



MINUTES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
MOSS LANDING, CA 95039
February 25, 2015, 7 P.M.

A. CLOSED SESSION

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 Restaurant and Visitor Dock). Negotiating parties: General Manager and District Counsel.
3. Confer with real property negotiators pursuant to Government Code §54956.8 regarding the Santa Cruz Cannery Building (roof top lease proposal). Negotiating parties: General Manager and District Counsel.
4. Confer with real property negotiators pursuant to Government Code §54956.8 regarding the Santa Cruz Cannery Building (sublease proposals). Negotiating parties: General Manager and District Counsel.
5. Confer with District Counsel regarding one matter of potential litigation pursuant to Government Code §54956.9D2.

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:18 p.m. After the Pledge of Allegiance, roll was called.

Commissioners present:

Russ Jeffries – President
Tony Leonardini – Vice President
Vince Ferrante – Secretary
Frank Gomes, Jr. – Commissioner
Andrew Amaral - Commissioner

Staff present:

Linda G. McIntyre – General Manager
Mike Rodriguez – District Counsel
Tom Razzeca – Assistant General Manager
Marie Della Maggiore – Executive Assistant

C. PRESIDENT'S REMARKS

President Jeffries reported that the Board met in closed session; no reportable action was taken and direction was given to the General Manager and District Counsel. He added that the Board will return to closed session at the end of the open session and no decisions will be made.

D. PUBLIC COMMENTS

No public comment.

E. MANAGER'S REPORTS

1. Projects Status/Update – Written report, no further comments.
2. Community Relations; Requests/Issues – Written report, no further comments.
3. Summary of Permits Issued – Written report, no further comments.
4. Meeting Announcements – Written report, no further comments.
5. Assigned Liveaboard Report – Written report. Commissioner Ferrante commented that he was pleased to see all the liveaboard slips filled.
6. Slip Income Report – Written report, no additional comment.
7. Incident Report – Written report, no additional comment.

F. CONSENT CALENDAR

8. A motion was made by Commissioner Ferrante and seconded by Commissioner Gomes to approve the January 28, 2015 Regular Meeting Minutes. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Gomes voting aye, Commissioner Amaral abstained.

G. TREASURER'S REPORT

9. Written report; no additional comments. A motion was made by Commissioner Gomes and seconded by Commissioner Ferrante to approve the month ending January 31, 2015 financial report. The motion passed unanimously on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante, Gomes and Amaral all voting aye.

Chair of the Budget Committee Commissioner Gomes asked about beginning the meetings for the upcoming FY 15/16 budget. GM McIntyre said she would coordinate some meeting dates.

H. COMMITTEE REPORTS

10. Finance Committee – No meetings reported.
11. Elkhorn Slough Advisory Committee – No meetings reported.
12. Special Districts/LAFCO – No meetings reported.
13. Liveaboard Committee – No meetings reported.
14. Harbor Improvement Committee – No meetings reported.
15. Real Property Committee I – No meetings reported.
16. Real Property Committee II – Commissioner Gomes reported that they had met with the General Manager on February 17, 2015 and that they will give their report later on the agenda.
17. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). – Commissioner Leonardini reported that he represented the District at the Moss Landing Chamber of Commerce meeting on February 11, 2015. The meeting was held to discuss issues with use of the Chamber building and the annual Antique Fair. GM McIntyre commented that since Commissioner Leonardini was representing the interests of the District, he should be paid for attending. District Counsel Rodriguez said he will find the enabling bylaw regarding retroactively approving a stipend. The Board will return to Item 17.

I. NEW BUSINESS

18. ITEM – Consider Verizon proposal to install a wireless cell antenna on the Cannery Building roof.

- a. Staff report – GM McIntyre gave the staff report.
- b. Public comment – No public comment.
- c. Board discussion – Commissioner Gomes said he was okay with a 25-year term on the condition it was reviewed every five years. President Jeffries asked if CPI increases were built in to which GM McIntyre answered yes. Commissioner Amaral asked that they pay for their own power usage and that the servers, cooling and ventilation systems all be approved as satisfactory. Assistant GM Razzeca said he will be doing a walk-thru with them before they install any systems. GM McIntyre added that all construction costs will be built into the lease and anything outside of the original scope will be brought back to the Board for approval.
- d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Gomes to approve the proposal by Verizon Wireless subject to review and approval of the lease by District Counsel. The motion passed unanimously 5-0-0 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante, Gomes and Amaral all voting aye.

ITEM 17 - Counsel Rodriguez brought back Item 17 and read the section of the Bylaws indicating the meeting of the Chamber of Commerce may be retroactively approved for payment to a Commissioner for attending. A motion was made by President Jeffries and seconded by Commissioner Ferrante to approve a \$100 stipend be paid to Commissioner Leonardini. The motion passed 4-0-1 on a roll call vote, Commissioners Jeffries, Ferrante, Gomes and Amaral voting aye; Commissioner Leonardini abstained.

19. ITEM - Consider authorizing the General Manager to approve mutual subleases of two Cannery Building facilities to two existing tenants.

- a. Staff report – GM McIntyre gave the staff report. She added the sublease will make no difference in income to the District.
- b. Public comment – No public comment.
- c. Board discussion – No further discussion.
- d. Board action – A motion was made by Commissioner Gomes and seconded by Commissioner Leonardini to approve the Cannery Building subleases. The motion passed unanimously 5-0-0 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante, Gomes and Amaral all voting aye.

20. ITEM – Consider adopting proposed Ordinance clarifying guest policies.

- a. Staff report – GM McIntyre gave the staff report. She added that it is a clarification of the Ordinance and recommends removing the second sentence in the first paragraph of the proposed ordinance and bringing it back at a future meeting. Adding Section 6.115 would satisfy staff needs and give them the tools needed to enforce unauthorized and unknown visitors on the docks and vessels.
- b. Public comment – No public comment.
- c. Board discussion – There was discussion of how it might affect fishing vessels and their crew members and various scenarios such as offering pre-authorizations, standing authorizations, last minute guest invitations, exemptions, etc. Staff will work out the details of enforcement. GM McIntyre said this change clarifies the intent of the two-night stay rule and guest allowance rules, and that this would not apply to commercial fishing vessel crews.
- d. Board action – President Jeffries tabled the item to the next meeting.

J. COMMISSIONERS COMMENTS AND CONCERNS

No additional concerns.

The Board returned to closed session at 8:20 pm.

K. ADJOURN MEETING

The Board returned to open session at 9:13 pm. President Jeffries reported no actions were taken and no decisions were made. The meeting adjourned at 9:14 pm.

Respectfully submitted,

Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners