

BOARD OF COMMISSIONERS

MARY MATAKOVICH *President*
DREW BRANDY *Vice President*
BOB VESSELY *Secretary*
BILL BARROW *Commissioner*
JIM BLECHA *Commissioner*



P.O. BOX 249 · AVILA BEACH
CALIFORNIA 93424
(805) 595-5400 · Fax 595-5404
www.portsanluis.com

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

PORT SAN LUIS HARBOR DISTRICT
REVISED 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, August 22, 2017
5:00 PM

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

1. 5:00 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; Loch Dreizler, Facilities 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 Section 54956.9(d)(2): Conference with District Counsel regarding anticipated litigation. Number of cases: one (1).

Pursuant to Government Code Section 54956.9(a): Conference with legal counsel regarding the matter of *Lowry 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. CONSENT ITEMS

Consent agenda items may be pulled for separate discussion by a Commissioner prior to Board action. After an item is pulled, the public will be given the opportunity to speak on the pulled item. The public may also comment on any item not pulled by a Commissioner prior to Board action.

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

B. Treasurer's Report: June 2017; receive and file [Staff Report](#)

C. Monthly Payables: July 2017 check register; receive and file [Staff Report](#) / [Attachment 1](#)

D. Minutes: [July 25, 2017](#) and [August 10, 2017](#) minutes; recommend approval

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

F. Avila Pier Update: July 2017 update; receive and file [Staff Report](#) / [Attachment 1](#)

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

H. Dredge Update: Receive and file [Staff Report](#)

I. Capital Improvement Projects: July/August 2017 update; receive and file [Staff Report](#) / [Attachment 1](#) / [Attachment 2](#) / [Attachment 3](#) / [Attachment 4](#)

J. 4th Quarter Rent Report: Receive and file [Staff Report](#)

K. 4th Quarter Financial Statements: Receive and file

[Staff Report](#) / [Attachment 1](#) / [Attachment 2](#) / [Attachment 3](#) / [Attachment 4](#) / [Attachment 5](#)

L. Write-off of 'Uncollectible' Accounts Receivable: Recommend approval [Staff Report](#)

- M. Cal Poly Ocean Surface Current Equipment Relocation:** Allow the Harbor Manager or designee to enter into an agreement with Cal Poly to access Harbor District property to relocate / install surface current radar equipment; recommend approval [Staff Report](#) / [Attachment 1](#)

6. DISCUSSION ITEMS

- A. 2016/17 Reserve Funding:** Review and recommend final reserve funding and use for 2016/17 fiscal year [Staff Report](#) / [Attachment 1](#) / [Attachment 2](#)
- B. Public Hearing to Consider Proposed Revisions to the District's Code of Ordinances:** Receive public comment and review proposed changes to the District's Code of Ordinances for Chapter 18 – Health and Safety Regulations, Section 18.030 – Animals, with proposed amendments to the regulation regarding animals (dogs) on District property and beaches; adopt Resolution 17-12 [Staff Report](#) / [Attachment 1](#) / [Attachment 2](#) / [Attachment 3](#)
- C. District Communication Plan:** Review the Communication Plan for 2017/18; provide direction to staff [Staff Report](#) / [Attachment 1](#) / [Attachment 2](#)
- D. 2018 License to do Business on District Property:** Review draft Request for Proposals (RFP); recommend approval [Staff Report](#) / [Attachment 1](#)
- E. Public Hearing – Mooring Permit Revocation:** Mooring 671 (Caballero); recommend approval [Staff Report](#)
- F. Public Hearing to Consider Proposed Revisions to the District's Code of Ordinances:** Receive public comment and review changes to the District's Code of Ordinances for Chapter 1 – General Provisions and Definitions; adopt Resolution 17-13 [Staff Report](#) / [Attach 1](#) / [Attach 2](#) / [Attach 3](#)
- G. Public Hearing to Consider Proposed Revisions to the District's Code of Ordinances:** Receive public comment and review changes to the District's Code of Ordinances for Chapter 12 – Construction Codes; adopt Resolution 17-14 [Staff Report](#) / [Attach 1](#) / [Attach 2](#) / [Attach 3](#)
- H. Harbor Terrace Development:** Request from Red Tail Acquisitions, LLC to extend the Exclusive Right to Negotiate for an additional 33 days; recommend approval [Staff Report](#) / [Attachment 1](#)
- I. 2017 National Coastal Conference of the American Shore and Beach Preservation Association:** Consideration of attendance on behalf of the District recommend approval [Staff Report](#) / [Attachment 1](#) / [Attachment 2](#)
- J. Resolution 17-15:** District volunteers deemed employees for the purpose of Workers' Compensation coverage; recommend approval [Staff Report](#) / [Attachment 1](#)

7. 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)

8. ADJOURNMENT

The next regular meeting of the Harbor Commission will be held on Tuesday, September 26, at 6:00 p.m.

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, and are also available at the Customer Service Counter of the Harbor Office for public inspection and reproduction, at cost, during normal business hours (8:00 a.m. – 12:00 noon and 1:00 p.m. to 4:30 p.m.). 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.