



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

**August 28, 2019 - 7:00 P.M.**

**A. CLOSED SESSION**

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A Closed session will be held immediately prior to the public open meeting, and will begin at **6:00 p.m.** to consider the following items. 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) pursuant to Government Code §54956.8 regarding: a. The Moss Landing Commercial Park; b. Sea Harvest Restaurant; c. North Harbor Restaurant negotiations with various parties; d. DWD Oil Pipeline; e. Moss Landing Storage.
2. Confer with District Counsel regarding two matters of potential litigation pursuant to Government Code §54956.9D2.

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

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Russ Jeffries – President	Tommy Razzeca – General Manager
Tony Leonardini – Vice President	Mike Rodriguez – District Counsel
Vince Ferrante – Secretary	Shay Shaw – Administrative Assistant
Peggy Shirrel – Commissioner	
James Goulart – Commissioner	

**C. PRESIDENT'S REMARKS**

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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**

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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 on particular issues and for each individual speaker.

**E. CONSENT CALENDAR**

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1. Approval of the July 24, 2019 Regular Meeting Minutes.
2. Approval of the August 13, 2019 Special Meeting Minutes

**F. FINANCIAL REPORT**

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3. Financial report month ending July 31, 2019.

**G. MANAGER'S REPORTS**

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The General Manager will make oral or written presentations on the below 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
5. Summary of Permits Issued
6. Meeting Announcements
7. Assigned Liveboard Report

8. Slip Income Report
9. Incident Report

## **H. COMMITTEE REPORTS**

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10. Elkhorn Slough Advisory Committee – Leonardini/Goulart
11. Liveaboard Committee – Goulart/Jeffries
12. Harbor Improvement Committee – Shirrel/ Goulart
13. Real Property Committee I – Jeffries/Leonardini
14. Real Property Committee II – Ferrante/Shirrel
15. Special Districts/CSDA – Jeffries/Ferrante
16. Personnel Committee – Ferrante/Jeffries
17. Finance Committee – Ferrante/Goulart
18. Ad Hoc Budget Committee – Leonardini/Shirrel
19. 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.

## **I. SEPCIAL PRESENTATION**

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The Districts consultant Marc Del Piero will provide information regarding the current status of Monterey Counties Moss Landing Community Plan update.

## **J. NEW BUSINESS**

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20. ITEM – Consideration of Termination of Reimbursement Agreement between the Moss Landing Harbor District and MLCP, LLC
  - 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 September 25, 2019 at 7:00 PM at the offices of the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, CA 95039. Individuals who require special accommodations are requested to contact the General Manager by emailing [razzeca@mosslandingharbor.dst.ca.us](mailto:razzeca@mosslandingharbor.dst.ca.us) or by calling 831.633.5417 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 logging onto the District's website at [www.mosslandingharbor.dst.ca.us](http://www.mosslandingharbor.dst.ca.us) or by contacting the District at 831.633.5417. 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

July 24, 2019

**A. CLOSED SESSION**

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

1. Confer with real property negotiators (District Counsel and GM) pursuant to Government Code §54956.8 regarding: a. The Moss Landing Commercial Park; b. Sea Harvest Restaurant; c. North Harbor Restaurant negotiations with various parties; d. DWD Oil Pipeline; e. Moss Landing Storage.
2. Confer with District counsel regarding one matter of exposure to litigation pursuant to Government Code §54956.9 (a)(e)(1).
3. Confer with District Counsel regarding one matter of potential litigation pursuant to Government Code §54956.9D2.

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

The open session was called to order at 7:08pm. After the Pledge of Allegiance roll was called:

**Commissioners Present:**

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

**Commissioners Absent:**

James Goulart – Commissioner

**Staff Present:**

Tommy Razzeca – General Manager  
Mike Rodriguez – District Counsel  
Shay Shaw – Administrative Assistant

**C. PRESIDENT'S REMARKS**

The President announced that the Board met in Closed Session and no decisions were made; that direction was given to the General Manager and District Counsel.

**D. PUBLIC COMMENTS**

None.

**E. CONSENT CALENDAR**

1. Approval of the June 19, 2019 Special Meeting Minutes. A Motion was made by Commissioner Shirrel, seconded by Commissioner Ferrante. The motion passed 4 ayes, 1 absence (Commissioner Goulart was absent.)

**F. FINANCIAL REPORT**

2. Financial report month ending June 30, 2019. GM Razzeca gave the highlights. A Motion was made by Commissioner Shirrel, seconded by Commissioner Ferrante, to accept the June 30, 2019 Financial Report. The motion passed 4 ayes, 1 absence (Commissioner Goulart was absent.)

**G. MANAGER'S REPORTS**

The General Manager presented the following written reports:

3. Projects Status/Update: Written report/ no questions
4. Summary of Permits Issued: Written report/ no questions
5. Meeting Announcements: Written report/ no questions

6. Assigned Liveboard Report: Written report/ no questions
  7. Slip Income Report: Written report/ no questions
  8. Incident Report: Written report/ no questions
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**President Jeffries brought Item 20 under New Business forward to be heard at this time.**

20. ITEM – Consideration of Termination of Reimbursement Agreement between the Moss Landing Harbor District and MLCP, LLC.

- a. Staff report –District Counsel Mike Rodriguez gave the report.
- b. Public comment – Shiva Prakash informed the Board of a new technology that the project is interested in using; Shiva referenced website oxidanepure.com where more information regarding the technology can be found and also mentioned a working prototype that could be shown to the Board at a later date. Nader Agha spoke in reference to the project and the reimbursement agreement with the District.
- c. Board discussion – After considering a request for a continuance received from MLCP’s legal counsel and due in part to the desire to have the full Board present to discuss and decide upon this matter, President Jeffries recommended that the Board continue the item to the next Regular meeting on August 28, 2019.
- d. Board action – Item continued to August 28, 2019 Regularly Scheduled Board meeting.

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

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9. Elkhorn Slough Advisory Committee – Leonardini/Goulart – Nothing to report
10. Liveboard Committee – Goulart/Jeffries – Nothing to report
11. Harbor Improvement Committee – Shirrel/ Goulart –Nothing to report
12. Real Property Committee I – Jeffries/Leonardini – Nothing to report
13. Real Property Committee II – Ferrante/Shirrel – Nothing to report
14. Special Districts/CSDA – Jeffries/Ferrante – Commissioner Ferrante reported out regarding the CSDA Chapter meeting attended at Bayonet & Blackhorse Golf Club and the events that took place.
15. Finance Committee – Ferrante/Goulart – Nothing to report
16. Ad Hoc Budget Committee – Leonardini/Shirrel – Nothing to report
17. 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. Commissioner Ferrante and President Jeffries attended the CSDA Chapter meeting at Bayonet & Blackhorse Golf club.

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

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18. ITEM – Consider Adopting Resolution 19-10 Awarding a Dredge Contract.
  - a. Staff report – GM Razzeca gave the report
  - b. Public comment – Rick Andrews asked the name of the Dredging contractor. GM Razzeca responded Pacific Dredge& Construction LLC.
  - c. Board discussion – President Jeffries requested that GM Razzeca check Pacific Dredge & Construction LLC references from past Dredging projects prior to entering into contract for the project.
  - d. Board action – Commissioner Ferrante made a motion, seconded by Commissioner Leonardini to adopt Resolution 19-10 and Award a Dredging Contract to Pacific Dredge & Construction LLC subject to satisfactory results of a review of references by GM Razzeca. The motion passed 4 ayes, 1 absent (Commissioner Goulart was absent).
19. ITEM – Consider Adopting Resolution 19-11 for the Election of Directors to the Special District Risk Management Authority.
  - a. Staff report – GM gave the report
  - b. Public comment – None

- c. Board discussion – Commissioner Ferrante made a recommendation the Board vote for the two Incumbents.
- d. Board action – Commissioner Ferrante made a motion, seconded by Commissioner Shirrel, to adopt Resolution 19-11 voting for (INCUMBENT) Bob Swan and (INCUMBENT) Sandy Seifert-Raffelson to the SDRMA Board. The motion passed 4 ayes, 1 absence (Commissioner Goulart was absent.)

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

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Commissioner Leonardini expressed concerns about the Cal Trans property adjacent to the new North Harbor building. President Jeffries requested that the GM schedule a Closed Session Personnel Meeting.

The Board adjourned to Closed Session at 8:29 pm to complete discussion on the Closed Session Items. At 8:55pm the Board reconvened in Open Session to report out that no action was taken in the Closed Session; direction was given to the General Manager and District Counsel.

## **K. ADJOURNMENT**

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The meeting adjourned at 8:55pm



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

August 13, 2019 - 6:00 P.M.

**A. OPEN SESSION CALLED TO ORDER AT 6:08PM- PLEDGE OF ALLEGIANCE – ROLL CALL**

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Russ Jeffries – President

Tony Leonardini – Vice President

Vince Ferrante – Secretary

Peggy Shirrel – Commissioner

James Goulart – Commissioner

Tommy Razzeca – General Manager

Mike Rodriguez – District Counsel

**B. CLOSED SESSION PUBLIC COMMENT**

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No public comment.

**C. CLOSED SESSION 6:09PM**

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The Board of Harbor Commissioners will recess to Closed Session to consider Government Code Section 54957(B)(1)- General Manager Evaluation.

**D. CLOSED SESSION REPORT**

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Direction was provided by the Board to the General Manager. No other reportable action taken.

**E. ADJOURNMENT**

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The meeting Adjourned at 8:40pm

**Moss Landing Harbor District**  
**Balance Sheet**  
As of July 31, 2019

	Jul 31, 19	Jul 31, 18	\$ Change	% Change
<b>ASSETS</b>				
<b>Current Assets</b>				
<b>Checking/Savings</b>				
1002 · Petty Cash	500	500		
1009 · Union - Operating	-173,672	66,741	-240,413	-360%
1010 · Union - M.M.	2,757,327	3,912,243	-1,154,916	-30%
1011 · Union - Payroll	31,744	33,345	-1,601	-5%
1015 · 1st Capital Bank	1,551,374	1,548,275	3,099	0%
1018 · Union Bank- Trust Account	722,828	188,619	534,209	283%
1020 · Umpqua - Restricted	1,014,141	1,011,253	2,888	0%
<b>Total Checking/Savings</b>	<b>5,904,242</b>	<b>6,760,976</b>	<b>-856,734</b>	<b>-13%</b>
<b>Accounts Receivable</b>				
<b>11290 · Leases</b>				
1282 · NNN Receivable	83,892	71,348	12,544	18%
1291 · Monterey Bay Kayak		8,761	-8,761	-100%
<b>Total 11290 · Leases</b>	<b>83,892</b>	<b>80,109</b>	<b>3,783</b>	<b>5%</b>
1200 · Marina Receivables	158,054	89,700	68,354	76%
1201 · Marina - Allow for Bad Debt	-48,375	-27,125	-21,250	-78%
<b>Total Accounts Receivable</b>	<b>193,571</b>	<b>142,684</b>	<b>50,887</b>	<b>36%</b>
<b>Other Current Assets</b>				
<b>1271 · Prepaid Expenses</b>				
1270 · Insurance	36,016	21,127	14,889	70%
<b>Total 1271 · Prepaid Expenses</b>	<b>36,016</b>	<b>21,127</b>	<b>14,889</b>	<b>70%</b>
<b>Total Other Current Assets</b>	<b>36,016</b>	<b>21,127</b>	<b>14,889</b>	<b>70%</b>
<b>Total Current Assets</b>	<b>6,133,829</b>	<b>6,924,787</b>	<b>-790,958</b>	<b>-11%</b>
<b>Fixed Assets</b>				
1650 · Construction in Progress	2,350,423	2,350,423		
1670 · Equipment	823,611	790,611	33,000	4%
<b>1700 · Improvements</b>				
1710 · NH Buildings & Improvements	7,871,280	7,871,280		
1720 · NH Floating Docks	524,675	524,675		
1725 · NH Offsite Improvements	632,218	632,218		
1730 · SH Buildings & Improvements	8,281,705	8,281,705		
1740 · SH Floating Docks	9,369,077	9,369,077		
<b>Total 1700 · Improvements</b>	<b>26,678,955</b>	<b>26,678,955</b>		
<b>1800 · Less - Depreciation</b>				
1805 · Equipment	-791,899	-771,498	-20,401	-3%
1810 · NH Buildings & Improvements	-4,043,009	-3,784,015	-258,994	-7%
1820 · NH Floating Docks	-522,131	-510,094	-12,037	-2%
1825 · NH Offsite Improvements	-482,746	-453,363	-29,383	-6%
1830 · SH Buildings & Improvements	-6,219,363	-6,010,585	-208,778	-3%
1840 · SH Floating Docks	-6,049,372	-5,634,972	-414,400	-7%
<b>Total 1800 · Less - Depreciation</b>	<b>-18,108,520</b>	<b>-17,164,527</b>	<b>-943,993</b>	<b>-6%</b>
1900 · Land	1,642,860	1,642,860		
<b>Total Fixed Assets</b>	<b>13,387,329</b>	<b>14,298,322</b>	<b>-910,993</b>	<b>-6%</b>

**Moss Landing Harbor District**  
**Balance Sheet**  
As of July 31, 2019

	<u>Jul 31, 19</u>	<u>Jul 31, 18</u>	<u>\$ Change</u>	<u>% Change</u>
<b>Other Assets</b>				
1320 · Workers Comp Deposit	200	200		
1530 · Principal Financial CS	7,389	7,389		
<b>Total Other Assets</b>	<u>7,589</u>	<u>7,589</u>		
<b>TOTAL ASSETS</b>	<u><u>19,528,747</u></u>	<u><u>21,230,698</u></u>	<u><u>-1,701,951</u></u>	<u><u>-8%</u></u>
<b>LIABILITIES &amp; EQUITY</b>				
<b>Liabilities</b>				
<b>Current Liabilities</b>				
<b>Accounts Payable</b>				
2010 · Accounts Payable	-411,387	-261,388	-149,999	-57%
<b>Total Accounts Payable</b>	<u>-411,387</u>	<u>-261,388</u>	<u>-149,999</u>	<u>-57%</u>
<b>Other Current Liabilities</b>				
2013 · Accrued Expenses	106,021	106,021		
2020 · Accrued Salaries Payable	7,150	7,150	0	
2021 · Accrued Vacation	5,496	90,718	-85,222	-94%
2023 · Accrued Payroll Taxes	561	605	-44	-7%
2030 · Customer Deposits	314,071	304,422	9,649	3%
2051 · Note Interest Payable				
2062 · Umpqua Accrued Interest	51,954	51,954	0	
<b>Total 2051 · Note Interest Payable</b>	<u>51,954</u>	<u>51,954</u>	<u>0</u>	
2080 · Prepaid Berth Fees	178,948	149,173	29,775	20%
2082 · MLCP Cost Reimb. Deposit		-25,443	25,443	100%
2086 · Prepaid Leases				
20861 · Duke	52,207	50,463	1,744	3%
20862 · MBARI	16,867	16,577	290	2%
<b>Total 2086 · Prepaid Leases</b>	<u>69,074</u>	<u>67,040</u>	<u>2,034</u>	<u>3%</u>
2087 · Lease Deposits	17,047	14,797	2,250	15%
<b>Total Other Current Liabilities</b>	<u>750,322</u>	<u>766,437</u>	<u>-16,115</u>	<u>-2%</u>
<b>Total Current Liabilities</b>	<u>338,935</u>	<u>505,049</u>	<u>-166,114</u>	<u>-33%</u>
<b>Long Term Liabilities</b>				
2605 · Umpqua Loan	3,298,374	3,677,571	-379,197	-10%
<b>Total Long Term Liabilities</b>	<u>3,298,374</u>	<u>3,677,571</u>	<u>-379,197</u>	<u>-10%</u>
<b>Total Liabilities</b>	<u>3,637,309</u>	<u>4,182,620</u>	<u>-545,311</u>	<u>-13%</u>
<b>Equity</b>				
3020 · Retained Net Assets	6,456,231	6,456,231		
3050 · Prior Year Earnings	9,402,799	10,752,657	-1,349,858	-13%
<b>Net Income</b>	<u>32,408</u>	<u>-160,810</u>	<u>193,218</u>	<u>120%</u>
<b>Total Equity</b>	<u>15,891,438</u>	<u>17,048,078</u>	<u>-1,156,640</u>	<u>-7%</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><u>19,528,747</u></u>	<u><u>21,230,698</u></u>	<u><u>-1,701,951</u></u>	<u><u>-8%</u></u>



**Moss Landing Harbor District  
Statement of Cash Flows  
July 2019**

	<b>Jul 19</b>
<b>OPERATING ACTIVITIES</b>	
Net Income	32,408
Adjustments to reconcile Net Income	
to net cash provided by operations:	
11290 · Leases:1291 · Monterey Bay Kayak	-1,496
1200 · Marina Receivables	17,048
1201 · Marina - Allow for Bad Debt	2,125
11290 · Leases:1282 · NNN Receivable	-2,500
11290 · Leases:1284 · Local Bounty	1,230
1271 · Prepaid Expenses:1270 · Insurance	-17,115
1800 · Less - Depreciation:1805 · Equipment	1,700
1800 · Less - Depreciation:1810 · NH Buildings & Improvements	21,583
1800 · Less - Depreciation:1820 · NH Floating Docks	1,003
1800 · Less - Depreciation:1825 · NH Offsite Improvements	2,449
1800 · Less - Depreciation:1830 · SH Buildings & Improvements	17,398
1800 · Less - Depreciation:1840 · SH Floating Docks	34,533
2010 · Accounts Payable	-697,198
2020 · Accrued Salaries Payable	0
2030 · Customer Deposits	103
2080 · Prepaid Berth Fees	26,372
2086 · Prepaid Leases:20861 · Duke	-5,824
2086 · Prepaid Leases:20862 · MBARI	-2,312
2051 · Note Interest Payable:2062 · Umpqua Accrued Interest	8,284
Net cash provided by Operating Activities	-560,209
Net cash increase for period	-560,209
Cash at beginning of period	6,464,450
Cash at end of period	5,904,241

Moss Landing Harbor District  
Profit & Loss Budget vs. Actual  
July 2019

	<u>Jul 19</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	139,418	145,695	(6,277)	96%
4112 · Qtrly/Annual Discount	-132	-188	56	70%
4113 · Commercial Vessel Dscnt	-921	-1,000	79	92%
4114 · Away (1 mnth) Dscnt	-205	-188	(17)	109%
4115 · Temporary Berthing	15,958	21,033	(5,075)	76%
4120 · Liveaboard Fees	11,173	10,075	1,098	111%
4130 · Transient Berthing	4,523	2,500	2,023	181%
4220 · Wait List	700	750	(50)	93%
4260 · Towing - Intra Harbor		50	(50)	
4280 · Late Fees	2,105	2,500	(395)	84%
4282 · Recovered Lien Costs	140		140	100%
<b>Total 4100 · Berthing Income</b>	<u>172,759</u>	<u>181,227</u>	<u>(8,468)</u>	<u>95%</u>
<b>4200 · Other Income - Operations</b>				
4225 · Merchandise	142		142	100%
4230 · SH Parking	21,013	14,400	6,613	146%
4285 · Dog Fee	115	55	60	209%
4290 · Misc	149		149	100%
<b>Total 4200 · Other Income - Operations</b>	<u>21,419</u>	<u>14,455</u>	<u>6,964</u>	<u>148%</u>
<b>Total 4000 · MARINA REVENUES</b>	<u>194,178</u>	<u>195,682</u>	<u>(1,504)</u>	<u>99%</u>

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
July 2019

Expense	Jul 19	Budget	\$ Over Budget	% of Budget
<b>5200 · General &amp; Administrative</b>				
<b>5100 · Advertising</b>				
<b>5210 · Dues &amp; Subscriptions</b>	2,993	2,000	993	150%
<b>5220 · Office Supplies</b>				
<b>5223 · Administration</b>	462	327	135	141%
<b>5225 · Operations</b>	270	968	(698)	28%
<b>Total 5220 · Office Supplies</b>	732	1,295	(563)	57%
<b>5230 · Postage &amp; Equip Lease</b>				
<b>5232 · Meter Lease</b>	129	43	86	300%
<b>5235 · Postage</b>	130	48	82	271%
<b>Total 5230 · Postage &amp; Equip Lease</b>	259	91	168	285%
<b>5240 · Copier Lease &amp; Supplies</b>				
<b>5242 · Copier Lease</b>		307	(307)	
<b>Total 5240 · Copier Lease &amp; Supplies</b>		307	(307)	
<b>5250 · Telephone &amp; Communications</b>				
<b>5253 · Administration</b>	796	1,007	(211)	79%
<b>5255 · Operations</b>	385	116	269	332%
<b>Total 5250 · Telephone &amp; Communications</b>	1,181	1,123	58	105%
<b>5260 · Professional Services</b>				
<b>5262 · Accounting</b>	3,118	2,500	618	125%
<b>5265 · Legal</b>		8,333	(8,333)	
<b>5268 · Computer Consulting</b>	427	29	398	1,472%
<b>5269 · Payroll Processing</b>	294	309	(15)	95%
<b>Total 5260 · Professional Services</b>	3,839	11,171	(7,332)	34%
<b>5290 · Credit Card Fees</b>	1,929	1,316	613	147%
<b>5921 · Internet Billing Service</b>	269	223	46	121%
<b>Total 5200 · General &amp; Administrative</b>	11,202	17,526	(6,324)	64%
<b>5300 · Personnel</b>				
<b>5310 · Salaries</b>				
<b>5313 · Administration</b>	13,089	16,957	(3,868)	77%
<b>5315 · Operations</b>	13,105	13,226	(121)	99%
<b>5318 · Maintenance</b>	11,932	12,371	(439)	96%
<b>Total 5310 · Salaries</b>	38,126	42,554	(4,428)	90%
<b>5330 · Payroll Taxes</b>				
<b>5333 · Administration</b>	951	1,297	(346)	73%
<b>5335 · Operations</b>	1,003	1,025	(22)	98%
<b>5338 · Maintenance</b>	913	946	(33)	97%
<b>Total 5330 · Payroll Taxes</b>	2,867	3,268	(401)	88%
<b>5340 · Employee Benefits</b>				
<b>5343 · Administration</b>	4,419	3,036	1,383	146%
<b>5345 · Operations</b>	551	550	1	100%
<b>5348 · Maintenance</b>	4,313	4,492	(179)	96%
<b>Total 5340 · Employee Benefits</b>	9,283	8,078	1,205	115%
<b>5350 · Workers Compensation</b>				

**Moss Landing Harbor District**  
**Profit & Loss Budget vs. Actual**  
July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
5353 · Administration	300	196	104	153%
5355 · Operations	587	721	(134)	81%
5358 · Maintenance	667	1,713	(1,046)	39%
<b>Total 5350 · Workers Compensation</b>	<b>1,554</b>	<b>2,630</b>	<b>(1,076)</b>	<b>59%</b>
5370 · Uniforms				
5375 · Operations	275			
<b>Total 5370 · Uniforms</b>	<b>275</b>			
<b>Total 5300 · Personnel</b>	<b>52,105</b>	<b>56,530</b>	<b>(4,425)</b>	<b>92%</b>
5400 · Insurance				
5410 · Liability Insurance	10,303	10,833	(530)	95%
<b>Total 5400 · Insurance</b>	<b>10,303</b>	<b>10,833</b>	<b>(530)</b>	<b>95%</b>
5500 · Utilities				
5510 · Garbage	6,888	4,417	2,471	156%
5520 · Gas and Electric	20,000	17,500	2,500	114%
5530 · Water	2,874	2,667	207	108%
5540 · Sewer		3,333	(3,333)	
<b>Total 5500 · Utilities</b>	<b>29,762</b>	<b>27,917</b>	<b>1,845</b>	<b>107%</b>
5600 · Operating Supplies				
5610 · Vehicles	300	833	(533)	36%
5625 · Operations	1,965	1,667	298	118%
<b>Total 5600 · Operating Supplies</b>	<b>2,265</b>	<b>2,500</b>	<b>(235)</b>	<b>91%</b>
5700 · Depreciation	39,333	39,375	(42)	100%
5800 · Repairs & Maintenance				
5810 · Vehicles	44	34	10	129%
5830 · Equip Rental	343	449	(106)	76%
5850 · Repair Materials	3,697	7,018	(3,321)	53%
5860 · Outside Service Contracts	2,587	5,833	(3,246)	44%
5870 · Derelict Disposal	7,420	10,000	(2,580)	74%
<b>Total 5800 · Repairs &amp; Maintenance</b>	<b>14,091</b>	<b>23,334</b>	<b>(9,243)</b>	<b>60%</b>
5900 · Financial Expenses				
5990 · Bad Debt	2,125	2,083	42	102%
<b>Total 5900 · Financial Expenses</b>	<b>2,125</b>	<b>2,083</b>	<b>42</b>	<b>102%</b>
<b>Total · MARINA EXPENSES</b>	<b>161,186</b>	<b>180,098</b>	<b>-18,912</b>	<b>89%</b>
<b>Net Ordinary Income - Marina Operations</b>	<b>32,992</b>	<b>15,584</b>	<b>17,408</b>	<b>212%</b>

Moss Landing Harbor District  
Profit & Loss Budget vs. Actual  
July 2019

	Jul 19	Budget	\$ Over Budget	% of Budget
<b>4400 · LEASE AND OTHER INCOME</b>				
<b>4050 · Trust Lands Lease Revenue</b>				
4051 · Dynegy Outfall	5,824	5,826	(2)	100%
4053 · MBARI	2,312	2,403	(91)	96%
<b>Total 4050 · Trust Lands Lease Revenue</b>	<b>8,136</b>	<b>8,229</b>	<b>(93)</b>	<b>99%</b>
<b>4500 · Leases</b>				
<b>4502 · Cannery Building</b>				
4517 · Suite 2	2,783	2,783	-	100%
4504 · Suite 3	7,695	7,695	-	100%
4511 · Suite 1 & 10	1,566	1,565	1	100%
4515 · Suite 4	7,442	7,442	-	100%
4518 · Suite 5	2,257	2,135	122	106%
4510 · Suite 6	2,206	2,277	(71)	97%
4503 · Suite 8	773	779	(6)	99%
4520 · Suite 9		712	(712)	
4523 · Canery NNN	2,634	3,333	(699)	79%
<b>Total 4502 · Cannery Building</b>	<b>27,356</b>	<b>28,721</b>	<b>(1,365)</b>	<b>95%</b>
4530 · RV Lot	2,853	2,853	-	100%
<b>4560 · North Harbor</b>				
4562 · Sea Harvest	2,934	3,167	(233)	93%
4568 · Monterey Bay Kayaks	1,496	3,333	(1,837)	45%
<b>Total 4560 · North Harbor</b>	<b>4,430</b>	<b>6,500</b>	<b>(2,070)</b>	<b>68%</b>
<b>Total 4500 · Leases</b>	<b>34,639</b>	<b>38,074</b>	<b>(3,435)</b>	<b>91%</b>
<b>4600 · District Property Taxes</b>				
<b>4700 · Other Revenues &amp; Concessions</b>				
4125 · Amenity Fee	23,745	22,967	778	103%
4126 · Passenger Vessel Fees	3,986	2,083	1,903	191%
<b>4710 · Vending Activities</b>				
4711 · Washer/Dryer	732	813	(81)	90%
<b>Total 4710 · Vending Activities</b>	<b>732</b>	<b>813</b>	<b>(81)</b>	<b>90%</b>
4720 · Dry Storage	5,272	5,417	(145)	97%
4725 · North Harbor Use Fee	22,957	7,800	15,157	294%
4727 · Key Sales	560	667	(107)	84%
4730 · NH Washdown	378	208	170	182%
4735 · Camp/RV	50		50	100%
4751 · Permits	307	500	(193)	61%
4765 · Faxes, Copies & Postage		5	(5)	
<b>Total 4700 · Other Revenues &amp; Concessions</b>	<b>57,987</b>	<b>40,460</b>	<b>17,527</b>	<b>143%</b>
<b>4800 · Interest</b>				
4841 · Union Bank Interest	25	21	4	119%
4843 · First Capital Bank	280	125	155	224%
4846 · Umpqua Interest	430	125	305	344%
<b>Total 4800 · Interest</b>	<b>735</b>	<b>271</b>	<b>464</b>	<b>271%</b>
<b>Total 4400 · LEASE AND OTHER INCOME</b>	<b>101,497</b>	<b>87,034</b>	<b>14,463</b>	<b>117%</b>

Moss Landing Harbor District  
Profit & Loss Budget vs. Actual  
July 2019

	<u>Jul 19</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
<b>7000 · LEASE AND OTHER EXPENSES</b>				
<b>7100 · Interest Expense</b>				
7134 · Umpqua Accrued Interest	8,284	7,371	913	112%
<b>Total 7100 · Interest Expense</b>	<u>8,284</u>	<u>7,371</u>	<u>913</u>	<u>112%</u>
<b>7200 · Other Financial Expenses</b>				
7221 · CSDA Dues				
7230 · LAFO Administrative Charges	6,357	6,411	(54)	99%
<b>Total 7200 · Other Financial Expenses</b>	<u>6,357</u>	<u>6,411</u>	<u>(54)</u>	<u>99%</u>
<b>5700 · Depreciation</b>	<u>39,333</u>	<u>39,375</u>	<u>(42)</u>	<u>100%</u>
<b>7300 · Commissioner Expenses</b>				
7320 · Monthly Stipend	900	1,083	(183)	83%
7321 · Employer Payroll Taxes	69	83	(14)	83%
7330 · Incurred Expenses	462	83	379	557%
<b>Total 7300 · Commissioner Expenses</b>	<u>1,431</u>	<u>1,249</u>	<u>182</u>	<u>115%</u>
<b>Total 7000 · LEASE AND OTHER EXPENSES</b>	<u>55,405</u>	<u>54,406</u>	<u>999</u>	<u>102%</u>
<b>Net Ordinary Income - Lease &amp; Other Operations</b>	<u>46,092</u>	<u>32,628</u>	<u>13,464</u>	<u>141%</u>
<b>Net Ordinary Income - Combined Operations</b>	<u>79,084</u>	<u>48,212</u>	<u>30,872</u>	<u>164%</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>Other Expense</b>				
<b>9000 · CAPITAL PROJECT EXPENSES</b>				
9309 · New NH Building	46,678	100,000	(53,322)	47%
<b>Total 9000 · CAPITAL PROJECT EXPENSES</b>	<u>46,678</u>	<u>100,000</u>	<u>(53,322)</u>	<u>47%</u>
<b>Total Other Expense</b>	<u>46,678</u>	<u>100,000</u>	<u>(53,322)</u>	<u>47%</u>
<b>Net Other Income</b>	<u>-46,678</u>	<u>-100,000</u>	<u>53,322</u>	<u>47%</u>
<b>Net Income</b>	<u>32,406</u>	<u>-51,788</u>	<u>84,194</u>	<u>-63%</u>

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
**July 2019**

	<u>Jul 19</u>	<u>Jul 18</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	139,418	140,549	-1,131	-1%
4112 · Qtrly/Annual Discount	-132	-100	-32	-32%
4113 · Commercial Vessel Dscnt	-921	-1,210	289	24%
4114 · Away (1 mnth) Dscnt	-205	-83	-122	-147%
4115 · Temporary Berthing	15,958	23,402	-7,444	-32%
4120 · Liveaboard Fees	11,173	11,750	-577	-5%
4130 · Transient Berthing	4,523	2,251	2,272	101%
4220 · Wait List	700	625	75	12%
4280 · Late Fees	2,105	3,630	-1,525	-42%
4282 · Recovered Lien Costs	140		140	100%
<b>Total 4100 · Berthing Income</b>	<u>172,759</u>	<u>180,814</u>	<u>-8,055</u>	<u>-4%</u>
<b>4200 · Other Income - Operations</b>				
4225 · Merchandise	142		142	100%
4230 · SH Parking	21,013	14,359	6,654	46%
4285 · Dog Fee	115	105	10	10%
4290 · Misc	149	213	-64	-30%
<b>Total 4200 · Other Income - Operations</b>	<u>21,419</u>	<u>14,677</u>	<u>6,742</u>	<u>46%</u>
<b>Total 4000 · MARINA REVENUES</b>	<u>194,178</u>	<u>195,491</u>	<u>-1,313</u>	<u>-1%</u>

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2019

Expense	Jul 19	Jul 18	\$ Change	% Change
<b>5200 · General &amp; Administrative</b>				
5100 · Advertising		113	-113	-100%
5210 · Dues & Subscriptions	2,993	49	2,944	6,008%
5220 · Office Supplies				
5223 · Administration	462	323	139	43%
5225 · Operations	270	4,129	-3,859	-93%
<b>Total 5220 · Office Supplies</b>	<b>732</b>	<b>4,452</b>	<b>-3,720</b>	<b>-84%</b>
5230 · Postage & Equip Lease				
5232 · Meter Lease	129	129		
5235 · Postage	130		130	100%
<b>Total 5230 · Postage &amp; Equip Lease</b>	<b>259</b>	<b>129</b>	<b>130</b>	<b>101%</b>
5240 · Copier Lease & Supplies				
5242 · Copier Lease		149	-149	-100%
<b>Total 5240 · Copier Lease &amp; Supplies</b>		<b>149</b>	<b>-149</b>	<b>-100%</b>
5250 · Telephone & Communications				
5253 · Administration	796	818	-22	-3%
5255 · Operations	385	71	314	442%
<b>Total 5250 · Telephone &amp; Communications</b>	<b>1,181</b>	<b>889</b>	<b>292</b>	<b>33%</b>
5260 · Professional Services				
5262 · Accounting	3,118	2,248	870	39%
5265 · Legal		3,820	-3,820	-100%
5268 · Computer Consulting	427		427	100%
5269 · Payroll Processing	294	270	24	9%
<b>Total 5260 · Professional Services</b>	<b>3,839</b>	<b>6,338</b>	<b>-2,499</b>	<b>-39%</b>
5290 · Credit Card Fees	1,929	1,540	389	25%
5921 · Internet Billing Service	269	161	108	67%
<b>Total 5200 · General &amp; Administrative</b>	<b>11,202</b>	<b>13,820</b>	<b>-2,618</b>	<b>-19%</b>
<b>5300 · Personnel</b>				
5310 · Salaries				
5313 · Administration	13,089	19,020	-5,931	-31%
5315 · Operations	13,105	10,955	2,150	20%
5318 · Maintenance	11,932	7,374	4,558	62%
<b>Total 5310 · Salaries</b>	<b>38,126</b>	<b>37,349</b>	<b>777</b>	<b>2%</b>
5330 · Payroll Taxes				
5333 · Administration	951	1,512	-561	-37%
5335 · Operations	1,003	838	165	20%
5338 · Maintenance	913	564	349	62%
<b>Total 5330 · Payroll Taxes</b>	<b>2,867</b>	<b>2,914</b>	<b>-47</b>	<b>-2%</b>
5340 · Employee Benefits				
5343 · Administration	4,419	4,810	-391	-8%
5345 · Operations	551	116	435	375%
5348 · Maintenance	4,313	2,510	1,803	72%
<b>Total 5340 · Employee Benefits</b>	<b>9,283</b>	<b>7,436</b>	<b>1,847</b>	<b>25%</b>



**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2019

	<u>Jul 19</u>	<u>Jul 18</u>	<u>\$ Change</u>	<u>% Change</u>
<b>5350 · Workers Compensation</b>				
5353 · Administration	300	200	100	50%
5355 · Operations	587	400	187	47%
5358 · Maintenance	667	989	-322	-33%
<b>Total 5350 · Workers Compensation</b>	<u>1,554</u>	<u>1,589</u>	<u>-35</u>	<u>-2%</u>
<b>5370 · Uniforms</b>				
5375 · Operations	275		275	100%
<b>Total 5370 · Uniforms</b>	<u>275</u>		<u>275</u>	<u>100%</u>
<b>Total 5300 · Personnel</b>	<u>52,105</u>	<u>49,288</u>	<u>2,817</u>	<u>6%</u>
<b>5400 · Insurance</b>				
5410 · Liability Insurance	10,303	10,472	-169	-2%
<b>Total 5400 · Insurance</b>	<u>10,303</u>	<u>10,472</u>	<u>-169</u>	<u>-2%</u>
<b>5500 · Utilities</b>				
5510 · Garbage	6,888	4,256	2,632	62%
5520 · Gas and Electric	20,000	8,685	11,315	130%
5530 · Water	2,874	2,878	-4	-0%
5540 · Sewer		3,322	-3,322	-100%
<b>Total 5500 · Utilities</b>	<u>29,762</u>	<u>19,141</u>	<u>10,621</u>	<u>55%</u>
<b>5600 · Operating Supplies</b>				
5610 · Vehicles	300	400	-100	-25%
5625 · Operations	1,965	2,305	-340	-15%
<b>Total 5600 · Operating Supplies</b>	<u>2,265</u>	<u>2,705</u>	<u>-440</u>	<u>-16%</u>
<b>5700 · Depreciation</b>	39,333	39,333		
<b>5800 · Repairs &amp; Maintenance</b>				
5810 · Vehicles	44		44	100%
5830 · Equip Rental	343	287	56	20%
5850 · Repair Materials	3,697	4,234	-537	-13%
5860 · Outside Service Contracts	2,587	5,618	-3,031	-54%
5870 · Derelict Disposal	7,420		7,420	100%
<b>Total 5800 · Repairs &amp; Maintenance</b>	<u>14,091</u>	<u>10,139</u>	<u>3,952</u>	<u>39%</u>
<b>5900 · Financial Expenses</b>				
5920 · Bank Service Charges		839	-839	-100%
5990 · Bad Debt	2,125	2,125		
<b>Total 5900 · Financial Expenses</b>	<u>2,125</u>	<u>2,964</u>	<u>-839</u>	<u>-28%</u>
<b>Total · MARINA EXPENSES</b>	<u>161,186</u>	<u>147,862</u>	<u>13,324</u>	<u>9%</u>
<b>Net Ordinary Income - Marina Operations</b>	<u>32,992</u>	<u>47,629</u>	<u>-14,637</u>	<u>-31%</u>

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2019

	Jul 19	Jul 18	\$ Change	% Change
<b>4400 · LEASE AND OTHER INCOME</b>				
<b>4050 · Trust Lands Lease Revenue</b>				
4051 · Dynegy Outfall	5,824	5,606	218	4%
4053 · MBARI	2,312	2,312		
<b>Total 4050 · Trust Lands Lease Revenue</b>	<u>8,136</u>	<u>7,918</u>	218	3%
<b>4500 · Leases</b>				
<b>4502 · Cannery Building</b>				
4517 · Suite 2	2,783	2,679	104	4%
4504 · Suite 3	7,695	7,177	518	7%
4511 · Suite 1 & 10	1,566	1,507	59	4%
4515 · Suite 4	7,442	7,165	277	4%
4518 · Suite 5	2,257	2,093	164	8%
4510 · Suite 6	2,206	2,192	14	1%
4503 · Suite 8	773		773	100%
4520 · Suite 9		685	-685	-100%
4523 · Canery NNN	2,634	5,193	-2,559	-49%
<b>Total 4502 · Cannery Building</b>	<u>27,356</u>	<u>28,691</u>	-1,335	-5%
4530 · RV Lot	2,853	2,747	106	4%
<b>4560 · North Harbor</b>				
4562 · Sea Harvest	2,934	2,825	109	4%
4568 · Monterey Bay Kayaks	1,496	24,060	-22,564	-94%
<b>Total 4560 · North Harbor</b>	<u>4,430</u>	<u>26,885</u>	-22,455	-84%
<b>Total 4500 · Leases</b>	<u>34,639</u>	<u>58,323</u>	-23,684	-41%
<b>4700 · Other Revenues &amp; Concessions</b>				
4125 · Amenity Fee	23,745	24,115	-370	-2%
4126 · Passenger Vessel Fees	3,986		3,986	100%
4710 · Vending Activities				
4711 · Washer/Dryer	732	1,286	-554	-43%
<b>Total 4710 · Vending Activities</b>	<u>732</u>	<u>1,286</u>	-554	-43%
4720 · Dry Storage	5,272	4,963	309	6%
4725 · North Harbor Use Fee	22,957	11,569	11,388	98%
4727 · Key Sales	560	850	-290	-34%
4730 · NH Washdown	378	40	338	845%
4735 · Camp/RV	50	150	-100	-67%
4751 · Permits	307	889	-582	-65%
4765 · Faxes, Copies & Postage		9	-9	-100%
<b>Total 4700 · Other Revenues &amp; Concessions</b>	<u>57,987</u>	<u>43,871</u>	14,116	32%
<b>4800 · Interest</b>				
4841 · Union Bank Interest	25	41	-16	-39%
4843 · First Capital Bank	280	271	9	3%
4846 · Umpqua Interest	430	129	301	233%
<b>Total 4800 · Interest</b>	<u>735</u>	<u>441</u>	294	67%
<b>Total 4400 · LEASE AND OTHER INCOME</b>	<u>101,497</u>	<u>110,553</u>	-9,056	-8%

**Moss Landing Harbor District**  
**Profit & Loss YTD Comparison**  
July 2019

	<u>Jul 19</u>	<u>Jul 18</u>	<u>\$ Change</u>	<u>% Change</u>
<b>7000 · LEASE AND OTHER EXPENSES</b>				
<b>7100 · Interest Expense</b>				
7134 · Umpqua Accrued Interest	8,284	8,284		
<b>Total 7100 · Interest Expense</b>	<u>8,284</u>	<u>8,284</u>		
<b>7200 · Other Financial Expenses</b>				
7230 · LAFO Administrative Charges	6,357	6,160	197	3%
<b>Total 7200 · Other Financial Expenses</b>	<u>6,357</u>	<u>6,160</u>	<u>197</u>	<u>3%</u>
<b>5700 · Depreciation</b>	39,333	39,333		
<b>7300 · Commissioner Expenses</b>				
7320 · Monthly Stipend	900	1,100	-200	-18%
7321 · Employer Payroll Taxes	69	84	-15	-18%
7330 · Incurred Expenses	462		462	100%
<b>Total 7300 · Commissioner Expenses</b>	<u>1,431</u>	<u>1,184</u>	<u>247</u>	<u>21%</u>
<b>Total 7000 · LEASE AND OTHER EXPENSES</b>	<u>55,405</u>	<u>54,961</u>	<u>444</u>	<u>1%</u>
<b>Net Ordinary Income - Lease &amp; Other Operations</b>	<u>46,092</u>	<u>55,592</u>	<u>-9,500</u>	<u>-17%</u>
<b>Net Ordinary Income - Combined Operations</b>	<u>79,084</u>	<u>103,221</u>	<u>-24,137</u>	<u>-23%</u>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
<b>8001 · Cost Reimbursements</b>				
8101 · Revenue from reimbursements		1,020	-1,020	-100%
8201 · Reimbursable expenses		-1,791	1,791	100%
<b>Total 8001 · Cost Reimbursements</b>		<u>-771</u>	<u>771</u>	<u>100%</u>
<b>Total Other Income</b>		-771	771	100%
<b>Other Expense</b>				
<b>9000 · CAPITAL PROJECT EXPENSES</b>				
5880 · Dredging		4,235	-4,235	-100%
9053 · Dock Maintenance		6,203	-6,203	-100%
9309 · New NH Building	46,678	80,956	-34,278	-42%
9310 · NH Hotel		45,612	-45,612	-100%
9440 · NH Shoreline (North)		34,604	-34,604	-100%
9800 · Dock Replacement		91,650	-91,650	-100%
<b>Total 9000 · CAPITAL PROJECT EXPENSES</b>	<u>46,678</u>	<u>263,260</u>	<u>-216,582</u>	<u>-82%</u>
<b>Total Other Expense</b>	<u>46,678</u>	<u>263,260</u>	<u>-216,582</u>	<u>-82%</u>
<b>Net Other Income</b>	<u>-46,678</u>	<u>-264,031</u>	<u>217,353</u>	<u>82%</u>
<b>Net Income</b>	<u><u>32,406</u></u>	<u><u>-160,810</u></u>	<u><u>193,216</u></u>	<u><u>120%</u></u>

**Moss Landing Harbor District**  
**A/P Aging Summary**  
As of July 31, 2019

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>&gt; 90</u>	<u>TOTAL</u>
A.L. Lease	35.11	0.00	0.00	0.00	0.00	35.11
Airgas	343.36	0.00	0.00	0.00	0.00	343.36
Allied Administrators for Delta Dental	0.00	-402.14	0.00	0.00	0.00	-402.14
AT&T	194.19	0.00	0.00	0.00	0.00	194.19
Blue Shield of California	0.00	-357.20	0.00	0.00	0.00	-357.20
Blue Tarp Financial, Inc.	160.87	0.00	0.00	0.00	0.00	160.87
CalPERS	0.00	-5,074.46	0.00	0.00	0.00	-5,074.46
Carrot-Top Industries, Inc.	0.00	227.35	0.00	0.00	0.00	227.35
Castroville "ACE" Hardware	36.33	0.00	0.00	0.00	0.00	36.33
Castroville Auto Parts, Inc.	0.00	44.33	0.00	0.00	0.00	44.33
Central Coast Systems, Inc.	105.00	0.00	0.00	0.00	0.00	105.00
Cintas	808.06	0.00	0.00	0.00	0.00	808.06
Damm Good Water	73.95	0.00	0.00	0.00	0.00	73.95
Dan Poncabare	295.00	0.00	0.00	0.00	0.00	295.00
Despard Marine Services	0.00	0.00	500.00	0.00	0.00	500.00
Dllbeck & Sons, Inc.	46,678.09	0.00	0.00	0.00	0.00	46,678.09
Doctors on Duty	0.00	122.50	0.00	0.00	0.00	122.50
Employment Development Dept.	0.00	44.00	0.00	0.00	0.00	44.00
Hodges Consulting Services	1,836.41	0.00	0.00	0.00	0.00	1,836.41
Interstate Battery System of SJ	859.06	0.00	0.00	0.00	0.00	859.06
Marc J. Del Piero	0.00	0.00	0.00	0.00	2,000.00	2,000.00
Moss Landing Boat Works	1,269.74	0.00	0.00	0.00	0.00	1,269.74
Pajaro/Sunny Mesa C.S.D.	2,874.01	0.00	0.00	0.00	0.00	2,874.01
PG&E	0.00	-20,000.00	0.00	0.00	0.00	-20,000.00
Premium Assignment Corporation	0.00	-13,332.32	0.00	0.00	0.00	-13,332.32
Rabobank	1,090.34	0.00	0.00	0.00	0.00	1,090.34
Redshift	0.00	-136.85	0.00	0.00	0.00	-136.85
Revel Enviornmental Manufacturing , Inc.	572.00	0.00	0.00	0.00	0.00	572.00
Social Vocational Services, Inc.	0.00	-1,073.57	0.00	0.00	0.00	-1,073.57
Sotiria Lampoudi	525.00	0.00	0.00	0.00	0.00	525.00
Tommy Razzerca	0.00	-300.00	0.00	0.00	0.00	-300.00
U.S. Bank	1,761.85	0.00	0.00	0.00	0.00	1,761.85
Umpqua Bank	0.00	-436,517.83	0.00	0.00	0.00	-436,517.83
United Site Services of Calif., Inc.	205.36	0.00	0.00	0.00	0.00	205.36
VALIC	2,393.46	0.00	0.00	0.00	0.00	2,393.46
Veritiv Operating Company	269.18	0.00	0.00	0.00	0.00	269.18
Verizon Wireless	117.68	0.00	0.00	0.00	0.00	117.68
Vision Sevice Plan	0.00	-142.95	0.00	0.00	0.00	-142.95
West Marine Pro	0.00	508.00	0.00	0.00	0.00	508.00
<b>TOTAL</b>	<u>62,504.05</u>	<u>-476,391.14</u>	<u>500.00</u>	<u>0.00</u>	<u>2,000.00</u>	<u>-411,387.09</u>

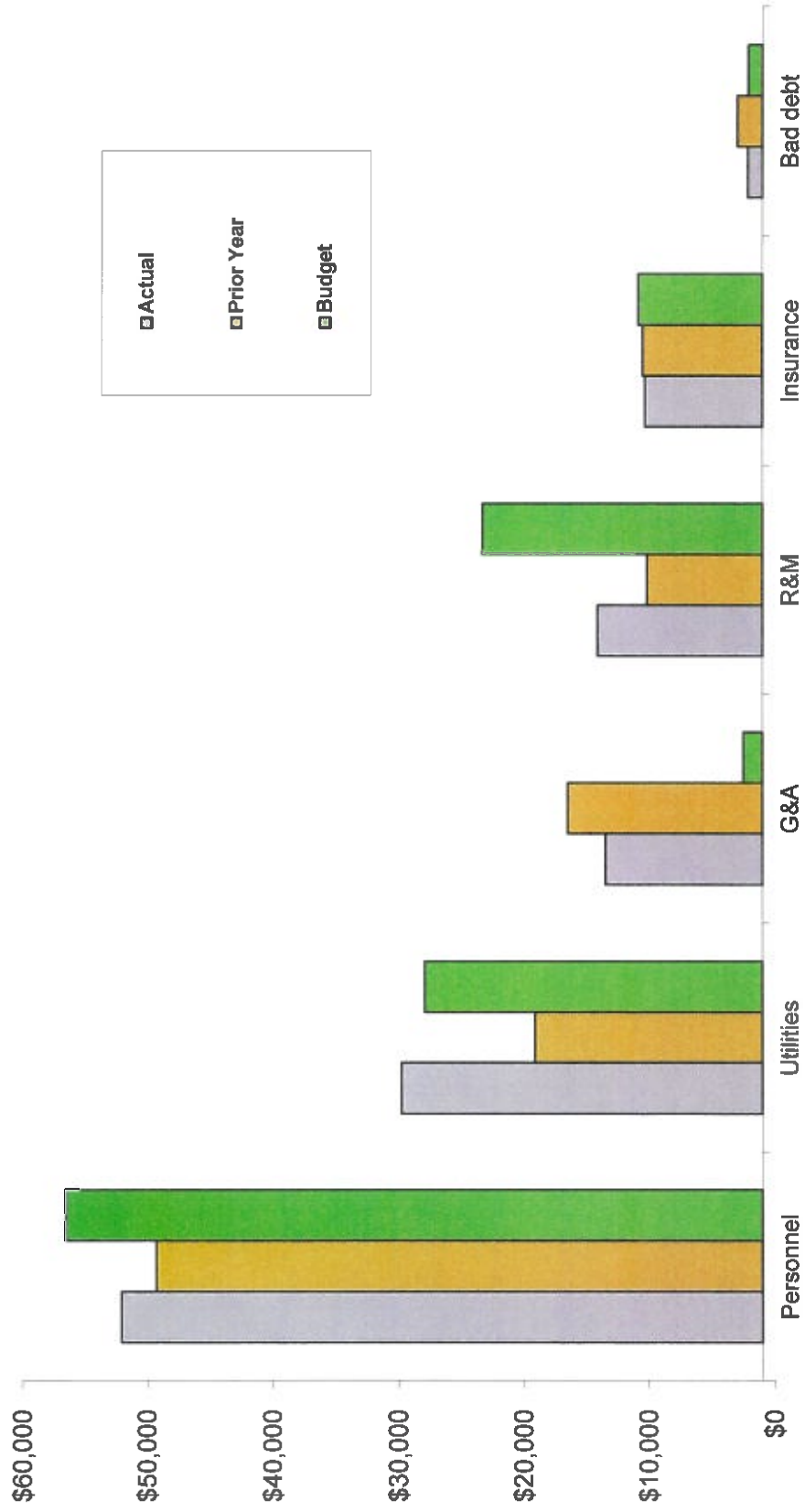
**Moss Landing Harbor District**  
**Warrant Listing**  
As of July 31, 2019

Type	Date	Num	Name	Amount
<b>1009 - Union - Operating</b>				
Check	07/05/2019		NPC Merchant Pymt Proc	-2,992.53
Bill Pmt -Check	07/10/2019	20413	Allied Administrators for Delta Dental	-402.14
Bill Pmt -Check	07/10/2019	20414	Airgas	-114.55
Bill Pmt -Check	07/10/2019	20415	AT&T	-193.68
Bill Pmt -Check	07/10/2019	20416	Auto Care LifeSaver Towing	-3,196.00
Bill Pmt -Check	07/10/2019	20417	Blue Shield of California	-357.20
Bill Pmt -Check	07/10/2019	20418	Brian Mulligan	-575.00
Bill Pmt -Check	07/10/2019	20419	Byte Technology	-375.00
Bill Pmt -Check	07/10/2019	20420	CalPERS	-5,074.46
Bill Pmt -Check	07/10/2019	20421	Carmel Marina Corporation	-1,264.38
Bill Pmt -Check	07/10/2019	20422	Castroville "ACE" Hardware	-144.07
Bill Pmt -Check	07/10/2019	20423	Charles Dirkse	-807.90
Bill Pmt -Check	07/10/2019	20424	Cintas	-644.82
Bill Pmt -Check	07/10/2019	20425	Corbin Dunn	-575.00
Bill Pmt -Check	07/10/2019	20426	Damm Good Water	-80.30
Bill Pmt -Check	07/10/2019	20427	Haro, Kasunich and Assoc. Inc.	-260.00
Bill Pmt -Check	07/10/2019	20428	Josh Williams	-376.90
Bill Pmt -Check	07/10/2019	20429	MBS Business Systems	-160.94
Bill Pmt -Check	07/10/2019	20430	Pajaro/Sunny Mesa C.S.D.	-3,246.75
Bill Pmt -Check	07/10/2019	20431	PG&E	-20,000.00
Bill Pmt -Check	07/10/2019	20432	Pitney Bowes Global Financial Svc LLC	-129.30
Bill Pmt -Check	07/10/2019	20433	Premium Assignment Corporation	-13,332.32
Bill Pmt -Check	07/10/2019	20434	Rabobank	-479.60
Bill Pmt -Check	07/10/2019	20435	Redshift	-136.85
Bill Pmt -Check	07/10/2019	20436	Social Vocational Services, Inc.	-1,073.57
Bill Pmt -Check	07/10/2019	20437	Sunrise Express	-51.19
Bill Pmt -Check	07/10/2019	20438	ThyssenKrupp Elevator - 042	-631.36
Bill Pmt -Check	07/10/2019	20439	Tommy Razzerca	-300.00
Bill Pmt -Check	07/10/2019	20440	United Site Services of Calif., Inc.	-205.36
Bill Pmt -Check	07/10/2019	20441	Valero Marketing and Supply Company	-544.77
Bill Pmt -Check	07/10/2019	20442	VALIC	-2,996.17
Bill Pmt -Check	07/10/2019	20443	Verizon Wireless	-33.14
Bill Pmt -Check	07/10/2019	20444	Vision Sevice Plan	-142.95
Bill Pmt -Check	07/10/2019	20445	Wald, Ruhnke & Dost Architects, LP	-882.58
Bill Pmt -Check	07/10/2019	20446	Carmel Marina Corporation	-293.02
Bill Pmt -Check	07/10/2019	20447	Rabobank	-239.80
Bill Pmt -Check	07/10/2019	20448	Carmel Marina Corporation	-831.33
Bill Pmt -Check	07/10/2019	20449	Rabobank	-279.04
Bill Pmt -Check	07/10/2019	20450	Carmel Marina Corporation	-4,499.56
Bill Pmt -Check	07/11/2019	20451	Ferrante, Vincent	-407.90
Check	07/11/2019		Payroll Partners	-169.06
Check	07/12/2019	2793	Ferrante, Vincent	-177.32
Check	07/12/2019	2794	Goulart, James	-91.35
Check	07/12/2019	2795	Jeffries, Russell	-274.05

**Moss Landing Harbor District**  
**Warrant Listing**  
**As of July 31, 2019**

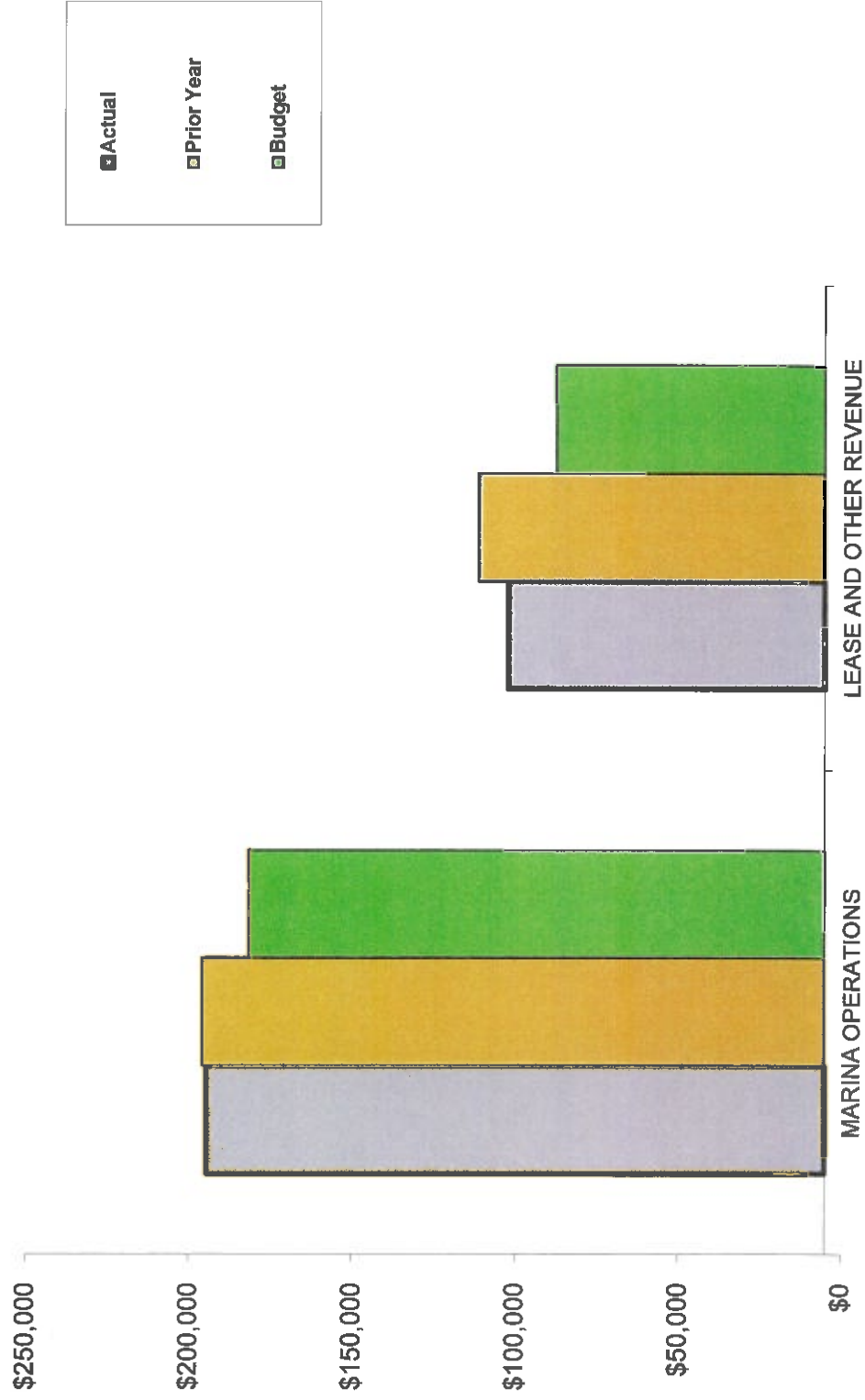
<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Check	07/12/2019	2796	Tony Leonardini	-182.47
Check	07/12/2019	2797	Peggy Shirrell	-91.35
Check	07/12/2019	2798	Neal Norris	-648.63
Check	07/12/2019	2799	William Allen	-639.90
Check	07/12/2019	2800	Dennis Dixon	-91.48
Bill Pmt -Check	07/22/2019	20452	Ambient Air	-880.00
Bill Pmt -Check	07/22/2019	20453	AT&T	-542.79
Bill Pmt -Check	07/22/2019	20454	Byte Technology	-150.00
Bill Pmt -Check	07/22/2019	20455	Dilbeck & Sons, Inc.	-313,920.41
Bill Pmt -Check	07/22/2019	20456	Doctors on Duty	-122.50
Bill Pmt -Check	07/22/2019	20457	Fed Ex	-129.95
Bill Pmt -Check	07/22/2019	20458	Jarvis, Fay, Doport & Gibson, LLP	-8,180.00
Bill Pmt -Check	07/22/2019	20459	Pajaro Valley Lock Shop	-360.08
Bill Pmt -Check	07/22/2019	20460	Randazzo Enterprises Inc.	-7,420.00
Bill Pmt -Check	07/22/2019	20461	Sea Engineering, Inc.	-1,235.00
Bill Pmt -Check	07/22/2019	20462	U.S. Bank	-2,835.65
Bill Pmt -Check	07/22/2019	20463	Umpqua Bank	-436,517.83
Bill Pmt -Check	07/22/2019	20464	Veritiv Operating Company	-1,291.96
Bill Pmt -Check	07/22/2019	20465	Wald, Ruhnke & Dost Architects, LP	-4,551.95
Bill Pmt -Check	07/22/2019	20466	Wendy L. Cumming, CPA	-3,117.50
Bill Pmt -Check	07/22/2019	20467	AT&T	-325.83
Bill Pmt -Check	07/23/2019	20468	Geoffrey Cady	-600.00
Bill Pmt -Check	07/23/2019	20469	MBS Business Systems	-2.38
Bill Pmt -Check	07/23/2019	20470	MP Express	0.00
Bill Pmt -Check	07/23/2019	20471	Rabobank	-279.04
Bill Pmt -Check	07/24/2019	20472	Vision Sevice Plan	-7.38
Check	07/25/2019		Payroll Partners	-124.56
Check	07/26/2019	2801	Neal Norris	-689.99
Check	07/26/2019	2802	William Allen	-645.67
Check	07/26/2019	2803	Dennis Dixon	-79.22
Total 1009 · Union - Operating				-854,706.73
<b>TOTAL</b>				<b>-854,706.73</b>

**Operating Expenses  
Year to Date Actuals vs. Budget and Prior Year  
July 31, 2019**



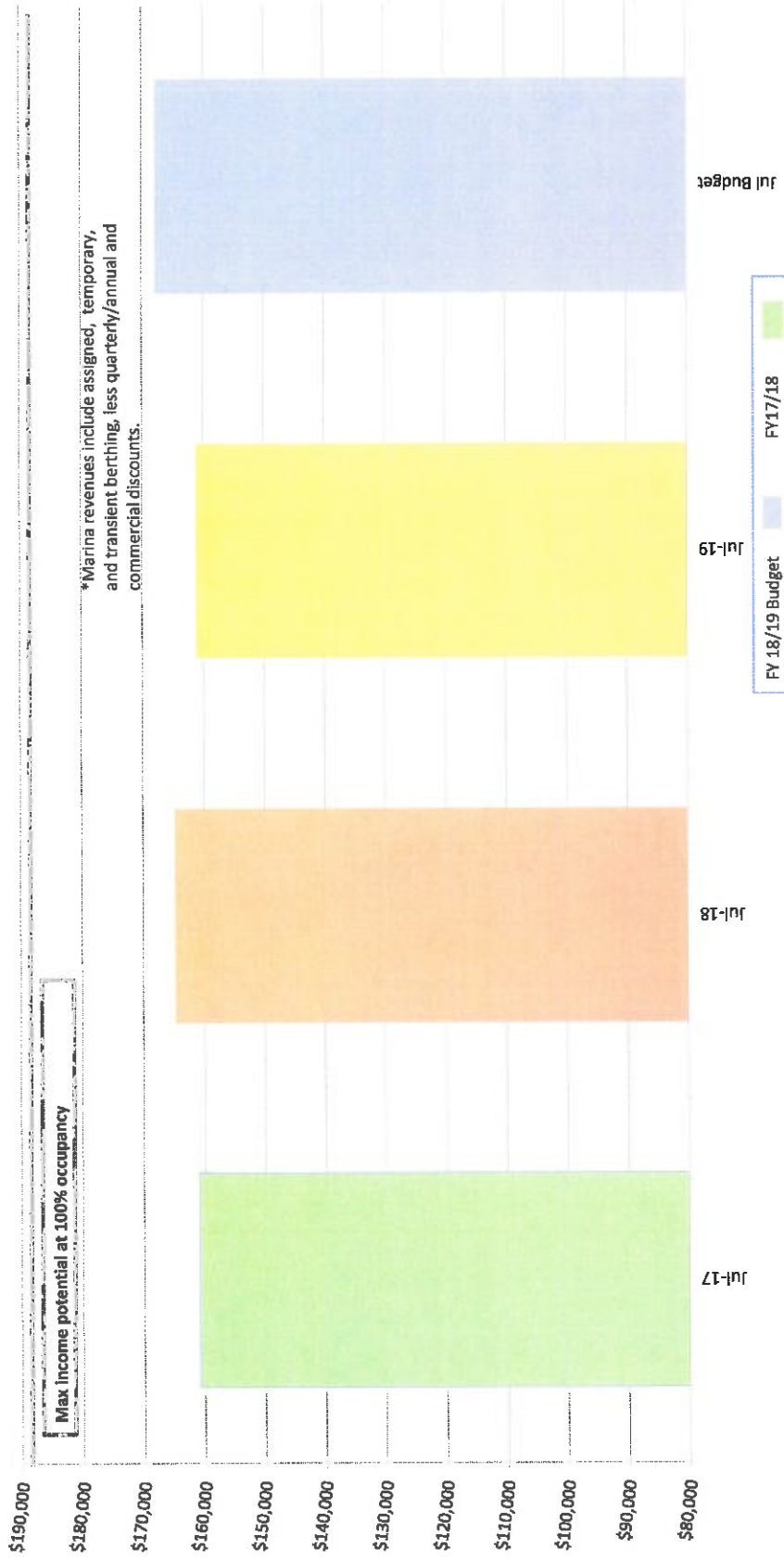
**\*\* Expenses Exclude Dredging, Depreciation and Interest Expenses\*\***

**Marina, Lease and Other Revenue  
Year to Date Actual vs. Budget and Prior Year  
July 31, 2019**





# Moss Landing Harbor District Marina Revenue\* (Berthing) - 3 Year Comparison



Max Income potential at 100% occupancy

\*Marina revenues include assigned, temporary, and transient berthing, less quarterly/annual and commercial discounts.



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

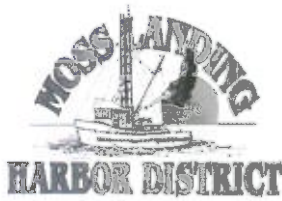


GENERAL MANAGER  
HARBORMASTER  
Tommy Razzeca

## STAFF REPORT

ITEM NUMBER 04 – PROJECT STATUS  
BOARD MEETING OF August 28, 2019

- 1. Dredge Project:** During the last meeting the District Board selected Pacific Dredge & Construction LLC (PD&C) as our dredging contractor subject to a background check by the General Manager. Numerous Harbors and Marinas where PD&C has completed dredging projects in the past were contacted by the General Manager who received only excellent references. On August 9, 2019 the District and PD&C entered into contract for the 2019 Dredging project. PD&C is expected to mobilize to the Moss Landing Harbor District on August 30<sup>th</sup> 2019 and begin dredging operations shortly thereafter; all dredging is required to be complete by November 30<sup>th</sup> 2019.
- 2. North Harbor Building Project:** The project is 99% complete and the building looks great. At this time we only await AT&T and PG&E to complete some delaying issues along with landscaping, site work and final cleanup of the site. Staff had hoped to report out that the project was complete by the August 2019 meeting but we are now hopeful to be doing so at the September 2019 regular meeting.
- 3. North Harbor Inn Project:** Because the building plan shows the Inn on 3 separate District owned parcels, Monterey County has required that the District submit a General Development Plan and complete a lot line adjustment. The District has received a title report from Chicago Title and Monterey County Surveyors are currently completing the survey necessary to meet the county requirements.
- 4. B178 Damaged Pile replacement Project:** After a storm with strong wind gusts staff discovered the pile located at B178 had been damaged and was in need of replacement. After having our engineer inspect the pile staff contacted our insurance company and filed a claim to have the pile replaced. Our insurance company's adjuster inspected the pile and has since approved our claim. Our emergency permit application is in process and we currently await issuance of the permit from the Army Corps of Engineers.
- 5. North Harbor Erosion Repair Project:** During a heavy rain storm staff found a large section of the bank just north of our old launch ramp had eroded away. Staff and our engineer inspected the location and determined that if no action was immediately taken the bank would continue eroding into the District's parking lot causing extensive damage. In an attempt to mitigate our damages Staff had 70 ton of ¼ ton rip rap delivered and placed in the area which armored the shore line in question and stopped the erosion. Our engineer has filed emergency permit applications with the CCC and USACOE as required. Staff is hopeful that the 70 tons of rip rap placed will be a sufficient long term solution that will satisfy the permitting agencies however until we receive the permits we cannot be sure that additional work will not be required.
- 6. Moss Landing Community Plan/General Plan Update:** A special presentation will be made by our consultant Marc Del Piero.



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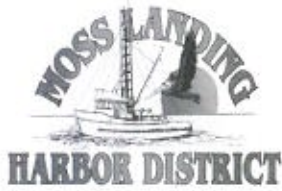


GENERAL MANAGER  
 HARBORMASTER  
 Tommy Razzeca

## STAFF REPORT

### ITEM NUMBER 05 – SUMMARY OF PERMITS ISSUED BOARD MEETING OF AUGUST 28, 2019

Permittee	Issue Date	Status	Permit Type	Exp. Date
Elkhorn Slough Research Foundation	01/01/2019	Current	Facilities Use	01/01/20
Blue Ocean Whale Watch	2/18/2019	Current	Facilities Use	2/18/2020
Whisper Charters	2/28/2019	Current	Facilities Use	2/28/2020
Kahuna Sportfishing	3/17/2019	Current	Facilities Use	3/17/2020
REI Outdoor School	3/24/2019	Current	Facilities Use	3/24/2020
Fast Raft	3/28/2019	Current	Facilities Use	3/28/2020
MBARI-Otter Studies	4/1/2019	Current	Facilities Use	4/1/2020
Monterey Bay Hydrobikes	4/13/2019	Current	Facilities Use	4/13/2020
Stap-Marine Life Studies		Expired	Non-Renewed	
Camp Ramah	6/11/2019	Current	Facilities Use	08/2/2019
Venture Quest Kayaking	6/30/2019	Current	Facilities Use	6/30/2020
Kayak Connection	6/30/2019	Current	Facilities Use	6/30/2020
Sanctuary Cruises	6/30/2019	Current	Facilities Use	6/30/2020
Sea Goddess Whale Watching-Tours	6/30/2019	Current	Facilities Use	6/30/2020
Sea Goddess Whale Watching-Souvenirs	6/30/2019	Current	Peddlers	6/30/2020
MBARI-Slough Test Moorings	6/30/2019	Current	Facilities Use	6/30/2020
Elkhorn Slough Safari - Souvenirs	10/19/2018	Current	Facilities Use	10/19/2019
Elkhorn Slough Safari - Tours	10/19/2018	Current	Peddlers	10/19/2019
Blue Water Ventures	10/31/2018	Current	Facilities Use	10/31/2019
Wild Fish-Vicki Crow	11/20/2018	Current	Peddlers	11/20/19



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GENERAL MANAGER  
HARBORMASTER  
Tommy Razzeca

## STAFF REPORT

ITEM NUMBER 06 – MEETING ANNOUNCEMENTS  
BOARD MEETING OF AUGUST 28, 2019

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 Wednesday of each month, Moss Landing Harbor District Board Room, 4 p.m.

Monterey Bay Sanctuary Advisory Council Meetings – 2019 - <https://montereybay.noaa.gov>

**October 18<sup>th</sup>**  
Marina

**December 13<sup>th</sup>**  
Monterey



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GENERAL MANAGER  
HARBORMASTER  
Tommy Razzeca

BOARD OF COMMISSIONERS  
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James R. Goulart

## STAFF REPORT

### ITEM NUMBER 07 - LIVEBOARD REPORT BOARD MEETING OF AUGUST 28, 2019

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 are no (0) revocation actions pending.

<u>Name</u>	<u>Vessel</u>
1. Slaymaker P.	<i>Steppin Stone CF 1101 TY</i>
2. Pending	
3. Bohigian, D.	<i>Breezing Up, ON 559013</i>
4. Burns, P.	<i>Tralfamadore, CF 9430 GL</i>
5. Byrnes, K.	<i>Grand Slam, CF 4540 FE</i>
6. Callahan, T.	<i>Deb on Air, CF 3174 HA</i>
7. Cayuela, R.	<i>Rachel Angelet, CF 6969 UB</i>
8. Michael, McVay	<i>Gaviota, CF 4863 FP</i>
9. Clark, N.	<i>Ma Kai, CF 1100 ET</i>
10. Cloer, J./Ajuria M.	<i>Laurie, CF 2688 EX</i>
11. Chambers, B.	<i>Pyxis, ON 984193</i>
12. Pending	
13. Clark D.	<i>Seaside Escape CF 4356 HW</i>
14. Degnan, P.	<i>No Name, CF 8344 GT</i>
15. Jimmy Page	<i>Lanitra, CF 7346 SH</i>
16. Elwell, G.	<i>Pearl, ON 557575</i>
17. Faneuf, C.	<i>Ghost Ryder ON 1048498</i>
18. Felicano, J.	<i>Takara, CF 3767 AS</i>
19. Potter, D.	<i>Danu CF 4085 GC</i>
20. Harrington, H.	<i>Isle of View, ON 997142</i>
21. Sanchez, F	<i>Valkryia ON97418</i>
22. Clifford, Lance	<i>Sandpiper, CF 6280 EU</i>
23. Jerred, D.	<i>Westwind, CF8564 GM</i>
24. Groom D	<i>Phoenix, CF 5084 GJ</i>
25. Jones, H.	<i>Laetare, CF 5495 YB</i>
26. Jones, T.	<i>Sanity, CF 5249 SC</i>
27. Kennedy C. Lahman D.	<i>Aztlan, ON 281903</i>
28. Ayres, Lloyd	<i>Gaviota, CF 4656 GG</i>

