



AGENDA
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road
MOSS LANDING, CA 95039
April 24, 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 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. MANAGER'S REPORTS

The General Manager will make oral or written reports 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.

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

F. 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.

8. Approval of the March 27, 2013 Regular Meeting Minutes.

G. TREASURER'S REPORT

9. Financial Reports – Month ending March 31, 2013

H. COMMITTEE REPORTS

10. Finance Committee – Ferrante/Gideon
11. Elkhorn Slough Advisory Committee – Leonardini/Alternate - Gomes
12. Special Districts/CSDA – Jeffries/Ferrante
13. Liveboard Committee – Gideon/Jeffries
14. Harbor Improvement Committee – Gideon/Gomes
15. Real Property Committee I – Jeffries/Leonardini
16. Real Property Committee II – Gomes/Gideon
17. Ad Hoc Budget Committee – Gomes/Leonardini
18. 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.

I. NEW BUSINESS

19. ITEM – Consider adopting the preliminary budget for FY 2013-2014.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action
20. ITEM – Consider the People's Moss Landing Water Desal Project 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. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

21. ITEM – Consider proposal by the Weist Law firm to pursue refinancing the District's existing long-term obligations with a lower interest mechanism.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

22. ITEM – Consider the request by a Harbor District Facilities Use Permit holder for an ABC beer/wine sales license for use on his eco-tourism business vessel.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

23. ITEM – Consider a position on pending legislation: Assembly Constitutional Amendment 8 and Senate Constitutional Amendment 11 reducing the majority threshold to impose taxes from 2/3 to 55%.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

24. ITEM – Consider Adopting Resolution 13-08 declaring the District's Munson Patrol Vessel surplus and authorizing the sale of the vessel.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

25. ITEM – Consider adopting Resolution 13-09 cancelling the May 22, 2013 Regular Board Meeting and rescheduling the May Regular meeting to Wednesday, May 29, 2013.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

26. ITEM – Consider adopting Resolution 13-10 authorizing a contract with Larry Mallon for consultant services related to the DMMP.
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

J. 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.

K. ADJOURNMENT

The next Regular Meeting of the Board of Harbor Commissioners is scheduled for May 22, 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 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.