

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

September 26, 2018 – 7:00 P.M.

A. CLOSED SESSION

A closed session will be held immediately prior to the public open meeting, and will begin at **6:00 p.m.** The public open meeting will begin at **7:00 p.m., or as soon thereafter as the Closed Session is concluded**, and any action taken during the Closed Session will be reported out at that time.

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

Russ Jeffries – President	Linda G. McIntyre – General Manager
Tony Leonardini – Vice President	Mike Rodriquez – District Counsel
Vince Ferrante – Secretary	Tommy Razzeca – Assistant General Manager
Peggy Shirrel – Commissioner	Shay Shaw – Administrative Assistant
James Goulart - Commissioner	

C. PRESIDENT'S REMARKS

The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

D. PUBLIC COMMENTS

Members of the general public may address the Board of Harbor Commissioners regarding any item that is not on the Agenda. The President may limit the total amount of time of testimony.

E. CONSENT CALENDAR

1. Approval of the August 22, 2018 Regular Meeting Minutes.
2. Approval of the September 12, 2018 Special Meeting Minutes

F. SPECIAL PRESENTATION

Presentation updating the status of the People's Moss Landing Water Desal Project.

G. FINANCIAL REPORT

3. Financial report month ending August 31, 2018.

H. MANAGER'S REPORTS

The General Manager & Assistant General Manager will make oral or written reports. The Board may take action as deemed necessary. The Managers may present additional reports but the Board may not take action on any item not on this Agenda.

4. Projects Status/Update
5. Community Relations; Requests/Issues
6. Summary of Permits Issued
7. Meeting Announcements
8. Liveaboard Report
9. Slip Income Report
10. Incident Report

I. COMMITTEE REPORTS

11. Finance Committee – Ferrante/Goulart

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

12. Elkhorn Slough Advisory Committee – Leonardini
13. Special Districts – Jeffries/Ferrante
14. Budget Committee – Leonardini/Shirrel
15. Liveaboard Committee – Goulart/Jeffries
16. Harbor Improvement Committee – Shirrel/Goulart
17. Real Property Committee I – Jeffries/Leonardini
18. Real Property Committee II – Ferrante/Shirrel
19. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). Such reports may be oral or written.

J. NEW BUSINESS

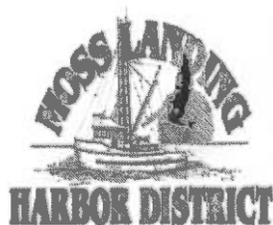
20. ITEM – Consider Adopting Amendment No.9 to the funding agreement between County of Monterey and various project applicants for the Moss Landing Community Plan update EIR
 - a. Staff report
 - b. Public Comment
 - c. Board discussion
 - d. Board action
21. ITEM – Consider directing District Counsel and General Manager to prepare extensions to the Moss Landing Green Commercial Park Leases.
 - a. Staff report
 - b. Public Comment
 - c. Board discussion
 - d. Board action
22. ITEM – Consider adopting Resolution No. 18-14 and Ordinance No. 203 relating to MLHD’s Conflict of Interest Code.
 - a. Staff report
 - b. Public Comment
 - c. Board discussion
 - d. Board action
23. ITEM – Consider adopting Resolution No. 18-15 canceling the November and December Board meetings and selecting a substitute date therefor.
 - a. Staff report
 - b. Public Comment
 - c. Board discussion
 - d. Board action
24. ITEM – Discussion regarding adopting an Ordinance charging a passenger vessel fee.
 - a. Staff report
 - b. Public Comment
 - c. Board discussion
 - d. Board action

K. COMMISSIONERS COMMENTS AND CONCERNS

Commissioners may address items of concern at this time, and may request that items be placed on future agendas in accordance with the By-laws of the Board.

L. ADJOURNMENT

The next Meeting of the Board of Harbor Commissioners is scheduled for October 24, 2018 at 7:00 PM at the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, CA. Individuals requiring special accommodations should contact the Assistant General Manager, Tommy Razzeca at Razzeca@mosslandingharbor.dst.ca.us or at 831.633.2461 no less than 72 hours prior to the meeting or if a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to Regular Meetings and 24 hours prior to Special Meetings and/or by contacting the District at 831.633.5417 or Mcintyre@mosslandingharbor.dst.ca.us or on the District’s website at www.mosslandingharbor.dst.ca.us. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.



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

August 22, 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) regarding the Moss Landing Commercial Park pursuant to Government Code §54956.8.
2. Confer with legal counsel and General Manager pursuant to Gov't Code § 54956.9(a) regarding one matter of potential litigation.
3. Confer with real property negotiators (District Counsel and GM) regarding Dry Storage Yard adjacent to Cannery Building pursuant to government Code §54956.8.

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

The Open Session was called to order at 7:08 pm. After the Pledge of Allegiance roll was called:

Commissioners Present:

Russ Jeffries – President
Tony Leonardini – Vice President
Vince Ferrante – Secretary
Peggy Shirrel – Commissioner
James Goulart - Commissioner

Staff Present:

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

C. PRESIDENT'S REMARKS

President Jeffries congratulated his colleagues for running unopposed in the upcoming election and mentioned that we will save a lot of money since there will be no election costs. He also announced that the Board had met in closed session and that no decisions had been made.

D. PUBLIC COMMENTS

James Crane thanked the Board for receiving his [vessel demolition] proposal and GM McIntyre for her response. His proposal states that no Harbor facilities will be used and he has the means necessary to dispose of derelict vessels. He said his proposal was a "no-brainer" that the Board should accept.

E. CONSENT CALENDAR

1. GM McIntyre corrected the item to July 25, 2018 Minutes, not the June 2018 minutes as listed on the agenda. A motion was made by Commissioner Shirrel and seconded by Commissioner Leonardini to approve the Minutes. The Motion passed unanimously on a roll-call vote.

F. FINANCIAL REPORT

2. GM McIntyre gave financial highlights and made a correction: it's the July Financial report, not June 2018 as listed on the agenda. A motion was made by Commissioner Ferrante, seconded by Commissioner Goulart to accept the Financial Report. Motion passed unanimously on a roll-call vote.

G. MANAGER'S REPORTS

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

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

H. COMMITTEE REPORTS

10. Finance Committee – Ferrante/Goulart – no meetings
11. Elkhorn Slough Advisory Committee – Leonardini – no meetings
12. Special Districts – Jeffries/Ferrante – no meetings
13. Budget Committee – Leonardini/Shirrel – no meetings
14. Liveaboard Committee – Goulart/Jeffries – no meetings
15. Harbor Improvement Committee – Shirrel/Goulart – no meetings
16. Real Property Committee I – Jeffries/Leonardini – There's an item later on the Agenda
17. Real Property Committee II – Ferrante/Shirrel – no meetings
18. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). None.

I. NEW BUSINESS

19. ITEM – Maintenance Dock Erosion Emergency Project update and close-out.
 - a. Staff report – AGM Razzeca gave the report
 - b. Public Comment – none
 - c. Board discussion – Commissioner Ferrante mentioned that he walked down the maintenance dock and it looks good but that the floating dock was a bit wobbly at end of gangway. AGM Razzeca said he will ask staff to check the floating dock.
 - d. Board action – a Motion was made by Commissioner Leonardini, seconded by Commissioner Shirrel to declare the emergency project completed. The motion passed unanimously on a roll-call vote.
20. ITEM – Consider lease for portion of Dry Storage yard adjacent to Cannery Building.
 - a. Staff report- GM McIntyre gave the report.
 - b. Public Comment – none
 - c. Board discussion – Real Property Committee recommends no lease at this time.
 - d. Board action – A Motion was made by commissioner Shirrel, seconded by Commissioner Goulart denying the request to lease a portion of dry storage yard adjacent to the Cannery Building. The Motion passed unanimously on a roll-call vote.

J. COMMISSIONERS COMMENTS AND CONCERNS

Commissioner Ferrante mentioned that he had taken an eco-tour off A dock and found the end of the gangway wobbly. Commissioner Ferrante also expressed concern that the District is not charging Charter vessel fees and Landing fees which could be a source of additional income for the District. President Jeffries requested that staff bring back a timeline of when they might be able to implement Charter vessel fees and Landing fees at the September Board meeting. Commissioner Shirrel shared that the Concourse d' Elegance had brought many tourist to the Moss Landing area during the event and that many had dined at the local Moss Landing restaurants.

K. ADJOURNMENT

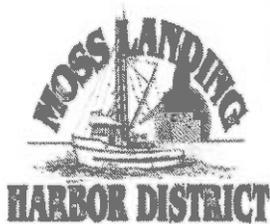
The meeting adjourned at 7:35 pm.

Respectfully submitted,

ATTEST:

Linda G. McIntyre, General Manager
Deputy Secretary,
Board of Harbor Commissioners

Tommy Razzeca, Assistant General Manager
Moss Landing Harbor District



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

September 12, 2018

A. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE – 5:35 PM

Commissioners Present

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

Staff Present:

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

Commissioners Absent:

Commissioner Ferrante - Excused

B. PUBLIC COMMENTS

None.

C. CLOSED SESSION

The Board adjourned to closed session to consider the following item.

1. Consider personnel matters pursuant to Government Code Section 54957- Evaluation-General Manager.

D. RECONVENE IN OPEN SESSION – 6:40 PM

The President reported that no action or decisions were made.

E. ADJOURNMENT

The meeting adjourned at 6:41 pm.

Respectfully Submitted.

ATTEST:

Linda G. McIntyre, General Manager
Deputy Secretary, Board of
Harbor Commissioners

Tommy Razzeca, Assistant General Manager
Moss Landing Harbor District

Moss Landing Harbor District
Balance Sheet
As of August 31, 2018

	Aug 31, 18	Aug 31, 17	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
1002 · Petty Cash	500	500		
1009 · Union - Operating	47,522	79,283	-31,761	-40%
1010 · Union - M.M.	3,759,656	3,916,926	-157,270	-4%
1011 · Union - Payroll	33,214	35,832	-2,618	-7%
1015 · 1st Capital Bank	1,548,538	1,545,444	3,094	0%
1016 · Pinnacle Bank Interest Account		22,922	-22,922	-100%
1018 · Union Bank- Trust Account	244,866	242,407	2,459	1%
1020 · Umpqua - Restricted	1,011,382	1,009,866	1,516	0%
Total Checking/Savings	6,645,678	6,853,180	-207,502	-3%
Accounts Receivable				
11290 · Leases				
1282 · NNN Receivable	71,961	50,000	21,961	44%
1293 · Lunds		7,177	-7,177	-100%
1299 · Pottery Planet		-3,247	3,247	100%
Total 11290 · Leases	71,961	53,930	18,031	33%
1200 · Marina Receivables	99,437	70,110	29,327	42%
1201 · Marina - Allow for Bad Debt	-36,005	-33,173	-2,832	-9%
Total Accounts Receivable	135,393	90,867	44,526	49%
Other Current Assets				
1210 · Grants Receivable		573,712	-573,712	-100%
1271 · Prepaid Expenses				
1270 · Insurance	27,999	17,530	10,469	60%
Total 1271 · Prepaid Expenses	27,999	17,530	10,469	60%
Total Other Current Assets	27,999	591,242	-563,243	-95%
Total Current Assets	6,809,070	7,535,289	-726,219	-10%
Fixed Assets				
1650 · Construction in Progress				
1655 · NH Facilities Expansion	27,657		27,657	100%
1650 · Construction in Progress - Other	765,451	765,451		
Total 1650 · Construction in Progress	793,108	765,451	27,657	4%
1670 · Equipment	790,611	779,968	10,643	1%
1700 · Improvements				
1710 · NH Buildings & Improvements	7,868,580	7,868,580		
1720 · NH Floating Docks	524,675	524,675		
1725 · NH Offsite Improvements	632,218	632,218		
1730 · SH Buildings & Improvements	8,276,755	8,276,755		
1740 · SH Floating Docks	9,369,077	9,369,077		
Total 1700 · Improvements	26,671,305	26,671,305		

Moss Landing Harbor District
Balance Sheet
As of August 31, 2018

	<u>Aug 31, 18</u>	<u>Aug 31, 17</u>	<u>\$ Change</u>	<u>% Change</u>
1800 · Less - Depreciation				
1805 · Equipment	-788,666	-768,265	-20,401	-3%
1810 · NH Buildings & Improvements	-3,810,026	-3,551,032	-258,994	-7%
1820 · NH Floating Docks	-511,445	-499,408	-12,037	-2%
1825 · NH Offsite Improvements	-466,404	-437,022	-29,382	-7%
1830 · SH Buildings & Improvements	-6,037,671	-5,828,893	-208,778	-4%
1840 · SH Floating Docks	-5,663,493	-5,249,093	-414,400	-8%
Total 1800 · Less - Depreciation	<u>-17,277,705</u>	<u>-16,333,713</u>	<u>-943,992</u>	<u>-6%</u>
1900 · Land	1,642,860	1,642,860		
Total Fixed Assets	<u>12,620,179</u>	<u>13,525,871</u>	<u>-905,692</u>	<u>-7%</u>
Other Assets				
1320 · Workers Comp Deposit	200	200		
1530 · Principal Financial CS	7,389	7,389		
Total Other Assets	<u>7,589</u>	<u>7,589</u>		
TOTAL ASSETS	<u><u>19,436,838</u></u>	<u><u>21,068,749</u></u>	<u><u>-1,631,911</u></u>	<u><u>-8%</u></u>

Moss Landing Harbor District
Balance Sheet
As of August 31, 2018

	<u>Aug 31, 18</u>	<u>Aug 31, 17</u>	<u>\$ Change</u>	<u>% Change</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2010 · Accounts Payable	-16,166	131,496	-147,662	-112%
Total Accounts Payable	<u>-16,166</u>	<u>131,496</u>	<u>-147,662</u>	<u>-112%</u>
Other Current Liabilities				
2013 · Accrued Expenses	33,811	33,811		
2020 · Accrued Salaries Payable	2,078		2,078	100%
2021 · Accrued Vacation	88,372	88,372		
2023 · Accrued Payroll Taxes	605		605	100%
2030 · Customer Deposits	301,168	299,957	1,211	0%
2051 · Note Interest Payable				
2062 · Umpqua Accrued Interest	12,218	8,734	3,484	40%
Total 2051 · Note Interest Payable	<u>12,218</u>	<u>8,734</u>	<u>3,484</u>	<u>40%</u>
2080 · Prepaid Berth Fees	149,071	168,914	-19,843	-12%
2082 · MLCP Cost Reimb. Deposit	4,680	92,795	-88,115	-95%
2086 · Prepaid Leases				
20861 · Duke	45,206	43,455	1,751	4%
20862 · MBARI	16,091	16,071	20	0%
Total 2086 · Prepaid Leases	<u>61,297</u>	<u>59,526</u>	<u>1,771</u>	<u>3%</u>
2087 · Lease Deposits	14,797	14,164	633	4%
Total Other Current Liabilities	<u>688,097</u>	<u>766,273</u>	<u>-98,176</u>	<u>-13%</u>
Total Current Liabilities	<u>651,931</u>	<u>897,769</u>	<u>-245,838</u>	<u>-27%</u>
Long Term Liabilities				
2605 · Umpqua Loan	3,298,374	3,677,571	-379,197	-10%
Total Long Term Liabilities	<u>3,298,374</u>	<u>3,677,571</u>	<u>-379,197</u>	<u>-10%</u>
Total Liabilities	<u>3,950,305</u>	<u>4,575,340</u>	<u>-625,035</u>	<u>-14%</u>
Equity				
3020 · Retained Net Assets	6,456,231	6,456,231		
3050 · Prior Year Earnings	9,173,383	9,986,555	-813,172	-8%
Net Income	-143,082	50,621	-193,703	-383%
Total Equity	<u>15,486,532</u>	<u>16,493,407</u>	<u>-1,006,875</u>	<u>-6%</u>
TOTAL LIABILITIES & EQUITY	<u><u>19,436,837</u></u>	<u><u>21,068,747</u></u>	<u><u>-1,631,910</u></u>	<u><u>-8%</u></u>

**Moss Landing Harbor District
Statement of Cash Flows
July through August 2018**

Jul - Aug 18

OPERATING ACTIVITIES	
Net Income	-143,082
Adjustments to reconcile Net Income to net cash provided by operations:	
11290 · Leases:1291 · Monterey Bay Kayak	13,381
1200 · Marina Receivables	-15,862
1201 · Marina - Allow for Bad Debt	4,250
11290 · Leases:BioMineral Lease	2,192
11290 · Leases:1282 · NNN Receivable	-5,000
1271 · Prepaid Expenses:1270 · Insurance	-22,090
1800 · Less - Depreciation:1805 · Equipment	3,400
1800 · Less - Depreciation:1810 · NH Buildings & Improvements	43,166
1800 · Less - Depreciation:1820 · NH Floating Docks	2,006
1800 · Less - Depreciation:1825 · NH Offsite Improvements	4,897
1800 · Less - Depreciation:1830 · SH Buildings & Improvements	34,796
1800 · Less - Depreciation:1840 · SH Floating Docks	69,067
2010 · Accounts Payable	-318,921
2030 · Customer Deposits	-2,695
2080 · Prepaid Berth Fees	-102
2086 · Prepaid Leases:20861 · Duke	-11,212
2086 · Prepaid Leases:20862 · MBARI	-4,625
2051 · Note Interest Payable:2062 · Umpqua Accrued Interest	-35,838
2082 · MLCP Cost Reimb. Deposit	-1,791
Net cash provided by Operating Activities	-384,063
FINANCING ACTIVITIES	
2605 · Umpqua Loan	-379,197
Net cash provided by Financing Activities	-379,197
Net cash increase for period	-763,260
Cash at beginning of period	7,408,935
Cash at end of period	<u>6,645,675</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
 July through August 2018

	<u>Jul - Aug 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4000 · MARINA REVENUES				
4100 · Berthing Income				
4110 · Assigned Berthing	279,251	282,452	-3,201	99%
4112 · Qtrly/Annual Discount	-295	-503	208	59%
4113 · Commercial Vessel Dscnt	-2,392	-2,000	-392	120%
4114 · Away (1 mnth) Dscnt	-173	-248	75	70%
4115 · Temporary Berthing	47,660	40,854	6,806	117%
4120 · Liveaboard Fees	21,950	19,500	2,450	113%
4130 · Transient Berthing	5,439	6,167	-728	88%
4220 · Wait List	925	1,500	-575	62%
4280 · Late Fees	7,207	5,000	2,207	144%
Total 4100 · Berthing Income	<u>359,572</u>	<u>352,722</u>	<u>6,850</u>	<u>102%</u>
4200 · Other Income - Operations				
4225 · Merchandise				
4230 · SH Parking	26,837	28,000	-1,163	96%
4285 · Dog Fee	210	250	-40	84%
4290 · Misc	243	250	-7	97%
Total 4200 · Other Income - Operations	<u>27,290</u>	<u>28,500</u>	<u>-1,210</u>	<u>96%</u>
Total 4000 · MARINA REVENUES	<u>386,862</u>	<u>381,222</u>	<u>5,640</u>	<u>101%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2018

Expense	Jul - Aug 18	Budget	\$ Over Budget	% of Budget
5200 · General & Administrative				
5100 · Advertising	150	1,000	-850	15%
5210 · Dues & Subscriptions	98	4,000	-3,902	2%
5220 · Office Supplies				
5223 · Administration	662	897	-235	74%
5225 · Operations	3,697	1,535	2,162	241%
Total 5220 · Office Supplies	<u>4,359</u>	<u>2,432</u>	<u>1,927</u>	<u>179%</u>
5230 · Postage & Equip Lease				
5232 · Meter Lease	129	88	41	147%
5235 · Postage		214	-214	
Total 5230 · Postage & Equip Lease	<u>129</u>	<u>302</u>	<u>-173</u>	<u>43%</u>
5240 · Copier Lease & Supplies				
5242 · Copier Lease	682	526	156	130%
Total 5240 · Copier Lease & Supplies	<u>682</u>	<u>526</u>	<u>156</u>	<u>130%</u>
5250 · Telephone & Communications				
5253 · Administration	1,978	1,590	388	124%
5255 · Operations	141	169	-28	83%
Total 5250 · Telephone & Communications	<u>2,119</u>	<u>1,759</u>	<u>360</u>	<u>120%</u>
5260 · Professional Services				
5262 · Accounting	5,329	7,333	-2,004	73%
5265 · Legal	3,820	16,667	-12,847	23%
5268 · Computer Consulting		215	-215	
5269 · Payroll Processing	510	491	19	104%
Total 5260 · Professional Services	<u>9,659</u>	<u>24,706</u>	<u>-15,047</u>	<u>39%</u>
5290 · Credit Card Fees	2,017	2,606	-589	77%
5291 · Internet Billing Service	322	292	30	110%
Total 5200 · General & Administrative	<u>19,535</u>	<u>37,623</u>	<u>-18,088</u>	<u>52%</u>
5300 · Personnel				
5310 · Salaries				
5313 · Administration	38,829	52,259	-13,430	74%
5315 · Operations	21,357	24,497	-3,140	87%
5318 · Maintenance	14,172	21,774	-7,602	65%
Total 5310 · Salaries	<u>74,358</u>	<u>98,530</u>	<u>-24,172</u>	<u>75%</u>
5330 · Payroll Taxes				
5333 · Administration	3,040	3,998	-958	76%
5335 · Operations	1,634	1,874	-240	87%
5338 · Maintenance	1,084	1,666	-582	65%
Total 5330 · Payroll Taxes	<u>5,758</u>	<u>7,538</u>	<u>-1,780</u>	<u>76%</u>
5340 · Employee Benefits				
5342 · Vehicle Allowance		800	-800	
5343 · Administration	9,664	14,289	-4,625	68%
5345 · Operations	231		231	100%
5348 · Maintenance	4,976	9,830	-4,854	51%
Total 5340 · Employee Benefits	<u>14,871</u>	<u>24,919</u>	<u>-10,048</u>	<u>60%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2018

	Jul - Aug 18	Budget	\$ Over Budget	% of Budget
5350 · Workers Compensation				
5353 · Administration	500	604	-104	83%
5355 · Operations	987	1,367	-380	72%
5358 · Maintenance	1,656	1,667	-11	99%
Total 5350 · Workers Compensation	3,143	3,638	-495	86%
5360 · Education & Training				
5363 · Administration	370		370	100%
Total 5360 · Education & Training	370		370	100%
Total 5300 · Personnel	98,500	134,625	-36,125	73%
5400 · Insurance				
5410 · Liability Insurance	20,775	20,967	-192	99%
Total 5400 · Insurance	20,775	20,967	-192	99%
5500 · Utilities				
5510 · Garbage	8,511	8,833	-322	96%
5520 · Gas and Electric	40,000	35,000	5,000	114%
5530 · Water	2,878	5,333	-2,455	54%
5540 · Sewer	14,874	6,667	8,207	223%
Total 5500 · Utilities	66,263	55,833	10,430	119%
5600 · Operating Supplies				
5610 · Vehicles	1,230	1,550	-320	79%
5625 · Operations	3,529	3,450	79	102%
Total 5600 · Operating Supplies	4,759	5,000	-241	95%
5700 · Depreciation	78,666	78,750	-84	100%
5800 · Repairs & Maintenance				
5810 · Vehicles		100	-100	
5830 · Equip Rental	573	1,243	-670	46%
5850 · Repair Materials	6,753	13,656	-6,903	49%
5860 · Outside Service Contracts	10,027	11,667	-1,640	86%
Total 5800 · Repairs & Maintenance	17,353	26,666	-9,313	65%
5900 · Financial Expenses				
5920 · Bank Service Charges	1,083	833	250	130%
5990 · Bad Debt	4,250	3,333	917	128%
Total 5900 · Financial Expenses	5,333	4,166	1,167	128%
Total · MARINA EXPENSES	311,184	363,630	-52,446	86%
Net Ordinary Income - Marina Operations	75,678	17,592	58,086	430%

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2018

	Jul - Aug 18	Budget	\$ Over Budget	% of Budget
4400 · LEASE AND OTHER INCOME				
4050 · Trust Lands Lease Revenue				
4051 · Dynegy Outfall	11,212	11,212		100%
4053 · MBARI	4,625	4,625		100%
Total 4050 · Trust Lands Lease Revenue	<u>15,837</u>	<u>15,837</u>		<u>100%</u>
4500 · Leases				
4502 · Cannery Building				
4504 · Suite 3	14,355	14,818	-463	97%
4510 · Suite 6	4,384	4,384	0	100%
4511 · Suite 1 & 10	3,015	3,014	1	100%
4515 · Suite 4	14,330	14,330	0	100%
4517 · Suite 2	5,358	5,358	0	100%
4518 · Suite 5	3,834	4,112	-278	93%
4520 · Suite 9	1,371	1,500	-129	91%
4523 · Canery NNN	5,385	5,000	385	108%
Total 4502 · Cannery Building	<u>52,032</u>	<u>52,516</u>	<u>-484</u>	<u>99%</u>
4530 · RV Lot	5,494	5,494	0	100%
4540 · Martin & Mason				
4560 · North Harbor				
4562 · Sea Harvest	5,649	6,333	-684	89%
4568 · Monterey Bay Kayaks	2,991	3,088	-97	97%
Total 4560 · North Harbor	<u>8,640</u>	<u>9,421</u>	<u>-781</u>	<u>92%</u>
Total 4500 · Leases	<u>66,166</u>	<u>67,431</u>	<u>-1,265</u>	<u>98%</u>
4600 · District Property Taxes				
4700 · Other Revenues & Concessions				
4125 · Amenity Fee	47,910	45,833	2,077	105%
4710 · Vending Activities				
4711 · Washer/Dryer	2,262	1,500	762	151%
Total 4710 · Vending Activities	<u>2,262</u>	<u>1,500</u>	<u>762</u>	<u>151%</u>
4720 · Dry Storage	9,994	10,667	-673	94%
4725 · North Harbor Use Fee	21,848	20,000	1,848	109%
4727 · Key Sales	1,334	1,300	34	103%
4730 · NH Washdown	150	417	-267	36%
4735 · Camp/RV	200	1,000	-800	20%
4751 · Permits	889	1,667	-778	53%
4765 · Faxes, Copies & Postage	9		9	100%
Total 4700 · Other Revenues & Concessions	<u>84,596</u>	<u>82,384</u>	<u>2,212</u>	<u>103%</u>
4800 · Interest				
4841 · Union Bank Interest	40	42	-2	95%
4843 · First Capital Bank	534	250	284	214%
4846 · Umpqua Interest	258	250	8	103%
Total 4800 · Interest	<u>832</u>	<u>542</u>	<u>290</u>	<u>154%</u>
Total 4400 · LEASE AND OTHER INCOME	<u>167,431</u>	<u>166,194</u>	<u>1,237</u>	<u>101%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2018

	<u>Jul - Aug 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
7000 · LEASE AND OTHER EXPENSES				
7100 · Interest Expense				
7134 · Umpqua Accrued Interest	16,568	16,568	0	100%
Total 7100 · Interest Expense	<u>16,568</u>	<u>16,568</u>	<u>0</u>	<u>100%</u>
7200 · Other Financial Expenses				
7221 · CSDA Dues				
7230 · LAFO Administrative Charges	6,160	6,411	-251	96%
Total 7200 · Other Financial Expenses	<u>6,160</u>	<u>6,411</u>	<u>-251</u>	<u>96%</u>
5700 · Depreciation	78,666	78,750	-84	100%
7300 · Commissioner Expenses				
7310 · Election Costs				
7320 · Monthly Stipend	2,400	2,167	233	111%
7321 · Employer Payroll Taxes	184	166	18	111%
7330 · Incurred Expenses	525	168	357	313%
Total 7300 · Commissioner Expenses	<u>3,109</u>	<u>2,501</u>	<u>608</u>	<u>124%</u>
Total 7000 · LEASE AND OTHER EXPENSES	<u>104,503</u>	<u>104,230</u>	<u>273</u>	<u>100%</u>
Net Ordinary Income - Lease & Other Operations	<u>62,928</u>	<u>61,964</u>	<u>964</u>	<u>102%</u>
Net Ordinary Income - Combined Operations	<u>138,606</u>	<u>79,556</u>	<u>59,050</u>	<u>174%</u>
Other Income/Expense				
Other Income				
8001 · Cost Reimbursements				
8101 · Revenue from reimbursements	1,791	30,000	-28,209	6%
8201 · Reimbursable expenses	-1,791	-30,000	28,209	6%
Total 8001 · Cost Reimbursements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>
Total Other Income	<u>0</u>	<u>0</u>	<u>0</u>	<u>0%</u>
Other Expense				
9000 · CAPITAL PROJECT EXPENSES				
5880 · Dredging	4,235		4,235	100%
9053 · Dock Maintenance	6,203		6,203	100%
9309 · New NH Building	80,956	500,000	-419,044	16%
9310 · NH Hotel	64,040	330,000	-265,960	19%
9440 · NH Shoreline (North)	34,604			
9800 · Dock Replacement	91,650	100,000	-8,350	92%
Total 9000 · CAPITAL PROJECT EXPENSES	<u>281,688</u>	<u>930,000</u>	<u>-648,312</u>	<u>30%</u>
Total Other Expense	<u>281,688</u>	<u>930,000</u>	<u>-648,312</u>	<u>30%</u>
Net Other Income	<u>-281,688</u>	<u>-930,000</u>	<u>648,312</u>	<u>30%</u>
Net Income	<u><u>-143,082</u></u>	<u><u>-850,444</u></u>	<u><u>707,362</u></u>	<u><u>17%</u></u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
 July through August 2018

	<u>Jul - Aug 18</u>	<u>Jul - Aug 17</u>	<u>\$ Change</u>	<u>% Change</u>
Ordinary Income/Expense				
Income				
4000 · MARINA REVENUES				
4100 · Berthing Income				
4110 · Assigned Berthing	279,251	267,333	11,918	4%
4112 · Qtrly/Annual Discount	-295	-473	178	38%
4113 · Commercial Vessel Dscnt	-2,392	-1,856	-536	-29%
4114 · Away (1 mnth) Dscnt	-173	-368	195	53%
4115 · Temporary Berthing	47,660	47,792	-132	-0%
4120 · Liveaboard Fees	21,950	20,300	1,650	8%
4130 · Transient Berthing	5,439	2,636	2,803	106%
4220 · Wait List	925	1,425	-500	-35%
4260 · Towing - Intra Harbor				
4270 · Pumpouts				
4280 · Late Fees	7,207	6,195	1,012	16%
4282 · Recovered Lien Costs		420	-420	-100%
Total 4100 · Berthing Income	<u>359,572</u>	<u>343,404</u>	<u>16,168</u>	<u>5%</u>
4200 · Other Income - Operations				
4225 · Merchandise		154	-154	-100%
4230 · SH Parking	26,837	41,986	-15,149	-36%
4285 · Dog Fee	210	270	-60	-22%
4290 · Misc	243	4,802	-4,559	-95%
Total 4200 · Other Income - Operations	<u>27,290</u>	<u>47,212</u>	<u>-19,922</u>	<u>-42%</u>
Total 4000 · MARINA REVENUES	<u>386,862</u>	<u>390,616</u>	<u>-3,754</u>	<u>-1%</u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2018

Expense	Jul - Aug 18	Jul - Aug 17	\$ Change	% Change
5200 · General & Administrative				
5100 · Advertising	150	1,578	-1,428	-90%
5210 · Dues & Subscriptions	98	1,681	-1,583	-94%
5220 · Office Supplies				
5223 · Administration	662	632	30	5%
5225 · Operations	3,697	3,876	-179	-5%
Total 5220 · Office Supplies	<u>4,359</u>	<u>4,508</u>	<u>-149</u>	<u>-3%</u>
5230 · Postage & Equip Lease				
5232 · Meter Lease	129	129		
5235 · Postage		745	-745	-100%
Total 5230 · Postage & Equip Lease	<u>129</u>	<u>874</u>	<u>-745</u>	<u>-85%</u>
5240 · Copier Lease & Supplies				
5242 · Copier Lease	682	533	149	28%
Total 5240 · Copier Lease & Supplies	<u>682</u>	<u>533</u>	<u>149</u>	<u>28%</u>
5250 · Telephone & Communications				
5253 · Administration	1,978	2,070	-92	-4%
5255 · Operations	141	141	0	0%
Total 5250 · Telephone & Communications	<u>2,119</u>	<u>2,211</u>	<u>-92</u>	<u>-4%</u>
5260 · Professional Services				
5262 · Accounting	5,329	6,416	-1,087	-17%
5265 · Legal	3,820	15,331	-11,511	-75%
5268 · Computer Consulting		340	-340	-100%
5269 · Payroll Processing	510	500	10	2%
Total 5260 · Professional Services	<u>9,659</u>	<u>22,587</u>	<u>-12,928</u>	<u>-57%</u>
5290 · Credit Card Fees	2,017	3,962	-1,945	-49%
5921 · Internet Billing Service	322	302	20	7%
Total 5200 · General & Administrative	<u>19,535</u>	<u>38,236</u>	<u>-18,701</u>	<u>-49%</u>
5300 · Personnel				
5310 · Salaries				
5313 · Administration	38,829	32,204	6,625	21%
5315 · Operations	21,357	20,734	623	3%
5318 · Maintenance	14,172	14,491	-319	-2%
Total 5310 · Salaries	<u>74,358</u>	<u>67,429</u>	<u>6,929</u>	<u>10%</u>
5330 · Payroll Taxes				
5333 · Administration	3,040	2,714	326	12%
5335 · Operations	1,634	1,984	-350	-18%
5338 · Maintenance	1,084	1,082	2	0%
Total 5330 · Payroll Taxes	<u>5,758</u>	<u>5,780</u>	<u>-22</u>	<u>-0%</u>
5340 · Employee Benefits				
5343 · Administration	9,664	10,439	-775	-7%
5345 · Operations	231	2,742	-2,511	-92%
5348 · Maintenance	4,976	7,662	-2,686	-35%
Total 5340 · Employee Benefits	<u>14,871</u>	<u>20,843</u>	<u>-5,972</u>	<u>-29%</u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2018

	Jul - Aug 18	Jul - Aug 17	\$ Change	% Change
5350 · Workers Compensation				
5353 · Administration	500	600	-100	-17%
5355 · Operations	987	1,174	-187	-16%
5358 · Maintenance	1,656	1,334	322	24%
Total 5350 · Workers Compensation	3,143	3,108	35	1%
5360 · Education & Training				
5363 · Administration	370		370	100%
Total 5360 · Education & Training	370		370	100%
Total 5300 · Personnel	98,500	97,160	1,340	1%
5400 · Insurance				
5410 · Liability Insurance	20,775	20,480	295	1%
Total 5400 · Insurance	20,775	20,480	295	1%
5500 · Utilities				
5510 · Garbage	8,511	8,924	-413	-5%
5520 · Gas and Electric	40,000	20,000	20,000	100%
5530 · Water	2,878	4,889	-2,011	-41%
5540 · Sewer	14,874	9,064	5,810	64%
Total 5500 · Utilities	66,263	42,877	23,386	55%
5600 · Operating Supplies				
5610 · Vehicles	1,230	1,036	194	19%
5625 · Operations	3,529	2,563	966	38%
Total 5600 · Operating Supplies	4,759	3,599	1,160	32%
5700 · Depreciation	157,332	157,332		
5800 · Repairs & Maintenance				
5830 · Equip Rental	573	567	6	1%
5850 · Repair Materials	6,753	9,306	-2,553	-27%
5860 · Outside Service Contracts	10,027	5,567	4,460	80%
5870 · Derelict Disposal		116	-116	-100%
Total 5800 · Repairs & Maintenance	17,353	15,556	1,797	12%
5900 · Financial Expenses				
5920 · Bank Service Charges	1,083	1,239	-156	-13%
5990 · Bad Debt	4,250	4,250		
Total 5900 · Financial Expenses	5,333	5,489	-156	-3%
Total · MARINA EXPENSES	389,850	380,729	9,121	2%
Net Ordinary Income - Marina Operations	-2,988	9,887	-12,875	-130%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2018

	Jul - Aug 18	Jul - Aug 17	\$ Change	% Change
4400 · LEASE AND OTHER INCOME				
4050 · Trust Lands Lease Revenue				
4051 · Dynegy Outfall	11,212	10,864	348	3%
4053 · MBARI	4,625	4,482	143	3%
Total 4050 · Trust Lands Lease Revenue	15,837	15,346	491	3%
4500 · Leases				
4502 · Cannery Building				
4504 · Suite 3	14,355	14,355		
4510 · Suite 6	4,384	4,247	137	3%
4511 · Suite 1 & 10	3,015	2,921	94	3%
4515 · Suite 4	14,330	13,883	447	3%
4517 · Suite 2	5,358	5,191	167	3%
4518 · Suite 5	3,834	3,983	-149	-4%
4520 · Suite 9	1,371		1,371	100%
4523 · Canery NNN	5,385	5,621	-236	-4%
Total 4502 · Cannery Building	52,032	50,201	1,831	4%
4530 · RV Lot	5,494	5,322	172	3%
4560 · North Harbor				
4562 · Sea Harvest	5,649	7,063	-1,414	-20%
4568 · Monterey Bay Kayaks	2,991	2,991	0	
4572 · Pottery Planet		6,493	-6,493	-100%
Total 4560 · North Harbor	8,640	16,547	-7,907	-48%
Total 4500 · Leases	66,166	72,070	-5,904	-8%
4700 · Other Revenues & Concessions				
4125 · Amenity Fee	47,910	48,119	-209	-0%
4710 · Vending Activities				
4711 · Washer/Dryer	2,262	1,979	283	14%
4712 · Soda		163	-163	-100%
Total 4710 · Vending Activities	2,262	2,142	120	6%
4720 · Dry Storage	9,994	11,903	-1,909	-16%
4725 · North Harbor Use Fee	21,848	21,235	613	3%
4727 · Key Sales	1,334	1,261	73	6%
4730 · NH Washdown	150	549	-399	-73%
4735 · Camp/RV	200	1,200	-1,000	-83%
4751 · Permits	889	500	389	78%
4765 · Faxes, Copies & Postage	9	5	4	80%
Total 4700 · Other Revenues & Concessions	84,596	86,914	-2,318	-3%
4800 · Interest				
4841 · Union Bank Interest	40	200	-160	-80%
4843 · First Capital Bank	534	525	9	2%
4846 · Umpqua Interest	258	257	1	0%
Total 4800 · Interest	832	982	-150	-15%
Total 4400 · LEASE AND OTHER INCOME	167,431	175,312	-7,881	-4%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2018

	Jul - Aug 18	Jul - Aug 17	\$ Change	% Change
7000 · LEASE AND OTHER EXPENSES				
7100 · Interest Expense				
7134 · Umpqua Accrued Interest	16,568	18,345	-1,777	-10%
Total 7100 · Interest Expense	16,568	18,345	-1,777	-10%
7200 · Other Financial Expenses				
7230 · LAFO Administrative Charges	6,160	6,411	-251	-4%
Total 7200 · Other Financial Expenses	6,160	6,411	-251	-4%
7300 · Commissioner Expenses				
7320 · Monthly Stipend	2,400	2,500	-100	-4%
7321 · Employer Payroll Taxes	184	191	-7	-4%
7330 · Incurred Expenses	525	505	20	4%
Total 7300 · Commissioner Expenses	3,109	3,196	-87	-3%
Total 7000 · LEASE AND OTHER EXPENSES	25,837	27,952	-2,115	-8%
Net Ordinary Income - Lease & Other Operations	141,594	147,360	-5,766	-4%
Net Ordinary Income - Combined Operations	138,606	157,247	-18,641	-12%
Other Income/Expense				
Other Income				
8001 · Cost Reimbursements				
8101 · Revenue from reimbursements	1,791		1,791	100%
8201 · Reimbursable expenses	-1,791		-1,791	-100%
Total 8001 · Cost Reimbursements				
Total Other Income				
Other Expense				
9000 · CAPITAL PROJECT EXPENSES				
5880 · Dredging	4,235	38,446	-34,211	-89%
9053 · Dock Maintenance	6,203	9,362	-3,159	-34%
9309 · New NH Building	80,956	18,971	61,985	327%
9310 · NH Hotel	64,040		64,040	100%
9430 · NH Restoration		35,386	-35,386	-100%
9440 · NH Shoreline (North)	34,604		34,604	100%
9800 · Dock Replacement	91,650	4,459	87,191	1,955%
Total 9000 · CAPITAL PROJECT EXPENSES	281,688	106,624	175,064	164%
Total Other Expense	281,688	106,624	175,064	164%
Net Other Income	-281,688	-106,624	-175,064	-164%
Net Income	-143,082	50,623	-193,705	-383%

Moss Landing Harbor District
A/P Aging Summary
As of August 31, 2018

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
A.L. Lease	633.42	0.00	0.00	0.00	0.00	633.42
Airgas	84.59	0.00	0.00	0.00	0.00	84.59
Ambient Air	880.00	0.00	0.00	0.00	0.00	880.00
Aspen Environmental Group	0.00	770.63	0.00	0.00	0.00	770.63
AT&T	184.17	0.00	0.00	0.00	0.00	184.17
Auto Care LifeSaver Towing	1,504.00	0.00	0.00	0.00	0.00	1,504.00
Blue Shield of California	0.00	-115.73	0.00	0.00	0.00	-115.73
Byte Technology	0.00	37.50	0.00	0.00	0.00	37.50
California Special Districts Association	0.00	525.00	0.00	0.00	0.00	525.00
CalPERS	0.00	-3,907.19	0.00	0.00	0.00	-3,907.19
Casper Van Der Schoot	580.00	0.00	0.00	0.00	0.00	580.00
Cintas	494.35	0.00	0.00	0.00	0.00	494.35
Damm Good Water	66.95	0.00	0.00	0.00	0.00	66.95
Dennls Garmany-	118.10	0.00	0.00	0.00	0.00	118.10
Jason Williams	510.00	0.00	0.00	0.00	0.00	510.00
Linda G. McIntyre	0.00	-400.00	0.00	0.00	0.00	-400.00
Moises Oliveira and Mark Hoffseth	348.00	0.00	0.00	0.00	0.00	348.00
PG&E	0.00	-20,000.00	0.00	0.00	0.00	-20,000.00
Premium Assignment Corporation	0.00	-12,820.13	0.00	0.00	0.00	-12,820.13
Rabobank	674.58	0.00	0.00	0.00	0.00	674.58
Redshift	0.00	-136.85	0.00	0.00	0.00	-136.85
SDRMA	0.00	0.00	2,192.45	0.00	0.00	2,192.45
Sea Engineering, Inc.	0.00	2,745.64	0.00	0.00	0.00	2,745.64
Sealaska Engineering & Applied Sciences	0.00	4,234.75	0.00	0.00	0.00	4,234.75
Social Vocational Services, Inc.	0.00	-1,073.57	0.00	0.00	0.00	-1,073.57
Tom's Septic Construction	524.00	0.00	0.00	0.00	0.00	524.00
U.S. Bank	1,153.97	0.00	0.00	0.00	0.00	1,153.97
VALIC	2,996.17	0.00	0.00	0.00	0.00	2,996.17
Veritiv Operating Company	977.28	0.00	0.00	0.00	0.00	977.28
Verizon Wireless	141.27	0.00	0.00	0.00	0.00	141.27
Vision Sevice Plan	0.00	-102.78	0.00	0.00	0.00	-102.78
West Marine Pro	0.00	13.63	0.00	0.00	0.00	13.63
TOTAL	<u>11,870.85</u>	<u>-30,229.10</u>	<u>2,192.45</u>	<u>0.00</u>	<u>0.00</u>	<u>-16,165.80</u>

**Moss Landing Harbor District
Warrant Listing
As of September 30, 2018**

Type	Date	Num	Name	Amount
1009 · Union - Operating				
Bill Pmt -Check	08/01/2018	18241	Monterey County Resource Mangagement Agen	0.00
Bill Pmt -Check	08/03/2018	18242	Monterey County Resource Mangagement Agen	-18,427.48
Bill Pmt -Check	08/03/2018	18243	Monterey County Resource Mangagement Agen	-18,427.48
Bill Pmt -Check	08/14/2018	18244	Airgas	-84.59
Bill Pmt -Check	08/14/2018	18245	Anaires Fletes	-525.00
Bill Pmt -Check	08/14/2018	18246	AT&T	-149.92
Bill Pmt -Check	08/14/2018	18247	Bayside Oil, Inc.	-1,600.00
Bill Pmt -Check	08/14/2018	18248	Big Creek Lumber	-96.16
Bill Pmt -Check	08/14/2018	18249	Blue Shield of California	-115.73
Bill Pmt -Check	08/14/2018	18250	Byte Technology	-112.50
Bill Pmt -Check	08/14/2018	18251	CalPERS	-3,907.19
Bill Pmt -Check	08/14/2018	18252	Carlyn Miller	-517.45
Bill Pmt -Check	08/14/2018	18253	Carmel Marina Corporation	-2,601.92
Bill Pmt -Check	08/14/2018	18254	Central Coast Systems, Inc.	-105.00
Bill Pmt -Check	08/14/2018	18255	Cintas	-608.60
Bill Pmt -Check	08/14/2018	18256	Colleen McNown	-550.00
Bill Pmt -Check	08/14/2018	18257	Damm Good Water	-40.20
Bill Pmt -Check	08/14/2018	18258	Dillbeck & Sons, Inc.	-71,266.12
Bill Pmt -Check	08/14/2018	18259	Don Chapin	-34,603.75
Bill Pmt -Check	08/14/2018	18260	Henderson Marine Supply	-2,675.35
Bill Pmt -Check	08/14/2018	18261	James Higuchi	-355.50
Bill Pmt -Check	08/14/2018	18262	Jarvis, Fay, Doporto & Gibson, LLP	-4,840.00
Bill Pmt -Check	08/14/2018	18263	Jeff Canepa	-500.00
Bill Pmt -Check	08/14/2018	18264	Jennifer Johnson	-575.00
Bill Pmt -Check	08/14/2018	18265	Kimberly Richardson	-524.00
Bill Pmt -Check	08/14/2018	18266	Konica Minolta Premier Finance	-266.73
Bill Pmt -Check	08/14/2018	18267	Linda G. McIntyre	-400.00
Bill Pmt -Check	08/14/2018	18268	Mandich Vic Man	-426.20
Bill Pmt -Check	08/14/2018	18269	Monterey County Resource Mangagement Agen	-82.00
Bill Pmt -Check	08/14/2018	18270	Monterey One Water	-14,874.36
Bill Pmt -Check	08/14/2018	18271	MP Express	-3,696.67
Bill Pmt -Check	08/14/2018	18272	Office Team	-765.62
Bill Pmt -Check	08/14/2018	18273	Pajaro/Sunny Mesa C.S.D.	-2,877.88
Bill Pmt -Check	08/14/2018	18274	PG&E	-20,000.00
Bill Pmt -Check	08/14/2018	18275	Premium Assignment Corporation	-12,820.13
Bill Pmt -Check	08/14/2018	18276	Principal Financial	0.00
Bill Pmt -Check	08/14/2018	18277	Rabobank	-474.01
Bill Pmt -Check	08/14/2018	18278	Redshift	-136.85
Bill Pmt -Check	08/14/2018	18279	Robert Hopper	-602.35
Bill Pmt -Check	08/14/2018	18280	Scotts Valley Sprinkler	-70.25
Bill Pmt -Check	08/14/2018	18281	Sea Engineering, Inc.	-7,933.14
Bill Pmt -Check	08/14/2018	18282	Social Vocational Services, Inc.	-1,073.57
Bill Pmt -Check	08/14/2018	18283	Sunrise Express	-48.75
Bill Pmt -Check	08/14/2018	18284	Tom Wilhelm	-91.50

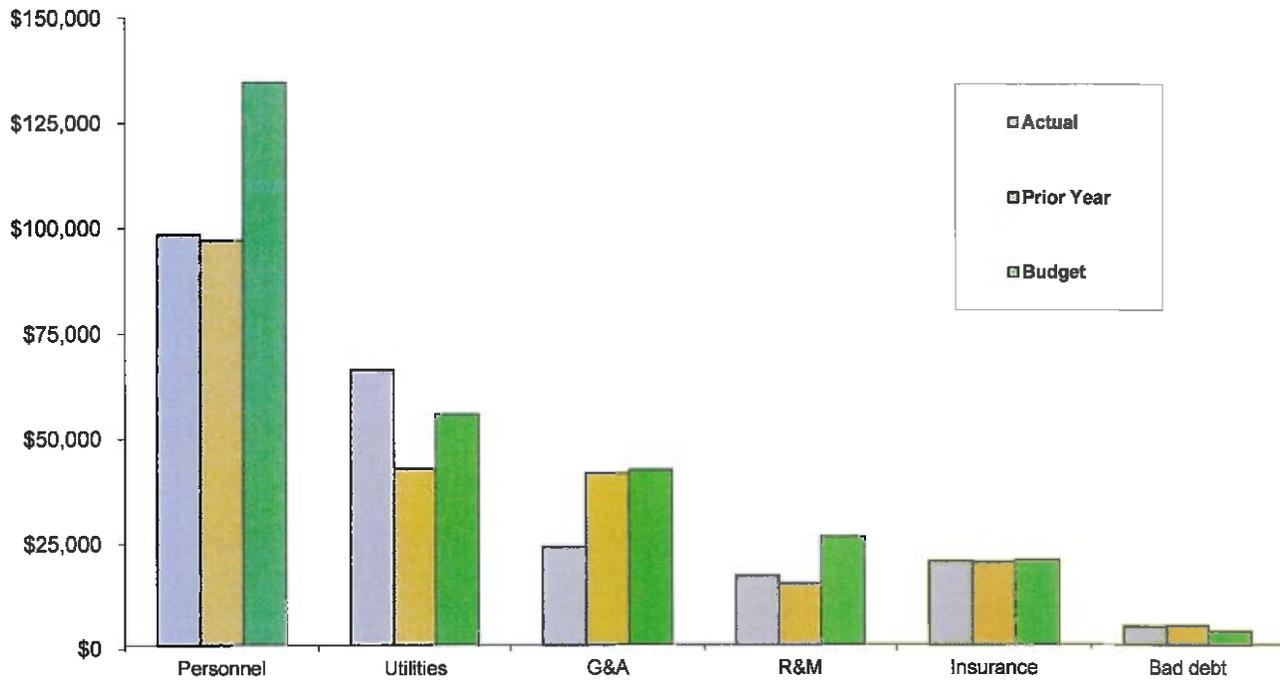
**Moss Landing Harbor District
Warrant Listing
As of September 30, 2018**

Type	Date	Num	Name	Amount
Bill Pmt -Check	08/14/2018	18285	U.S. Bank	-335.86
Bill Pmt -Check	08/14/2018	18286	Valero Marketing and Supply Company	-429.80
Bill Pmt -Check	08/14/2018	18287	VALIC	-2,996.17
Bill Pmt -Check	08/14/2018	18288	Veritiv Operating Company	-2,000.36
Bill Pmt -Check	08/14/2018	18289	Verizon Wireless	-141.46
Bill Pmt -Check	08/14/2018	18290	Vision Sevice Plan	-102.78
Bill Pmt -Check	08/14/2018	18291	Wald, Ruhnke & Dost Architects, LP	-36,874.89
Bill Pmt -Check	08/14/2018	18292	WASH	-202.08
Bill Pmt -Check	08/14/2018	18293	Carmel Marina Corporation	-678.00
Bill Pmt -Check	08/14/2018	18294	Rabobank	-245.22
Bill Pmt -Check	08/14/2018	18295	Carmel Marina Corporation	-975.72
Bill Pmt -Check	08/24/2018	18296	AT&T	-517.35
Bill Pmt -Check	08/24/2018	18297	Corralitos Electric	-427.60
Bill Pmt -Check	08/24/2018	18298	Royal Wholesale Electric	-684.21
Bill Pmt -Check	08/24/2018	18299	Wendy L. Cumming, CPA	-3,081.25
Bill Pmt -Check	08/24/2018	18300	AT&T	-237.76
Check	08/29/2018	1140	C.A.H.M. & P.C.	-370.00
Check	08/31/2018		Union Bank	-393.92
Bill Pmt -Check	09/11/2018	18301	A.L. Lease	-633.42
Bill Pmt -Check	09/11/2018	18302	Airgas	-84.59
Bill Pmt -Check	09/11/2018	18303	Ambient Air	-880.00
Bill Pmt -Check	09/11/2018	18304	Aspen Enviornmental Group	-770.63
Bill Pmt -Check	09/11/2018	18305	AT&T	-184.17
Bill Pmt -Check	09/11/2018	18306	Auto Care LifeSaver Towing	-1,504.00
Bill Pmt -Check	09/11/2018	18307	Baitall, Inc.	-781.20
Bill Pmt -Check	09/11/2018	18308	Blue Shield of California	-115.73
Bill Pmt -Check	09/11/2018	18309	Byte Technology	-37.50
Bill Pmt -Check	09/11/2018	18310	California Special Districts Association	-525.00
Bill Pmt -Check	09/11/2018	18311	CalPERS	-3,907.19
Bill Pmt -Check	09/11/2018	18312	Carmel Marina Corporation	-975.72
Bill Pmt -Check	09/11/2018	18313	Casper Van Der Schoot	-580.00
Bill Pmt -Check	09/11/2018	18314	Cintas	-494.35
Bill Pmt -Check	09/11/2018	18315	Damm Good Water	-66.95
Bill Pmt -Check	09/11/2018	18316	Dennis Garmany-	-118.10
Bill Pmt -Check	09/11/2018	18317	Jason Williams	-510.00
Bill Pmt -Check	09/11/2018	18318	Kevin Antos	-833.00
Bill Pmt -Check	09/11/2018	18319	Konica Minolta Premier Finance	-266.73
Bill Pmt -Check	09/11/2018	18320	Linda G. McIntyre	-400.00
Bill Pmt -Check	09/11/2018	18321	Moises Oliveira and Mark Hoffseth	-348.00
Bill Pmt -Check	09/11/2018	18322	Monterey Signs	-322.29
Bill Pmt -Check	09/11/2018	18323	PG&E	-20,000.00
Bill Pmt -Check	09/11/2018	18324	Premium Assignment Corporation	-12,820.13
Bill Pmt -Check	09/11/2018	18325	Rabobank	-194.98
Bill Pmt -Check	09/11/2018	18326	Redshift	-136.85
Bill Pmt -Check	09/11/2018	18327	Revel Enviornmental Manufacturing , Inc.	-468.00