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*

- |                                 |                                    |
|---------------------------------|------------------------------------|
| 29. Knudson L/Knudson A.        | <i>Spellbound</i> , ON 082155      |
| 30. Malone, RJ                  | <i>Francis w</i> , CF 2017 UZ      |
| 31. Marsee, E, Lynch, C         | <i>Tolly Craft</i> CF 9521 HT      |
| 32. Burnett                     | <i>Zinful</i> CF5419 JG            |
| 33. Maris, T.                   | <i>Nimble</i> , CF 3730 KB         |
| 34. Robinson, D.                | <i>Damn Baby</i> CF 9442 EX        |
| 35. Nieman J                    | <i>Inia</i> , ON 1074183           |
| 36. Niswonger, R.               | <i>Illusion</i> , CF 0836 TA       |
| 37. Nunes, D.                   | <i>Auroora</i> , ON 676686         |
| 38. Otis, T.                    | <i>Blue Moon</i> , CF 1886 GT      |
| 39. Paul, J                     | <i>La Wanda</i> CF 5014 FR         |
| 40. Schlegelmilch, William      | <i>Bull Dog</i> ON 1219673         |
| 41. Velaquez F                  | <i>Lorraine</i> CF 0533 JL         |
| 42. Raaphorst, D.               | <i>Spirit</i> , ON 664971          |
| 43. Reins, D.                   | <i>Second Paradise</i> , ON 912484 |
| 44. Rotger, M.                  | <i>Raven</i> , ON 241650           |
| 45. Roulet, J.                  | <i>Double Eagle</i> , ON 519846    |
| 46. Piro, Daniel                | <i>Gulf Star</i> CF 6082 GL        |
| 47. Derouin, E                  | <i>Sweet Liberty</i> ON 1052175    |
| 48. Stegmann, R.                | <i>Wild Goose</i> , ON 589319      |
| 49. Stark, H.                   | <i>Outta Here</i> , CF 8370 EA     |
| 50. Baugh, R.                   | <i>Yada Yada</i> , CF 7881 GZ      |
| 51. Thomas, B.                  | <i>Coho</i> , CF 9974 KK           |
| 52. Tufts, M.                   | <i>Enchantress</i> , CF 0878 SX    |
| 53. Sumne, Aaron                | <i>Bellisima</i> CF 4668 FV        |
| 54. Wolinski, Peter/Duerkson, E | <i>Ramona</i> , ON 1114657         |
| 55. Waters, J./Waters, M.       | <i>No Name</i> CF 5670 GD          |
| 56. Samuelson, T.               | <i>Moonstone</i> CF 5122 GX        |
| 57. Herrick Andrews,            | <i>Sea Free</i> ON 613387          |
| 58. Kim Richardson              | <i>Sophie</i> CF 0533 JL           |
| 59. Cook, B                     | <i>Outrageous</i> CF 8917 TB       |
| 60. Bowler, J                   | <i>Myrtle Mae</i> , CF 3187 FN     |

Total Number Vessels: 58  
Total Number Persons: 63  
Pending Applications -2-



BOARD OF COMMISSIONERS  
 Russ Jeffries  
 Tony Leonardini  
 Vincent Ferrante  
 Andrew Amaral  
 Margaret "Peggy" Shirrel, Ph.D.

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EXECUTIVE  
 GENERAL MANAGER

HARBORMASTER  
 Tommy Razzeca

## STAFF REPORT

ITEM NUMBER 08 - SLIP INCOME REPORT  
 BOARD MEETING OF AUGUST 28, 2019

Slip Rates 2019/2020 per linear foot:

Assigned: \$8.15/ft./month  
 Temporary: \$12.15/ft./month  
 Transient: \$1.25/ft./day

### INCOME

<u>July 2019</u>	<u>July 2018</u>	<u>June 2019 Budget</u>
\$161,232	\$164,808	\$167,853

For the month, slip income is below budget by \$6,621, due a combination of lower than anticipated assigned and temporary berthing revenue, offset by higher than anticipated transient berthing income. Slip income is lower than prior year by \$3,577, due to a combination of higher transient berthing revenue, offset by lower temporary berthing income.

*SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947*



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GENERAL MANAGER/HARBOR MASTER  
Tommy Razzeca

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

## STAFF REPORT

ITEM NUMBER 09 – INCIDENT REPORT  
BOARD MEETING OF AUGUST 28, 2019

**7/28/19** Day staff was informed of a vessel on G dock sitting low in the water. Staff arrived and found the vessel had taken on water. A pump was placed on vessel temporarily and owner was called.

**7/30/19** Night staff was alerted that a vessel on Bdock had taken on water. Staff placed a pump on the vessel and pumped it out.

**8/08/19** An altercation took place between 2 tenants; it is unclear if the incident took place on MLHD property or at another location. A Monterey County Sheriff's Deputy stopped by the Harbor office and informed staff that the incident was not serious and did not warrant an arrest. Staff plans to continue monitoring the situation.

**8/15/19** Staff noticed that a former tenant who had been evicted from Moss Landing Harbor some months back had returned to the area. The former tenant was contacted by MCSO Deputies and ultimately arrested for possession of narcotics and outstanding warrants.

**No further incidents to report as of August, 21, 2019.**

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**BOARD OF HARBOR COMMISSIONERS**

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Tom Razzeca

## STAFF REPORT

### ITEM NUMBER 20 – CONSIDERATION OF TERMINATION OF REMBURSEMENT AGREEMENT BETWEEN THE DISTRICT AND MLCP, LLC BOARD MEETING OF AUGUST 28, 2019

Per the Board's request, Staff placed the issue of the termination of the "Reimbursement Agreement" (the "Agreement") between the District, MLCP and Nader Agha on the Board's meeting agenda of July 24, 2019, for consideration and action. By way of background, the original Agreement, which has been amended four times since its execution in March of 2014, was meant to facilitate discussion of some sort of joint partnership between the District and MLCP in the People's Water Desalination Project (the "Project"). As you will recall, the Project involves construction of a facility that will convert seawater into potable water for consumption and use throughout the region. Subsequent amendments to the Agreement established the District as the lead agency under the California Environmental Quality Act for the Project, authorized the retention of Aspen Inc. ("Aspen") as the District's environmental consultant for review of the Project, and expanded the District's role from that of peer reviewer of an EIR to be prepared by MLCP's own environmental consultant, to the actual preparer of a joint EIR/EIS to address both state and federal environmental concerns.

A number of reasons have been articulated for the Board's request to consider termination of the Agreement. First, there has been no progress on the Project for more than a year, with all of the District's work as lead agency essentially coming to a halt at the end of June, 2018. This is due in part to MLCP's failure to provide Aspen with a variety of documents, such as engineering, technical, marine biology and water quality studies, that were promised by MLCP in May of 2018, and specifically identified as MLCP's responsibility in the Fourth Amendment to the Agreement. Additionally, MLCP has failed to provide the District with any meaningful information concerning a proposed new means of desalination that MLCP has represented would result in significant changes to the Project and the District's related environmental analysis of the same. The Board of Commissioners received a brief presentation on this technology at its Board meeting in October of 2018, with a promise that the District would have all of the materials it needed to commence analysis of the technology and its impact on the proposed EIR/EIS by January of 2019. However, no information was provided in January of 2019, and to date, no further information about this technology has been provided to the District or its consultant.

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Representatives from MLCP have failed to make several promised appearances at Board meetings to discuss this new technology and provide the District with a project status update.

Second, the District has been compelled to consider termination of the Agreement due to MLCP's unwillingness to deposit funds into the Project's reimbursement account. Without such funds, the District cannot pay for its consultant's services in preparing an EIR/EIS.

Section 3 of the Agreement requires MLCP to make an initial deposit of \$100,000 to cover processing and consultant costs, and to bring the deposit back up to the sum of \$100,000 upon notice and request from the District when the reimbursement fund drops below \$50,000. Work on the Project has had to be stopped on several occasions when the deposit has fallen below \$50,000. In June of 2018, the District notified MLCP that the reimbursement fund was actually at a deficit and that a new deposit had to be made before further work could be done. Over the past 12 months, the District has notified MLCP on several occasions of the need to bring the deposit back up to \$100,000. The District also made it clear that in the absence of such funding, Aspen had been compelled to stop all work on the Project while there were insufficient funds to pay for its services. (Staff does note that Mr. Agha did make good on a promise to reimburse the District for its out-of-pocket expenses on the Project in the amount of \$27,315.33 on October 19, 2018, bringing the reimbursement account to \$0. Nevertheless, despite repeated requests for the fund to be replenished, no further deposits have been made.)

In May of 2019 the District agreed to a reduced deposit of \$50,000 as a means of seeing whether the Project could be reinvigorated. Despite MLCP's promises to make this deposit, no funds were received by the District. The District's requests to schedule a meeting to discuss the Project's status went unanswered. In light of MLCP's apparent disinterest in moving forward with the District's analysis of the Project, the District's offer to allow a \$50,000 deposit in lieu of the normal \$100,000 was rescinded.

Based on the foregoing, on July 24, 2019, it appeared that for all intents and purposes, the People's Project had been abandoned. MLCP has not paid for continued work on the Project for over a year and the District has not been provided with any significant information about the Project's status. Nor has Aspen been provided with studies and data that were promised more than a year ago. MLCP principals seemed to be disinterested or unwilling to communicate directly with the District, and Aspen's services have been held in abeyance for over a year. While Aspen has been patient and flexible in continuing to allocate adequate resources to the Project when funds are available, at some point it becomes unreasonable for the District to expect Aspen to continue to work on a project with such an erratic schedule.

Section 5 of the Reimbursement Agreement allows either party to terminate the Agreement upon thirty (30) days written notice. If the Board provides direction to terminate the Agreement by minute motion, we will provide MLCP with appropriate notice thereafter. The 30-day time period will also allow Aspen to gather the work it has already prepared so that it may be transmitted to MLCP.

Staff provided MLCP with notice of this agenda item in case MLCP representatives wished to address the Board on any of the issues set forth above. On July 16, I received an inquiry from Paul Moncrief, legal counsel for MLCP/Agha, as to whether this matter could be continued to the Board meeting in August. Mr. Moncrief indicated that both he and Paul Hart, who represented MLCP during early negotiations concerning the Agreement and Project, were unavailable on July 24 due to a hearing in southern California. The Board was advised of the request for a continuation at the July 24 meeting.

However, notwithstanding Mr. Moncrief's request for a continuance, Nader Agha appeared at the meeting on the 24th and addressed the Board. Mr. Agha told the Board that the Project was still viable and moving forward and offered to make a payment to his Reimbursement Account. The Board also received a brief presentation from a representative of Oxidane Pure, a company that has developed a new, efficient and economical means of removing salt and other impurities from seawater without the complications associated with the typical desalination process. The Board decided that in deference to both Mr. Moncrief's request and the absence of Commissioner Goulart, the Board would continue the matter to its August meeting. President Jeffries invited and encouraged Mr. Agha and other Project representatives to attend the continued hearing.

Staff stands ready to answer any questions the Board may have in this matter.