MEETING MINUTES  
9:00 a.m.**

The Board of Pilot Commissioners Rules and Regulations Committee met on May 19, 2010, at 9:08 a.m. at the Board of Pilot Commissioners Office, Pier 9, Suite 102, San Francisco, CA, Commissioner Wainwright presided as the Chair. Committee members present included Commissioner Johnston and Commissioner Sullivan, and acting Committee member John Schnider. Members of the public present were Ex-Officio Member Gabor Morocz and Terri Toohey. Executive Director Allen Garfinkle was also present.

Agenda:

1. Approval of minutes for the April 15, 2010 meeting.

It was moved and seconded to approve the minutes from the April 15, 2010 meeting. The motion passed unanimously. The minutes for the January 25, 2010 meeting were not available at the time of the meeting and the approval of these was tabled until the following meeting or the return of Assistant Director Bennett.

2. Report on status of formal rulemaking regarding draft regulations on Portable Pilot Units on Commission Investigator minimum standards:

The draft regulations entered the 45 day comment period on May 4, 2010. During this period the regulations may be discussed and considered and if changes are filed the period is extended another 15 days. Chairman Wainwright noted the San Francisco Bar Pilot Technical Committee has concerns and should be submitting comments which would be reason to make revisions. The Investigator Minimum Standards is also in the 45 day comment period.

3. Amendment to Conflict of Interest Code (COI)

a) Report on status of Conflict of Interest Code (COI) amendment for adding Assistant Director.

The conflict of interest code in place requires revision due to the addition of the Assistant Director position to the Board staff.

b) Report on Fair Political Practices Commission request for updating and modernizing the Board's COI.

Ex-Officio Member Morocz reported that while researching the COI he was made aware that there was a standard format in use elsewhere in state regulations that represented a more current statement of COI language. It was suggested that since we have a need to revise our COI with the addition of the Assistant Director was bring the Board regulations in line with the current standard in use.

c) Presentation of draft of COI as suggested by the FPPC.

Ex-Officio member Morocz presented a draft of the Board COI adapted to the most current format for committee review. The categories of businesses were reviewed and the committee members considered the revised language.

d) Recommendation to Board for modernizing and updating the COI.

Following discussion there was a motion to endorse the changes as proposed and to request that the Board to authorize the changes and have board staff present the changes to the FPPC as written. The motion was passed by voice vote.

4. Review and discussion of issues on draft regulations for cleanup regulatory package implementing the statutory changes on the roles of the IRC and Board in informal and formal license disciplinary actions.

The Committee was presented with an updated draft of Section 210 and Maritime Counsel's suggested changes. Section 210(b)(2) was changed as suggested by Maritime Counsel. Section 210 (b)(3) was tabled for submission to the Ad Hoc Committee to Review Investigation Procedures. Section 210 (e)(2) was accepted as presented by Maritime Counsel as were changes to 210 (e)(6), (f), (g).

The remaining changes were tabled until the following meeting.

5. Planning agenda for next committee meeting.

It was suggested that the review of Section 210 continue at the next meeting, which was set for June 14, 2010.

6. There was a motion to adjourn. It was seconded and passed unanimously by voice vote. The meeting adjourned at 11:11 a.m.

Respectfully submitted,



Allen Garfinkle  
Executive Director