



MINUTES  
RESCHEDULED REGULAR MEETING  
OF THE BOARD OF HARBOR COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT  
7881 Sandholdt Road  
Moss Landing, CA 95039  
April 27, 2016, 7 P.M.

**A. CLOSED SESSION**

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The Board adjourned to closed session at 6:00 p.m. to discuss the following:

1. Confer with real property negotiators pursuant to Government Code §54956.8 regarding Moss Landing Commercial Park (formerly National Refractories). Negotiating parties: General Manager and District Counsel.
2. Confer with real property negotiators pursuant to Government Code §54956.8 regarding APN 413.022.003 (NH Building Pad). Negotiating parties: General Manager and District Counsel.
3. Confer with legal counsel and General Manager regarding two (2) matters of litigation pursuant to Government Code § 54956.9(a): 1. Catalano vs. MLHD and 2. Deyerle vs. MLHD.
4. Confer with legal counsel and General Manager regarding two (2) matters of significant exposure to litigation pursuant to Government Code §54956.9(d)(2).

**B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE**

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The meeting was called to order at 7:14 p.m. After the Pledge of Allegiance, roll was called.

Commissioners present:

Russ Jeffries – President

Tony Leonardini – Vice President

Vince Ferrante – Secretary

Andrew Amaral - Commissioner

Margaret "Peggy" Shirrel - Commissioner

Staff present:

Linda G. McIntyre – General Manager

Mike Rodriguez – District Counsel

Tom Razzeca – Assistant General Manager

Marie Della Maggiore – Dir. Of Administrative

Services, Assistant to the GM

**C. PRESIDENT'S REMARKS**

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President Jeffries reported that the Board met in closed session; no reportable action was taken, direction was given to the General Manager and District Counsel, and the Board will return to closed session at the conclusion of the open session.

**D. PUBLIC COMMENTS**

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No public comments.

**E. CONSENT CALENDAR**

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1. Approval of the March 30, 2016 Rescheduled Regular Meeting Minutes. A motion was made by Commissioner Leonardini and seconded by Commissioner Ferrante to approve the minutes of the March 30, 2016 meeting. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral abstained.

**F. TREASURER'S REPORT**

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2. Financial Reports – Month ending March 31, 2016. GM McIntyre gave the financial report. The highlights were:

- Marina revenues are higher than budgeted by \$38K. South Harbor parking is better than budget by \$37K and temporary berthing is better by 12K. This is offset by assigned and transient berthing is below budget by a total of \$16K, \$5K and \$11K respectively.

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**SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947**

- Marina expenses are lower than budgeted by \$117K. This is largely due to a combination of repairs and maintenance costs as well as personnel expenses coming in under budget but will likely be expended prior to the end of the fiscal year.
- Marina operations show a year-to-date profit of \$42K which is higher than budgeted by \$155K.
- Lease and other operating revenue is better than budget by \$112K mostly due to property tax revenue (over \$58K), higher amenity and dry storage revenue offset by lower than anticipated revenue for North Harbor Use Fee income.
- Lease and other operation expenses are slightly below budget by \$4K.
- Lease and other operations show a year-to-date profit of \$462K, higher than budget by \$64K.
- Overall for the nine month period ending March 31, 2016, combined operations show a profit of \$504K; higher than budget by \$219K.

She added that in the three remaining months of the fiscal year, the crab fishing closure combined with the poor salmon season (which is now scheduled to close early on July 15) may skew the numbers and throw us off target.

A motion was made by Commissioner Shirrel and seconded by Commissioner Amaral to accept the month-ending March 30, 2016 financial report. The motion passed unanimously on a roll call vote; all commissioners voting aye.

#### **G. MANAGER'S REPORTS**

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3. Projects Status/Update – Written report, no further comments.
4. Community Relations; Requests/Issues – Written report. GM McIntyre added that the vessel pumpout station started leaking and a pipe broke. Assistant GM Tom Razzeca located the leak in the pipe and coordinated the excavation and repair. It was quite a project requiring the use of jackhammer, concrete saw, backhoe and forklift, all done by District staff. Hole will be closed up tomorrow and quotes will be obtained for replacing the asphalt.
5. Summary of Permits Issued – Written report, no further comments.
6. Meeting Announcements – Written report, no further comments.
7. Assigned Liveaboard Report – Written report, no further comments.
8. Assigned Slip Income Report – Written report, no further comments.
9. Incident Report – Written report, no further comments.

#### **H. COMMITTEE REPORTS**

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10. Finance Committee – No meetings reported.
11. Elkhorn Slough Advisory Committee – No meetings reported.
12. Special Districts/LAFCO – President Jeffries reported that he and Commissioner Ferrante had attended the Special Districts of Monterey County April meeting at which presentations were given by representatives of the Monterey County Gang Task Force and the Legislative Outreach Program of CSDA.
13. Liveaboard Committee – No meetings reported.
14. Harbor Improvement Committee – No meetings reported.
15. Real Property Committee I – President Jeffries reported that he had met with Gregg Marine Drilling and Ken Israel of Caravel Environmental last month about the erosion problem on the property boundary between the District and Gregg Marine.
16. Real Property Committee II – No meetings reported.
17. Meetings Commissioners attended at District Expense (AB 1234 requirement) – Commissioner Ferrante reported he had attended a meeting of the CSDA Legislative Committee. He thanked GM McIntyre for the letter of opposition to SB 885.

## I. NEW BUSINESS

18. ITEM – Update on North Harbor wharf/visitor dock access erosion emergency repair project.
  - a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – Commissioner Ferrante commented that it is ridiculous for CalTrans to hold up this project. President Jeffries commented it is also costing taxpayers more money as the erosion spreads to the CalTrans property. GM McIntyre added that CalTrans had also suggested that the District put up a 6-foot fence around the area which she doubts the Coastal Commission would allow. She said it is troubling that CalTrans seems to lack the sense of urgency this project requires and that they have no process for expediting an emergency permit.
  - d. Board action – The Board by consensus agreed that the emergency conditions necessitating the project still existed and that all terms and conditions of Resolution 16-01 remain in effect.
19. ITEM - Update on B Dock emergency finger replacement project.
  - a. Staff report – Gm McIntyre gave the staff report. She added that she received an email today from the contractor informing us that the materials were on the way.
  - b. Public comment – No public comments.
  - c. Board discussion – No further discussion.
  - d. Board action - The Board by consensus agreed that the emergency conditions necessitating the project still existed and that all terms and conditions of Resolution 16-02 remain in effect.
20. ITEM – Consider adopting the preliminary budget for FY 2016-2017.
  - a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – The Budget Committee members thanked staff for all their efforts in making the process smooth and easy. Commissioner Leonardini said he expects this budget may change in the future based on what bids are received for future projects.
  - d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Amaral to adopt the preliminary budget as presented. The motion passed unanimously on a roll call vote, 5-0-0. President Jeffries said he will keep the Ad Hoc Budget Committee intact because we may want to do some mid-year review and revisions.
21. ITEM – Consider Adopting Resolution 16-15 calling for general election in November 2016.
  - a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – No further discussion.
  - d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Leonardini to adopt Resolution No. 16-15. The motion passed unanimously on a roll call vote, 5-0-0.
22. ITEM – Consider Resolution No.16-16 casting a vote for LAFCO Alternate Member seat election.
  - a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – There was discussion of the candidate qualifications.
  - d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Shirrel to adopt Resolution No. 16-16 casting a vote for Grant Leonard in the LAFCO election. The motion passed unanimously on a roll call vote, 5-0-0.

**J. COMMISSIONERS COMMENTS AND CONCERNS**

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Commissioner Ferrante commented that the appearance of the harbor looks amazing and it is wonderful to see the harbor buzzing with activity.

**RETURN TO CLOSED SESSION:** The Board returned to closed session at 8:10 p.m.

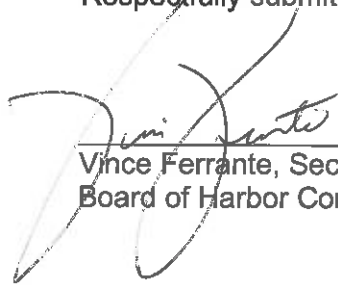
**RETURN TO OPEN SESSION:** At 9:06 p.m. the Board returned to Open Session. President Jeffries reported that no action was taken and direction was given to the GM and District Counsel.

**K. ADJOURN MEETING**

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The meeting adjourned at 9:07 p.m.

Respectfully submitted:



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Vince Ferrante, Secretary  
Board of Harbor Commissioners

ATTEST:



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Linda G. McIntyre, Deputy Secretary  
Board of Harbor Commissioners