



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

DECEMBER 7, 2016

**A. CLOSED SESSION**

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The Board adjourned to Closed Session at 2:30 p.m. to discuss the following:

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

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

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The meeting was called to order at 2:40 p.m. After the Pledge of Allegiance, roll was called:

Commissioners Present:

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

Staff Present:

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

Commissioners Absent:

Andrew Amaral - Commissioner

Staff Absent:

Marie Della Maggiore

**C. PRESIDENT'S REMARKS**

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President Jeffries reported that the Board met in closed session and no reportable action was taken; that direction was given to the General Manager and District Counsel.

**D. PUBLIC COMMENTS**

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No public comment.

**E. CONSENT CALENDAR**

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A motion was made by Commissioner Leonardini and seconded by Commissioner Shirrel to approve the November 3, 2016 Rescheduled Regular Meeting Minutes. The motion passed on a roll call vote: Commissioners Jeffries, Leonardini and Shirrel voting aye; Commissioner Ferrante abstaining; Commissioner Amaral absent.

**F. FINANCIAL REPORT**

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GM McIntyre gave the highlights for the financial report for month ending October 31, 2016 as follows:

- Marina Revenues are higher than budgeted by \$16k. Liveaboard fees are higher than budget by \$6k, and South Harbor parking revenue is higher than budget by \$5k.

- Marina Expenses are lower than budgeted by \$60k. The variance is largely due to a combination of repairs and maintenance costs, utility & personnel expenses that came in under budget.
- General & Administrative costs came in above budget by \$13k, which is due primarily to attorney fees related to litigation.
- Marina operations shows a year to date profit of \$81k, which is higher than budgeted by \$76k.
- Lease and other operating revenues are better than budget by \$2k.
- Lease and other operating expenses are slightly under budget by \$2k.
- Lease and other operations show a year to date profit of \$115k, which is higher than budgeted by \$2k.
- Overall for the year to date, combined operations show a profit of \$196k, higher than budget by \$79k.

Commissioner Ferrante made a motion, seconded by Commissioner Leonardini to accept the Financial Report for the month ending October 31, 2016. The motion passed on a roll call vote: Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

#### **G. MANAGER'S REPORTS**

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3. Projects Status/Update: President Jeffries asked about the solar panel inquiry he had made at a previous meeting. We mentioned the problem with surface space; we don't have enough roofs to provide adequate space for solar panels. Commissioner Ferrante mentioned that he used Solar City for his residence and they did a good job.
4. Community Relations; Requests/Issues: GM McIntyre mentioned No. 5 on this report regarding the LAFCO agency review of the Harbor District. The review was very positive and mentioned that MLHD is the largest commercial fishing port in terms of pounds of fish caught. President Jeffries mentioned that he attended the LAFCO meeting at which the report was presented; he said LAFCO had nothing but praise for the District.
5. Summary of Permits Issued – written report, no additional comments
6. Meeting Announcements – written report, no additional comments
7. Assigned Liveboard Report – written report, no additional comments
8. Slip Income Report – written report, no additional comments
9. Incident Report – written report, no additional comments

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

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10. Finance Committee – Ferrante/Leonardini – no meetings
11. Elkhorn Slough Advisory Committee – Amaral/Leonardini – no meetings
12. Special Districts – Jeffries/Ferrante – no meetings
13. Liveboard Committee – Jeffries/ Amaral – no meetings
14. Harbor Improvement Committee – Amaral/Shirrel – no meetings
15. Real Property Committee I – Jeffries/Leonardini – no meetings

16. Real Property Committee II – Ferrante/Shirrel – no meetings
17. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). Commissioner Jeffries reported that he had attended the LAFCO meeting on December 5; Commissioner Ferrante reported that he attended a CSDA meeting on November 4, 2016.

## **I. NEW BUSINESS**

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18. ITEM – Update on North Harbor wharf/visitor dock access erosion emergency repair project.

- a. Staff report – GM McIntyre gave the report
- b. Public comment - None
- c. Board discussion - None
- d. Board action – The Board by consensus agreed that the emergency conditions necessitating the project still exist and that all terms and conditions of Resolution 16-01 remain in effect.

19. ITEM – Update on B Dock emergency repair project

- a. Staff report – GM McIntyre gave the report
- b. Public comment - None
- c. Board discussion - None
- d. Board action - The Board by consensus agreed that the emergency conditions necessitating the project still exist and that all terms and conditions of Resolution 16-18 remain in effect.

20. ITEM – Update on North Harbor Building project.

- a. Staff report – GM McIntyre gave the report
- b. Public comment - None
- c. Board discussion – Discussed Board’s desire to go out to bid even without the County Permit in hand. GM McIntyre reminded the Board that she and Assistant GM Razzeca have many deadline priority projects pending that need their full time and attention; that fitting in this new request would be very difficult.
- d. Board action – Direction was given to the GM to prepare and publish the bid documents.

21. ITEM – Consider adopting Resolution No. 16-22 awarding a contract change order for South Harbor (Tsunami) shoreline repair project.

- a. Staff report – GM McIntyre gave the report.
- b. Public comment - None
- c. Board discussion - None
- d. Board action – A motion was made by Commissioner Shirrel, seconded by Commissioner Leonardini to adopt Resolution 16-22. The Motion passed on a roll-call vote: Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

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

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Commissioner Jeffries mentioned that the next meeting would be the swearing in of himself and Commissioner Shirrel; he asked that the GM contact Supervisor John Phillips to see if he would be willing to administer the Oath of Office.

**K. ADJOURNMENT**

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President Jeffries adjourned the meeting at 3:35 pm.

Respectfully Submitted,



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Vince Ferrante, Secretary  
Board of Harbor Commissioners

ATTEST:



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Linda G. McIntyre, Deputy Secretary  
Board of Harbor Commissioners