

BOARD OF COMMISSIONERS

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ANDREA LUEKER *Harbor Manager*  
JEFFREY MINNERY *Legal Counsel*  
PHILLIP J. SEXTON, CPA *Treasurer*

## PORT SAN LUIS HARBOR DISTRICT BOARD MEETING AGENDA

“To serve the public with an array of commercial and recreational boating, fishing, and coastal-related opportunities, while ensuring an environmentally responsible, safe, well-managed, and financially sustainable harbor that preserves our marine heritage and character.”

TUESDAY, February 28, 2017  
4:30 PM

COASTAL GATEWAY BUILDING  
3900 AVILA BEACH DRIVE, AVILA BEACH, CA

**1. 4:30 PM CALL TO ORDER / PUBLIC COMMENT**

**2. ADJOURN TO CLOSED SESSION**

**Pursuant to Government Code §54956.8: Conference with Real Property Negotiators.** Property: Approximately 32 acres commonly known as Harbor Terrace. Agency Negotiators: Andrea Lueker, Harbor Manager; Kristen Stout, Business Manager; Phil Sexton, Treasurer; Jeff Minnery, Legal Counsel; and Rick Rengel, Project Management Consultant. Negotiating Parties: Port San Luis Harbor District; Red Tail Acquisitions, LLC. Under negotiation: price and terms of payment of development and lease agreement.

**Pursuant to Government Code §54956.8: Conference with Real Property Negotiators.** Property: Harford Pier Lease Site occupied by Olde Port Inn Restaurant. Agency Negotiators: Andrea Lueker, Harbor Manager; Kristen Stout, Business Manager; Phil Sexton, Treasurer; and Jeff Minnery, Legal Counsel. Negotiating Parties: Port San Luis Harbor District; DRW Restaurants, Inc. dba Olde Port Inn. Under negotiation: price and terms of payment of lease agreement.

**Pursuant to Government Code §54957(b):** Public employee performance evaluation – Harbor Manager

**Pursuant to Government Code Section 54956.9(a): Conference with District legal counsel regarding existing litigation – Alcove Unique Gifts, Inc. v. Port San Luis Harbor District.**

**Pursuant to Government Code Section 54956.9(a): Conference with District legal counsel regarding existing litigation – Leckenby. v. Port San Luis Harbor District.**

**3. 6:00 PM ADJOURN TO OPEN SESSION / ROLL CALL / FLAG SALUTE**

Announce any action taken during closed session.

**4. PUBLIC COMMENT**

Members of the public may speak regarding items not on the agenda. The public will be offered an opportunity to comment on agenda discussion items when these items are presented. All participants are requested to state their name and place of residence. Presentations are limited to three minutes.

**5. PRESENTATIONS**

**A. Ralph M. Brown Act (1953) Review; The Board’s Role and Responsibilities:** Presentation of Legal Counsel Jeffrey A. Minnery

**6. CONSENT ITEMS**

Unless an item is pulled for separate consideration by the Harbor Commission, the Consent Agenda is acted upon without discussion. Pulled Consent Items shall be heard after all Discussion Items.

**A. Activity Reports:** January 2017; receive and file [Staff Report](#)

**B. Treasurer’s Report:** December 2016; receive and file [Staff Report](#)

**C. Monthly Payables:** January 2017 check register, February payables; recommend approval [Staff Report](#) / [Attachment 1](#)

**D. Minutes:** [January 24](#), and [February 21](#), 2017 minutes; recommend approval

**E. Lighthouse Keepers:** January 2017 update; receive and file [Staff Report](#)

**F. Avila Pier Update:** January 2017 update; receive and file [Staff Report](#)

**G. Harbor Terrace Development Project:** January 2017 update; receive and file [Staff Report](#)

**H. Harford Pier Hoist #4 Project:** January 2017 update; receive and file [Staff Report](#) / [Attachment 1](#)

- I. **Lighthouse Keeper's Sponsored Trolley Days:** Event schedule; recommend approval  
[Staff Report](#) / [Attachment 1](#)
  - J. **2<sup>nd</sup> Quarter Rent Report:** Receive and file [Staff Report](#)
  - K. **2<sup>nd</sup> Quarter Financial Statements:** Receive and file [Staff Report](#)  
[Attachment 1](#) / [Attachment 2](#) / [Attachment 3](#) / [Attachment 4](#) / [Attachment 5](#)
  - L. **Fiscal Year 2017-18 Budget:** Review policies and calendar; recommend approval  
[Staff Report](#) / [Attachment 1](#) / [Attachment 2](#) / [Attachment 3](#)
  - M. **Harford Pier Ice Facility:** Amendment to Concession Agreement; recommend approval  
[Staff Report](#) / [Attachment 1](#)
  - N. **Chief Harbor Patrol Officer:** Employment Agreement/Salary for the new Chief Harbor Patrol Officer; recommend approval [Staff Report](#)
  - O. **Harbor Patrol Reserve Program:** Job descriptions and unrepresented pay schedule; recommend approval  
[Staff Report](#) / [Attachment 1](#) / [Attachment 2](#)
  - P. **Provision of Community Priorities for the Envision Avila Program:** Receive and file  
[Staff Report](#) / [Attachment 1](#)
7. **DISCUSSION ITEMS**
- A. **Fiscal Year 2016-17 Mid-Year Budget Review:** Receive and file [Staff Report](#) / [Attachment 1](#)  
[Attachment 2](#) / [Attachment 3](#) / [Attachment 4](#)
  - B. **Point San Luis Lighthouse Keepers – Caretaker's Duplex:** Review of Sublease and Subtenant; provide direction to staff [Staff Report](#) / [Attachment 1](#)
  - C. **Committee Assignments:** Approve President's recommendations for 2017  
[Staff Report](#) / [Attachment 1](#)
  - D. **Public Hearing – Mooring Permit Revocations:** Moorings 671 (Caballero) and 676 (Cameron); recommend approval [Staff Report](#)
  - E. **Fairway (Channel) Marker Buoy Grant:** Accept funds from the Boating Infrastructure Grant (BIG); adopt Resolution 17-02 [Staff Report](#) / [Reso 17-02](#)
  - F. **California Special Districts Association (CSDA) Leadership Academy Conference:** Consideration of participation in conference; provide direction to staff  
[Staff Report](#) / [Attachment 1](#) / [Attachment 2](#)
  - G. **Harbor Terrace Development:** Request from Red Tail Acquisitions to extend the Exclusive Right to Negotiate (ERN) Agreement for an additional 30 days; recommend approval  
[Staff Report](#) / [Attachment 1](#)
  - H. **Governing Board Effectiveness Survey:** Consideration of participation; recommend approval  
[Staff Report](#) / [Attachment 1](#)

8. **DISCUSSION OF PULLED CONSENT ITEMS**

At this time, items pulled for discussion from the Consent Agenda will be heard, if any.

9. **COMMUNICATIONS**

At this time, any Commissioner or the Harbor Manager may ask a question for clarification, make an announcement, or report briefly on his or her activities. In addition, subject to Commission Policies and Procedures, they may provide a reference to staff or other resources for factual information, request staff to report back to the Commission at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda. (Gov. Code Sec. 54954.2)

10. **ADJOURNMENT**

The next regular meeting of the Harbor Commission will be held on Tuesday, March 28, at 6:00 p.m.

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Copies of the staff reports or written materials provided to the Harbor Commission for Open Session agenda items may be obtained online at [www.portsanluis.com](http://www.portsanluis.com), and are also available at the Customer Service Counter of the Harbor Office for public inspection and reproduction, at cost, during normal business hours. Closed Session items are not available for public review.

*In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting or if you need the agenda and/or the documents in the agenda packet provided in an alternative format, please contact the Harbor District Office at 805.595.5410 at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made.*