



HARBOR COMMISSION BOARD MEETING

DRAFT Minutes
October 27, 2020
5:15 PM

Meeting held via Teleconference

DRAFT MINUTES

CALL TO ORDER / PUBLIC COMMENT

Call to Order: President Barrow called the October 27, 2020, Harbor Commission Board Meeting to order at 5:17 pm.

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

Commissioners Absent: None

Staff Present: Andrea Lueker, Harbor Manager; Kristen Stout, Business Manager; Matt Ashton, Chief Harbor Patrol Officer, Chris Munson, Facilities Manager, Linda Hendy, Accountant, Phil Sexton, Treasurer

Staff Absent: None

Legal Counsel Present: Jeffrey Minnery

PUBLIC COMMENT

Public Comment: President Barrow called for public comment regarding items not on the agenda, of which there were none.

ADJOURN TO CLOSED SESSION

President Barrow adjourned to Closed Session at 5:18 pm, **Pursuant to Government Code §54956.9(d)(2):** Conference with Legal Counsel – Anticipated Litigation. Number of potential cases: Two (2).

Pursuant to Government §54956.9(a): Conference with legal counsel regarding the matter of *Lowry v. Port of San Luis Harbor District*.

Pursuant to Government Code §54956.8: Conference with Real Property Negotiators. Property: Ice Facility located on Harford Pier. Agency Negotiators: Andrea Lueker, Harbor Manager; Kristen Stout, Business Manager; Phil Sexton, Treasurer; Jeff Minnery, Legal Counsel; Negotiating Parties: Port San Luis Boatyard. Under negotiation: Operating Agreement.

ADJOURN TO OPEN SESSION

The Board ended Closed Session at 5:39 pm, and President Barrow reconvened the meeting to Open Session at 6:00 pm.

Report on Closed Session: President Barrow announced that the Board approved the Price and Terms of the Harford Pier Ice Facility Operating Agreement and will formalize the approval in Consent Item G.

ROLL CALL / FLAG SALUTE / PUBLIC COMMENT

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

Commissioners Absent: None

Staff Present: Andrea Lueker, Harbor Manager; Kristen Stout, Business Manager; Chris Munson, Facilities Manager; Matt Ashton, Chief Harbor Patrol Officer; Linda Hendy, Accountant

Staff Absent: Phil Sexton, Treasurer

Legal Counsel: Jeff Minnery

PUBLIC COMMENT

Public Comment: President Barrow called for public comment of which there were none.

CONSENT ITEMS

The following Consent Items were pulled for further discussion:

Consent Items **B** – Treasurer’s Report; **F** - Avila Beach Community Services District/Port San Luis Waste Water Treatment Plant (WTP) Redundancy Program Update Action, **G** – Harford Pier Ice Facility Operating Agreement, **H** - California State Parks, Division of Boating and Waterways – Trailer Boat Dock Replacement Grant Acceptance and Commitment

Upon a motion made by Commissioner Blecha and seconded by Commissioner Matakovich, the following Consent Items were approved and the reading on those with Resolutions were waived by a vote of 5-0.

- A. Activity Reports:** September 2020; receive and file.
- C. Monthly Payables:** September 2020 check register; receive and file.
- D. Minutes:** September 22, 2020 minutes; recommend approval.
- E. Quarterly Goals Status Update:** Review Status of FY20/21 goals; receive and file.
- I. Multi-Jurisdictional Hazard Mitigation Plan – Adoption of Port San Luis Harbor District Components:** Adopt Resolution 20-18.
- J. Port San Luis Harbor District/Port San Luis Commercial Fisherman’s Association Project Status Report.**

CONSENT ITEMS PULLED FOR DISCUSSION

- B. Treasurer’s Report:** September 2020; receive and file.

Public Comment: President Barrow called for public comment, of which there were none.

Action: Upon a motion made by Commissioner Blecha and seconded by Commissioner Vessely, Consent Item B was approved by a vote of 5-0.

F. Avila Beach Community Services District/Port San Luis Waste Water Treatment Plant (WTP) Redundancy Program Update: Update on project; receive and file.

Summary of project update by Brad Hagemann, General Manager, Avila Beach Community Services District. No questions were asked by the Board.

Public Comment: President Barrow called for public comment, of which there were none.

Action: Upon a motion made by Commissioner Blecha and seconded by Commissioner Brandy, Consent Item F was approved by a vote of 5-0.

G. Harford Pier Ice Facility Operating Agreement: Review of terms and agreement; recommend approval. (This item is dependent upon approval in closed session).

Harbor Manager Andrea Lueker provided a summary of the Terms and Agreement of the Harford Pier Ice Facility Operating Agreement.

Public Comment: President Barrow called for public comment, of which there were none.

Action: Upon a motion made by Commissioner Blecha and seconded by Commissioner Matakovich; Consent Item G was approved by a vote of 5-0.

H. California State Parks, Division of Boating and Waterways – Trailer Boat Dock Replacement Grant Acceptance and Commitment: Recommend approval; adopt Resolution 20-17.

Public Comment: President Barrow called for public comment, of which there were none.

Action: Commissioner Matakovich moved to adopt Resolution 20-17, authorizing acceptance of the grant in the amount of \$442,358 for the Boat Launching Facilities Grant, as well as authorizing the Harbor Manager to sign the contract and execute the agreement with California Department of Parks and Recreation, Division of Boating and Waterways, as necessary; waive the reading of the Resolution; Seconded by Commissioner Vessely; Consent Item H was approved by a vote of 5-0.

DISCUSSION ITEMS

A. Avila Beach Community Services District (ABCSD)

Facilities Manager Chris Munson presented the staff report and answered questions from the Board.

Brad Hagemann, General Manager, Avila Beach Community Services District and Ron Reilly, President and CEO, Garing, Taylor and Associates, answered questions from the Board.

Public Comment: President Barrow called for public comment, of which there were none.

Board discussion included:

- There was a consensus amongst the Board that there should be more research on whether to obtain an Encroachment Permit for the installation of a sewer line through Avila Beach Parking Lot or treat it as an Easement.

Action: No Motion was made. The Board agreed to continue this discussion at the next Board Meeting.

B. Harbor Patrol Policy Manual Update – Final Draft Review

Harbor Manager Andrea Lueker and Chief Harbor Patrol Officer Matt Ashton presented the Staff Report – Harbor Patrol Policy Manual PowerPoint, went over the key points, and answered questions from the Board.

Public Comment: President Barrow called for public comment.

The following individuals provided public comment:

- Kyle Shaffer, Harbor Patrol's Officer Union
- Barry Price, Professor, Polytechnic State University, San Luis Obispo

Board discussion included:

- There is a need for further research before making a decision.

Action: Commissioner Brandy motioned to approve Resolution 20-19; waive the reading which approves the Harbor Patrol Policy Manual; Commissioner Barrow seconded, and Resolution 20-19 was adopted by a roll-call vote of 3-2.

Ayes: President Barrow, Commissioner Blecha, and Commissioner Brandy

Noes: Commissioner Matakovich and Commissioner Vessely

C. Coastal Development Permit (CDP) for Harford Pier West Side Project

Facilities Manager Chris Munson presented the staff report, went over the key points, and answered questions from the Board.

Public Comment: President Barrow called for public comment, of which there were none.

Action: Commissioner Blecha motioned to approve the description to be included with the Coastal Development Permit application for the Harford pier West Side Project, as written for the October 27, 2020 Staff Report, Commissioner Brandy seconded, Discussion Item C was adopted by a vote of 5-0.

D. Generators for Main Office and Lift Station #2

Facilities Manager Chris Munson presented the staff report and answered questions from the Board.

Public Comment: President Barrow called for public comment of which there were none.

Action: President Barrow motioned to approve Item D as written by staff. Discussion Item D was adopted by a vote of 5-0.

COMMUNICATIONS

Harbor Manager Andrea Lueker made the following announcements:

1. The next Harbor Commission Board Meeting is November 17th, which is a week early.
2. The Committee Meetings are tentatively scheduled next week on the 5th, Harbor Manager Lueker will check with the Commissioners tomorrow for availability. The November Committee Meetings are as follows:
 - a) Property Committee Meeting
 - b) Gear Storage Ad-hoc Committee Meeting.
 - c) We would normally have the Lighthouse Committee Meeting, however the financials are not ready, so we will move the meeting to December.
3. Tomorrow evening is the PGE Decommissioning Engagement Forum, Harbor Manager Lueker is planning on making a public comment on behalf of the District's continued interest in the Tidelands, the Marina, and the Breakwater.
4. Harbor Manager Lueker spoke with Tori White, Deputy Chief of Operations of the Regulatory South Pacific Division, U.S. Army Corps of Engineer, regarding the incidental harassment permit for the sea lions that is being issued mid-November. The other environmental clearances are to be wrapped up by the end of the year with hope of awarding the contract for the breakwater project by March of 2021.

5. In regard to comments to Phil Sexton, a combined Annual Finance and Pension Workshop is scheduled for some time in January.

FUTURE AGENDA ITEMS

No items were added to the Future Agenda Items list.

ADJOURNMENT

The meeting adjourned at 8:28 pm to the next regularly scheduled meeting on Tuesday, November 17, 2020, at 6:00 pm.

Bill Barrow, President

Attest:

Mary Matakovich, Secretary

Respectfully submitted by Tricia Wisniewski, Administrative Secretary.