



MINUTES  
REGULAR MEETING  
OF THE BOARD OF HARBOR COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT  
7881 Sandholdt Road  
MOSS LANDING, CA 95039  
February 27, 2013 7:00 p.m.

**A. CLOSED SESSION**

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The Board adjourned to closed session at 6:15 p.m. to discuss the following:

1. Confer with real property negotiators pursuant to Government Code §54956.8 regarding APN 413.022.003 (NH Restaurant Pad). Negotiating parties: General Manager and District Counsel.
2. Confer with real property negotiators pursuant to Government Code §54956.8 regarding parcel(s) currently used for E & F Dock access easements (MBARI). Negotiating parties: General Manager and District Counsel.
3. 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.

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

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The meeting was called to order at 7:20 p.m. After the Pledge of Allegiance, roll was called.

Commissioners present:  
Russ Jeffries - President  
Yohn Gideon – Vice President  
Vince Ferrante – Secretary  
Frank Gomes, Jr. – Commissioner  
Tony Leonardini - Commissioner

Staff present:  
Linda G. McIntyre – General Manager  
Mike Rodriquez – District Counsel  
Marie Della Maggiore, Executive Assistant  
Wendy Cumming, CPA

**C. PRESIDENT'S REMARKS**

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President Jeffries stated that the Board had met earlier in closed session and that direction was given to the General Manager and District Counsel and no other reportable action was taken. He added the Board will return to closed session at the conclusion of the open session.

**D. PUBLIC COMMENTS**

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Susan Bradley introduced herself and her vessel, the "China Dragon", one of less than 50 authentic Chinese junk boats in the U.S. The "China Dragon" ([www.junk-boat.com](http://www.junk-boat.com)) is currently berthed in Monterey but Ms. Bradley is looking for a new home for the vessel where she can continue to restore her and possibly use her as a "bed and breakfast" type endeavor. President Jeffries welcomed Ms. Bradley and said we would be very pleased to have such an historical vessel in our harbor. He asked her to please contact the Harbor Master when she is ready to move to Moss Landing.

**E. MANAGER'S REPORTS**

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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, no further comments.
6. Assigned Slip Income Report – Written report, no further comments.
7. Incident Report – Written report, no further comments.

#### **F. CONSENT CALENDAR**

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8. Approval of the January 16, 2013 Special Meeting Minutes – A motion was made by Commissioner Ferrante and seconded by Commissioner Gomes to approve the January 16, 2013 meeting minutes. The motion passed 4-0-1 (Gideon abstained).

#### **G. TREASURER'S REPORT**

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9. Wendy Cumming gave the financial reports for the month ending January 31, 2013. She reported that cash accounts are down by almost \$1M over last year due to construction and FEMA project expenses. The District is expecting approximately \$750K in additional FEMA reimbursements. Marina revenues are slightly below budget but the upcoming salmon season should definitely boost the revenues. Ms. Cumming noted the footnote added to the reports explaining how funding for dredging is accumulated each year.

A motion was made by Commissioner Ferrante and seconded by Commissioner Gomes to accept the month ending January 31, 2013 financial report. The motion passed unanimously.

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

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10. Finance Committee – No report.
11. Elkhorn Slough Advisory Committee – No report.
12. Special Districts/CSDA – No report.
13. Liveaboard Committee – No report.
14. Harbor Improvement Committee – No report.
15. Real Property Committee I – No report.
16. Real Property Committee II – No report.
17. Ad Hoc Budget Committee – Commissioner Gomes reported that the committee had reviewed last year's budget with the General Manager and will continue to work on the FYE June 30, 2014 budget.
18. Meetings attended by Commissioners at District expense since the last regular Board meeting (Per AB 1234 requirements). – No other meetings reported.

#### **I. NEW BUSINESS**

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19. ITEM – Consider Resolution No. 13-04 authorizing the expenditure of funds to cut installed piles to ensure symmetrical appearance throughout Harbor.
  - a. Staff report – GM McIntyre gave the staff report. She added there will be future pile projects and if the Board chooses to not fund the work at this time, the proposed work could be done during a future project.
  - b. Public comment – No public comment.
  - c. Board discussion – Commissioner Gideon commented that Associated Pacific Constructors has done an excellent job and the new pilings look very professional when even and symmetrical. Commissioner Leonardini agreed and said he had only noticed two pilings that were extremely uneven and was surprised the survey showed 18. He suggested cutting only three or four of the most obvious ones.

- d. Board action – President Jeffries directed the Harbor Improvement Committee to do a survey of the piles when the project is completed and report back to the Board at the March or April meeting.
20. ITEM – Consider authorizing the placement of a cigarette butt container at Kirby Park
- a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – The Board discussed allowing the placement of the cigarette “bait tank” if it was placed in a location that would not cause any blockage to the view shed and if the ESF agrees to be responsible for all costs and labor installing, maintaining, repairing, emptying and, if requested, removing the cigarette “bait tank”.
  - d. Board action – A motion was made by Commissioner Leonardini and seconded by Commissioner Gomes to approve ESF’s request to install a cigarette “bait tank” by the restroom at Kirby Park and direct the General Manager to prepare and execute a written agreement with those conditions. The motion passed unanimously.
21. ITEM – Consider adopting Resolution No. 13-05 ratifying five (5) Pile Replacement Change Orders authorized by GM.
- a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – There was clarification of the necessity of the additional pile for B dock which was missed in the original survey because it had been broken off and was underwater, and the E dock dredging which was not accessible to be done during the dredge project and was now necessary after the dock is moved back toward the shoreline.
  - d. Board action – A motion was made by Commissioner Gomes and seconded by Commissioner Ferrante to adopt Resolution No.13-05. The motion passed unanimously.
22. ITEM – Consider authorizing the GM to send a formal letter to the ACOE requesting a feasibility study for deepening the federal entrance channel.
- a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.
  - c. Board discussion – There was discussion of why MLHD should be involved. MBARI requested the study to evaluate deepening the Federal Channel but it may also serve to benefit the District in future requests to the ACOE for dredging funding. There is no financial impact to the District to conduct the preliminary study. President Jeffries commented that it would be a good opportunity for the ACOE to study the channel and find out what it is really like. Commissioner Gomes said we should support the request of the harbor tenant and neighbor MBARI.
  - d. Board action – A motion was made by Commissioner Gomes and seconded by Commissioner Ferrante to authorize the General Manager to send a formal request for a feasibility study to deepen the federal channel to the ACOE.
23. ITEM – Approve conceptual drawings for design of new North Harbor restaurant.  
President Jeffries pulled Item 23 from the agenda until the March 27, 2013 meeting.
24. ITEM – Consider adopting Resolution No. 13-06 approving the Additional Services Amendment to the Architectural Services Agreement.
- a. Staff report – GM McIntyre gave the staff report.
  - b. Public comment – No public comment.

- c. Board discussion – There was clarification of tasks being added to the agreement.
- d. Board action – A motion was made by Commissioner Leonardini and seconded by Commissioner Ferrante to adopt Resolution No. 13-06. The motion passed unanimously.

**J. COMMISSIONERS COMMENTS AND CONCERNS**

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Commissioner Ferrante commended staff for the great job getting the “Tri One” out of the harbor. It was a good team effort by Tommy Razzeca and the maintenance staff.

**K. ADJOURNMENT**

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President Jeffries adjourned the meeting at 8:34 p.m.

Respectfully submitted,

ATTEST:

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Vince Ferrante, Secretary  
Board of Harbor Commissioners

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Linda G. McIntyre, Deputy Secretary  
Board of Harbor Commissioners