

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

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June 18, 2018

NOTICE OF BOARD MEETING

The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun (Board or BOPC) will meet on Thursday, June 28, 2018, at 9:30 a.m. at the Board office at 660 Davis Street, San Francisco, California.

Items of business scheduled for the meeting are listed on the attached agenda. There may be recesses at the discretion of the meeting Chairperson.

The meeting will be public. This meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification in order to participate in the meeting should call the Board office at (415) 397-2253, or write to the Board at the above address. Providing your request at least five (5) business days before the meeting will help ensure availability of the requested accommodation.

BOARD OF PILOT COMMISSIONERS

A handwritten signature in blue ink, appearing to read 'Allen Garfinkle'.

Allen Garfinkle
Executive Director

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This notice and agenda may also be found on the Board's website:
www.bopc.ca.gov

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

**Board Meeting
Thursday, June 28, 2018 at 9:30 a.m.**

MEETING AGENDA

OPEN MEETING

1. Call to Order and Roll Call – Commissioner Hoppes
2. Review and approval of Board meeting minutes – Commissioner Hoppes

Board action to approve meeting minutes from the Board meeting held on May 24, 2018.

3. President Announcements and Activities – Commissioner Hoppes
4. Board Member Announcements and Activities – Board Members
5. Directors' Report – Executive Director Garfinkle/Assistant Director Cristia-Plant
 - A) Correspondence and activities since the Board meeting held on May 24, 2018.
 - B) Report on pilot licensing matters in the past month and current month.
 - C) Report on Board surcharges.
 - D) Report on legislative activities and contractual matters.
6. Port Agent's Report – Captain Joseph Long
 - A) Monthly report on San Francisco Bar Pilots (SFBP) pilot availability and absences.
 - B) Monthly report on SFBP ship piloting business activity.
 - C) Monthly confidential written report of SFBP pilots who have been absent for medical reasons (AFMR). **The Board may go into closed session to discuss contents of the Port Agent's confidential report as authorized by Harbors and Navigation Code § 1157.1.**
7. Pilot Evaluation Committee – Captain Teague
 - A) Report on the Pilot Evaluation Committee (PEC) meetings held on June 20, 2018.

- B) Possible PEC recommendation to place one or more Pilot Trainee Training Program trainees on probation, or dismiss one or more trainees from the program. **Possible Board action to place one or more Pilot Trainee Training Program trainees on probation, or dismiss one or more trainees from the program.**
 - C) Possible PEC recommendation for a determination that a trainee has or trainees have completed the Pilot Trainee Training Program. **Possible Board action to award a Certificate of Completion to a trainee who has completed the Pilot Trainee Training Program.**
 - D) Possible recommendation from the Executive Director for the appointment of a new pilot or pilots. **Possible Board action to accept a recommendation from the Executive Director that a trainee holding a Certificate of Completion from the Pilot Trainee Training Program be licensed as a state-licensed pilot.**
- 8. Reported Safety Standard Violations – Executive Director Garfinkle
(Reported safety standard violations occurring up to the start of the meeting will be reported on.)
 - 9. Reportable Piloting Events – Executive Director Garfinkle
(Reportable piloting events occurring up to the start of the meeting will be reported on.)

Progress report on the allision of the M/V ALAM SEJAHTERA with the POSCO Steel dock (PBG 4) in Pittsburg, California on March 25, 2018. **Possible Board action to grant an extension to present the M/V ALAM SEJAHTERA report at the Board meeting to be held on July 26, 2018.** If an extension is requested, it is due to the investigation being incomplete.

10. Loss-of-Propulsion/Low-Sulfur-Fuel Report – Executive Director Garfinkle

Report on loss-of-propulsion events arising in May 2018, as reported by the U.S. Coast Guard, including those events suspected to be due to low-sulfur-fuel issues.

11. Finance Committee – Commissioner Hoppes

A) Report on the Finance Committee meeting held on June 12, 2018.

B) Finance Committee recommendations to the Board on the following Board surcharges:

- a. To adjust the Board Operations Surcharge rate (currently 3% of all pilotage fees) to 2.75% of all pilotage fees. **Possible Board action to adjust the Board Operations Surcharge rate to 2.75% of all pilotage fees, or other amount approved by the Board.**

- b. To adjust the Pilot Continuing Education Surcharge rate (currently \$5 per move) to \$25 per move. **Possible Board action to adjust the Pilot Continuing Education Surcharge rate to \$25 per move, or other amount approved by the Board.**
 - c. To adjust the Pilot Trainee Training Surcharge rate (currently \$20/trainee/move) to \$15 per trainee/move. **Possible Board action adjust the Pilot Trainee Training Surcharge rate to \$15 per trainee/move, or other amount approved by the Board.**
 - d. To adjust the Navigation Technology Surcharge rate (currently at \$40/move). **Possible Board action to adjust the Navigation Technology Surcharge rate.**
 - e. Proposal to the Board to change the Pilot Trainee Training Program monthly stipend amount paid to trainees for participation in the Pilot Trainee Training Program, currently at \$6,000 per month, by up to an additional \$1,000 per month, a recommendation on the effective date of a changed stipend amount, and direction to staff to seek necessary budgetary authority for the changed stipend amount. **Committee recommendation to the Board to direct staff to seek an increase in budget authority sufficient to increase the Pilot Trainee Training Program monthly stipend amount by up to \$1,000 per month, from a current \$6,000 per month up to \$7,000 per month, effective no sooner than July 1, 2019.**
12. Navigation Technology Equipment and Software Acquisition Update – SFBP Business Director-General Counsel Paetzold
- Status report on the SFBP’s navigation technology equipment and software implementation.
13. Fee and Surcharge Recovery Actions Involving Hanjin Shipping Company – SFBP Business Director-General Counsel Paetzold
- Status report on the SFBP’s fee and surcharge recovery actions involving pilotage services provided to vessels operated by Hanjin Shipping Company.
14. San Francisco Bar Pilot Pension Plan Litigation – Board Counsel Eagan
- Status report on Craig E. Reeder vs. State Board of Pilot Commissioners litigation. **The Board may go into closed session to discuss with Board Counsel any matters subject to attorney-client privilege as per Government Code §11126(e) of the Bagley-Keene Open Meeting Act.**
15. Litigation Regarding Pension Payments of Capt. James Nolan – Board Counsel Eagan
- Discussion of a dispute concerning entitlement to a portion of the pension payments of Captain James Nolan, a retired pilot. It is likely that resolution of the dispute will involve litigation. **The Board may go into closed session to discuss with Board Counsel any**

matters subject to the attorney-client privilege, in accordance with the Bagley-Keene Open Meeting Act, Government Code section 11126(e).

16. Board discussion of best practices in Maritime Safety – Vice President Connolly

A Board discussion of best practices in maritime safety and/or lessons learned from Incident Review Committee incident reports or other sources, and possible directions to staff to develop safety policies and procedures. **Possible Board action to direct staff to develop maritime safety policies and procedures.**

17. Board review of a written draft of its formal decision on the M/V SHEILA ANN and the M/V LEONORA VICTORY incidents – Board Counsel Eagan

Board review of a written draft of its formal decision made on May 24, 2018, in regard to the IRC recommendation on the M/V SHEILA ANN and the M/V LEONORA VICTORY incidents, including a review of Findings, Conclusions, and Order. **The Board may go into closed session for a review of the Findings, Conclusions, and Order presented under this item pursuant to Harbors and Navigation Code section 1180.6(a) and Government Code section 11126(c)(3).**

18. Public comment on matters not on the agenda.

19. Proposals for the next Board meeting agenda.

20. Adjournment.