



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

**July 25, 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) 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.

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

Russ Jeffries – President	Linda G. McIntyre – General Manager
Tony Leonardini – Vice President	Mike Rodriguez – 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. SPECIAL PRESENTATION**

Presentation by the District's Architectural Consultant, Henry Ruhnke of Wald, Ruhnke & Dost Architects, regarding the North Harbor Inn project and the Fisherman's Dormitory/Café Project.

**F. CONSENT CALENDAR**

1. Approval of the June 27, 2018 Regular Meeting Minutes.

**G. FINANCIAL REPORT**

2. Financial report month ending June 30, 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.

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

## **I. COMMITTEE REPORTS**

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10. Finance Committee – Ferrante/Goulart
11. Elkhorn Slough Advisory Committee – Leonardini
12. Special Districts – Jeffries/Ferrante
13. Budget Committee – Leonardini/Shirrel
14. Liveaboard Committee – Goulart/Jeffries
15. Harbor Improvement Committee – Shirrel/Goulart
16. Real Property Committee I – Jeffries/Leonardini
17. Real Property Committee II – Ferrante/Shirrel
18. 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**

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19. ITEM – Maintenance Dock Erosion Emergency Project update.
  - a. Staff report
  - b. Public Comment
  - c. Board discussion
  - d. Board action
20. ITEM – Consider Extending Moss Landing Commercial Park agreements.
  - a. Staff report
  - b. Public comment
  - c. Board discussion
  - d. Board action
21. ITEM – Consider Adopting Resolution 18-13 Amending Resolution 18-12 increasing the consulting fee for Sealaska relating to the District's dredge project.
  - a. Staff report
  - b. Public comment
  - c. Board discussion
  - d. Board action
22. ITEM – Consider purchasing Earthquake Insurance coverage for the Harbor District.
  - a. Staff report
  - b. Public comment
  - c. Board discussion
  - d. Board action

## **K. COMMISSIONERS COMMENTS AND CONCERNS**

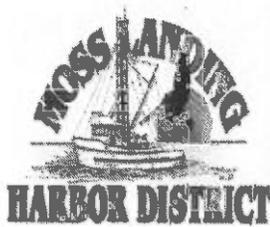
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Commissioners may address items of concern at this time, and may request that items be placed on future agendas in accordance with the By-laws of the Board.

## **L. ADJOURNMENT**

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The next Meeting of the Board of Harbor Commissioners is scheduled for August 22, 2018 at 7:00 PM at the offices of the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, CA. Individuals who require special accommodations are requested to contact the Assistant General Manager by emailing [Razzeca@mosslandingharbor.dst.ca.us](mailto:Razzeca@mosslandingharbor.dst.ca.us) or by calling 831.633.2461 no less than 72 hours prior to the meeting or in the case of 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 may be obtained by contacting the District at 831.633.5417 or by emailing the General Manager at [Mcintyre@mosslandingharbor.dst.ca.us](mailto:Mcintyre@mosslandingharbor.dst.ca.us) or by logging onto the District's website at [www.mosslandingharbor.dst.ca.us](http://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

June 27, 2018

**A. CLOSED SESSION**

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

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 Labor negotiators pursuant to Government Code §54857.6 re Carpenters 46 No. California Conference – Chief Negotiator Assistant General Manager Tommy Razzeca.

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

Open session was called to order at 7:07 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 Jefferies announced that the Board met in closed session and no decisions were made; direction was given to District staff and District Counsel.

**D. PUBLIC COMMENTS**

Rick Andrews thanked Linda for contacting him and making sure his pets were taken care of while he was in the hospital; he added that Fernando is a great addition to the Harbor staff. He informed the Board that there are too many guns in the Harbor and wanted us to be aware.

**E. CONSENT CALENDAR**

1. Approval of the May 30, 2018 Special Meeting Minutes. A motion was made by Commissioner Goulart, seconded by Commissioner Shirrel, to approve the May 30, 2018 Minutes. The motion passed unanimously on a roll-call vote.

**F FINANCIAL REPORT**

2. Financial report month ending May 31, 2018. GM McIntyre gave the highlights. A motion was made by Commissioner Ferrante, seconded by Commissioner Leonardini, to accept the Financial Report. The motion passed unanimously on a roll-call vote.

**G. MANAGER'S REPORTS**

3. Projects Status/Update – Commissioner Ferrante asked about presenting a model of the Café and Dormitory to the Board. President Jeffries said it will be presented when we are further along. Commissioner Goulart asked about the 10 year dredge permit.

4. Community Relations; Requests/Issues – GM McIntyre reminded Board in regards to Board attending SDAMC meeting when Registrar of Voters attends, to sit at separate tables and be mindful of the Brown Act. President Jeffries said we should look into doing our own elections by mail. GM McIntyre informed him that several years ago she did look into it and it would not have saved much money, but will look into it again now that the costs have tripled.
5. Summary of Permits Issued – written report/no questions
6. Meeting Announcements – written report/no questions
7. Liveboard Report – written report/no questions
8. Slip Income Report – written report/no questions
9. Incident Report – written report/no questions

#### **H. COMMITTEE REPORTS**

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10. Finance Committee – Ferrante/Goulart – nothing to report
11. Elkhorn Slough Advisory Committee – Leonardini – nothing to report
12. Special Districts – Jeffries/Ferrante – nothing to report
13. Budget Committee – Leonardini/Shirrel – nothing to report
14. Live aboard Committee – Goulart/Jeffries – nothing to report
15. Harbor Improvement Committee – Shirrel/Goulart – nothing to report
16. Real Property Committee I – Jeffries/Leonardini – nothing to report
17. Real Property Committee II – Ferrante/Shirrel – nothing to report
18. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). Nothing to report.

#### **I. NEW BUSINESS**

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19. ITEM – Maintenance Dock Erosion Emergency Project update.
  - a. Staff report – AGM Razzeca gave the report
  - b. Public Comment – None
  - c. Board discussion – None
  - d. Board action – The Board by consensus indicated that emergency conditions continue to exist and the provisions of Resolution No. 17-01 should continue in full force and effect.
20. ITEM – Consider Adopting Resolution No. 18-10 regarding the 4<sup>th</sup> Amendment to the People's Desal Reimbursement Agreement and the 3<sup>rd</sup> Amendment to the Aspen Contract
  - a. Staff report – District Counsel Mike Rodriguez gave the report
  - b. Public comment – None
  - c. Board discussion – None
  - d. Board action – A motion was made by Commissioner Shirrel, seconded by Commissioner Ferrante, to adopt Resolution No. 18-10 regarding the 4<sup>th</sup> amendment to the people's Desal Reimbursement Agreement and the 3<sup>rd</sup> Amendment to the Aspen Contract. The motion passed unanimously on a roll-call vote.
21. ITEM – Consider approving Memorandum of Understanding with Carpenters 46
  - a. Staff report – GM McIntyre read the brief report.
  - b. Public comment – None
  - c. Board discussion – None
  - d. Board action – A motion was made by Commissioner Goulart, seconded by Commissioner Shirrel to approve the tentative MOU. The motion passed unanimously on a roll-call vote.

## **J. COMMISSIONERS COMMENTS AND CONCERNS**

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Commissioner Leonardini is requesting that we find a way to move the huge container at North Harbor that is blocking the view of the Pacific Grill Restaurant. Commissioner Ferrante wants to see the derelict vessels removed. Staff reminded him it's a long and constantly ongoing process. GM McIntyre reported that there is quite a bit of chatter about a big earthquake being overdue so she requested a quote for earth quake insurance coverage and will put it on the next agenda for consideration.

## **K. ADJOURNMENT**

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The meeting adjourned at 8:40 pm.

Respectfully submitted,

ATTEST:

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Vince Ferrante, Secretary  
Board of Harbor Commissioners

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Linda G. McIntyre, Deputy Secretary  
Board of Harbor Commissioners

**Moss Landing Harbor District**  
**Balance Sheet**  
As of June 30, 2018

	<u>Jun 30, 18</u>	<u>Jun 30, 17</u>	<u>\$ Change</u>	<u>% Change</u>
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
1002 · Petty Cash	500	500		
1009 · Union - Operating	80,570	79,566	1,004	1%
1010 · Union - M.M.	4,056,406	4,202,086	-145,680	-3%
1011 · Union - Payroll	33,465	36,073	-2,608	-7%
1015 · 1st Capital Bank	1,546,978	1,544,919	2,059	0%
1016 · Pinnacle Bank Interest Account		22,922	-22,922	-100%
1018 · Union Bank- Trust Account	678,357	121,468	556,889	458%
1020 · Umpqua - Restricted	1,011,124	1,009,609	1,515	0%
<b>Total Checking/Savings</b>	<b>7,407,400</b>	<b>7,017,143</b>	<b>390,257</b>	<b>6%</b>
<b>Accounts Receivable</b>				
<b>11290 · Leases</b>				
BioMineral Lease	2,192		2,192	100%
1282 · NNN Receivable	66,961	45,000	21,961	49%
1291 · Monterey Bay Kayak		8,970	-8,970	-100%
<b>Total 11290 · Leases</b>	<b>69,153</b>	<b>53,970</b>	<b>15,183</b>	<b>28%</b>
1200 · Marina Receivables	104,627	63,731	40,896	64%
1201 · Marina - Allow for Bad Debt	-52,298	-28,923	-23,375	-81%
<b>Total Accounts Receivable</b>	<b>121,482</b>	<b>88,778</b>	<b>32,704</b>	<b>37%</b>
<b>Other Current Assets</b>				
1210 · Grants Receivable		587,412	-587,412	-100%
<b>1271 · Prepaid Expenses</b>				
1270 · Insurance	5,909		5,909	100%
<b>Total 1271 · Prepaid Expenses</b>	<b>5,909</b>		<b>5,909</b>	<b>100%</b>
<b>Total Other Current Assets</b>	<b>5,909</b>	<b>587,412</b>	<b>-581,503</b>	<b>-99%</b>
<b>Total Current Assets</b>	<b>7,534,791</b>	<b>7,693,333</b>	<b>-158,542</b>	<b>-2%</b>
<b>Fixed Assets</b>				
<b>1650 · Construction in Progress</b>				
1655 · NH Facilities Expansion	27,657		27,657	100%
1650 · Construction In Progress - Other	765,451	765,451		
<b>Total 1650 · Construction in Progress</b>	<b>793,108</b>	<b>765,451</b>	<b>27,657</b>	<b>4%</b>
1670 · Equipment	790,611	779,968	10,643	1%
<b>1700 · Improvements</b>				
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		
<b>Total 1700 · Improvements</b>	<b>26,671,305</b>	<b>26,671,305</b>		

**Moss Landing Harbor District**  
**Balance Sheet**  
**As of June 30, 2018**

	<u>Jun 30, 18</u>	<u>Jun 30, 17</u>	<u>\$ Change</u>	<u>% Change</u>
<b>1800 · Less - Depreciation</b>				
<b>1805 · Equipment</b>	-785,266	-764,865	-20,401	-3%
<b>1810 · NH Buildings &amp; Improvements</b>	-3,766,861	-3,507,867	-258,994	-7%
<b>1820 · NH Floating Docks</b>	-509,439	-497,402	-12,037	-2%
<b>1825 · NH Offsite Improvements</b>	-461,507	-432,124	-29,383	-7%
<b>1830 · SH Buildings &amp; Improvements</b>	-6,002,875	-5,794,097	-208,778	-4%
<b>1840 · SH Floating Docks</b>	-5,594,427	-5,180,027	-414,400	-8%
<b>Total 1800 · Less - Depreciation</b>	<u>-17,120,375</u>	<u>-16,176,382</u>	<u>-943,993</u>	<u>-6%</u>
<b>1900 · Land</b>	<u>1,642,860</u>	<u>1,642,860</u>		
<b>Total Fixed Assets</b>	<u>12,777,509</u>	<u>13,683,202</u>	<u>-905,693</u>	<u>-7%</u>
<b>Other Assets</b>				
<b>1320 · Workers Comp Deposit</b>	200	200		
<b>1530 · Principal Financial CS</b>	<u>7,389</u>	<u>7,389</u>		
<b>Total Other Assets</b>	<u>7,589</u>	<u>7,589</u>		
<b>TOTAL ASSETS</b>	<u><u>20,319,889</u></u>	<u><u>21,384,124</u></u>	<u><u>-1,064,235</u></u>	<u><u>-5%</u></u>

**Moss Landing Harbor District**  
**Balance Sheet**  
As of June 30, 2018

	<u>Jun 30, 18</u>	<u>Jun 30, 17</u>	<u>\$ Change</u>	<u>% Change</u>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Accounts Payable</b>				
2010 · Accounts Payable	-31,502	90,684	-122,186	-135%
<b>Total Accounts Payable</b>	<u>-31,502</u>	<u>90,684</u>	<u>-122,186</u>	<u>-135%</u>
<b>Other Current Liabilities</b>				
2013 · Accrued Expenses	33,811	33,811		
2020 · Accrued Salaries Payable	2,078	6,780	-4,702	-69%
2021 · Accrued Vacation	88,372	93,576	-5,204	-6%
2023 · Accrued Payroll Taxes	605		605	100%
2030 · Customer Deposits	303,863	296,340	7,523	3%
2051 · Note Interest Payable				
2062 · Umpqua Accrued Interest	48,056	48,055	1	
<b>Total 2051 · Note Interest Payable</b>	<u>48,056</u>	<u>48,055</u>	<u>1</u>	
2080 · Prepaid Berth Fees	149,173	142,733	6,440	5%
2082 · MLCP Cost Reimb. Deposit	6,470	93,605	-87,135	-93%
2086 · Prepaid Leases				
20861 · Duke	56,418	54,319	2,099	4%
20862 · MBARI	20,715	20,553	162	1%
<b>Total 2086 · Prepaid Leases</b>	<u>77,133</u>	<u>74,872</u>	<u>2,261</u>	<u>3%</u>
2087 · Lease Deposits	14,797	14,164	633	4%
<b>Total Other Current Liabilities</b>	<u>724,358</u>	<u>803,936</u>	<u>-79,578</u>	<u>-10%</u>
<b>Total Current Liabilities</b>	<u>692,856</u>	<u>894,620</u>	<u>-201,764</u>	<u>-23%</u>
<b>Long Term Liabilities</b>				
2605 · Umpqua Loan	3,677,571	4,046,718	-369,147	-9%
<b>Total Long Term Liabilities</b>	<u>3,677,571</u>	<u>4,046,718</u>	<u>-369,147</u>	<u>-9%</u>
<b>Total Liabilities</b>	<u>4,370,427</u>	<u>4,941,338</u>	<u>-570,911</u>	<u>-12%</u>
<b>Equity</b>				
3020 · Retained Net Assets	6,456,231	6,456,231		
3050 · Prior Year Earnings	9,986,555	9,417,664	568,891	6%
<b>Net Income</b>	<u>-493,323</u>	<u>568,891</u>	<u>-1,062,214</u>	<u>-187%</u>
<b>Total Equity</b>	<u>15,949,463</u>	<u>16,442,786</u>	<u>-493,323</u>	<u>-3%</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>20,319,890</u></u>	<u><u>21,384,124</u></u>	<u><u>-1,064,234</u></u>	<u><u>-5%</u></u>

**Moss Landing Harbor District**  
**Statement of Cash Flows**  
July 2017 through June 2018

Jul '17 - Jun 18

<b>OPERATING ACTIVITIES</b>	
Net Income	-493,323
Adjustments to reconcile Net Income	
to net cash provided by operations:	
11290 · Leases:1291 · Monterey Bay Kayak	8,970
1200 · Marina Receivables	-40,896
1201 · Marina - Allow for Bad Debt	23,375
11290 · Leases:BioMineral Lease	-2,192
11290 · Leases:1282 · NNN Receivable	-21,961
1271 · Prepaid Expenses:1270 · Insurance	-5,909
1210 · Grants Receivable	587,412
1800 · Less - Depreciation:1805 · Equipment	20,401
1800 · Less - Depreciation:1810 · NH Buildings & Improvements	258,994
1800 · Less - Depreciation:1820 · NH Floating Docks	12,037
1800 · Less - Depreciation:1825 · NH Offsite Improvements	29,383
1800 · Less - Depreciation:1830 · SH Buildings & Improvements	208,778
1800 · Less - Depreciation:1840 · SH Floating Docks	414,400
2010 · Accounts Payable	-122,186
2020 · Accrued Salaries Payable	-4,702
2021 · Accrued Vacation	-5,204
2023 · Accrued Payroll Taxes	605
2030 · Customer Deposits	7,523
2080 · Prepaid Berth Fees	6,440
2086 · Prepaid Leases:20861 · Duke	2,099
2086 · Prepaid Leases:20862 · MBARI	162
2087 · Lease Deposits	632
2051 · Note Interest Payable:2062 · Umpqua Accrued Interest	1
2082 · MLCP Cost Reimb. Deposit	-87,134
Net cash provided by Operating Activities	797,705
<b>INVESTING ACTIVITIES</b>	
1650 · Construction in Progress:1655 · NH Facilities Expansion	-27,657
1670 · Equipment	-10,643
Net cash provided by Investing Activities	-38,300
<b>FINANCING ACTIVITIES</b>	
2605 · Umpqua Loan	-369,147
Net cash provided by Financing Activities	-369,147
Net cash increase for period	390,258
Cash at beginning of period	7,017,142
Cash at end of period	7,407,400

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
 July 2017 through June 2018

	<u>Jul '17 - Jun 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>4000 · MARINA REVENUES</b>				
<b>4100 · Berthing Income</b>				
4110 · Assigned Berthing	1,614,744	1,619,629	-4,885	100%
4112 · Qtrly/Annual Discount	-2,059	-3,600	1,541	57%
4113 · Commercial Vessel Dscnt	-13,080	-15,000	1,920	87%
4114 · Away (1 mnth) Dscnt	-1,211	-900	-311	135%
4115 · Temporary Berthing	282,371	242,000	40,371	117%
4120 · Liveaboard Fees	115,715	114,000	1,715	102%
4130 · Transient Berthing	29,750	45,000	-15,250	66%
4220 · Wait List	7,525	7,000	525	108%
4260 · Towing - Intra Harbor	150	750	-600	20%
4270 · Pumpouts	600	800	-200	75%
4280 · Late Fees	38,330	30,000	8,330	128%
4282 · Recovered Lien Costs	560	1,000	-440	56%
<b>Total 4100 · Berthing Income</b>	<u>2,073,395</u>	<u>2,040,679</u>	<u>32,716</u>	<u>102%</u>
<b>4200 · Other Income - Operations</b>				
4225 · Merchandise	366	1,000	-634	37%
4230 · SH Parking	118,889	120,000	-1,111	99%
4285 · Dog Fee	1,355	600	755	226%
4290 · Misc	9,668	2,400	7,268	403%
<b>Total 4200 · Other Income - Operations</b>	<u>130,278</u>	<u>124,000</u>	<u>6,278</u>	<u>105%</u>
<b>4300 · Operating Grant Revenues</b>		10,000	-10,000	
<b>Total 4000 · MARINA REVENUES</b>	<u>2,203,673</u>	<u>2,174,679</u>	<u>28,994</u>	<u>101%</u>

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
July 2017 through June 2018

Expense	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
<b>5200 · General &amp; Administrative</b>				
5100 · Advertising	2,863	5,000	-2,137	57%
5210 · Dues & Subscriptions	10,082	6,720	3,362	150%
<b>5220 · Office Supplies</b>				
5223 · Administration	6,583	4,812	1,771	137%
5225 · Operations	11,266	8,088	3,178	139%
<b>Total 5220 · Office Supplies</b>	<b>17,849</b>	<b>12,900</b>	<b>4,949</b>	<b>138%</b>
<b>5230 · Postage &amp; Equip Lease</b>				
5232 · Meter Lease	647	564	83	115%
5235 · Postage	1,574	624	950	252%
<b>Total 5230 · Postage &amp; Equip Lease</b>	<b>2,221</b>	<b>1,188</b>	<b>1,033</b>	<b>187%</b>
<b>5240 · Copier Lease &amp; Supplies</b>				
5242 · Copier Lease	3,856	3,960	-104	97%
<b>Total 5240 · Copier Lease &amp; Supplies</b>	<b>3,856</b>	<b>3,960</b>	<b>-104</b>	<b>97%</b>
<b>5250 · Telephone &amp; Communications</b>				
5253 · Administration	11,597	11,832	-235	98%
5255 · Operations	1,168	1,080	88	108%
<b>Total 5250 · Telephone &amp; Communications</b>	<b>12,765</b>	<b>12,912</b>	<b>-147</b>	<b>99%</b>
<b>5260 · Professional Services</b>				
5262 · Accounting	40,645	40,000	645	102%
5263 · Audit fees	15,000	14,500	500	103%
5265 · Legal	65,418	75,000	-9,582	87%
5268 · Computer Consulting	1,581	3,312	-1,731	48%
5269 · Payroll Processing	3,600	3,816	-216	94%
<b>Total 5260 · Professional Services</b>	<b>126,244</b>	<b>136,628</b>	<b>-10,384</b>	<b>92%</b>
5270 · Licenses & Permits		10	-10	
5290 · Credit Card Fees	19,133	13,176	5,957	145%
5921 · Internet Billing Service	2,144	2,016	128	106%
<b>Total 5200 · General &amp; Administrative</b>	<b>197,157</b>	<b>194,510</b>	<b>2,647</b>	<b>101%</b>
<b>5300 · Personnel</b>				
<b>5310 · Salaries</b>				
5313 · Administration	242,189	262,583	-20,394	92%
5315 · Operations	134,623	147,659	-13,036	91%
5318 · Maintenance	90,436	115,936	-25,500	78%
<b>Total 5310 · Salaries</b>	<b>467,248</b>	<b>526,178</b>	<b>-58,930</b>	<b>89%</b>
<b>5330 · Payroll Taxes</b>				
5333 · Administration	15,949	18,364	-2,415	87%
5335 · Operations	10,697	11,296	-599	95%
5338 · Maintenance	6,841	8,869	-2,028	77%
<b>Total 5330 · Payroll Taxes</b>	<b>33,487</b>	<b>38,529</b>	<b>-5,042</b>	<b>87%</b>

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
July 2017 through June 2018

	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
<b>5340 · Employee Benefits</b>				
5342 · Vehicle Allowance				
5343 · Administration	62,402	70,298	-7,896	89%
5345 · Operations	7,128	16,121	-8,993	44%
5348 · Maintenance	37,146	61,228	-24,082	61%
<b>Total 5340 · Employee Benefits</b>	<b>106,676</b>	<b>147,647</b>	<b>-40,971</b>	<b>72%</b>
<b>5350 · Workers Compensation</b>				
5353 · Administration	2,936	2,813	123	104%
5355 · Operations	6,457	6,527	-70	99%
5358 · Maintenance	7,337	16,054	-8,717	46%
<b>Total 5350 · Workers Compensation</b>	<b>16,730</b>	<b>25,394</b>	<b>-8,664</b>	<b>66%</b>
<b>5360 · Education &amp; Training</b>				
5363 · Administration	699		699	100%
5365 · Operations	1,200		1,200	
5368 · Maintenance	800		800	
<b>Total 5360 · Education &amp; Training</b>	<b>2,699</b>		<b>2,699</b>	<b>100%</b>
<b>Total 5300 · Personnel</b>	<b>626,840</b>	<b>737,748</b>	<b>-110,908</b>	<b>85%</b>
<b>5400 · Insurance</b>				
5410 · Liability Insurance	121,711	120,000	1,711	101%
<b>Total 5400 · Insurance</b>	<b>121,711</b>	<b>120,000</b>	<b>1,711</b>	<b>101%</b>
<b>5500 · Utilities</b>				
5510 · Garbage	51,188	53,000	-1,812	97%
5520 · Gas and Electric	200,000	195,000	5,000	103%
5530 · Water	30,085	32,000	-1,915	94%
5540 · Sewer	69,741	40,000	29,741	174%
<b>Total 5500 · Utilities</b>	<b>351,014</b>	<b>320,000</b>	<b>31,014</b>	<b>110%</b>
<b>5600 · Operating Supplies</b>				
5610 · Vehicles	8,123	13,800	-5,677	59%
5625 · Operations	17,425	21,000	-3,575	83%
<b>Total 5600 · Operating Supplies</b>	<b>25,548</b>	<b>34,800</b>	<b>-9,252</b>	<b>73%</b>
<b>5700 · Depreciation</b>	<b>471,997</b>	<b>472,500</b>	<b>-504</b>	<b>100%</b>
<b>5800 · Repairs &amp; Maintenance</b>				
5810 · Vehicles	490	3,084	-2,594	16%
5830 · Equip Rental	6,080	8,628	-2,548	70%
5850 · Repair Materials	64,030	78,300	-14,270	82%
5860 · Outside Service Contracts	50,977	70,000	-19,023	73%
5870 · Derelict Disposal	116	30,000	-29,884	0%
<b>Total 5800 · Repairs &amp; Maintenance</b>	<b>121,693</b>	<b>190,012</b>	<b>-68,319</b>	<b>64%</b>
<b>5900 · Financial Expenses</b>				
5920 · Bank Service Charges	6,608	3,600	3,008	184%
5990 · Bad Debt	23,375	21,400	1,975	109%
<b>Total 5900 · Financial Expenses</b>	<b>29,983</b>	<b>25,000</b>	<b>4,983</b>	<b>120%</b>
<b>Total · MARINA EXPENSES</b>	<b>1,945,943</b>	<b>2,094,570</b>	<b>-148,628</b>	<b>93%</b>
<b>Net Ordinary Income - Marina Operations</b>	<b>257,731</b>	<b>80,109</b>	<b>177,622</b>	<b>322%</b>

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
July 2017 through June 2018

	<u>Jul '17 - Jun 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>4400 · LEASE AND OTHER INCOME</b>				
<b>4050 · Trust Lands Lease Revenue</b>				
4051 · Dynegy Outfall	65,183	65,183	0	100%
4052 · MBARI - MARS Cable	1,326	1,285	41	103%
4053 · MBARI	26,887	26,890	-3	100%
<b>Total 4050 · Trust Lands Lease Revenue</b>	<u>93,396</u>	<u>93,358</u>	<u>38</u>	<u>100%</u>
<b>4500 · Leases</b>				
<b>4502 · Cannery Building</b>				
4504 · Suite 3	88,440	86,770	1,670	102%
4510 · Suite 6	25,963	25,679	284	101%
4511 · Suite 1 & 10	17,853	17,651	202	101%
4515 · Suite 4	84,413	83,917	496	101%
4517 · Suite 2	31,481	31,374	107	100%
4518 · Suite 5	24,423	24,506	-83	100%
4520 · Suite 9	1,370			
4523 · Canary NNN	29,871	30,000	-129	100%
<b>Total 4502 · Cannery Building</b>	<u>303,814</u>	<u>299,897</u>	<u>3,917</u>	<u>101%</u>
4530 · RV Lot	32,447	32,171	276	101%
4540 · Martin & Mason	25,335	23,587	1,748	107%
<b>4560 · North Harbor</b>				
4562 · Sea Harvest	35,930	38,000	-2,070	95%
4568 · Monterey Bay Kayaks	17,948	35,000	-17,052	51%
4572 · Pottery Planet	9,740	40,000	-30,260	24%
<b>Total 4560 · North Harbor</b>	<u>63,618</u>	<u>113,000</u>	<u>-49,382</u>	<u>56%</u>
<b>Total 4500 · Leases</b>	<u>425,214</u>	<u>468,655</u>	<u>-43,441</u>	<u>91%</u>
<b>4600 · District Property Taxes</b>	293,976	200,000	93,976	147%
<b>4700 · Other Revenues &amp; Concessions</b>				
4125 · Amenity Fee	290,878	285,150	5,728	102%
<b>4710 · Vending Activities</b>				
4711 · Washer/Dryer	11,702	7,500	4,202	156%
4712 · Soda	163	500	-337	33%
<b>Total 4710 · Vending Activities</b>	<u>11,865</u>	<u>8,000</u>	<u>3,865</u>	<u>148%</u>
4720 · Dry Storage	60,088	60,790	-702	99%
4725 · North Harbor Use Fee	100,829	68,000	32,829	148%
4727 · Key Sales	6,253	7,550	-1,297	83%
4730 · NH Washdown	1,993	2,000	-7	100%
4735 · Camp/RV	1,907	4,000	-2,093	48%
4740 · Equipment Rental		750	-750	
4751 · Permits	8,264	11,000	-2,736	75%
4765 · Faxes, Copies & Postage	19	50	-31	38%
4770 · Surplus Auction/Sales		100	-100	
<b>Total 4700 · Other Revenues &amp; Concessions</b>	<u>482,096</u>	<u>447,390</u>	<u>34,706</u>	<u>108%</u>

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
July 2017 through June 2018

	<u>Jul '17 - Jun 18</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>4800 · Interest</b>				
4841 · Union Bank Interest	477	200	277	239%
4843 · First Capital Bank	2,058	1,500	558	137%
4846 · Umpqua Interest	1,515	750	765	202%
<b>Total 4800 · Interest</b>	<b>4,050</b>	<b>2,450</b>	<b>1,600</b>	<b>165%</b>
<b>Total 4400 · LEASE AND OTHER INCOME</b>	<b>1,298,732</b>	<b>1,211,853</b>	<b>86,879</b>	<b>107%</b>
<b>7000 · LEASE AND OTHER EXPENSES</b>				
<b>7100 · Interest Expense</b>				
7134 · Umpqua Accrued Interest	110,072	110,072	0	100%
<b>Total 7100 · Interest Expense</b>	<b>110,072</b>	<b>110,072</b>	<b>0</b>	<b>100%</b>
<b>7200 · Other Financial Expenses</b>				
7221 · CSDA Dues	6,358	6,050	308	105%
7230 · LAFO Administrative Charges	6,411	6,411		100%
<b>Total 7200 · Other Financial Expenses</b>	<b>12,769</b>	<b>12,461</b>	<b>308</b>	<b>102%</b>
<b>5700 · Depreciation</b>	<b>471,997</b>	<b>472,500</b>	<b>-504</b>	<b>100%</b>
<b>7300 · Commissioner Expenses</b>				
7320 · Monthly Stipend	12,700	12,000	700	106%
7321 · Employer Payroll Taxes	972	1,200	-228	81%
7330 · Incurred Expenses	1,644	1,800	-156	91%
<b>Total 7300 · Commissioner Expenses</b>	<b>15,316</b>	<b>15,000</b>	<b>316</b>	<b>102%</b>
<b>Total 7000 · LEASE AND OTHER EXPENSES</b>	<b>610,154</b>	<b>610,033</b>	<b>121</b>	<b>100%</b>
<b>Net Ordinary Income - Lease &amp; Other Operations</b>	<b>688,579</b>	<b>601,820</b>	<b>86,759</b>	<b>114%</b>
<b>Net Ordinary Income - Combined Operations</b>	<b>946,309</b>	<b>681,929</b>	<b>264,380</b>	<b>139%</b>

## Moss Landing Harbor District Profit & Loss Budget vs. Actual July 2017 through June 2018

	Jul '17 - Jun 18	Budget	\$ Over Budget	% of Budget
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>8001 · Cost Reimbursements</b>				
8101 · Revenue from reimbursements	338,666	200,000	138,666	169%
8201 · Reimbursable expenses	-212,957	200,000	-412,957	-106%
<b>Total 8001 · Cost Reimbursements</b>	<u>125,709</u>	<u>400,000</u>	<u>-274,291</u>	<u>31%</u>
<b>Total Other Income</b>	125,709	400,000	-274,291	31%
<b>Other Expense</b>				
<b>9000 · CAPITAL PROJECT EXPENSES</b>				
5880 · Dredging	132,237	1,000,000	-867,763	13%
9053 · Dock Maintenance	11,810	40,000	-28,190	30%
9054 · Sea Lion Deterrent Fencing		25,000	-25,000	
9125 · North Harbor Parking Lot LTG	2,700		2,700	
9250 · Security Camera		5,000	-5,000	
9305 · Piling Replacement Proj. - Dist	6,593		6,593	
9309 · New NH Building	1,122,315	3,500,000	-2,377,685	32%
9310 · NH Hotel	120,276		120,276	
9430 · NH Restoration	139,197		139,197	
9750 · Office Computers	1,157	25,000	-23,843	5%
9800 · Dock Replacement	29,058	200,000	-170,942	15%
<b>Total 9000 · CAPITAL PROJECT EXPENSES</b>	<u>1,565,343</u>	<u>4,795,000</u>	<u>-3,229,657</u>	<u>33%</u>
<b>Total Other Expense</b>	1,565,343	4,795,000	-3,229,657	33%
<b>Net Other Income</b>	<u>-1,439,634</u>	<u>-4,395,000</u>	<u>2,955,366</u>	<u>33%</u>
<b>Net Income</b>	<u><u>-493,325</u></u>	<u><u>-3,713,071</u></u>	<u><u>3,219,746</u></u>	<u><u>13%</u></u>

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2017 through June 2018

	<u>Jul '17 - Jun 18</u>	<u>Jul '16 - Jun 17</u>	<u>\$ Change</u>	<u>% Change</u>
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
<b>4000 · MARINA REVENUES</b>				
<b>4100 · Berthing Income</b>				
4110 · Assigned Berthing	1,614,744	1,552,554	62,190	4%
4112 · Qtrly/Annual Discount	-2,059	-3,818	1,759	46%
4113 · Commercial Vessel Dscnt	-13,080	-13,125	45	0%
4114 · Away (1 mnth) Dscnt	-1,211	-996	-215	-22%
4115 · Temporary Berthing	282,371	288,794	-6,423	-2%
4120 · Liveaboard Fees	115,715	118,673	-2,958	-2%
4130 · Transient Berthing	29,750	37,639	-7,889	-21%
4220 · Wait List	7,525	9,587	-2,062	-22%
4260 · Towing - Intra Harbor	150	450	-300	-67%
4270 · Pumpouts	600	1,000	-400	-40%
4280 · Late Fees	38,330	31,778	6,552	21%
4282 · Recovered Lien Costs	560	13,180	-12,620	-96%
<b>Total 4100 · Berthing Income</b>	<u>2,073,395</u>	<u>2,035,716</u>	<u>37,679</u>	<u>2%</u>
<b>4200 · Other Income - Operations</b>				
4225 · Merchandise	366	1,952	-1,586	-81%
4230 · SH Parking	118,889	106,321	12,568	12%
4285 · Dog Fee	1,355	1,450	-95	-7%
4290 · Misc	9,668	-2,312	11,980	518%
<b>Total 4200 · Other Income - Operations</b>	<u>130,278</u>	<u>107,411</u>	<u>22,867</u>	<u>21%</u>
<b>4300 · Operating Grant Revenues</b>		13,700	-13,700	-100%
<b>Total 4000 · MARINA REVENUES</b>	<u>2,203,673</u>	<u>2,156,827</u>	<u>46,846</u>	<u>2%</u>

Moss Landing Harbor District  
Profit & Loss YTD Comparison  
July 2017 through June 2018

Expense	Jul '17 - Jun 18	Jul '16 - Jun 17	\$ Change	% Change
<b>5200 · General &amp; Administrative</b>				
5100 · Advertising	2,863	6,408	-3,545	-55%
5210 · Dues & Subscriptions	10,082	6,732	3,350	50%
<b>5220 · Office Supplies</b>				
5223 · Administration	6,583	4,335	2,248	52%
5225 · Operations	11,266	7,288	3,978	55%
<b>Total 5220 · Office Supplies</b>	<b>17,849</b>	<b>11,623</b>	<b>6,226</b>	<b>54%</b>
<b>5230 · Postage &amp; Equip Lease</b>				
5232 · Meter Lease	647	387	260	67%
5235 · Postage	1,574	565	1,009	179%
<b>Total 5230 · Postage &amp; Equip Lease</b>	<b>2,221</b>	<b>952</b>	<b>1,269</b>	<b>133%</b>
<b>5240 · Copier Lease &amp; Supplies</b>				
5242 · Copier Lease	3,856	3,567	289	8%
<b>Total 5240 · Copier Lease &amp; Supplies</b>	<b>3,856</b>	<b>3,567</b>	<b>289</b>	<b>8%</b>
<b>5250 · Telephone &amp; Communications</b>				
5253 · Administration	11,597	10,670	927	9%
5255 · Operations	1,168	973	195	20%
<b>Total 5250 · Telephone &amp; Communications</b>	<b>12,765</b>	<b>11,643</b>	<b>1,122</b>	<b>10%</b>
<b>5260 · Professional Services</b>				
5262 · Accounting	40,645	38,306	2,339	6%
5263 · Audit fees	15,000	14,500	500	3%
5265 · Legal	65,418	177,986	-112,568	-63%
5268 · Computer Consulting	1,581	2,986	-1,405	-47%
5269 · Payroll Processing	3,600	3,438	162	5%
<b>Total 5260 · Professional Services</b>	<b>126,244</b>	<b>237,216</b>	<b>-110,972</b>	<b>-47%</b>
5270 · Licenses & Permits		10	-10	-100%
5290 · Credit Card Fees	19,133	11,878	7,255	61%
5921 · Internet Billing Service	2,144	1,822	322	18%
<b>Total 5200 · General &amp; Administrative</b>	<b>197,157</b>	<b>291,851</b>	<b>-94,694</b>	<b>-32%</b>
<b>5300 · Personnel</b>				
<b>5310 · Salaries</b>				
5313 · Administration	242,189	271,533	-29,344	-11%
5315 · Operations	134,623	130,725	3,898	3%
5318 · Maintenance	90,436	88,038	2,398	3%
<b>Total 5310 · Salaries</b>	<b>467,248</b>	<b>490,296</b>	<b>-23,048</b>	<b>-5%</b>
<b>5330 · Payroll Taxes</b>				
5333 · Administration	15,949	19,009	-3,060	-16%
5335 · Operations	10,697	16,972	-6,275	-37%
5338 · Maintenance	6,841	6,439	402	6%
<b>Total 5330 · Payroll Taxes</b>	<b>33,487</b>	<b>42,420</b>	<b>-8,933</b>	<b>-21%</b>

**Moss Landing Harbor District  
Profit & Loss YTD Comparison  
July 2017 through June 2018**

	Jul '17 - Jun 18	Jul '16 - Jun 17	\$ Change	% Change
<b>5340 · Employee Benefits</b>				
5343 · Administration	62,402	73,304	-10,902	-15%
5345 · Operations	7,128	22,618	-15,490	-68%
5348 · Maintenance	37,146	45,016	-7,870	-17%
<b>Total 5340 · Employee Benefits</b>	<b>106,676</b>	<b>140,938</b>	<b>-34,262</b>	<b>-24%</b>
<b>5350 · Workers Compensation</b>				
5353 · Administration	2,936	3,300	-364	-11%
5355 · Operations	6,457	6,457		
5358 · Maintenance	7,337	7,337		
<b>Total 5350 · Workers Compensation</b>	<b>16,730</b>	<b>17,094</b>	<b>-364</b>	<b>-2%</b>
<b>5360 · Education &amp; Training</b>				
5363 · Administration	699	429	270	63%
5365 · Operations	1,200	1,009	191	19%
5368 · Maintenance	800		800	100%
<b>Total 5360 · Education &amp; Training</b>	<b>2,699</b>	<b>1,438</b>	<b>1,261</b>	<b>88%</b>
<b>Total 5300 · Personnel</b>	<b>626,840</b>	<b>692,186</b>	<b>-65,346</b>	<b>-9%</b>
<b>5400 · Insurance</b>				
5410 · Liability Insurance	121,711	124,653	-2,942	-2%
<b>Total 5400 · Insurance</b>	<b>121,711</b>	<b>124,653</b>	<b>-2,942</b>	<b>-2%</b>
<b>5500 · Utilities</b>				
5510 · Garbage	51,188	52,392	-1,204	-2%
5520 · Gas and Electric	200,000	230,000	-30,000	-13%
5530 · Water	30,085	26,802	3,283	12%
5540 · Sewer	69,741	38,200	31,541	83%
<b>Total 5500 · Utilities</b>	<b>351,014</b>	<b>347,394</b>	<b>3,620</b>	<b>1%</b>
<b>5600 · Operating Supplies</b>				
5610 · Vehicles	8,123	8,014	109	1%
5625 · Operations	17,425	20,652	-3,227	-16%
<b>Total 5600 · Operating Supplies</b>	<b>25,548</b>	<b>28,666</b>	<b>-3,118</b>	<b>-11%</b>
<b>5700 · Depreciation</b>	<b>471,997</b>	<b>462,407</b>	<b>9,590</b>	<b>2%</b>
<b>5800 · Repairs &amp; Maintenance</b>				
5810 · Vehicles	490	1,195	-705	-59%
5830 · Equip Rental	6,080	3,348	2,732	82%
5850 · Repair Materials	64,030	30,551	33,479	110%
5860 · Outside Service Contracts	50,977	93,170	-42,193	-45%
5870 · Derelict Disposal	116	278	-162	-58%
<b>Total 5800 · Repairs &amp; Maintenance</b>	<b>121,693</b>	<b>128,542</b>	<b>-6,849</b>	<b>-5%</b>
<b>5900 · Financial Expenses</b>				
5920 · Bank Service Charges	6,608	4,179	2,429	58%
5990 · Bad Debt	23,375	21,250	2,125	10%
<b>Total 5900 · Financial Expenses</b>	<b>29,983</b>	<b>25,429</b>	<b>4,554</b>	<b>18%</b>
<b>Total · MARINA EXPENSES</b>	<b>1,945,943</b>	<b>2,101,128</b>	<b>-155,185</b>	<b>-7%</b>
<b>Net Ordinary Income - Marina Operations</b>	<b>257,731</b>	<b>55,700</b>	<b>202,031</b>	<b>363%</b>

**Moss Landing Harbor District  
Profit & Loss YTD Comparison  
July 2017 through June 2018**

	Jul '17 - Jun 18	Jul '16 - Jun 17	\$ Change	% Change
<b>4400 · LEASE AND OTHER INCOME</b>				
<b>4050 · Trust Lands Lease Revenue</b>				
4051 · Dynegy Outfall	65,183	63,595	1,588	2%
4052 · MBARI - MARS Cable	1,326	1,285	41	3%
4053 · MBARI	26,887	25,667	1,220	5%
<b>Total 4050 · Trust Lands Lease Revenue</b>	<b>93,396</b>	<b>90,547</b>	<b>2,849</b>	<b>3%</b>
<b>4500 · Leases</b>				
4501 · K-Pier Lease		5,558	-5,558	-100%
<b>4502 · Cannery Building</b>				
4504 · Suite 3	88,440	85,080	3,360	4%
4510 · Suite 6	25,963	25,112	851	3%
4511 · Suite 1 & 10	17,853	17,268	585	3%
4515 · Suite 4	84,413	81,268	3,145	4%
4517 · Suite 2	31,481	30,616	865	3%
4518 · Suite 5	24,423	23,954	469	2%
4520 · Suite 9	1,370		1,370	100%
4523 · Canary NNN	29,871	36,140	-6,269	-17%
<b>Total 4502 · Cannery Building</b>	<b>303,814</b>	<b>299,438</b>	<b>4,376</b>	<b>1%</b>
4530 · RV Lot	32,447	31,466	981	3%
4540 · Martin & Mason	25,335	22,898	2,437	11%
4541 · SH Spare Office		1,772	-1,772	-100%
<b>4560 · North Harbor</b>				
4562 · Sea Harvest	35,930	35,057	873	2%
4568 · Monterey Bay Kayaks	17,948	58,478	-40,530	-69%
4572 · Pottery Planet	9,740	47,081	-37,341	-79%
<b>Total 4560 · North Harbor</b>	<b>63,618</b>	<b>140,616</b>	<b>-76,998</b>	<b>-55%</b>
<b>Total 4500 · Leases</b>	<b>425,214</b>	<b>501,748</b>	<b>-76,534</b>	<b>-15%</b>
<b>4600 · District Property Taxes</b>	<b>293,976</b>	<b>279,193</b>	<b>14,783</b>	<b>5%</b>
<b>4700 · Other Revenues &amp; Concessions</b>				
4125 · Amenity Fee	290,878	281,892	8,986	3%
<b>4710 · Vending Activities</b>				
4711 · Washer/Dryer	11,702	10,220	1,482	15%
4712 · Soda	163	493	-330	-67%
<b>Total 4710 · Vending Activities</b>	<b>11,865</b>	<b>10,713</b>	<b>1,152</b>	<b>11%</b>
4720 · Dry Storage	60,088	57,318	2,770	5%
4725 · North Harbor Use Fee	100,829	72,334	28,495	39%
4727 · Key Sales	6,253	6,051	202	3%
4730 · NH Washdown	1,993	1,719	274	16%
4735 · Camp/RV	1,907	4,902	-2,995	-61%
4740 · Equipment Rental				
4751 · Permits	8,264	7,799	465	6%
4765 · Faxes, Copies & Postage	19	43	-24	-56%
<b>Total 4700 · Other Revenues &amp; Concessions</b>	<b>482,096</b>	<b>442,771</b>	<b>39,325</b>	<b>9%</b>

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2017 through June 2018

	Jul '17 - Jun 18	Jul '16 - Jun 17	\$ Change	% Change
<b>4800 · Interest</b>				
4841 · Union Bank Interest	477	180	297	165%
4843 · First Capital Bank	2,058	3,086	-1,028	-33%
4845 · SBB Interest		199	-199	-100%
4846 · Umpqua Interest	1,515	1,513	2	0%
<b>Total 4800 · Interest</b>	<b>4,050</b>	<b>4,978</b>	<b>-928</b>	<b>-19%</b>
<b>Total 4400 · LEASE AND OTHER INCOME</b>	<b>1,298,732</b>	<b>1,319,237</b>	<b>-20,505</b>	<b>-2%</b>
<b>7000 · LEASE AND OTHER EXPENSES</b>				
<b>7100 · Interest Expense</b>				
7134 · Umpqua Accrued Interest	110,072	116,185	-6,113	-5%
<b>Total 7100 · Interest Expense</b>	<b>110,072</b>	<b>116,185</b>	<b>-6,113</b>	<b>-5%</b>
<b>7200 · Other Financial Expenses</b>				
7221 · CSDA Dues	6,358	6,026	332	6%
7230 · LAFO Administrative Charges	6,411	5,589	822	15%
<b>Total 7200 · Other Financial Expenses</b>	<b>12,769</b>	<b>11,615</b>	<b>1,154</b>	<b>10%</b>
<b>5700 · Depreciation</b>	<b>471,997</b>	<b>462,407</b>	<b>9,590</b>	<b>2%</b>
<b>7300 · Commissioner Expenses</b>				
7310 · Election Costs		150	-150	-100%
7320 · Monthly Stipend	12,700	10,000	2,700	27%
7321 · Employer Payroll Taxes	972	765	207	27%
7330 · Incurred Expenses	1,644	2,128	-484	-23%
<b>Total 7300 · Commissioner Expenses</b>	<b>15,316</b>	<b>13,043</b>	<b>2,273</b>	<b>17%</b>
<b>Total 7000 · LEASE AND OTHER EXPENSES</b>	<b>610,154</b>	<b>603,250</b>	<b>6,904</b>	<b>1%</b>
<b>Net Ordinary Income - Lease &amp; Other Operations</b>	<b>688,579</b>	<b>715,988</b>	<b>-27,409</b>	<b>-4%</b>
<b>Net Ordinary Income - Combined Operations</b>	<b>946,309</b>	<b>771,687</b>	<b>174,622</b>	<b>23%</b>

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2017 through June 2018

	Jul '17 - Jun 18	Jul '16 - Jun 17	\$ Change	% Change
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>8000 · CAPITAL PROJECT REVENUE</b>				
8215 · FEMA Grant Receivable		573,712	-573,712	-100%
<b>Total 8000 · CAPITAL PROJECT REVENUE</b>		573,712	-573,712	-100%
<b>8001 · Cost Reimbursements</b>				
8101 · Revenue from reimbursements	338,666	147,362	191,304	130%
8201 · Reimbursable expenses	-212,957	-12,120	-200,837	-1,657%
<b>Total 8001 · Cost Reimbursements</b>	125,709	135,242	-9,533	-7%
<b>Total Other Income</b>	125,709	708,954	-583,245	-82%
<b>Other Expense</b>				
<b>9000 · CAPITAL PROJECT EXPENSES</b>				
5880 · Dredging	132,237	22,750	109,487	481%
9052 · NH Wharf Entrance Repair		12,186	-12,186	-100%
9053 · Dock Maintenance	11,810		11,810	100%
9125 · North Harbor Parking Lot LTG	2,700		2,700	100%
9302 · Tsunami shoreline repairs		876,814	-876,814	-100%
9305 · Piling Replacement Proj. - Dist	6,593		6,593	100%
9309 · New NH Building	1,122,315		1,122,315	100%
9310 · NH Hotel	120,276		120,276	100%
9430 · NH Restoration	139,197		139,197	100%
9750 · Office Computers	1,157		1,157	100%
9800 · Dock Replacement	29,058		29,058	100%
<b>Total 9000 · CAPITAL PROJECT EXPENSES</b>	1,565,343	911,750	653,593	72%
<b>Total Other Expense</b>	1,565,343	911,750	653,593	72%
<b>Net Other Income</b>	-1,439,634	-202,796	-1,236,838	-610%
<b>Net Income</b>	<b>-493,325</b>	<b>568,891</b>	<b>-1,062,216</b>	<b>-187%</b>

**Moss Landing Harbor District**  
**A/P Aging Summary**  
**As of June 30, 2018**

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
Airgas	82.10	0.00	0.00	0.00	0.00	82.10
AT&T	149.73	0.00	0.00	0.00	0.00	149.73
ATI-Advanced Testing & Inspection, LLC	0.00	6,911.00	0.00	0.00	0.00	6,911.00
Blue Shield of California	0.00	0.00	0.00	-115.73	0.00	-115.73
Byte Technology	37.50	0.00	0.00	0.00	0.00	37.50
CalPERS	0.00	-3,907.19	0.00	0.00	0.00	-3,907.19
Cintas	487.60	0.00	0.00	0.00	0.00	487.60
Damm Good Water	61.60	0.00	0.00	0.00	0.00	61.60
J.V. Orta's	0.00	445.50	0.00	0.00	0.00	445.50
Jocelyn Jodar	500.00	0.00	0.00	0.00	0.00	500.00
Konica Minolta Premier Finance	266.73	0.00	0.00	0.00	0.00	266.73
Linda G. McIntyre	0.00	-400.00	0.00	0.00	0.00	-400.00
Monterey County Auditor-Controller	0.00	-6,160.00	0.00	0.00	0.00	-6,160.00
Office Depot	33.00	0.00	0.00	0.00	0.00	33.00
Office Team	629.11	474.80	0.00	0.00	0.00	1,103.91
Pajaro/Sunny Mesa C.S.D.	3,011.06	0.00	0.00	0.00	0.00	3,011.06
PG&E	0.00	-20,000.00	0.00	0.00	0.00	-20,000.00
Principal Financial	0.00	-147.08	0.00	0.00	0.00	-147.08
Rabobank	673.86	0.00	0.00	0.00	0.00	673.86
Redshift	0.00	-136.85	0.00	0.00	0.00	-136.85
SDRMA	0.00	0.00	-19,068.98	0.00	0.00	-19,068.98
Social Vocational Services, Inc.	0.00	-1,073.57	0.00	0.00	0.00	-1,073.57
Star Sanitation, LLC	0.00	70.00	0.00	0.00	0.00	70.00
U.S. Bank	2,504.08	0.00	0.00	0.00	0.00	2,504.08
Valero Marketing and Supply Company	356.38	0.00	0.00	0.00	0.00	356.38
VALIC	2,916.20	0.00	0.00	0.00	0.00	2,916.20
Vision Sevice Plan	0.00	-102.78	0.00	0.00	0.00	-102.78
<b>TOTAL</b>	<b><u>11,708.95</u></b>	<b><u>-24,026.17</u></b>	<b><u>-19,068.98</u></b>	<b><u>-115.73</u></b>	<b><u>0.00</u></b>	<b><u>-31,501.93</u></b>

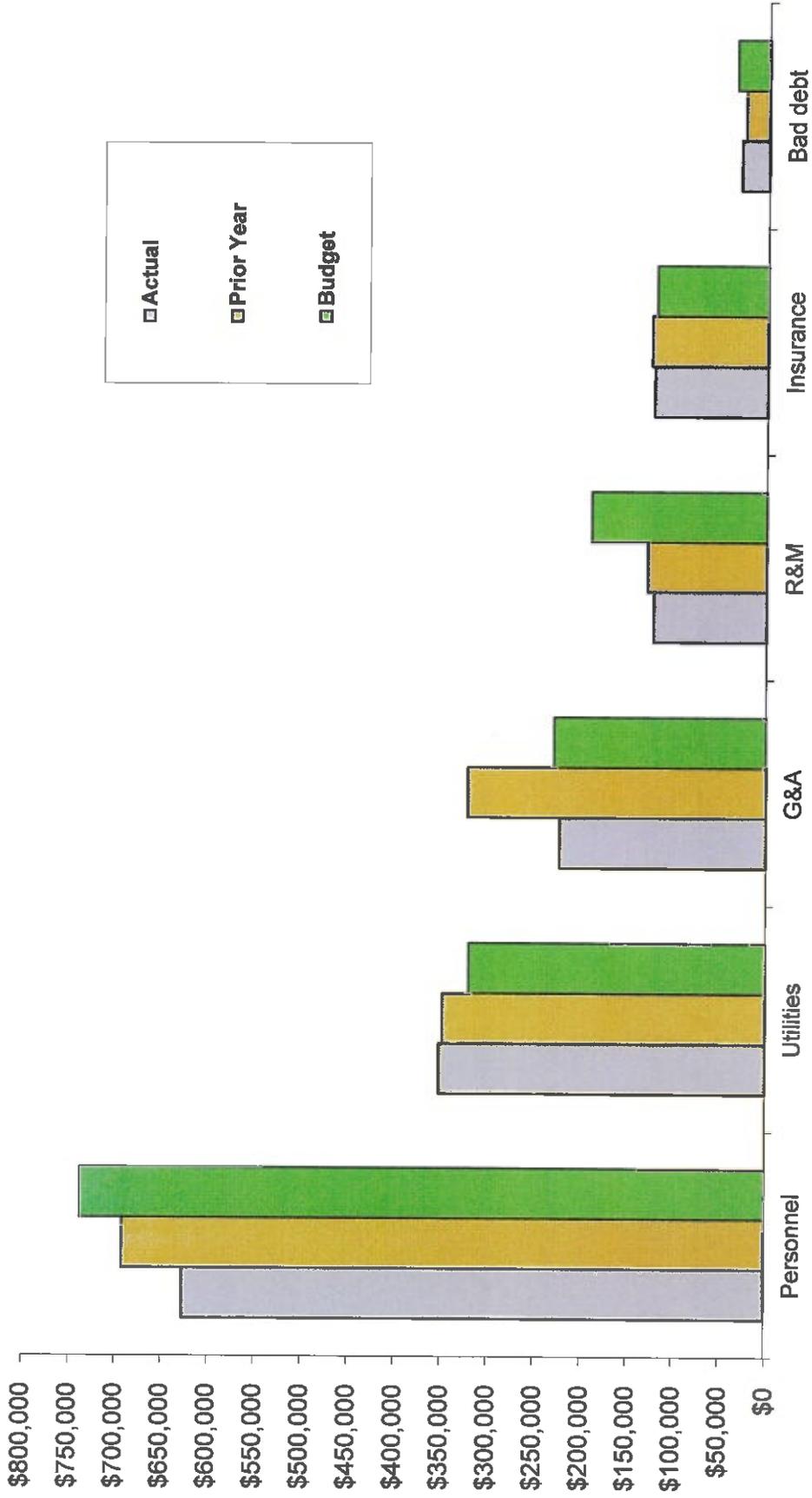
**Moss Landing Harbor District  
Warrant Listing  
As of June 30, 2018**

<b>Type</b>	<b>Date</b>	<b>Num</b>	<b>Name</b>	<b>Amount</b>
<b>1009 - Union - Operating</b>				
Bill Pmt -Check	06/07/2018	18114	Airgas	-84.59
Bill Pmt -Check	06/07/2018	18115	Ambient Air	-2,774.70
Bill Pmt -Check	06/07/2018	18116	Aspen Enviornmental Group	-80,911.95
Bill Pmt -Check	06/07/2018	18117	AT&T	-149.73
Bill Pmt -Check	06/07/2018	18118	Bayside Oil, Inc.	-1,672.28
Bill Pmt -Check	06/07/2018	18119	Big Creek Lumber	-1,949.98
Bill Pmt -Check	06/07/2018	18120	Blue Shield of California	-115.73
Bill Pmt -Check	06/07/2018	18121	Byte Technology	-37.50
Bill Pmt -Check	06/07/2018	18122	CalPERS	-3,907.19
Bill Pmt -Check	06/07/2018	18123	Carmel Marina Corporation	0.00
Bill Pmt -Check	06/07/2018	18124	Castroville Plumbing & Heating	-260.04
Bill Pmt -Check	06/07/2018	18125	Christopher Whaley	-550.00
Bill Pmt -Check	06/07/2018	18126	Cintas	-586.46
Bill Pmt -Check	06/07/2018	18127	Corralitos Electric	-443.52
Bill Pmt -Check	06/07/2018	18128	Damm Good Water	-66.95
Bill Pmt -Check	06/07/2018	18129	Dilbeck & Sons, Inc.	-145,267.98
Bill Pmt -Check	06/07/2018	18130	Haro, Kasunich and Assoc. Inc.	-202.50
Bill Pmt -Check	06/07/2018	18131	John Martin	-535.00
Bill Pmt -Check	06/07/2018	18132	Linda G. McIntyre	-400.00
Bill Pmt -Check	06/07/2018	18133	Monterey One Water	0.00
Bill Pmt -Check	06/07/2018	18134	Pajaro Valley Lock Shop	-179.50
Bill Pmt -Check	06/07/2018	18135	Pajaro/Sunny Mesa C.S.D.	-3,160.13
Bill Pmt -Check	06/07/2018	18136	PG&E	-20,000.00
Bill Pmt -Check	06/07/2018	18137	Premium Assignment Corporation	0.00
Bill Pmt -Check	06/07/2018	18138	Principal Financial	-147.08
Bill Pmt -Check	06/07/2018	18139	Rabobank	-457.24
Bill Pmt -Check	06/07/2018	18140	Redshift	-136.85
Bill Pmt -Check	06/07/2018	18141	Ronald Jones	-1,489.91
Bill Pmt -Check	06/07/2018	18142	Sealaska Engineering & Applied Sciences	-2,582.70
Bill Pmt -Check	06/07/2018	18143	Social Vocational Services, Inc.	-1,073.57
Bill Pmt -Check	06/07/2018	18144	Sunrise Express	-48.75
Bill Pmt -Check	06/07/2018	18145	Tom's Septic Construction	-1,319.00
Bill Pmt -Check	06/07/2018	18146	U.S. Bank	-1,623.89
Bill Pmt -Check	06/07/2018	18147	VALIC	-2,913.27
Bill Pmt -Check	06/07/2018	18148	Veritiv Operating Company	-2,176.63
Bill Pmt -Check	06/07/2018	18149	Vision Sevice Plan	-102.78
Bill Pmt -Check	06/07/2018	18150	Rabobank	-216.62
Bill Pmt -Check	06/07/2018	18151	Carmel Marina Corporation	-975.72
Bill Pmt -Check	06/07/2018	18152	Carmel Marina Corporation	-2,601.92
Bill Pmt -Check	06/07/2018	18153	Carmel Marina Corporation	-678.00
Bill Pmt -Check	06/08/2018	18154	Linda G. McIntyre	-45.75
Bill Pmt -Check	06/08/2018	18155	Pettigrew & Foietta	-108.30
Bill Pmt -Check	06/08/2018	18156	Wendy L. Cumming, CPA	-3,190.00
Bill Pmt -Check	06/08/2018	18157	Ferrante, Vincent	-414.90

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

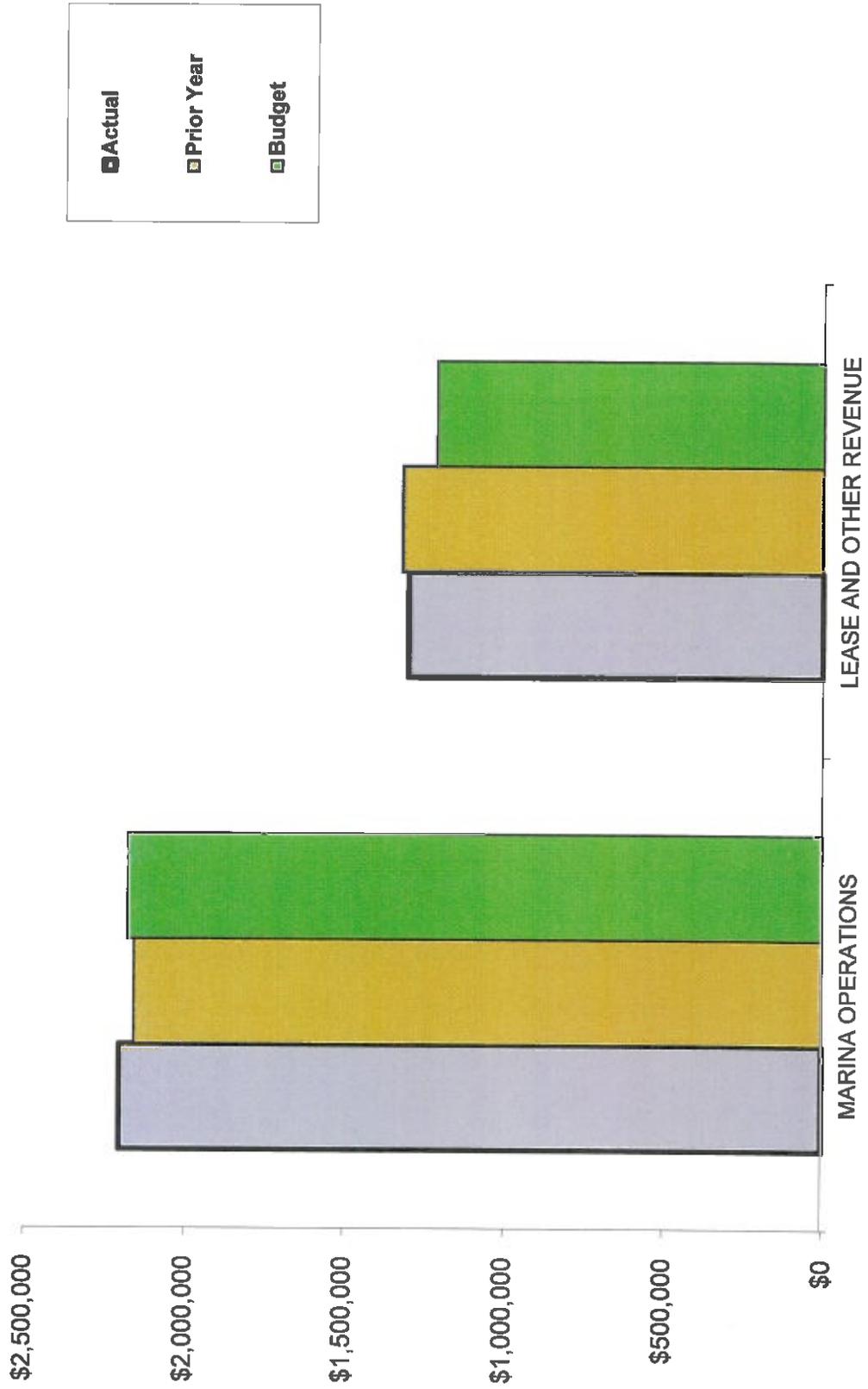
<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Bill Pmt -Check	06/21/2018	18158	Monterey One Water	-13,482.54
Bill Pmt -Check	06/26/2018	18159	Aspen Enviornmental Group	-23,931.98
Bill Pmt -Check	06/26/2018	18160	AT&T	-236.21
Bill Pmt -Check	06/26/2018	18161	Elizabeth Dubar	-25.00
Bill Pmt -Check	06/26/2018	18162	Gloria Bell	-550.00
Bill Pmt -Check	06/26/2018	18163	Home Depot	-740.17
Bill Pmt -Check	06/26/2018	18164	Jarvis, Fay, Doport & Gibson, LLP	-7,560.00
Bill Pmt -Check	06/26/2018	18165	KECO Pump and Equipment	-6,323.75
Bill Pmt -Check	06/26/2018	18166	Monterey Bay Marine	-140.06
Bill Pmt -Check	06/26/2018	18167	Monterey County Auditor-Controller	-6,160.00
Bill Pmt -Check	06/26/2018	18168	Office Depot	-101.52
Bill Pmt -Check	06/26/2018	18169	Office Team	-2,172.21
Bill Pmt -Check	06/26/2018	18170	Pajaro/Sunny Mesa C.S.D.	-27,657.00
Bill Pmt -Check	06/26/2018	18171	Plus Morozumi	-399.50
Bill Pmt -Check	06/26/2018	18172	Royal Wholesale Electric	-94.28
Bill Pmt -Check	06/26/2018	18173	Sea Engineering, Inc.	-1,757.50
Bill Pmt -Check	06/26/2018	18174	Sealaska Engineering & Applied Sciences	-12,805.72
Bill Pmt -Check	06/26/2018	18175	Star Sanitation, LLC	0.00
Bill Pmt -Check	06/26/2018	18176	Valero Marketing and Supply Company	-148.03
Bill Pmt -Check	06/26/2018	18177	Verizon Wireless	-141.67
Bill Pmt -Check	06/26/2018	18178	Wald, Ruhnke & Dost Architects, LP	-41,897.78
Bill Pmt -Check	06/26/2018	18179	WASH	-202.08
Bill Pmt -Check	06/26/2018	18180	Wendy L. Cumming, CPA	-2,356.25
Bill Pmt -Check	06/26/2018	18181	AT&T	-511.06
Total 1009 - Union - Operating				-434,952.92
<b>TOTAL</b>				<b>-434,952.92</b>

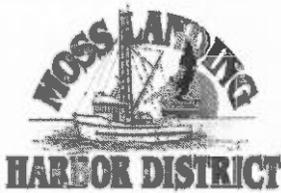
**Operating Expenses  
Year to Date Actuals vs. Budget and Prior Year  
June 30, 2018**



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

**Marina, Lease and Other Revenue  
Year to Date Actual vs. Budget and Prior Year  
June 30, 2018**





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

7881 SANDHOLDT ROAD  
MOSS LANDING, CA 95039

TELEPHONE – 831.633.5417  
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GENERAL MANAGER  
HARBORMASTER  
Linda G. McIntyre, Esq

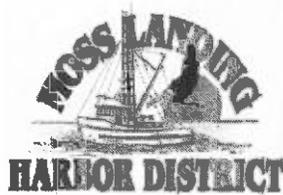
ASSISTANT GENERAL MANAGER  
Tommy Razzeca

## STAFF REPORT

Tommy Razzeca, Assistant General Manager

### ITEM NUMBER 3 – PROJECT STATUS BOARD MEETING OF JULY 25, 2018

- 1. 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). This is causing some additional sampling to determine offshore disposal suitability. See Item 21 on this Agenda. Staff and our consultant are working through the process and once complete we will 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, etc.). However the contractor, MLHD staff and the architect have worked cooperatively to resolve many issues and minimize delays. The building foundation has been poured and the new sewer service has been connected to the existing pump station. We have paid Pajaro Sunny Mesa for our fire line connection. Structural Steel has caused the biggest delay thus far on the project, however our shop drawings are finally in the approval process and we expect the steel frames to be in production next week. Once the steel frames have been fabricated and delivered to the site the project should begin making major progress quickly.
- 3. Pile Replacement/A Dock repair project:** This project was completed on July 13, 2018. We are now in the process of gathering all invoices to complete our claim and send it off to the insurer.
- 4. North Harbor Inn Project:** Our Architect will be making a presentation during the meeting regarding this project.
- 5. Fisherman's Dorm/Café:** Our Architect will be making a presentation during the meeting regarding this project.



**BOARD OF COMMISSIONERS**  
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Vince Ferrante  
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**GENERAL MANAGER**  
**HARBORMASTER**  
Linda G. McIntyre, Esq.

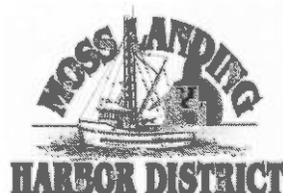
Assistant General manager  
Tommy Razzeca

## **STAFF REPORT**

### **ITEM NUMBER 4 – COMMUNITY RELATIONS, REQUESTS, ISSUES BOARD MEETING OF JULY 25, 2018**

1. I am very pleased to announce the hiring as a permanent fulltime employee Shay Shaw, who as you know was first assigned to the District 15 months ago from a temporary agency. She has become invaluable and is a great addition to our team as the Administrative Assistant to the General Manager.
2. The sanitation pump at the Maintenance Dock was out of commission temporarily until Tommy was able to figure out a way to hook it up without the maintenance dock. Shortly thereafter the pump, which is probably 20 years old, chose that moment to fail altogether. We were given a quote for a replacement pump of nearly \$17,000.00. However, once again Tommy found a pump through one of our CAHMPC members for \$6323 including shipping and the control panel. Our staff was able to install the new pump and I'm happy to report that it is working quite well.
3. Congratulations to Ray Retez of the Whole Enchilada for being honored as the Chamber Member of the Year by the Moss Landing Chamber of Commerce at their annual dinner in June.

***SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947***



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

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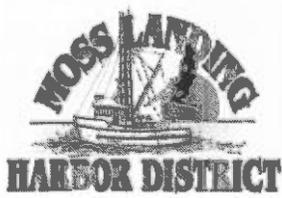
**GENERAL MANAGER**  
**HARBORMASTER**  
 Linda G. McIntyre, Esq.

**ASSISTANT GENERAL MANAGER**  
 Tommy Razzeca

## STAFF REPORT

### ITEM NUMBER 5 – SUMMARY OF PERMITS ISSUED BOARD MEETING OF JULY 25, 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



BOARD OF COMMISSIONERS  
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Vincent Ferrante  
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James R. Goulart

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MOSS LANDING, CA 95039

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FACSIMILE – 831.633.4537



GENERAL MANAGER  
HARBORMASTER  
Linda G. McIntyre, Esq.

Assistant General Manager  
Tommy Razzeca

## STAFF REPORT

ITEM NUMBER 6 – MEETING ANNOUNCEMENTS  
BOARD MEETING OF JULY 25, 2018

Monterey Bay National Marine Sanctuary Advisory Council (SAC) 2018 Meeting Schedule.  
For information contact Nichole Rodriguez, [nichole.rodriguez@noaa.gov](mailto:nichole.rodriguez@noaa.gov); 831.647.4206

**August 17<sup>th</sup>**  
Marina

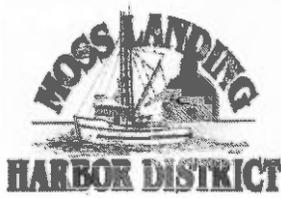
**October 19<sup>th</sup>**  
Salinas

**December 14<sup>th</sup>**  
Monterey

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*



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



GENERAL MANAGER  
HARBORMASTER  
Linda G. McIntyre, Esq.

Assistant General Manager  
Tommy Razzeca

## STAFF REPORT

### ITEM NUMBER 7 - LIVEBOARD REPORT BOARD MEETING OF JULY 25, 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.

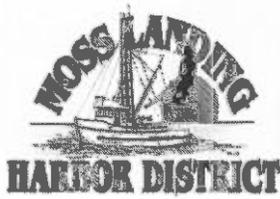
<u>Name</u>	<u>Vessel</u>
1. Anderson, T.	<i>Lanikai</i> CF 4134N
2. Brenta T.	<i>Teri Leigh</i> 936915
3. Bohigian, D.	<i>Finesse</i> , CF 3764 ET
4. Burns, P.	<i>Trafamadore</i> , CF 9430 GL
5. Byrnes, K.	<i>Grand Slam</i> , CF 4540 FE
6. Callahan, T.	<i>Deb on Air</i> , CF 3174 HA
7. Cayuela, R.	<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.	<i>Sandpiper</i> , CF 6280 EU
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.
30. Malone, RJ
31. Larke, R.
32. Burnett
33. Maris, T.
34. Guggenheim, Charles
35. Nieman J.
36. Niswonger, R.
37. Nunes, D.
38. Otis, T.
39. Guzman, Francisco
40. Phillips, A
41. Velaquez A/ Velaquez R
42. Raaphorst, D./Raaphorst M.
43. Reins, D.
44. Rotger, M.
45. Roulet, J.
46. Piro, Daniel
47. Krone, Michael
48. Stegmann, R.
49. Stark, H.
50. Baugh, R.
51. Thomas, B.
52. Tufts, M./P Wiseman
53. PENDING APPLICATION
54. Wolinski, Peter
55. Waters, J./Waters, M.
56. Kevin Antos/ Schmitt, M.
57. Herrick Andrews
58. Kim Richardson
59. Tony Brenta
60. Bowler, J

*Spellbound*, ON 082155  
*Francis w*, CF 2017 UZ  
*Rhiannon*, CF 8551 CA  
*Zinful* CF5419 JG  
*Nimble*, CF 3730 KB  
*Comfiance*, ON 971499.  
*Inia*, ON 1074183  
*Illusion*, CF 0836 TA  
*Aurooa*, ON 676686  
*Blue Moon*, CF 1886 GT  
*Rosie II* CF 7754 GG  
*Odyle*, ON 559168  
*Lorraine* CF 0533 JL  
*Spirit*, ON 664971  
*Second Paradise*, ON 912484  
*Raven*, ON 241650  
*Double Eagle*, ON 519846  
*Gulf Star* CF 6082 GL  
*No Name* CF 4219 HE  
*Wild Goose*, ON 589319  
*Outta Here*, CF 8370 EA  
*Yada Yada*, CF 7881 GZ  
*Coho*, CF 9974 KK  
*Enchantress*, CF 0878 SX  
 PENDING APPLICATION  
*Ramona*, ON 1114657  
*No Name* CF 5670 GD  
*The Office* CF 8031 SB  
*Sea Free* ON 613387  
*Sophie* CF 0533 JL  
*Teri Leigh* ON 936915  
*Myrtle Mae*, CF 3187 FN

Total Number Vessels: 60  
 Total Number Persons: 69  
 Pending Applications -0-



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 FACSIMILE – 831.633.4537



GENERAL MANAGER  
 HARBORMASTER  
 Linda G. McIntyre, Esq.

Assistant General Manager  
 Tommy Razzeca

## STAFF REPORT

### ITEM NUMBER 8 - SLIP INCOME REPORT BOARD MEETING OF JULY 25, 2018

Slip Rates 2017/2018 per linear foot:

Assigned: \$7.55/ft./month  
 Temporary: \$11.65/ft./month  
 Transient: \$1.25/ft./day

### INCOME

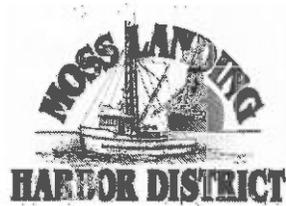
June 2018  
 \$166,505

June 2017  
 \$163,485

June 2018 Budget  
 \$153,808

For the month, slip income is above budget by \$9,244, primarily as a result of higher temporary and transient berthing revenue. Slip income is higher than prior year by \$12,547, due to a combination of higher assigned, temporary and transient berthing revenue.

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*



**BOARD OF HARBOR COMMISSIONERS**  
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James R. Goulart

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**GENERAL MANAGER**  
**HARBOR MASTER**  
Linda G. McIntyre, Esq.  
  
Assistant General Manager  
Tommy Razzeca

## **STAFF REPORT**

Tommy Razzeca, Assistant General Manager

### **ITEM 9 - INCIDENT REPORT BOARD MEETING OF JULY 25, 2018**

**6/30/18** Staff received a report of a possible fire taking place aboard a vessel on B Dock. Staff responded to the area and found smoke coming from the cabin of the vessel. Staff was able to use a water hose on the dock to saturate the area of the vessel from which the smoke was coming and stop any further threat. The vessel owner was notified and it was later determined that the vessel had an onboard electrical problem which was the cause. The owner has since made repairs to the vessel.

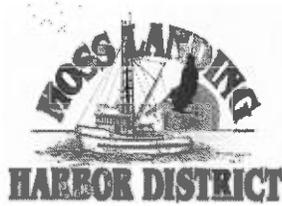
**7/1/18** A harbor tenant was removed from his vessel and arrested by MCSO Deputies for having outstanding warrants. Staff will request that the judge issue a stay-away order when the matter goes to court.

**7/6/18** A minor vehicle collision was reported to the Harbor office, the reporting tenant left his contact information on the vehicle with which he collided. No further action.

**7/15/18** Unknown persons were found to be using the Boaters restrooms without authorization. Staff confronted the individuals and asked them to leave the property, they complied.

**No further incidents as of 7/17/18**

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*



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James Goulart

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MOSS LANDING, CA 95039

TELEPHONE – 831.633.2461  
FACSIMILE – 831.633.1201

GENERAL MANAGER/HARBOR MASTER  
Linda G. McIntyre, Esq.

ASSISTANT GM/ASSISTANT HM  
Tom Razzeca

## STAFF REPORT

Tommy Razzeca, Assistant General Manager

ITEM NUMBER 19 – UPDATE - MAINTENANCE DOCK EROSION  
EMERGENCY PROJECT  
BOARD MEETING OF JULY 25, 2018

Resolution 17-01 declaring the Maintenance Dock Erosion an emergency project, adopted last year states that Staff and the Board shall review the status of the emergency at every regularly scheduled meeting to determine whether the emergency can be terminated.

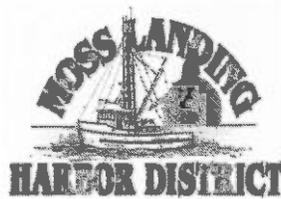
Our marine engineer Paul Roberts has reiterated his original opinion that we need to immediately work on installing bank stabilization and infilling where the bank has eroded away.

Adding to the emergency situation was the failure of the two piles holding up the ramp to the Maintenance Dock which now requires 2 new piles to be driven. Hindering our attempt at a speedy resolution, the Army Corps indicated our project does not constitute an emergency according to their definition and we had to file another application permitting the pile installation.

Associated Pacific Constructors Inc. completed driving the 2 maintenance dock piles on July 13<sup>th</sup> and the Don Chapin Company is scheduled to return to finish up the Maintenance Dock Erosion repair work on or about July 24<sup>th</sup>. Staff expects this project to be complete prior to our August Board meeting.

The Board should indicate on the record by simple consensus that emergency conditions continue to exist and that the provisions of Resolution 17-01 should continue in full force and effect.

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*



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MOSS LANDING, CA 95039

TELEPHONE – 831.633.2461  
FACSIMILE – 831.633.1201

GENERAL MANAGER/HARBOR MASTER  
Linda G. McIntyre, Esq.

ASSISTANT GM/ASSISTANT HM  
Tom Razzeca

## STAFF REPORT

### ITEM NUMBER 20 - CONSIDER EXTENSIONS OF LEASE AGREEMENTS BETWEEN MLHD AND MOSS LANDING COMMERCIAL PARK BOARD MEETING OF JULY 25, 2018

The District is currently a party to three lease/property agreements with Moss Landing Commercial Park ("MLCP"). All of the agreements were originally entered into with Kaiser Aluminum & Chemical Corporation, or some affiliate thereof, whose interest in the agreements was acquired by National Refractories & Minerals Corporation. Said interests were then transferred to MLCP when MLCP acquired all rights and obligations to the agreements and properties on December 1, 2003. Basically, the terms of the leases/agreements, which all expire July 31, 2018, can be described as follows:

Outfall Agreement- originally executed in 1972, and then restated in 1996, the District granted an easement and right of way for purposes of maintaining, repairing and finally removing a subterranean outfall line over District property. The line was previously used to transmit effluent from the Kaiser Plant to the Monterey Bay; and

Pipelines and Pumping Pier Lease Agreement- originally executed in 1948, and then restated in 1996, the District granted a variety of rights for the installation, maintenance, operation, use and repair and replacement of sea water and utility lines, as well as a wharfage agreement for the operation and maintenance of a pumping pier extending into the Moss Landing Harbor; and

Berthing Space Agreement- originally executed in 1975, and then restated in 1996, the District received a limited easement and right-of-way for the purpose of operating and maintaining berthing spaces, together with related improvements and facilities, over and upon real property owned by Kaiser in the Moro Cojo Slough.

District and MLCP have been attempting to negotiate the terms and conditions of new replacement agreements for the aforesaid leases/agreements for the better part of five years. MLCP submitted a proposal within the past few months; the Board gave direction to legal counsel and staff at the last board meeting but due to the short time remaining on the current agreements the Board did direct Counsel and staff to grant a short extension if necessary.

The District has prepared 60-day extensions for each of the three involved leases/agreements, copies of which are attached hereto as Exhibit A. No new monetary consideration has been required for any of the extensions.

Staff recommends that the Board approve and direct the execution of all three of the lease/agreement extensions by minute motion. Failure to approve the extensions will result in the expiration of the leases/agreements on July 31, 2018.

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*

**SECOND AMENDMENT TO AMENDED AND RESTATED AGREEMENT  
(OUTFALL LINE)**

THIS SECOND AMENDMENT TO AMENDED AND RESTATED AGREEMENT (OUTFALL LINE) is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and MOSS LANDING COMMERCIAL PARK, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation, as follows:

**WHEREAS**, District and National Refractories & Minerals entered into that certain "Amended and Restated Agreement (Outfall Line)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District granted National Refractories & Minerals Corporation an easement and right of way for the purpose of maintaining, repairing, and finally removing a subterranean Outfall Line over and across a strip of real property owned by District, all for due consideration; and

**WHEREAS**, MLCP became the successor in interest to National Refractories & Minerals Corporation; and

**WHEREAS**, the term of said easement and agreement, which was set to expire on July 31, 2017, was extended for one year by mutual agreement of the parties by a "First Amendment to Amended and Restated Agreement (Outfall Line)" (hereafter "First Amendment"), a copy of which is attached hereto as Exhibit "B," on July 26, 2017; and

**WHEREAS**, the parties now wish to extend the term of the Agreement for a short period in order to facilitate the completion of negotiations for MLCP's continued use of the aforesaid easement and outfall line.

**NOW, THEREFORE**, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of sixty (60) days, ending on September 29, 2018.
2. All other terms and conditions of the Agreement and First Amendment shall continue in full force and effect.

Dated: July \_\_, 2018

MOSS LANDING COMMERCIAL PARK, LLC

MOSS LANDING HARBOR DISTRICT, a  
Subdivision of the State of California

By \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Its \_\_\_\_\_

**AMENDED AND RESTATED AGREEMENT**

**(OUTFALL LINE)**

This Agreement is made this first day of December 1996, by and between National Refractories & Minerals Corporation, a California corporation ("NRMC") and Moss Landing Harbor District, a political subdivision of the State of California, ("District").

Whereas District and Kaiser Aluminum & Chemical Corporation ("KACC") entered into an Agreement dated August 1, 1972 (the "Agreement") which provided for an easement for an outfall line which deposits effluent into Monterey Bay from KACC's Moss Landing Plant;

And Whereas, NRMC has purchased KACC's Moss Landing Plant and succeeded to the various rights, duties and obligations with respect to the Moss Landing Plant;

And Whereas the term of the Agreement ends as of July 31, 1997 and NRMC and District desire to extend the terms of the Agreement for 20 years until **July 31, 2017**;

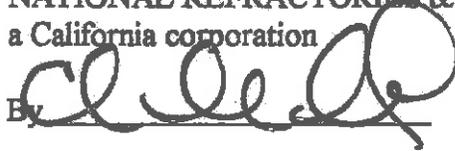
And Whereas NRMC and District desire to amend the Agreement to incorporate certain changes, and restate the existing Agreement herein in its entirety for convenience of reference.

Now, therefore, it is agreed by and between the parties hereto as follows:

1. District hereby grants NRMC an easement and right of way for the purpose of maintaining, repairing, and finally removing a subterranean Outfall Line in accordance with the attached drawings ("Schedule A"). The easement and right of way shall be over and across a strip of land shown on Schedule A.
2. The term of this Agreement and the grant of easement hereunder, shall continue until the **31st day of July 2017**. The term of this Agreement may be extended only by mutual agreement between the parties hereto, and upon such terms and conditions as the parties may mutually agree.
3. NRMC hereby agrees to pay District, pursuant to this Agreement, the sum of Five Hundred Dollars (\$500.00) payable upon the execution and delivery of this Agreement.
4. In the event NRMC elects to remove its subterranean outfall line as provided for in this Agreement, then in any and all areas where it is to be removed, owned by or under the control of the District, as designated by the District, NRMC agrees, at its sole cost and expense, in the areas so designated by the District to properly fill the trench in a good and workmanlike manner, and properly compact the soil to grade.

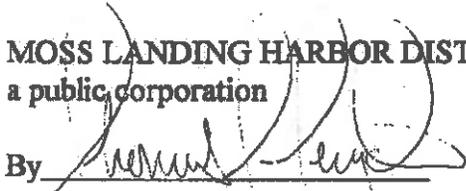
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

NATIONAL REFRACTORIES & MINERALS CORPORATION,  
a California corporation

By 

Its PRESIDENT & CEO

MOSS LANDING HARBOR DISTRICT,  
a public corporation

By 

Its President

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California }  
County of Monterey } ss.

On 6-29-01, before me, Mariana Mariscal, Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Thomas T. Tenedin  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.  
Mariana Mariscal  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

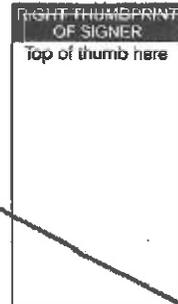
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



When recorded return to:  
Bruce E. Methven  
National Refractories & Minerals Corporation  
1852 Rutan Drive  
Livermore, California 94550

GRANT OF EASEMENT  
(OUTFALL LINE)

For good and valuable consideration the receipt whereof is hereby acknowledged, Moss Landing Harbor District, a political subdivision of the State of California, County of Monterey, State of California, hereby grants to National Refractories & Minerals Corporation, a California corporation, an Easement for the purpose of constructing, maintaining and finally removing a subterranean outfall line as indicated on the drawings attached hereto and by reference made a part hereof, over and across certain property owned by Moss Landing Harbor District all as indicated upon drawings attached to the Easement granted to Grantee's predecessor in interest, and recorded in the Official Records of Monterey County on August 17, 1972 at Reel 791, Page 843 et seq., Document No. G29566, to have and to hold for and during the period commencing on the first day of August, 1972, and ending the 31st of July, 2017, subject nevertheless to the proper performance by National Refractories & Minerals Corporation of each and every term and condition by it to be performed under that certain agreement entered into by and between Moss Landing Harbor District and National Refractories & Minerals Corporation as of the first day of December, 1996.

This easement is an extension and continuation of an easement recorded August 17, 1972 at Reel 791, Page 843, Document No. G29566.

MOSS LANDING HARBOR DISTRICT

By

Its

ACCEPTED AND AGREED TO:

NATIONAL REFRACTORIES & MINERALS CORPORATION

By

Its

<sup>o</sup>PRESIDENT & CEO

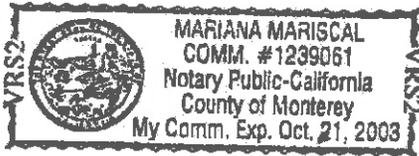
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
 County of Monterey } ss.

On 6-29-01, before me, Mariana Mariscal Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
 personally appeared Thomas T Terzidin  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.  
Mariana Mariscal  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_





**FIRST AMENDMENT TO AMENDED AND RESTATED AGREEMENT  
(OUTFALL LINE)**

THIS FIRST AMENDMENT TO AMENDED AND RESTATED AGREEMENT (OUTFALL LINE) is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and MOSS LANDING COMMERCIAL PARK, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation, as follows:

WHEREAS, District and National Refractories & Minerals entered into that certain "Amended and Restated Agreement (Outfall Line)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District granted National Refractories & Minerals Corporation an easement and right of way for the purpose of maintaining, repairing, and finally removing a subterranean Outfall Line over and across a strip of real property owned by District, all for due consideration; and

WHEREAS, the term of said easement and agreement is set to expire on July 31, 2017, although the Agreement provides in Section 2 that the term of the Agreement may be extended by mutual agreement of the parties; and

WHEREAS, MLCP became the successor in interest to National Refractories & Minerals Corporation in December of 2003; and

WHEREAS, the parties now wish to extend the term of the Agreement in order to facilitate negotiations for MLCP's continued use of the aforesaid easement and outfall line.

NOW THEREFORE, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of one year, ending on July 31, 2018.
2. During the extended term of this Agreement, MLCP agrees to keep and include for the mutual benefit of MLCP and District and its elected officials, employees, and agents, as additional insureds, at MLCP's sole cost and expense, Comprehensive General Liability Insurance, including coverage for bodily injury and property damage liability arising from the use, occupancy, disuse or condition of the property identified in the Agreement. The limits for the liability should be not less than two million dollars (\$2,000,000.00) per occurrence, three million dollars (\$3,000,000.00) aggregate, bodily injury and property damage. In addition, excess liability in an amount not less than five million dollars (\$5,000,000.00) will also be kept in full force and effect. Proof of insurance shall be provided by MLCP to District by no later than August 31, 2017.
3. Any notice required by the original Agreement or this Amendment shall be given to District at Moss Landing Harbor District, Linda G. McIntyre, General Manager, 7881

**EXHIBIT**

B



Sandholdt Road, Moss Landing, CA, 95039, or to Moss Landing Commercial Park, LLC,  
Nader Agha, c/o Holman Building, 542 Lighthouse Avenue, Pacific Grove, CA 93950.

4. All other terms and conditions of the original Agreement shall continue in full force and effect.

Dated: July 21, 2017

Moss Landing Commercial Park, LLC

By

Its

**MOSS LANDING HARBOR DISTRICT**  
A municipal corporation.

By \_\_\_\_\_

Its \_\_\_\_\_

Sandholdt Road, Moss Landing, CA, 95039, or to Moss Landing Commercial Park, LLC,  
Nader Agha, c/o Holman Building, 542 Lighthouse Avenue, Pacific Grove, CA 93950.

4. All other terms and conditions of the original Agreement shall continue in full force and effect.

Dated: July \_\_, 2017

Moss Landing Commercial Park, LLC

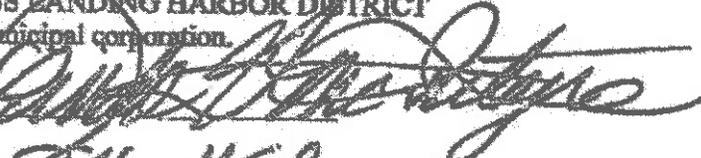
By \_\_\_\_\_

Its \_\_\_\_\_

MOSS LANDING HARBOR DISTRICT  
A municipal corporation.

By

Its

  
MGR



**SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT  
(PIPELINES AND PUMPING PIER)**

THIS SECOND AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT (PIPELINES AND PUMPING PIER) is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and MOSS LANDING COMMERCIAL PARK, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation (NRMC), as follows:

**WHEREAS**, District and NRMC entered into that certain "Amended and Restated Lease Agreement (Pipelines and Pumping Pier)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District granted National Refractories & Minerals Corporation a pipeline license, lease and franchise for the installation, maintenance, operation, use, repair and replacement of sea water lines, utility pipe lines, electric and telephone lines and related equipment, supporting structures and appurtenances, over and across specific District lands, a wharfage agreement for the maintenance, operation, use and repair and replacement of a pumping pier extending into the Moss Landing Harbor at a specified location, with an accompanying pipeline license, lease and franchise for the maintenance, operation, use, repair and replacement of various related utility lines and related equipment, and the right to access the property of the District for the purposes of maintaining, operating, using, repairing or replacing the aforesaid pipelines and pumping facilities, all for due consideration; and

**WHEREAS**, MLCP became the successor in interest to NRMC; and

**WHEREAS**, the term of said Agreement, which was set to expire on July 31, 2017, was extended for one year by a "First Amendment to Amended and Restated Lease Agreement (Pipelines and Pumping Pier)" (hereafter "First Amendment"), a copy of which is attached hereto as Exhibit "B," by mutual consent of the parties on July 26, 2017; and

**WHEREAS**, the parties now wish to extend the term of the Agreement for a short period in order to facilitate the completion of negotiations for MLCP's discontinuance of the use of the aforesaid pipelines, wharfage and pumping pier, abandonment of all property interests, and removal of MLCP's personal property and equipment.

**NOW, THEREFORE**, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of sixty (60) days, ending on September 29, 2018.
2. All other terms and conditions of the Agreement and First Amendment shall continue in full force and effect.

Dated: July \_\_, 2018

MOSS LANDING COMMERCIAL PARK, LLC

MOSS LANDING HARBOR DISTRICT,  
A Subdivision of the State of California

By \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Its \_\_\_\_\_

## AMENDED AND RESTATED LEASE AGREEMENT

### (PIPELINES AND PUMPING PIER)

This agreement is made this first day of December 1996, by and between Moss Landing Harbor District ("District"), a political subdivision of the State of California, and National Refractories & Minerals Corporation ("NRMC"), a California corporation.

#### RECITALS

WHEREAS, District and the Permanente Metals Corporation ("Permanente") entered into a Lease and Franchise Agreement ("Agreement") dated June 7, 1948, which provided for certain rights to run pipe lines across property within the boundaries of the District and to have and maintain a pumping pier on said lands; and

WHEREAS, Permanente changed its name to Kaiser Aluminum & Chemical Corporation, and NRMC has purchased certain assets from Kaiser Aluminum & Chemical Corporation and is successor in interest to the rights and liabilities of Kaiser under the Agreement; and

WHEREAS, the Agreement ends as of June 1, 1998, and NRMC and District desire to extend the term of the Agreement until July 31, 2017.

NOW, THEREFORE, in consideration of the payments hereinafter specified to be made by NRMC and the covenants and agreements hereinafter provided to be performed, District does hereby grant unto NRMC, its successors and assigns, the following rights, licenses, leases, franchises, wharfage agreement and preferential assignment:

(a) A pipe line license, lease and franchise for the installation, maintenance, operation, use, repair and replacement of sea water lines, together with utility pipe lines, electric and telephone lines and equipment, supporting structures and appurtenances in connection with the operation of said lines, as NRMC may from time to time deem advisable over and across the lands and tidal and submerged lands of the District, at substantially the location shown in Exhibit "A" attached hereto and by reference incorporated herein and made apart hereof.

(b) An exclusive wharfage agreement, preferential assignment, license, lease and franchise for the maintenance, operation, use repair and replacement of a pumping pier extending into Moss Landing Harbor at substantially the location shown in Exhibit "A". A pipe line license, lease and franchise for the maintenance, operation, use, repair and replacement of sea water lines, together with telephone and electric lines, utility pipe lines, pumping facilities and equipment and appurtenances in connection with the operation of said lines, upon said pier.

(c) The right of access to the property of the District, without toll or other charge by the District, for all purposes incidental to the maintenance, operation, use, repair or replacement of said pipe lines, pumping facilities, electric and telephone lines, pier and appurtenances therefor.

1. NRMC shall pay to the District, as consideration for said lease, franchises and rights, the sum of One Thousand Dollars per year, payable as follows: \$1,000.00 to be paid on or before the first day of December of each year.

The payments shall be made by check payable to Moss Landing Harbor District and shall be mailed or otherwise delivered to its secretary, or to such other person or place as said District may thereafter designate in writing.

2. Any notice required or permitted to be given shall be considered as given within 24 hours after the same shall have been deposited in the U.S. Mail as registered mail with postage thereon fully prepaid, addressed as follows: If to the District: Post Office Box 10, Moss Landing, California, 95039; if to NRMC: Post Office Box 30, Moss Landing, California, 95039, Attention: Plant Manager, or to such other place as the above named person may hereafter designate in writing.

3. The rights herein granted shall extend for a term continuing until July 31, 2017, provided that NRMC may terminate this agreement at any time upon six months' written notice in the event that it intends to terminate the use of all of the facilities herein described. In the event an annual rental payment shall become due within said six month period, the amount of rental payable on said annual rental date shall be such percentage of the annual rental as the number of months between said annual rental date and the date of termination bears to one year.

Upon giving such notice, NRMC at any time thereafter and within six months after termination shall have the right to remove all or any portion of the property placed on the property demised herein pursuant to the rights herein granted. In the event NRMC removes said property it shall be removed in a workmanlike manner and the premises shall be left in good condition. Upon said termination the obligation to pay rental as herein set forth and to maintain or repair any portion of the demised premises shall cease.

4. It is understood and agreed that NRMC shall have the right under this agreement to maintain at all times not in excess of two sea water lines. In the event that NRMC shall at any time in its discretion determine that the locations as herein provided for the maintenance of sea water lines or pumping pier are not suitable, NRMC shall have the right to remove and relocate the same, together with the facilities and appurtenances therefore, upon other lands and tidal and submerged lands of the District. It is understood, however, that the right to relocate as provided in this section shall not interfere with improvements heretofore or hereafter constructed upon the property of the District. The relocation of said pier or pipe lines shall be subject to the approval of the District, but said approval shall not be arbitrarily withheld.

5. In the event that NRMC shall install more than two 36 inch pipe lines, NRMC shall pay an additional rental charge in proportion to the increase in capacities provided.

6. NRMC shall have the right of exclusive use of the pumping pier herein referred to and shall have the right to maintain an adequate fence around said pier so as to exclude the public therefrom. NRMC's occupancy of property of the District other than occupied by the pier shall be non-exclusive, provided however that the District shall not in any way interfere with NRMC's facilities installed thereon, or the use or operation thereof, or place thereon any structure which will prevent free access to said facilities. Said pier is not intended to be used for mooring purposes, but if so used District reserves the right to exact toll charges from all vessels moored at said pier.

7. All of the facilities and equipment installed, maintained or operated by NRMC pursuant to this agreement shall be installed and maintained by NRMC at its own risk and expense, and NRMC agrees that it will indemnify and save harmless the District of and from all damages, loss, cost or expense caused or occasioned or resulting from the installation or maintenance of any said facilities and equipment.

8. Except as provided herein with reference to mooring, the facilities and equipment installed by NRMC pursuant to the rights herein granted shall be used solely by

NRMC, its successors and assigns.

9. All property, equipment or facilities installed by NRMC pursuant to this agreement shall remain and be the personal property of NRMC and shall not be or become a part of the demised property notwithstanding the fact that they may be affixed to the premises.

10. Upon failure of NRMC to pay the minimum charges herein provided for a period of six months after the District gives written notice of non-payment, the District may, at its election, terminate the franchise of NRMC, and access to said pier and channel.

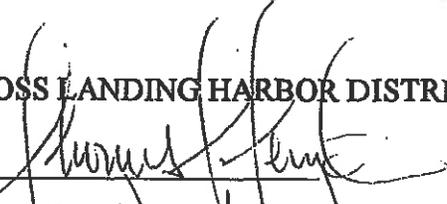
11. In the event NRMC defaults under any other terms of this agreement and fails to cure such default within thirty (30) days after receipt of written notice of such default from the District, then District may without further notice elect to terminate this agreement. Time is of the essence hereof, and the waiver by District of any breach by NRMC shall not be a waiver of this provision.

12. This agreement shall be binding upon and shall enure to the benefit of the successors and assigns of the parties hereto.

13. The provisions of this agreement may be altered, amended or modified by written instrument with the mutual consent of both parties.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed the day and year first above written.

MOSS LANDING HARBOR DISTRICT

By 

Its President

NATIONAL REFRACTORIES &  
MINERALS CORPORATION

By 

PRESIDENT & CEO

Its \_\_\_\_\_

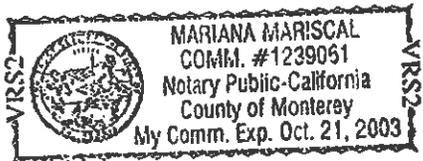
**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California  
County of Monterey } ss.

On 6-29-01, before me, Mariana Mariscal Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Thomas T. Tengdin  
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.  
Mariana Mariscal  
Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

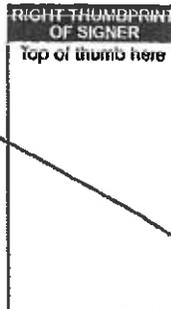
Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer**

Signer's Name: \_\_\_\_\_

- Individual
- Corporate Officer — Title(s): \_\_\_\_\_
- Partner —  Limited  General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_







**FIRST AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT  
(PIPELINES AND PUMPING PIER)**

THIS FIRST AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT (PIPELINES AND PUMPING PIER) is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and MOSS LANDING COMMERCIAL PARK, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation, as follows:

WHEREAS, District and National Refractories & Minerals entered into that certain "Amended and Restated Lease Agreement (Pipelines and Pumping Pier)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District granted National Refractories & Minerals Corporation a pipeline license, lease and franchise for the installation, maintenance, operation, use, repair and replacement of sea water lines, utility pipe lines, electric and telephone lines and related equipment, supporting structures and appurtenances, over and across specific District lands and tidal and submerged lands, a wharfage agreement, with preferential assignment, license, lease and franchise rights, for the maintenance, operation, use and repair and replacement of a pumping pier extending into the Moss Landing Harbor at a specified location, with an accompanying pipe line license, lease and franchise for the maintenance, operation, use, repair and replacement of sea water lines, telephone and electric lines, utility pipelines, pumping facilities and equipment and appurtenances used in connection with the operation of said pier and lines, and the right to access the property of the District for the purposes of maintaining, operating, using, repairing or replacing the aforesaid pipelines and pumping facilities, all for due consideration; and

WHEREAS, the term of said Agreement is set to expire on July 31, 2017, although the Agreement provides in Section 13 that the provisions of the Agreement may be amended by written instrument and the mutual consent of the parties; and

WHEREAS, MLCP became the successor in interest to National Refractories & Minerals Corporation in December of 2003; and

WHEREAS, the parties now wish to extend the term of the Agreement in order to facilitate negotiations for MLCP's continued use of the aforesaid pipelines, wharfage and pumping pier.

NOW THEREFORE, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of one year, ending on July 31, 2018.
2. During the extended term of this Agreement, MLCP agrees to keep and include for the mutual benefit of MLCP and District and its elected officials, employees, and agents as

**EXHIBIT**  
B

**FIRST AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT  
(PIPELINES AND PUMPING PIER)**

THIS FIRST AMENDMENT TO AMENDED AND RESTATED LEASE AGREEMENT (PIPELINES AND PUMPING PIER) is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and MOSS LANDING COMMERCIAL PARK, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation, as follows:

WHEREAS, District and National Refractories & Minerals entered into that certain "Amended and Restated Lease Agreement (Pipelines and Pumping Pier)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District granted National Refractories & Minerals Corporation a pipeline license, lease and franchise for the installation, maintenance, operation, use, repair and replacement of sea water lines, utility pipe lines, electric and telephone lines and related equipment, supporting structures and appurtenances, over and across specific District lands and tidal and submerged lands, a wharfage agreement, with preferential assignment, license, lease and franchise rights, for the maintenance, operation, use and repair and replacement of a pumping pier extending into the Moss Landing Harbor at a specified location, with an accompanying pipe line license, lease and franchise for the maintenance, operation, use, repair and replacement of sea water lines, telephone and electric lines, utility pipelines, pumping facilities and equipment and appurtenances used in connection with the operation of said pier and lines, and the right to access the property of the District for the purposes of maintaining, operating, using, repairing or replacing the aforesaid pipelines and pumping facilities, all for due consideration; and

WHEREAS, the term of said Agreement is set to expire on July 31, 2017, although the Agreement provides in Section 13 that the provisions of the Agreement may be amended by written instrument and the mutual consent of the parties; and

WHEREAS, MLCP became the successor in interest to National Refractories & Minerals Corporation in December of 2003; and

WHEREAS, the parties now wish to extend the term of the Agreement in order to facilitate negotiations for MLCP's continued use of the aforesaid pipelines, wharfage and pumping pier.

NOW THEREFORE, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of one year, ending on July 31, 2018.
2. During the extended term of this Agreement, MLCP agrees to keep and include for the mutual benefit of MLCP and District and its elected officials, employees, and agents as

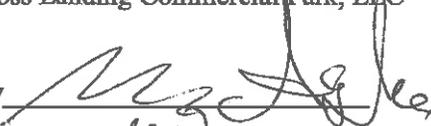


additional insureds, at MLCP's sole cost and expense, Comprehensive General Liability Insurance, including coverage for bodily injury and property damage liability arising from the use, occupancy, disuse or condition of the property identified in the Agreement. The limits for the liability should be not less than two million dollars (\$2,000,000.00) per occurrence, three million dollars (\$3,000,000.00) aggregate, bodily injury and property damage. In addition, excess liability in an amount not less than five million dollars (\$5,000,000.00) will also be kept in full force and effect. Proof of insurance shall be provided by MLCP to District by no later than August 31, 2017.

3. Any notice required by the original Agreement or this Amendment shall be given to District at Moss Landing Harbor District, Linda G. McIntyre, General Manager, 7881 Sandholdt Road, Moss Landing, CA, 95039, or to Moss Landing Commercial Park, LLC, Nader Agha, c/o Holman Building, 542 Lighthouse Avenue, Pacific Grove, CA 93950.
4. All other terms and conditions of the original Agreement shall continue in full force and effect.

Dated: July 31, 2017

Moss Landing Commercial Park, LLC

By 

Its 

MOSS LANDING HARBOR DISTRICT  
A municipal corporation.

By \_\_\_\_\_

Its \_\_\_\_\_

Sandholdt Road, Moss Landing, CA, 95039, or to Moss Landing Commercial Park, LLC,  
Nader Agha, c/o Holman Building, 542 Lighthouse Avenue, Pacific Grove, CA 93950.

4. All other terms and conditions of the original Agreement shall continue in full force and effect.

Dated: July \_\_, 2017

Moss Landing Commercial Park, LLC

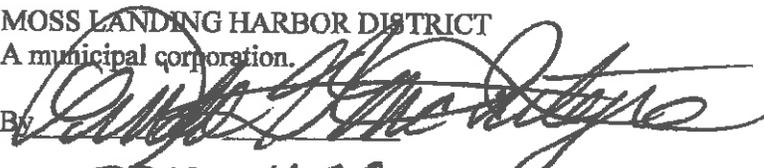
By \_\_\_\_\_

Its \_\_\_\_\_

MOSS LANDING HARBOR DISTRICT  
A municipal corporation.

By

Its

  
MGR.



**SECOND AMENDMENT TO GRANT OF EASEMENT AND AGREEMENT  
(BERTHING SPACES)**

THIS SECOND AMENDMENT TO GRANT OF EASEMENT AND AGREEMENT is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and Moss Landing Commercial Park, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation, as follows:

**WHEREAS**, District and National Refractories & Minerals Corporation entered into that certain "Grant of Easement and Agreement (Berthing Spaces)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District was granted an easement and right of way for the purpose of locating and maintaining berthing spaces, together with related improvement and facilities, over submerged real property located in the Moro Cojo Slough, all for due consideration; and

**WHEREAS**, MLCP became the successor in interest to National Refractories & Minerals Corporation; and

**WHEREAS**, the term of said Agreement, which was set to expire on July 31, 2017, was extended for one year by mutual agreement of the parties by a "First Amendment to Grant of Easement and Agreement (Berthing Spaces)" (hereafter "First Amendment"), a copy of which is attached hereto as Exhibit "B," on July 26, 2017; and

**WHEREAS**, the Parties now wish to extend the term of the Agreement for a short period in order to facilitate the completion of negotiations for District's continued use of the aforesaid property.

**NOW, THEREFORE**, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of sixty (60) days, ending on September 29, 2018.
2. All other terms and conditions of the Agreement and First Amendment shall continue in full force and effect.

Dated: July \_\_, 2017

MOSS LANDING COMMERCIAL PARK, LLC

MOSS LANDING HARBOR DISTRICT,  
A Subdivision of the State of California

By \_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Its \_\_\_\_\_

**GRANT OF EASEMENT AND AGREEMENT  
(BERTHING SPACES)**

THIS GRANT OF EASEMENT AND AGREEMENT is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District", and NATIONAL REFRACTORIES & MINERALS CORPORATION, a California corporation, hereinafter called "National", as follows:

WHEREAS, on or about August 26, 1975, Kaiser Aluminum & Chemical Sales, Inc. ("KACSI") entered into an Easement and Agreement with the Moss Landing Harbor District ("District") whereby KACSI granted an easement to District on terms and conditions stated therein, and

WHEREAS, National has purchased from KACSI the real property on which the easement is granted, and

WHEREAS, National and District desire to restate and extend the term of the easement as more fully set forth herein,

NOW THEREFORE, it is agreed as follows:

1. Grant of Easement. For and in consideration of the covenants and agreements herein contained, National hereby grants to District a limited easement and right of way for the purpose of locating, and maintaining approximately one hundred four (104) berthing spaces, together with related improvements and facilities, generally as indicated in United States Corps of Army Engineers Public Notice No. 74-57-86, over, along, and upon that real property situated in the County of Monterey, State of California, generally described as follows:

All that real property in the Moro Cojo Slough, Moss Landing, California, located north of Moss Landing Road and west of the easterly bank of the Moro Cojo Slough.

It is understood and agreed that access to such berthing spaces shall be from either the water or from the west shoreline of Moro Cojo Slough, and not from the east shoreline, which is owned by National.

2. Term. The term of this grant of easement and agreement shall be for a period ending July 31, 2017. The term of this grant of easement and agreement may be extended only by mutual agreement between the parties hereto, or their successors, and shall be upon such terms and conditions as the parties hereto, or their successors, may mutually agree.

3. Fee. The fee to be paid by District to National for this grant of easement and agreement shall be the sum of Five Hundred Dollars (\$500.00), payable upon the execution and delivery of this agreement.

4. Maintenance Dredging. During the term of this agreement District agrees at its sole expense, to do maintenance dredging in and around National's pier. District agrees to perform such maintenance dredging only at such times as it is conducting dredging operations in the area of the Moro Cojo Slough described in paragraph one hereof or in the channel leading thereto, and after notice to it from National that such dredging is required. The area to be so maintained is approximately 20 to 30 feet on each side of the pier, or approximately 100 feet in width, out in a westerly direction from the pier to the dredged channel in the Salinas River, all as is more specifically shown on the sketch attached hereto and incorporated herein. This areas will be dredged to a depth of 15 feet below mean low water. In the event that berths, piers, or other harbor improvements are installed by the District in any portion of the area to which the District's maintenance dredging obligation hereunder relates, the District shall not be obligated to do maintenance dredging where such improvements are installed, but may instead alter the area in

**EXHIBIT**  
A

which such maintenance dredging is performed in any manner so long as an open channel, approximately 100 feet in width and dredged to a depth of 15 feet below mean low water, will be maintained out in a general westerly direction from the pier to the dredged channel in the Salinas River.

5. Bank Protection. District agrees during the term hereof, at its sole expense, to maintain the east bank of the Moro Cojo Slough north of Moss Landing Road and adjacent to the berthing facilities referred to in paragraph one hereof, below higher high water, to include installation of riprap, if required, because of wash from vessels using the berthing facilities herein referred to.

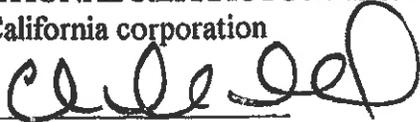
6. No Prescriptive Easement. District further agrees during the term hereof that National may at its own expense erect and maintain signs on the property in accordance with and to the effect provided by Section 1008 of the California Civil Code (or its successor statutes), in order to preclude the establishment of prescriptive rights in connection with the berthing spaces, improvements and facilities described in paragraph one above. The location of such signs shall be as the parties may mutually agree.

7. Binding Effect. This agreement shall be binding upon, and shall inure to the benefit of, the successors and assigns of the parties hereto.

8. Notices. Any notice required by this agreement, or otherwise, may be given to District at P.O. Box 10, Moss Landing, California, 95039, or to National at National Refractories & Minerals Corporation, Post Office Box 30, Moss Landing, California 95039.

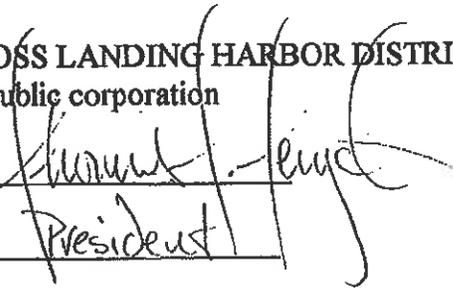
Dated: December 1, 1996

NATIONAL REFRACTORIES & MINERALS CORPORATION,  
a California corporation

By 

Its PRESIDENT & CEO

MOSS LANDING HARBOR DISTRICT,  
a public corporation

By 

Its President

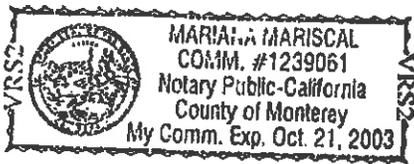
# CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California  
County of Monterey } SS.

On 6-29-01, before me, Mariana Morales Notary Public  
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")  
personally appeared Thomas T. Tenadin  
Name(s) of Signer(s)

- personally known to me  
 proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Place Notary Seal Above

WITNESS my hand and official seal.  
Mariana Morales  
Signature of Notary Public

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Description of Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

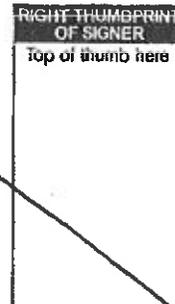
Signer(s) Other Than Named Above: \_\_\_\_\_

### Capacity(ies) Claimed by Signer

Signer's Name: \_\_\_\_\_

- Individual  
 Corporate Officer — Title(s): \_\_\_\_\_  
 Partner —  Limited  General  
 Attorney in Fact  
 Trustee  
 Guardian or Conservator  
 Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_



**FIRST AMENDMENT TO GRANT OF EASEMENT AND AGREEMENT  
(BERTHING SPACES)**

THIS FIRST AMENDMENT TO GRANT OF EASEMENT AND AGREEMENT is made and entered into by and between MOSS LANDING HARBOR DISTRICT, a political subdivision of the State of California, hereinafter called "District," and Moss Landing Commercial Park, a California Limited Liability Corporation, hereinafter called "MLCP," as successor to National Refractories & Minerals Corporation, as follows:

WHEREAS, District and National Refractories & Minerals Corporation entered into that certain "Grant of Easement and Agreement (Berthing Spaces)" (hereafter "Agreement"), a copy of which is attached hereto as Exhibit "A," on December 1, 1996, by which, among other matters, District was granted an easement and right of way for the purpose of locating and maintaining berthing spaces, together with related improvement and facilities, over submerged real property located in the Moro Cojo Slough, all for due consideration; and

WHEREAS, the term of said Agreement is set to expire on July 31, 2017, although the Agreement provides in Section 2 that the term of the easement and agreement may be extended by mutual agreement of the parties, or their successors; and

WHEREAS, MLCP became the successor in interest to National Refractories & Minerals Corporation in December of 2003; and

WHEREAS, the Parties now wish to extend the term of the Agreement in order to facilitate negotiations for District's proposed continued use of the aforesaid property.

NOW, THEREFORE, it is agreed as follows:

1. The term of the Agreement shall be extended for a period of one year, ending on July 31, 2018.
2. During the extended term of the Agreement, District agrees to keep and include for the mutual benefit of District and MLCP and its agents and employees as additional insureds, at District's sole cost and expense, Comprehensive General Liability Insurance, including coverage for bodily injury and property damage liability arising from the use, occupancy, disuse or condition of the property identified in the Agreement. The limits for the liability should be not less than two million dollars (\$2,000,000.00) per occurrence, three million dollars (\$3,000,000.00) aggregate, bodily injury and property damage. In addition, excess liability in an amount not less than five million dollars (\$5,000,000.00) will also be kept in full force and effect. Proof of insurance shall be provided by District to MLCP by no later than August 31, 2017.
3. Any notice required by the original Agreement or this Amendment shall be given to District at Moss Landing Harbor District, Linda G. McIntyre, General Manager, 7881

**EXHIBIT**  
    B    



Sandholdt Road, Moss Landing, CA, 95039, or to Moss Landing Commercial Park, LLC,  
Nader Agha, c/o Hofman Building, 542 Lighthouse Avenue, Pacific Grove, CA 93950.

4. All other terms and conditions of the original Agreement shall continue in full force and effect.

Dated: July 21, 2017

Moss Landing Commercial Park, LLC

By

Its

**MOSS LANDING HARBOR DISTRICT**  
A municipal corporation.

By \_\_\_\_\_

Its \_\_\_\_\_

Sandholdt Road, Moss Landing, CA, 95039, or to Moss Landing Commercial Park, LLC,  
Nader Agha, c/o Holman Building, 542 Lighthouse Avenue, Pacific Grove, CA 93950.

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Dated: July \_\_, 2017

Moss Landing Commercial Park, LLC

By \_\_\_\_\_

Its \_\_\_\_\_

MOSS LANDING HARBOR DISTRICT  
A municipal corporation.

By \_\_\_\_\_

Its \_\_\_\_\_



**BOARD OF HARBOR COMMISSIONERS**  
Russell 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



**GENERAL MANAGER**  
**HARBOR MASTER**  
Linda G. McIntyre, Esq.  
  
Assistant General Manager  
Tommy Razzeca

## STAFF REPORT

**ITEM NUMBER 21 - CONSIDER ADOPTING RESOLUTION 18-13 AMENDING RESOLUTION 18-12 INCREASING SEALASKA'S CONSULTING CONTRACT AMOUNT  
BOARD MEETING OF JULY 25, 2018**

The Board adopted Resolution 17-12 authorizing the General Manager to enter into a professional services contract with Sealaska for environmental planning and management in connection with the 2017 FEMA dredge event in the amount of \$263,790.00.

Subsequently one of the permitting agencies requested additional sediment sampling, analysis and other requirements before they would support issuance of our dredge permit. The Board adopted Resolution 18-12 approving the additional costs. The testing and analysis described in Resolution 18-12 was conducted and revealed that DDT was present in all 4 areas of South Harbor that were sampled.

General Manager McIntyre, Assistant General Manager Tommy Razzeca, Sealaska consultant Ken Israel, US EPA representative Brian Ross, and Jessica Vargas of the ACOE participated in a conference call to determine what further testing would be required to consider all or part of the dredged sediment suitable for aquatic disposal at the District's SF-12 ocean disposal site.

The testing and analysis required, as well as certain contingency testing, is estimated to cost an additional \$64,069.00. Without this additional testing the District would have to find an upland disposal site for its dredged material, and the cost of drying, transporting and disposing upland would most likely cost over \$1M.

Our consultant's letter describing the additional testing requirements is attached for your information.

Staff recommends the Board adopt Resolution 18-13 Amending Resolution 18-12 authorizing the additional expenditure in the amount of \$64,069.00.

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*



1200 6<sup>th</sup> Avenue, Suite 800  
Seattle, WA 98101

Telephone: 669.242.9413  
Ken.Israel@Sealaska.com

July 16, 2018

Moss Landing Harbor District  
Linda McIntyre  
7881 Sandholdt Road  
Moss Landing, CA 95039

**Subject: Updated Interim Testing Report and Additional Analyses Cost Estimate for Moss Landing Harbor Sediment Samples**

Dear Linda:

The analytical chemistry and toxicity testing conducted with the Moss Landing Harbor samples has been completed. Although there was no observed toxicity, which prevented the Harbor District from dredging some material at K-Dock in 2007, total DDT concentrations were higher than the 150 ug/kg action level in all four South Harbor sample areas:

South A-Dock: 198 ug/kg  
North A/B-Docks: 212 ug/kg  
E&F/MBARI Docks: 190 ug/kg  
K-Dock: 168 ug/kg

Each of the four samples was reanalyzed for DDT as we discussed, and the results of the reanalysis confirmed the original results.

In addition, slightly elevated PCB concentrations were detected in the K-Dock sediments (32 ug/kg). However, as expected, the North Harbor sediments did not have any contaminant issues, and there were no other contaminants detected at elevated levels in any of the South Harbor samples.

Based on the July 10<sup>th</sup> teleconference discussion with the U.S. EPA and the U.S. Army Corps of Engineers (USACE), bioaccumulation potential testing and z-layer analysis will be necessary to determine whether the Harbor sediments are suitable for aquatic disposal. Contingency testing involving high-resolution analyses of individual samples is not required but can be performed to assist with dredged material management decisions. The bioaccumulation potential testing and contingency high-resolution analysis tasks are described below. The additional cost for these tasks are incorporated in the updated cost estimate provided afterward.

**Bioaccumulation Potential Testing.** Based on the DDT sediment concentrations, all four South Harbor samples will need to be tested for bioaccumulation potential in order to get approved for dredging. In

Cost and Schedule Update  
July 16, 2018

addition, the K-Dock sample will need to be assessed for potential PCB bioaccumulation. The z-layer samples will also need to be analyzed to determine whether the post-dredge sediment surface does not contain DDT at concentrations harmful to the environment. Bioaccumulation testing of the four South Harbor samples was initiated on June 30, 2018. The bioaccumulation exposures and subsequent tissue analysis results will be reported in approximately six weeks. The U.S. EPA agreed to our proposal to analyze a composite the tissues from each of the five sample replicates instead of analyzing each replicate. If DDT bioaccumulates and is observed at significant concentrations in the tissues of the exposed organisms, the sediments may not be considered suitable for disposal at SF-12. However, as discussed with the U.S. EPA, the ultimate suitability decision will be based on relative risk to the aquatic environment, and there are a number of tools that can be used to demonstrate the suitability of the DDT-laden sediments even if there is significant bioaccumulation. Cost for implementing these tools are provided in the updated cost estimate as *potential costs*.

**Lateral and Vertical High-Resolution Analysis for DDT.** This additional testing is not required but can be useful to determine where any isolated hot spots may occur, and whether dredging around the hot spots can achieve the navigation objectives for a give dredge unit while leaving in place any material deemed unsuitable for aquatic disposal. Individual cores from each sample area can be analyzed to determine whether the elevated DDT concentrations are isolated laterally. Additionally, subsamples from vertical splits of each individual core were taken from below and above an elevation of 1-foot above permit depth (i.e. -11 ft MLLW at K-Dock and E&F/MBARI Docks, and -9 ft MLLW at A and B Docks). So, the top and bottom portions of each individual core can also be analyzed to determine whether elevated DDT concentrations are isolated vertically as well. The high-resolution analysis may allow the Harbor District to strategically design a dredging plan that allows aquatic disposal of sediments from areas that can still achieve navigation objectives without relying on upland disposal as a dredged material management option. The high-resolution analyses can be done after completion of the bioaccumulation testing, or they can be done sooner to get an earlier assessment of where the elevated DDT concentrations are distributed. Costs for the high-resolution testing are provided on a “contingency basis”.

Bioaccumulation potential testing can also be terminated for any of the four of the samples if the Harbor District decides not to dredge in one or more of the sample areas, or if they would like to rely only on the high-resolution analyses for determining suitability of delineated portions of each sample area.

The additional cost and schedule adjustments for each task have been updated in the attached table. This also includes the cost of the extra day of sampling described earlier that was not included the first change order. If you need any additional information, please let me know.

Regards,



Ken Israel  
General Manager  
Sealaska Engineering & Applied Sciences

Attachment

## RESOLUTION NO. 18-13

### A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE MOSS LANDING HARBOR DISTRICT AMENDING RESOLUTION 18-12 INCREASING EXPENDITURE FOR ENVIRONMENTAL PLANNING AND MANAGEMENT IN CONNECTION WITH THE 2016/2017 FEMA DREDGE EPISODE

**WHEREAS**, the Board adopted Resolution No. 17-12 on September 27, 2017 approving a proposal from Sealaska for environmental planning, testing, reporting and marine engineering in connection with the 2017 Atmospheric River Storm FEMA dredge project and authorizing the General Manager to expend not to exceed \$262,790.00 for such services, and

**WHEREAS**, Ken Israel with Sealaska has undertaken and continues to perform the tasks described as authorized by the Board under Resolution No. 17-12, and

**WHEREAS**, subsequently certain permitting authorities requested that further sediment sampling and analysis be performed at an additional cost of \$20,089.00 without which the permits to dredge will not be issued, and

**WHEREAS**, the Board adopted Resolution No. 18-12 on May 30, 2018 authorizing the additional expenditure, and

**WHEREAS**, the additional sediment sampling and analysis was completed and the results confirmed that DDT concentrations were higher than the acceptable levels, and

**WHEREAS**, on July 10, 2018 staff, the Sealaska, the EPA and the lead permitting agency, the ACOE, participated in a teleconference and concluded that further testing for potential bioaccumulation and "z-layer" analysis will be necessary to determine whether the sediments are suitable for aquatic disposal, and

**WHEREAS**, Sealaska has provided a cost estimate for the required additional testing as well as potential contingency costs in the event the foregoing analyses determine that the sediment is unsuitable for aquatic disposal in SF-12. The cost estimate is attached as Exhibit A.

**WHEREAS**, payment for these services is anticipated to be paid initially from the District's general funds as included in the FY 2017/2018 and FY 2018/2019 budget and from the dredge project line item and ultimately by partial reimbursement from FEMA.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Moss Landing Harbor District that Resolution 18-12 is hereby Amended to approve additional expenses as set forth in Exhibit A attached hereto, that the General Manager is hereby authorized to expend an additional amount not to exceed \$64,069.00 for the services described in Exhibit A and that the provisions of Resolution 17-12 and 18-12 shall remain in full force and effect except as amended by this Resolution 18-13.

#### CERTIFICATION

Resolution 18-13 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 25<sup>th</sup> day of July, 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

Cost and Schedule Update  
July 16, 2018

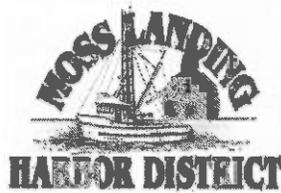
Task #	Task	Updated Dates of Completion		Additional Cost	
1	Response to USFWS Comments	Completed			
2	Condition Survey	Completed			
3	Section 408 Request (add Federal Channel)	Not applicable at this time			
4	SAP Preparation & Approval			\$0	
5	Sampling Mobilization			\$0	
6	Sample Collection			\$4,400	
7	Sediment Quality Analysis (Initial)			\$615	
7a	DDT Bioaccumulation Potential & Z-layer	8-17-18		\$35,374	
7b	Contingency Lateral High-Res DDT Analysis*	3 weeks		\$3,650*	
7c	Contingency Vertical High-Res DDT Analysis*	3 weeks		\$7,300*	
8	Report Preparation & Approval	9-27-18		\$7,680	
8a	Contingency High-Res Reporting*	9-27-18		\$2,200*	
8b	Potential Trophic Transfer Modeling & Reporting**	10-5-18		\$2,850**	
9	Water Quality Certification				
10	Pre-Dredge Survey	TBD			
11	Bid Doc Prep & Contractor Selection	TBD			
12	DOP Preparation & Approval	TBD			
13	Construction Management Start/End	TBD			
14	Post-Dredge Survey	TBD			
<b>TOTAL</b>				<b>\$48,069</b>	
<b>TOTAL WITH CONTINGENCY &amp; POTENTIAL COSTS</b>				<b>\$64,069</b>	

\* Contingency testing to be discussed with Harbor District. Can be performed before or after bioaccumulation testing.

\*\* Potential modeling and reporting that may be required to ensure DDT and/or PCBs do not biomagnify in the food web.

**EXHIBIT**  
A

Reso 18-13



**BOARD OF HARBOR COMMISSIONERS**  
Russell Jeffries  
Tony Leonardini  
Vincent Ferrante  
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**GENERAL MANAGER**  
**HARBOR MASTER**  
Linda G. McIntyre, Esq.  
  
Assistant General Manager  
Tommy Razzeca

## STAFF REPORT

ITEM NUMBER 22 – CONSIDER WHETHER TO PURCHASE EARTHQUAKE INSURANCE  
COVERAGE  
BOARD MEETING OF JULY 25, 2018

The District has not purchased earthquake coverage in several years, if at all. Admittedly earthquake insurance is very expensive and has high deductibles. However because predictions are that a big earthquake is overdue for California, and given that during the last major earthquake of 1989 – the Loma Prieta – there was serious damage in Moss Landing, I obtained a quote for earthquake insurance coverage for the Board's consideration.

The annual premium for earthquake coverage for the docks, piers and onshore infrastructure is **\$21,607.80** with an annual aggregate limit of \$3,263,405 for the peril of earthquake. The deductible is \$150,000.

I am attaching a seismic hazard map to assist in visualizing the potential for damage.

The Board should provide the General Manager with any specific questions they may have in order that the General Manager can seek answers from the District's Broker and bring the issue back at a future meeting for further consideration, or the Board may wish to give appropriate direction to the General Manager at this time to either purchase the coverage or to drop further consideration of such coverage.

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*



Paul Long  
 CRC Swett  
 1 N Franklin St, Ste 3500  
 Chicago, IL 60606

June 13, 2018

**Re: Moss Landing Harbor District**

**Confirming our Authorization**

We are pleased to provide a property quotation on your submission. Please review carefully. Coverages, terms and conditions offered herein may be more restrictive than those requested in your application.

This quote will expire on 7/1/2018

**Participating Insurers:**

Mt. Hawley Insurance Company, A+ Non-Admitted	85%
Renaissance Re Syndicate 1458 at Lloyd's	15%

The insurance afforded by this policy is provided by separate insurers, hereinafter referred to as "the Company." The liability of these insurers is several and not joint and is specifically set out above.

**Limit(s):** \$4,018,405 per occurrence for all coverages combined subject to an annual aggregate of \$3,263,405 for the Peril of Earthquake.

00001 - 001 Office, 7881 Sandholdt Road, Moss Landing, CA 95039

Building	\$329,056
Business Income/Extra Expenses	\$50,000
Contents	\$30,905
Demolition and ICC Combined Single Limit	\$150,000

00001 - 002 Shop / Storage, 7881 Sandholdt Road, Moss Landing, CA 95039

Building	\$218,388
Business Income/Extra Expenses	\$100,000
Contents	\$48,565
Demolition and ICC Combined Single Limit	\$150,000

00001 - 003 S. Harbor - Restroom, Laundry, 7881 Sandholdt Road, Moss Landing, CA 95039

Building	\$151,232
Business Income/Extra Expenses	\$10,000
Demolition and ICC Combined Single Limit	\$50,000

00001 - 004 S. Harbor - Restroom, 7881 Sandholdt Road, Moss Landing, CA 95039

	Building	\$118,630
	Business Income/Extra Expenses	\$10,000
	Demolition and ICC Combined Single Limit	\$50,000
00001	- 005 Docks, 7881 Sandholdt Road, Moss Landing, CA 95039	
	Business Income/Extra Expenses	\$100,000
00001	- 006 Play Area, 7881 Sandholdt Road, Moss Landing, CA 95039	
	Building	\$14,768
	Demolition and ICC Combined Single Limit	\$5,000
00002	- 001 Unimproved - Parking Lot, 7532 Sandholdt Road, Moss Landing, CA 95039	
	Building	\$1,347,118
	Business Income/Extra Expenses	\$270,000
	Demolition and ICC Combined Single Limit	\$150,000
00003	- 001 N. Harbor - Restroom, Hwy 1 & Salinas Rd., Moss Landing, CA 95039	
	Building	\$59,745
	Business Income/Extra Expenses	\$10,000
	Demolition and ICC Combined Single Limit	\$50,000
00004	- 001 Sea Harvest Restaurant, 2420 Hwy 1, Moss Landing, CA 95039	
	Business Income/Extra Expenses	\$100,000
00005	- 001 Pottery Shop, 2360 Hwy 1, Moss Landing, CA 95039	
	Building	\$239,998
	Business Income/Extra Expenses	\$50,000
	Contents	\$5,000
	Demolition and ICC Combined Single Limit	\$150,000

**Coverages:**

Building; Demolition and ICC Combined Single Limit; Contents; Business Income/Extra Expenses

**Perils:**

Earthquake only.

**Locations:**

- 00001 - 001 [Office], 7881 Sandholdt Road Moss Landing, CA - 95039
- 00001 - 002 [Shop / Storage], 7881 Sandholdt Road Moss Landing, CA - 95039
- 00001 - 003 [S. Harbor - Restroom, Laundry], 7881 Sandholdt Road Moss Landing, CA - 95039
- 00001 - 004 [S. Harbor - Restroom], 7881 Sandholdt Road Moss Landing, CA - 95039
- 00001 - 005 [Docks], 7881 Sandholdt Road Moss Landing, CA - 95039
- 00001 - 006 [Play Area], 7881 Sandholdt Road Moss Landing, CA - 95039
- 00002 - 001 [Unimproved - Parking Lot], 7532 Sandholdt Road Moss Landing, CA - 95039
- 00003 - 001 [N. Harbor - Restroom], Hwy 1 & Salinas Rd. Moss Landing, CA - 95039
- 00004 - 001 [Sea Harvest Restaurant], 2420 Hwy 1 Moss Landing, CA - 95039
- 00005 - 001 [Pottery Shop], 2360 Hwy 1 Moss Landing, CA - 95039

With a total insurable value of \$4,018,405

**Proposed Policy Term:** From 7/1/2018 to 7/1/2019

**Deductibles:**

5.00% of the Total Insurable Values Per Location (including time element if applicable) at the time of loss or damage subject to a minimum of \$25,000 per occurrence for Earthquake

**Total Premium and Fees:**

Premium:	\$18,000	CIGA Fee:	\$0
Inspection Fee:	\$0	PCA Fee:	\$150
Minimum Earned Premium: 25.00%			

**Valuation:**

Physical Damage at Replacement Cost  
Time Element at Actual Loss Sustained

**Coinsurance:**

N/A for Physical Damage  
N/A for Time Element

**Policy Form(s) and Endorsements (Available Upon Request):**

Earthquake Policy and applicable forms including, but not limited to, the following:  
Absolute Pollution Exclusion  
Asbestos Exclusion  
Exclusion of Certain Computer Related Losses

**Special Conditions:**

30 day notice of Cancellation, except 10 days for non-payment of premium  
Based on 100% values all coverages.

**Representation(s):**

It has been represented and confirmed to us that:  
There is no loss or damage from covered perils in the last five years.

These representations are important and are relied upon by us in our underwriting determinations. Any inaccuracy in this information could be considered misrepresentation.

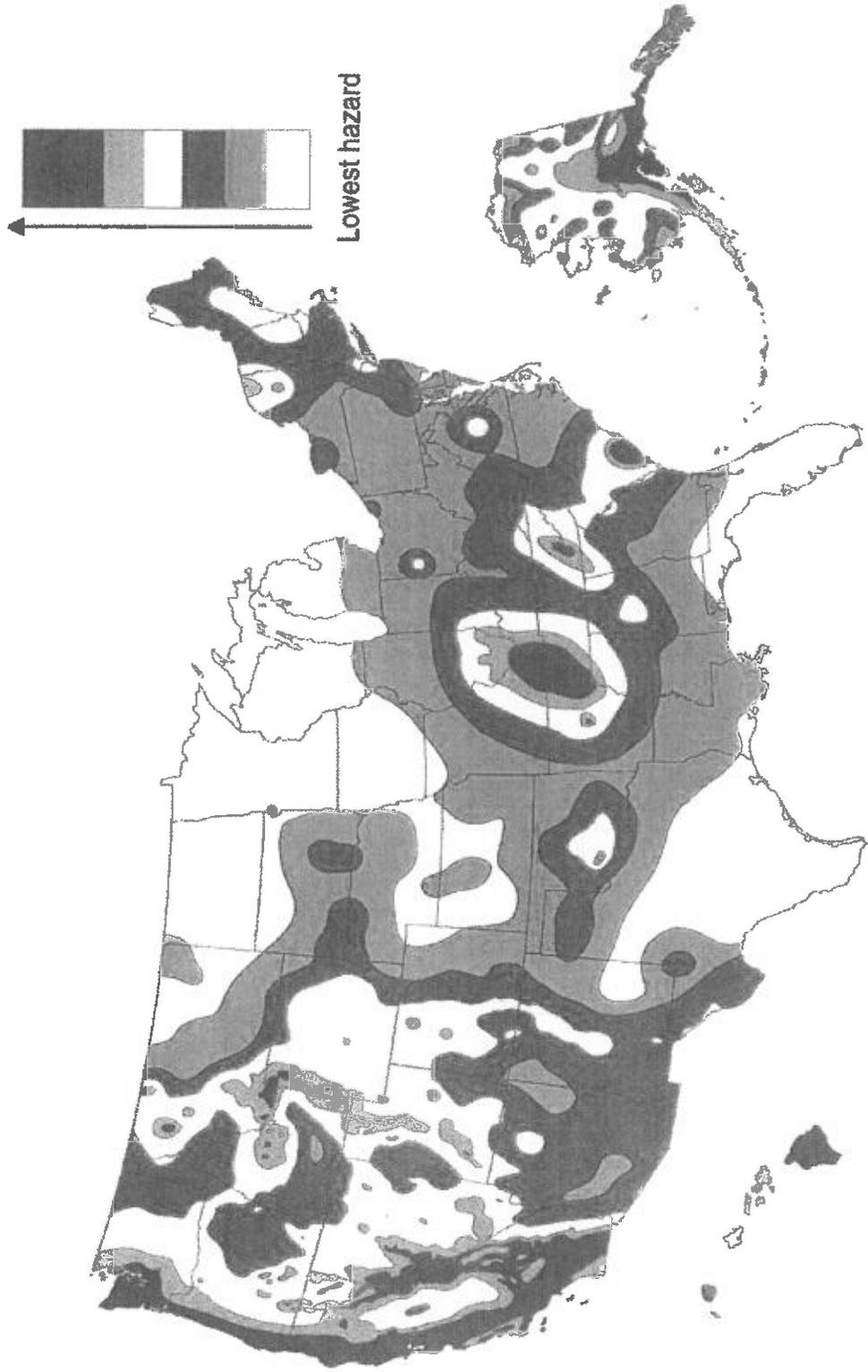
**Comments:**

This quote is valid until 7/1/2018 and may not be bound without written confirmation received in our office prior to the effective date of coverage.

This is being quoted on behalf of non-admitted carriers and you are responsible for the payment of all taxes and fees and the filing of all required documents in connection with this insurance placement. You must, upon binding, indicate the home state in which the first named insured maintains its principal place of business or, if applicable, principal residence, if different than the state indicated in the first named insured's mailing address.

Should any loss, not previously disclosed, occur on the risk(s) covered by this quotation prior to the effective date of the policy, the underwriter reserves the right to amend or withdraw this quotation.

Please note that mid term change requests must be confirmed and agreed to by the underwriter. Any agreed changes are underwritten individually and are not necessarily bound by an 'account rate'.



**Hot spots.** California is still a seismic hazard hot spot—but the latest earthquake risk maps suggest a higher risk of damaging quakes than previously estimated.

**U.S. GEOLOGICAL SURVEY**