**Moss Landing Harbor District
Warrant Listing
As of September 30, 2018**

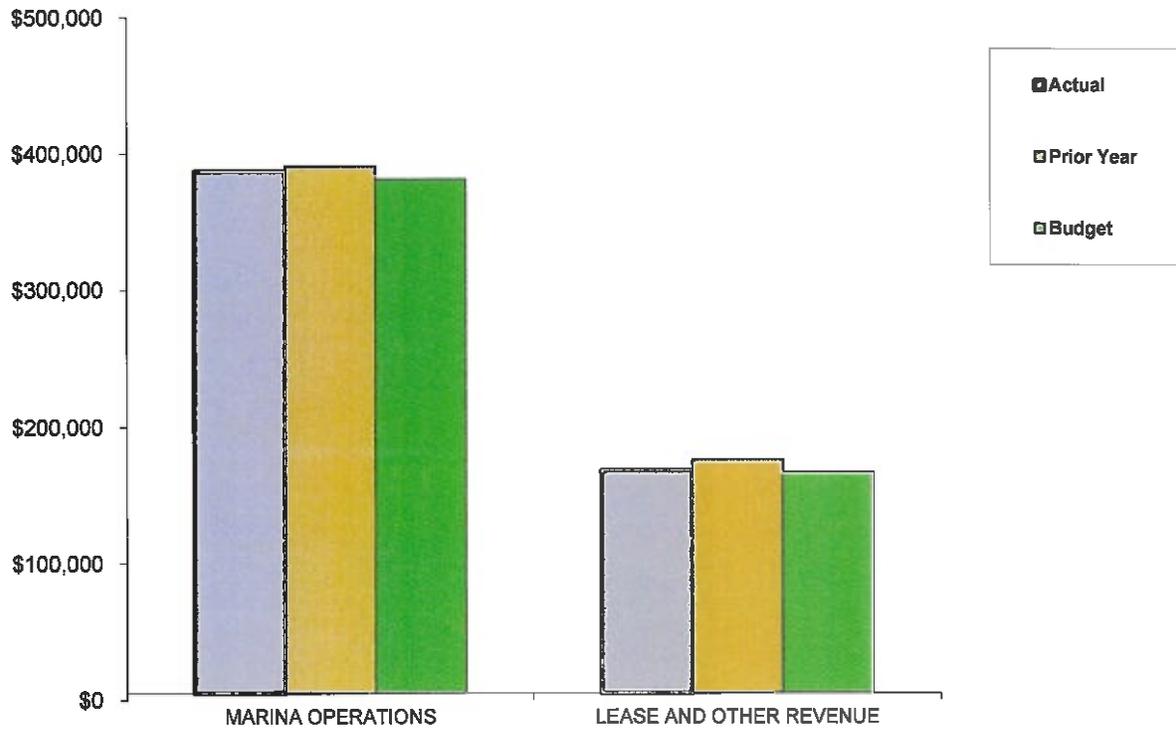
<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Bill Pmt -Check	09/11/2018	18328	SDRMA	-2,192.45
Bill Pmt -Check	09/11/2018	18329	Sea Engineering, Inc.	-2,745.64
Bill Pmt -Check	09/11/2018	18330	Sealaska Engineering & Applied Sciences	-4,234.75
Bill Pmt -Check	09/11/2018	18331	Social Vocational Services, Inc.	-1,073.57
Bill Pmt -Check	09/11/2018	18332	Sunrise Express	-48.75
Bill Pmt -Check	09/11/2018	18333	Tom's Septic Construction	-524.00
Bill Pmt -Check	09/11/2018	18334	U.S. Bank	-1,153.97
Bill Pmt -Check	09/11/2018	18335	Valero Marketing and Supply Company	-158.09
Bill Pmt -Check	09/11/2018	18336	VALIC	-2,996.17
Bill Pmt -Check	09/11/2018	18337	Veritiv Operating Company	-977.28
Bill Pmt -Check	09/11/2018	18338	Verizon Wireless	-141.27
Bill Pmt -Check	09/11/2018	18339	Vision Sevice Plan	-102.78
Bill Pmt -Check	09/11/2018	18340	West Marine Pro	-13.63
Bill Pmt -Check	09/11/2018	18341	Carmel Marina Corporation	-2,824.76
Bill Pmt -Check	09/11/2018	18342	Rabobank	-479.60
Bill Pmt -Check	09/11/2018	18343	Carmel Marina Corporation	-678.00
Total 1009 · Union - Operating				-348,846.62
TOTAL				-348,846.62

**Operating Expenses
Year to Date Actuals vs. Budget and Prior Year
August 31, 2018**

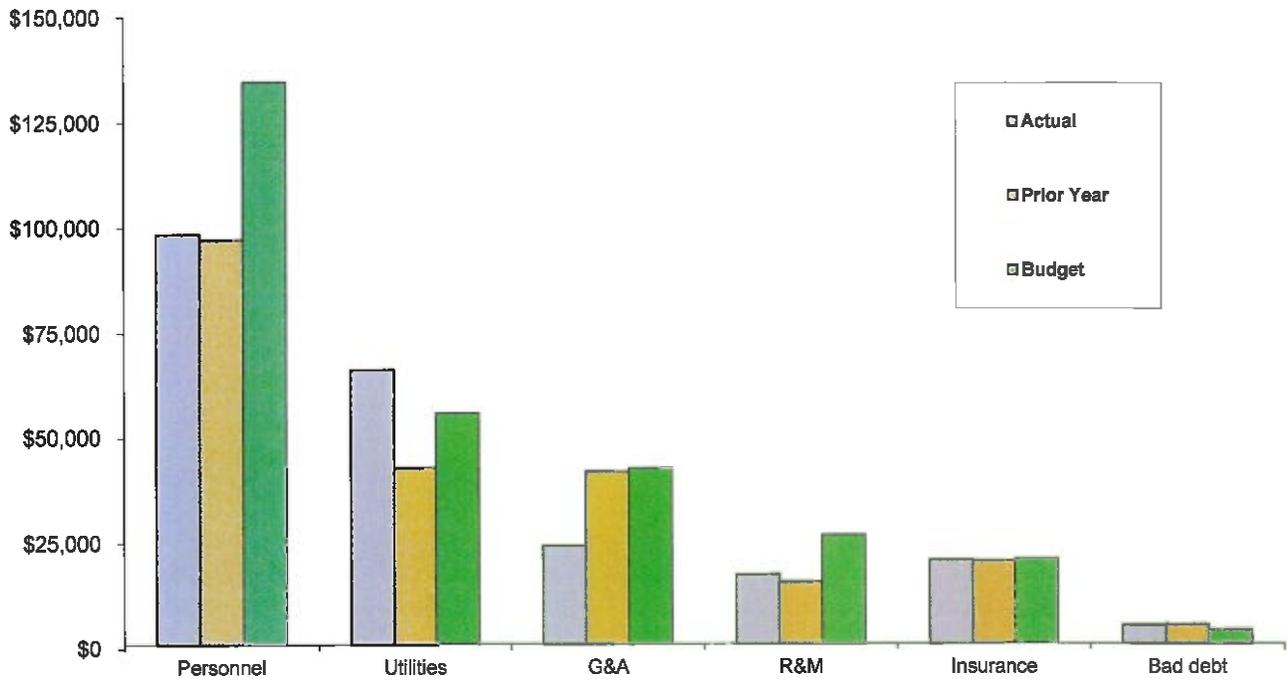


****Expenses Exclude Dredging, Depreciation and Interest Expenses****

**Marina, Lease and Other Revenue
Year to Date Actual vs. Budget and Prior Year
August 31, 2018**



**Operating Expenses
Year to Date Actuals vs. Budget and Prior Year
August 31, 2018**



****Expenses Exclude Dredging, Depreciation and Interest Expenses****



BOARD OF COMMISSIONERS
Russell Jeffries
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James R. Goulart

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GENERAL MANAGER
HARBORMASTER
Linda G. McIntyre, Esq
ASSISTANT GENERAL MANAGER
Tommy Razzeca

STAFF REPORT

Tommy Razzeca, Assistant General Manager

ITEM NUMBER 4 – PROJECT STATUS BOARD MEETING OF SEPTEMBER 26, 2018

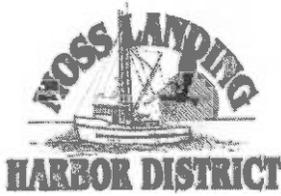
Dredge project: We are still waiting on USFW biological opinion which has been written but is in review before release to the USACE and CCC. Once the agencies receive the biological opinion we expect to receive our ten year dredge permit. As in the past during analysis of the sediment samples the presence of DDT was found in various locations of South Harbor (North Harbor was free of contaminates) which caused some additional sampling to determine offshore disposal suitability. During the Board meeting on July 28, 2018 the Board authorized increasing Sea Alaska's consulting contract amount to fund the cost of this additional testing; we have received some of these testing results and - some good news - it appears that the EPA will likely accept the DDT bioaccumulation results indicating that the DDT sediment concentrations will not prevent approval for ocean disposal at the SF-12 site. Additionally it appears that EPA will not recommend modeling or any other additional analysis. We have not yet received the PCB bioaccumulation results for the K-Dock sediments and unacceptable bioaccumulation of this contaminant is not expected. Once the outstanding test results have been received and assuming they are favorable staff and our consultant will begin to produce and publish bid documents so we can move forward with awarding a dredge contract and schedule the dredge event. As of now the dredge event is still on track to begin in the fall.

2. **North Harbor Building project:** The project has experienced some slow movement due to a number of delaying factors (i.e. pouring, curing and delivering support piles; encountering and removing obstacles blocking pile driving to depth, sewer line depth, fire suppression low water pressure, PG & E scheduling, relocation of water line, difficulty with steel frame dimensions, etc.). Structural Steel has caused the biggest delay thus far, however our shop drawings were finally approved and steel frames have been delivered to the building site. Staff expects that by this Board meeting (September 26, 2018) steel frames will have been installed and building framing will be actively taking place. Staff expects major progress moving forward and that noticeable advancement will be obvious at the site by our October Board meeting.

3. **Pile Replacement/A Dock repair project:** This project was completed on July 13, 2018. After awaiting receipt of all invoices for the project, staff submitted our claim to the insurer on 8/7/18. The insurer has agreed to our claim in the amount of \$126,966.53, after revising the Release document we will await payment which we expect to receive soon.

4. **North Harbor Inn Project:** All County required reports were received and our architects met with the County; the meeting went well. The \$18,427.48 County Permit Fee has been paid and the project is now in the permit review stage by various County agencies.

5. **Fisherman's Dorm Project:** Currently on hold.



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GENERAL MANAGER
HARBORMASTER
Linda G. McIntyre, Esq.

Assistant General manager
Tommy Razzeca

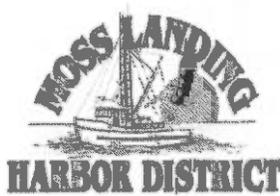
STAFF REPORT

ITEM NUMBER 5 – COMMUNITY RELATIONS, REQUESTS, ISSUES BOARD MEETING OF SEPTMEBER 26, 2018

1. As a result of the anticipated costs to pay the Elections Department some \$750,000 to \$800,000 representing approximately 25% of the District's operating budget in the event more candidates qualified than the 3 seats available on the Harbor District Board, the GM contacted Salinas Valley Memorial Healthcare District which also has a large boundary and is also facing these budget-busting costs. They are interested in meeting to discuss our collective options, as is the Monterey Regional Airport District. I was also interviewed by a Monterey County Weekly reporter who wrote an article entitled "Unfree Elections" published September 13.

2. Over the past 8 years Assistant GM Tommy Razzeca has removed and demolished approximately 40 vessels that were abandoned and most were at risk of sinking. The District faces \$20,000 to \$50,000 in expenses if one of these vessels sinks in deeper water, not to mention USCG and environmental agency involvement. Therefore they are placed in unrentable slips in shallow water near the edge of the parking lot while steps are taken to follow legal procedures, which can be quite time consuming. They are unattractive but putting up with unsightly vessels is worth avoiding the hazards, risk and expense of one of these vessels sinking. These vessels are not occupying slips that can be rented so the District is not losing income from their occupancy. Another 4 vessels cleared the legal hurdles and were removed in the last several weeks.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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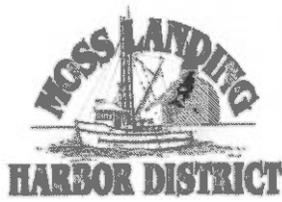
GENERAL MANAGER
 HARBORMASTER
 Linda G. McIntyre, Esq.

ASSISTANT GENERAL MANAGER
 Tommy Razzeca

STAFF REPORT

ITEM NUMBER 6 – SUMMARY OF PERMITS ISSUED BOARD MEETING OF SEPTEMBER 26, 2018

Permittee	Issue Date	Status	Permit Type	Exp. Date
Elkhorn Slough Research Foundation	01/01/2018	Current	Facilities Use	1/01/2019
Monterey Bay Hydrobikes	2/4/2018	Current	Facilities Use	2/4/2019
Blue Ocean Whale Watch	2/8/2018	Current	Facilities Use	2/8/2019
Whisper Charters	2/28/2018	Current	Facilities Use	2/28/2019
Kahuna Sportfishing	3/17/2018	Current	Facilities Use	3/17/2019
REI Outdoor School	3/24/2018	Current	Facilities Use	3/24/2019
Fast Raft	3/28/2018	Current	Facilities Use	3/28/2019
MBARI-Otter Studies	4/1/2018	Current	Facilities Use	4/1/2019
Stap-Marine Life Studies	4/15/2018	Expired	Non-Renewed	4/15/2019
Venture Quest Kayaking	5/16/2018	Current	Facilities Use	5/16/2019
Kayak Connection	5/18/2018	Current	Facilities Use	5/18/2019
Secret Harbor Charters	5/24/2018	Pending	Facilities Use	5/24/2019
Sanctuary Cruises	6/7/2018	Current	Facilities Use	6/7/2019
Sea Goddess Whale Watching-Tours	6/10/2018	Current	Facilities Use	6/10/2019
Sea Goddess Whale Watching-Souvenirs	6/10/2018	Current	Peddlers	6/10/2019
MBARI-Slough Test Moorings	6/27/2018	Current	Facilities Use	6/27/2019
Elkhorn Slough Safari - Souvenirs	10/1/2017	Current	Peddlers	10/1/2018
Elkhorn Slough Safari - tours	10/1/2017	Current	Facilities Use	10/1/2018
Blue Water Ventures	10/31/2017	Current	Facilities Use	10/31/2018
Wild Fish-Vicki Crow	11/20/2017	Current	Peddlers	11/20/2018



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Linda G. McIntyre, Esq.

Assistant General Manager
Tommy Razzeca

STAFF REPORT

ITEM NUMBER 7 – MEETING ANNOUNCEMENTS BOARD MEETING OF SEPTEMBER 26, 2018

Moss Landing Community Plan Update Community Meetings – Moss Landing Marine Labs

October 3rd
Moss Landing

October 10th
Moss Landing

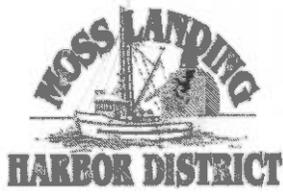
October 17th
Moss Landing

For more information regarding the Moss Landing Community Plan Update, please visit the website <http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma/planning/ordinances-plans-under-development/moss-landing-community-plan>

Monterey County Fish and Game Advisory Commission – Meetings are on the 2nd Tuesday of even months. <http://www.co.monterey.ca.us/bcandc/fishgame.html>

Moss Landing Chamber of Commerce Meetings – Second Monday of each month, Moss Landing Harbor District Board Room, 9 a.m.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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 HARBORMASTER
 Linda G. McIntyre, Esq.

Assistant General Manager
 Tommy Razzeca

STAFF REPORT

**ITEM NUMBER 8 - LIVEBOARD REPORT
 BOARD MEETING OF SEPTEMBER 26, 2018**

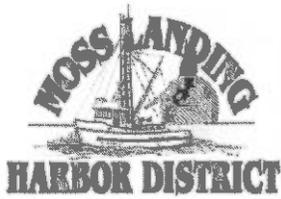
Pursuant to Ordinance Code §6.110 D) 1), attached is the report containing the names of all permitted liveboard vessels and all persons living aboard. The permits for these liveboards have automatically renewed through the last day of this month. As of this writing, there is no (0) revocation actions pending.

<u>Name</u>	<u>Vessel</u>
1. Anderson, T.	<i>Lanikai</i> CF 4134N
2. Brenta T.	<i>Teri Leigh</i> 936915
3. Bohigian, D.	<i>Finesse</i> , CF 3764 ET
4. Burns, P.	<i>Tralfamadore</i> , CF 9430 GL
5. Byrnes, K.	<i>Grand Slam</i> , CF 4540 FE
6. Callahan, T.	<i>Deb on Air</i> , CF 3174 HA
7. Cayuela, R.	<i>Rachel Angelet</i> , CF 6969 UB
8. Michael, McVay	<i>Gaviota</i> , CF 4863 FP
9. Clark, N.	<i>China Cloud</i> , ON 999772
10. Cloer, J./Ajuria M.	<i>Laurie</i> , CF 2688 EX
11. Chambers, B.	<i>Pyxis</i> , ON 984193
12. Comendant, T.	<i>Mariah</i> , CF 9747 GR
13. Clark D.	<i>Seaside Escape</i> CF 4356 HW
14. Degnan, P.	No Name, CF 8344 GT
15. Powers, P	No Name, CF 0333 EU
16. Elwell, G.	<i>Pearl</i> , ON 557575
17. Faneuf, C. Mary Sibert	<i>Ghost Ryder</i> ON 1048498
18. Felicano, J.	<i>Takara</i> , CF 3767 AS
19. Graham, D.	<i>Shelter Dog</i> , ON 593068
20. Harrington,H.	<i>Isle of View</i> , ON 997142
21. Ho, R.	<i>Carolynn Ann</i> CF 5796 FG
22. Heatley, J.	<i>Darla Jean</i> , CF 2303 UN
23. Jerred, D.	<i>Westwind</i> , CF8564 GM
24. Groom D	<i>Phoenix</i> , CF 5084 GJ
25. Jones, H.	<i>Laetare</i> , CF 5495 YB
26. Jones, T.	<i>Sanity</i> , CF 5249 SC
27. Johnson, J. /LaFever M.	<i>Aztlan</i> , ON 281903
28. Kampas,B.	<i>Tee-Time</i> CF 5670 UY

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

- | | |
|--------------------------------|------------------------------------|
| 29. Knudson L./Knudson A. | <i>Spellbound</i> , ON 082155 |
| 30. Malone, RJ | <i>Francis w</i> , CF 2017 UZ |
| 31. Larke, R. | <i>Rhiannon</i> , CF 8551 CA |
| 32. Burnett | <i>Zinful</i> CF5419 JG |
| 33. Maris, T. | <i>Nimble</i> , CF 3730 KB |
| 34. Guggenheim, Charles | <i>Comfiance</i> , ON 971499. |
| 35. Nieman J. | <i>Inia</i> , ON 1074183 |
| 36. Niswonger, R. | <i>Illusion</i> , CF 0836 TA |
| 37. Nunes, D. | <i>Auroora</i> , ON 676686 |
| 38. Otis, T. | <i>Blue Moon</i> , CF 1886 GT |
| 39. Guzman, Francisco | <i>Rosie II</i> CF 7754 GG |
| 40. Phillips, A | <i>Odyle</i> , ON 559168 |
| 41. Velaquez A/ Velaquez R | <i>Lorraine</i> CF 0533 JL |
| 42. Raaphorst, D./Raaphorst M. | <i>Spirit</i> , ON 664971 |
| 43. Reins, D. | <i>Second Paradise</i> , ON 912484 |
| 44. Rotger, M. | <i>Raven</i> , ON 241650 |
| 45. Roulet, J. | <i>Double Eagle</i> , ON 519846 |
| 46. Piro, Daniel | <i>Gulf Star</i> CF 6082 GL |
| 47. Krone, Michael | <i>No Name</i> CF 4219 HE |
| 48. Stegmann, R. | <i>Wild Goose</i> , ON 589319 |
| 49. Stark, H. | <i>Outta Here</i> , CF 8370 EA |
| 50. Baugh, R. | <i>Yada Yada</i> , CF 7881 GZ |
| 51. Thomas, B. | <i>Coho</i> , CF 9974 KK |
| 52. Tufts, M. | <i>Enchantress</i> , CF 0878 SX |
| 53. Aaron Sumner | <i>Bellisima</i> CF 4668 FV |
| 54. Wolinski, Peter | <i>Ramona</i> , ON 1114657 |
| 55. Waters, J./Waters, M. | <i>No Name</i> CF 5670 GD |
| 56. <i>Thomas Samuelson</i> | <i>Moonstone</i> CF 5122 GX |
| 57. <i>Herrick Andrews</i> | <i>Sea Free</i> ON 613387 |
| 58. Kim Richardson | <i>Sophie</i> CF 0533 JL |
| 59. Tony Brenta | <i>Teri Leigh</i> ON 936915 |
| 60. Bowler, J | <i>Myrtle Mae</i> , CF 3187 FN |

Total Number Vessels: 59
Total Number Persons: 66
Pending Applications -0-



BOARD OF COMMISSIONERS
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 . James R. Goulart

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EXECUTIVE
 GENERAL MANAGER

HARBORMASTER
 Linda G. McIntyre, Esq.

STAFF REPORT

ITEM NUMBER 9 - SLIP INCOME REPORT
 BOARD MEETING OF SEPTEMBER 26, 2018

Slip Rates 2018/2019 per linear foot:

Assigned: \$7.90/ft./month
 Temporary: \$11.80/ft./month
 Transient: \$1.25/ft./day

INCOME

August 2018

\$164,682

August 2017

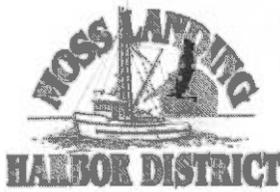
\$154,187

August 2018 Budget

\$163,361

For the month, slip income is above budget by \$1,321. Slip income is higher than prior year by \$10,495, due to a combination of higher assigned, temporary and transient berthing revenue.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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Assistant General Manager
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STAFF REPORT

Tommy Razzeca, Assistant General Manager

ITEM 10 - INCIDENT REPORT BOARD MEETING OF SEPTEMBER 26, 2018

8/27/18 Staff contacted MCSO regarding a loud verbal altercation taking place in a vehicle near A dock. Deputies responded and spoke to the 2 persons involved ending the dispute. No arrests made.

9/3/18 North County Fire and MCSO responded to a physical altercation that had taken place on F dock involving 2 vessel owners. One of the involved persons was apparently bitten by the others leashed dog during the altercation and requested medical attention. No arrests were made.

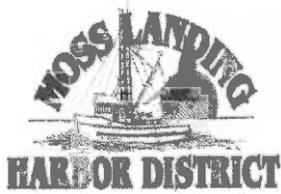
9/3/18 Staff received a call regarding a verbal altercation taking place at F dock. Staff contacted MCSO and deputies responded. One of the individuals involved in the earlier incident was intoxicated and had begun screaming. Deputies took the intoxicated person involved in the altercation into custody. Since this incident staff has followed up with all involved parties. Staff continues to monitor the involved tenants but believes that the situation has been resolved and no further action is required at this time.

9/7/18 Staff noticed a significant sheen in the A Dock area. During the staff members' investigation they discovered a tenant who was pumping a vessel's bilge into the Harbor water causing the sheen; staff members immediately stopped the pumping. Staff notified the National Response Center, USCG, CDF&W and the Monterey County Health Department to report the spill and the name of the responsible person.

9/12/18 A domestic dispute was taking place aboard a vessel on B dock. Deputies responded and were able to end the dispute. No arrested made.

No further incidents as of 9/18/18

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



BOARD OF COMMISSIONERS

Russ Jeffries
Tony Leonardini
Vincent Ferrante
Margaret "Peggy" Shirrel, Ph.D.
James R. Goulart

7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

TELEPHONE – 831.633.5417
FACSIMILE – 831.633.4537



**EXECUTIVE
GENERAL MANAGER**

HARBORMASTER
Linda G. McIntyre, Esq.

STAFF REPORT

ITEM NUMBER 20 – AMENDMENT NO. 9 TO MLCP FUNDING AGREEMENT BOARD MEETING OF SEPTEMBER 26, 2018

The District received an email from the Monterey County Resource Management Agency stating that the EIR for the Project has not yet been completed and the expiration date for the funding agreement and the professional services agreement is September 30, 2018.

All participants, of which the Harbor District is one, have been requested to agree to extend the term of the agreements for an additional 20 months to May 31, 2020. There would be no additional financial impact by this extension. All parties will be provided copies of the signatures in a formal amendment to the agreement reflecting this extended expiration date for their records.

Because the Plan and the EIR will be useful to the Harbor District, and because it is impossible for the EIR consultants to complete an EIR by September 30 of this year, staff recommends that the Board authorize the Board President and Deputy Secretary to execute documents extending the agreements to May 31, 2020.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

**AMENDMENT NO. 9
TO FUNDING AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
VARIOUS PROJECT APPLICANTS
FOR THE MOSS LANDING COMMUNITY PLAN UPDATE
ENVIRONMENTAL IMPACT REPORT**

THIS AMENDMENT NO. 9 to the Funding Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and Elkhorn Slough Foundation; Haute Properties, LLC; Monterey Bay Aquarium Research Institute; Moss Landing Commercial Park, LLC dba Moss Landing Business Park; Moss Landing Harbor District; Quin Delta, LLC; San Jose State University Research Foundation; Keith Family Investments, LLC and/or assignee; and Phil DiGirolamo (hereinafter, "PROJECT APPLICANTS") is hereby entered into between the County and the PROJECT APPLICANTS (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

WHEREAS, an Environmental Impact Report (EIR) is required for the Moss Landing Community Plan Update (hereinafter, "Project"); and

WHEREAS, County engaged EMC Planning Group, Inc. (hereinafter, "Contractor") to prepare the EIR for the Project; and

WHEREAS, PROJECT APPLICANTS entered into a Funding Agreement with County on February 9, 2011 (hereinafter, "Agreement") to provide funding for an EIR for the Project through May 31, 2011 for an amount not to exceed \$334,466.50; and

WHEREAS, Agreement was amended by the Parties on May 31, 2011 (hereinafter, "Amendment No. 1") to extend the term for one (1) additional year through May 31, 2012 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on June 4, 2012 (hereinafter, "Amendment No. 2") to extend the term for one (1) additional year through May 31, 2013 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on May 29, 2013 (hereinafter, "Amendment No. 3") to extend the term for one (1) additional year through May 31, 2014 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on June 2, 2014 (hereinafter, "Amendment No. 4") to extend the term for one (1) additional year through May 31, 2015 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on May 26, 2015 (hereinafter, "Amendment No. 5") to extend the term for two (2) additional years through May 31, 2017 with no increase in the not to exceed amount, and made a change in name only replacing Hamlin Properties, LLC with Haute Properties, LLC; and

WHEREAS, Agreement was amended by the Parties on July 31, 2015 (hereinafter, "Amendment No. 6", including Exhibit 1A, Amendment No. 6 to the Professional Services Agreement between EMC Planning Group, Inc. and the County of Monterey for the Moss Landing Community Plan Update Environmental Impact Report) to increase the amount of the Contractor's Base Budget by \$69,448.00 (County funded amount) which resulted in a total of the Maximum Budget Under Agreement not to exceed amount of \$473,588.00 with no extension to the term; and

WHEREAS, Agreement was amended by the Parties on May 23, 2017 (hereinafter, "Amendment No. 7") to extend the term for one (1) additional year through May 31, 2018 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on December 11, 2017 (hereinafter, "Amendment No. 8", including Exhibit 1B, Amendment No. 8 to the Professional Services Agreement between EMC Planning Group, Inc. and the County of Monterey for the Moss Landing Community Plan Update Environmental Impact Report) to extend the term for four (4) additional months through September 30, 2018 and to increase the amount of the Contractor's Base Budget by \$91,500.00 (County funded amount) which resulted in a total of the Maximum Budget Under Agreement not to exceed amount of \$565,088.00; and

WHEREAS, the EIR has not been completed for the Project; and

WHEREAS, additional time is required to allow County staff to revise the Moss Landing Community Plan and to allow Contractor to continue to provide services for completion of the EIR for the Project; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for twenty (20) additional months to May 31, 2020 with no associated dollar amount increase to allow funding for costs incurred by Contractor to continue to provide services identified in the Agreement and as amended by this Amendment No. 9.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. Amend the second sentence of the second paragraph of Paragraph 3, "**CONTRACTOR – CONTRACTOR'S Base Budget**", to read as follows:

Should AGREEMENT be terminated prior to May 31, 2020, any unearned balance of the \$242,236.70 deposited by the PROJECT APPLICANTS to fund the base Professional Services Agreement of CONTRACTOR shall be returned to PROJECT APPLICANTS within sixty (60) days of receipt of notice of termination by COUNTY in proportion to the percentage of funds contributed by each PROJECT APPLICANT.

2. Amend Paragraph 9, “**Term**”, to read as follows:

AGREEMENT shall become effective May 4, 2010 and continue through May 31, 2020, unless terminated pursuant to Paragraph 10 or amended pursuant to Paragraph 14 of AGREEMENT.

3. Amend Paragraph 10, “**Termination**”, to read as follows:

AGREEMENT shall terminate on May 31, 2020, but may be terminated earlier by PROJECT APPLICANTS or COUNTY, by giving thirty (30) days’ written notice to the other.

4. All other terms and conditions of the Agreement remain unchanged and in full force.
5. This Amendment No. 9 and all previous amendments shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
6. The recitals to this Amendment No. 9 are incorporated into the Agreement and this Amendment No. 9.

IN WITNESS WHEREOF, the Parties hereby execute this Amendment No. 9 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

By: _____
Jacqueline R. Onciano
Chief of Planning Services

Date: _____

Approved as to Form and Legality
Office of the County Counsel-Risk Management
Charles J. McKee, County Counsel-Risk Manager

PROJECT APPLICANTS*
Elkhorn Slough Foundation

By: _____
Brian P. Briggs
Deputy County Counsel

By: _____
(Signature)

Date: _____

Its: _____
Anne Olsen, President
(Print Name and Title)

Date: _____

Approved as to Fiscal Provisions

By: _____
Auditor/Controller

By: _____
(Signature)

Date: _____

Its: _____
Bruce Welden, Secretary
(Print Name and Title)

Date: _____

*INSTRUCTIONS: IF PROJECT APPLICANT is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If PROJECT APPLICANT is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managing members. If PROJECT APPLICANT is a partnership, the full legal name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. IF PROJECT APPLICANT is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement or Amendment to said Agreement.

PROJECT APPLICANT*
Haute Properties, LLC

By: _____
(Signature)

Its: Kim Solano, Owner, Managing Member
(Print Name and Title)

Date: _____

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PROJECT APPLICANT*
Monterey Bay Aquarium Research Institute

By: _____
(Signature)

Its: Chris Scholin, President & CEO
(Print Name and Title)

Date: _____

By: _____
(Signature)

Its: Basilio Martinez, CFO
(Print Name and Title)

Date: _____

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PROJECT APPLICANT*

**Moss Landing Commercial Park, LLC
dba Moss Landing Business Park**

By: _____
(Signature)

Its: Nader Agha, Managing Partner / Member
(Print Name and Title)

Date: _____

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PROJECT APPLICANT*
Moss Landing Harbor District

By: _____
(Signature)

Its: Russ Jeffries, Board President
(Print Name and Title)

Date: _____

By: _____
(Signature)

Its: Linda G. McIntyre, Deputy Secretary
(Print Name and Title)

Date: _____

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PROJECT APPLICANT*

Quin Delta, LLC

By: _____
(Signature)

Its: John Gregg, Member
(Print Name and Title)

Date: _____

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PROJECT APPLICANT*

San Jose State University Research Foundation

By: _____
(Signature)

Its: **Pamela C. Stacks, AVP of Research, SJSU &
Vice President of the Board, SJSURF**

(Print Name and Title)

Date: _____

By: _____
(Signature)

Its: **Rajnish Prasad,
Interim Executive Director & Secretary of the
Board, SJSURF**

(Print Name and Title)

Date: _____

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PROJECT APPLICANT*

Keith Family Investments, LLC and/or assignee

By: _____
(Signature)

Its: Chris Keith, Managing Partner
(Print Name and Title)

Date: _____

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PROJECT APPLICANT*

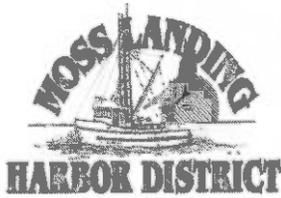
Phil DiGirolamo

By: _____
(Signature)

Its: _____
Phil DiGirolamo, Owner
(Print Name and Title)

Date: _____

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BOARD OF COMMISSIONERS
Russ Jeffries
Tony Leonardini
Vincent Ferrante
Margaret "Peggy" Shirrel, Ph.D.
James R. Goulart

7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

TELEPHONE – 831.633.5417
FACSIMILE – 831.633.4537



EXECUTIVE
GENERAL MANAGER

HARBORMASTER
Linda G. McIntyre, Esq.

STAFF REPORT

ITEM NUMBER 21 – APPROVE 2-MONTH EXTENSION OF MLGCP LEASES BOARD MEETING OF SEPTEMBER 26, 2018

As you are aware, Staff has been negotiating with Moss Landing Green Commercial Park ("MLGCP") for several years on extensions, restatements or termination of three existing agreements between the District and MLGCP. One of the agreements is for the District's right to locate berthing spaces over MLGCP's submerged land in the Moro Cojo Slough (the "Berthing Agreement"). The other two agreements are related to easements and other property rights, one for an outfall line that runs from the MLGCP property through the District's property and to the ocean (The "Outfall Line Agreement"), the other for a line and pumping pier facilities also located or running through District property (The "Pumping Pier Agreement"). (Collectively, all three agreements are referred to as "The Agreements.") The Agreements were set to expire in July of 2017, but have been extended on several occasions in order to provide the parties with additional time to negotiate deal points.

As of September 19, 2018, the parties had agreed to the terms of the Berthing Agreement, were revising a few provisions in the Outfall Agreement that would allow MLGCP to use the pipeline to serve a variety of property interests, including but not limited to the planned water desalination facility, and had almost completed the Pumping Pier Agreement that would have resulted in MLGCP terminating its interest in the involved property and agreeing to remove its improvements located thereon within a reasonable time. It was anticipated that the Agreements were going to be ready for approval by the Board at its meeting on September 26.

However, on September 19, General Manager McIntyre was contacted by MLGCP principal Nader Agha who informed her of changes in the technology to be used in the desalination plant, resulting in the need to modify the Agreements, with new plans to abandon MLGCP's use of the outfall line for the Desal project and renew its interest in the pumping pier easement and property. As a result of this change in plans, it is necessary to once again request extensions to the Agreements in order to allow the parties to negotiate new agreement provisions.

Due to the timing of Mr. Agha's communication to Ms. McIntyre, Staff was unable to prepare new extensions for Board approval. Staff is requesting that the Board, by minute motion, approve two-month extensions to the Agreements, direct staff to prepare the extension agreements, and authorize the General Manager to execute the same.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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EXECUTIVE
GENERAL MANAGER

HARBORMASTER
Linda G. McIntyre, Esq.

STAFF REPORT

ITEM NUMBER 22- ADOPT RESO 18-14; ORDINANCE 203 REGARDING THE DISTRICT'S
CONFLICT OF INTEREST CODE
BOARD MEETING OF SEPTEMBER 26, 2018

The California Political Reform Act requires every local government agency to review its Conflict of Interest Code biennially to determine if it is in compliance with relevant law and regulation or, alternatively, if the Code must be amended. Once the determination has been made, a notice must be submitted to the Code reviewing body no later than October 1 of even-numbered years. The Monterey County Board of Supervisors is the code-reviewing body for the Moss Landing Harbor District.

On April 17, 1997, the Board of Commissioners adopted a Conflict of Interest Code by way of Ordinance No. 147. Ordinance 147 added a new section to the District's Ordinance Code whereby the District adopted the "Sample Conflict of Interest Code" contained in relevant Fair Political Practices Commission regulations and designated the positions responsible for filing required financial disclosures pursuant to the provisions of the Code. The Code has been reviewed biennially since this time.

Upon receiving a "Notice of Biennial Review of Conflict of Interest Code for Agencies and Districts" from the County in 2018, the General Manager and District Counsel reviewed the current Code and determined that the entire District Code should be revised and reformatted. Having the Code prepared as a stand-alone document, and not imbedded in the Ordinance Code will provide greater access to the Code and make it easier to make amendments, as needed, in the future.

The new Conflict of Interest Code follows the format provided by the County. An introductory section incorporates relevant provisions of the California Code of Regulations. The proposed Appendix A reflects the District positions/classifications subject to the Conflict of Interest Code. Appendix B lists the disclosure categories.

Staff recommends that the Board adopt Ordinance No. 203 which will delete the current Conflict of Interest Code from the provisions of the District's Ordinance Code, and thereafter adopt Resolution 18-14 which will approve a revised Conflict of Interest Code in the form attached thereto. The General Manager will provide the County with notice of the fact that the District is revising its Code and provide the County Board of Supervisors with a copy of the revised Code upon adoption for their review and approval.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

ORDINANCE 203

**AN ORDINANCE OF THE MOSS LANDING HARBOR DISTRICT
BOARD OF HARBOR COMMISSIONERS DELETING
SECTION 3.200-CONFLICT OF INTEREST CODE OF THE
MOSS LANDING HARBOR DISTRICT ORDINANCE CODE**

WHEREAS, the Moss Landing Harbor District (“District”), by way of Ordinance No. 147, has previously adopted a Conflict of Interest Code; and

WHEREAS, the District’s General Manager and District Counsel have determined that for purposes of clarification and improved organization, as well as ease of amendment, the Conflict of Interest Code should be removed from the Ordinance Code and made a separate document; and

WHEREAS, the District is processing a Resolution adopting a new Conflict of Interest Code simultaneously with this Ordinance.

NOW THEREFORE, the Board of Harbor Commissioners of the Moss Landing Harbor District ordains as follows:

Section 1.

Section 3.200 - Conflict of Interest Code of Chapter 3 - Administration and Personnel of the Moss Landing Ordinance Code is hereby deleted in its entirety.

Section 2.

The Board of Commissioners finds that the approval of this ordinance is not subject to the provisions of the California Environmental Quality Act (“CEQA”) because it is not a “project” pursuant to CEQA Guidelines Section 15061(b)(3) and has no potential for causing a significant effect on the environment.

Section 3

This Ordinance shall become effective immediately upon adoption by the Board of Harbor Commissioners.

Certification

Ordinance 203 was introduced at a regular meeting of the Board of Harbor Commissioners of said District, duly held on the 26th day of September, 2018.

Ordinance 203 was adopted at the regular scheduled meeting of said Board duly held on the 26th day of September, 2018 at Moss Landing, CA, by the following vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

ATTEST:

Russ Jeffries, President
Board of Harbor Commissioners

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners

RESOLUTION NO. 18-14

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE MOSS LANDING HARBOR DISTRICT

WHEREAS, the Political Reform Act, Government Code sections 81000, et seq., requires every State and local government agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, the Moss Landing Harbor District (“District”), by way of Ordinance No. 147, has previously adopted a Conflict of Interest Code incorporating restrictions and regulations set forth in 2 Cal. Code of Regulations, sections 18109 et seq., and has identified those District positions charged with the responsibility of filing economic interest statements; and

WHEREAS, although the Code has been reviewed biennially since its adoption in 1997 with little or no amendment, the General Manager and District Counsel have determined that the entire Code needs to be revised and reformatted for purposes of clarification and improved organization, and to more clearly identify affected staff and relevant disclosure categories; and

WHEREAS, the General Manager/District Clerk is required to file the 2018 Local Agency Biennial Notice with the Monterey County Board of Supervisors reflecting the necessary changes.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- 1) A copy of the District’s “2018 Local Agency Biennial Notice” is attached hereto as Exhibit “A.”
- 2) The terms, restrictions and regulations set forth at 2 Cal. Code of Regulations section 18109, et seq., including but not limited to the sample Conflict of Interest Code provisions contained in section 18730, along with the attached Appendices A and B, all of which are attached hereto as Exhibit “B” and by this reference incorporated herein, by which officials are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Moss Landing Harbor District. In enacting this Resolution, the Board of Commissioners hereby rescinds previous resolutions concerning the District’s Conflict of Interest Code.
- 3) All persons holding designated positions identified in new Appendix A shall file statements of economic interest pursuant to the Conflict of Interest Code.

