



MINUTES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
MOSS LANDING, CA 95039
JUNE 26, 2013 7:00 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 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 potential amendment to one Lease at Santa Cruz Cannery Building (Gregg Drilling). 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.
4. Consider personnel matters pursuant to Government Code §54957 – General Manager annual performance evaluation.
5. Confer with legal counsel and General Manager regarding two (2) matters of litigation pursuant to Government Code § 54956.9(a): 1) City of Salinas, et al, vs. County of Monterey, et al. 2) Cramer vs. MLHD, et al.
6. Confer with Labor negotiators pursuant to Government Code §54857.6 regarding employee group Carpenters 46 Northern California Conference – Chief Negotiator General Manager Linda G. McIntyre.

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:06 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:

Tommy Razzeca, Asst. GM/Asst. Harbor Master
Mike Rodriguez – District Counsel
Marie Della Maggiore, Executive Assistant

Excused:

Linda G. McIntyre – General Manager
Wendy Cumming, CPA

C. PRESIDENT'S REMARKS

President Jeffries stated that the Board had met earlier in closed session and that direction was given to District Counsel and no other reportable action was taken.

D. PUBLIC COMMENTS

No public comments.

E. MANAGER'S REPORTS

1. Projects Status/Update – Written report, no additional comments.
2. Community Relations; Requests/Issues – Commissioner Ferrante congratulated Tommy Razzeca for obtaining a CSDA grant to attend the annual training conference.
3. Summary of Permits Issued – Written report, no additional comments.
4. Meeting Announcements – Written report, no additional comments.
5. Assigned Liveboard Report – Written report, no additional comments.
6. Assigned Slip Income Report – Written report, no additional comments.
7. Incident Report – Written report, no additional comments.

F. CONSENT CALENDAR

8. A motion was made by Commissioner Gideon seconded by Commissioner Ferrante to approve the May 29, 2013 Rescheduled Regular Meeting Minutes. Motion passed unanimously.

G. TREASURER'S REPORT

9. Assistant GM Tommy Razzeca read comments on the financial report prepared by Wendy Cumming for the month ending May 31, 2013. She noted that Marina Revenues are coming in higher than budget by \$8K and General and Administrative expenses are less than budgeted by \$30K largely due to professional services coming in lower than anticipated. Payroll related expenses are in line with budget and overall Marina Operations show a year-to-date loss of \$47K, which is \$58K better than budget.

Lease and Other Income is \$146k above budget due to greater than anticipated property tax revenue. Lease and other expenses are less than budgeted by \$303K, due to the election costs of \$300k that were not incurred.

Overall Lease and Other Operations shows a year-to-date profit of \$463K and combined profit is \$416k. President Jeffries commented that the District is in good financial shape.

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

H. COMMITTEE REPORTS

10. Finance Committee – No report.
11. Elkhorn Slough Advisory Committee – No report.
12. Special Districts/CSDA – Commissioner Ferrante reported on meetings of the CSDA committees attended and reminded the Board of the upcoming General Manager Leadership conference and the annual CSDA conference in Monterey.
13. Liveboard Committee – No report.
14. Harbor Improvement Committee – No report.
15. Real Property Committee I – President Jeffries commented that the committee met with the architect and they are continuing to work on the restaurant project as planned.
16. Real Property Committee II – No report.
17. Ad Hoc Budget Committee – No report.
18. Meetings attended by Commissioners at District expense since the last regular Board meeting (Per AB 1234 requirements). – No further meetings reported.

I. NEW BUSINESS

19. ITEM – Consider adopting Resolution No. 13-11 awarding a contract for audit services.
- Staff report – Assistant GM Tommy Razzeca gave the staff report.
 - Public comment – No public comment.
 - Board discussion – There was discussion of the fees and qualifications and local firms versus out of town. Staff had contacted references for the four lowest bidding firms and determined that all were qualified.
 - Board action – A motion was made by Commissioner Gideon and seconded by Commissioner Gomes to adopt Resolution No. 13-11 awarding the audit services contract to Ryan Jolley CPA. The motion passed unanimously
20. ITEM – Consider adopting Resolution No. 13-12 awarding Sea Engineering Inc. a contract for as-needed environmental and engineering services.
- Staff report – Assistant GM Tommy Razzeca gave the staff report. He added that Sea Engineering has been very easy to work with, easy to communicate with and is very helpful when needed.
 - Public comment – No public comment.
 - Board discussion – President Jeffries commented that Ken Israel (SEI) really saved the District on the Kirby Park revetment project by discovering the error in engineering design. Commissioner Leonardini asked if this contract was for the DMMP project and where in the budget would the funds come from? Exec. Assistant Della Maggiore answered that a contract for consulting services for the DMMP project was a separate project that was awarded at the May Board meeting. She noted that line 70 of the budget, “Outside Service Contracts”, includes as-needed environmental and engineering services.
 - Board action – A motion was made by Commissioner Gideon and seconded by Commissioner Ferrante to adopt Resolution 13-12 awarding a contract to Sea Engineering Inc. The motion passed unanimously.
21. ITEM – Consider authorizing the General Manager to execute a refunding agreement submitted by the Weist Law Firm.

President Jeffries tabled this item to a future meeting.

22. ITEM – Consider adopting Resolution No. 13-14 CSDA Ballot.
- Staff report – Assistant GM Tommy Razzeca gave the staff report.
 - Public comment – No public comment.
 - Board discussion – Commissioner Ferrante commented that he has served with the incumbent on CSDA committees and recommended her re-election.
 - Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Gideon to adopt Resolution 13-14 selecting candidate Sherry Sterrett to fill Region 3, Seat B on the CSDA Board of Directors. The motion passed unanimously.
23. ITEM – Consider ratifying amendment to workers group Carpenters 46 MOU.
- Staff report – Assistant GM Tommy Razzeca commented that negotiations on this item went smoothly and quickly.
 - Public comment – No public comment.
 - Board discussion – President Jeffries said Commissioner Ferrante, as chair of the Personnel Committee, did a great job in the meeting with the union reps.

d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Gideon to ratify Carpenters 46 Northern Side Letter #2 to the MOU. The motion passed unanimously.

J. COMMISSIONERS COMMENTS AND CONCERNS

Commissioner Leonardini asked what we are doing for sea lion control to which Assistant GM Tommy Razzeca answered they are not really a problem at the moment since they have left the harbor as they seasonally do each year. He added that staff is always working on a game plan to try and stay ahead of them.

K. ADJOURNMENT

President Jeffries adjourned the meeting at 7:43 p.m.

Respectfully Submitted,

Vince Ferrante, Secretary
Board of harbor Commissioners

ATTEST:

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners