



# HARBOR COMMISSION BOARD MEETING

Draft Minutes

August 23, 2022

5:00 PM

Coastal Gateway Building

3900 Avila Beach Drive, Avila Beach, CA 93424

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## DRAFT MINUTES

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### CALL TO ORDER / PUBLIC COMMENT

**Call to Order:** Vice President Matakovich called the Meeting to order at 5:00 PM.

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

Commissioners Absent:        Drew Brandy

Staff Present                    None

Legal Counsel Present        Jeff Minnery

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**Public Comment:** Vice President Matakovich called for public comment on the Closed Session items, of which there was none.

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### ADJOURN TO CLOSED SESSION

Vice President Matakovich adjourned to Closed Session at 5:04 PM.

**Pursuant to Government Code §54956.9(d)(1):** Conference with legal counsel regarding existing litigation in the matter of *Andrea Lueker v. Port San Luis Harbor District, et al.*, SLO Superior Court Case No. 22CV-0317.

**Pursuant to Government Code §54956.9(d)(1):** Conference with District Counsel regarding existing litigation in the matter of *Lowry v. Port San Luis Harbor District*.

**Pursuant to Government Code §54956.9(d)(1):** Conference with District Counsel regarding anticipated litigation.

**Pursuant to Government Code §54957:** Public Employee Performance Evaluation – Harbor Director.

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### ADJOURN TO OPEN SESSION

The Board ended Closed Session, and Vice President Matakovich reconvened the meeting to Open Session at 6:05 PM.

#### **Report on Closed Session:**

Vice President Matakovich stated there is nothing to report.

Vice President Matakovich announced that the Board pulled *Discussion Item C - Accounting Supervisor Salary*, to be discussed at a subsequent meeting with a full Board present.

## ROLL CALL / PUBLIC COMMENT

<u>Commissioners Present</u>	Mary Matakovich, Bob Vessely, Bill Barrow, and Jim Blecha
<u>Commissioners Absent:</u>	Drew Brandy
<u>Staff Present</u>	Chris Munson, Facilities Manager; Matt Ashton, Chief Harbor Patrol Officer; Phil Sexton, Treasurer
<u>Staff Absent</u>	Suzy Watkins, Harbor Director
<u>Legal Counsel Present</u>	Jeff Minnery

**Public Comment:** Vice President Matakovich called for public comment on items not on the agenda, and the following commented:

- **Nicole Bryant**, SEIU 620, resides in Orcutt
- **Ryan Brown**, Resides in Grover Beach
- **Jake Riley**, Resides in Atascadero
- **Bill Gaalswyk**, Resides in Nipomo
- **Darryl Scheck**, SEIU 620, resides in Solvang
- **Tom Swem**, Port Captain, Port San Luis Yacht Club
- **Alicia Avina**, Avila Beach Paddlesports, resides in San Luis Obispo
- **Brett Miller**, Resides in Pismo Beach

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## CONSENT ITEMS

- A. Activity Reports:** July 2022; receive and file.
- B. Treasurer's Report:** June 2022; receive and file.
- C. Monthly Payables:** July 2022 check register; receive and file.
- D. Minutes:** July 26, 2022, Minutes; recommend approval.
- E. 4<sup>th</sup> Quarter Financial Statements:** Receive and file.
- F. 4th Quarter Rent Report:** Quarterly update; receive and file.
- G. Accounts Receivable:** Write-off of uncollectable accounts; recommend approval.
- H. 2023 License to do Business on District Property Request for Proposals (RFP):** Draft RFP; recommend approval.
- I. Approval of the Harbor Patrol Officers Association Memorandum of Understanding:** Recommend approval.
- J. Avila Pier Pile Repair Inspections:** Recommend approval.
- K. Mooring Supplies Invitation to Bid Award:** Recommend approval.

## THE FOLLOWING CONSENT ITEMS WERE COMMENTED ON:

- B. Treasurer's Report:** May 2022; receive and file.
- E. 4th Quarter Financial Statements:** Receive and file.
- K. Mooring Supplies Invitation to Bid Award:** Recommend approval.

**Public Comment:** Vice President Matakovich called for public comment, and there was none.

**Action:** Commissioner Vessely moved to approve Consent Items A through G and Consent I through K; seconded by Commissioner Barrow. Motion passed 4-0 (President Brandy absent).

## **THE FOLLOWING CONSENT ITEM WAS PULLED:**

- H. 2023 License to do Business on District Property Request for Proposals (RFP):** Draft RFP; recommend approval.

Facilities Manager Chris Munson presented the Staff Report and answered questions of the Board.

**Public Comment:** Vice President Matakovich called for public comment, and the following commented:

- Vince Shay, Mermaid Market

**Action:** It was the consensus of the Board to bring this item back to a Harbor Commissioners Special Board Meeting, to be held next week on Wednesday, August 31, 2022.

## **DISCUSSION ITEMS**

- A. 2021-22 Reserve Funding:** Review and recommend final reserve funding for Fiscal Year 2021-22; provide direction to staff.

Treasurer Phil Sexton presented the Staff Report and answered questions of the Board.

**Public Comment:** Vice President Matakovich called for public comment and there was none.

**Action:** Commissioner Blecha moved to approve the Final Reserve Funding and Usage for Fiscal Year 2021-22 shown in Attachment 1; seconded by Commissioner Vessely. Motion passed 4-0 (President Brandy absent).

- B. California State Parks, Div. of Boating and Waterways – Surrendered and Abandoned Vessel Exchange (SAVE) Grant Acceptance:** Adopt Resolution 22-15 to accept the \$20,000 SAVE Grant Award; recommend approval.

Facilities Manager Chris Munson presented the Staff Report and answered questions of the Board.

**Public Comment:** Vice President Matakovich called for public comment, and there was none.

**Action:** Commissioner Blecha moved to adopt Resolution 22-15, waived the reading, authorized the acceptance of the \$20,000 SAVE Grant Award; seconded by Commissioner Barrow. Resolution 22-15 was adopted by a roll call vote of 4-0 (President Brandy absent).

- C. Accounting Supervisor Salary:** Review updated Salary Schedule for Accounting Supervisor; recommend approval.

It was announced at the beginning of the meeting, by Vice President Matakovich, that the Board decided to table this item. This item will be brought back to the Board at a special meeting, to be held next week on Wednesday, August 31, 2022.

**Public Comment:** Vice President Matakovich called for public comment, and the following commented:

- **Darryl Scheck**, SEIU 620, resides in Solvang

**Action:** It was the consensus of the Board to bring this item back to a Harbor Commissioners Special Board Meeting, to be held next week on Wednesday, August 31, 2022.

**D. Grant of Easement to PG&E for Electrical Service on Harbor Terrace:** Adopt Resolution 22-16; recommend approval.

Facilities Manager Chris Munson presented the Staff Report and answered questions of the Board.

**Public Comment:** Vice President Matakovich called for public comment, and there was none.

**Action:** Commissioner Barrow moved to adopt Resolution 22-16, to accept Grant of Easement to Pacific Gas & Electric Co. for the Establishment and Maintenance of Electrical Services to Harbor Use Areas on Harbor Terrace; seconded by Commissioner Vessely. Resolution 22-16 was adopted by a roll call vote of 4-0 (President Brandy absent).

**E. Update of Policy Handbook:** Review and approve proposed update to Policy 4020 – Attendance at Meetings; recommend approval.

**Public Comment:** Vice President Matakovich called for public comment, and there was none.

**Action:** Commissioner Blecha moved to approve the proposed update to Policy 4020 – Attendance of Meetings; seconded by Commissioner Vessely. Motion passed 4-0 (President Brandy absent).

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## **COMMUNICATIONS**

**Commissioner Blecha** suggested that the Commissioners view the various projects happening at the Port, from the water. Chief Harbor Patrol Matt Ashton will arrange for that to happen aboard the Harbor Patrol Vessel.

**Commissioner Blecha** would like to see a mural on the blank walls adjacent to Fat Cat's Café.

**Commissioner Vessely** shared some of the details of the meetings he's attended regarding the extension of the operating license of Diablo Canyon Power Plant.

**Vice President Matakovich** is the liaison between Avila Valley Advisory Council and Port San Luis Harbor District. There is a portion of the 20-year Avila Plan that is dedicated to the Port and requests that Staff re-write that portion of the Avila Plan so she can bring it back to the Avila Valley Advisory Council.

**Vice President Matakovich** announced the passing of former Commissioner John Koepf, who served on the Harbor Commission from 1998 – 2006. His Celebration of Life will be held at the Avila Bay Athletic Club on September 1, 2022, at 3:00 PM.

**Facilities Manager Chris Munson** coordinated a time to schedule the special meeting, to be held Wednesday, August 31<sup>st</sup> from 1:00 PM to 2:30 PM.

**Facilities Manager Chris Munson** updated the Board on the Avila Pier Repair Project, the barge is going in the water on Wednesday and the divers will be on site to start the repair work.

**FUTURE AGENDA ITEMS**

Identification of items to be placed on future Agendas:

- 2023 License to do Business on District Property Request for Proposals
  - Accounting Supervisor Salary
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**ADJOURNMENT**

The Meeting adjourned at 7:44 PM to the next regularly scheduled Meeting on Tuesday, September 27, 2022, at 6:00 PM.

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Drew Brandy, President

Attest:

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Bob Vessely, Secretary



## HARBOR COMMISSION SPECIAL BOARD MEETING

Draft Minutes

August 31, 2022

12:00 PM

Coastal Gateway Building

3900 Avila Beach Drive, Avila Beach, CA 93424

### **DRAFT MINUTES**

#### **CALL TO ORDER / PUBLIC COMMENT**

**Call to Order:** President Brandy called the Meeting to order at 12:01 PM.

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

Commissioners Absent: Jim Blecha

Staff Present Suzy Watkins

Legal Counsel Present Jeff Minnery, Clay Hall

**Public Comment:** President Brandy called for public comment on the Closed Session items, of which there were none.

#### **ADJOURN TO CLOSED SESSION**

President Brandy adjourned to Closed Session at 12:01 PM.

**Pursuant to Government Code §54956.9(d)(1):** Conference with legal counsel regarding existing litigation in the matter of *Andrea Lueker v. Port San Luis Harbor District, et al.*, SLO Superior Court Case No. 22CV-0317.

**Pursuant to Government Code §54957.6:** Conference with labor negotiators. Agency designated representative: Harbor Director, Suzy Watkins. Employee Organization: Service Employees International Union, Local 620.

**Pursuant to Government Code §54957:** Public Employee Performance Evaluation – Harbor Director.

#### **ADJOURN TO OPEN SESSION**

The Board ended Closed Session and President Brandy reconvened the Meeting to Open Session at 1:00 PM.

#### **Report on Closed Session:**

President Brandy stated there is nothing to report.

#### **ROLL CALL / PUBLIC COMMENT**

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

Commissioners Absent: Jim Blecha

Staff Present Suzy Watkins, Harbor Director, Chris Munson, Facilities Manager; Matt Ashton, Chief Harbor Patrol Officer

Legal Counsel Present Jeff Minnery

**Public Comment:** President Brandy called for public comment on items not on the agenda and there was none.

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## **DISCUSSION ITEMS**

- A. 2023 License to do Business on District Property Request for Proposals (RFP):** Draft RFP; recommend approval.

Harbor Director Suzy Watkins presented the Staff Report and answered questions of the Board.

**Public Comment:** President Brandy called for public comment and there was none.

**Action:** Commissioner Vessely moved to approve the release of the Request for Proposals for “2023 License to do Business on District Property”; seconded by Commissioner Brandy. Motion passed 4-0 (Commissioner Blecha absent).

- B. Accounting Supervisor Salary:** Review updated Salary Schedule for Accounting Supervisor; recommend approval.

Harbor Director Suzy Watkins presented the Staff Report and answered questions of the Board.

**Public Comment:** President Brandy called for public comment and there was none.

**Action:** Commissioner Matakovich moved to approve the revised salary schedule for Unrepresented Employees which has been updated to include a salary range for the title of Accounting Supervisor; seconded by Commissioner Barrow. Motion passed 4-0 (Commissioner Blecha absent).

- C. Avila Pier Pile Repair Change Order Authorization:** Recommend approval.

Facilities Manager Chris Munson presented the Staff Report and answered questions of the Board.

**Public Comment:** President Brandy called for public comment and there was none.

**Action:** Commissioner Matakovich moved to authorize the Harbor Director, or designee, to revise the contract with Subsea Global Solutions in an amount up to \$98,100 to perform pile repairs on Avila Pier; seconded by Commissioner Vessely. Motion passed 4-0 (Commissioner Blecha absent).

It was the consensus of the Board to seek a proposal for Harford Pier repairs and bring it back to the board for discussion.

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## **COMMUNICATIONS**

President Brandy inquired with Harbor Director Suzy Watkins and Chief Harbor Patrol Matt Ashton on the cleanliness of the Gear Storage area and the response is that the Port is getting closer to being one hundred percent compliant.

President Brandy requested the status of the landscaping plan for Flying Flags. Harbor Director Suzy Watkins responded that she will review the landscaping plan and inquire with Flying Flags about where it is phased in during construction.

## **FUTURE AGENDA ITEMS**

The following items were requested for placement on future agendas:

- Mooring Ordinance 16.210 C(3) – Revocation of Mooring Permit
- Mooring Ordinance 16.250 – Mooring Seniority

**ADJOURN BACK TO CLOSED SESSION**

The Meeting adjourned at 1:54 PM to Closed Session.

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**ADJOURNMENT**

The meeting adjourned to open session at 2:21 PM; President Brandy stated there is nothing to report and adjourned at 2:21 PM to the next regularly scheduled Meeting on Tuesday, September 27, 2022, at 6:00 PM.

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Drew Brandy, President

Attest: \_\_\_\_\_

Bob Vessely, Secretary