



**AGENDA
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
September 22, 2021
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road, Moss Landing, CA 95039**

Moss Landing Harbor District is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

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A. CLOSED SESSION

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 Section 54956.8 - Moss Landing Commercial Park District proposal concerning Outfall Line, East Harbor Pumping Pier Property and Berthing Spaces.

2. Confer with real property negotiators (District Counsel and GM) pursuant to Government Code 54956.8 regarding the proposed lease of storage lot adjacent to the Santa Cruz Cannery Building located at 7532 Sandholdt Rd.

1. Meet and confer with legal counsel pursuant to Government Code 54956.9(d)(4) deciding whether to initiate litigation.

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

Russ Jeffries – President
Tony Leonardini – Vice President
Vince Ferrante – Secretary
James Goulart – Commissioner
Liz Soto - Commissioner

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

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.

E. CONSENT CALENDAR

1. Approval of the August 25, 2021, Regular Meeting Minutes.

F. FINANCIAL REPORT

2. Financial reports months ending August, 2021.

G. MANAGERS’ REPORTS

The General Manager will make oral or written reports. The Board may take action as deemed necessary. The Managers may present additional reports but the Board may not take action on any item not on this Agenda.

3. Projects Status/Update
4. Summary of Permits Issued
5. Meeting Announcements
6. Liveaboard Report
7. Slip Income Report
8. Incident Report

H. COMMITTEE REPORTS

9. Finance Committee – Ferrante/Leonardini
10. Elkhorn Slough Advisory Committee – Leonardini
11. Special Districts – Jeffries/Ferrante
12. Budget Committee – Goulart/Soto
13. Liveaboard Committee – Goulart/Soto
14. Harbor Improvement Committee – Goulart/Soto
15. Real Property Committee I – Jeffries/Leonardini
16. Real Property Committee II – Ferrante/Goulart
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.

I. SPECIAL PRESENTATION

18. Monterey County Office Of Emergency Services will make a presentation regarding the preparation of a Multi-Jurisdiction Hazard Mitigation Plan to include Moss Landing Harbor District. Moss Landing Harbor Districts inclusion in the mitigation plan will make the District eligible to apply for hazard mitigation funding in the future.

J. NEW BUSINESS

19. ITEM- Consider Civil Compromise People v. Marc C. Coleman, Case No. 19CR005818

- a. Staff Report –
- b. Public Comment –
- c. Board Discussion –
- d. Board Action –

20. ITEM- Consider Approving Expenditure For The North Harbor Resurfacing and Restriping Project, Boyd's Asphalt

- a. Staff Report –
- b. Public Comment –
- c. Board Discussion –
- d. Board Action –

K. COMMISSIONERS COMMENTS AND CONCERNS

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. ADJORNMENT

The next Meeting of the Board of Harbor Commissioners is scheduled for October 27, 2021 at 7:00 PM at the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, CA. Individuals requiring special accommodations should contact Administrative Assistant, Shay Shaw at Shaw@mosslandingharbor.dst.ca.us or at 831.633.2461 no less than 72 hours prior to the meeting or if 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/or by contacting the District at 831.633.5417 or Shaw@mosslandingharbor.dst.ca.us or on the District's website at www.mosslandingharbor.dst.ca.us. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.



**MINTUES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
August 25, 2021
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road, Moss Landing, CA 95039**

A. CLOSED SESSION

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

1. Meet and confer with legal counsel pursuant to Government Code 54956.9(d)(4) deciding whether to initiate litigation.
2. Confer with real property negotiators (District Counsel and GM) pursuant to Government Code 54956.8 regarding the proposed lease of storage lot adjacent to the Santa Cruz Cannery Building located at 7532 Sandholdt Rd.

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

The open session was called to order at 7:18pm, after the Pledge of Allegiance Roll was called:

Commissioners Present:

Russ Jeffries – President
Tony Leonardini – Vice President
Vince Ferrante – Secretary
James Goulart – Commissioner
Liz Soto - 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; direction was given to the General Manager and District Counsel.

D. PUBLIC COMMENTS

None.

E. CONSENT CALENDAR

1. Approval of the July, 2021, Regular Meeting Minutes. A motion was made by Commissioner Soto, seconded by Commissioner Goulart, to approve the July, 2021 Regular Meeting Minutes. The motion passed unanimously on a roll-call vote.

F. FINANCIAL REPORT

2. Financial reports months ending August, 2021 GM Razzeca gave the highlights. A motion was made by Commissioner Ferrante, seconded by Commissioner Leonardini to accept the financial report. The motion passed unanimously on a roll-call vote.

G. MANAGERS' REPORTS

The General Manager will make oral or written reports. The Board may take action as deemed necessary. The Managers may present additional reports but the Board may not take action on any item not on this Agenda.

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. Liveaboard Report – written report/no questions
7. Slip Income Report – written report/no questions
8. Incident Report – written report/no questions

H. COMMITTEE REPORTS

9. Finance Committee – Ferrante/Leonardini – nothing to report
10. Elkhorn Slough Advisory Committee – Leonardini – nothing to report
11. Special Districts – Jeffries/Ferrante – nothing to report
12. Budget Committee – Goulart/Soto – nothing to report
13. Liveaboard Committee – Goulart/Soto – Commissioner Goulart reported that the Liveaboard meeting was successful and he complimented the General Manager for having a good standing rapport with the tenants and that he is very approachable and easy to talk to about issues within the Harbor. Commissioner Soto said that the atmosphere was great and the tenants that attended were cooperative and had minor complaints that were fixable and she also agreed with Commissioner Goulart in saying that she was impressed with the response from the tenants in regards to the General Manager.
14. Harbor Improvement Committee – Goulart/Soto – nothing to report
15. Real Property Committee I – Jeffries/Leonardini – nothing to report
16. Real Property Committee II – Ferrante/Goulart– 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.

I. NEW BUSINESS

None.

K. COMMISSIONERS COMMENTS AND CONCERNS

Commissioner Ferrante provided information regarding the Senate Bill 594
The Board Planning Workshop meeting date has been changed/scheduled to October 23, 2021 beginning at 9am.

L. ADJORNMENT

The meeting adjourned at pm 7:40pm

Respectfully submitted,

Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:

Tommy Razzeca, Deputy Secretary
Board of Harbor Commissioners

Moss Landing Harbor District
Balance Sheet
As of August 31, 2021

	<u>Aug 31, 21</u>	<u>Aug 31, 20</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
1002 · Petty Cash	500	500		
1009 · Union - Operating	2,961,389	2,915,814	45,575	2%
1010 · Union - M.M.		8,362	-8,362	-100%
1011 · Union - Payroll		31,995	-31,995	-100%
1015 · 1st Capital Bank	1,557,865	1,554,752	3,113	0%
1018 · Union Bank- Trust Account	2,307,300	761,968	1,545,332	203%
1020 · Umpqua - Restricted	1,017,051	1,016,612	439	
Total Checking/Savings	<u>7,844,105</u>	<u>6,290,003</u>	<u>1,554,102</u>	<u>25%</u>
Accounts Receivable				
11290 · Leases				
1282 · NNN Receivable	47,987	82,364	-34,377	-42%
1294 · Monterey Fish		-7,671	7,671	100%
Total 11290 · Leases	<u>47,987</u>	<u>74,693</u>	<u>-26,706</u>	<u>-36%</u>
1200 · Marina Receivables	135,948	128,572	7,376	6%
1201 · Marina - Allow for Bad Debt	-45,255	-31,951	-13,304	-42%
Total Accounts Receivable	<u>138,680</u>	<u>171,314</u>	<u>-32,634</u>	<u>-19%</u>
Other Current Assets				
1271 · Prepaid Expenses				
1270 · Insurance	197,343	71,697	125,646	175%
Total 1271 · Prepaid Expenses	<u>197,343</u>	<u>71,697</u>	<u>125,646</u>	<u>175%</u>
Total Other Current Assets	<u>197,343</u>	<u>71,697</u>	<u>125,646</u>	<u>175%</u>
Total Current Assets	<u>8,180,128</u>	<u>6,533,014</u>	<u>1,647,114</u>	<u>25%</u>
Fixed Assets				
1650 · Construction in Progress	4,861,140	4,861,140		
1670 · Equipment	463,119	463,119		
1700 · Improvements				
1710 · NH Buildings & Improvements	6,880,629	6,880,629		
1720 · NH Floating Docks	524,675	524,675		
1725 · NH Offsite Improvements	632,218	632,218		
1730 · SH Buildings & Improvements	8,160,807	8,160,807		
1740 · SH Floating Docks	9,457,184	9,457,184		
Total 1700 · Improvements	<u>25,655,513</u>	<u>25,655,513</u>		
1800 · Less - Depreciation				
1805 · Equipment	-445,741	-425,340	-20,401	-5%
1810 · NH Buildings & Improvements	-3,755,301	-3,440,256	-315,045	-9%
1820 · NH Floating Docks	-538,717	-526,680	-12,037	-2%
1825 · NH Offsite Improvements	-522,774	-493,391	-29,383	-6%
1830 · SH Buildings & Improvements	-6,397,620	-6,188,842	-208,778	-3%
1840 · SH Floating Docks	-6,878,807	-6,464,407	-414,400	-6%
Total 1800 · Less - Depreciation	<u>-18,538,960</u>	<u>-17,538,916</u>	<u>-1,000,044</u>	<u>-6%</u>
1900 · Land	1,642,860	1,642,860		
Total Fixed Assets	<u>14,083,672</u>	<u>15,083,716</u>	<u>-1,000,044</u>	<u>-7%</u>

Moss Landing Harbor District
Balance Sheet
As of August 31, 2021

	<u>Aug 31, 21</u>	<u>Aug 31, 20</u>	<u>\$ Change</u>	<u>% Change</u>
Other Assets				
1320 · Workers Comp Deposit	200	200		
1530 · Principal Financial CS	7,389	7,389		
Total Other Assets	<u>7,589</u>	<u>7,589</u>		
TOTAL ASSETS	<u><u>22,271,389</u></u>	<u><u>21,624,319</u></u>	<u><u>647,070</u></u>	<u><u>3%</u></u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2010 · Accounts Payable	-8,498	-8,209	-289	-4%
Total Accounts Payable	<u>-8,498</u>	<u>-8,209</u>	<u>-289</u>	<u>-4%</u>
Other Current Liabilities				
2020 · Accrued Salaries Payable	31,098	30,955	143	0%
2021 · Accrued Vacation	22,412	22,412		
2023 · Accrued Payroll Taxes	6,754	6,563	191	3%
2030 · Customer Deposits	354,369	333,545	20,824	6%
2051 · Note Interest Payable				
2062 · Umpqua Accrued Interest	9,886	5,957	3,929	66%
Total 2051 · Note Interest Payable	<u>9,886</u>	<u>5,957</u>	<u>3,929</u>	<u>66%</u>
2080 · Prepaid Berth Fees	216,801	170,517	46,284	27%
2011 · Lusamerica Reimb. Acct.	15,000		15,000	100%
2082 · MLCP Cost Reimb. Deposit	73,761	79,447	-5,686	-7%
2086 · Prepaid Leases				
20861 · Vistra	42,317	40,473	1,844	5%
20862 · MBARI	19,333	19,228	105	1%
Total 2086 · Prepaid Leases	<u>61,650</u>	<u>59,701</u>	<u>1,949</u>	<u>3%</u>
2087 · Lease Deposits	21,151	19,501	1,650	8%
Total Other Current Liabilities	<u>812,882</u>	<u>728,598</u>	<u>84,284</u>	<u>12%</u>
Total Current Liabilities	<u>804,384</u>	<u>720,389</u>	<u>83,995</u>	<u>12%</u>
Long Term Liabilities				
2605 · Umpqua Loan	2,163,830	2,508,701	-344,871	-14%
Total Long Term Liabilities	<u>2,163,830</u>	<u>2,508,701</u>	<u>-344,871</u>	<u>-14%</u>
Total Liabilities	<u>2,968,214</u>	<u>3,229,090</u>	<u>-260,876</u>	<u>-8%</u>
Equity				
3020 · Retained Net Assets	6,456,231	6,456,231		
3050 · Prior Year Earnings	12,726,113	11,796,504	929,609	8%
Net Income	120,831	142,494	-21,663	-15%
Total Equity	<u>19,303,175</u>	<u>18,395,229</u>	<u>907,946</u>	<u>5%</u>
TOTAL LIABILITIES & EQUITY	<u><u>22,271,389</u></u>	<u><u>21,624,319</u></u>	<u><u>647,070</u></u>	<u><u>3%</u></u>

Moss Landing Harbor District
Statement of Cash Flows
July through August 2021

Jul - Aug 21

OPERATING ACTIVITIES	
Net Income	120,831
Adjustments to reconcile Net Income to net cash provided by operations:	
11290 · Leases:1291 · Monterey Bay Kayak	18,891
1200 · Marina Receivables	2,377
1201 · Marina - Allow for Bad Debt	4,250
11290 · Leases:1282 · NNN Receivable	-5,000
1271 · Prepaid Expenses:1270 · Insurance	-156,520
1800 · Less - Depreciation:1805 · Equipment	3,400
1800 · Less - Depreciation:1810 · NH Buildings & Improvements	52,508
1800 · Less - Depreciation:1820 · NH Floating Docks	2,006
1800 · Less - Depreciation:1825 · NH Offsite Improvements	4,897
1800 · Less - Depreciation:1830 · SH Buildings & Improvements	34,796
1800 · Less - Depreciation:1840 · SH Floating Docks	69,067
2010 · Accounts Payable	197,756
2020 · Accrued Salaries Payable	15,711
2023 · Accrued Payroll Taxes	5,606
2030 · Customer Deposits	5,497
2080 · Prepaid Berth Fees	-15,717
2086 · Prepaid Leases	-7,551
2086 · Prepaid Leases:20861 · Vistra	-12,247
2086 · Prepaid Leases:20862 · MBARI	-4,906
2087 · Lease Deposits	1,650
2051 · Note Interest Payable:2062 · Umpqua Accrued Interest	-24,652
Net cash provided by Operating Activities	<u>312,650</u>
FINANCING ACTIVITIES	
2605 · Umpqua Loan	-344,871
Net cash provided by Financing Activities	<u>-344,871</u>
Net cash increase for period	-32,221
Cash at beginning of period	7,876,326
Cash at end of period	<u><u>7,844,105</u></u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
 July through August 2021

	<u>Jul - Aug 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense				
Income				
4000 · MARINA REVENUES				
4100 · Berthing Income				
4110 · Assigned Berthing	300,035	301,918	(1,883)	99%
4112 · Qtrly/Annual Discount	(222)	(483)	261	46%
4113 · Commercial Vessel Dscnt	(1,940)	(2,000)	60	97%
4114 · Away (1 mnth) Dscnt		(100)	100	
4115 · Temporary Berthing	49,245	52,949	(3,704)	93%
4120 · Liveaboard Fees	23,060	22,167	893	104%
4130 · Transient Berthing	2,360	12,533	(10,173)	19%
4220 · Wait List	1,800	1,083	717	166%
4260 · Towing - Intra Harbor		100	(100)	
4280 · Late Fees	5,687	5,833	(146)	97%
Total 4100 · Berthing Income	<u>380,025</u>	<u>394,000</u>	<u>(13,975)</u>	<u>96%</u>
4200 · Other Income - Operations				
4225 · Merchandise		40	(40)	
4230 · SH Parking	32,286	16,560	15,726	195%
4285 · Dog Fee	150	100	50	150%
4290 · Misc	524	250	274	210%
Total 4200 · Other Income - Operations	<u>32,960</u>	<u>16,950</u>	<u>16,010</u>	<u>194%</u>
Total 4000 · MARINA REVENUES	<u>412,985</u>	<u>410,950</u>	<u>2,035</u>	<u>100%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2021

Expense	Jul - Aug 21	Budget	\$ Over Budget	% of Budget
5200 · General & Administrative				
5100 · Advertising	1,574	1,083	491	145%
5210 · Dues & Subscriptions	3,228	1,902	1,326	170%
5220 · Office Supplies				
5223 · Administration	833	1,448	(615)	58%
5225 · Operations	3,646	2,236	1,410	163%
Total 5220 · Office Supplies	4,479	3,684	795	122%
5230 · Postage & Equip Lease				
5232 · Meter Lease		115	(115)	
5235 · Postage	3	186	(183)	2%
Total 5230 · Postage & Equip Lease	3	301	(298)	1%
5240 · Copier Lease & Supplies				
5242 · Copier Lease	618	490	128	126%
Total 5240 · Copier Lease & Supplies	618	490	128	126%
5250 · Telephone & Communications				
5253 · Administration	2,461	2,171	290	113%
5255 · Operations	113	81	32	140%
Total 5250 · Telephone & Communications	2,574	2,252	322	114%
5260 · Professional Services				
5262 · Accounting	5,836	6,000	(164)	97%
5265 · Legal	7,480	16,667	(9,187)	45%
5268 · Computer Consulting	170	312	(142)	54%
5269 · Payroll Processing	579	603	(24)	96%
Total 5260 · Professional Services	14,065	23,582	(9,517)	60%
5270 · Licenses & Permits	500			
5290 · Credit Card Fees	724	1,883	(1,159)	38%
5921 · Internet Billing Service	274	240	34	114%
Total 5200 · General & Administrative	28,039	35,417	(7,378)	79%
5300 · Personnel				
5310 · Salaries				
5313 · Administration	49,921	45,352	4,569	110%
5315 · Operations	31,641	34,152	(2,511)	93%
5318 · Maintenance	29,121	25,802	3,319	113%
Total 5310 · Salaries	110,683	105,306	5,377	105%
5330 · Payroll Taxes				
5333 · Administration	3,816	3,470	346	110%
5335 · Operations	2,421	2,613	(192)	93%
5338 · Maintenance	2,228	1,974	254	113%
Total 5330 · Payroll Taxes	8,465	8,057	408	105%

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2021

	<u>Jul - Aug 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
5340 - Employee Benefits				
5342 - Vehicle Allowance				
5343 - Administration	10,929	7,449	3,480	147%
5345 - Operations	844			
5348 - Maintenance	12,401	9,870	2,531	126%
Total 5340 - Employee Benefits	<u>24,174</u>	<u>17,319</u>	<u>6,855</u>	<u>140%</u>
5350 - Workers Compensation				
5353 - Administration	600	177	423	339%
5355 - Operations	1,174	2,034	(860)	58%
5358 - Maintenance	1,334	1,105	229	121%
Total 5350 - Workers Compensation	<u>3,108</u>	<u>3,316</u>	<u>(208)</u>	<u>94%</u>
5360 - Education & Training				
5363 - Administration	1,408	333	1,075	423%
5365 - Operations		333	(333)	
Total 5360 - Education & Training	<u>1,408</u>	<u>666</u>	<u>742</u>	<u>211%</u>
Total 5300 - Personnel	<u>147,838</u>	<u>134,664</u>	<u>13,174</u>	<u>110%</u>
5400 - Insurance				
5410 - Liability Insurance	27,633	27,633	-	100%
Total 5400 - Insurance	<u>27,633</u>	<u>27,633</u>	<u>-</u>	<u>100%</u>
5500 - Utilities				
5510 - Garbage	18,152	19,167	(1,015)	95%
5520 - Gas and Electric	50,000	50,000		100%
5530 - Water	5,915	6,667	(752)	89%
5540 - Sewer	7,640	7,167	473	107%
Total 5500 - Utilities	<u>81,707</u>	<u>83,001</u>	<u>(1,294)</u>	<u>98%</u>
5600 - Operating Supplies				
5610 - Vehicles	1,320	2,513	(1,193)	53%
5620 - Vessels	476	267	209	178%
5625 - Operations	1,792	3,253	(1,461)	55%
Total 5600 - Operating Supplies	<u>3,588</u>	<u>6,033</u>	<u>(2,445)</u>	<u>59%</u>
5700 - Depreciation	83,337	83,334	4	100%
5800 - Repairs & Maintenance				
5810 - Vehicles		159	(159)	
5830 - Equip Rental	404	950	(546)	43%
5850 - Repair Materials	5,541	11,390	(5,849)	49%
5860 - Outside Service Contracts	7,112	12,500	(5,388)	57%
Total 5800 - Repairs & Maintenance	<u>13,057</u>	<u>24,999</u>	<u>(11,942)</u>	<u>52%</u>
5900 - Financial Expenses				
5920 - Bank Service Charges	1,449	833	616	174%
5990 - Bad Debt	4,250	4,167	83	102%
Total 5900 - Financial Expenses	<u>5,699</u>	<u>5,000</u>	<u>699</u>	<u>114%</u>
Total - MARINA EXPENSES	<u>390,898</u>	<u>400,081</u>	<u>(9,183)</u>	<u>98%</u>
Net Ordinary Income - Marina Operations	<u>22,087</u>	<u>10,870</u>	<u>11,218</u>	<u>203%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2021

	<u>Jul - Aug 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
4400 · LEASE AND OTHER INCOME				
4050 · Trust Lands Lease Revenue				
4051 · Vistra	12,247	12,247	-	100%
4053 · MBARI	4,906	5,022	(116)	98%
Total 4050 · Trust Lands Lease Revenue	<u>17,153</u>	<u>17,269</u>	<u>(116)</u>	<u>99%</u>
4500 · Leases				
4501 · K-Pier Lease	4,654	2,258	2,396	206%
4502 · Cannery Building				
4517 · Suite 2	6,328	5,852	476	108%
4504 · Suite 3	16,182	16,182	-	100%
4511 · Suite 1 & 10	3,301	3,300	1	100%
4515 · Suite 4	15,649	15,650	(1)	100%
4518 · Suite 5	4,575	4,574	1	100%
4510 · Suite 6	2,387	2,386	1	100%
4512 · Suite 7	2,502	2,502	-	100%
4503 · Suite 8	1,639	1,592	47	103%
4520 · Suite 9		1,498	(1,498)	
4523 · Canary NNN	5,000	6,667	(1,667)	75%
Total 4502 · Cannery Building	<u>57,563</u>	<u>60,203</u>	<u>(2,640)</u>	<u>96%</u>
4530 · RV Lot	5,882	6,030	(148)	98%
4540 · Martin & Mason				
4560 · North Harbor				
4562 · Sea Harvest	6,170	6,201	(31)	100%
4568 · Monterey Bay Kayaks	3,427	7,500	(4,073)	46%
Total 4560 · North Harbor	<u>9,597</u>	<u>13,701</u>	<u>(4,104)</u>	<u>70%</u>
Total 4500 · Leases	<u>77,696</u>	<u>82,192</u>	<u>(4,496)</u>	<u>95%</u>
4600 · District Property Taxes				
4700 · Other Revenues & Concessions				
4125 · Amenity Fee	59,599	59,167	432	101%
4126 · Passenger Vessel Fees		5,000	(5,000)	
4710 · Vending Activities				
4711 · Washer/Dryer	2,644	1,360	1,284	194%
4712 · Soda	115	57	58	202%
Total 4710 · Vending Activities	<u>2,759</u>	<u>1,417</u>	<u>1,342</u>	<u>195%</u>
4720 · Dry Storage	9,924	10,500	(576)	95%
4725 · North Harbor Use Fee	48,041	25,917	22,124	185%
4727 · Key Sales	900	823	77	109%
4730 · NH Washdown	400	400	-	100%
4735 · Camp/RV	712	417	295	171%
4740 · Equipment Rental		25	(25)	
4745 · Citations & Fines	515		515	
4751 · Permits	1,776	750	1,026	237%
4765 · Faxes, Copies & Postage		10	(10)	
Total 4700 · Other Revenues & Concessions	<u>124,626</u>	<u>104,426</u>	<u>20,200</u>	<u>119%</u>
4800 · Interest				

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July through August 2021

	<u>Jul - Aug 21</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
4841 · Union Bank Interest	25	50	(25)	50%
4843 · First Capital Bank	529	517	12	102%
4846 · Umpqua Interest	17	92	(75)	18%
Total 4800 · Interest	571	659	(88)	87%
Total 4400 · LEASE AND OTHER INCOME	220,046	204,546	15,500	108%
7000 · LEASE AND OTHER EXPENSES				
7100 · Interest Expense				
7134 · Umpqua Accrued Interest	11,098	11,098		100%
Total 7100 · Interest Expense	11,098	11,098		100%
7200 · Other Financial Expenses				
7230 · LAFO Administrative Charges	5,393	7,000	(1,607)	77%
Total 7200 · Other Financial Expenses	5,393	7,000	(1,607)	77%
5700 · Depreciation	83,337	83,334	4	100%
7300 · Commissioner Expenses				
7320 · Monthly Stipend	3,500	3,667	(167)	95%
7321 · Employer Payroll Taxes	268	300	(32)	89%
7330 · Incurred Expenses	186	200	(14)	93%
Total 7300 · Commissioner Expenses	3,954	4,167	(213)	95%
Total 7000 · LEASE AND OTHER EXPENSES	103,782	105,599	(1,817)	98%
Net Ordinary Income - Lease & Other Operations	116,264	98,948	17,317	118%
Net Ordinary Income - Combined Operations	138,351	109,817	28,534	126%
Other Income/Expense				
Other Income				
8001 · Cost Reimbursements				
8101 · Revenue from reimbursements		(33,333)	33,333	
8201 · Reimbursable expenses	(80)	33,333	(33,413)	-0%
Total 8001 · Cost Reimbursements	(80)		(80)	100%
Total Other Income	(80)		(80)	100%
Other Expense				
9000 · CAPITAL PROJECT EXPENSES				
9250 · Security Camera	9,619	10,000	(381)	96%
9310 · NH Hotel	1,217		1,217	100%
9565 · Miscellaneous Capital Projects	6,604	10,000	(3,396)	66%
Total 9000 · CAPITAL PROJECT EXPENSES	17,440	20,000	(2,560)	87%
Total Other Expense	17,440	20,000	(2,560)	87%
Net Other Income	(17,520)	(20,000)	2,480	88%
Net Income	120,831	89,817	31,014	135%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2021

	<u>Jul - Aug 21</u>	<u>Jul - Aug 20</u>	<u>\$ Change</u>	<u>% Change</u>
Ordinary Income/Expense				
Income				
4000 · MARINA REVENUES				
4100 · Berthing Income				
4110 · Assigned Berthing	300,035	281,491	18,544	7%
4112 · Qtrly/Annual Discount	-222	-491	269	55%
4113 · Commercial Vessel Dscnt	-1,940	-2,147	207	10%
4114 · Away (1 mnth) Dscnt		-98	98	100%
4115 · Temporary Berthing	49,245	56,633	-7,388	-13%
4120 · Liveaboard Fees	23,060	20,875	2,185	10%
4130 · Transient Berthing	2,360	5,576	-3,216	-58%
4220 · Wait List	1,800	1,225	575	47%
4260 · Towing - Intra Harbor		150	-150	-100%
4270 · Pumpouts		400	-400	-100%
4280 · Late Fees	5,687	3,570	2,117	59%
Total 4100 · Berthing Income	<u>380,025</u>	<u>367,184</u>	<u>12,841</u>	<u>3%</u>
4200 · Other Income - Operations				
4225 · Merchandise		42	-42	-100%
4230 · SH Parking	32,286	13,213	19,073	144%
4285 · Dog Fee	150	190	-40	-21%
4290 · Misc	524	304	220	72%
Total 4200 · Other Income - Operations	<u>32,960</u>	<u>13,749</u>	<u>19,211</u>	<u>140%</u>
Total 4000 · MARINA REVENUES	<u>412,985</u>	<u>380,933</u>	<u>32,052</u>	<u>8%</u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2021

Expense	Jul - Aug 21	Jul - Aug 20	\$ Change	% Change
5200 · General & Administrative				
5100 · Advertising	1,574	1,399	175	13%
5210 · Dues & Subscriptions	3,228	7,116	-3,888	-55%
5220 · Office Supplies				
5223 · Administration	833	1,153	-320	-28%
5225 · Operations	3,646	501	3,145	628%
Total 5220 · Office Supplies	4,479	1,654	2,825	171%
5230 · Postage & Equip Lease				
5232 · Meter Lease		32	-32	-100%
5235 · Postage	3	639	-636	-100%
Total 5230 · Postage & Equip Lease	3	671	-668	-100%
5240 · Copier Lease & Supplies				
5242 · Copier Lease	618	621	-3	-0%
Total 5240 · Copier Lease & Supplies	618	621	-3	-0%
5250 · Telephone & Communications				
5253 · Administration	2,461	3,643	-1,182	-32%
5255 · Operations	113	115	-2	-2%
Total 5250 · Telephone & Communications	2,574	3,758	-1,184	-32%
5260 · Professional Services				
5262 · Accounting	5,836	5,960	-124	-2%
5265 · Legal	7,480	7,260	220	3%
5268 · Computer Consulting	170		170	100%
5269 · Payroll Processing	579	632	-53	-8%
Total 5260 · Professional Services	14,065	13,852	213	2%
5270 · Licenses & Permits	500		500	100%
5290 · Credit Card Fees	724	3,457	-2,733	-79%
5921 · Internet Billing Service	274	274		
Total 5200 · General & Administrative	28,039	32,802	-4,763	-15%
5300 · Personnel				
5310 · Salaries				
5313 · Administration	49,921	31,469	18,452	59%
5315 · Operations	31,641	36,665	-5,024	-14%
5318 · Maintenance	29,121	31,055	-1,934	-6%
Total 5310 · Salaries	110,683	99,189	11,494	12%
5330 · Payroll Taxes				
5333 · Administration	3,816	2,407	1,409	59%
5335 · Operations	2,421	2,805	-384	-14%
5338 · Maintenance	2,228	2,376	-148	-6%
Total 5330 · Payroll Taxes	8,465	7,588	877	12%
5340 · Employee Benefits				
5343 · Administration	10,929	8,087	2,842	35%
5345 · Operations	844		844	100%
5348 · Maintenance	12,401	9,597	2,804	29%
Total 5340 · Employee Benefits	24,174	17,684	6,490	37%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2021

	<u>Jul - Aug 21</u>	<u>Jul - Aug 20</u>	<u>\$ Change</u>	<u>% Change</u>
5350 · Workers Compensation				
5353 · Administration	600	600		
5355 · Operations	1,174	1,174		
5358 · Maintenance	1,334	1,334		
Total 5350 · Workers Compensation	<u>3,108</u>	<u>3,108</u>		
5360 · Education & Training				
5363 · Administration	1,408	1,164	244	21%
5365 · Operations		1,100	-1,100	-100%
5368 · Maintenance		1,100	-1,100	-100%
Total 5360 · Education & Training	<u>1,408</u>	<u>3,364</u>	<u>-1,956</u>	<u>-58%</u>
Total 5300 · Personnel	<u>147,838</u>	<u>130,933</u>	<u>16,905</u>	<u>13%</u>
5400 · Insurance				
5410 · Liability Insurance	27,633	23,586	4,047	17%
Total 5400 · Insurance	<u>27,633</u>	<u>23,586</u>	<u>4,047</u>	<u>17%</u>
5500 · Utilities				
5510 · Garbage	18,152	17,874	278	2%
5520 · Gas and Electric	50,000	40,000	10,000	25%
5530 · Water	5,915	6,043	-128	-2%
5540 · Sewer	7,640	6,570	1,070	16%
Total 5500 · Utilities	<u>81,707</u>	<u>70,487</u>	<u>11,220</u>	<u>16%</u>
5600 · Operating Supplies				
5610 · Vehicles	1,320	1,773	-453	-26%
5620 · Vessels	476		476	100%
5625 · Operations	1,792	4,914	-3,122	-64%
Total 5600 · Operating Supplies	<u>3,588</u>	<u>6,687</u>	<u>-3,099</u>	<u>-46%</u>
5700 · Depreciation	83,337	83,337		
5800 · Repairs & Maintenance				
5830 · Equip Rental	404	404		
5850 · Repair Materials	5,541	6,704	-1,163	-17%
5860 · Outside Service Contracts	7,112	7,188	-76	-1%
5870 · Derelict Disposal		705	-705	-100%
Total 5800 · Repairs & Maintenance	<u>13,057</u>	<u>15,001</u>	<u>-1,944</u>	<u>-13%</u>
5900 · Financial Expenses				
5920 · Bank Service Charges	1,449	2,078	-629	-30%
5990 · Bad Debt	4,250	4,250		
Total 5900 · Financial Expenses	<u>5,699</u>	<u>6,328</u>	<u>-629</u>	<u>-10%</u>
Total · MARINA EXPENSES	<u>390,898</u>	<u>369,161</u>	<u>21,737</u>	<u>6%</u>
Net Ordinary Income - Marina Operations	<u>22,087</u>	<u>11,772</u>	<u>10,315</u>	<u>88%</u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2021

	Jul - Aug 21	Jul - Aug 20	\$ Change	% Change
4400 · LEASE AND OTHER INCOME				
4050 · Trust Lands Lease Revenue				
4051 · Vistra	12,247	11,632	615	5%
4053 · MBARI	4,906	4,906		
Total 4050 · Trust Lands Lease Revenue	17,153	16,538	615	4%
4500 · Leases				
4501 · K-Pier Lease	4,654	2,016	2,638	131%
4502 · Cannery Building				
4517 · Suite 2	6,328	5,737	591	10%
4504 · Suite 3	16,182	23,086	-6,904	-30%
4511 · Suite 1 & 10	3,301	3,184	117	4%
4515 · Suite 4	15,649	15,343	306	2%
4518 · Suite 5	4,575	4,277	298	7%
4510 · Suite 6	2,387	4,548	-2,161	-48%
4512 · Suite 7	2,502	3,677	-1,175	-32%
4503 · Suite 8	1,639	1,591	48	3%
4520 · Suite 9		712	-712	-100%
4523 · Canery NNN	5,000	6,134	-1,134	-18%
Total 4502 · Cannery Building	57,563	68,289	-10,726	-16%
4530 · RV Lot	5,882	5,882		
4560 · North Harbor				
4562 · Sea Harvest	6,170	6,049	121	2%
4568 · Monterey Bay Kayaks	3,427	3,427		
Total 4560 · North Harbor	9,597	9,476	121	1%
Total 4500 · Leases	77,696	85,663	-7,967	-9%
4700 · Other Revenues & Concessions				
4125 · Amenity Fee	59,599	55,965	3,634	6%
4710 · Vending Activities				
4711 · Washer/Dryer	2,644	1,482	1,162	78%
4712 · Soda	115	54	61	113%
Total 4710 · Vending Activities	2,759	1,536	1,223	80%
4720 · Dry Storage	9,924	10,338	-414	-4%
4725 · North Harbor Use Fee	48,041	44,280	3,761	8%
4727 · Key Sales	900	1,260	-360	-29%
4730 · NH Washdown	400	217	183	84%
4735 · Camp/RV	712		712	100%
4745 · Citations & Fines	515		515	100%
4751 · Permits	1,776	1,385	391	28%
4765 · Faxes, Copies & Postage		13	-13	-100%
Total 4700 · Other Revenues & Concessions	124,626	114,994	9,632	8%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July through August 2021

	Jul - Aug 21	Jul - Aug 20	\$ Change	% Change
4800 · Interest				
4841 · Union Bank Interest	25	50	-25	-50%
4843 · First Capital Bank	529	528	1	0%
4846 · Umpqua Interest	17	86	-69	-80%
Total 4800 · Interest	571	664	-93	-14%
Total 4400 · LEASE AND OTHER INCOME	220,046	217,859	2,187	1%
7000 · LEASE AND OTHER EXPENSES				
7100 · Interest Expense				
7134 · Umpqua Accrued Interest	11,098	12,866	-1,768	-14%
Total 7100 · Interest Expense	11,098	12,866	-1,768	-14%
7200 · Other Financial Expenses				
7230 · LAFO Administrative Charges	5,393	5,425	-32	-1%
Total 7200 · Other Financial Expenses	5,393	5,425	-32	-1%
5700 · Depreciation	83,337	83,337		
7300 · Commissioner Expenses				
7320 · Monthly Stipend	3,500	3,625	-125	-3%
7321 · Employer Payroll Taxes	268	277	-9	-3%
7330 · Incurred Expenses	186	99	87	88%
Total 7300 · Commissioner Expenses	3,954	4,001	-47	-1%
Total 7000 · LEASE AND OTHER EXPENSES	103,782	105,629	-1,847	-2%
Net Ordinary Income - Lease & Other Operations	116,264	112,230	4,034	4%
Net Ordinary Income - Combined Operations	138,351	124,002	14,349	12%
Other Income/Expense				
Other Income				
8001 · Cost Reimbursements				
8201 · Reimbursable expenses	-80	-546	466	85%
Total 8001 · Cost Reimbursements	-80	-546	466	85%
Total Other Income	-80	-546	466	85%
Other Expense				
9000 · CAPITAL PROJECT EXPENSES				
9054 · Sea Lion Deterrent Fencing		962	-962	-100%
9250 · Security Camera	9,619		9,619	100%
9310 · NH Hotel	1,217		1,217	100%
9565 · Miscellaneous Capital Projects	6,604		6,604	100%
Total 9000 · CAPITAL PROJECT EXPENSES	17,440	962	16,478	1,713%
Total Other Expense	17,440	962	16,478	1,713%
Net Other Income	-17,520	-1,508	-16,012	-1,062%
Net Income	120,831	122,494	-1,663	-1%

Moss Landing Harbor District
A/P Aging Summary
As of August 31, 2021

	<u>Current</u>	<u>1 - 30</u>	<u>31 - 60</u>	<u>61 - 90</u>	<u>> 90</u>	<u>TOTAL</u>
Allied Administrators for Delta Dental	0.00	-402.14	0.00	0.00	0.00	-402.14
AT&T	96.08	0.00	0.00	0.00	0.00	96.08
Blue Shield of California	0.00	-357.20	0.00	0.00	0.00	-357.20
CalPERS	0.00	-5,725.00	-5,725.00	0.00	0.00	-11,450.00
Castroville "ACE" Hardware	0.00	94.76	0.00	0.00	0.00	94.76
Chad St. Clair	550.00	0.00	0.00	0.00	0.00	550.00
Cintas	570.50	0.00	0.00	0.00	0.00	570.50
Home Depot	0.00	65.43	0.00	0.00	0.00	65.43
Jarvis, Fay, & Gibson, LLP	3,120.00	0.00	0.00	0.00	0.00	3,120.00
JD's Plumbing, Inc.	0.00	0.00	315.00	0.00	0.00	315.00
Johnson Electronics, Inc.	120.00	0.00	0.00	0.00	0.00	120.00
Jordon Freeman	525.00	0.00	0.00	0.00	0.00	525.00
Mechanics Bank	1,514.23	0.00	0.00	0.00	0.00	1,514.23
Monterey County Auditor-Controller	0.00	0.00	5,393.00	0.00	0.00	5,393.00
MP Express	0.00	2,930.96	0.00	0.00	0.00	2,930.96
Nelson's Outboard Service	0.00	0.00	0.00	2,145.83	0.00	2,145.83
Pacific Parking Systems, Inc.	0.00	278.95	0.00	0.00	0.00	278.95
Pajaro/Sunny Mesa C.S.D.	2,724.43	0.00	0.00	0.00	0.00	2,724.43
Paul De Bruyn	0.00	18.25	0.00	0.00	0.00	18.25
PG&E	0.00	-25,000.00	0.00	0.00	0.00	-25,000.00
Razzolink, Inc.	0.00	-136.85	0.00	0.00	0.00	-136.85
Scott Shrader	75.00	0.00	0.00	0.00	0.00	75.00
SDRMA	0.00	0.00	1,862.34	0.00	0.00	1,862.34
Tom Little	591.56	0.00	0.00	0.00	0.00	591.56
U.S. Bank	1,854.02	0.00	0.00	0.00	0.00	1,854.02
Unified Building Maintenance	1,350.00	0.00	0.00	0.00	0.00	1,350.00
VALIC	2,682.43	0.00	0.00	0.00	0.00	2,682.43
Verizon Wireless	113.14	0.00	0.00	0.00	0.00	113.14
Vision Sevice Plan	0.00	-142.95	0.00	0.00	0.00	-142.95
TOTAL	<u><u>15,886.39</u></u>	<u><u>-28,375.79</u></u>	<u><u>1,845.34</u></u>	<u><u>2,145.83</u></u>	<u><u>0.00</u></u>	<u><u>-8,498.23</u></u>

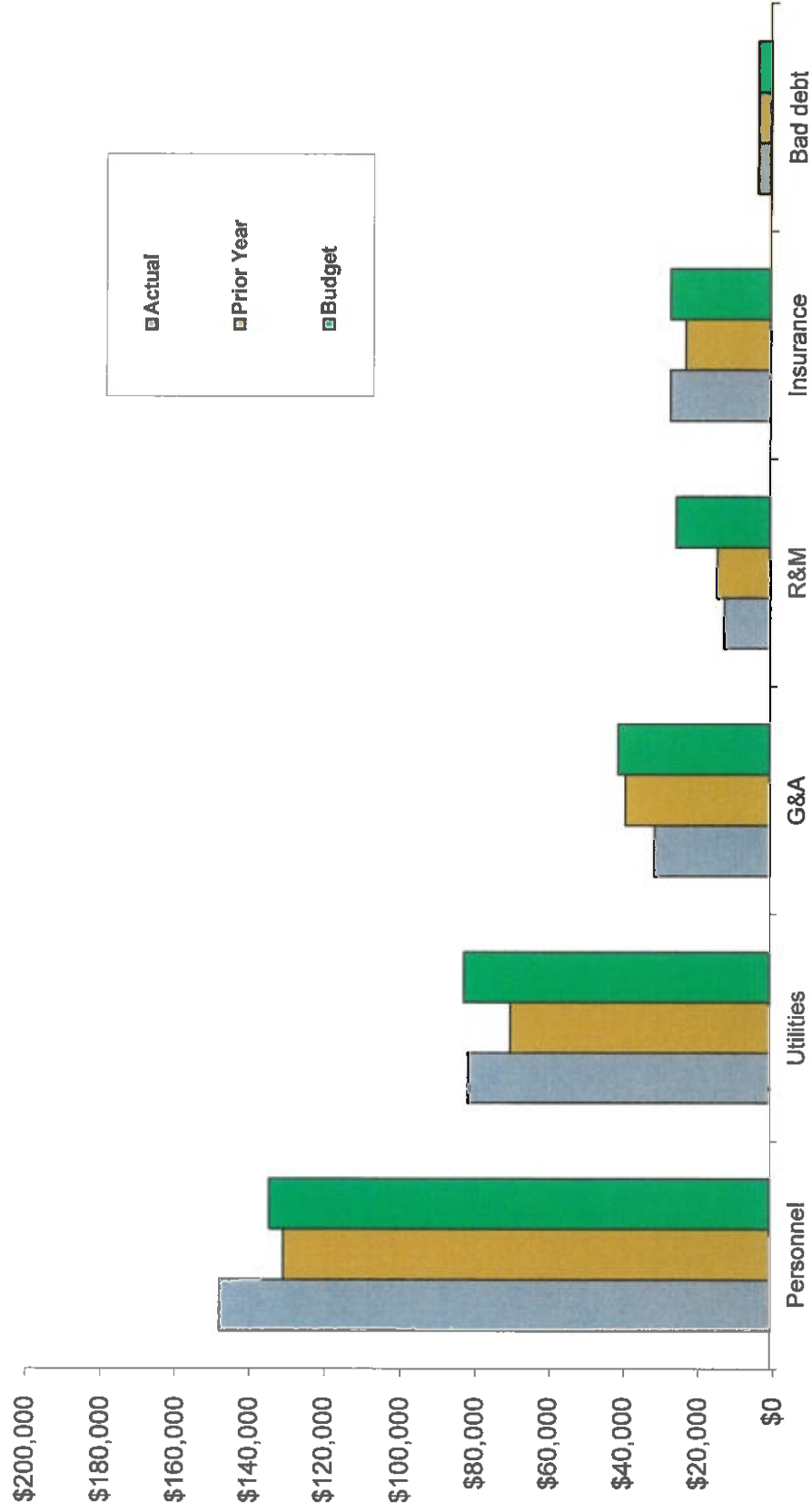
**Moss Landing Harbor District
Warrant Listing
As of August 31, 2021**

Type	Date	Num	Name	Amount
1009 - Union - Operating				
Check	08/04/2021		Payroll Partners	-141.53
Check	08/06/2021	3053	Ferrante, Vincent	-218.07
Check	08/06/2021	3054	Goulart, James	-113.94
Check	08/06/2021	3055	Jeffries, Russell	-227.88
Check	08/06/2021	3056	Neal Norris	-809.47
Check	08/06/2021	3057	RJ Collier	-679.93
Check	08/06/2021	3058	Dennis Dixon	-45.94
Check	08/09/2021		NPC Merchant Pymt Proc	-2,548.88
Bill Pmt -Check	08/11/2021	18910	Allied Administrators for Delta Dental	-402.14
Bill Pmt -Check	08/11/2021	18911	AT&T	-95.70
Bill Pmt -Check	08/11/2021	18912	Audrey Bennett	-500.00
Bill Pmt -Check	08/11/2021	18913	Big Creek Lumber	-866.35
Bill Pmt -Check	08/11/2021	18914	Blue Shield of California	-357.20
Bill Pmt -Check	08/11/2021	18915	Byte Technology	-162.00
Bill Pmt -Check	08/11/2021	18916	Carmel Marina Corporation	-6,142.19
Bill Pmt -Check	08/11/2021	18917	Castroville "ACE" Hardware	-54.28
Bill Pmt -Check	08/11/2021	18918	Central Coast Systems, Inc.	-105.00
Bill Pmt -Check	08/11/2021	18919	Chris Carlquist	-250.00
Bill Pmt -Check	08/11/2021	18920	Cintas	-454.18
Bill Pmt -Check	08/11/2021	18921	Craig Tonks	-300.00
Bill Pmt -Check	08/11/2021	18922	Damm Good Water	-117.20
Bill Pmt -Check	08/11/2021	18923	Don O'Keefe	-375.00
Bill Pmt -Check	08/11/2021	18924	Dustin Adams	-50.00
Bill Pmt -Check	08/11/2021	18925	Hodges Consulting Services	-587.18
Bill Pmt -Check	08/11/2021	18926	JD's Plumbing, Inc.	-695.00
Bill Pmt -Check	08/11/2021	18927	Jean Paul Bottega	-154.90
Bill Pmt -Check	08/11/2021	18928	Johnson Electronics, Inc.	-120.00
Bill Pmt -Check	08/11/2021	18929	Julia Glasser	-497.00
Bill Pmt -Check	08/11/2021	18930	Marc J. Del Piero	-1,200.00
Bill Pmt -Check	08/11/2021	18931	Mark Hughes	-1,894.60
Bill Pmt -Check	08/11/2021	18932	MBS Business Systems	0.00
Bill Pmt -Check	08/11/2021	18933	Michael Hamer	-575.00
Bill Pmt -Check	08/11/2021	18934	Monterey One Water	-3,946.85
Bill Pmt -Check	08/11/2021	18935	Monterey Sanitary Supply	-1,279.19
Bill Pmt -Check	08/11/2021	18936	Pajaro/Sunny Mesa C.S.D.	-3,191.00
Bill Pmt -Check	08/11/2021	18937	PG&E	-25,000.00
Bill Pmt -Check	08/11/2021	18938	Phillip Slaymaker	-349.50
Bill Pmt -Check	08/11/2021	18939	Razzolink, Inc.	-136.85
Bill Pmt -Check	08/11/2021	18940	Steven Goebel	-640.00
Bill Pmt -Check	08/11/2021	18941	Sunrise Express	-60.66
Bill Pmt -Check	08/11/2021	18942	Tommy Razzeca	-350.00
Bill Pmt -Check	08/11/2021	18943	U.S. Bank	-3,120.01
Bill Pmt -Check	08/11/2021	18944	Unified Building Maintenance	-1,350.00
Bill Pmt -Check	08/11/2021	18945	Verizon Wireless	-113.25

**Moss Landing Harbor District
Warrant Listing
As of August 31, 2021**

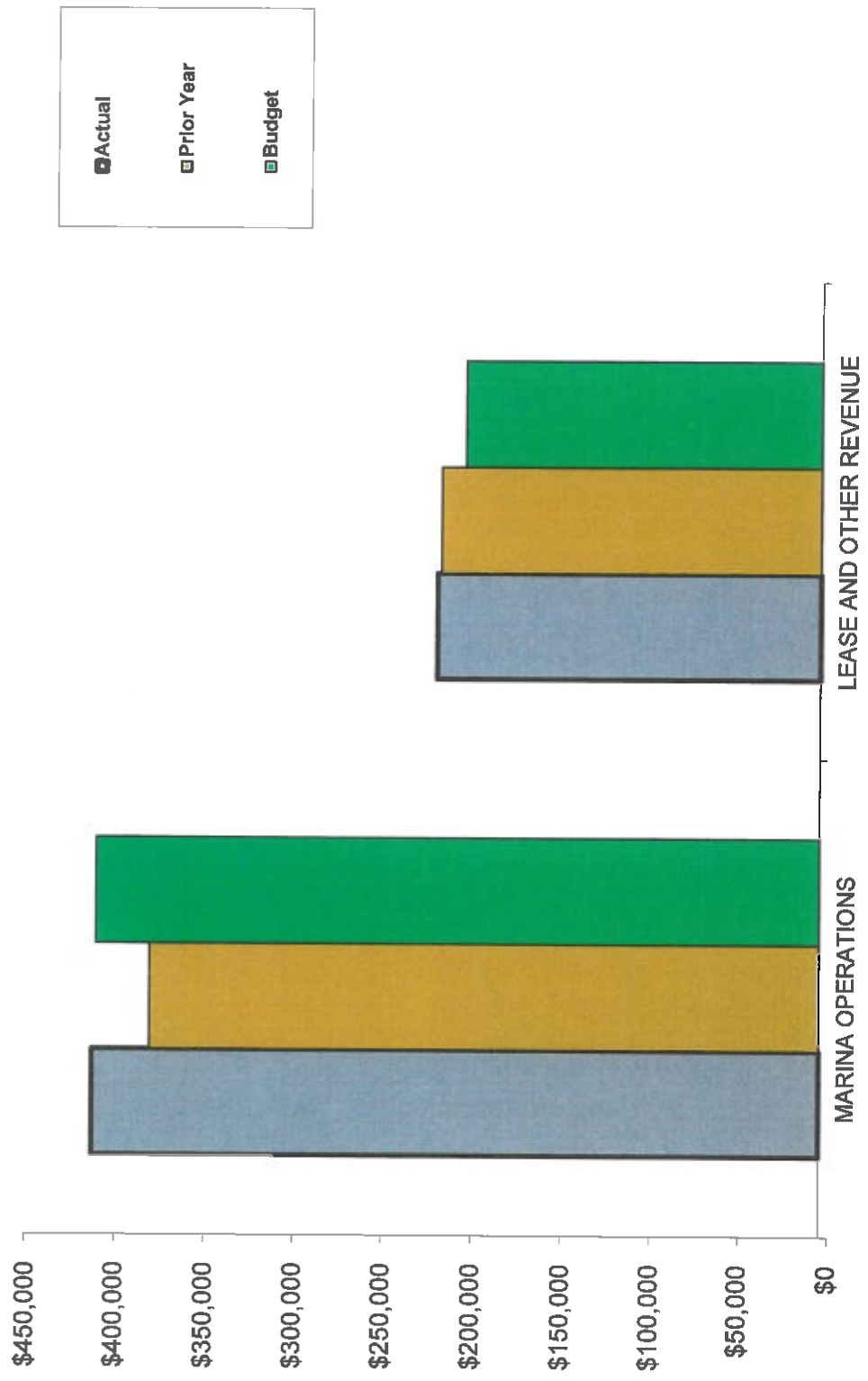
<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Bill Pmt -Check	08/11/2021	18946	Vision Sevice Plan	-142.95
Bill Pmt -Check	08/11/2021	18947	Carmel Marina Corporation	-1,583.68
Bill Pmt -Check	08/11/2021	18948	Monterey One Water	-3,693.54
Bill Pmt -Check	08/11/2021	18949	Carmel Marina Corporation	-1,848.34
Bill Pmt -Check	08/11/2021	18950	Mechanics Bank	-311.30
Bill Pmt -Check	08/11/2021	18951	VALIC	0.00
Bill Pmt -Check	08/11/2021	18952	Mechanics Bank	-535.08
Bill Pmt -Check	08/11/2021	18953	Mechanics Bank	-311.30
Bill Pmt -Check	08/12/2021	18954	VALIC	-1,708.64
Bill Pmt -Check	08/16/2021	18955	Monterey County	-500.00
Bill Pmt -Check	08/18/2021	18956	B&H	-2,054.75
Check	08/19/2021		Payroll Partners	-128.30
Check	08/20/2021	3059	Neal Norris	-809.47
Check	08/20/2021	3060	RJ Collier	-679.93
Bill Pmt -Check	08/23/2021	18974	AT&T	-602.95
Bill Pmt -Check	08/23/2021	18975	CalPERS	-5,725.00
Bill Pmt -Check	08/23/2021	18957	Chad St Claise	0.00
Bill Pmt -Check	08/23/2021	18958	Doctors on Duty	-130.00
Bill Pmt -Check	08/23/2021	18959	Hugh Harrington	-910.00
Bill Pmt -Check	08/23/2021	18960	Ish Monroe	-908.50
Bill Pmt -Check	08/23/2021	18961	Jacquelyn Leavitt	-437.50
Bill Pmt -Check	08/23/2021	18962	Jarvis, Fay, & Gibson, LLP	-3,240.00
Bill Pmt -Check	08/23/2021	18963	Lockton Insurance Brokers, LLC	-987.00
Bill Pmt -Check	08/23/2021	18964	Lyndon Despard	-480.25
Bill Pmt -Check	08/23/2021	18965	Sanctuary Stainless	-3,750.00
Bill Pmt -Check	08/23/2021	18966	Tom Pelich	-25.00
Bill Pmt -Check	08/23/2021	18967	Tri County Fire Protection	-637.12
Bill Pmt -Check	08/23/2021	18968	Unified Building Maintenance	-2,700.00
Bill Pmt -Check	08/23/2021	18969	United Site Services of Calif., Inc.	-502.08
Bill Pmt -Check	08/23/2021	18970	Valero Marketing and Supply Company	-619.97
Bill Pmt -Check	08/23/2021	18971	Wald, Ruhnke & Dost Architects, LP	-1,216.57
Bill Pmt -Check	08/23/2021	18972	WASH	-202.08
Bill Pmt -Check	08/23/2021	18973	AT&T	-418.91
Bill Pmt -Check	08/23/2021	18976	Wendy L. Cumming, CPA	-3,371.25
Check	08/23/2021		CSU Stanislaus	-383.17
Check	08/25/2021		Union Bank	-605.18
Total 1009 - Union - Operating				-102,437.68
TOTAL				<u>-102,437.68</u>

**Operating Expenses
Year to Date Actuals vs. Budget and Prior Year
August 31, 2021**

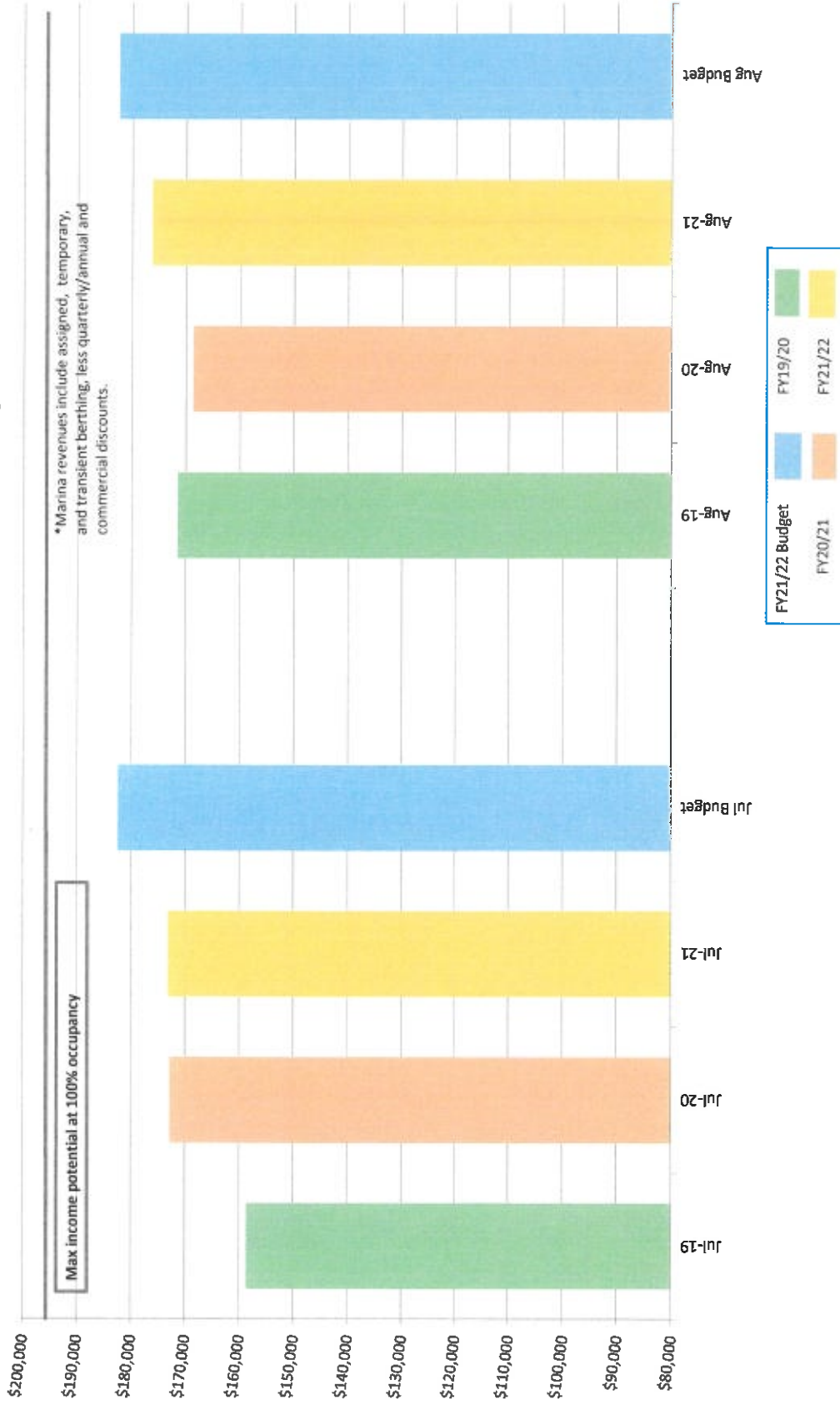


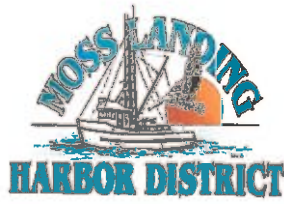
****Expenses Exclude Dredging, Depreciation and Interest Expenses****

**Marina, Lease and Other Revenue
Year to Date Actual vs. Budget and Prior Year
August 31, 2021**



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





BOARD OF HARBOR COMMISSIONERS

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Tony Leonardini
Vincent Ferrante
James R. Goulart
Liz Soto

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**GENERAL MANAGER
HARBOR MASTER**

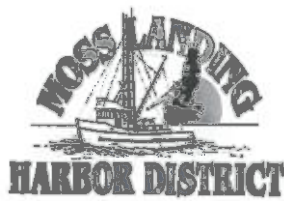
Tom Razzeca

STAFF REPORT

ITEM NUMBER 03 – PROJECT STATUS
BOARD MEETING SEPTEMBER 22, 2021

- 1. North Harbor Building Listing:** As of December 28, 2020, Mahoney & Associates was given notice that the contract they had with the Harbor District for the listing of the North Harbor Building was expired and that their services were no longer required. As of now, the Harbor District has no listing agent for the building and the General Manager has been working with interested parties in the hopes of securing tenants at the building. The Board of Harbor Commissioners may choose to explore the options related to the representation of the new building listing by a real estate professional and if so the General Manager will take appropriate action once given direction from the Board.
- 2. North Harbor Inn Project:** The Real Property Committee has met with 1 potential developer who may be interested in development of the 30 room inn and has also met with another business owner who may be interested in development of the property should the District choose not move forward with the Inn project. We currently await additional information from both parties and the Board will be updated once new information is available.
- 3. Cannery Building HVAC and Penthouse Mechanical Room:** 3 HVAC units at the Cannery Building are in need of replacement. The units are, and have been, quickly deteriorating due to the salt air environment here in Moss Landing. In an effort to prevent future units from deteriorating so quickly, staff is proposing a penthouse mechanical room be built to house the new units protecting them from the environment. This will reduce maintenance costs and extend the overall life of the new units. Staff hired Wald Ruhnke & Dost Architects (WRD) to render plans for the penthouse mechanical suite which will be used for permitting and the notice inviting bids for the project. The project plans were completed by WRD and have since been submitted to the Monterey County Planning Department for review. Staff is hopeful that the project will be completed prior to November 2021.
- 4. Demolition of Pot Stop Building:** The former Pot Stop building located in the Moss Landing North Harbor has been vacant for a number of years due to its dilapidated condition. As previously discussed with the Board of Harbor Commissioners, staff plans to have the building demolished later in the year, sometime prior to Winter 2021. Plans for the project have been completed and been sent to the Monterey County Planning Department for review. At this time, staff awaits Costal Commission approval to move forward with the Demo and once all permits and approvals are received staff intends to put the project out to public bid with the intention of completing the project as soon as possible.
- 5. Resurfacing of the North Harbor Parking Lot:** The North Harbor Parking lot is in need of resurfacing and striping which hasn't been completed in almost 20 years. Staff completed plans and bid documents and the project bid opening took place on August 20, 2021. No Bids were received during the opening so staff has been seeking proposals from contractors. Item No. 20 of tonight's Board agenda has the Boards consideration of approval to have Boyd's Asphalt to complete the project next month.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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GENERAL MANAGER
HARBORMASTER
 Tommy Razzeca

STAFF REPORT

**ITEM NUMBER 04 – SUMMARY OF PERMITS ISSUED
 BOARD MEETING OF SEPTEMBER 22, 2021**

Permittee	Issue Date	Status	Permit Type	Exp. Date
Elkhorn Slough Research Foundation	01/01/2021	Current	Facilities Use	01/01/22
Blue Ocean Whale Watch	2/18/2021	Current	Facilities Use	2/18/2022
Whisper Charters	2/28/2021	Current	Facilities Use	2/28/2022
Fast Raft	3/26/2021	Current	Facilities Use	3/26/2022
MBARI-Otter Studies	4/1/2021	Current	Facilities Use	4/1/2022
Monterey Eco Tours	4/16/2021	Current	Facilities Use	4/16/2022
Kahuna Sportfishing	6/12/2021	Current	Facilities Use	6/12/2022
Venture Quest Kayaking	6/12/2021	Current	Facilities Use	6/12/2022
Monterey Bay Hydrobikes	6/12/2021	Current	Facilities Use	6/12/2022
Kayak Connection	6/30/2021	Current	Facilities Use	6/30/2022
Sanctuary Cruises	6/30/2021	Current	Facilities Use	6/30/2022
Sea Goddess Whale Watching-Tours	6/30/2021	Current	Facilities Use	6/30/2022
Sea Goddess Whale Watching-Souvenirs	6/30/2021	Current	Peddlers	6/30/2022
MBARI-Slough Test Moorings	6/30/2021	Current	Facilities Use	6/30/2022
Slater Moore Photography	07/07/2021	Current	Facilities Use	07/07/2022
Elkhorn Slough Safari - Tours	10/19/2020	Current	Facilities Use	10/19/2021
Blue Water Ventures	10/30/2020	Current	Facilities Use	10/30/2021
Wild Fish-Vicki Crow	11/20/2020	Current	Peddlers	11/20/2021



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GENERAL MANAGER
HARBORMASTER
Tommy Razzeca

STAFF REPORT

ITEM NUMBER 05 – MEETING ANNOUNCEMENTS
BOARD MEETING OF SEPTEMBER 22, 2021

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 – Due to COVID-19 and in compliance with the Shelter - in - Place order all meetings are done by E-mail until further notice and will resume regular schedule of every second Wednesday of each month, Moss Landing Harbor District Board Room, 4 p.m.

Monterey Bay Sanctuary Advisory Council Meetings – 2021 - <https://montereybay.noaa.gov>
October 15, 2021

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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**GENERAL MANAGER
HARBOR MASTER**

Tom Razzeca

STAFF REPORT

**ITEM NUMBER 06 - LIVEABOARD REPORT
BOARD MEETING OF SEPTEMBER 22, 2021**

Pursuant to Ordinance Code §6.110 D) 1), attached is the report containing the names of all permitted live aboard vessels and all persons living aboard. The permits for these live boards 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. Hartman, Guenter	Taku, CF 7913 KL
2. Jones, L	Intrepid CF 0292 VE
3. Bohigan, D.	Breezing Up, ON 559013
4. Burns, P.	Trafamadore, CF 9430 GL
5. Byrnes, K.	Grand Slam, CF 4540 FE
6. Doyle, M	Billikon, CF 3946 TM
7. Cayuela, R.	Rachel Angelet, CF 6969 UB
8. Michael, McVay	Gaviota, CF 4863 FP
9. Hughes, S	Sojourn, on 1067078
10 Cloer, J./Ajuria M.	Laurie, CF 2688 EX
11. Chambers, B.	Pyxis, ON 984193
12. Chaney, Don	Windswept, ON 1094268
13. Clark D.	Seaside Escape CF 4356 HW
14. Degnan, P.	No Name, CF 8344 GT
15. Jimmy Page	Lanitra, CF 7346 SH
16. Elwell, G.	Pearl, ON 557575
17. Faneuf, C.	Ghost Ryder ON 1048498
18. Buford, C	No Name, CF 9215 EF
19. Potter, D.	Danu CF 4085 GC
20. Pending	
21. Glovin, D	Aint to Shabby CF 7434 SL
22. Laoretti, P/ Laoretti, S	Shaka, ON 699611
23 Jerred, D.	Westwind, CF8564 GM

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

24. Groom D
25. Jones, H.
26. Jones, T.
27. Kennedy C.
28. Ayres, Lloyd
29. Knudson L/Knudson A.
30. Malone, RJ
31. Marsee, E, Lynch, C
32. Burnett, Gary
33. Maris, T.
34. Robinson, D/ Robinson, L
35. Nieman J
36. Niswonger, R.
37. Nunes, D.
38. Otis, T.
39. Paul, J
40. Schlegelmilch, William
41. Velaquez F
42. Raaphorst, D.
43. Reins, D.
44. Rotger, M.
45. Dyer, B
46. Piro, Daniel
47. Schmidt, L
48. Sopota, M
49. Silveira, P
50. Salisbury, J.
51. Thomas, B.
52. Tufts, M.
53. **Pending**
54. Wolinski, Peter
55. Morgan, J
56. Samuelson, T.
57. Andrews, R
58. Riberal, Y
59. Schwontes, N/ Mosolov, A
60. Bowler, J

Phoenix, CF 5084 GJ
 Laetare, CF 5495 YB
 Sanity, CF 5249 SC
 Aztlan, ON 281903
 Gaviota, CF 4656 GG
 Spellbound, ON 082155
 Francis W, CF 2017 UZ
 Tolly Craft CF 9521 HT
 Zinful CF5419 JG
 Nimble, CF 3730 KB
 Damn Baby CF 9442 EX
 Inia, ON 1074183
 Illusion, CF 0836 TA
 Auuroa, ON 676686
 Blue Moon, CF 1886 GT
 La Wanda CF 5014 FR
 Bull Dog ON 1219673
 Lorraine CF 0533 JL
 Spirit, ON 664971
 Second Paradise, ON 912484
 Raven, ON 241650
 Star of Light ON 1056334
 Gulf Star CF 6082 GL
 Lady Monroe CF5007 UM
 Mischief Maker, CF 9666 JK
 Quiet times, CF 2067 GC
 Oceanid, CF 4210 GA
 Coho, CF 9974 KK
 Enchantress, CF 0878 SX

Muffin, ON 1148169
 Ripple, ON 1037076
 Moonstone CF 5122 GX
 Sea Free ON 613387
 Boss Lady, ON 556296
 Luna Sea, ON 1138367
 Myrtle Mae, CF 3187 FN

Total Number Vessels: 58
 Total Number Persons: 64
 Pending Applications -2-



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GENERAL MANAGER/HARBOR MASTER
 Tom Razzeca

STAFF REPORT

ITEM NUMBER 07- SLIP INCOME REPORT
 BOARD MEETING OF SEPTEMBER 22, 2021

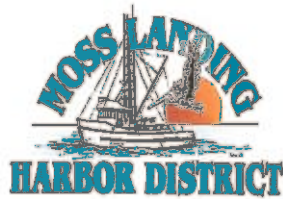
Slip Rates 2021/2022 per linear foot:

Assigned: \$8.55/ft./month
 Temporary: \$12.75/ft./month
 Transient: \$1.25/ft./day

INCOME

<u>August 2021</u>	<u>August 2020</u>	<u>August 2021 Budget</u>
\$176,334	\$168,692	\$182,408

For the month, slip income is below budget by \$6k, due to lower transient berthing revenues. Slip income is higher than prior year by \$8k, due to higher assigned berthing revenue, offset by lower temporary and transient berthing revenue.



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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 08 – INCIDENT REPORT
BOARD MEETING OF SEPTEMBER 22, 2021

08/17/2021 Staff received a call about a theft incident that took place on 08/15/2021. Staff was informed that a tenant's vehicle was stolen from the District parking lot. A report was made with law enforcement and Staff was able to provide them with the suspects name and photo for their investigation.

08/25/21 Staff received a call from the Sheriffs Dispatch about an altercation between a woman and a male happening on B-dock. Staff walked down to the dock and noticed a woman sitting near the gate. One staff member stayed with the woman while the other walked down to the vessel where the incident happened. Sheriff's deputies arrived shortly thereafter. No arrests were made and the 2 persons involved went their separate ways.

09/03/2021 Night staff received a call of a woman climbing on vessels screaming. Staff asked the woman to vacate the premises. Staff later found the woman attempting to climb a railing on A dock. MCSO was contacted and Deputies arrived shortly thereafter and made contact with the woman who has not been seen in Moss Landing since.

09/08/2021 Staff saw a car driving at a high rate of speed through the District parking lot. Staff went to speak with the driver about speeding in the lot and found that the vehicle had wrecked through the fence separating MLHD from the KOA. Staff approached the car as the driver exited bloody and screaming incoherently. The occupant of the car started to walk away from the incident so staff followed him while waiting for law enforcement to arrive. The driver was obviously intoxicated and became aggressive and threatening with the General Manager. Sheriff's Deputies and CHP ultimately arrived and eventually took the man into custody.

No further incidents to report as of September 15, 2021



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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 19 – CONSIDER POTENTIAL CIVIL COMPROMISE PEOPLE V. MARC COLEMAN CASE NO: 19CR005818

On August 30, 2021 General Manager Tommy Razzeca received a letter (attached to this report) from N. Zeke Rivera, a public defender with the Monterey County Office of the Public Defender. In the Letter Mr. Rivera asks if the Moss Landing Harbor District is interested in a “civil compromise” related to Case No: 19CR005818 People V. Marc Cameron Coleman regarding an incident that took place back in 2018 where Mr. Coleman painted over Harbor District Handicap parking spaces in an effort to be able to use the space to operate his permitted business in Moss Landing Harbor without risking a citation for occupying the handicap parking spaces in violation of California Vehicle Code. A civil compromise is where a court or the prosecutor agrees to dismiss a criminal charge because the involved defendant agrees to compensate the victim for any losses or damages caused by a crime. Civil compromises are often used in cases involving vandalism, shoplifting and petty theft.

By way of background, on November 6, 2018, Moss Landing Harbor District General Manager Linda G. McIntyre terminated Mr. Coleman’s Facilities Use Permit as a result of the above-referenced incident resulting in Mr. Coleman filing an appeal of the General Manager’s action. The District conducted a noticed appeal hearing at a Special Meeting of the Moss Landing Harbor District Board of Harbor Commissioners on December 13, 2018 concerning the General Manager’s Termination Notice in accordance with the process and procedures set forth in Sections 24.050D, 24.100 and 24.200 of the Moss Landing Harbor District Ordinance Code. After a full hearing at which testimony was offered by Mr. Coleman, Monterey County Sheriff D. Simpson, General Manager Linda McIntyre, and the submission of a written declaration of Harbor Operations employee Robert Stewart, followed by general discussion among the Commissioners, the Board affirmed the General Manager’s decision to terminate Mr. Coleman’s Facilities Use Permit.

Along with this staff report and the letter from Public Defender Rivera, I have included a copies of Staff Reports from Board Meetings in December 2018 and January 2019 as well as Resolution 19-01 which provide additional information related to the incident and ultimate action taken by Moss Landing Harbor District to revoke Mr. Coleman’s permit to operate here in Moss Landing Harbor.

The District has not received any reimbursement from Mr. Coleman for the work and materials the District was required to use to remedy Mr. Coleman’s alleged criminal actions. An estimate of the involved costs of such efforts and materials will be provided at the meeting. Criminal prosecution against Mr. Coleman was initiated by the Monterey County Sheriff’s Department, and at this point, the District has not received any communication from the Department indicating a desire to abandon such efforts. As such, given the nature of the alleged crime and what

appears to be continuing County interest in the prosecution of this matter, Staff's recommendation is that the Board reject the proposed civil compromise and allow the Court to decide how to proceed with this case. Alternatively, the Board may choose to consider the offer of a civil compromise as offered by Mr. Coleman's attorney. Such compromise would be conditioned on full reimbursement for the District's costs in responding to damages caused by Mr. Coleman's alleged criminal conduct.

MONTEREY COUNTY

OFFICE OF THE PUBLIC DEFENDER

168 W. ALISAL STREET, SECOND FLOOR, SALINAS, CALIFORNIA 93901

Tel: (831)755-5058 Fax: (831)755-5873

SUSAN E. CHAPMAN

PUBLIC DEFENDER



August 30, 2021

To Whom It May Concern

RE: *People v. Marc Cameron Coleman*
Case No: 19CR005818

To Whom It May Concern,

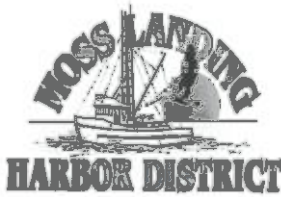
My name is N. Zeke Rivera. I am an attorney at the Monterey County Public Defender's Office in Salinas, CA. I represent Mr. Marc C. Coleman, who is being charged with a violation of Penal Code section 594(b)(2)(A), Vandalism Under \$400, a Misdemeanor. The alleged incident appears to have occurred on or about October 2018, where a handicap parking spot was painted over.

The purpose of this letter is to see if you would be interested in a "civil compromise" pursuant to Penal Code section 1377, et seq. A civil compromise essentially has two steps. First, you would receive full financial compensation for any damages you may have suffered because of the alleged incident. Second, you would sign a document stating that you have no objection to the judge dismissing the criminal charges against Mr. Coleman.

An agreement to a civil compromise is voluntary and entirely your decision. If you are interested or would like to ask me more questions about the process, please contact me at (831) 755-5058 or by email at riverane@co.monterey.ca.us.

Sincerely,

N. Zeke Rivera,
Deputy Public Defender



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James R. Goulart

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**EXECUTIVE
GENERAL MANAGER**

**HARBORMASTER
Linda G. McIntyre, Esq.**

STAFF REPORT

SPECIAL PUBLIC HEARING – MARC COLMAN APPEAL BOARD MEETING OF DECEMBER 13, 2018

This is an appeal by Marc Colman of the General Manager's decision to terminate his Facilities Use Permit, filed and conducted in accordance with Sections 24.050 D), 24.100 and 24.200 of the Moss Landing Harbor District Ordinance Code. The District has complied with all notice provisions and requirements contained therein.

By way of background, Marc Colman applied for and was issued a Facilities Use Permit in 2016 to conduct Monterey Bay Hydrobikes rentals at North Harbor. His Permit was renewed the following year and was scheduled to expire February 4, 2019.

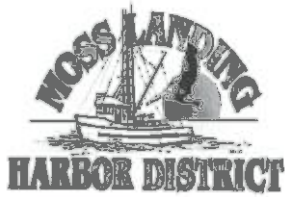
Attached is a copy of the emailed Notice of Termination sent to Marc Colman on November 6, 2018 which provides the basic reasons his Permit was terminated, which includes several complaints for interfering with handicap parking, continued violations despite warnings and requests, violating the District's Ordinance Code and defacing District property which resulted in labor and materials expenses and diverting staff resources.

Also attached is the Monterey County Sheriff's Primary Narrative dated October 6, 2018 memorializing the Sheriff's contacts with Mr. Colman, culminating in citing Mr. Colman for illegal parking on one occasion and thereafter referring a case to the District Attorney's office on the recommendation that charges of vandalism of District property and defacing or interfering with a traffic control device be brought against Mr. Colman.

The next attachment is Marc Colman's Request for Appeal Hearing with attachments that provide his reasons that the General Manager's decision should be reconsidered.

Procedurally, after Staff's presentation, Mr. Colman should be allowed to present his case for reinstatement. The Board shall hear all persons wishing to be heard on this matter, and is free to receive documentary evidence offered by any party. The hearing is not subject to the strict rules of evidence used in a court of law. At the conclusion of the hearing, the Board may affirm, affirm in part or reverse the action, decision or determination that is the subject of the appeal. The Board should make specific findings stating the reason for the action on the appeal.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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**EXECUTIVE
GENERAL MANAGER**

**HARBORMASTER
Linda G. McIntyre, Esq.**

STAFF REPORT

ITEM NUMBER 25 – CONSIDER ADOPTING RESOLUTION 19-01 ADOPTING FINDINGS OF BOSARD TO UPHOLD GENERAL MANAGER'S DECISION IN APPEAL OF COLMANR BOARD MEETING OF JANUARY 23, 2019

At the last Board meeting held on December 13, 2018 the Board held an Appeal Hearing for Marc Colman who appealed the decision of the General Manager in terminating his Facilities Use Permit. The Board upheld the General Manager's decision.

It is customary to adopt Findings to reflect the basis for the Board's decision and to formalize the conclusion of the matter. Prior to the January 23, 2019 meeting Resolution 19-01 will be presented to the Board for their consideration in adopting the Findings in the Colman Appeal.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

RESOLUTION NO. 19-01

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE MOSS LANDING HARBOR DISTRICT ADOPTING FINDINGS OF THE BOARD TO UPHOLD THE GENERAL MANAGER'S DECISION IN THE APPEAL OF MARC COLMAN

* * * * *

WHEREAS, on November 6, 2018, Moss Landing Harbor District General Manager Linda G. McIntyre terminated the Facilities Use Permit issued to Marc Colman ("Mr. Colman") by way of e-mail; and

WHEREAS, pursuant to information contained in the aforesaid Termination Notice, Mr. Colman requested an appeal of the General Manager's action; and

WHEREAS, the District conducted a noticed appeal hearing at a Special Meeting of the Moss Landing Harbor District Board of Harbor Commissioners on December 13, 2018 concerning the General Manager's Termination Notice in accordance with the process and procedures set forth in Sections 24.050D, 24.100 and 24.200 of the Moss Landing Harbor District Ordinance Code; and

WHEREAS, after a full hearing at which testimony was offered by Mr. Colman, Monterey County Sheriff D. Simpson, General Manager Linda McIntyre, and the submission of a written declaration of Harbor Operations employee Robert Stewart, followed by general discussion among the Commissioners, the Board affirmed the General Manager's decision to terminate Mr. Colman's Facilities Use Permit and directed staff to prepare findings in support thereof.

NOW THEREFORE, BE IT RESOLVED by the Moss Landing Board of Harbor Commissioners that the Board adopts the following actions and findings in support of its decision to affirm the General Manager's decision to terminate the Facilities Use Permit of Marc Colman after a noticed appeal hearing held on December 13, 2018:

1. The Board accepted the submission of the November 6, 2018 Notice of Termination from Linda G. McIntyre to Marc Colman, Monterey County Sheriff D. Simpson's written Primary Narrative dated October 6, 2018, concerning contact between the Sheriff with Mr. Colman culminating in a citation for illegal parking and referring the matter to the District Attorney's Office with a recommendation of proceeding with charges for vandalism and defacing or interfering with a traffic control device, and the Declaration of Robert Stewart. With the exception of the Stewart Declaration, which is attached hereto as Exhibit A, all of the aforesaid documents are a part of the December 13, 2018 Board Agenda Packet.

2. The Board made the following findings concerning termination of Mr. Colman's Permit:

A. Mr. Colman was notified on several occasions, including both an oral warning and a citation issued by the Sheriff's Department, that he needed to immediately cease parking on or impinging upon parking designated for handicapped parking and or otherwise marked as a no parking zone on District property. His response was not only to ignore said warnings and citation but to unilaterally initiate action to change the circumstances affecting his right to park by having the curbs as well as a handicapped parking space on District property repainted.

B. Board members indicated that they had received complaints from kayakers about Mr. Colman's parking practices, and that the complaining parties had indicated they had complained to the Sheriff's Department and the District. The Declaration of District employee Robert

Stewart supports these assertions that there had been ongoing complaints about Mr. Colman's parking practices.

C. The provisions of Mr. Colman's Facilities Use Permit clearly provide that a permittee is required to comply with all provisions of the law and District rules and regulations. Mr. Colman was provided with adequate notice that his parking activities were in violation of both the law and District rules and regulations. Even if the Board was to accept Mr. Colman's assertion that he received mixed communications about the ownership of the property on which he parked and/ or the right to park where he had been parking, once he received direction and a citation from the Sheriff's Department, his illegal parking practices should have stopped.

D. The Board rejected Mr. Colman's statement that he was unaware of the fact that he was acting in violation of the law and/or District rules and regulations. The Board found that ignorance of the law was not an excuse, and moreover, that the Board did not accept or believe that anyone with a valid California driver's license would be ignorant of the significance of the color markings on curbs and pavement in the area in which Mr. Colman had been repeatedly parking. Additionally, he was certainly aware of the significance of the involved curb markings when he directed that they be repainted. Having the curbs and handicap space repainted was in blatant disregard of the law and the rights and needs of District visitors, particularly handicapped individuals, whose access rights to District facilities and natural amenities have heightened protection as a matter of law.

E. In weighing the credibility of the parties, the Board found that the Sheriff was more credible than Mr. Colman.

3. Based on all of the foregoing, as well as the totality of the proceedings, the Board unanimously affirmed the General Manager's termination of Marc Colman's Facilities Use Permit.

CERTIFICATION

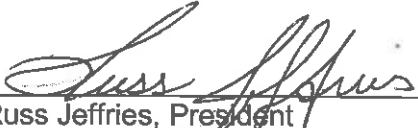
Resolution 19-01 was duly passed and adopted by the Board of Harbor Commissioners of the Moss Landing Harbor District at a regular meeting of the Board held on January 23, 2019, a quorum present and acting throughout, by the following vote:

AYES: Commissioners Jeffries, Leonardini, Ferrante and Shirrel

NOES:

ABSTAIN:

ABSENT: Commissioner Goulart



Russ Jeffries, President
Board of Harbor Commissioners

ATTEST:



Linda G. McIntyre, Deputy Secretary
Board of Harbor Commissioners



BOARD OF HARBOR COMMISSIONERS

Russell Jeffries
Tony Leonardini
Vincent Ferrante
James R. Goulart
Liz Soto

7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

TELEPHONE – 831.633.5417
FACSIMILE – 831.633.4537



**GENERAL MANAGER
HARBOR MASTER**

Tom Razzeca

STAFF REPORT

ITEM NUMBER 20 – CONSIDER APPROVING EXPENDITURE FOR THE NORTH HARBOR RESURFACING AND RESTRIPING PROJECT, BOYD'S ASPHALT BOARD MEETING SEPTEMBER 22, 2021

The North Harbor Parking lot is in need of resurfacing and striping which hasn't been completed in approximately 20 years. Staff completed plans and bid documents and the project bid opening took place on August 20, 2021. No Bids were received during the opening so staff began seeking proposals/estimates from numerous local contractors with the intention of completing the project prior to October 31st.

Staff received a proposal/estimate from Boyd's Asphalt for the project on September 14th which has been attached to this report for Commissioner's to review. Boyd's Asphalt is a well known local business who the General Manager has found to come highly recommended. Additionally, the estimate from Boyd's Asphalt has come in at a cost of \$72,973.00 which is approximately \$27,000 less than the projects estimated cost previously provided by our project design firm Wald Ruhnke & Dost Architects.

Staff recommends that the Board consider approval of the attached proposal allowing the General Manager to enter into contract with Boyd's Asphalt to complete the North Harbor Resurfacing and Restriping Project.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947

Boyds Asphalt Services
1350-A Burton Avenue
Salinas, CA 93901

License No. 806347
 (831) 754-1224 phone
 (831) 754-1225 fax

Estimate

15033

Date 9/14/2021

Moss Landing Harbor District
 Jeff Pritchard
 7881 Sandholdt Road
 Moss Landing, CA 95039

Job Name: Type II Slurry Option

Description	Amount
Moss Landing Harbor District	
TYPE II SLURRY	
Clean 174,165 square feet of existing asphalt with a sweeper Install hot poured crackfill to all cracks 1/4" or larger Install a type II slurry to the entire surface area Allow for one full day of closure Post sweep 7x days after slurry Paint all pavement markings 7x days after slurry completions	
If approved, initial here, along with signature and date on last page before returning to our office_____	72,973.00
Please review our proposal and the clarification included on these pages. In order to proceed with scheduling the job, please sign and date the proposal and return to our office. 1) Any alterations or deviations from the scope of work as shown on our proposal involving an extra cost will be executed only on written orders for the same and will become an extra charge over the sum shown on our original proposal. All agreements must be in writing. 2) Unless noted on our proposal, our price is based on regular hourly rates. Work performed on weekends, before or after our standard working hours and/or prevailing wage projects are subject to additional charges if not informed of these requirements at the time our proposal was submitted. 3) Customers are reminded that the striping and/or re-striping of a parking lot for a public accommodation triggers the requirements of the Americans with Disabilities Act (ADA) regarding accessible parking spaces. It shall be the sole responsibility of the customer to determine the nature and extent of the accessibility requirements under the ADA and State and local building codes. Customer agrees to indemnify and hold BAS harmless for any claims	

We appreciate the opportunity to provide a bid for your project.

Boyd's Asphalt Services
1350-A Burton Avenue
Salinas, CA 93901

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 (831) 754-1224 phone
 (831) 754-1225 fax

Estimate

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 Jeff Pritchard
 7881 Sandholdt Road
 Moss Landing, CA 95039

Job Name: Type II Slurry Option

Description	Amount
<p>relating to violation of the ADA and/or State and local building codes.</p> <p>4) Customer acknowledges that BAS is not signatory to any labor agreements covering the work identified in this proposal. Moreover, BAS will not agree to be bound in any manner or comply with any labor agreements which a customer may have entered into in connection with the project for which this proposal has been generated.</p> <p>5) All painted pavement marking (striping) shall be applied using acetone base traffic marking paint. MSDS are available on request. Unless otherwise noted, this proposal does not include any thermoplastic pavement marking.</p> <p>6) All material is guaranteed to be as specified. All work shall be completed in a substantial workmanlike manner according to specifications submitted, per standard practices.</p> <p>7) All agreements are contingent upon strikes, accidents and/or any other delays that are beyond our control.</p> <p>8) BAS excludes liability for damage to any underground utilities which are not marked by line or depth. This proposal price is based upon clear excavation pathway. Excessive underground obstacles or utilities may cause increase in price.</p> <p>9) BAS is not responsible for errant traffic, people or animals that track wet seal oil or pavement marking paint onto adjacent surfaces.</p> <p>10) Due to California soil conditions and earth movement, surface cracks may occur in your asphalt which is not reflection of the quality of workmanship by BAS.</p> <p>11) Owner or agent is responsible for keeping work area free of water, debris, vehicles and all other obstacles prior to commencement of work and until owner or agent is directed otherwise by contractor. Owner or agent is responsible for turning off all automatic sprinkler systems 24 hours prior to, during and after commencement of work. If vehicles must be towed from work area, Owner or agent agrees to reimburse BAS for towing fees. In addition, Owner or agent agrees to pay additional charges for costs incurred by BAS due to delay of work caused by Owner or agent.</p> <p>12) Permits and/or fees required for this project are excluded from this proposal.</p> <p>13) All surfaces to receive seal oil and/or pavement marking paint shall be clean and dry upon our arrival on site. Any washing of surfaces should be done at least 2 days prior to our</p>	

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<p>scheduled arrival to ensure surface will be completely dry upon our arrival. We cannot make any guarantees that seal or pavement marking paint will adhere to any surface that has been contaminated by motor oil, wax, grease, etc.</p> <p>14) Light cleaning only prior to asphalt sealer application is included in this price.</p> <p>15) All scheduling to be mutually agreed upon.</p> <p>16) BAS is not responsible for water pooling or poor drainage in areas where grade is less than 2%.</p> <p>17) This proposal excludes any work located outside property line.</p> <p>18) The asphalt price is based on the liquid ton price of \$600.00; asphalt escalation shall be as follows; for every \$5.00 increase in liquid asphalt the cost of A/C shall increase \$0.30 per ton.</p> <p>19) Paved surfaces require a 2% slope for drainage, we will not be responsible for puddles where the existing or proposed paved area does not have a 2% slope.</p> <p>20) Over excavation and re-compaction of existing ground shall be excluded from this proposal.</p> <p>21) Traffic control is excluded from proposal unless otherwise noted.</p> <p>22) Applying primer and/or paint to any sign post is excluded from our proposal.</p> <p>23) Any concrete surface to receive striping and/or curb painting must cure for a minimum of 28 days prior to applying marking paint. When marking paint is applied to newly poured concrete you risk complete striping failure and/or damage to concrete surface. Any customer who disregards the required cure time and instructs BAS to apply painted markings of any kind onto newly poured concrete agrees to release BAS of any and all liability which may arise. Customer also acknowledges that BAS will not warranty/guarantee any striping and/or curb painting that was directed to be done on concrete with less than 28 days of curing time.</p> <p>Submitted by: Josh Estassi</p> <p>ACCEPTANCE OF PROPOSAL: The above price, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.</p>	

We appreciate the opportunity to provide a bid for your project.

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Signature: _____ Date: _____, 20__.	

We appreciate the opportunity to provide a bid for your project.