

MINUTES  
REGULAR MEETING  
OF THE BOARD OF HARBOR COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT  
7881 Sandholdt Road, Moss Landing, CA 95039

FEBRUARY 22, 2017

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

The meeting was called to order at 7:03 PM. Roll was called, followed by the Pledge of Allegiance.

Commissioners present:

Russ Jeffries – President  
Tony Leonardini – Vice President  
Vince Ferrante – Secretary  
Peggy Shirrel – Commissioner  
James Goulart (After Item 2, Commissioner Goulart was seated at the dais)

Staff Present:

Linda G. McIntyre – General Manager  
Mike Rodriguez – District Counsel  
Tommy Razzeca – Assistant General Manager

**B. APPOINTMENT TO FILL BOARD VACANCY**

1. ITEM – Consider Adopting Resolution No. 17-04 Making an appointment to fill a Board vacancy.

a. Staff report – GM McIntyre gave the staff report stating that the Letter of Interest from James Goulart was received timely; the one from Herrick Andrews was received late. The GM had called the Elections Department to verify that Mr. Goulart was a resident of the District and registered to vote and this was confirmed; that the Elections Department had no record of Herrick Andrews as a registered voter in Monterey County.

b. Public comment – Herrick Andrews addressed the Board and stated he had registered to vote 2 weeks ago. James Goulart addressed the Board and provided additional comments and background, including volunteering at the Dixieland Jazz Festival and the Salinas Air Show.

c. Board discussion - Commissioner Shirrel asked why he wants to be on the MLHD Board and he replied that he was asked to consider it but having been a public servant he realizes it's a challenge and looks forward to it. Commissioner Ferrante asked if he'd ever been an elected official to which he replied he'd been elected to an HOA. Commissioner Ferrante advised him of the FPPC and ethics training requirements to which he replied that as a Fire Captain he already complies with those requirements. President Jeffries said he knows Mr. Goulart; has served on another Board with him and thinks he would be a great addition to the Board. Commissioner Shirrel wanted to ask Mr. Andrews additional questions and asked why he wanted to be on the Board. He replied that he is a Liveaboard at Moss Landing Harbor; had served at the Emeryville Harbor, was with AT & T for 11 years and Microsoft before that. He said he knows Mr. Goulart filed timely and he did not so indicated he understands if he is not appointed.

d. Board action – A motion was made by Commissioner Shirrel, seconded by Commissioner Ferrante, to adopt Resolution No. 17-04 Appointing James Goulart to the Board of Harbor Commissioners to complete the remaining term of the Board vacancy. The motion passed unanimously on a roll-call vote.

## **C. ADMINISTER OATH OF OFFICE**

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2. ITEM – President Russ Jeffries administered the Oath of Office to the newly appointed Board member, James Goulart, who immediately took his seat at the dais.

## **D. PRESIDENT'S REMARKS**

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The President commented that he was glad to have a full five member Board; that it was difficult to operate with only 4 members. He expressed his appreciation to Mr. Goulart.

## **E. PUBLIC COMMENTS**

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Scott Ricker introduced himself as the Elkhorn Yacht Club Commodore.

Octavia Riggs is the General Manager of the Yacht Club and asked about dredging because North Harbor is silting in.

Will Kernow said he's been in the Harbor for 9 years and wanted to come to a meeting, adding that he loves the Harbor.

Herrick Andrews stated that he likes it here and that the staff is great.

## **F. 2017 COMMITTEE APPOINTMENTS**

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3. ITEM – The President made the following Committee appointments:

- a. Elkhorn Slough Advisory Committee - Leonardini
- b. Liveaboard Committee – Jeffries/Goulart
- c. Harbor Improvement Committee – Shirrel/Goulart
- d. Real Property Committee I – Jeffries/Leonardini
- e. Real Property Committee II – Ferrante/Shirrel
- f. Special Districts/LAFCO – Jeffries/Ferrante
- g. Personnel Committee – Ferrante/Jeffries
- h. Finance Committee – Ferrante/Goulart
- i. Ad Hoc Budget Committee – Leonardini/Shirrel

## **G. CONSENT CALENDAR**

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4. Approval of the January 25, 2017 Rescheduled Regular Meeting Minutes. A Motion was made by Commissioner Ferrante, seconded by Commissioner Leonardini, to approve the January 25, 2017 Rescheduled Regular meeting Minutes. The Motion passed 4-0-1 on a roll call vote, all ayes except Commissioner Goulart who abstained.

## **H. FINANCIAL REPORT**

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5. Financial report month ending January 31, 2017. The General Manager gave the report on the highlights. Commissioner Ferrante asked the GM to explain Trust Account which she did. A Motion was made by Commissioner Shirrel, seconded by Commissioner Leonardini, to accept the Financial Statement. The motion passed unanimously on a roll call vote.

## **I. MANAGER'S REPORTS**

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The General Manager will make oral or written presentations on the below subjects. The Board may take such action as deemed necessary. The Manager may present additional reports; however, the Board may not take action on any such item not on this Agenda.

6. Projects Status/Update – written report, no comments

7. Community Relations; Requests/Issues – Commissioner Ferrante pulled this item to reiterate the CSDA sponsored event honoring Assemblyman Mark Stone this Friday.

8. Summary of Permits Issued – written report, no comments
9. Meeting Announcements – written report, no comments
10. Assigned Liveboard Report – written report, no comments
11. Slip Income Report – written report, no comments
12. Incident Report – written report, no comments

#### **J. COMMITTEE REPORTS**

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13. Finance Committee – Ferrante/Leonardini – no meetings
14. Elkhorn Slough Advisory Committee – Leonardini – no meetings
15. Special Districts – Jeffries/Ferrante – no meetings
16. Liveboard Committee – Jeffries – no meetings
17. Harbor Improvement Committee – Shirrel – no meetings
18. Real Property Committee I – Jeffries/Leonardini – no meetings
19. Real Property Committee II – Ferrante/Shirrel – no meetings
20. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements) – no meetings

#### **K. NEW BUSINESS**

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21. ITEM – Update on North Harbor wharf/visitor dock access erosion emergency repair project.
  - a. Staff report – the General Manager gave the update
  - b. Public comment - none
  - c. Board discussion - none
  - d. Board action – The Board by consensus agreed that the emergency conditions necessitating the project still exist and that all the terms and conditions of Resolution 16-01 should remain in effect.
22. ITEM – Update on B Dock emergency repair project
  - a. Staff report – the General Manager gave the update
  - b. Public comment – Herrick Andrews asked if he would have to be moved; Assistant GM Tommy Razzeca replied that he probably would not have to be moved.
  - c. Board discussion - none
  - d. Board action - The Board by consensus agreed that the emergency conditions necessitating the project still exist and that all the terms and conditions of Resolution 16-18 should remain in effect.
23. ITEM – Update on Maintenance Dock Erosion Emergency Project
  - a. Staff report – the General Manager gave the update.
  - b. Public comment - none
  - c. Board discussion – Commissioner Goulart asked who pays for the Maintenance Dock repairs. The GM replied the Harbor District pays from its funds on hand.
  - d. Board action - The Board by consensus agreed that the emergency conditions necessitating the project still exist and that all the terms and conditions of Resolution 17-01 should remain in effect.
24. ITEM – Consider Adopting Resolution No. 17-05 Authorizing Board and GM as signatories on District's Bank Accounts
  - a. Staff report – the General Manager gave the report.
  - b. Public comment - none
  - c. Board discussion - none

d. Board action – a Motion was made by Commissioner Leonardini, seconded by Commissioner Shirrel, to adopt Resolution 17-05. The motion passed unanimously on a roll call vote.

25. ITEM – Consider adopting Resolution No. 17-06 Nominating Vince Ferrante for the CSDA Board

a. Staff report – The General Manager gave the report.

b. Public comment - none

c. Board discussion – Commissioner Ferrante provided additional information.

d. Board action – a Motion was made by Commissioner Shirrel, seconded by Commissioner Goulart, to adopt Resolution No. 17-06. The motion passed unanimously on a roll call vote.

#### **L. COMMISSIONERS COMMENTS AND CONCERNS**

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Commissioner Ferrante asked if trash was included in the Amenities fee slipholders pay? The General Manager replied that trash is included in Amenities fees.

At 8 pm the meeting was adjourned for a 10 minute break followed by reconvening in Closed Session.

#### **M. CLOSED SESSION**

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The Board adjourned to Closed Session at 8:10 pm. to consider the following item:

1. Confer with legal counsel and General Manager regarding two (2) matters of litigation pursuant to Government Code § 54956.9(a): 1. Catalano vs. MLHD 2. Deyerle vs. MLHD

#### **N. RECONVENE IN OPEN SESSION**

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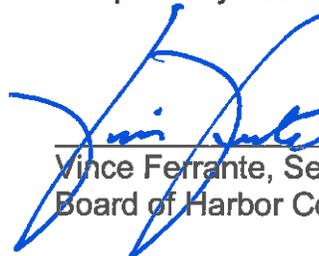
At 9:00 the Board reconvened in Open Session. The President reported that no decisions were made, no action was taken; that direction was given to legal counsel and to the General Manager in Closed session.

#### **O. ADJOURNMENT**

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President Jeffries adjourned the meeting at 9:01pm.

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