



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

September 13, 2017

A. CLOSED SESSION

A closed session was held immediately prior to the public open meeting to consider the following:

1. Confer with real property negotiators (District Counsel and GM) regarding two (2) matters pursuant to Government Code §54956.8: (1) A Portion of APN #413-022-002-000 and 413-022-003 (NH) and 2) A portion of APN 413-022-003-000 (NH).

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

President Jeffries called the meeting to order at 6:52 pm. After the Pledge of Allegiance, roll was called.

Commissioners present:

Russ Jeffries – President
Tony Leonardini – Vice President
Peggy Shirrel – Commissioner
James R. Goulart – Commissioner

Commissioners absent:

Vince Ferrante – Secretary

Staff present:

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

Staff absent:

Shay Shaw – Administrative Assistant

C. PRESIDENT'S REMARKS

The President announced that the Board met in Closed Session and no decisions were made; that direction was given to the General Manager and to District Counsel.

D. PUBLIC COMMENTS

No public comments were made.

E. NEW BUSINESS

1. ITEM – Consider adopting Resolution No. 17-11 Terminating a Rental Agreement.
 - a. Staff report - General Manager McIntyre gave the staff report.
 - b. Public comment - none
 - c. Board discussion - none
 - d. Board action – A motion was made by Commissioner Shirrel, seconded by Commissioner Goulart, to adopt Resolution 17-11 Terminating the month-to-month rental agreement of Pottery Planet/Pot Stop. The motion passed 4-0-1; Commissioners Jeffries, Leonardini, Shirrel and Goulart voting aye; Commissioner Ferrante absent.

2. ITEM – Consider request for sublease – Sea Harvest Restaurant.
 - a. Staff report – General Manager McIntyre gave the staff report.
 - b. Public comment – Lynn Platt asked if the subtenant can pay the Harbor District directly. District Counsel Rodriguez responded that the subtenant has no direct contract with the Harbor District so probably not. Lynn said whatever it takes to make it work.

c. Board discussion – President Jeffries said the Real Property Committee met the Pirls, had a discussion and questions and the Committee is satisfied. There is still a question regarding 1) percentage rent and 2) the District would like copies of the quarterly BOE reports. Counsel Rodriguez said he will work with the Deyerle’s attorney to include/resolve those items.

d. Board action – Commissioner Leonardini made a motion, seconded by Commissioner Shirrel, to authorize the General Manager to execute a consent of Landlord on the condition there is resolution of items 1) and 2) above. The motion passed 4-0-1; Commissioners Jeffries, Leonardini, Shirrel and Goulart voting aye; Commissioner Ferrante absent.

F. COMMISSIONERS COMMENTS AND CONCERNS

Commissioner Shirrel thanked the Real Property Committee, District Counsel and staff for their hard work on these Real property Committee issues.

G. ADJOURNMENT

President Jeffries adjourned the meeting at 7:10 pm.

Respectfully submitted,



Russ Jeffries, President, for
Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:



Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners