



MINUTES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
MOSS LANDING, CA 95039
April 22, 2015, 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 and Visitor Dock). Negotiating parties: General Manager and District Counsel.
3. Confer with real property negotiators pursuant to Government Code §54956.8 regarding parcel(s) currently used for E & F Dock access easements (MBARI). Negotiating parties: General Manager and District Counsel.
4. 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

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
Frank Gomes, Jr. – Commissioner
Andrew Amaral – Commissioner

Staff present:

Linda G. McIntyre – General Manager
Mike Rodriguez – District Counsel
Tom Razzeca – Assistant General Manager
Marie Della Maggiore – Executive Assistant
Wendy Cumming - CPA

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.

In consideration of the CPA's time, President Jeffries moved Item 20 forward on the agenda.

I. NEW BUSINESS

20. ITEM – Consider adopting the preliminary budget for FY 2015-2016.
 - a. Staff report – GM McIntyre gave the staff report.
 - b. Public comment – No public comment.
 - c. Board discussion – Budget Committee Chair Commissioner Gomes commented that this budget was based on doing the restaurant construction. He said the committee will do a midyear review and make any adjustment recommendations to the Board as necessary. President Jeffries thanked staff and the committee for doing a great job. Commissioner Leonardini thanked GM McIntyre and Wendy Cumming, CPA for all their cooperation and work on the budget.
 - d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Amaral to adopt the preliminary budget and direct the General Manager to specify a date no earlier than May 27, 2015 at 7:00 p.m. as the date and time to fix the final budget, and to publish the appropriate notice of the public hearing for fixing the final budget. The motion passed unanimously on a roll call vote. Accountant Wendy Cumming departed.

In consideration of the public present to speak on the Item, President Jeffries brought Item 21 forward on the agenda.

21. ITEM – Consider Resolution No. 15-06 awarding a CEQA Environmental Services contract relating to the People’s Desal project.

- a. Staff report – GM McIntyre gave the staff report.
- b. Public comment – Ms. Susan Lee, Vice President of Aspen Environmental San Francisco Office, introduced herself and said she would be the Project Manager. Ms. Lee has over 27 years experience with CEQA, NEPA and government projects.
- c. Board discussion – There was a lengthy question and answer period during which the Board asked many questions about the experience of the firm and Ms. Lee, the CEQA review process and any anticipated additional costs. David Balch, legal counsel for the People’s Moss Landing Desal Project, thanked the Board, GM McIntyre and Counsel Rodriguez for working hard to expedite the process. Counsel Rodriguez clarified adoption of the resolution would be contingent on verification of the Aspen professional references and the outcome of a meeting, TBD, of the full Aspen team and the Board.
- d. Board action – A motion was made by Commissioner Ferrante and seconded by Commissioner Gomes to adopt Resolution No. 15-06. The motion passed unanimously on a roll call vote.

President Jeffries called for a five minute break.

The Board returned to open session at 7:50 p.m.

D. PUBLIC COMMENTS

No public comment.

E. MANAGER’S REPORTS

- 1. Projects Status/Update – Written report, no additional comments.
- 2. Community Relations; Requests/Issues – Written report, no additional comments.
- 3. Summary of Permits Issued – Written report, no additional comments.
- 4. Meeting Announcements – Written report, no additional comments.
- 5. Assigned Liveboard Report – Written report, no additional comments.
- 6. Slip Income Report – Written report, no additional comments.
- 7. Incident Report – Written report, no additional comments.

F. CONSENT CALENDAR

8. Approval of the March 25, 2015 Regular Meeting Minutes. President Jeffries commented that the Minutes included a comment regarding the DWD presentation; that he wanted clarification that the Board by consensus requested District Counsel to research the issue of use of easements. The Board confirmed their understanding that they had requested District Counsel to so research the issue.

9. Approve Amendment No. 5 to the ML Community Plan EIR Services Contract.

A motion was made by Commissioner Gomes and seconded by Commissioner Leonardini to approve the Consent Calendar. The motion passed unanimously on a roll call vote.

G. TREASURER’S REPORT

10. Financial Reports – Month ending March 31, 2015 – Written report, no additional comments.

A motion was made by Commissioner Leonardini and seconded by Commissioner Gomes to approve the month-ending March 31, 2015 financial reports. The motion passed unanimously on a roll call vote.

H. COMMITTEE REPORTS

11. Finance Committee – No meetings reported.

12. Elkhorn Slough Advisory Committee – No meetings reported.
13. Special Districts – Commissioner Ferrante attended the April 17, 2015 meeting of the CSDA Board. Commissioners Jeffries and Ferrante attended the quarterly meeting of the Special Districts Association of Monterey County; President Jeffries reported that Steve Vagnini, Monterey County Assessor, indicated real property tax revenue should increase by approximately 5% next tax year.
14. Liveaboard Committee – No meetings reported.
15. Harbor Improvement Committee – No meetings reported.
16. Real Property Committee I – meetings reported in Closed.
17. Real Property Committee II – No meetings reported.
18. Ad Hoc Budget Committee – Meetings reported earlier on the agenda.
19. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). – No additional meetings reported.

J. COMMISSIONERS COMMENTS AND CONCERNS

Commissioners had no comments.

K. ADJOURN MEETING

The meeting was adjourned at 8:05 pm.

Respectfully submitted.

Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:

Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners