

MINUTES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
MOSS LANDING, CA 95039
January 27, 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 real property negotiators pursuant to Government Code §54956.8 regarding Moss Landing Commercial Park (formerly National Refractories). Negotiating parties: General Manager and District Counsel.
2. Confer with real property negotiators pursuant to Government Code §54956.8 regarding APN 413.022.003 (NH Restaurant Pad). Negotiating parties: General Manager and District Counsel.
3. Confer with legal counsel and General Manager regarding two (2) matters of litigation pursuant to Government Code § 54956.9(a): 1. Catalano vs. MLHD and 2. Deyerle vs. MLH.
4. Confer with legal counsel and General Manager regarding two (2) matters of significant exposure to litigation pursuant to Government Code §54956.9(d)(2).

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

The meeting was called to order at 7:15 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
Margaret "Peggy" Shirrel, PhD. - Commissioner

Staff present:

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

C. PRESIDENT'S REMARKS

President Jeffries reported that the Board met in closed session; no reportable action was taken and direction was given to the General Manager and District Counsel. President Jeffries announced the passing of former Commissioner Jack Compton and asked for a moment of silence in his honor.

D. PUBLIC COMMENTS

There was no public comment.

E. ELECTION OF OFFICERS

1. ITEM – GM McIntyre conducted the election of the 2016 Officers Board of Harbor Commissioners. Commissioner Shirrel nominated the slate of officers as they presently exist: Russ Jeffries, president; Tony Leonardini, Vice President and Vince Ferrante, Secretary. No further nominations were made. A motion was made by Commissioner Leonardini and seconded by Commissioner Ferrante to close the nominations. The motion passed 5-0-0 on a roll call vote. A motion was made by Commissioner Amaral and seconded by Commissioner Leonardini to approve the slate of officers as nominated for 2016. The motion passed unanimously on a roll call vote.

F. 2016 COMMITTEE APPOINTMENTS

2. President Jeffries announced the following committee assignments for 2016:
 - a. Elkhorn Slough Advisory Committee – Commissioner Amaral, Chair/Commissioner Leonardini, Vice Chair
 - b. Liveaboard Committee – Commissioner Amaral, Chair/Commissioner Jeffries, Vice Chair
 - c. Harbor Improvement Committee – Commissioner Shirrel, Chair/Commissioner Amaral, Vice Chair
 - d. Real Property Committee I – Commissioner Leonardini, Chair/Commissioner Jeffries, Vice Chair
 - e. Real Property Committee II – Commissioner Ferrante, Chair/Commissioner Shirrel, Vice Chair
 - f. Special Districts/LAFCO – Commissioners Jeffries/Ferrante
 - g. Personnel Committee – Commissioner Ferrante, Chair/Commissioner Jeffries, Vice Chair
 - h. Finance Committee – Commissioner Ferrante, Chair/Commissioner Leonardini, Vice Chair
 - i. Ad Hoc Budget Committee – Commissioner Leonardini, Chair/Commissioner Shirrel, Vice Chair

G. CONSENT CALENDAR

3. A motion was made by Commissioner Shirrel and seconded by Commissioner Leonardini to approve the meeting minutes of December 16, 2015 with one correction noted. The motion passed unanimously on a roll call vote.

H. TREASURER'S REPORT

4. GM McIntyre gave the highlights of the month ending December 31, 2015 financial reports.
 - Marina Revenues are higher than budgeted by \$29k. South Harbor parking is better than budget by 40k, which is offset by assigned and transient berthing below budget by 11k. We budgeted 60k for SH parking for the whole year and are already at 70k.
 - Marina Expenses are lower than budgeted by \$74k. The variance is a largely due to a combination of repairs and maintenance costs, utilities, and personnel expenses that are coming in under budget. This may even out over the remainder of the fiscal year.
 - Marina operations show a year to date profit of \$36k, which is higher than budgeted by \$103k.
 - Lease and other operating revenues are better than budget by \$71k. The \$71k is largely made up of higher than anticipated property tax revenue (over 48k) and higher lease revenue of \$8k (9k of which is from Monterey Bay Kayak's % rent).
 - Lease and other operating expenses are right in line with budget.
 - Lease and other operations shows a year to date profit of \$368k, which is higher than budget by \$73k.
 - Overall for the six month period combined operations show a profit of \$403k, higher than budget by \$175k.

A motion was made by Commissioner Leonardini and seconded by Commissioner Shirrel to accept the month ending December 31, 2015 financial reports. The motion passed unanimously on a roll call vote.

I. MANAGER'S REPORTS

5. Projects Status/Update – Written report, no additional comments.
6. Community Relations; Requests/Issues – Written report, no additional comments.
7. Summary of Permits Issued – Written report, no additional comments.

8. Meeting Announcements – Written report, no additional comments.
9. Assigned Liveaboard Report – Written report, no additional comments.
10. Assigned Slip Income Report – Written report, no additional comments.
11. Incident Report – Written Report, no additional comments.

J. COMMITTEE REPORTS

12. Finance Committee – No meetings reported.
13. Elkhorn Slough Advisory Committee – No meetings reported.
14. Special Districts/LAFCO – Commissioner Ferrante reported that he and Commissioner Jeffries attended the Special Districts of Monterey County meeting on January 19, 2016. He said the guest speakers discussed wastewater, recycling and the Salinas River Basin. CSDA representatives for membership and public relations also attended.
15. Liveaboard Committee – No meetings reported.
16. Harbor Improvement Committee – No meetings reported.
17. Real Property Committee I – No meetings reported.
18. Real Property Committee II – No meetings reported.
19. Meetings Commissioners attended at District Expense (AB 1234 requirement) – Commissioner Ferrante reported that he attended the CSDA Board meeting in Sacramento.

K. NEW BUSINESS

20. ITEM – Consider adopting Resolution No. 16-01 declaring North Harbor wharf/visitor dock access erosion an emergency; authorize GM to proceed with emergency repairs.
 - a. Staff report – GM McIntyre gave the staff report.
 - b. Public comment – No public comment.
 - c. Board discussion – Commissioner Leonardini asked if permits would be required by the County to which GM McIntyre responded yes since the upland areas are within the County jurisdiction. She added the water areas would also require permitting by the Coastal Commission.
 - d. Board action – A motion was made by Commissioner Shirrel and seconded by Commissioner Leonardini to adopt Resolution No. 16-01. The motion passed unanimously on a roll call vote.
21. Consider adopting Resolution No. 16-02 declaring B Dock finger replacement project an emergency; authorize GM to proceed with emergency repair.
 - a. Staff report – GM McIntyre gave the staff report.
 - b. Public comment – No public comment.
 - c. Board discussion – Commissioner Ferrante asked about the possibility of FEMA funding to which GM McIntyre responded FEMA funds are only made available when the County has declared an emergency in excess of \$1M in damages.
 - d. Board action – A motion was made by Commissioner Shirrel and seconded by Commissioner Ferrante to adopt Resolution No. 16-02. The motion passed unanimously on a roll call vote.
22. ITEM – Consider approving proposals from Caravel Environmental (Ken Israel) for various environmental consulting services; authorize GM to execute contracts.
 - a. As Needed Consulting Services – Resolution No. 16-03
 - b. 10 year Maintenance Dredge Permit – Resolution No. 16-04
 - c. Eelgrass Survey – Resolution No. 16-05
 - d. Dredged Material Management Plan – Resolution No. 16-06
 - a. Staff report – GM McIntyre gave the staff report.
 - b. Public comment – No public comment.

c. Board discussion – The GM was asked if Mr. Israel’s former employer, Integral, had provided a written release from our contracts with Integral. The GM stated she had an email from Integral in which they did not object to transferring our business to Caravel.

d. Board action – A motion was made by Commissioner Leonardini and seconded by Commissioner Shirrel to adopt Resolution Nos. 16-03, 16-04, 16-05 and 16-06 provided we had a release from Integral. The motion passed unanimously on a roll call vote.

23. ITEM – Consider donation toward Moss Landing Marine Laboratories 50th Anniversary Event.

a. Staff report – GM gave the staff report.

b. Public comment – No public comment.

c. Board discussion – Commissioner Shirrel commented that not only has MLML been supportive of the District and the community but they have also provided us with free data and information for our use on many projects. Commissioner Leonardini prefers we call it marketing for the District and not a donation.

d. Board action – A motion was made by Commissioner Shirrel and seconded by Commissioner Ferrante to contribute \$500 towards the publication of the MLML 50th Anniversary Commemorative Book. The motion passed unanimously on a roll call vote.

24. ITEM – Consider approval of NH restaurant shell architectural drawing; authorize the GM to publish an Invitation for Bids from construction contractors.

A motion was made by Commissioner Ferrante and seconded by Commissioner Shirrel to table Item 24 until the next meeting. The motion passed unanimously on a roll call vote.

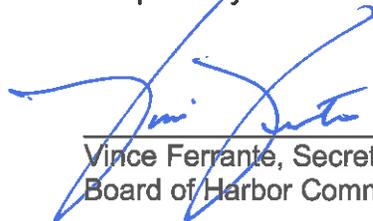
L. COMMISSIONERS COMMENTS AND CONCERNS

No additional comments.

M. ADJOURN MEETING

President Jeffries closed the meeting in honor of Jack Compton at 8:17 p.m.

Respectfully submitted.



Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:



Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners