

MINUTES  
RESCHEDULED REGULAR MEETING  
OF THE BOARD OF HARBOR COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT  
7881 Sandholdt Road  
Moss Landing, CA 95039  
May 31, 2016, 7 P.M.

**A. CLOSED SESSION**

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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 Building 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. MLHD.
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**

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The meeting was called to order at 7:04 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  
Commissioners excused:  
Andrew Amaral - 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**

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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.

**D. PUBLIC COMMENTS**

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No comments.

**E. CONSENT CALENDAR**

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A motion was made by Commissioner Shirrel and seconded by Commissioner Ferrante to approve the April 27, 2016 Regular Meeting Minutes and the May 17, 2016 Special Meeting Minutes. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

**F. TREASURER'S REPORT**

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3. Written report. GM McIntyre gave the following highlights for the month ending April 30, 2016 financial report.

- Marina revenues are better than budget by \$42K. South Harbor parking is better by \$39K, temporary berthing is better by \$13K, and Liveaboard fees are better by \$6K. Assigned and transient berthing are below budget by \$5K and \$11K respectively.

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- Marina expenses are lower than budgeted by \$126K largely due to a combination of repairs and maintenance costs that have not yet been expended.
- Marina operations shows a year-to-date profit of \$57K which is higher than budgeted by \$168K.
- Lease and other operating revenues are better than budget by \$73K.
- Lease and other operating expenses are slightly below budget by \$4K.
- Lease and other operations show a year-to-date profit of \$604K which is higher than budget by \$78K.
- For the 10-month period, combined operations show an overall profit of \$661K which is higher than budget by \$246K.

GM McIntyre commented that this was pretty good news based on the dismal salmon and crab seasons and with only two months left in this fiscal year it looks like we will end up within budget. A motion was made by Commissioner Leonardini and seconded by Commissioner Ferrante to accept the month-ending April 30, 2016 financial report. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

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

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The General Manager will make oral or written presentations on the below listed subjects. The Board may take such action as deemed necessary. The Manager may present additional reports; however, the Board may not take action on any such item not on this Agenda.

4. Projects Status/Update – Written report, no additional comments.
5. Community Relations; Requests/Issues – Written report. Commissioner Ferrante said he thought the feature story KION broadcasted from Moss Landing was very good.
6. Summary of Permits Issued – Written report, no additional comments.
7. Meeting Announcements – Written report, no additional comments.
8. Assigned Liveboard 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**

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11. Finance Committee – No meetings reported.
12. Elkhorn Slough Advisory Committee – Commissioner Leonardini reported to the Board on a project in which the Elkhorn Slough National Estuarine Research Reserve has asked the District to participate. The Reserve is applying under the Ramsar Convention Treaty to have the wetlands designated as a “Wetland of International Importance”. Commissioner Leonardini reviewed the information provided and is skeptical of the impacts. He does not want yet another agency or regulation dictating to the District how they can and cannot use the resources under its jurisdiction. The committee, Commissioners Leonardini and Amaral, will meet with GM McIntyre and bring a recommendation back to the full Board.
13. Special Districts/LAFCO – No meetings reported.
14. Liveboard Committee – No meetings reported.
15. Harbor Improvement Committee – No meetings reported.
16. Real Property Committee I – Commissioner Leonardini said the District is again being solicited for a letter of support of grant funds for the next Moss Landing section of the Monterey Bay Sanctuary Scenic Trail. It is important that the bridge segment be included.
17. Real Property Committee II – No meetings reported.
18. Meetings Commissioners attended at District Expense (AB 1234 requirement) – Commissioner Ferrante reported on CSDA’s Legislative Days that he attended in Sacramento.

## **I. PUBLIC HEARING**

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19. ITEM – Public Hearing and Fixing of the Final Budget of the Moss Landing Harbor District for the Fiscal Year 2016-2017. Recommendation: Hold Public Hearing, receive comments and make adjustments as necessary. Fix Final Budget.

- a. Staff report – GM McIntyre gave the staff report.
- b. Open Public Hearing – President Jeffries opened the Public Hearing. There were no public comments (no members of the public were present).
- c. Close Public Hearing – President Jeffries closed the Public Hearing.
- d. Board discussion – Commissioner Shirrel commented that the Committee Chair, Commissioner Leonardini, has a good understanding of the District Budget and did a good job. Commissioner Ferrante asked about the amount budgeted for election costs. Commissioner Leonardini said it was based on past experience but may go higher as it is a Presidential election and more voters are expected to register.
- e. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Jeffries to fix the final budget for the FY 2016/2017. The motion past 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

## **J. NEW BUSINESS**

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

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

21. ITEM - Update on B Dock emergency finger replacement project.

- a. Staff report – GM McIntyre gave the staff report.
- b. Public comment – No public comment.
- c. Board discussion – No further discussion.
- d. Board action – A motion was made by Commissioner Leonardini and seconded by Commissioner Shirrel to declare that appropriate repairs have been made to B-Dock and that the previously established emergency has been terminated. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

22. ITEM – Consider Adopting Ordinance No. 200 amending Chapter 20, “District Fee Schedule”.

- a. Staff report – GM McIntyre gave the staff report.
- b. Public comment – No public comment.
- c. Board discussion – Commissioner Shirrel asked how we were doing compared to the rates of Monterey and Santa Cruz harbors. GM McIntyre responded that we are still the lowest in Monterey Bay.
- d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Shirrel to adopt Ordinance No. 200 amending the District fee schedule. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

23. ITEM – Consider adopting Resolution No. 16-17 approving or disapproving the proposed changes to the CSDA Bylaws.

- a. Staff report – GM McIntyre gave the staff report.
- b. Public comment – No public comment.
- c. Board discussion – No further discussion.

d. Board action – A motion was made by Commissioner Shirrel and seconded by Commissioner Leonardini to adopt Resolution No. 16-17 approving the proposed changes to CSDA Bylaws. The motion passed 4-0-1 on a roll call vote; Commissioners Jeffries, Leonardini, Ferrante and Shirrel voting aye; Commissioner Amaral absent.

**K. COMMISSIONERS COMMENTS AND CONCERNS**

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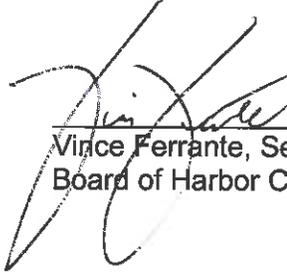
Commissioner Shirrel congratulated Assistant GM Tommy Razzeca on receiving a scholarship to the Leadership Summit. Commissioner Ferrante commented that he noticed activities have really picked up around the harbor, especially on the weekends and he commended the weekend staff for handling it all. Commissioner Leonardini commented that the blue whales are attracting visitors and they are jaw-dropping to observe. President Jeffries said he would like staff to look into having solar panels installed; that the Salinas Rodeo grounds had them installed at no cost. By consensus, the June 29<sup>th</sup> meeting was rescheduled to Tuesday, June 28, 2016 due to a scheduling conflict of the President.

**L. ADJOURN MEETING**

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President Jeffries adjourned the meeting at 8:00 p.m.

Respectfully submitted.



Vince Ferrante, Secretary  
Board of Harbor Commissioners

ATTEST:



Linda G. McIntyre, Deputy Secretary  
Board of Harbor Commissioners