CERTIFICATION

Resolution 18-14 was duly passed and adopted by the Board of Harbor Commissioners of the Moss Landing Harbor District at a duly noticed meeting of the Board held on the 26th day of September, 2018 a quorum present and acting throughout, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Attest:

Russ Jeffries, President
Board of Harbor Commissioners

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners

EXHIBIT B

CONFLICT OF INTEREST CODE OF THE MOSS LANDING HARBOR DISTRICT

The Political Reform Act of 1974 (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, section 18730 of Title 2 of the California Code of Regulations, which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency's code. After public notice and hearing, the Fair Political Practices Commission may amend the standard code to conform to amendments of the Political Reform Act. Therefore, the terms of section 18730 of Title 2 of the California Code of Regulations and any amendments to it duly adopted by the Fair Political Practices Commission together with the attached Appendices designating positions and establishing disclosure categories are hereby incorporated and together constitute the Conflict of Interest Code of the Moss Landing Harbor District.

Individuals holding designated positions shall file their statements of economic interest with the District, which shall make the statements available for public inspection and reproduction pursuant to Government Code section 81008. Upon receipt of the statements for General Manager, Board of Commissioners, and District Counsel, the District shall make and retain copies and forward the original of the statements to the Monterey Board of Supervisors. Statements for all other designated positions shall be retained by the Moss Landing Harbor District.

Attachments:

- Appendix A: Designated Positions
- Appendix B: Disclosure Categories

Adopted:

Amended:

APPENDIX A

<u>Designated Positions</u>	<u>Disclosure Category</u>
General Manager	CAT -01
Consultants*	CAT-01

* The definition of "Consultant" contained in 2 Cal. Code of Regs., Title 2, Section 18700.3(a), and any amendment to said section duly adopted by the Fair Political Practices Commission, is incorporated herein by reference.

With respect to Consultants, the General Manager may determine in writing that a particular consultant is hired to perform a range of duties that are limited in scope and thus not required to comply with the disclosure requirements described in these categories. Such determination shall include a description of the consultant's duties, and, based upon that description, a statement of the extent of the disclosure requirements. The General Manager shall forward a copy of this determination to the Fair Political Practices Commission. Nothing herein excuses any such consultant from any other provision of this Conflict of Interest Code.

** It has been determined that the positions listed below manage public investments and will file a statement of economic interests pursuant to Government Code Section 87200:

Commission Members
General Manager
District Counsel

APPENDIX B

General Provisions

When a designated employee is required to disclose investments and sources of income, s/he need only disclose investments in business entities and sources of income which do business in the jurisdiction, plan to do business in the jurisdiction or have done business in the jurisdiction within the past two years. In addition to other activities, a business entity is doing business within the jurisdiction if it owns real property. When a designated employee is required to disclose interests in real property, s/he need only disclose real property which is located in whole or in part within or not more than two miles outside the boundaries of the jurisdiction or within two miles of any land owned or used by the local government agency.

Designated employees shall disclose their financial interests pursuant to the appropriate disclosure category as indicated in Appendix A.

Disclosure Categories:

- CAT-01 All interests in real property in the local jurisdiction, as well as investments, business positions and sources of income (including gifts, loans and travel payments).
- CAT-02 All investments, business positions and sources of income (including gifts, loans and travel payments).
- CAT-03 All interest in real property in the local jurisdiction.

2018 Local Agency Biennial Notice

Name of Agency: MOSS LANDING HARBOR DISTRICT
Mailing Address: 7881 Sandholdt Road, Moss Landing, CA 95039
Contact Person: Linda G. McIntyre Phone No. 831.633.5417
Email: mcintyre@mosslandingharbor.dst.ca.us Alternate Email: razzeca@mosslandingharbor.dst.ca.us

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that (*check one BOX*):

An amendment is required. The following amendments are necessary:

(*Check all that apply.*)

- Include new positions
- Revise disclosure categories
- Revise the titles of existing positions
- Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- Other (*describe*) _____

The code is currently under review by the code reviewing body.

No amendment is required. (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

September 27, 2018

Signature of Chief Executive Officer

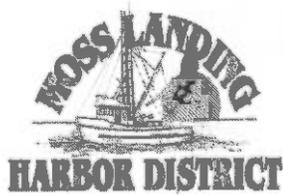
Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 1, 2018**, or by the date specified by your agency, if earlier, to:

*Monterey County Clerk of the Board
P.O. Box 1728, Salinas, CA 93902*

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

FPPC Advice: www.fppc.ca.gov (866.275.3772)
advice@fppc.ca.gov



BOARD OF COMMISSIONERS
Russ Jeffries
Tony Leonardini
Vincent Ferrante
Margaret "Peggy" Shirrel, Ph.D.
James R. Goulart

7881 SANDHOLDT ROAD
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**EXECUTIVE
GENERAL MANAGER**

HARBORMASTER
Linda G. McIntyre, Esq.

STAFF REPORT

ITEM NUMBER 23 – RESO 18-15 CANCELING NOVEMBER & DECEMBER MEETINGS BOARD MEETING OF SEPTEMBER 26, 2018

Regularly scheduled Board meetings are on the 4th Wednesday of each month. The fourth Wednesday in November falls the day before Thanksgiving Day. The fourth Wednesday in December falls between the Christmas and New Year's holidays when several staff members, Commissioners and consultants are on vacation.

Historically the Board has canceled the regular meetings and fixed one day in early December to accomplish the November and December business of the District.

Staff proposes that the Board adopt Resolution No. 18-15 fixing Thursday, December 13, 2018 as a Special Meeting to accommodate the November and December regular meeting business. Staff recommends the Board set the time of the Closed Session of the special meeting at 2:00 p.m., and the open session at 2:30 p.m. or as soon thereafter as the Closed Session is concluded.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

RESOLUTION NO. 18-15

**A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE MOSS
LANDING HARBOR DISTRICT
CANCELING THE NOVEMBER AND DECEMBER 2018 MEETINGS
AND FIXING A SUBSTITUTE DATE THEREFOR**

WHEREAS, the Moss Landing Harbor District Board of Commissioners does not anticipate the need for the regular November 21, 2018 meeting which falls on the day before the Thanksgiving holiday, and

WHEREAS, the next regularly scheduled meeting of the Board would be December 26, 2018, and

WHEREAS, the public would not be served by holding the regular November meeting the evening before a 2-day holiday or holding the regular December meeting the week between the Christmas and New Year's holidays, and

WHEREAS, historically the Commissioners, District Counsel and General Manager have all agreed to a rescheduled meeting sometime early in December.

NOW THEREFORE, BE IT RESOLVED that the Board of Harbor Commissioners of the Moss Landing Harbor District hereby cancels the regularly scheduled meetings of November 21st and December 26th, 2018 respectively and fixes the date of December 13, 2018 as the substitute meeting date for both such canceled meetings

* * * * *

CERTIFICATION

Resolution 18-15 was duly adopted by the Board of Harbor Commissioners of the Moss Landing Harbor District at a Regular meeting of the Board held on the 26th day of September, 2018, a quorum present and acting throughout, by the following vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

Russ Jeffries, President
Board of Harbor Commissioners

ATTEST:

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioner



BOARD OF COMMISSIONERS
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**EXECUTIVE
GENERAL MANAGER**

HARBORMASTER
Linda G. McIntyre, Esq.

STAFF REPORT

ITEM NUMBER 24 – DISCUSS PASSENGER VESSEL FEES BOARD MEETING OF SEPTEMBER 26, 2018

Several years ago the Budget Committee held a meeting with the District's passenger vessel businesses to discuss payment of a fee by such businesses to offset the costs incurred for additional wear and tear on the infrastructure, dredging to maintain ingress and egress, additional staffing demands, cost of paper goods, water, sewer, electricity, trash and facilities infrastructure as a result of the multitudes of passenger vessel customers.

A number of issues were raised at that meeting such as the formula – i.e. would it be based on a head count, vessel size, percentage of income derived, etc. and what records would be needed from the vessel owner such as a copy of their manifest with last names redacted, a copy of their tax return schedule attributable to their vessel income, a District staff person standing at the gate as they embark counting the number of passengers, etc.

Subsequently neither the Board nor any Committee pursued the idea, nor was direction given to staff to pursue it. Nevertheless, staff had researched what other Harbors charge for passenger vessel uses and continued to gather that information periodically. At the last Board meeting one Commissioner wondered why it had not been implemented.

When the Budget Committee met earlier this year the Passenger Vessel Fee was included and the Board adopted the Budget. It's on Line 42, and for lack of a better description it was labeled "Charter Fees" but our intent is to apply it equally to all passenger vessel Permittees, profit or non-profit, since they all contribute to the added expenses described above. Staff believes the simplest and fairest formula is to charge \$110 one time annually times the vessel's passenger capacity. Thus a vessel with a capacity of 20 passengers would pay $\$110.00 \times 20 = \$2,200$ once per year when renewing their Facilities Use Permit or, if they prefer, they can pay it at \$183.33 monthly with their slip fee payment.

We were informed that another local Harbor utilizes this formula at \$120 times the vessel's passenger capacity. Another Harbor charged \$12 a lineal foot for the dock space (ours is \$7.90/ft) and 5% of gross income for their permit fee, and this was back in 2001! They also required submission of monthly accountings. Under our proposed formula, the Permittee need only provide one document: the US Coast Guard Vessel Inspection Certificate, which states the maximum passenger capacity for that vessel.

Staff recommends the Board discuss the implementation of this fee and direct staff to bring an Ordinance to the next Board meeting for the Board's consideration for adoption. A draft Ordinance is attached for the Board's information.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

ORDINANCE NO. 204

AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE MOSS LANDING HARBOR DISTRICT AMENDING CHAPTER 20 – “FEES AND CHARGES” OF THE MOSS LANDING HARBOR DISTRICT ORDINANCE CODE

WHEREAS, District is proposing to amend Chapter 20 - “Fees and Charges” of the Moss Landing Harbor District Ordinance Code through the ~~modification, elimination~~ clarification and addition of certain fees and charges;

WHEREAS, District has held open and noticed budget committee meetings allowing input on the proposed changes prior to the proposed date of adoption of this Ordinance and has received comments from Board Members.

THEREFORE, BE IT ORDAINED by the Board of Harbor Commissioners of the Moss Landing Harbor District as follows:

Chapter 20 of the Moss Landing Harbor District Ordinance Code, titled “Fees and Charges,” is hereby amended in the manner set forth in Exhibit “A,” attached hereto and by this reference incorporated herein. Although Exhibit A is set forth in the underline-strikeout format for ease of reference with respect to the changes made to the Code, the final version of the same shall be incorporated into the Code with struck-out items deleted and underlining removed.

This Ordinance was introduced and adopted at a regular meeting of the Moss Landing Harbor District Board of Harbor Commissioners on ~~May-3~~ September 26, 2018 to become effective ~~July~~ November 1, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

Russ Jeffries, President
Board of Harbor Commissioners

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners

Peddling Permit – Goods or Services with Principal Place of Business Being off Site.	\$250.00 application fee	\$250.00 Permit Prep Per year
Facilities Use Permit	\$250.00 application fee plus appropriate CEQA review fee if use is not exempt from CEQA.	\$250.00 Permit Prep fee per year. Lease or license may be required as a condition of permit. In addition, Passenger Vessel Fees including kayaks: \$110 per passenger capacity of vessel annually (i.e., 60 passenger capacity X \$110 = \$6600.00)
Special Activities Use Permit	\$250.00 application fee plus appropriate CEQA review fee if use is not exempt from CEQA.	\$250.00 Permit Prep Fee per Permit
Pet Permit		\$5.00 per month per pet.

C) **District services and equipment.** Persons utilizing the below-described District services and equipment shall pay the fee shown below. Persons utilizing other District services required by this Code shall pay the amount of expenses actually incurred by the District to provide the service. Examples include but are not limited to the expense under Section 6.120.B.2 of a surveyor to determine a vessel unseaworthy, the District's costs and expenses under Section 14.150.C for refuse removal. Use of District equipment shall be in the discretion of the General Manager and persons utilizing such equipment will be required to execute a written waiver of liability in advance of such use.

Service/Equipment	Fee
Pass-through credit card transaction fee	\$7.00 per transaction added to all payments made to District using Master Charge or Visa.
Appeal to the Board (Sec. 24.100)	\$25.00 filing fee
Berth Exchange Between Two Assigned Berth Holders (Sections 6.024 and 6.026)	\$25.00 processing fee for berth exchange between two assigned berth holders to be split between applicants.
Berth Rental Security Deposit (assigned berth) (Section 6.022.B.1.a.)	\$500.00
Assigned Slip and Liveboard Waiting List (Sec. 6.050.C.1 and (E)) The \$75 assigned slip wait list application fee shall be waived in the event slips in the size category being applied for are available immediately. Notwithstanding the foregoing fee waiver, the applicant will be required to complete the wait list application for administrative and documentary tracking purposes.	\$75.00 waiting list fee payable annually in January. An assigned vessel that intends to be away for one year or greater may give up its berth and be assigned to the highest position on the waiting list by payment of an annual fee equal to one month's berthing fee in advance and without discount. In the case of multiple vessels utilizing this provision Section 6.050(B) shall apply.
CEQA Review - Sections 20.240 and 22.220	\$75.00 deposit for project application subject to review by General Manager. \$500 deposit for project application subject to review by Board. Additional fees in amount