



**HARBOR COMMISSION SPECIAL BOARD MEETING  
Minutes August 21, 2018**

Commissioners present: Drew Brandy, Bob Vessely, Jim Blecha, Bill Barrow and Mary Matakovich

Commissioners absent: None

Staff present: Andrea Lueker, Harbor Manager; Kristen Stout, Business Manager; Chris Munson, Planner/Analyst; Phil Sexton, District Treasurer

Legal Counsel present: Jeff Minnery

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**CALL TO ORDER / FLAG SALUTE / ROLL CALL**

President Brandy adjourned the meeting to open session at 2:03 p.m.

All Commissioners were present.

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**PUBLIC COMMENT**

Karla Bittner, Avila Beach, stated that neighbors had observed a construction crew taking tractors up streets across the public roads in Avila Beach, and asked if contractors working on the bridge could potentially leave equipment there, instead.

Facilities Manager Chris Munson responded and informed Ms. Bittner that while Chevron had initially asked for permission to store their equipment on Avila Beach, the request was denied by another regulatory agency – either the Army Corps of Engineers or the Regional Water Board.

There was no further public comment.

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**DISCUSSION ITEM A): DIABLO CANYON/PACIFIC GAS & ELECTRIC (PG&E) ASSETS – DISCUSS THE DISTRICT’S INTEREST IN USE OF PG&E PROPERTY WITH A NEXUS TO HARBOR DISTRICT OPERATIONS; PROVIDE DIRECTION TO STAFF**

Commissioner Vessely recused himself from the discussion at 2:07 p.m., pending advice from the FPPC regarding potential conflict of interest via participation.

Harbor Manager Andrea Lueker presented the item, went over the key points in the staff report and answered questions from the Board.

Tom Jones of PG&E was present to provide input and answer questions from the Board. Mr. Jones clarified land parcel boundaries, spoke about the upcoming workshop for decommissioning of PG&E lands and facilities, and offered information about a maintenance budget currently in place for the Diablo Canyon marina and intake area.

Commissioner Blecha stated his belief that District acquisition of the marina facilities would be a worthwhile pursuit, and spoke in support of more research - noting that the location could provide a potentially world-class research center, and co-ownership with universities may be a beneficial endeavor. Commissioner Blecha did caution that the breakwater could cost millions of dollars to repair, and advised that the District inquire about an endowment in order to plan for the inevitable, costly repairs.

Commissioner Barrow echoed Commissioner Blecha's sentiments, and stated that acquisition of the marina would be worthwhile if it were to remain a low-cost investment for the District.

Commissioner Matakovich expressed that she'd like to further discuss the District's access to both Pecho Coast Trail and Lighthouse Road; and also stated her support for a potential partnership with universities who may be interested in co-ownership of the marina.

President Brandy inquired to Treasurer Phil Sexton about cost analysis and the benefits of partnership with a university, and stated his belief that the District should have a cost analysis before committing to anything.

Facilities Manager Chris Munson stated the importance of looking at the cost of maintaining any acquired infrastructure, and noted that if no one is maintaining undesirable structures, the District would be stuck with limited options for development.

President Brandy allowed for public comment.

Deb Foughty, Executive Director of the Point San Luis Lighthouse Keepers, stated that she expects her office to take over the scheduling of docent hiker training on the Pecho Coastal Trail following decommission. She expressed that her biggest concern is a loss of parking for trolleys and trolley patrons' vehicles, as they are currently parked in the staging area in Wild Cherry Canyon, and there are no options for parking otherwise.

Karla Bittner, Avila Beach, expressed that, based on the list of potential projects, acquisition of PG&E facilities appears a great opportunity to expand, but noted the difficulty in managing the budget as it currently stands, and inquired as to where funding for acquisition may be sourced. Ms. Bittner suggested a Special District tax increase, noting that the timing may be appropriate.

There was no further public comment and the item required no action be taken.

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### **COMMUNICATIONS**

Commissioner Blecha stated that he had been to a meeting at the Council Chambers in Pismo Beach the previous weekend regarding the decommissioning of Diablo Canyon Nuclear Power Plant facilities, where his wife had been a presenter. Commissioner Blecha spoke about the meeting's presentations, and stated that he had spoken on behalf of himself, and not the District, and had announced the District's intention to present at the next meeting, as well as the District's interest in particular assets as they pertain to the Lighthouse and Harbor Terrace properties.

Commissioner Blecha expressed his belief that the Coastline should remain protected, and announced that he will lobby for a protected area in order to protect assets, where on-shore fishing would be prohibited along the 14 miles of coastline encompassing the property.

Commissioner Matakovich inquired about the fundraiser for the Central Coast Aquarium on the 8<sup>th</sup>, noted her intention to purchase tickets and asked if any other Commissioners or staff would attend. Commissioner Blecha confirmed his intention to attend.

Harbor Manager Andrea Lueker responded that two months ago, a conversation regarding two events – an Apple Festival Gala Event and the Aquarium’s fundraiser had addressed the issue, and she had suggested the Commission alternate between events each year, if the District were to purchase a table. Commissioner Blecha and Commissioner Matakovich confirmed they’d be purchasing tickets to the Aquarium’s fundraiser with their own funds, and not the District’s.

President Brandy addressed a Board member’s concern with staff reports being posted after meeting agendas, noting that timely availability of staff reports are always a priority for staff, but may not always be available by the time an agenda must be posted in order to meet Brown Act deadlines. President Brandy stated that it behooves the Board to show staff patience and understanding and that, while staff is assuredly always working to make staff reports available as soon as possible, no rules are violated when a report is not made available at the time of an agenda posting.

Commissioner Barrow expressed his belief that staff reports are a luxury item, stating that while staff provides input, the Board should ultimately be prepared and able to discuss an item without a staff report.

Commissioner Matakovich held an opposing viewpoint, and stated that if an agenda item is posted without a staff report, the Board should not be discussing it in public.

Commissioner Blecha expressed that roughly 98 percent of the time, what he receives is provided with a staff report, and when a report is not present, it’s usually held up by information that has not yet been made available to staff. Commissioner Blecha stated that all that is required of the minutes for the Harbor Commission meetings are action items, but noted that staff does far more than the minimum requirement in that regard. Commissioner Blecha also noted that former Harbor Managers and staff who’ve worked at other public agencies have commented on the Board members’ preparedness, and stated that he’s attended public meetings during which Commissioners have been handed their Board packet at the start of the meeting. Commissioner Blecha stated that while the District isn’t perfect, it seems to be ahead of the curve and doing really well.

Harbor Manager Andrea Lueker clarified that the obligation for compliance with the Brown Act when posting a Special Harbor Commission meeting agenda is to provide 24 hours’ notice to the public, as opposed to 72 hours’ notice for a regular Harbor Commission meeting agenda.

There were no further communications.

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### **ADJOURN TO CLOSED SESSION**

President Brandy adjourned to closed session at 3:30 p.m., **Pursuant to Government Code §54957.6:** Conference with labor negotiators. Agency designated representatives: Harbor Manager, Andrea Lueker; Business Manager, Kristen Stout. Employee Organization: Service Employees International Union, Local 620.

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### **ADJOURN TO OPEN SESSION**

President Brandy reconvened the meeting to open session at 3:45 p.m. and advised that the Board had taken no reportable action in closed session.

**ADJOURNMENT**

The meeting adjourned at 3:45 p.m. to the next regularly scheduled Harbor Commission meeting on Tuesday, August 28, 2018, at 6:00 p.m.

  
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Drew Brandy, President

Attest:   
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Jim Blecha, Secretary

Respectfully submitted by: April Brannum, Administrative Secretary