



AGENDA  
REGULAR MEETING  
OF THE BOARD OF HARBOR COMMISSIONERS  
MOSS LANDING HARBOR DISTRICT  
7881 Sandholdt Road  
MOSS LANDING, CA 95039  
March 27, 2013 7:00 p.m.

**A. CLOSED SESSION**

---

A closed session will be held immediately prior to the public open meeting, **and will begin at 6:00 p.m.** 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 at the Closed Session will be reported out at this time.

1. 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.
2. 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.
3. 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.
4. Consider personnel matters pursuant to Government Code §54957 – General Manager annual performance evaluation.
5. Confer with legal counsel and General Manager regarding one matter of potential litigation pursuant to Government Code § 54956.9(b) (1) and is of the opinion that a significant exposure to litigation exists.
6. Confer with legal counsel and General Manager regarding one matters of potential litigation pursuant to Government Code § 54956.9(a): City of Salinas, et al, vs. County of Monterey, et al.

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

---

**Roll Call**

Russ Jeffries - President	Linda G. McIntyre – General Manager
Yohn Gideon – Vice President	Mike Rodriquez – District Counsel
Vince Ferrante – Secretary	Marie Della Maggiore, Executive Assistant
Frank Gomes, Jr. – Commissioner	Wendy Cumming, CPA
Tony Leonardini - Commissioner	

**C. PRESIDENT'S REMARKS**

---

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**

---

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. SPECIAL PRESENTATION AND POSSIBLE ACTION**

---

1. Presentation of the People's Moss Landing Water Desal Project. Consider request that the Moss Landing Harbor District assume position of Lead Agency for compliance with the California Environmental Quality Act (CEQA) and other environmental requirements.

- a. Presentation by project proponents
- b. Public comment
- c. Board discussion
- d. Board action

## **F. MANAGER'S REPORTS**

---

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.

2. Projects Status/Update
3. Community Relations; Requests/Issues
4. Summary of Permits Issued
5. Meeting Announcements
6. Assigned Liveboard Report
7. Assigned Slip Income Report
8. Incident Report

## **G. CONSENT CALENDAR**

---

All matters listed on the Consent Calendar are considered to be routine by the Board of Harbor Commissioners and will be enacted by one motion at the appropriate time. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Calendar and will be considered separately.

9. Approval of the January 16, 2013 Special Meeting Minutes.
10. Approve conceptual drawings for North Harbor Restaurant

## **H. TREASURER'S REPORT**

---

11. Financial Reports – Month ending February 28, 2013

## **I. COMMITTEE REPORTS**

---

12. Finance Committee – Ferrante/Gideon
13. Elkhorn Slough Advisory Committee – Leonardini/Alternate - Gomes
14. Special Districts/CSDA – Jeffries/Ferrante
15. Liveboard Committee – Gideon/Jeffries
16. Harbor Improvement Committee – Gideon/Gomes
17. Real Property Committee I – Jeffries/Leonardini
18. Real Property Committee II – Gomes/Gideon
19. Ad Hoc Budget Committee – Gomes/Leonardini
20. Meetings attended by Commissioners at District expense since the last regular Board meeting (Per AB 1234 requirements). Such reports may be made orally or in writing.

## **J. NEW BUSINESS**

---

21. ITEM – Consider request by Dr. John Oliver and Coastal Conservation and Research, Inc. for a letter of support for a grant application filed January 4, 2013 for erosion control.

- a. Staff report
- b. Public comment
- c. Board discussion
- d. Board action

22. ITEM – Consider Resolution No. 13-04 authorizing the expenditure of funds to cut installed piles to ensure symmetrical appearance throughout Harbor.

- a. Staff report
- b. Public comment
- c. Board discussion
- d. Board action

23. ITEM – Consider extending the term of the funding Agreement between the Moss Landing Community Plan EIR Project Applicants and the County of Monterey from May 31, 2013 to May 31, 2014.

- a. Staff report
- b. Public comment
- c. Board discussion
- d. Board action

## **K. COMMISSIONERS COMMENTS AND CONCERNS**

---

Members of the Board of Harbor 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**

---

The next Regular Meeting of the Board of Harbor Commissioners is scheduled for April 24, 2013 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 Executive Assistant to the General Manager by calling 831.633.5417 or by emailing [dellamaggiore@mosslandingharbor.dst.ca.us](mailto:dellamaggiore@mosslandingharbor.dst.ca.us) 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 the meeting and may be obtained by contacting the District at (831) 633-5417. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.

