

Board of Pilot Commissioners

for the Bays of San Francisco, San Pablo, and Suisun
660 Davis Street, San Francisco, CA 94111
Phone: (415) 397-2253 | Email: bopc@bopc.ca.gov | Website: www.bopc.ca.gov

NOTICE OF MEETING

September 16, 2024

The Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun (Board or BOPC) will conduct a public meeting on **Thursday, September 26, 2024, at 9:30 a.m.** Items of business scheduled for the meeting are listed on the attached agenda. There may be recesses at the discretion of the Chairperson.

Members of the public may participate in this meeting in person or via telephone.

Location:

Board of Pilot Commissioners
660 Davis Street
San Francisco, California 94111

To participate via telephone please use:

888-808-6929

Access Code:

4310981#

There will be an opportunity for public comments on all agenda and non-agenda items at the outset of the open session. There will also be an opportunity for public comment during the presentation of each

agenda item, and on non-agenda items at the end of the meeting. Meeting documents will be available on the Board’s website listed below.

This meeting is accessible to the physically disabled. A person who needs a disability-related accommodation or modification to participate in the meeting should call the Board office at (415) 397-2253 or write to the Board at the above address or email 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



Allen Garfinkle, Executive Director

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

* Order of business is approximate and subject to change.



SERVING THE PEOPLE OF CALIFORNIA SINCE 1850

INNOVATING FOR A GREENER CALIFORNIA: Equipped with the latest in marine engine technology, the pilot vessel *Golden Gate* is the first in a new generation of pilot boats.



**Board of Pilot Commissioners
for the Bays of San Francisco, San Pablo, and Suisun
Board Meeting
Thursday, September 26, 2024, at 9:30 a.m.**

MEETING AGENDA

OPEN MEETING

1. Call to Order and Roll Call (President Tynan)
2. Public comment on matters on the agenda or not on the agenda.
3. Review and approval of Board meeting and meeting minutes (President Tynan)

Board action to approve the minutes from the Board meeting held on August 22, 2024.

4. President Announcements and Activities (President Tynan)
5. Board Member Announcements and Activities (Board Members)
6. Directors' Report (Executive Director Garfinkle/Assistant Director Millspaugh)
 - A. Correspondence and activities since the Board meeting held on August 22, 2024.
 - B. Report on pilot licensing matters since the Board meeting held on August 22, 2024.
 - C. Report on Board surcharges.
 - D. Report of pension fiduciary.
 - E. Report on outstanding requirements of Board actions in response to Board determination and direction on Incident Review Committee reports.
7. Port Agent's Report (Port Agent Carlier)
 - 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 licensed pilots who have been Absent for Medical Reasons (AFMR). The Board may go into closed session to discuss the contents of the Port Agent's confidential report and other relevant confidential medical information, as authorized by Harbors and Navigation Code section 1157.1.

8. Pilot Evaluation Committee (Committee Chair)

A. Report on the Pilot Evaluation Committee (PEC) meeting held on September 18, 2024.

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 or off probation or dismiss one or more trainees from the program.

C. Possible PEC recommendation as to whether a trainee has, or trainees have successfully 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 Board to issue a state pilot license to a trainee who holds a Certificate of Completion from the Pilot Trainee Training Program.

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.

E. Discussion regarding requirements for PEC Chair reporting and who is required to deliver the PEC chair's report (Legal Counsel Tuck)

9. Discussion and possible Board action regarding filling the pilot trainee vacancy created by the resignation of Captain Ajax on September 4, 2024, from the Pilot Trainee Program, and possible action to add a second additional pilot trainee to the Pilot Trainee Program (Director Garfinkle)

Possible Board action to direct the Executive Director to make offers of training to one or more candidates on the list resulting from the exam offered in 2022.

10. Reported Safety Standard Violations (Executive Director Garfinkle) (Reported safety standard violations occurring up to the start of the meeting will be reported on.)

11. Incident Review Committee (IRC) —Reportable Piloting Events (Executive Director Garfinkle/Vice President Hayes-White) (Reportable piloting events occurring up to the start of the meeting will be reported on.)

Board deliberation of the Incident Review Committee's recommendations to the Board and determination regarding the event of September 1, 2023, involving the M/V BOHOL which made unintended contact with the pier in Sacramento, CA. If the report is not presented, the IRC may request an extension. If that is the case, possible Board action to extend the M/V BOHOL to the next monthly Board meeting.

The Board may go into closed session for the deliberation of the incident report presented under this item pursuant to Harbors and Navigation Code section 1180.6 and Government Code section 11126, subdivisions (c)(3) and (e)(1).

12. Report on September 24, 2024, Ad Hoc Committee on Review of Pilot Trainee Training Program Selection Exam. (Committee Chair)

13. Finance Committee (Commissioner Captain Nyborg)

A. Report on the Finance Committee meeting held on September 11, 2024.

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

- i. To adjust or not adjust the Board Operations Surcharge rate (currently at 5.5% of all pilotage fees), and the revenues, expenditures, and reserve balance.

Possible Board action to adjust the Board Operations Surcharge rate.

- ii. To adjust or not adjust the Pilot Continuing Education Surcharge rate (currently at \$35 per move).

Possible Board action to adjust the Pilot Continuing Education Surcharge rate.

- iii. To adjust or not adjust the Pilot Trainee Training Surcharge rate (currently \$10/trainee/move).

Possible Board action to adjust the Pilot Trainee Training Surcharge rate.

- iv. To adjust or not adjust the Pilot Boat Surcharge rate (currently at \$0.021 per gross registered ton).

Possible Board action to adjust the Pilot Boat Surcharge rate.

14. Pilot Vessel Condition and Valuation Survey (Executive Director Garfinkle)

Review and discuss the Condition and Valuation Survey for the Pilot Vessel PITTSBURG. Possible Board action to accept the Condition and Valuation Survey for the Pilot Vessel PITTSBURG, and making a finding that the vessel is safe and suitable for pilotage service.

15. Stakeholders' report on subjects that may be of interest to the Board, including reports on shipping activity regionally and within the Board's jurisdiction (Mike Jacob, Pacific Merchant Shipping Association/Captain Anne McIntyre, SFBP)

16. Discussion regarding the contract for Surcharge Collection, Pilot Education and Pilot Trainee Training between the SFBP and the Board, and issues related to reimbursement of the SFBP by the Board.

17. Closed session for the Board to confer with legal counsel regarding potential significant exposure to litigation against the Board involving an inactive licensee. (Board Counsel)

The Board is authorized to discuss this matter in a closed session pursuant to the Open Meeting Act, Government Code section 11126, subdivisions (e)(1) and (e)(2)(B).

18. Discussion of rescheduling or canceling the October 2024 Board meeting.

Possible Board action to reschedule or cancel the Board meeting scheduled for October 24, 2024.

19. Comment by public and Board members on matters not on the agenda.

20. Proposals for the next Board meeting agenda. (President Tynan)

21. Adjournment