



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

September 26, 2018

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) pursuant to Government Code §54956.8 regarding: a. The Moss Landing Commercial Park; b. K-Dock leases, APN 133.241.0150; APN 133.231.12/13, and c. Martin-Mason Ground Lease

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

The open session was called to order at 7:12 pm. After the Pledge of Allegiance roll was called:

Commissioners Present:

Russ Jeffries – President
Tony Leonardini – Vice President
James Goulart – Commissioner

Commissioners Absent:

Vince Ferrante – Secretary, Peggy Shirrel – Commissioner

Staff Present:

Linda G. McIntyre – General Manager
Mike Rodriquez – District Counsel
Tommy Razzeca – Assistant General Manager
Shay Shaw – Administrative Assistant

C. PRESIDENT'S REMARKS

President Jefferies announced that the Board met in closed session and no decisions were made; direction was given to District staff and the District Counsel.

D. PUBLIC COMMENTS

None.

E. CONSENT CALENDAR

1. Approval of the August 22, 2018 Regular Meeting Minutes. A Motion was made by Commissioner Leonardini, seconded by Commissioner Goulart to approve the August 22, 2018 Minutes. The Motion passed 3-0-2 on a roll call vote. (Commissioners Ferrante and Shirrel absent).

2. Approval of the September 12, 2018 special meeting minutes. a motion was made by Commissioner Leonardini seconded by Commissioner Goulart to approve the September 12, 2018 minutes. The motion passed 3-0-2 on a roll call vote (Commissioners Ferrante and Shirrel absent).

F. SPECIAL PRESENTATION

No representative was present to update the Board on the people's Desal project.

G. FINANCIAL REPORT

3. Financial report month ending August 30, 2018. GM McIntyre gave the highlights. A Motion was made by Commissioner Goulart, seconded by Commissioner Leonardini to accept the Financial Report. The Motion passed 3-0-2 on a roll-call vote. (Commissioners Ferrante and Shirrel absent).

H. MANAGER'S REPORTS

The General Manager & Assistant General Manager made the following reports:

4. Projects Status/Update –Written report/no questions
5. Community Relations; Requests/Issues – Written report/no questions
6. Summary of Permits Issued – Written report/no questions
7. Meeting Announcements – Written report/no questions
8. Live aboard Report –Written report/no questions
9. Slip Income Report – Written report/no questions
10. Incident Report – Written report/no questions

I. COMMITTEE REPORTS

11. Finance Committee – Ferrante/Goulart – No meeting
12. Elkhorn Slough Advisory Committee – Leonardini – No meeting
13. Special Districts – Jeffries/Ferrante – No meeting
14. Budget Committee – Leonardini/Shirrel – No meeting
15. Liveaboard Committee – Goulart/Jeffries – No meeting
16. Harbor Improvement Committee – Shirrel/Goulart – No meeting
17. Real Property Committee I – Jeffries/Leonardini – two meetings
18. Real Property Committee II – Ferrante/Shirrel- No meeting
19. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). President Jeffries attended an MLCP meeting regarding sea level rise. There will be no building or redevelopment on the coast if new MLCP goes into effect. Commissioner Leonardini also attended another MLCP meeting on the same topic of sea level rise. President Jeffries also attended a Utility Undergrounding meeting. The permits should be issued sometime between now and February 2019.

J. NEW BUSINESS

20. ITEM – Consider Adopting Amendment No.9 to the funding agreement between County of Monterey and various project applicants for the Moss Landing Community Plan update EIR
 - a. Staff report –GM McIntyre gave the report
 - b. Public Comment – Lynn Kent, Commodore EYC asked what the MLCP and EIR relate to in terms of area and President Jeffries explained North of Struve Road and South to Castroville Blvd.
 - c. Board discussion - none
 - d. Board action – A motion was made by Commissioner Goulart, seconded by Commissioner Leonardini to adopt Amendment No. 9 to the funding agreement between County of Monterey and various project applicants for the Moss Landing Community Plan EIR update. The motion passed 3-0-2 on a roll call vote. (Commissioners Ferrante and Shirrel absent).
21. ITEM – Consider directing District Counsel and General Manager to prepare extensions to the Moss Landing Green Commercial Park Leases.
 - a. Staff report – District Counsel Mike Rodriquez gave the report
 - b. Public Comment - none
 - c. Board discussion - none
 - d. Board action – A motion was made by Commissioner Goulart, seconded by Commissioner Leonardini to direct District Counsel and the General Manager to prepare 120 day extensions to the Moss Landing Green Commercial Park leases. The motion passed 3-0-2 on a roll call vote (Commissioners Ferrante and Shirrel absent).

22. ITEM – Consider adopting Resolution No. 18-14 and Ordinance No. 203 relating to MLHD’s Conflict of Interest Code.
- a. Staff report – GM McIntyre gave the report
 - b. Public Comment – none
 - c. Board discussion - none
 - d. Board action – A motion was made by Commissioner Leonardini, seconded by Commissioner Goulart to adopt Resolution No.18 -14 and Ordinance No. 203 relating to MLHD’s Conflict of Interest Code. The motion passed 3-0-2 on a roll call vote. (Commissioners Ferrante and Shirrel absent).
23. ITEM – Consider adopting Resolution No. 18-15 canceling the November and December Board meetings and selecting a substitute date therefor.
- a. Staff report – GM McIntyre gave the report
 - b. Public Comment - Rosemarie Bernard - Civil Grand Jury, suggested that evening meetings are better for public attendance. President Jeffries explained that it is a short meeting and GM McIntyre added that some people who are not available to attend our night meeting have an opportunity to attend the afternoon meeting once a year.
 - c. Board discussion - none
 - d. Board action – a motion was made by Commissioner Goulart, seconded by Commissioner Leonardini to adopt Resolution No.18-15 cancelling the November and December Board meetings and selecting December 13, 2018 as the substitute date therefor. The motion passed 3-0-2 (Commissioners Ferrante and Shirrel absent).
24. ITEM – Discussion regarding adopting an Ordinance charging a passenger vessel fee.
- a. Staff report –GM McIntyre gave the report
 - b. Public Comment – Joe Mancino – Elkhorn Slough Safari requested an accounting of what needs to be done within the Harbor that was caused by his passengers and does not feel it’s fair to charge him for the cost of dredging since he doesn’t need dredging. Kate Spencer – Fast Raft, stated she has a small business but this affects her as well. She wanted to know what the plans are for the money; would it be set aside for improvements or uses only she and her customers make; commented on the restrooms needing renovating .
 - c. Board discussion - none
 - d. Board action – President Jeffries assigned the Ordinance charging passenger vessel fees to Real Property Committee Number 2 and staff will send a notice of a meeting to each vessel owner.

K. COMMISSIONERS COMMENTS AND CONCERNS

None.

L. ADJOURNMENT

The meeting was adjourned at 7:58 pm.

Respectfully submitted,

Vincent Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners