



MINUTES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
Moss Landing, CA 95039
SEPTEMBER 28, 2016, 7 P.M.

A. CLOSED SESSION

The Board adjourned to closed session at 6:00 p.m. to discuss the following:

1. Confer with legal counsel and General Manager regarding one (1) matter of potential litigation pursuant to Government Code § 54956.9(a): Claim of Camilla Corvin.
2. 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 and (3) Monterey County RDA vs. State of CA Department of Finance

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:10 p.m. After the Pledge of Allegiance, roll was called

Commissioners present:

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

Staff present:

Linda G. McIntyre – General Manager
Mike Rodriguez – District Counsel
Tom Razzeca – Assistant General Manager
Marie Della Maggiore – Dir. Of Administrative
Services, Executive Assistant to the GM

C. PRESIDENT'S REMARKS

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. He said the GM settled the claim of Camilla Corvin.

D. PUBLIC COMMENTS

No public comment.

E. CONSENT CALENDAR

A motion was made by Commissioner Shirrel and seconded by Commissioner Amaral to approve the August 24, 2016 Regular Meeting Minutes and the September 8, 2016 Special Meeting Minutes. The motion passed unanimously on a roll call vote; all commissioners voting aye.

F. FINANCIAL REPORT

3. GM McIntyre gave the financial report for the month ending August 31, 2016. She noted the following:

- Marina Revenues are better than budgeted by \$4K. Berthing revenues are in line with budget and Liveboard fees are higher than budget by \$3K.
- Marina expenses are lower than budgeted by \$31K largely due to a combination of repairs and maintenance, utility, personnel expenses and general and administrative costs coming in under budget. This number will shrink as the year progresses.
- Marina operations show a year-to-date profit of \$73K which is higher than budgeted by \$35K.
- Lease and other operating revenues are under budget by \$1K.
- Lease and other operating expenses are slightly over budget by \$1K.

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- Lease and other operations show a year-to-date profit of \$53K. Last month this number was \$31K.
- Overall for the year to date, combined operations show a profit of \$126K which is higher than budget by \$32K. Last month this number was \$22K so we are trending in the right direction.

A motion was made by Commissioner Shirrel and seconded by Commissioner Leonardini to accept the month-ending August 31, 2016 financial report.

G. MANAGER'S REPORTS

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

H. COMMITTEE REPORTS

11. Finance Committee – No meetings reported.
12. Elkhorn Slough Advisory Committee – No meetings reported.
13. Special Districts/LAFCO – Commissioner Ferrante said the next Special Districts of Monterey County bi-monthly meeting will be on October 18th and that Monterey County Sheriff John Bernal will be the guest speaker.
14. Liveaboard Committee – No Meeting, Committee will discuss a future date.
15. Harbor Improvement Committee – No meetings reported.
16. Real Property Committee I – No meetings reported.
17. Real Property Committee II – No meetings reported.
18. Meetings Commissioners attended at District Expense (AB 1234 requirement) – Commissioner Ferrante reported he attended a CSDA Board meeting on September 2, 2016.

I. NEW BUSINESS

19. ITEM – Update on North Harbor wharf/visitor dock access erosion emergency repair project.
 - a. Staff report – GM McIntyre gave the staff report. She added that CalTrans has reported a huge backlog delaying the permit review process.
 - b. Public comment – No public comment.
 - c. Board discussion – No further discussion.
 - 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.
20. ITEM – Update on B Dock emergency repair project.
 - a. Staff report – GM McIntyre gave the staff report. She added that we are running everything by the District's insurance adjuster.
 - b. Public comment – B Dock tenant Mark Tufts asked if he could seek compensation for the inconvenience of being moved from his assigned slip during the construction. Mr. Tufts was told the District had moved his vessel to another satisfactory slip and that when construction was completed, he may be able to return to that slip. Mr. Tufts was instructed to call the other party's insurance if he felt there was any other compensation to which he was entitled.

c. Board discussion – Commissioner Leonardini asked if all the boats on the end of B Dock had been relocated. Assistant GM Razzeca replied there are only so many slips that can accommodate the larger vessels but we have found satisfactory locations for them all. Commissioner Ferrante asked if the new dock had been built yet. GM McIntyre replied no, they are still in the process of completing the engineer’s drawings and the surveyor’s reports. She said concrete docks take about six weeks to be installed from the time they are poured. The Board agreed that the project should go forward regardless of the outcome of the insurance claim.

d. Board action - The Board by consensus agreed that the B Dock emergency repair project should continue and that all terms and conditions of Resolution 16-18 remain in effect.

21. ITEM –Appoint Ad Hoc Committee to consider parking fee adjustment and related issues.

a. Staff report – GM McIntyre gave the staff report. She said this topic came up at the last Board meeting at which several speakers asked for parking process and parking fee review and options.

b. Public comment – No public comment.

c. Board discussion – President Jeffries said this issue ties in with the North Harbor Development Plan and will assign the Real Property Committee I to look into it. He suggested all Board members provide the GM any related comments. Commissioner Leonardini commented the Santa Cruz Cannery Building parking is also an issue. Commissioner Ferrante said it should be a public meeting.

d. Board action – Commissioner Leonardini will schedule a meeting of the Real Property Committee I.

22. ITEM – Consider adopting Resolution No. 16-20 awarding contract for North and South Harbor (Tsunami) shoreline repair project.

a. Staff report – GM McIntyre gave the staff report. She added that the project has a FEMA deadline of December 31, 2016. FEMA has committed to 75% of the cost of the project. Although there were many planholders during the bid process, no bids were received in response to the published Notice Inviting Bids and the District is now free to negotiate a contract with a contractor of our choice.

b. Public comment – No public comment.

c. Board discussion – Commissioner Leonardini asked if FEMA would extend the deadline for project completion any further. GM McIntyre answered that as long as the project was moving forward and being proactive, FEMA is very accommodating; a request for an extension has been made.

d. Board action - Don Chapin Company of Salinas was recommended and the Board directed GM McIntyre to negotiate a contract to be ratified by the Board at a future meeting.

23. ITEM – Consider adopting Resolution No. 16-19 rescheduling the date of the October 26, 2016 regular meeting.

a. Staff report – GM McIntyre gave the staff report.

b. Public comment – No public comments.

c. Board discussion – Commissioner Ferrante said he would be at CSDA meetings that day but would be willing to drive back for the meeting. District Counsel Rodriguez suggested he attend by phone.

d. Board action – A motion was made by Commissioner Leonardini and seconded by Commissioner Shirrel to adopt Resolution No. 16-19. The motion passed unanimously on a roll call vote.

J. COMMISSIONERS COMMENTS AND CONCERNS

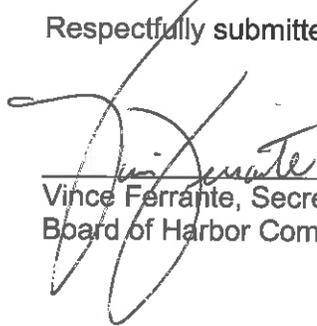
Commissioner Ferrante commented that the District had received a letter from SDRMA commending us for completing the 2015/2016 fiscal year with no workers compensation claims. He complimented staff for a job well done. President Jeffries said long-time Commissioner and

past Board president Jack Compton had recently passed. He said Mr. Compton always had the harbor in his heart and had been a great supporter of the District. Commissioner Shirrel said he was a very dedicated volunteer and Commissioner.

K. ADJOURN MEETING

President Jeffries adjourned the meeting in memory of former Commissioner Jack Compton at 7:45 p.m.

Respectfully submitted.



Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:



Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners