



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

June 29, 2022 – 7:00 P.M.

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

Join Zoom Meeting
<https://us02web.zoom.us/j/89911832504>

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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 §54956.8 regarding: Development proposal received regarding the District new 9500'sf building in North Harbor.
2. 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 | Tommy Razzeca – General Manager |
| Tony Leonardini – Vice President | Mike Rodriguez – District Counsel |
| Vince Ferrante – Secretary | Shay Shaw – Administrative Assistant |
| James Goulart - Commissioner | |
| Liz Soto – 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. CONSENT CALENDAR

1. Approval of June 8, 2022 Special Meeting Minutes

H. FINANCIAL REPORT

2. Financial report month ending May 31, 2022

I. MANAGER'S REPORTS

The General Manager will make oral or written presentations on the below subjects. The Board may take such action as deemed necessary. The Manager may present additional reports; however, the Board may not take action on any such item not on this Agenda.

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

J. COMMITTEE REPORTS

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

K. NEW BUSINESS

19. ITEM – Consider Resolution 22-08 to accept Public Access Easement
 - a. Staff report
 - b. Public comment
 - c. Board discussion
 - d. Board action

20. ITEM – Consider Approval of Monterey Bay Kayak Construction Permit

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

21. ITEM – Consider Resolution 22-09 Authorizing Preparation and Execution of a Non-Exclusive Consulting Agreement with Haley & Aldrich

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

L. 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.

M. ADJOURNMENT

The next Meeting of the Board of Harbor Commissioners is scheduled for July 27, 2022 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 Razzeca@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.



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

June 8, 2022 7:00 P.M.

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

Join Zoom Meeting

<https://us02web.zoom.us/j/83732434498?pwd=MDhZTXRGVGdiczVTOGxacVlySDIHdz09>

Meeting ID: 837 3243 4498

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

Commissioners Present:

Russ Jeffries – President

James Goulart – Commissioner

Vince Ferrante – Secretary

Liz Soto – Commissioner

Staff Present:

Tommy Razzeca – General Manager

Mike Rodriguez – District Counsel

Shay Shaw – Administrative Assistant

Commissioners Absent:

Tony Leonardini – Vice President

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

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 May 25, 2022 Regular Meeting Minutes. A motion was made by Commissioner Ferrante, seconded by Commissioner Soto, to approve the May 25, 2022 Regular Meeting Minutes. The motion passed 4-0-1 (Commissioner Leonardini was absent).

F. NEW BUSINESS

2. ITEM – Public Hearing and Fixing Final Budget FY 22/23

a. Staff report: GM Razzeca gave the report.

b. Public Comment: None

c. Board discussion: Commissioners discussed increased costs to the District, capital improvement projects and the potential election costs associated with the 22/23 budget.

d. Board action: A motion was made by Commissioner Goulart, seconded by Commissioner Soto to Fix the Final Budget. The motion passed 4-0-1 (Commissioner Leonardini was absent).

3. ITEM – Consider Adopting Ordinance 209 Amending the District's Fee Schedule

a. Staff report: None

b. Public Comment: None

c. Board discussion: None

d. Board action: A motion was made by Commissioner Ferrante, seconded by Commissioner Goulart to adopt Ordinance 209 Amending the District's Fee Schedule. The motion passed 4-0-1 (Commissioner Leonardini was absent).

G. COMMISSIONERS COMMENTS AND CONCERNS

The Commissioners decided to reschedule the June Meeting date to June 29, 2022 due to scheduling conflicts of multiple Board Members. Commissioner Ferrante thanked the Budget Committee and Wendy Cumming for their hard work during the District's Budget process.

H. ADJOURNMENT

The next Meeting was adjourned at 7:35 P.M.

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 May 31, 2022

	<u>May 31, 22</u>	<u>May 31, 21</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Checking/Savings				
1022 · 1st Capital Trust Account	4,355,424		4,355,424	100%
1001 · 1st Capital Operating Account	2,518,037		2,518,037	100%
1002 · Petty Cash	500	500		
1009 · Union - Operating		2,939,284	-2,939,284	-100%
1015 · 1st Capital Bank	1,890,300	1,557,054	333,246	21%
1018 · Union Bank- Trust Account		2,156,696	-2,156,696	-100%
1020 · Umpqua - Restricted	1,017,128	1,016,992	136	
Total Checking/Savings	<u>9,781,389</u>	<u>7,670,526</u>	<u>2,110,863</u>	<u>28%</u>
Accounts Receivable				
11290 - Leases				
1282 · NNN Receivable	95,069	43,127	51,942	120%
1284 · Local Bounty	1,650		1,650	100%
1294 · Monterey Fish		-7,825	7,825	100%
11290 · Leases - Other	2,625		2,625	100%
Total 11290 · Leases	<u>99,344</u>	<u>35,302</u>	<u>64,042</u>	<u>181%</u>
1200 · Marina Receivables	147,738	148,616	-878	-1%
1201 · Marina - Allow for Bad Debt	-47,776	-38,880	-8,896	-23%
Total Accounts Receivable	<u>199,306</u>	<u>145,038</u>	<u>54,268</u>	<u>37%</u>
Other Current Assets				
1271 · Prepaid Expenses				
1270 · Insurance	16,875	44,242	-27,367	-62%
Total 1271 · Prepaid Expenses	<u>16,875</u>	<u>44,242</u>	<u>-27,367</u>	<u>-62%</u>
Total Other Current Assets	<u>16,875</u>	<u>44,242</u>	<u>-27,367</u>	<u>-62%</u>
Total Current Assets	<u>9,997,570</u>	<u>7,859,806</u>	<u>2,137,764</u>	<u>27%</u>
Fixed Assets				
1650 · Construction in Progress	4,880,492	4,880,492		
1670 · Equipment	481,946	472,330	9,616	2%
1700 · Improvements				
1710 · NH Buildings & Improvements	6,893,102	6,893,102		
1720 · NH Floating Docks	524,675	524,675		
1725 · NH Offsite Improvements	632,218	632,218		
1730 · SH Buildings & Improvements	8,172,908	8,172,908		
1740 · SH Floating Docks	9,583,746	9,583,746		
Total 1700 · Improvements	<u>25,806,649</u>	<u>25,806,649</u>		

Moss Landing Harbor District
Balance Sheet
As of May 31, 2022

	<u>May 31, 22</u>	<u>May 31, 21</u>	<u>\$ Change</u>	<u>% Change</u>
1800 - Less - Depreciation				
1805 - Equipment	-455,648	-440,641	-15,007	-3%
1810 - NH Buildings & Improvements	-3,902,010	-3,676,540	-225,470	-6%
1820 - NH Floating Docks	-535,708	-535,708	0	
1825 - NH Offsite Improvements	-534,219	-515,429	-18,790	-4%
1830 - SH Buildings & Improvements	-6,459,856	-6,345,426	-114,430	-2%
1840 - SH Floating Docks	-7,158,568	-6,775,207	-383,361	-6%
Total 1800 - Less - Depreciation	-19,046,009	-18,288,951	-757,058	-4%
1900 - Land	1,642,860	1,642,860		
Total Fixed Assets	13,765,938	14,513,380	-747,442	-5%
Other Assets				
1320 - Workers Comp Deposit	200	200		
1530 - Principal Financial CS	7,389	7,389		
Total Other Assets	7,589	7,589		
TOTAL ASSETS	<u>23,771,097</u>	<u>22,380,775</u>	<u>1,390,322</u>	<u>6%</u>

Moss Landing Harbor District
Balance Sheet
As of May 31, 2022

	<u>May 31, 22</u>	<u>May 31, 21</u>	<u>\$ Change</u>	<u>% Change</u>
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2010 · Accounts Payable	-39,130	-211,811	172,681	82%
Total Accounts Payable	-39,130	-211,811	172,681	82%
Other Current Liabilities				
2020 · Accrued Salaries Payable	15,103	15,386	-283	-2%
2021 · Accrued Vacation	39,621	22,411	17,210	77%
2023 · Accrued Payroll Taxes	1,148	1,148		
2030 · Customer Deposits	362,957	347,879	15,078	4%
2051 · Note Interest Payable				
2062 · Umpqua Accrued Interest	24,242	28,105	-3,863	-14%
Total 2051 · Note Interest Payable	24,242	28,105	-3,863	-14%
2080 · Prepaid Berth Fees	183,439	205,569	-22,130	-11%
2011 · Lusamerica Reimb. Acct.	15,000	15,000		
2082 · MLCP Cost Reimb. Deposit		74,811	-74,811	-100%
2086 · Prepaid Leases				
20861 · Vistra	60,884	60,687	197	0%
20862 · MBARI	27,905	26,692	1,213	5%
Total 2086 · Prepaid Leases	88,789	87,379	1,410	2%
2087 · Lease Deposits	19,625	19,501	124	1%
Total Other Current Liabilities	749,924	817,189	-67,265	-8%
Total Current Liabilities	710,794	605,378	105,416	17%
Long Term Liabilities				
2605 · Umpqua Loan	2,163,830	2,508,701	-344,871	-14%
Total Long Term Liabilities	2,163,830	2,508,701	-344,871	-14%
Total Liabilities	2,874,624	3,114,079	-239,455	-8%
Equity				
3020 · Retained Net Assets	6,456,231	6,456,231		
3050 · Prior Year Earnings	13,142,922	11,796,804	1,346,118	11%
Net Income	1,297,320	1,013,661	283,659	28%
Total Equity	20,896,473	19,266,696	1,629,777	8%
TOTAL LIABILITIES & EQUITY	<u>23,771,097</u>	<u>22,380,775</u>	<u>1,390,322</u>	<u>6%</u>

Moss Landing Harbor District
Statement of Cash Flows
July 2021 through May 2022

	Jul '21 - May 22
OPERATING ACTIVITIES	
Net Income	1,297,320
Adjustments to reconcile Net Income	
to net cash provided by operations:	
11290 · Leases	-2,625
11290 · Leases:1291 · Monterey Bay Kayak	18,891
1200 · Marina Receivables	-26,782
1201 · Marina - Allow for Bad Debt	23,375
11290 · Leases:1282 · NNN Receivable	-21,177
11290 · Leases:1284 · Local Bounty	-1,650
1271 · Prepaid Expenses:1270 · Insurance	-16,875
1800 · Less - Depreciation:1805 · Equipment	18,701
1800 · Less - Depreciation:1810 · NH Buildings & Improvements	288,791
1800 · Less - Depreciation:1820 · NH Floating Docks	11,034
1800 · Less - Depreciation:1825 · NH Offsite Improvements	26,934
1800 · Less - Depreciation:1830 · SH Buildings & Improvements	191,380
1800 · Less - Depreciation:1840 · SH Floating Docks	379,867
2010 · Accounts Payable	158,114
2020 · Accrued Salaries Payable	104
2030 · Customer Deposits	14,602
2080 · Prepaid Berth Fees	-40,163
2086 · Prepaid Leases	-7,551
2086 · Prepaid Leases:20861 · ViStra	7,737
2086 · Prepaid Leases:20862 · MBARI	3,288
2087 · Lease Deposits	124
2051 · Note Interest Payable:2062 · Umpqua Accrued Interest	-5,549
2082 · MLCP Cost Reimb. Deposit	-73,761
Net cash provided by Operating Activities	2,244,129
FINANCING ACTIVITIES	
2605 · Umpqua Loan	-344,871
Net cash provided by Financing Activities	-344,871
Net cash increase for period	1,899,258
Cash at beginning of period	7,882,129
Cash at end of period	9,781,387

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
 July 2021 through May 2022

Ordinary Income/Expense	Jul '21 - May 22	Budget	\$ Over Budget	% of Budget
Income				
4000 · MARINA REVENUES				
4100 · Berthing Income				
4110 · Assigned Berthing	1,619,832	1,660,547	-40,715	98%
4112 · Qtrly/Annual Discount	-2,955	-2,658	-297	111%
4113 · Commercial Vessel Dscnt	-10,842	-11,000	158	99%
4114 · Away (1 mnth) Dscnt	-142	-550	408	26%
4115 · Temporary Berthing	253,199	254,249	-1,050	100%
4120 · Liveaboard Fees	124,330	121,917	2,413	102%
4130 · Transient Berthing	10,179	41,000	-30,821	25%
4220 · Wait List	9,975	5,958	4,017	167%
4260 · Towing - Intra Harbor	650	550	100	118%
4270 · Pumpouts	400	800	-400	50%
4280 · Late Fees	30,101	32,083	-1,982	94%
4282 · Recovered Lien Costs	100	2,000	-1,900	5%
Total 4100 · Berthing Income	2,034,827	2,104,896	-70,069	97%
4200 · Other Income - Operations				
4225 · Merchandise		220	-220	
4230 · SH Parking	107,901	107,942	-41	100%
4285 · Dog Fee	1,035	550	485	188%
4290 · Misc	8,520	1,750	6,770	487%
Total 4200 · Other Income - Operations	117,456	110,462	6,994	106%
4300 · Operating Grant Revenues	329,207			
Total 4000 · MARINA REVENUES	2,481,490	2,215,358	266,132	112%

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July 2021 through May 2022

Expense	Jul '21 - May 22	Budget	\$ Over Budget	% of Budget
5200 · General & Administrative				
5100 · Advertising	5,800	5,958	-158	97%
5210 · Dues & Subscriptions	6,646	10,463	-3,817	64%
5220 · Office Supplies				
5223 · Administration	5,118	7,965	-2,847	64%
5225 · Operations	8,589	12,299	-3,710	70%
Total 5220 · Office Supplies	13,707	20,264	-6,557	68%
5230 · Postage & Equip Lease				
5232 · Meter Lease	713	633	80	113%
5235 · Postage	801	1,023	-222	78%
Total 5230 · Postage & Equip Lease	1,514	1,656	-142	91%
5240 · Copier Lease & Supplies				
5242 · Copier Lease	3,049	2,695	354	113%
Total 5240 · Copier Lease & Supplies	3,049	2,695	354	113%
5250 · Telephone & Communications				
5253 · Administration	13,426	11,940	1,486	112%
5255 · Operations	736	444	292	166%
Total 5250 · Telephone & Communications	14,162	12,384	1,778	114%
5260 · Professional Services				
5262 · Accounting	34,510	44,000	-9,490	78%
5263 · Audit fees	17,000	18,000	-1,000	94%
5265 · Legal	33,632	91,667	-58,035	37%
5268 · Computer Consulting	1,478	1,717	-239	86%
5269 · Payroll Processing	3,709	3,316	393	112%
Total 5260 · Professional Services	90,329	158,700	-68,371	57%
5290 · Credit Card Fees	6,762	10,355	-3,593	65%
5921 · Internet Billing Service	1,505	1,318	187	114%
Total 5200 · General & Administrative	143,474	223,793	-80,319	64%
5300 · Personnel				
5310 · Salaries				
5313 · Administration	218,406	249,438	-31,032	88%
5315 · Operations	143,007	187,834	-44,827	76%
5318 · Maintenance	111,275	141,913	-30,638	78%
Total 5310 · Salaries	472,688	579,185	-106,497	82%
5330 · Payroll Taxes				
5333 · Administration	16,702	19,082	-2,380	88%
5335 · Operations	18,590	14,370	4,220	129%
5338 · Maintenance	8,516	10,856	-2,340	78%
Total 5330 · Payroll Taxes	43,808	44,308	-500	99%

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July 2021 through May 2022

	Jul '21 - May 22	Budget	\$ Over Budget	% of Budget
5340 · Employee Benefits				
5342 · Vehicle Allowance				
5343 · Administration	48,567	40,968	7,599	119%
5345 · Operations	855		855	
5348 · Maintenance	51,022	54,287	-3,265	94%
Total 5340 · Employee Benefits	100,444	95,255	5,189	105%
5350 · Workers Compensation				
5353 · Administration	3,300	974	2,326	339%
5355 · Operations	5,896	11,189	-5,293	53%
5358 · Maintenance	6,354	6,076	278	105%
Total 5350 · Workers Compensation	15,550	18,239	-2,689	85%
5360 · Education & Training				
5363 · Administration	4,357	1,833	2,524	238%
5365 · Operations	1,437	1,833	-396	78%
5368 · Maintenance	1,133			
Total 5360 · Education & Training	6,927	3,666	3,261	189%
Total 5300 · Personnel	639,417	740,653	-101,236	86%
5400 · Insurance				
5410 · Liability Insurance	152,050	151,983	67	100%
Total 5400 · Insurance	152,050	151,983	67	100%
5500 · Utilities				
5510 · Garbage	108,183	105,417	2,766	103%
5520 · Gas and Electric	258,555	275,000	-18,445	93%
5530 · Water	35,618	36,667	-1,049	97%
5540 · Sewer	39,662	39,417	245	101%
Total 5500 · Utilities	440,018	466,501	-16,483	96%
5600 · Operating Supplies				
5610 · Vehicles	7,891	13,823	-5,932	57%
5620 · Vessels	476	1,467	-991	32%
5625 · Operations	12,731	17,893	-5,162	71%
Total 5600 · Operating Supplies	21,098	33,183	-12,085	64%
5700 · Depreciation	458,354	458,334	20	100%
5800 · Repairs & Maintenance				
5810 · Vehicles	328	876	-548	37%
5830 · Equip Rental	2,825	5,226	-2,401	54%
5850 · Repair Materials	28,189	62,648	-34,459	45%
5860 · Outside Service Contracts	82,477	68,750	13,727	120%
5870 · Derelict Disposal	42,061	37,500	4,561	112%
Total 5800 · Repairs & Maintenance	155,880	175,000	-19,120	89%
5900 · Financial Expenses				
5920 · Bank Service Charges	4,622	4,583	39	101%
5990 · Bad Debt	23,375	22,917	458	102%
Total 5900 · Financial Expenses	27,997	27,500	497	102%
Total · MARINA EXPENSES	2,038,288	2,266,947	-228,659	90%
Net Ordinary Income - Marina Operations	443,203	-51,589	494,791	-859%

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July 2021 through May 2022

	<u>Jul '21 - May 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
4400 · LEASE AND OTHER INCOME				
4050 · Trust Lands Lease Revenue				
4051 · Vistra	67,356	67,357	-1	100%
4053 · MBARI	27,505	27,621	-116	100%
Total 4050 · Trust Lands Lease Revenue	<u>94,861</u>	<u>94,978</u>	<u>-117</u>	<u>100%</u>
4500 · Leases				
4501 · K-Pier Lease	33,794	12,476	21,318	271%
4502 · Cannery Building				
4517 · Suite 2	32,805	32,332	473	101%
4504 · Suite 3	90,715	89,405	1,310	101%
4511 · Suite 1 & 10	18,153	18,233	-80	100%
4515 · Suite 4	87,796	86,467	1,329	102%
4518 · Suite 5	17,516	25,271	-7,755	69%
4510 · Suite 6	10,740	13,183	-2,443	81%
4512 · Suite 7	15,261	13,823	1,438	110%
4503 · Suite 8	9,089	8,796	293	103%
4520 · Suite 9	7,500	8,277	-777	91%
4523 · Canary NNN	33,256	36,667	-3,411	91%
Total 4502 · Cannery Building	<u>322,831</u>	<u>332,454</u>	<u>-9,623</u>	<u>97%</u>
4530 · RV Lot	33,290	33,165	125	100%
4540 · Martin & Mason	26,911	28,481	-1,570	94%
4560 · North Harbor				
4562 · Sea Harvest	37,648	34,105	3,543	110%
4568 · Monterey Bay Kayaks	39,193	41,250	-2,057	95%
Total 4560 · North Harbor	<u>76,841</u>	<u>75,355</u>	<u>1,486</u>	<u>102%</u>
Total 4500 · Leases	493,667	481,931	11,736	102%
4600 · District Property Taxes	353,293	250,000	103,293	141%
4700 · Other Revenues & Concessions				
4125 · Amenity Fee	324,571	325,417	-846	100%
4126 · Passenger Vessel Fees	10,703	27,500	-16,797	39%
4710 · Vending Activities				
4711 · Washer/Dryer	9,317	7,480	1,837	125%
4712 · Soda	115	312	-197	37%
Total 4710 · Vending Activities	<u>9,432</u>	<u>7,792</u>	<u>1,640</u>	<u>121%</u>
4720 · Dry Storage	57,296	57,750	-454	99%
4725 · North Harbor Use Fee	207,320	108,208	99,112	192%
4727 · Key Sales	5,046	4,528	518	111%
4730 · NH Washdown	731	1,750	-1,019	42%
4735 · Camp/RV	2,182	2,292	-110	95%
4740 · Equipment Rental	285	125	160	228%
4745 · Citations & Fines	4,055		4,055	
4751 · Permits	9,995	4,125	5,870	242%
4765 · Faxes, Copies & Postage		55	-55	
Total 4700 · Other Revenues & Concessions	<u>631,616</u>	<u>539,542</u>	<u>92,074</u>	<u>117%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July 2021 through May 2022

	<u>Jul '21 - May 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
4800 · Interest				
4841 · Union Bank Interest	215	275	-60	78%
4843 · First Capital Bank	7,882	2,842	5,040	277%
4846 · Umpqua Interest	93	504	-411	18%
Total 4800 · Interest	<u>8,190</u>	<u>3,621</u>	<u>4,569</u>	<u>226%</u>
Total 4400 · LEASE AND OTHER INCOME	<u>1,581,627</u>	<u>1,370,072</u>	<u>211,555</u>	<u>115%</u>
7000 · LEASE AND OTHER EXPENSES				
7100 · Interest Expense				
7134 · Umpqua NP Interest	61,036	61,036		100%
Total 7100 · Interest Expense	<u>61,036</u>	<u>61,036</u>		<u>100%</u>
7200 · Other Financial Expenses				
7221 · CSDA Dues	7,615	7,500	115	102%
7230 · LAFO Administrative Charges	5,393	7,000	-1,607	77%
Total 7200 · Other Financial Expenses	<u>13,008</u>	<u>14,500</u>	<u>-1,492</u>	<u>90%</u>
5700 · Depreciation	458,354	458,334	20	100%
7300 · Commissioner Expenses				
7320 · Monthly Stipend	13,000	20,167	-7,167	64%
7321 · Employer Payroll Taxes	994	1,650	-656	60%
7330 · Incurred Expenses	2,152	1,100	1,052	196%
Total 7300 · Commissioner Expenses	<u>16,146</u>	<u>22,917</u>	<u>-6,771</u>	<u>70%</u>
Total 7000 · LEASE AND OTHER EXPENSES	<u>548,544</u>	<u>556,787</u>	<u>-8,243</u>	<u>99%</u>
Net Ordinary Income - Lease & Other Operations	<u>1,033,084</u>	<u>813,286</u>	<u>219,798</u>	<u>127%</u>
Net Ordinary Income - Combined Operations	<u>1,476,286</u>	<u>761,697</u>	<u>714,589</u>	<u>194%</u>

Moss Landing Harbor District
Profit & Loss Budget vs. Actual
July 2021 through May 2022

	<u>Jul '21 - May 22</u>	<u>Budget</u>	<u>\$ Over Budget</u>	<u>% of Budget</u>
Other Income/Expense				
Other Income				
8001 · Cost Reimbursements				
8101 · Revenue from reimbursements		-183,333	183,333	
8201 · Reimbursable expenses		183,333	-183,333	
Total 8001 · Cost Reimbursements				
Total Other Income				
Other Expense				
9000 · CAPITAL PROJECT EXPENSES				
5880 · Dredging	18,305	250,000	-231,695	7%
9051 · Sewer Lift Station	25,541	50,000	-24,459	51%
9053 · Dock Maintenance		100,000	-100,000	
9054 · Sea Lion Deterrent Fencing	1,882	25,000	-23,118	8%
9060 · NH Berthers Parking/Paving	76,718	100,000	-23,282	77%
9125 · North Harbor Parking Lot LTG		40,000	-40,000	
9150 · Cannery	3,876	375,000	-371,124	1%
9250 · Security Camera	19,507	50,000	-30,493	39%
9307 · Piling Replacement Proj.		100,000	-100,000	
9309 · New NH Building	3,250	1,000,000	-996,750	0%
9310 · NH Hotel	1,220	75,000	-73,780	2%
9470 · NH Visitor Dock		400,000	-400,000	
9565 · Miscellaneous Capital Projects	28,667	100,000	-71,333	29%
9750 · Office Computers		25,000	-25,000	
9800 · Dock Replacement		200,000	-200,000	
Total 9000 · CAPITAL PROJECT EXPENSES	<u>178,966</u>	<u>2,890,000</u>	<u>-2,711,034</u>	<u>6%</u>
Total Other Expense	<u>178,966</u>	<u>2,890,000</u>	<u>-2,711,034</u>	<u>6%</u>
Net Other Income	<u>-178,966</u>	<u>-2,890,000</u>	<u>2,711,034</u>	<u>6%</u>
Net Income	<u><u>1,297,320</u></u>	<u><u>-2,128,303</u></u>	<u><u>3,425,623</u></u>	<u><u>-61%</u></u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July 2021 through May 2022

	<u>Jul '21 - May 22</u>	<u>Jul '20 - May 21</u>	<u>\$ Change</u>	<u>% Change</u>
Ordinary Income/Expense				
Income				
4000 · MARINA REVENUES				
4100 · Berthing Income				
4110 · Assigned Berthing	1,619,832	1,588,794	31,038	2%
4112 · Qtrly/Annual Discount	-2,955	-2,494	-461	-18%
4113 · Commercial Vessel Dscnt	-10,842	-11,225	383	3%
4114 · Away (1 mnth) Dscnt	-142	-557	415	75%
4115 · Temporary Berthing	253,199	259,683	-6,484	-2%
4120 · Liveaboard Fees	124,330	117,530	6,800	6%
4130 · Transient Berthing	10,179	21,795	-11,616	-53%
4220 · Wait List	9,975	9,228	747	8%
4260 · Towing - Intra Harbor	650	600	50	8%
4270 · Pumpouts	400	1,600	-1,200	-75%
4280 · Late Fees	30,101	31,170	-1,069	-3%
4282 · Recovered Lien Costs	100	200	-100	-50%
Total 4100 · Berthing Income	<u>2,034,827</u>	<u>2,016,324</u>	<u>18,503</u>	<u>1%</u>
4200 · Other Income - Operations				
4225 · Merchandise		42	-42	-100%
4230 · SH Parking	107,901	77,653	30,248	39%
4285 · Dog Fee	1,035	1,060	-25	-2%
4290 · Misc	8,520	2,543	5,977	235%
Total 4200 · Other Income - Operations	<u>117,456</u>	<u>81,298</u>	<u>36,158</u>	<u>44%</u>
4300 · Operating Grant Revenues	<u>329,207</u>		<u>329,207</u>	<u>100%</u>
Total 4000 · MARINA REVENUES	<u>2,481,490</u>	<u>2,097,622</u>	<u>383,868</u>	<u>18%</u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July 2021 through May 2022

Expense	Jul '21 - May 22	Jul '20 - May 21	\$ Change	% Change
5200 · General & Administrative				
5100 · Advertising	5,800	4,888	912	19%
5210 · Dues & Subscriptions	6,646	20,445	-13,799	-67%
5220 · Office Supplies				
5223 · Administration	5,118	9,531	-4,413	-46%
5225 · Operations	8,589	12,253	-3,664	-30%
Total 5220 · Office Supplies	<u>13,707</u>	<u>21,784</u>	<u>-8,077</u>	<u>-37%</u>
5230 · Postage & Equip Lease				
5232 · Meter Lease	713	486	227	47%
5235 · Postage	801	679	122	18%
Total 5230 · Postage & Equip Lease	<u>1,514</u>	<u>1,165</u>	<u>349</u>	<u>30%</u>
5240 · Copier Lease & Supplies				
5242 · Copier Lease	3,049	3,358	-309	-9%
Total 5240 · Copier Lease & Supplies	<u>3,049</u>	<u>3,358</u>	<u>-309</u>	<u>-9%</u>
5250 · Telephone & Communications				
5253 · Administration	13,426	13,793	-367	-3%
5255 · Operations	736	624	112	18%
Total 5250 · Telephone & Communications	<u>14,162</u>	<u>14,417</u>	<u>-255</u>	<u>-2%</u>
5260 · Professional Services				
5262 · Accounting	34,510	35,141	-631	-2%
5263 · Audit fees	17,000	16,500	500	3%
5265 · Legal	33,632	35,659	-2,027	-6%
5268 · Computer Consulting	1,478	1,721	-243	-14%
5269 · Payroll Processing	3,709	3,856	-147	-4%
Total 5260 · Professional Services	<u>90,329</u>	<u>92,877</u>	<u>-2,548</u>	<u>-3%</u>
5270 · Licenses & Permits		10	-10	-100%
5290 · Credit Card Fees	6,762	12,618	-5,856	-46%
5921 · Internet Billing Service	1,505	1,642	-137	-8%
Total 5200 · General & Administrative	<u>143,474</u>	<u>173,204</u>	<u>-29,730</u>	<u>-17%</u>
5300 · Personnel				
5310 · Salaries				
5313 · Administration	218,406	151,906	66,500	44%
5315 · Operations	143,007	175,643	-32,636	-19%
5318 · Maintenance	111,275	150,165	-38,890	-26%
Total 5310 · Salaries	<u>472,688</u>	<u>477,714</u>	<u>-5,026</u>	<u>-1%</u>
5330 · Payroll Taxes				
5333 · Administration	16,702	10,458	6,244	60%
5335 · Operations	18,590	12,539	6,051	48%
5338 · Maintenance	8,516	10,390	-1,874	-18%
Total 5330 · Payroll Taxes	<u>43,808</u>	<u>33,387</u>	<u>10,421</u>	<u>31%</u>

Moss Landing Harbor District
Profit & Loss YTD Comparison
July 2021 through May 2022

	Jul '21 - May 22	Jul '20 - May 21	\$ Change	% Change
5340 · Employee Benefits				
5343 · Administration	48,567	43,532	5,035	12%
5345 · Operations	855	3,023	-2,168	-72%
5348 · Maintenance	51,022	51,684	-662	-1%
Total 5340 · Employee Benefits	100,444	98,239	2,205	2%
5350 · Workers Compensation				
5353 · Administration	3,300	3,300		
5355 · Operations	5,896	6,457	-561	-9%
5358 · Maintenance	6,354	7,337	-983	-13%
Total 5350 · Workers Compensation	15,550	17,094	-1,544	-9%
5360 · Education & Training				
5363 · Administration	4,357	2,425	1,932	80%
5365 · Operations	1,437	2,490	-1,053	-42%
5368 · Maintenance	1,133	2,233	-1,100	-49%
Total 5360 · Education & Training	6,927	7,148	-221	-3%
Total 5300 · Personnel	639,417	633,582	5,835	1%
5400 · Insurance				
5410 · Liability Insurance	152,050	137,041	15,009	11%
Total 5400 · Insurance	152,050	137,041	15,009	11%
5500 · Utilities				
5510 · Garbage	108,183	104,538	3,645	3%
5520 · Gas and Electric	256,555	242,973	13,582	6%
5530 · Water	35,618	33,100	2,518	8%
5540 · Sewer	39,662	35,942	3,720	10%
Total 5500 · Utilities	440,018	416,553	23,465	6%
5600 · Operating Supplies				
5610 · Vehicles	7,891	10,102	-2,211	-22%
5620 · Vessels	476	1,321	-845	-64%
5625 · Operations	12,731	16,804	-4,073	-24%
Total 5600 · Operating Supplies	21,098	28,227	-7,129	-25%
5700 · Depreciation	458,354	458,354		
5800 · Repairs & Maintenance				
5810 · Vehicles	328	589	-261	-44%
5830 · Equip Rental	2,825	3,458	-633	-18%
5850 · Repair Materials	28,189	44,272	-16,083	-36%
5860 · Outside Service Contracts	82,477	65,079	17,398	27%
5870 · Derelict Disposal	42,061	40,690	1,371	3%
Total 5800 · Repairs & Maintenance	155,880	154,088	1,792	1%
5900 · Financial Expenses				
5920 · Bank Service Charges	4,622	8,760	-4,138	-47%
5990 · Bad Debt	23,375	23,375		
Total 5900 · Financial Expenses	27,997	32,135	-4,138	-13%
Total · MARINA EXPENSES	2,038,288	2,033,184	5,104	0%
Net Ordinary Income - Marina Operations	443,203	64,439	378,764	588%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July 2021 through May 2022

	<u>Jul '21 - May 22</u>	<u>Jul '20 - May 21</u>	<u>\$ Change</u>	<u>% Change</u>
4400 · LEASE AND OTHER INCOME				
4050 · Trust Lands Lease Revenue				
4051 · Vistra	67,356	64,898	2,458	4%
4053 · MBARI	27,505	26,983	522	2%
Total 4050 · Trust Lands Lease Revenue	<u>94,861</u>	<u>91,881</u>	2,980	3%
4500 · Leases				
4501 · K-Pier Lease	33,794	19,439	14,355	74%
4502 · Cannery Building				
4517 · Suite 2	32,805	31,937	868	3%
4504 · Suite 3	90,715	95,269	-4,554	-5%
4511 · Suite 1 & 10	18,153	17,842	311	2%
4515 · Suite 4	87,796	85,458	2,338	3%
4518 · Suite 5	17,516	24,673	-7,157	-29%
4510 · Suite 6	10,740	20,691	-9,951	-48%
4512 · Suite 7	15,261	14,861	400	3%
4503 · Suite 8	9,089	8,824	265	3%
4520 · Suite 9	7,500	6,625	875	13%
4523 · Canary NNN	33,256	34,526	-1,270	-4%
Total 4502 · Cannery Building	<u>322,831</u>	<u>340,706</u>	-17,875	-5%
4530 · RV Lot	33,290	32,584	706	2%
4540 · Martin & Mason	26,911	28,481	-1,570	-6%
4560 · North Harbor				
4562 · Sea Harvest	37,648	33,631	4,017	12%
4568 · Monterey Bay Kayaks	39,193	76,253	-37,060	-49%
Total 4560 · North Harbor	<u>76,841</u>	<u>109,884</u>	-33,043	-30%
Total 4500 · Leases	493,667	531,094	-37,427	-7%
4600 · District Property Taxes	353,293	334,905	18,388	5%
4700 · Other Revenues & Concessions				
4125 · Amenity Fee	324,571	315,653	8,918	3%
4126 · Passenger Vessel Fees	10,703		10,703	100%
4710 · Vending Activities				
4711 · Washer/Dryer	9,317	5,910	3,407	58%
4712 · Soda	115	237	-122	-51%
Total 4710 · Vending Activities	<u>9,432</u>	<u>6,147</u>	3,285	53%
4720 · Dry Storage	57,296	53,704	3,592	7%
4725 · North Harbor Use Fee	207,320	171,054	36,266	21%
4727 · Key Sales	5,046	7,246	-2,200	-30%
4730 · NH Washdown	731	435	296	68%
4735 · Camp/RV	2,182	543	1,639	302%
4740 · Equipment Rental	285	100	185	185%
4745 · Citations & Fines	4,055	2,643	1,412	53%
4751 · Permits	9,995	5,459	4,536	83%
4765 · Faxes, Copies & Postage		14	-14	-100%
4770 · Surplus Auction/Sales		258	-258	-100%
Total 4700 · Other Revenues & Concessions	<u>631,616</u>	<u>563,256</u>	68,360	12%

Moss Landing Harbor District
Profit & Loss YTD Comparison
July 2021 through May 2022

	<u>Jul '21 - May 22</u>	<u>Jul '20 - May 21</u>	<u>\$ Change</u>	<u>% Change</u>
4800 · Interest				
4841 · Union Bank Interest	215	256	-41	-16%
4843 · First Capital Bank	7,882	2,830	5,052	179%
4846 · Umpqua Interest	93	467	-374	-80%
Total 4800 · Interest	<u>8,190</u>	<u>3,553</u>	<u>4,637</u>	<u>131%</u>
Total 4400 · LEASE AND OTHER INCOME	<u>1,581,627</u>	<u>1,524,689</u>	<u>56,938</u>	<u>4%</u>
7000 · LEASE AND OTHER EXPENSES				
7100 · Interest Expense				
7134 · Umpqua NP Interest	61,036	70,763	-9,727	-14%
Total 7100 · Interest Expense	<u>61,036</u>	<u>70,763</u>	<u>-9,727</u>	<u>-14%</u>
7200 · Other Financial Expenses				
7221 · CSDA Dues	7,615	7,253	362	5%
7230 · LAFO Administrative Charges	5,393	5,425	-32	-1%
Total 7200 · Other Financial Expenses	<u>13,008</u>	<u>12,678</u>	<u>330</u>	<u>3%</u>
5700 · Depreciation	458,354	458,354		
7300 · Commissioner Expenses				
7320 · Monthly Stipend	13,000	14,625	-1,625	-11%
7321 · Employer Payroll Taxes	994	1,033	-39	-4%
7330 · Incurred Expenses	2,152	338	1,814	537%
Total 7300 · Commissioner Expenses	<u>16,146</u>	<u>15,996</u>	<u>150</u>	<u>1%</u>
Total 7000 · LEASE AND OTHER EXPENSES	<u>548,544</u>	<u>557,791</u>	<u>-9,247</u>	<u>-2%</u>
Net Ordinary Income - Lease & Other Operations	<u>1,033,084</u>	<u>966,899</u>	<u>66,185</u>	<u>7%</u>
Net Ordinary Income - Combined Operations	<u>1,476,286</u>	<u>1,031,337</u>	<u>444,949</u>	<u>43%</u>

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 Accrual Basis

Moss Landing Harbor District Profit & Loss YTD Comparison July 2021 through May 2022

	Jul '21 - May 22	Jul '20 - May 21	\$ Change	% Change
Other Income/Expense				
Other Income				
8001 · Cost Reimbursements				
8101 · Revenue from reimbursements		4,636	-4,636	-100%
8201 · Reimbursable expenses		-4,786	4,786	100%
Total 8001 · Cost Reimbursements		-150	150	100%
Total Other Income		-150	150	100%
Other Expense				
9000 · CAPITAL PROJECT EXPENSES				
5880 · Dredging	18,305		18,305	100%
9051 · Sewer Lift Station	25,541		25,541	100%
9054 · Sea Lion Deterrent Fencing	1,882	1,953	-71	-4%
9060 · NH Berthers Parking/Paving	76,718		76,718	100%
9150 · Cannery	3,876		3,876	100%
9250 · Security Camera	19,507		19,507	100%
9309 · New NH Building	3,250		3,250	100%
9310 · NH Hotel	1,220		1,220	100%
9565 · Miscellaneous Capital Projects	28,667	15,569	13,098	84%
Total 9000 · CAPITAL PROJECT EXPENSES	178,966	17,522	161,444	921%
Total Other Expense	178,966	17,522	161,444	921%
Net Other Income	-178,966	-17,672	-161,294	-913%
Net Income	1,297,320	1,013,665	283,655	28%

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Moss Landing Harbor District
A/P Aging Summary
As of May 31, 2022

	<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
Auto Care LifeSaver Towing	1,000.00	0.00	0.00	0.00	0.00	1,000.00
CalPERS	0.00	-5,725.00	-5,725.00	0.00	0.00	-11,450.00
Castroville "ACE" Hardware	413.30	0.00	0.00	0.00	0.00	413.30
Clintas	558.68	0.00	0.00	0.00	0.00	558.68
Corralitos Electric	0.00	0.00	1,160.71	0.00	0.00	1,160.71
Damm Good Water	52.40	0.00	0.00	0.00	0.00	52.40
Doctors on Duty	245.00	0.00	0.00	0.00	0.00	245.00
Ferrante, Vincent	0.00	648.61	0.00	0.00	0.00	648.61
Johnson Electronics, Inc.	120.00	0.00	0.00	0.00	0.00	120.00
MBS Business Systems	70.25	0.00	0.00	0.00	0.00	70.25
Mechanics Bank	266.56	0.00	0.00	0.00	0.00	266.56
Michael Altieri	242.25	0.00	0.00	0.00	0.00	242.25
Pajaro Valley Lock Shop	1,360.61	0.00	0.00	0.00	0.00	1,360.61
Pajaro/Sunny Mesa C.S.D.	3,551.78	0.00	0.00	0.00	0.00	3,551.78
PG&E	0.00	-30,000.00	0.00	0.00	0.00	-30,000.00
Razzolink, Inc.	0.00	-136.85	0.00	0.00	0.00	-136.85
Richard Simpson	382.50	0.00	0.00	0.00	0.00	382.50
Robert McCracken	600.00	0.00	0.00	0.00	0.00	600.00
Robert Seals	500.00	0.00	0.00	0.00	0.00	500.00
Ron Rogers	407.50	0.00	0.00	0.00	0.00	407.50
SDRMA	0.00	-11,342.59	0.00	0.00	0.00	-11,342.59
U.S. Bank	416.58	0.00	0.00	0.00	0.00	416.58
Unified Building Maintenance	1,350.00	0.00	0.00	0.00	0.00	1,350.00
VALIC	1,788.29	0.00	0.00	0.00	0.00	1,788.29
Verizon Wireless	111.32	0.00	0.00	0.00	0.00	111.32
Vision Service Plan	0.00	-43.00	0.00	0.00	0.00	-43.00
West Marine Pro	0.00	0.00	-1,001.97	0.00	0.00	-1,001.97
TOTAL	<u>13,437.02</u>	<u>-47,000.97</u>	<u>-5,566.26</u>	<u>0.00</u>	<u>0.00</u>	<u>-39,130.21</u>

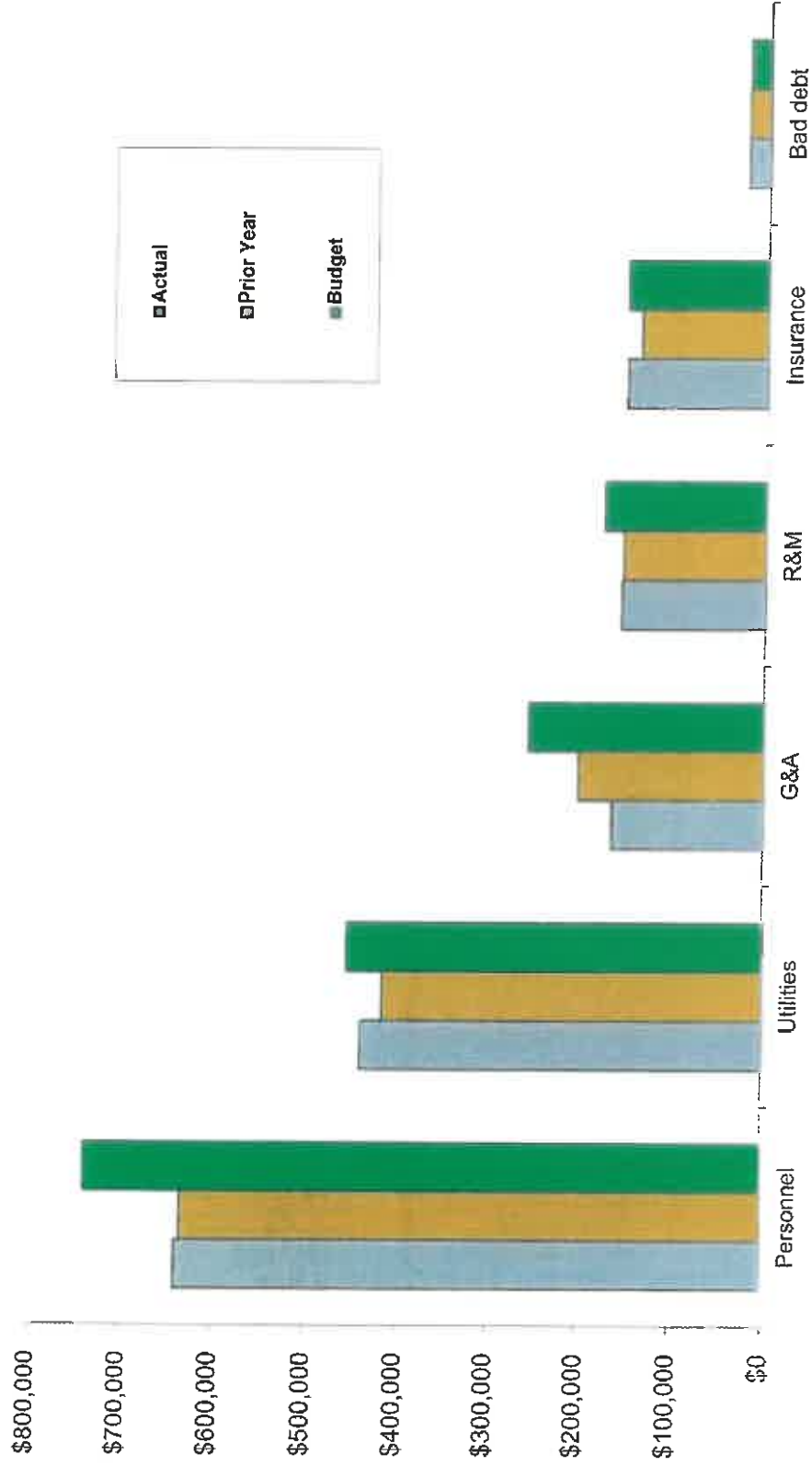
**Moss Landing Harbor District
Warrant Listing
As of May 31, 2022**

<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
1001 - 1st Capital Operating Account				
Check	05/05/2022		NPC Merchant Pymt Proc	-3,273.38
Bill Pmt -Check	05/11/2022	19338	Allied Administrators for Delta Dental	-402.14
Bill Pmt -Check	05/11/2022	19339	AT&T	-209.01
Bill Pmt -Check	05/11/2022	19340	Carmel Marina Corporation	-1,901.26
Bill Pmt -Check	05/11/2022	19341	Castroville "ACE" Hardware	-228.74
Bill Pmt -Check	05/11/2022	19342	Central Coast Systems, Inc.	-105.00
Bill Pmt -Check	05/11/2022	19343	Cintas	-539.81
Bill Pmt -Check	05/11/2022	19344	Damm Good Water	-188.75
Bill Pmt -Check	05/11/2022	19345	Denny Powell	-280.50
Bill Pmt -Check	05/11/2022	19346	EDD	0.00
Bill Pmt -Check	05/11/2022	19347	Employment Development Dept.	-5,400.00
Bill Pmt -Check	05/11/2022	19348	Jarvis Fay, LLP	-5,002.36
Bill Pmt -Check	05/11/2022	19349	JD's Plumbing, Inc.	-4,998.10
Bill Pmt -Check	05/11/2022	19350	Larry Patague	-27.50
Bill Pmt -Check	05/11/2022	19351	Mechanics Bank	-313.60
Bill Pmt -Check	05/11/2022	19352	Mel Southworth	-250.00
Bill Pmt -Check	05/11/2022	19353	Miguel Ajuria	-551.55
Bill Pmt -Check	05/11/2022	19354	Monterey County Health Dept.	-1,650.00
Bill Pmt -Check	05/11/2022	19355	Pacific Parking Systems, Inc.	-540.00
Bill Pmt -Check	05/11/2022	19356	Pajaro/Sunny Mesa C.S.D.	-3,388.18
Bill Pmt -Check	05/11/2022	19357	PG&E	-30,000.00
Bill Pmt -Check	05/11/2022	19358	Razzolink, Inc.	-273.70
Bill Pmt -Check	05/11/2022	19359	ROI Safety Services, LLC	-3,400.00
Bill Pmt -Check	05/11/2022	19360	Seong Chan	-500.00
Bill Pmt -Check	05/11/2022	19361	Tommy Razzeca	-350.00
Bill Pmt -Check	05/11/2022	19362	U.S. Bank	-2,444.09
Bill Pmt -Check	05/11/2022	19363	U.S. Bank Equipment Finance	-271.21
Bill Pmt -Check	05/11/2022	19364	United Site Services of Calif., Inc.	-539.54
Bill Pmt -Check	05/11/2022	19365	VALIC	-1,788.29
Bill Pmt -Check	05/11/2022	19366	Yorke Engineering, Inc.	-2,500.00
Bill Pmt -Check	05/11/2022	19367	Carmel Marina Corporation	-1,652.00
Bill Pmt -Check	05/11/2022	19368	Mechanics Bank	-269.54
Bill Pmt -Check	05/11/2022	19370	Carmel Marina Corporation	-6,786.92
Bill Pmt -Check	05/11/2022	19369	Carmel Marina Corporation	-214.78
Check	05/12/2022		Payroll Partners	-145.36
Check	05/13/2022	4023	Ferrante, Vincent	-114.06
Check	05/13/2022	4024	Goulart, James	-114.06
Check	05/13/2022	4025	Jeffries, Russell	-456.26
Check	05/13/2022	4026	Tony Leonardini	-342.19
Check	05/13/2022	4027	RJ Collier	-784.52
Check	05/13/2022	4028	Dennis Dixon	-51.74
Bill Pmt -Check	05/24/2022	19386	AT&T	-251.18
Bill Pmt -Check	05/24/2022	19371	CalPERS	-5,725.00
Bill Pmt -Check	05/24/2022	19372	Corralitos Electric	-3,809.93

**Moss Landing Harbor District
Warrant Listing
As of May 31, 2022**

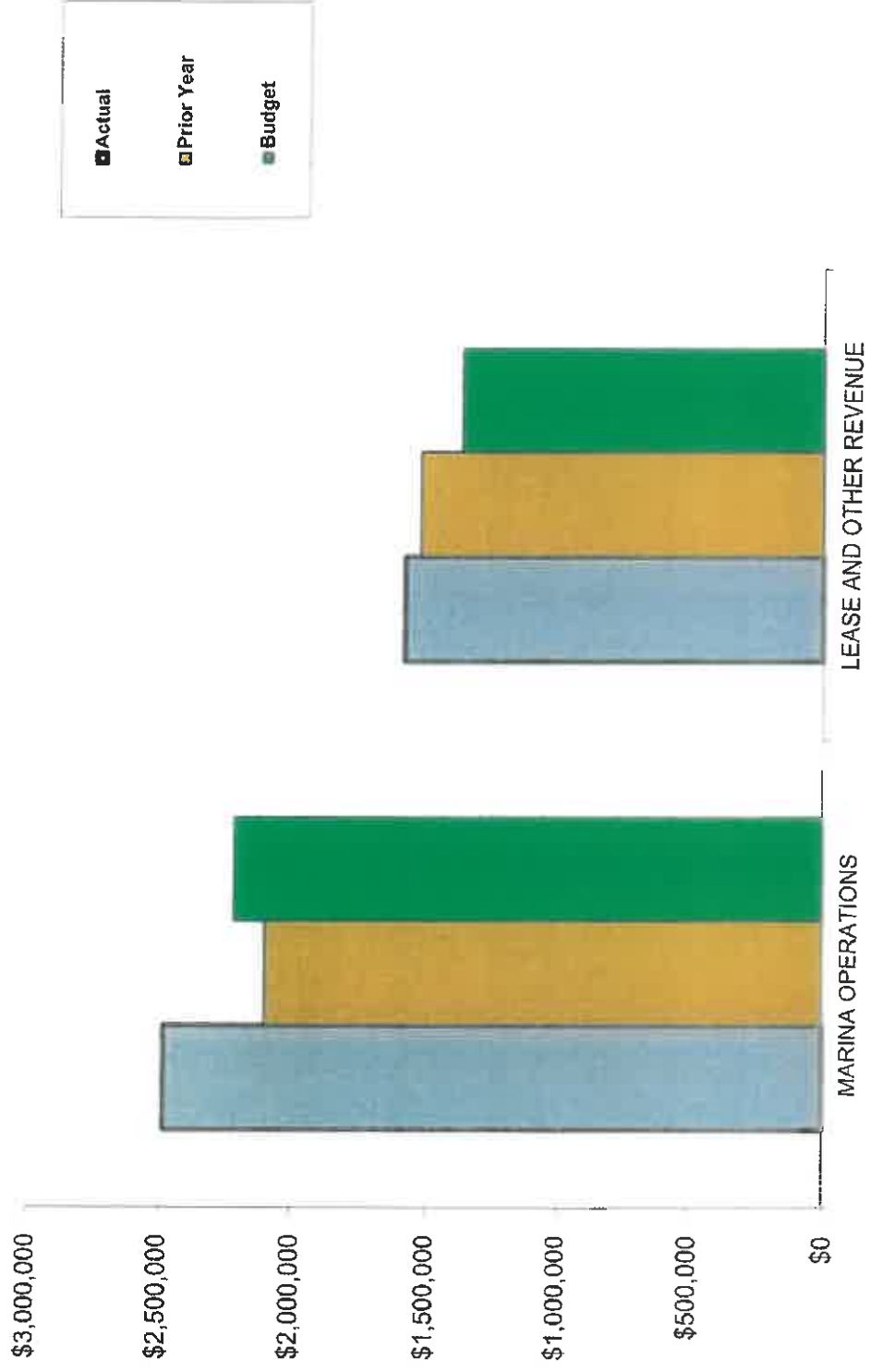
<u>Type</u>	<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Bill Pmt -Check	05/24/2022	19373	Home Depot	-1,394.49
Bill Pmt -Check	05/24/2022	19374	Jarvis Fay, LLP	-1,940.00
Bill Pmt -Check	05/24/2022	19375	Monterey Sanitary Supply	-403.13
Bill Pmt -Check	05/24/2022	19376	SDRMA	-11,342.59
Bill Pmt -Check	05/24/2022	19377	Sea Engineering, Inc.	-760.00
Bill Pmt -Check	05/24/2022	19378	Thadd Whitmann	-550.00
Bill Pmt -Check	05/24/2022	19379	Unified Building Maintenance	-1,350.00
Bill Pmt -Check	05/24/2022	19380	Valero Marketing and Supply Company	-516.92
Bill Pmt -Check	05/24/2022	19381	Verizon Wireless	-157.51
Bill Pmt -Check	05/24/2022	19382	Vision Sevice Plan	-43.00
Bill Pmt -Check	05/24/2022	19383	Wald, Ruhnke & Dost Architects, LP	-2,380.57
Bill Pmt -Check	05/24/2022	19384	WASH	-202.08
Bill Pmt -Check	05/24/2022	19385	Wendy L. Cumming, CPA	-2,755.00
Bill Pmt -Check	05/24/2022	19387	AT&T	-780.55
Check	05/28/2022	4029	Peter Bueno	-438.00
Check	05/28/2022	4030	Dennis Dixon	-114.97
Check	05/31/2022		Payroll Partners	-132.28
Total 1001 - 1st Capital Operating Account				-117,295.34
TOTAL				-117,295.34

**Operating Expenses
Year to Date Actuals vs. Budget and Prior Year
May 31, 2022**

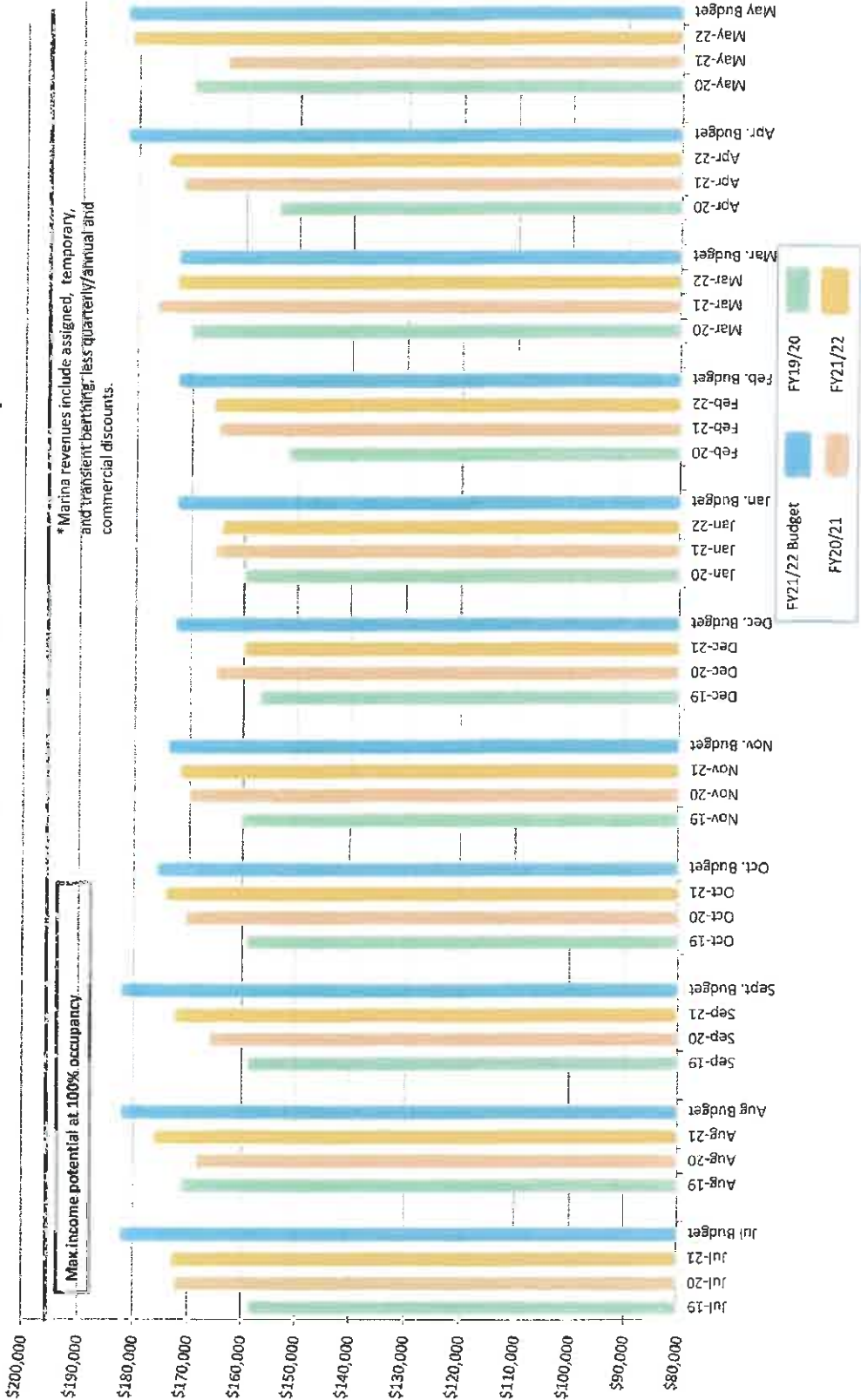


****Expenses Exclude Dredging, Depreciation and Interest Expenses****

**Marina, Lease and Other Revenue
Year to Date Actual vs. Budget and Prior Year
May 31, 2022**



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





7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

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FACSIMILE – 831.633.4537

BOARD OF HARBOR COMMISSIONERS

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



**GENERAL MANAGER
HARBOR MASTER**

Tom Razzeca

STAFF REPORT

**ITEM NUMBER 03 – PROJECT STATUS
BOARD MEETING JUNE 29, 2022**

- 1. North Harbor Building:** As the Real Property Committee continues ongoing negotiations with a potential tenant of the Building staff is beginning the process to complete the Building and making it ready for a building tenant's occupancy. The Districts consultant is currently working on construction plans that will be used for permitting prior to the projects bid opening.
- 2. North Harbor Inn Project:** This project remains on hold while the District explores options with the property.
- 3. Cannery Building HVAC and Penthouse Mechanical Room:** This project is in process as a notice to proceed has been issued to our Contractor Icon Building & Development Inc. Icon has begun ordering materials needed to complete the project and staff expects work to begin in the coming weeks.
- 4. Demolition of Pot Stop Building:** A bid opening took place on June 22, 2022 where 2 bids were received with Randazzo Enterprises Inc. coming in with the low bid of \$93,958. The bids received are in the process of being reviewed to ensure they are responsive, assuming we have an acceptable bid staff expects to have the contract award item on our July 27, 2022 meeting agenda for board consideration.
- 5. Tsunami Damage Project:** Resulting from the tsunami that took place on January 15, 2022, staff has discovered that the District has sustained damage to piles, docks and navigation channels in the Harbor. Staff and our consultants are currently working with California Office of Emergency Services personnel in an attempt to acquire emergency funding to financially assist the District with repair to the damaged sustained during the incident. Staff requested an update from CalOES recently and was notified that our emergency funding application is still in the review process. Staff has begun having our consultant prepare construction plans for the dock infrastructure and shoreline damage which will be used for permitting of the project once complete. Staff will continue to update the Board and public as we have additional information moving forward in the process.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



BOARD OF COMMISSIONERS
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 Tony Leonardini
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 Liz Soto

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 MOSS LANDING, CA 95039

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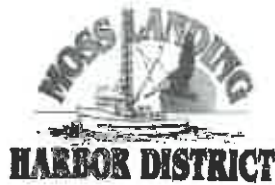


GENERAL MANAGER
 HARBORMASTER
 Tommy Razzeca

STAFF REPORT

ITEM NUMBER 04 – SUMMARY OF PERMITS ISSUED BOARD MEETING OF JUNE 29, 2022

Permittee	Issue Date	Status	Permit Type	Exp. Date
Elkhorn Slough Research Foundation	01/01/2022	Current	Facilities Use	01/01/23
Blue Ocean Whale Watch	2/18/2022	Current	Facilities Use	2/18/2023
Whisper Charters	2/28/2022	Current	Facilities Use	2/28/2023
Fast Raft	3/28/2022	Current	Facilities Use	3/28/2023
Monterey Eco Tours	4/16/2022	Current	Facilities Use	4/16/2023
Oceanic Expeditions	4/21/2022	Current	Facilities Use	4/21/2023
Venture Quest Kayaking	6/12/2022	Current	Facilities Use	6/12/2023
Monterey Bay Hydrobikes	6/12/2022	Current	Facilities Use	6/12/2023
Reel Nasty Sportfishing	6/12/2022	Current	Facilities Use	6/12/2023
Kayak Connection	6/30/2021	Current	Facilities Use	6/30/2023
Sanctuary Cruises	6/30/2021	Current	Facilities Use	6/30/2022
Sea Goddess Whale Watching-Tours	6/30/2021	Current	Facilities Use	6/30/2023
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
Peninsula Dive Services	09/30/2021	Current	Facilities Use	09/30/2022
Elkhorn Slough Safari - Tours	10/19/2021	Current	Facilities Use	10/19/2022
Blue Water Ventures	10/30/2021	Current	Facilities Use	10/30/2022
Wild Fish-Vicki Crow	11/20/2021	Current	Peddlers	11/20/2022



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GENERAL MANAGER
HARBORMASTER
Tommy Razzeca

STAFF REPORT

ITEM NUMBER 05 – MEETING ANNOUNCEMENTS
BOARD MEETING OF JUNE 29, 2022

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 all meetings are done by E-mail until further notice but will eventually resume on the 2nd Thursday of each month in Moss Landing Harbor District Board Room, 4 p.m.

Monterey Bay Sanctuary Advisory Council Meetings – 2022 - <https://montereybay.noaa.gov>

August 19th
Moss Landing



BOARD OF COMMISSIONERS

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**GENERAL MANAGER
HARBOR MASTER**

Tom Razzeca

STAFF REPORT

ITEM NUMBER 06 - LIVEBOARD REPORT
BOARD MEETING OF JUNE 29, 2022

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. Matsunaga, F	Mon Rochelle CF 8424 FB
4. Burns, P.	Tralfamadore, 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. Dunn, J	Knot To Worry, CF 6383 GU
11. Chambers, B.	Pyxis, ON 984193
12. Watwood, Preston	Robert Parker, CF 2116 UZ
13. Clark D.	Seaside Escape CF 4356 HW
14. Degnan, P.	No Name, CF 8344 GT
15. Lopez, M	Bust Loose CF 3450 GL
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. Listle, A	Tekin ON 616325
21. Glovin, D	Aint to Shabby CF 7434 SL
22. Laoretti, P/ Laoretti, S	Shaka, ON 699611
23. Johnston, Bill	Heart Of Gold, CF 7590 EP

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- | | |
|--------------------------------|----------------------------|
| 24. Groom D | Phoenix, CF 5084 GJ |
| 25. Jones, H. | Laetare, CF 5495 YB |
| 26. Jones, T. | Sanity, CF 5249 SC |
| 27. Kennedy C. | Aztlan, ON 281903 |
| 28. Ayres, Lloyd | Gaviota, CF 4656 GG |
| 29. Knudson L/Knudson A. | Spellbound, ON 082155 |
| 30. Malone, RJ | Francis W, CF 2017 UZ |
| 31. Marsee, E, Lynch, C | Tolly Craft CF 9521 HT |
| 32. Burnett, Gary | Zinful CF5419 JG |
| 33. Maris, T. | Nimble, CF 3730 KB |
| 34. Robinson, D/ Robinson, L | Damn Baby CF 9442 EX |
| 35. Nieman J | Inia, ON 1074183 |
| 36. Niswonger, R. | Illusion, CF 0836 TA |
| 37. Cain, C | Sails Call, CF 7291 TG |
| 38. Otis, T. | Blue Moon, CF 1886 GT |
| 39. Paul, J | La Wanda CF 5014 FR |
| 40. Schlegelmilch, William | Bull Dog ON 1219673 |
| 41. Velaquez F | Lorraine CF 0533 JL |
| 42. Raaphorst, D. | Spirit, ON 664971 |
| 43. Reins, D. | Second Paradise, ON 912484 |
| 44. Rotger, M. | Raven, ON 241650 |
| 45. Dyer, B | Star of Light ON 1056334 |
| 46. Piro, Daniel | Gulf Star CF 6082 GL |
| 47. Schmidt, L | Lady Monroe CF5007 UM |
| 48. Sopota, M | Mischief Maker, CF 9666 JK |
| 49. Silveira, P | Quiet times, CF 2067 GC |
| 50. Salisbury, J. | Oceanid, CF 4210 GA |
| 51. Thomas, B. | Coho, CF 9974 KK |
| 52. Tufts, M. | Enchantress, CF 0878 SX |
| 53. Syracuse, Mike | Sea Star, CF 4213 ES |
| 54. Wolinski, Peter | Muffin, ON 1148169 |
| 55. Morgan, J | Ripple, ON 1037076 |
| 56. Samuelson, T. | Moonstone CF 5122 GX |
| 57. Andrews, R/ Bullard, D | Sea Free ON 613387 |
| 58. Riberal, Y/ Eric Duekerson | Boss Lady, ON 556296 |
| 59. Schwontes, N/ Mosolov, A | Luna Sea, ON 1138367 |
| 60. Bowler, J | Myrtle Mae, CF 3187 FN |

Total Number Vessels: 60
Total Number Persons: 69
Pending Applications -0-



7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

BOARD OF COMMISSIONERS
Russell Jeffries
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James Goulart
Liz Soto

STAFF REPORT

ITEM NUMBER 7 - SLIP INCOME REPORT
BOARD MEETING OF JUNE 29, 2022

Slip Rates 2021/2022 per linear foot:

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

INCOME

<u>May 2022</u>	<u>May 2021</u>	<u>May 2022 Budget</u>
\$181,575	\$163,961	\$182,386

For the month, slip income is below budget by \$1k. The below budget amount is attributed to higher temporary berthing revenue, offset by lower transient berthing revenue. Slip income is higher than prior year by \$18k, due to higher assigned and temporary berthing revenues.



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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 08 – INCIDENT REPORT
BOARD MEETING OF JUNE 29, 2022

05/26/2022 Staff received a report of items stolen from a vehicle in the North Harbor parking lot. Staff checked cameras but were unable to see the incident. The vehicle owner was advised to file a report with the Sheriff's office.

05/28/2022 Night Staff received a call that someone had broken into the parking machine at the North Harbor. Staff arrived and found the machine door off and the bill acceptor broken. Staff contacted MCSO and filed a report. A fisherman was able to get a photo of the suspect vehicle which was passed along to deputies. MLHD security cameras also captured the incident however no additional information is available at this time.

06/06/2022 Night Staff contacted MCSO regarding an individual possibly wielding a firearm in Moss Landing. The individual was believed to have left the area prior to the deputy arriving in Moss Landing.

06/12/2022 A verbal altercation took place at the Harbor office, MCSO was contacted and a report was taken. No arrests were made and no additional information is available at this time.

No further incidents to report as of June 22, 2022.



BOARD OF COMMISSIONERS
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Liz Soto

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MOSS LANDING, CA 95039

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FACSIMILE – 831.633.1201

GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 19 – CONSIDER OFFER TO ACCEPT PUBLIC ACCESS EASEMENT
RESOLUTION NO. 22-08
BOARD MEETING OF JUNE 29, 2022

Staff was contacted by representatives of the State Coastal Conservancy and California Coastal Commission requesting that Moss Landing Harbor District accept a public access easement crossing over a portion of the Elkhorn Yacht Club property which would ultimately be used to provide a future link in the California Coastal Trail. The Elkhorn Yacht Club recorded an "Offered to Dedicate" (OTD) as part of a Coastal Development Permit for constructions projects back in 1999 which is specific to the Moss Landing Harbor District as the accepting agency of the easement. The OTD has an expiration date of July 6, 2022.

Attached to this email is a copy of the OTD, a map showing the approximate location of the easement and a letter prepared by Linda Locklin of the California Coastal Commission providing additional information concerning the offer.

The Board should review the attached documents, hear public comment and if interested in accepting the Easement consider adopting resolution No. 22-08.

RESOLUTION NO. 22-08

**A RESOLUTION OF THE MOSS LANDING BOARD OF HARBOR COMMISSIONERS
ACCEPTING AN "IRREVOCABLE OFFER TO DEDICATE PUBLIC LATERAL ACCESS EASEMENT
AND DECLARATION OF RESTRICTIONS"
FROM THE ELKHORN YACHT CLUB**

WHEREAS, Staff has been contacted by representatives of the State Coastal Conservancy and California Coastal Commission ("CCC") requesting that the Moss Landing Harbor District accept an "Irrevocable Offer to Dedicate Public Lateral Access Easement and Declaration of Restrictions" ("OTD") crossing over a portion of property owned by the Elkhorn Yacht Club, a California Corporation, located within the Moss Landing Harbor District; and

WHEREAS, the OTD was made and recorded by the Elkhorn Yacht Club as a condition of a Coastal Development Permit for construction projects back in 1999, with the Moss Landing Harbor District being the specified grantee of the offered easement; and

WHEREAS, according to representations from the CCC, it was anticipated that upon acceptance, the District would convey the easement to another public entity, such as Monterey County, for subsequent pedestrian access as part of the California Coastal Trail.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of the Moss Landing Harbor District that the District accepts the "Irrevocable Offer to Dedicate Public Lateral Access Easement and Declaration of Restrictions" from the Elkhorn Yacht Club, a California Corporation, a copy of which is attached hereto as Exhibit A, and by this reference incorporated herein, and that the Board authorizes the General Manager to execute a "Certificate of Acceptance" and/or any other document or instrument necessary to effectuate acceptance of said easement. No further authority is granted by this acceptance, and the subsequent use of the easement by the District, or conveyance of the involved easement to any other party, shall require separate consideration and action at a noticed public meeting.

CERTIFICATION

Resolution 22-08 was duly adopted by the Board of Harbor Commissioners of the Moss Landing Harbor District at a continued regular meeting of the Board held on the 29th day of June, 2022, a quorum present and acting throughout, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

Russ Jeffries, President
Board of Harbor Commissioners

ATTEST:

Tommy Razzeca, Deputy Secretary
Board of Harbor Commissioners

CALIFORNIA COASTAL COMMISSION

455 MARKET STREET, SUITE 228
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400



May 13, 2022

Tommy Razzeca
General Manager/Harbor Master
7881 Sandholdt Road
Moss Landing, CA 95039
razzeca@mosslandingharbor.dst.ca.us

Re: Offer to Dedicate Public Access Easement recorded by Elkhorn Yacht Club

Dear Tommy:

Thank you for reviewing the Offer to Dedicate (OTD) Public Access Easement document that was recorded by the Elkhorn Yacht Club. Below is additional information about this Offer.

History:

In 1999, the Coastal Commission approved a coastal development permit for the Elkhorn Yacht Club, which allowed the Club to construct a sheet pile bulkhead and replace a dingy hoist. The Club also volunteered to record an OTD across their property in order to provide for a future link in the California Coastal Trail. The offered Easement is located east of the Club facilities, and is 133 ft. west of the Highway One ROW.

Offer to Dedicate Public Access Easement:

As required by the Coastal Commission, the Club recorded the Offer in 1999. It contains a 21-year term, which ends on July 6, 2022. The document specifies that the offered easement can only be accepted by Moss Landing Harbor District. If the Harbor District does not accept the offer, then the opportunity to create a future trail link in this location will be lost, forever.

Acceptance and Transferability:

Should the Harbor District accept the Offer, it will then become a Public Access Easement in perpetuity. It will be up to the District to determine if or when the Easement should be developed for public use and opened for that purpose. The Coastal Commission does not require that the Easement be opened on any schedule, rather the Coastal Commission leaves that decision up to the District. This means that the Easement can remain a "paper" easement for as long as the District finds suitable.

Upon acceptance, the District can transfer the Public Access Easement to another acceptable entity, such as Monterey County. I have discussed this possibility with the County staff and they are open to discussing such a transfer at such time that they find that the Easement would be suitable as a link in a pedestrian or bicycle trail. The existing link in the California Coastal Trail is located significantly closer to the Highway One ROW, so this offered easement would provide a superior location in terms of providing a more quiet and safer route to transit this short section of coast.

I hope this answers your questions, please do not hesitate to ask for additional clarification. Also, I will attend the District's May 25, 2022 Board meeting by zoom, so I can answer any questions that may come up during the meeting.

Sincerely,

DocuSigned by:

Linda Locklin



Linda Locklin

California Coastal Commission
Coastal Access Program Manager

Yacht Club OTD

Location of Offer to Dedicate a easement across the Elkhorn property.

Legend

-  Elkhorn Yacht Club
-  Elkhorn Yacht Club OTD



Joseph F. [redacted] tta
Monterey County Recorder
Recorded at the request of
Attorney

CROLIE
7/06/2001
8:20:24

1 RECORDING REQUESTED BY AND RE

2 California Coastal Commission
3 45 Fremont St., Suite 2000
4 San Francisco, CA 94105-2219

DOCUMENT: 2001055455

Titles: 2/ Pages: 18



Fees...	67.00
Taxes	
Other...	20.00
AMT PAID	\$87.00

5
6
7 **IRREVOCABLE OFFER TO DEDICATE PUBLIC LATERAL ACCESS EASEMENT**
8 **AND**
9 **DECLARATION OF RESTRICTIONS**

10
11 **THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT AND**
12 **DECLARATION OF RESTRICTIONS** (hereinafter referred to as the "Offer") is made this 20th day of
13 June, 2001, by The Elkhorn Yacht Club, a California corporation, (hereinafter referred to as the
14 "Grantor").

15 I. WHEREAS, Grantor is the legal owner of a fee interest of certain real property located
16 in the County of Monterey, State of California, and described in the attached EXHIBIT A (hereinafter
17 referred to as the "Property"); and

18 II. WHEREAS, all of the Property is located within the coastal zone as defined in §30103
19 of the California Public Resources Code (hereinafter referred to as the "California Coastal Act of 1976");
20 and

21 III. WHEREAS, the California Coastal Act of 1976 (hereinafter referred to as the "Act")
22 creates the California Coastal Commission (hereinafter referred to as the "Commission") and requires that
23 any coastal development permit approved by the Commission must be consistent with the policies of the
24 Act set forth in Chapter 3 of Division 20 of the Public Resources Code; and

25 IV. WHEREAS, pursuant to the Act, Grantor applied to the California Coastal Commission
26 for a permit to undertake development as defined in §30106 of the Public Resources Code on the
27 Property within the coastal zone of Monterey County; and

28 V. WHEREAS, a coastal development permit number 3-98-069 (hereinafter referred to as

1 the "Permit") was approved on November 3, 1999, in accordance with the Staff Recommendation and
2 Findings, attached hereto as Exhibit D and incorporated herein by reference, subject to the following
3 condition:

4 **5. Lateral Access Offer to Dedicate. PRIOR TO THE ISSUANCE OF THE**
5 **COASTAL DEVELOPMENT PERMIT, as proposed by the applicant, the**
6 **Elkhorn Yacht Club, as landowner, shall execute and record a document, in a**
7 **form and content acceptable to the Executive Director, irrevocably offering to**
8 **dedicate an easement to the Moss Landing Harbor District for lateral public**
9 **access between north and south parcels of the North Harbor area. The document**
10 **shall provide that the offer of dedication shall not be used or construed to allow**
11 **anyone, prior to the acceptance of the offer, to interfere with any rights of public**
12 **access acquired through use which may exist on the property. The area of**
13 **dedication shall be located between existing yacht club buildings and the permitted**
14 **bulkhead, or alternatively, east of existing yacht club facilities. The offered area**
15 **shall be of sufficient width and aligned so as to provide an unimpaired connection**
16 **with Coastal Trail segments to be developed to the north and south of the Yacht**
17 **Club property. The recorded document shall include legal descriptions of both**
18 **the entire project site and the area of dedication. The document shall be recorded**
19 **free of prior liens and any other encumbrances that the Executive Director**
20 **determines may affect the interest being conveyed. The offer shall run with the**
21 **land in favor of the People of the State of California, binding all successors and**
22 **assignees, and shall be irrevocable for a period of 21 years, such period running**
23 **from the date of recording.**

24 **VI. WHEREAS, the Property is a parcel located between the first public road and the**
25 **shoreline; and**

26 **VII. WHEREAS, under the policies of §30210 through §30212 of the Public Resources Code,**
27 **public access to the shoreline and along the coast is to be maximized, and in all new development projects**
28 **located between the first public road and the shoreline shall be provided; and**

1 VIII. WHEREAS, the Commission found that but for the imposition of the above condition,
2 the proposed development could not be found consistent with the public access policies of §30210 and
3 §30212 of the Public Resource Code and that, therefore, in the absence of such a condition, a permit
4 could not have been granted; and

5 IX. WHEREAS, Grantor has elected to comply with the Condition and execute this Offer so
6 as to enable Grantor to undertake the development authorized by the Permit; and

7 NOW, THEREFORE, in consideration of the granting of the Permit to the Grantor by the
8 Commission, Grantor hereby irrevocably offers to dedicate to the Moss Landing Harbor District
9 ("Grantee") a lateral public access easement in gross and in perpetuity over the Property as follows:

10 1. DESCRIPTION. The easement offered hereby affects that portion of the Property
11 east of the existing yacht club facilities and as specifically described in EXHIBIT B, attached hereto and
12 incorporated herein by reference.

13 2. PURPOSE. This easement is for the purpose of allowing public pedestrian access
14 between the north and south parcels of the North Harbor area.

15 3. DECLARATION OF RESTRICTIONS. This offer of dedication shall not be used or
16 construed to allow anyone, prior to acceptance of the Offer, to interfere with any rights of public access
17 acquired through use which may exist on the Property. After acceptance, Grantor shall not interfere with
18 the public's use of the easement nor take any action inconsistent with such use, including, without
19 limitation, constructing or improving the Property within the easement area in a manner inconsistent with
20 the public's use or enjoyment thereof. Grantor shall retain all normal rights and incidents of ownership
21 of the underlying fee interest in the Property not inconsistent with the easement; including, but not limited
22 to, the continued use of the existing pedestrian and vehicular access across the easement. Grantor shall
23 not be bound to undertake any supervision or maintenance to provide for the public purposes hereunder.
24 Prior to the opening of the access way, the Grantee, in consultation with the Grantor, may record
25 additional reasonable terms, conditions, and limitations on the use of the Property in order to assure that
26 this Offer for public access is effectuated.

27 4. DURATION, ACCEPTANCE AND TRANSFERABILITY. This irrevocable offer of
28 dedication shall be binding upon the owner and the heirs, assigns, or successors in interest to the Property

1 described above for a period of 21 years. Acceptance of this Offer shall be effectuated by recordation
2 by the Grantee of an acceptance of this Offer in the form attached hereto as EXHIBIT C. Upon such
3 recordation of acceptance, this offer and terms, conditions, and restrictions shall have the effect of a grant
4 of lateral access easement in gross and perpetuity that shall run with the land and be binding on the heirs,
5 assigns, and successors of the Grantor. Acceptance of the Offer is subject to a covenant which runs with
6 the land, providing that the Grantee may not abandon the easement.

7 5. REMEDIES. Any act, conveyance, contract, or authorization by Grantor whether
8 written or oral which uses or would cause to be used or would permit use of the easement contrary to
9 the terms of this Offer will be deemed a breach hereof. The Grantor and any Grantee of this easement
10 may pursue any and all available legal and/or equitable remedies to enforce the terms and conditions of
11 the easement and their respective interest in the property. In the event of a breach, any forbearance on
12 the part of any such party to enforce the terms and provisions hereof shall not be deemed a waiver of
13 enforcement rights regarding any subsequent breach.

14 6. TAXES AND ASSESSMENTS. Grantor agrees to pay or cause to be paid all real
15 property taxes and assessments levied or assessed against the Property. It is intended that this irrevocable
16 offer and the use restrictions contained herein shall constitute enforceable restrictions within the meaning
17 of a) Article XIII, §8, of the California Constitution; and b) §402.1 of the California Revenue and
18 Taxation Code or successor statute. Furthermore, this Offer, easement and restrictions shall be deemed
19 to constitute a servitude upon and burden to the Property within the meaning of §3712(d) of the
20 California Revenue and Taxation Code, or successor statute, which survives a sale of tax-deeded
21 property.

22 7. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions,
23 obligations, and reservations contained in this Offer shall be binding upon and inure to the benefit of the
24 successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

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8. SEVERABILITY. If any provision of this Offer is held to be invalid, or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

Executed on this 20th day of June, 2001, at Carmel
California.

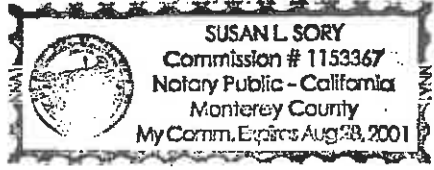
GRANTOR:
Elkhorn Yacht Club, a California corporation
Margaret Collins
by: M. Collins
Margaret Collins, President

STATE OF CALIFORNIA }
COUNTY OF Monterey }

On June 20, 2001 before me, Susan L. Sory, a Notary Public, personally appeared Margaret Collins, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

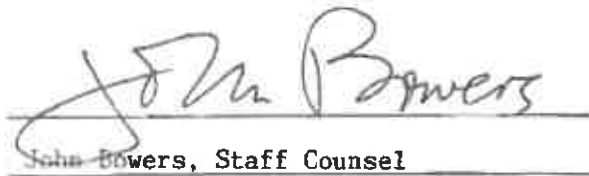
WITNESS my hand and official seal.

Signature Susan L. Sory



1 This is to certify that the Offer to Dedicate set forth above is hereby acknowledged by the
2 undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by
3 the California Coastal Commission when it granted Coastal Development Permit No. 3-98-069
4 on November 3, 1999 and the California Coastal Commission consents to recordation
5 thereof by its duly authorized officer.

6 Dated: June 25, 2001
7

8 
9 John Bowers, Staff Counsel

10 California Coastal Commission

11 STATE OF CALIFORNIA }
12 COUNTY OF SAN FRANCISCO }

13 On 6/25/01, before me, Deborah L. Bove, a Notary Public,
14 personally appeared John Bowers, personally known to me (or proved
15 to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the
16 within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized
17 capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon
18 behalf of which the person(s) acted, executed the instrument.

19 WITNESS my hand and official seal.

20
21 Signature Deborah L. Bove
22



EXHIBIT 'A'

The land referred to is situated in the County of Monterey, in the unincorporated area, State of California, and is described as follows:

PARCEL I:

A part of U.S. Lot 9, in Section 7, T. 13 S., R. 2 E., M.D.B. & M., particularly described as follows:

Beginning at the Northeast corner of that certain 1.085 acre tract of land conveyed from Edward C. Vierra, et ux to Elkhorn Yacht Club, a corporation, by Deed dated January 22, 1952 and recorded in Volume 1358 of Official Records at Page 461, records of said county, and running thence along the easterly boundary thereof

(1) S. 1° 37' 34" E., 250.0 feet to the Southeast corner thereof; thence along the Southerly boundary thereof to and along the Southerly boundary of that certain 1.43 acre tract of land conveyed from Edward C. Vierra, et us to Elkhorn Yacht Club, a corporation, by Deed dated September 19, 1949 and recorded in Volume 1256 of Official Records at Page 381, records of said county, to and along the production westerly of last mentioned boundary

(2) S. 88° 22' 26" W., 453.38 feet to a point in the Line of Ordinary High Water as it existed in January, 1947; thence along said Ordinary High Water Line

(3) N. 19° 30' 09" W., 16.35 feet to Station 22-A of the survey of said line; thence

(4) N. 1° 00' 37" W., 234.44 feet to intersection with the production westerly of the northerly boundary of said 1.43 acre tract of land; thence leave said Ordinary High Water Line and running along said produced boundary to and along said northerly boundary and to and along the northerly boundary of said 1.085 acre tract of land

(5) N. 88° 22' 26" E., 455.89 feet to the place of beginning.

Excepting therefrom all that portion thereof conveyed to Moss Landing County Sanitation District by Grant Deed recorded September 16, 1983 in Reel 1668, Page 206, Official Records of Monterey County.

PARCEL II:

A part of U.S. Lot 9 in Section 7, T. 13 S., R. 2 E., M.D.B. & M. particularly described as follows:

Beginning at the Northeast corner of that certain 0.12 acre tract of land conveyed from Knute

Hansston, et ux to I. B. Hawkins by Deed dated November 16, 1951 and recorded in Volume 1352 of Official Records at Page 262, Records of said County, and running thence along the northerly boundary thereof and its production westerly

(1) S. $88^{\circ} 22' 26''$ W., 130.56 feet to a point in the Line of Ordinary High Water as it existed in January, 1947, from which Station 22-A of the survey thereof bears along said line N. $19^{\circ} 30' 09''$ W., 16.35 feet distant; thence along said Ordinary High Water Line

(2) S. $19^{\circ} 30' 09''$ E., 55.91 feet to intersection with the production westerly of the southerly boundary of said 0.12 acre tract of land; thence leave said Ordinary High Water Line and running along said produced boundary to and along said southerly boundary

(3) N. $88^{\circ} 22' 26''$ E., 115.89 feet to the southeast corner of said 0.12 acre tract of land; thence along the easterly boundary thereof

(4) N. $4^{\circ} 18' 20''$ W., 53.26 feet to the place of beginning.

Excepting therefrom all that portion thereof conveyed to John Nardone et ux in Grant Deed recorded January 11, 1962 in Reel 9, Page 89 Official Records of Monterey County.



File No. 21905.1
Drawn By DRJ
Checked By
OCTOBER 4, 2000

Donald R. Snyder
DONALD R. SNYDER LS 5613 RENEWAL DATE 9/30/04

**DESCRIPTION OF A 10.00 FOOT WIDE PEDESTRIAN ACCESS EASEMENT
OVER THE LANDS OF THE ELKHORN YACHT CLUB
TO BE CONVEYED TO THE MOSS LANDING HARBOR DISTRICT**

SITUATE IN THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AND

BEING a part of U. S. Lot 9 in Section 7, Township 13 South, Range 2 East, Mount Diablo Meridian; and

BEING a part of the lands described in Quit Claim Deed to Elkhorn Yacht Club, a corporation dated May 2, 1955 and recorded December 13, 1956 in Book 1757 of Official Records at Page 233, Monterey County Records and;

BEING an easement for pedestrian access purposes 10.00 feet in width 5.00 feet measured at right angles on each side of the following described centerline;

BEGINNING at a station in the southern boundary of said lands from which the southeastern corner thereof bears North 88°22'26" East 133.00 feet distant;

THENCE FROM SAID POINT OF BEGINNING leaving said southern boundary and across said lands, parallel with the eastern boundary thereof and distant westerly 133.00 feet measured at right angles, North 1°37'34" West 250.00 feet to the northern boundary of said lands.

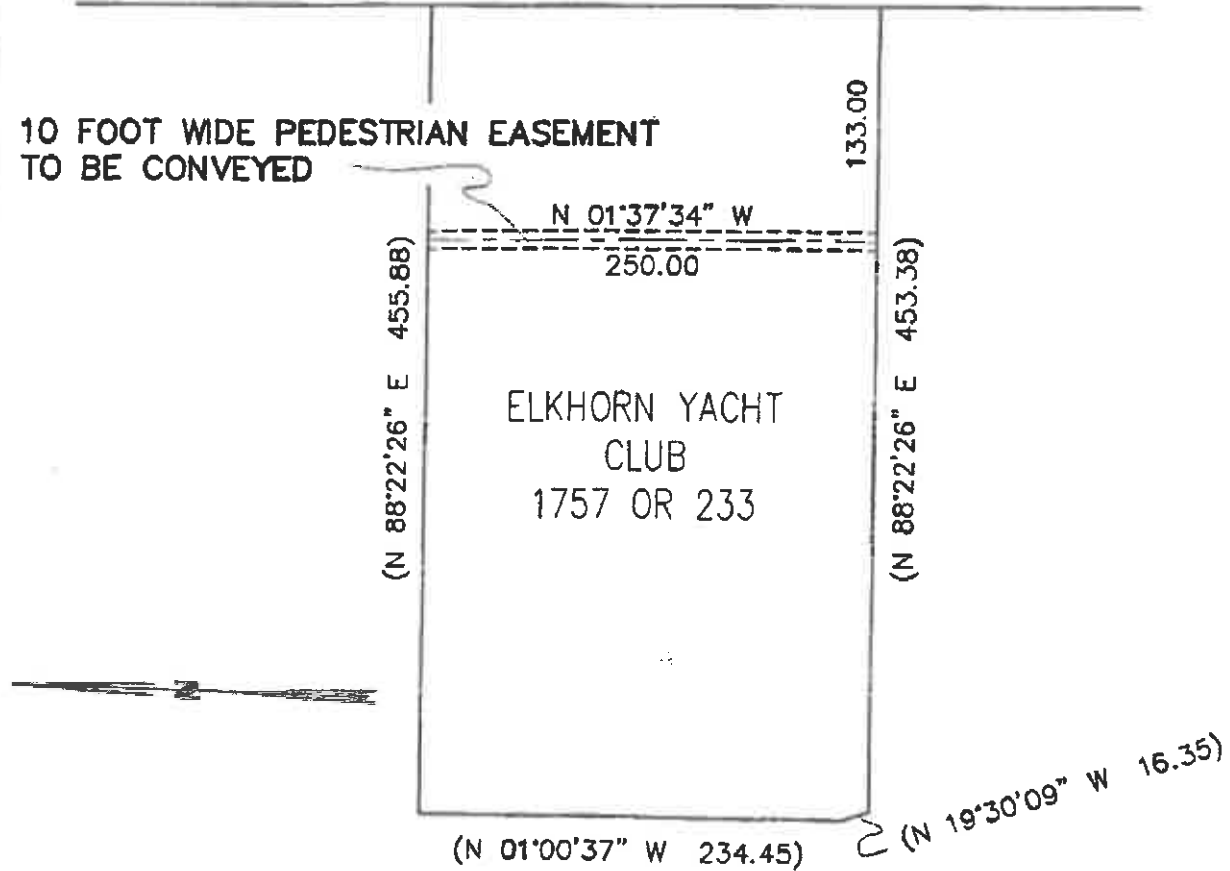
**COMPILED IN OCTOBER 2000 BY BOWMAN & WILLIAMS, CONSULTING CIVIL ENGINEERS,
FILE NO. 21905**

EXHIBIT "B"

STATE SIGN RTE ONE

(S 01°37'34" E 250.00)

10 FOOT WIDE PEDESTRIAN EASEMENT
TO BE CONVEYED



Old Salinas River Channel

SKETCH FOR PEDESTRIAN EASEMENT
10 FEET IN WIDTH
TO BE CONVEYED TO
THE MOSS LANDING DISTRICT

BOWMAN & WILLIAMS CONSULTING CIVIL ENGINEERS 1011 CEDAR STREET SANTA CRUZ CA 426-3560	SCALE 1" = 100'	JOB NO. 21905
	DATE 10-04-00	DWG NAME 21905.DWG
	DRAWN DRS	FILE NO. 21905

1 Recording Requested by and
2 When Recorded Mail to:
3 Moss Landing Harbor District
4 7881 Sandholdt Road
5 Moss Landing, CA 95039

EXHIBIT C
PERMIT NO. _____
Acceptance Certificate

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CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Offer to Dedicate dated _____, executed by The Elkhorn Yacht Club and recorded on _____, 2001, as Instrument Number _____ is hereby accepted by The Moss Landing Harbor District, a public agency on _____, pursuant to authority conferred by resolution of the Board of Directors of the Moss Landing Harbor District adopted on _____, 2001, and the grantee consents to recordation thereof by its duly authorized officer.

By _____

Dated: _____

For: _____

STATE OF CALIFORNIA
COUNTY OF _____ } ss

On this _____ day of _____ in the year 2001, before me, _____, a Notary Public, personally appeared _____, personally known to me, or proved to me on the basis of satisfactory evidence, to be the person who executed this instrument as _____ of _____ and acknowledged to me that he/she executed it.

NOTARY PUBLIC IN AND FOR SAID
COUNTY AND STATE

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4883

EXHIBIT D

W3b 

No objection, W3b
Sta. Monica

ADMINISTRATIVE PERMIT NUMBER 3-98-069

Applicant..... Elkhorn Yacht Club
Agent..... Jim Heisinger (Heisinger, Buck, Morris & Rose, Attorneys)
Project location..... Located along east shore of north Moss Landing Harbor area, Moss Landing, Monterey County.
Project description .. Construction of a 272-foot long PVC sheet pile bulkhead to span gap between existing rip rap revetments adjacent to property; replacement of existing dinghy hoist; offer to dedicate lateral access easement. for lateral north-south access landward of existing yacht club facilities.
Local Approvals Monterey County: Local Discretionary Approval by Monterey County (needs no local coastal permit); Moss Landing Harbor District: Categorical Exemption 15301 for Existing Facilities, Class I (d)

Executive Director's Determination: The findings for this determination, and for any special conditions, appear on subsequent pages.

Note: Public Resources Code Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs. This permit will be reported to the Commission at the following time and place:

November 2-5, 1999

**Four Points Hotel, 530 Pico Blvd., Santa Monica, CA 90405
(310) 399-9344**

IMPORTANT: Before you may proceed with development, the following must occur: Pursuant to Title 14 of the California Code of Regulations, Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, if applicable, we will send you a Notice of Administrative Permit Effectiveness. **Before you can obtain any local permits and proceed with development, you must have received both your administrative permit and the notice of permit effectiveness from this office.**

PETER DOUGLAS
Executive Director



By: **LEE OTTER**
District Chief Planner

C.K. Cuffe

File: G:\Central Coast\STAFF REPORTS\3. CCC Meeting Packet\11-99\3-98-069 EYC Bulkhead stfrrpt 10.14.99.doc

STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
- 4. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. Inspections.** The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
- 6. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 7. Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

- 1. Final Plans.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit final plans for construction and installation of the PVC sheet pile bulkhead and dinghy hoist, for review and approval by the Executive Director. Site plans shall show all yacht club facilities and their uses, and shall show the relationship to public access available in the vicinity of the project. All public and private pedestrian walkways shall be shown on the site plans.
- 2. Regional Water Quality Control Board.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit to the Executive Director for review evidence of Regional Water Quality Control Board (RWQCB) approval of the project, or an indication that such approval is not required. All materials and construction shall be in accordance with RWQCB recommendations for the protection of water quality and according to the method that results in the least disturbance of bottom sediments.
- 3. Foreign Material Containment Requirements.** Particular care shall be exercised to prevent foreign materials (e.g., construction scraps, wood preservatives, other chemicals, etc.) from entering State waters. To ensure protection of marine resources, construction activities will be conducted only during periods of low tide. Unless the Executive Director approves an alternative containment plan, protective sheeting shall be placed around all active portions of any near-water construction

where PVC scraps or other construction debris could enter the water. The protective sheeting shall be cleared daily or as often as necessary to prevent accumulation of debris. Contractors shall insure that work crews are carefully briefed on the importance of observing the appropriate precautions and reporting any accidental spills. Construction contracts shall contain appropriate penalty provisions, sufficient to offset the cost of retrieval or clean up of foreign materials not properly contained.

4. **Public Access.** The proposed project shall not restrict use of public trust lands seaward of the PVC sheetpile bulkhead. Provision of lateral access along the shoreline of the Elkhorn Yacht Club property as a segment of the proposed Coastal Access Trail is strongly encouraged. No separate coastal development permit shall be required for the installation of a walkway atop or parallel to the permitted bulkhead, if shown on final plans approved in accordance with Special Condition 1, above.
5. **Lateral Access Offer to Dedicate.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, as proposed by the applicant, the Elkhorn Yacht Club, as landowner, shall execute and record a document, in a form and content acceptable to the Executive Director, irrevocably offering to dedicate an easement to the Moss Landing Harbor District for lateral public access between north and south parcels of the North Harbor area. The document shall provide that the offer of dedication shall not be used or construed to allow anyone, prior to the acceptance of the offer, to interfere with any rights of public access acquired through use which may exist on the property. The area of dedication shall be located between existing yacht club buildings and the permitted bulkhead, or alternatively, east of existing yacht club facilities. The offered area shall be of sufficient width and aligned so as to provide an unimpaired connection with Coastal Trail segments to be developed to the north and south of the Yacht Club property. The recorded document shall include legal descriptions of both the entire project site and the area of dedication. The document shall be recorded free of prior liens and any other encumbrances that the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.
6. **United States Army Corps of Engineers.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit to the Executive Director for confirmation, evidence of United States Army Corps of Engineers approval of the project or evidence that no Corps approval is necessary.
7. **Monterey County.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit to the Executive Director evidence that Monterey County has approved the revised project, or that no Monterey County approval is necessary.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that the proposed development is a category of development that qualifies for approval by the Executive Director through the issuance of an administrative permit (Public Resources Code Section 30624). Subject to Standard and Special conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, is located seaward of the first through public road and is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act, will not prejudice the ability of the local government to implement its certified Local Coastal Program in conformity with the provisions of Chapter 3, and will not

have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

Project Description. The project site is located along the east shore of the North Harbor area of Moss Landing Harbor (Exhibits A and B). Moss Landing Harbor is one of six developed harbors located along the Central Coast. Moss Landing Harbor lies at the mouth of Elkhorn Slough, between Monterey Bay National Marine Sanctuary and Elkhorn Slough National Estuarine Research Reserve. The North Harbor area, which occupies a portion of the Old Salinas River near its confluence with Bennett Slough, contains 103 boat berths, used primarily by recreational boaters. Facilities supporting and enhancing recreational boating are considered coastal-dependant developments and as such are considered high priority uses by the Coastal Act. The Elkhorn Yacht Club (EYC) is located landward of the North Harbor berthing area, on a 2.7-acre parcel (APN 413-022-08) that sits between the North Harbor and Highway 1 (Exhibit B). Yacht club facilities support and enhance recreational boating by providing Elkhorn and reciprocal yacht club members with meeting space, restrooms, dry boat storage, and small boat launching via an existing dinghy hoist. Membership in Elkhorn Yacht Club is open to the public.

The seaward edge of the EYC property is a steep, almost vertical bank that extends approximately 8 to 9 feet above mean lower low water (MLLW). Bank materials are comprised of variable layers of dense clayey silts, silty sands and loose unconsolidated sands, overlain by about 2 feet of medium dense sand fill materials at the surface. Bank materials frequently slough off, increasing sedimentation in the Harbor and limiting access to use of the existing small boat hoist located in front of the EYC.

The EYC is proposing to construct a 272-foot long PVC sheet pile bulkhead along the western end of the property (Exhibit C), spanning a gap between existing rip rap revetments adjacent to the yacht club property, and to replace (i.e., reconstruct) the existing dinghy hoist landward of the bulkhead. Materials for the sheet pile bulkhead will be interlocking corrugated panels, which can be installed and capped without the need for a tie-back system landward of the wall. A small amount of additional riprap will be added at the southern end of the bulkhead to merge into the existing riprap present. All work will be conducted from shore.

Shoreline Stabilization for Enhanced Recreational Boating Facilities. The Moss Landing Harbor District dredges the area in front of the Elkhorn Yacht Club to provide adequate depths for maneuvering and launching small boats from the dock. While this activity is intended to maintain depths for small boats, sloughing of the banks, as described above, often occurs due to wave erosion. The proposed vertical bulkhead would allow increased depths to be maintained in the vicinity of the small boat hoist and would prevent additional shoreline erosion and subsequent increased deposition into the Harbor seaward of the Yacht Club. The bulkhead would therefore stabilize the shoreline, and allow kayaks and small boats to more freely transit the area close to shore. In addition, the reconstructed dinghy hoist will allow kayaks and other small boats to be hoisted in and out of the water, thereby improving visitor serving public recreational opportunities for small boat users. As such, the PVC sheetpile bulkhead and dinghy hoist replacement project is consistent with the Coastal Act sections accommodating coastal-dependant developments (30255), giving priority to developments providing public recreational opportunities (30213), increasing public launching facilities and recreational boating use of coastal waters (30224), and protecting and upgrading recreational boating facilities (30234).

Marine Resources. Sections 30230 and 30231 of the Coastal Act specifically protect the water quality and biological productivity of the marine environment. Furthermore, Section 30232 provides for protection against spillage of hazardous substances. The vertical sheet pile design of the proposed bulkhead will minimize the amount of land cover required, in contrast with a sloped riprap revetment along the entire extent of shoreline, as was proposed at the initial stages of project development. Additionally, the PVC sheet pile design allows construction to be done from shore, minimizing potential impacts to nearshore aquatic environments.

The sheetpile bulkhead will be installed by driving 12" wide by ½" thick interlocking Shoreguard™ PVC panels into the earth with a vibrating hammer suspended from a crane located landward of the wall. As engineered, the 21-foot long PVC panels will be driven to a depth of ~12 feet MLLW into stiff to very stiff clayey silts, thereby providing adequate frictional support for the cantilevered (above ground) portion of the bulkhead. A small amount of riprap will be added at the south end of the bulkhead to tie into similar materials currently present. The top of the PVC sheet pile will be at 7.5 feet MLLW, and will be capped using wooden wail boards. The interlocking sheet pile panels will be placed landward of the existing top of bank (except for an approximate 30-foot section that will be placed at the existing shoreline). However, to ensure protection of the marine environment, construction will be conducted only during low tide and will use protective sheeting spread seaward of the wall to catch any possible spoils, fuel spills or construction debris during installation.

Since the EYC bulkhead will be placed at or landward of the MHTL, and landward of existing high intertidal mudflat, it should cause no significant ecological impacts to marine resources or environmentally sensitive habitats in the Moss Landing Harbor or Elkhorn Slough system. A biological assessment of the area by Moss Landing Marine Labs (April 1997) determined that the narrow fringe of high intertidal mudflat adjacent to the bank is one of the most highly modified mud flat habitats in the harbor. It exists mostly in the highest intertidal zone and because of the harsh physical conditions and extreme tidal exposure is inhabited by only a limited group of marine organisms. In contrast, the natural mud flats of the harbor and slough are broad and slope gradually to shallow subtidal habitats, harbor dense communities of benthic invertebrates, and are important feeding and roosting habitats for shorebirds and seabirds. The benthic community in front of the EYC has no special ecological significance, unlike the animal communities that live on the more natural mud flats of the harbor and the slough, and provides no significant use for fish, birds or mammals. The proposed project does not impact the natural mud flats or other habitats beyond the boundaries of the yacht club property.

As designed to minimize impacts to the marine environment and conditioned to require protection of possible spills or debris from entering the waters of Moss Landing Harbor, the project is consistent with Coastal Act Sections 30230, 30231, and 30232.

Public Access. The EYC is one of the oldest yacht clubs in California; membership is open to the public and access is provided to reciprocal yacht club members. The EYC site is presently developed with two buildings, an outdoor lawn area, a public boat storage yard, and associated parking facilities. The EYC also provides facilities for a number of government sponsored, non-profit and commercial activities open to the general public. These uses include the California State University Monterey Bay Youth Extreme Sailing Program (boat storage and on-site instructional programs for youth from the surrounding community), the United States Coast Guard Auxiliary (offices and on-site instructional programs for boaters), a Sea Scout Base, and a commercial kayak rental company (Kayak Connection). Other club facilities are available to the public on a fee basis.

The new dinghy hoist will be located immediately landward of the new bulkhead at approximately the same location as the old hoist. The new dinghy hoist will provide for enhanced recreational boating opportunities by allowing CSUMB dinghies to be launched on-site and will enable the EYC to host small

boat regattas. Since many non-member kayakers and other small boat users may continue to make use of the tidelands in front of the yacht club, this permit is conditioned to ensure that the EYC shall not restrict public access to public trust lands seaward of the bulkhead.

A public Coastal Access trail has been proposed for the Moss Landing Harbor area. Because the EYC property extends between MHTL and Highway One, some access linkage across the EYC parcel would be required to connect the Coastal Access Trail segments to the north and to the south. Currently there is no existing lateral access across the waterfront of the EYC property because existing structures on the southwest end of the property extend nearly to the edge of the bank. While waterside lateral access would be highly preferable, and should be clearly encouraged, the EYC has not expressed an intention to remove these structures.

However the Elkhorn Yacht Club has been working with the Moss Landing Harbor District on redevelopment plans for the North Harbor area. Such plans will likely include the need to develop a single entrance point to the North Harbor area from Highway 1 and a frontage road west of Highway 1 to improve traffic safety in the area, and a route for the Coastal Access Trail. Because the yacht club property extends from the MHTL to Highway 1, separating the north and south parcels of the North Harbor area, the EYC has recognized the need for a lateral access connection, and has offered to dedicate an easement for lateral access east of existing yacht club facilities for these uses. To memorialize this project component, Special Condition 5 requires submittal of the offered easement for Executive Director review prior to permit issuance. The permit has also been conditioned to encourage and facilitate the provision of a waterside accessway if it is offered by the EYC.

As conditioned to prevent restriction to public access on public trust lands and to require a lateral access easement, the project will serve to implement Coastal Act Sections 30001.5 (enhance and restore overall quality of coastal zone environment), 30210 (provide maximum access and recreational opportunities) and 30214.b (consider the equities and rights of the individual property owner with the public's right of access to public trust lands).

Conclusion

The proposed PVC sheetpile bulkhead and dinghy hoist replacement will provide for enhanced recreational boating opportunities and services in the North Harbor area consistent with the priorities and land uses established by the California Coastal Act. The project will also conform to the certified Monterey County LCP's North County Land Use Plan, which for purposes of this permit is advisory only. As conditioned, any potential adverse impacts on marine resources and public access are addressed and the project will not have a significant effect on the environment within the meaning of the California Environmental Quality Act (CEQA). As the lead agency for the CEQA review, the Moss Landing Harbor District determined that the project qualified for a categorical exemption 15301 to protect existing facilities and adjacent property and to rehabilitate damaged structures. As conditioned, the proposed development will be consistent with Chapter 3 of the California Coastal Act of 1976.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's signature

Date of signing

Exhibits A through C of the Staff Recommendation and Findings (Exhibit D) for CDP No. 3-98-069 are on file and available for review at the Commission's Central Coast office, 725 Front Street, Suite 300, Santa Cruz, CA 95060-4508.

Content of Exhibits

Exhibit A	Regional Location Map	(Page 7 of 9)
Exhibit B	Project Vicinity Map	(Page 8 of 9)
Exhibit C	Site Plan and Cross-section	(Page 9 of 9)

END OF DOCUMENT



OLD REPUBLIC TITLE COMPANY

3775 VIA NONA MARIE, #101 • CARMEL, CA • 93923 • (831) 625-3880 • Fax: (831) 625-5608

PRELIMINARY REPORT

Issued for the sole use of:

HEISINGER, BUCK, MORRIS & ROSE
6TH ANVENUE & DOLORES STREET
CARMEL, California 93921

Attention: JIM HEISINGER

Our Order No. 224288-C

Reference

When Replying Please Contact:

David Ziel (831) 625-3880

Property Address: 2370 Highway 1, Moss Landing, CA
[Unincorporated area of Monterey County]

In response to the above referenced application for a policy of title insurance, OLD REPUBLIC TITLE COMPANY hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusions from the coverage of said Policy or Policies may be set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this report.

Please read the exceptions shown or referred to below and the exceptions and exclusions set forth in Exhibit A of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects, and encumbrances affecting title to the land.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

Hand delivered
[Stamp]

Dated as of July 9th, 2001, at 7:30 A.M.

JUL 1 2001

OLD REPUBLIC TITLE COMPANY

HEISINGER, BUCK
/ [Stamp]

For Exceptions Shown or Referred to, See Attached

Page 1 of 10 Pages

OLD REPUBLIC TITLE COMPANY

ORDER NO. 224288-C

The form of policy of title insurance contemplated by this report is:

an ALTA Loan Policy. A specific request should be made if another form or additional coverage is desired.

The estate or interest in the land hereinafter described or referred to covered by this Report is:

a FEE.

Title to said estate or interest at the date hereof is vested in:

ELKHORN YACHT CLUB, a corporation

OLD REPUBLIC TITLE COMPANY

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The land referred to in this Report is situated in the County of Monterey, in the unincorporated area, State of California, and is described as follows:

PARCEL I:

A part of U.S. Lot 9, in Section 7, T. 13 S., R. 2 E., M.D.B. & M., particularly described as follows:

Beginning at the Northeast corner of that certain 1.085 acre tract of land conveyed from Edward C. Vierra, et ux to Elkhorn Yacht Club, a corporation, by Deed dated January 22, 1952 and recorded in Volume 1358 of Official Records at Page 461, records of said county, and running thence along the easterly boundary thereof

(1) S. 1° 37' 34" E., 250.0 feet to the Southeast corner thereof; thence along the Southerly boundary thereof to and along the Southerly boundary of that certain 1.43 acre tract of land conveyed from Edward C. Vierra, et ux to Elkhorn Yacht Club, a corporation, by Deed dated September 10, 1949 and recorded in Volume 1256 of Official Records at Page 381, records of said county, to and along the production westerly of last mentioned boundary

(2) S. 88° 22' 26" W., 453.38 feet to a point in the Line of Ordinary High Water as it existed in January, 1947; thence along said Ordinary High Water Line

(3) N. 19° 30' 09" W., 16.35 feet to Station 22-A of the survey of said line; thence

(4) N. 1° 00' 37" W., 234.44 feet to intersection with the production westerly of the northerly boundary of said 1.43 acre tract of land; thence leave said Ordinary High Water Line and running along said produced boundary to and along said northerly boundary and to and along the northerly boundary of said 1.085 acre tract of land

(5) N. 88° 22' 26" E., 455.89 feet to the place of beginning.

Excepting therefrom all that portion thereof conveyed to Moss Landing County Sanitation District by Grant Deed recorded September 16, 1983 in Reel 1668, Page 206, Official Records of Monterey County.

PARCEL II:

A part of U.S. Lot 9 in Section 7, T. 13 S., R. 2 E., M.D.B. & M. particularly described as follows:

Beginning at the Northeast corner of that certain 0.12 acre tract of land conveyed from Knute Hansston, et ux to I. B. Hawkins by Deed dated November 16, 1951 and recorded in Volume 1352 of Official Records at Page 262, Records of said County, and running thence along the northerly boundary thereof and its production westerly

(1) S. 88° 22' 26" W., 130.56 feet to a point in the Line of Ordinary High Water

OLD REPUBLIC TITLE COMPANY
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as it existed in January, 1947, from which Station 22-A of the survey thereof bears along said line N. 19° 30' 09" W., 16.35 feet distant; thence along said Ordinary High Water Line

(2) S. 19° 30' 09" E., 55.91 feet to intersection with the production westerly of the southerly boundary of said 0.12 acre tract of land; thence leave said Ordinary High Water Line and running along said produced boundary to and along said southerly boundary

(3) N. 88° 22' 26" E., 115.89 feet to the southeast corner of said 0.12 acre tract of land; thence along the easterly boundary thereof

(4) N. 4° 18' 20" W., 53.26 feet to the place of beginning.

Excepting therefrom all that portion thereof conveyed to John Nardone et ux in Grant Deed recorded January 11, 1962 in Reel 9, Page 89 Official Records of Monterey County .

Assessor's Parcel Number: 413-022-008

OLD REPUBLIC TITLE COMPANY

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At the date hereof exceptions to coverage in addition to the Exceptions and Exclusions in said policy form would be as follows:

1. Taxes and assessments, general and special, for the fiscal year 2001-2002 a lien, but not yet due or payable.

Code No. : 099-091
Assessor's Parcel No. : 413-022-008

2. The lien of supplemental taxes, if any, assessed pursuant to the provisions of Section 75, et seq., of the Revenue and Taxation Code of the State of California.

3. Water rights, claims or title to water, whether or not shown by the public records.

4. Any easement for water course over that portion of said land lying within the banks of Salinas River and any changes in the boundary lines of said land that have occurred or may hereafter occur from natural causes.

5. Any adverse claim based upon the assertion that:

(a) Some portion of said land has been created by artificial means or has accreted to such portion so created.

(b) Some portion of said land has been brought within the boundaries thereof by an avulsive movement of the Salinas River or has been formed by accretion to any such portion.

Rights and easements for navigation and fishery which may exist over that portion of said land lying beneath the waters of Salinas River.

6. Any rights in favor of the public which may exist on said land if said land or portions thereof are or were at any time used by the public.

7. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Instrument : Grant Deed
Granted to : Elkhorn Yacht Club, a corporation
For : road and utilities
Recorded : November 1st, 1950 in Book 1256 of Official Records, Page 381
Affects : The Southerly 30 feet of the Easterly 189.16 feet of said land

OLD REPUBLIC TITLE COMPANY
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8. Matters as contained or referred to in an instrument

Entitled : Grant Deed
Executed by: Edward C. Vierra, also known as Edward Vierra, and Gabrielle Vierra,
his wife
Recorded : November 1st, 1950 in Volume 1256 of Official Records, Page 381

Which, among other things, provides: The Grantor herein, his successors and assigns, reserves the right to change the location of the above right-of-way on the following conditions:

1. The relocated right-of-way shall be equal in width to the above right-of-way;
2. The relocated right-of-way will be graded and otherwise improved at said Grantor's expense so that it will be in a condition comparable to that of the above right-of-way at the time of relocation;
3. The relocated right-of-way will be so situated that it will not cause the Grantee herein, its successors and assigns, any substantial loss or damage in the actual or definitely planned use or occupancy of the land hereby granted at the time of such relocation.

9. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following instrument:

Granted to : Pacific Gas and Electric Company and The Pacific Telephone and Telegraph Company, California Corporations
For : A single line of poles
Recorded : August 19th, 1952 in Book 1400 of Official Records, Page 21
Affects : Said poles shall be installed within a strip of land of the uniform width of 10 feet extending entirely across and lying contiguous to and Northeasterly of the Southwesterly boundary line of said premises

NOTE: In connection therewith a Quitclaim Deed executed by Pacific Gas and Electric Company in favor of Elkhorn Yacht Club conveying their interest in said easement was recorded June 3rd, 1987 in Reel 2105, Page 1237, Official Records of Monterey County.

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10. Deed of Trust to secure an indebtedness of the amount stated below and any other amounts payable under the terms thereof,

Amount : \$12,500.00
Trustor/Borrower : Elkhorn Yacht Club
Trustee : American Securities Company, a corporation
Beneficiary/Lender : Wells Fargo Bank, a corporation
Dated : August 17th, 1966
Recorded : August 30th, 1966 in Reel 475 of Official Records, Page 54

Returned to Address: 326 Main Street, Watsonville, CA Attn: J.A. Radich

11. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Instrument : Grant of Easement
Granted to : Moss Landing County Sanitation District of Monterey
For : Sanitary sewer lines
Recorded : May 16th, 1983 in Reel 1634 of Official Records, Page 916
Affects : The Easterly five feet of said land

And re-recorded September 16th, 1983 in Reel 1668 of Official Records, Page 192.

12. A Notice as follows:

Entitled : Notice
By : Elkhorn Yacht Club
Dated : November 13th, 1984
Recorded : December 18th, 1984 in Reel 1795 of Official Records, Page 1166
Returned to Address : 60 W. Alisal St., P.O. Box 2058, Salinas, CA 93902
Which Among Other

Things Provides: The right of the public or any person to make any use whatsoever of the following described land or any portion thereof is by permission, and subject to control of owner

OLD REPUBLIC TITLE COMPANY

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13. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Instrument : Easement
Granted to : Pacific Gas and Electric Company, a California corporation and Pacific Bell, a California corporation
For : underground conduits, service boxes, wires, cables, and electrical conductors
Recorded : March 8th, 1985 in Reel 1817 of Official Records, Page 1100
Affects : As set forth therein

NOTE: In connection therewith a Quitclaim Deed executed by Pacific Gas and Electric Company in favor of Elkhorn Yacht Club conveying their interest in said easement was recorded June 3rd, 1987 in Reel 2105, Page 1237, Official Records of Monterey County.

14. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Instrument : Easement
Granted to : Pacific Gas and Electric Company, a California corporation and Pacific Bell, a California corporation
For : underground conduits, wires, cables, and electrical conductors
Recorded : July 17th, 1985 in Reel 1858 of Official Records, Page 1062
Affects : As set forth therein

15. A Notice as follows:

Entitled : Notice Under Civil Code Section 813
By : Elkhorn Yacht Club
Recorded : September 30th, 1992 in Reel 2852 of Official Records, Page 280
Returned to Address : P.O. Box 45, Moss Landing, CA 95039
Which Among Other

Things Provides: The right of the public or any person to make any use whatsoever of the fifteen (15) foot wide easement for roadway, utility and marineway purposes shown on the Surveyors Certificate of Leo Woods, dated October 1983 and shown on said Certificate attached hereto as Exhibit A or any portion of said easement (other than any use expressly allowed by a written or recorded map, agreement, deed or dedication) is by permission, and subject to control of owner: Section 813, Civil Code

OLD REPUBLIC TITLE COMPANY

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16. Matters as contained or referred to in an instrument

Entitled : Irrevocable Offer to Dedicate Public Lateral Access Easement and
Declaration of Restrictions
Executed by: The Elkhorn Yacht Club, a California corporation
Dated : June 20th, 2001
Recorded : July 6th, 2001 in Official Records under Recorder's Series Number
2001055455
Returned to
Address : 45 Fremont St., Suite 2000, San Francisco, CA 94105-2219

17. An easement affecting that portion of said land and for the purposes stated herein and incidental purposes as provided in the following

Instrument : Irrevocable Offer to Dedicate Public Lateral Access Easement and
Declaration of Restrictions
Granted to : Moss Landing Harbor District
For : Pedestrian access
Dated : June 20th, 2001
Recorded : July 6th, 2001 in Official Records, under Recorder's Series Number
2001055455
Affects : Beginning at a station in the Southern boundary of said lands from
which the Southeastern corner thereof bears North 88° 22' 26" East
133.00 distant

Thence from said point of beginning leaving said Southern boundary
and across said lands, parallel with the Eastern boundary thereof and
distant Westerly 133.00 feet measured at right angles, North 1° 37'
34" West 250.00 feet to the Northern boundary of said lands

18. NOTE: The requirement that satisfactory evidence be furnished to this Company evidencing the due formation and continued existence of Elkhorn Yacht Club as a legal entity under the laws of California.

19. The requirement that a certified copy of a resolution of the board of directors be furnished to this company authorizing or ratifying the proposed conveyance or encumbrance of Elkhorn Yacht Club.

20. Any unrecorded and subsisting leases.

21. Rights and claims of parties in possession.

OLD REPUBLIC TITLE COMPANY

ORDER NO. 224288-C

----- Informational Notes -----

1. NOTE: According to the public records, there have been no deeds conveying the property described in this report recorded within a period of two years prior to the date hereof except as follows:

NONE

2. Basic Rate Applies/Insured owner

3. Taxes and assessments, general and special, for the fiscal year 2000-2001 as follows:

Assessor's Parcel No.	:	413-022-008	
Code No.	:	099-091	
1st Installment	:	\$ 2,274.29	Marked Paid
2nd Installment	:	\$ 2,274.29	Marked Paid
Land	:	\$ 63,310.00	
Imp. Value	:	\$ 43,423.00	
P.P. Value	:	\$ 7,730.00	
Exemption	:	\$ 0.00	

DEF/jm 7/16/01 end
Examined By: Deborah Faltesek

EXHIBIT A
CALIFORNIA LAND TITLE ASSOCIATION
HOMEOWNER'S POLICY OF TITLE INSURANCE (1998)
EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental policy power, and the existence or violation of any law or government regulation. This includes ordinances, laws and regulations concerning:
 - a. building
 - b. zoning
 - c. land use
 - d. improvements on the land
 - e. land division
 - f. environmental protectionThis Exclusion does not apply to violations or the enforcement of these matters if notice of the violation or enforcement appears in the Public Records at the Policy Date.
This Exclusion does not limit the coverage described in Covered Risk 14, 15, 16, 17 or 24.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not apply to violations of building codes if notice of the violation appears in the Public Records at the Policy Date.
3. The right to take the Land by condemning it, unless:
 - a. a notice of exercising the right appears in the Public Records at the Policy Date; or
 - b. the taking happened before the Policy Date and is binding on you if You bought the land without Knowing of the taking.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they appear in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they appear in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.d, 22, 23, 24, or 25.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any Land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.This Exclusion does not limit the coverage described in Covered Risk 11 or 18.

CALIFORNIA LAND TITLE ASSOCIATION
STANDARD COVERAGE POLICY (1990)
EXCLUSIONS

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions of or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy.
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy;
 - (e) or resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.

EXHIBIT A (Continued)

3. Easements, liens or encumbrances, or claims thereof, which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.

**AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (1992)
SCHEDULE OF EXCLUSIONS FROM COVERAGE**

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims, or other matters (a) created, suffered, assumed or agreed to by the insured claimant; (b) not known to the Company and not shown by the public records but known to the insured claimant either at Date of Policy or at the date such claimant acquired an estate or interest insured by this policy and not disclosed in writing by the insured claimant to the Company prior to the date such insured claimant became an insured hereunder; (c) resulting in no loss or damage to the insured claimant; (d) attaching or creating subsequent to Date of Policy; or (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws.

**AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (1987)
EXCLUSIONS**

In addition to the exceptions in Schedule B, you are not insured against loss, costs, attorney's fees and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or governmental regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protection

This exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.

2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date.
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking.
3. Title Risks:
 - that are created, allowed, or agreed to by you
 - that are known to you, but not to us, on the Policy Date - unless they appear in the Public Records.
 - that result in no loss to you
 - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks.
4. Failure to pay value for your title.
5. Lack of a right:
 - to any land outside the area specifically described and referred to in Item 3 of Schedule A
 - or
 - in streets, alleys, or waterways that touch your land.

This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

EXHIBIT A (Continued)

**AMERICAN LAND TITLE ASSOCIATION
RESIDENTIAL TITLE INSURANCE POLICY (1987) WITH REGIONAL EXCEPTIONS
EXCLUSIONS**

In addition to the exceptions in Schedule B, you are not insured against loss, costs, attorneys' fees and expenses resulting from:

1. Governmental police power, and the existence or violation of any law or governmental regulation. This includes building and zoning ordinances and also laws and regulations concerning:
 - land use
 - improvements on the land
 - land division
 - environmental protectionThis exclusion does not apply to violations or the enforcement of these matters which appear in the public records at Policy Date. This exclusion does not limit the zoning coverage described in Items 12 and 13 of Covered Title Risks.
2. The right to take the land by condemning it, unless:
 - a notice of exercising the right appears in the public records on the Policy Date.
 - the taking happened prior to the Policy Date and is binding on you if you bought the land without knowing of the taking.
3. Title Risks:
 - that are created, allowed, or agreed to by you
 - that are known to you, but not to us, on the Policy Date - unless they appear in the public records.
 - that result in no loss to you
 - that first affect your title after the Policy Date - this does not limit the labor and material lien coverage in Item 8 of Covered Title Risks.
4. Failure to pay value for your title.
5. Lack of a right:
 - to any land outside the area specifically described and referred to in Item 3 of Schedule A
 - or
 - in streets, alleys, or waterways that touch your land.This exclusion does not limit the access coverage in Item 5 of Covered Title Risks.

REGIONAL EXCEPTIONS

In addition to the Exclusions, you are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by making inquiry of parties in possession of the land.
2. Any liens or easements not shown by the Public Records. However, this does not limit the affirmative coverage in Item 8 of Covered Title Risks.
3. Any facts about the land not shown by the Public Records which a correct survey would disclose. However, this does not limit the affirmative coverage in Item 12 of Covered Title Risks.
4. (a) Any water rights or claims or title to water in or under the land; (b) unpatented mining claims; (c) reservations or exceptions in patents or in acts authorizing the issuance thereof.

TAX CODE AREA

01

6 5

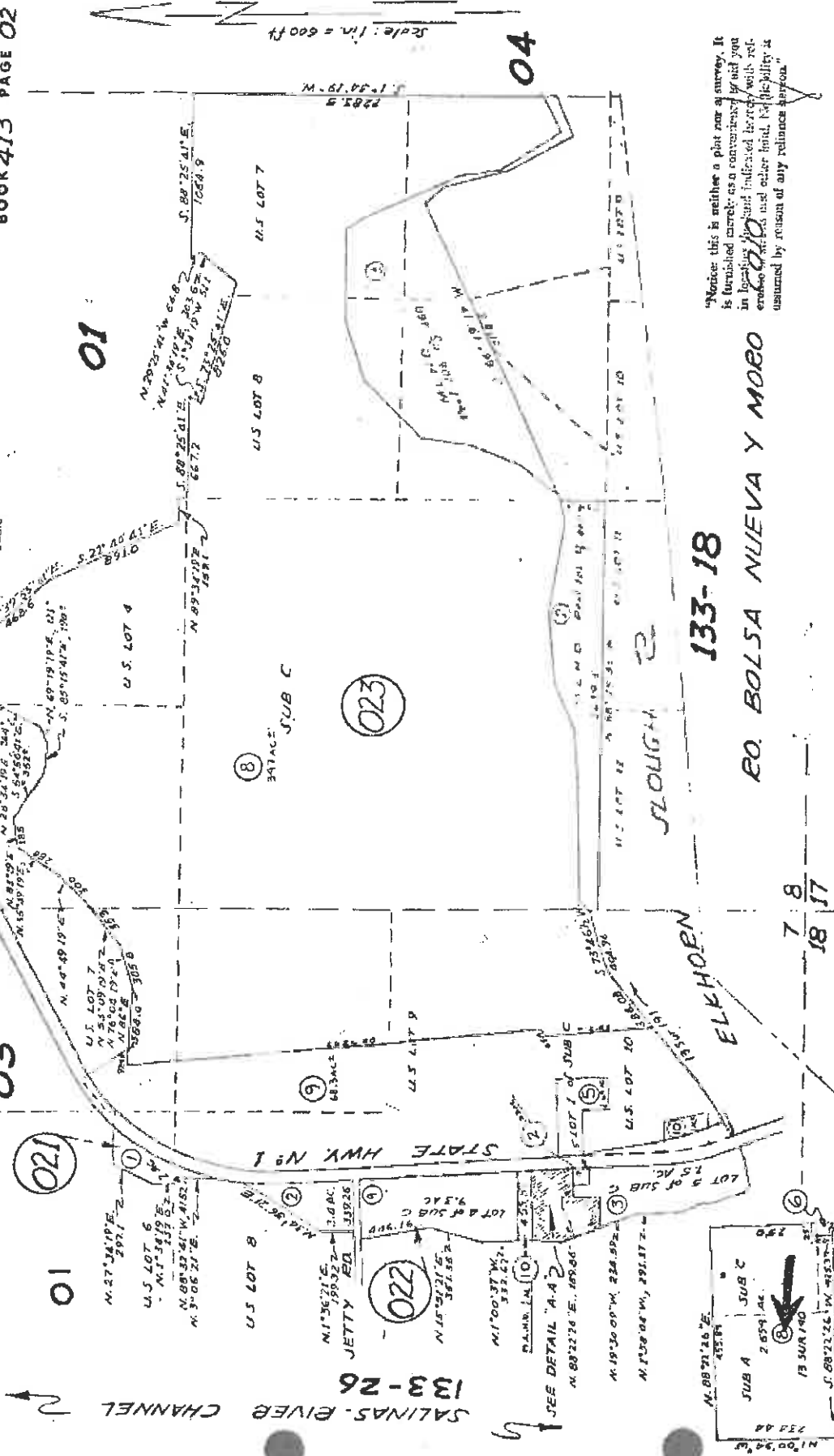
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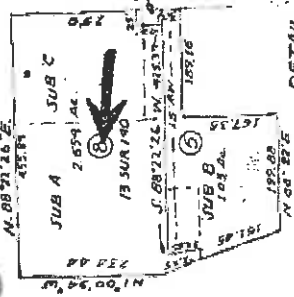
01



SALINAS RIVER CHANNEL

133-26

SEE DETAIL "A-A"



DETAIL "A-A"
 Scale: 1 in. = 200 ft

Scale: 1 in. = 600 ft

"Notice: this is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated herein with reference to streets and other land. No liability is assumed by reason of any reliance thereon."

"Notice: this is neither a plat nor a survey. It is furnished merely as a convenience to aid you in locating the land indicated herein with reference to streets and other land. No liability is assumed by reason of any reliance thereon."

ASSESSOR'S MAP OF E.C. VIERBA EST.
 in SECS. 7 & 8 TWP. 13 S., R. 2 E.

(17-001 12.20)



BOARD OF COMMISSIONERS
Russell Jeffries
Tony Leonardini
Vincent Ferrante
James Goulart
Liz Soto

7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

TELEPHONE – 831.633.2461
FACSIMILE – 831.633.1201

GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 20 – CONSIDER MONTEREY BAY KAYAK CONSTRUCTION PERMIT APPLICATION.

BOARD MEETING OF JUNE 29, 2022

Monterey Bay Kayak has a changing room/ gear shed on their leased District property used by customers changing in and out of wetsuits before and after Kayak trips. The changing room/gear shed structure is built off an existing wall of the Pot Stop building which is scheduled for demolition later this summer. To keep the structure/changing room in place for continued use by Monterey Bay Kayak a new wall would need to be constructed prior to the demolition of the Pot Stop building to support the structure allowing it to stay in place after the building has been demolished.

Monterey Bay Kayak has submitted the attached construction permit application which includes construction plans for a new wall which were completed by Wald Ruhnke & Dost Architects. Should the Board decide to approve this MLHD Construction permit, a revision to the MLHD Demolition Permit for the Pot Stop Building will be made allowing Monterey Bay Kayak to complete the new wall construction prior to the Demo Project taking place ultimately allowing the changing room/gear shed to remain for future use of Monterey Bay Kayak.

The General Manager recommends that the Board review the attached Construction Permit Application and drawings and consider issuance of the permit allowing Monterey Bay Kayak to build a new wall to replace the wall that will be removed during the Pot Stop Demolition Project.



Moss Landing Harbor District

7881 Sandholdt Road

Moss Landing, CA 95039

(831) 633-5417, Fax (831) 633-4537

CONSTRUCTION PERMIT APPLICATION

Section I - Applicant Information

Name of Project	Monterey Bay Kayaks - Gear shed retaining wall
Name of Organization	Monterey Bay Kayaks
Mailing Address	693 Del Monte Avenue
City, State, Zip Code	Monterey, CA 93940
Telephone Number	831 277 0023

Section II - Permittee Information

Name of Contact	Cass Schrock
Mailing Address	693 Del Monte Avenue
City, State, Zip Code	Monterey, CA 93940
Telephone Number	831 277 0023
Fax Number	
E-Mail Address	cass@montereybaykayaks.com

Section III - Facilities Information

Duration of Project: Phase 1	
<p>Specific Description of Activity: Provide a narrative including general description of project, ownership, future maintenance plans, etc, and a graphic description of the interior and/or exterior elements of the project including square footage and (if applicable) any work areas, restroom facilities, storage, public access, landscaping, etc.</p> <p>Site Plan Attached</p>	Please see attached project description and plans

Specific Details: Facilities to be Used, e.g. District Waters, Docks, Parking Lot, Staging Areas. If staging area is on District property, a separate Lease Agreement is required pertaining exclusively to staging.	Work will be done on the existing building on the leased property of Monterey Bay Kayaks.
Specific Location of Activity:	2390 Highway 1, Moss Landing, CA
Other Details: such as Operating Hours, Type of Equipment to be Used, Materials, Outside Contractors, etc.	Work to be done will be 9-5, Monday - Friday. Work will be performed by Kristl Konstruction.
Number of Vessels and/or Vehicles, etc. used during construction.	One or two contractor vehicles
Emergency Contact Information (other than primary organization and contact person)	Adam Helm/General Manager Cell phone (559) 907-9268

Section IV - Fees

MLHD Ordinance Code §20.100B	
CEQA Review (Ord. Code §20.240)	

I hereby certify that the information contained above is true and accurate to the best of my knowledge. I further certify that I will faithfully comply with all Conditions of any Permit that may be issued that are required by the District and that I will assure that the permitted use is carried out in full compliance with all applicable statutes, regulations, and rules including Ordinances of the District, and any other entity that may have jurisdiction over the use or the site.

APPLICANT:

Signature

6/16/2022

Date

President
Title

General Conditions

The following information is provided for informational purposes only. Some of the following conditions may not apply to a particular permit or additional conditions may be imposed before issuance of a permit. The Moss Landing Harbor District Board of Commissioners must review at a Public Hearing and authorize the General Manager to issue the permit sought in this Application. If the Application is complete, all efforts will be made to agendize the permit application for public hearing at the next scheduled Board meeting.

- Permittee is required to remove all garbage, trash, litter and debris associated with its use of facility.
- Permittee shall remove from within the District boundaries any instruments, pipes, flags, and any other materials that may have been placed purposefully or accidentally pursuant to this Permit upon the earlier of the expiration of the permit, request by MLHD, or completion of the project for which this Permit was issued. The placement of any instrument, pipe, flag or other item by Permittee within the District's boundaries is conditioned, among other things, upon Permittee placing on the item using weather-proof, fade-proof and indelible writing material the contact information for Permittee, the date of placement of the item, and the expiration date of the permit under which the item was placed within the District's boundaries, all in legible lettering. Permittee is to monitor such item(s) to ensure that the identifying information is legible at all times. Any items not so identified will be subject to immediate removal by MLHD.
- Permittee shall provide District with emergency contact instructions associated with permitted use. Permittee shall provide a list of persons and organizations to contact in an emergency, along with the method of contact, including after-hour contact information.
- ***Permittee shall provide District with a Certificate of Insurance providing evidence of comprehensive liability and property damage coverage in the amount of two million dollars (\$2,000,000) for each accident/incident and one million dollars (\$2,000,000) in the aggregate. The Certificate shall name the Moss Landing Harbor District, its elected officials, officers, agents and employees as additional insured. The underlying policy shall remain in full force during the entire term of the use of District facilities. The District shall be notified at least 10 days prior to the policy being cancelled.***
- Permittee to embark/disembark all participants/passengers/construction materials from a location determined by Harbormaster. Permittee shall obey all instructions of District or law enforcement personnel. Permittee is not allowed to land anywhere other than at authorized locations.
- Permittee shall comply with all rules and regulations applicable to its activity as well as all conditions of all permits issued therefor, including, but not limited to, the Ordinances of the Moss Landing Harbor District, and shall obtain all licenses and permits required by its activity including, but not limited to, a Permit issued by the Moss Landing Harbor District.
- Neither permittee nor permittees' activities shall interfere or obstruct navigation of vessels in any waters under the Districts' jurisdiction.
- Neither permittee nor permittees' activities shall interfere with the Districts' dredging, pile driving, other construction activities, or use of its property.
- Permittee shall not contact or approach marine mammals except as permitted by appropriate governing agencies.
- Permit valid only so long as licenses and permits issued by any governing agency, including but not limited to the United States Coast Guard, California Division of Boating and Waterways, if applicable, California Coastal Commission, Monterey County Resource Management Agency, RWQCB, NOAA and the Moss Landing Harbor District remain current and in force.
- Permittee shall provide the District with copies of any of the following that apply to permittee's activity:
 - 1) USCG license as Operator of Uninspected Passenger Vessel or higher.
 - 2) USCG Certificate of Inspection.
 - 3) Monterey County Health Permit
 - 4) California Coastal Commission Permit
 - 5) Monterey County Resource Management Agency Permit

- 6) RWQCB Permit
 - 7) NOAA Permit
 - 8) Any other licenses/permits associated with the activity.
- Permittee waives any and all claims for accident, injury, damage, theft or loss of any kind whatsoever arising out of or relating to the use of the facilities or grounds of the harbor against the Moss Landing Harbor District and its officers, commissioners, elected officials, agents or employees.
 - Permittee shall hold the Moss Landing Harbor District and its officers, commissioners, elected officials, agents and employees harmless, indemnify and defend the same from any and all damages arising out of activities undertaken pursuant to this permit.

Special Conditions:

During the course of the described work, Permittee is required to employ all BMP's necessary to protect the Harbor lands and waters from debris, as established by permits obtained from other agencies/entities with jurisdiction over said work, including but not limited to:

MOSS LANDING HARBOR DISTRICT

Tommy Razzeca
General Manager/Harbor Master



MONTBAY-01

ABAKER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/17/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0H18131
Momentous Insurance Brokerage, A Marsh & McLennan Agency LLC
Company
5990 Sepulveda Blvd., #550
Van Nuys, CA 91411

CONTACT NAME:
PHONE (A/C, No, Ext): (818) 933-2700 FAX (A/C, No): (818) 933-2701
E-MAIL ADDRESS:

INSURED
Monterey Bay Kayaks Inc.
693 Del Monte Avenue
Monterey, CA 93940

INSURER(S) AFFORDING COVERAGE	NAIC #
INSURER A: Philadelphia Insurance Company-MAIN	
INSURER B: United Financial Casualty Company	11770
INSURER C: State Compensation Insurance Fund-MAIN	35076
INSURER D:	
INSURER E:	
INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTS	TYPE OF INSURANCE	ADDL SUBR (RIS) (WFD)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	PHPK2390827	3/15/2022	3/15/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Per occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COM/PROP AGG \$ 2,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PROJ <input type="checkbox"/> LOC OTHER:						
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		04127445-9	2/17/2022	2/17/2023	COMBINED SINGLE LIMIT (Per accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE		PHUB806913	3/15/2022	3/15/2023	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
DED <input checked="" type="checkbox"/> RETENTION \$ 10,000						
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	1953166-2021	7/1/2021	7/1/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Moss Landing Harbor District, its elected officials, officers, agents and employees are included as an additional insureds under the general liability as respects the operations of the named insured, where required by written contract.

CERTIFICATE HOLDER

CANCELLATION

Moss Landing Harbor District
7881 Sandholdt Rd
Moss Landing, CA 95039

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
AUTHORIZED REPRESENTATIVE

A NEW BEARING WALL MONTEREY BAY KAYAKS

2390 Calif Hwy 1, Moss Landing, CA 95039

ABBREVIATIONS	LEGEND	SYMBOLS
<p>1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.</p> <p>3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>4. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>6. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>8. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p>	<p>1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.</p> <p>3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>4. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>6. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>8. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p>	<p>1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.</p> <p>2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.</p> <p>3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>4. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>5. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>6. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>7. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>8. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p> <p>9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.</p> <p>10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.</p>

PROJECT TEAM

LAND OWNER
MONTEREY BAY KAYAKS
2390 CALIFORNIA HIGHWAY 1
MOSS LANDING, CA 95039
TEL: (831) 923-1234
WWW.MBKAYAKS.COM

TENANT
MONTEREY BAY KAYAKS
2390 CALIFORNIA HIGHWAY 1
MOSS LANDING, CA 95039
TEL: (831) 923-1234
WWW.MBKAYAKS.COM

ARCHITECT
JAMES H. HARRIS ARCHITECTS
1000 CALIFORNIA HIGHWAY 1
SUITE 100
MOSS LANDING, CA 95039
TEL: (831) 923-1234
WWW.JHHARCHITECTS.COM

STRUCTURAL ENGINEER
JAMES H. HARRIS ARCHITECTS
1000 CALIFORNIA HIGHWAY 1
SUITE 100
MOSS LANDING, CA 95039
TEL: (831) 923-1234
WWW.JHHARCHITECTS.COM

PROJECT INFORMATION

PROJECT NAME: MONTEREY BAY KAYAKS PROPOSED NEW BEARING WALL

LOCATION: 2390 CALIFORNIA HIGHWAY 1, MOSS LANDING, CA 95039

DATE: 11/15/2011

SCALE: AS SHOWN

DESIGNED BY: JAMES H. HARRIS

CHECKED BY: JAMES H. HARRIS

DATE: 11/15/2011

GENERAL NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
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10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.

DEFERRED SUBMITTALS

1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

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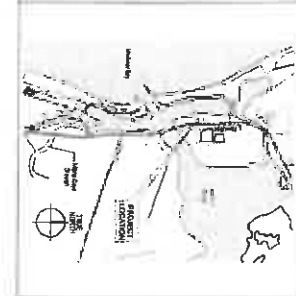
6. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.

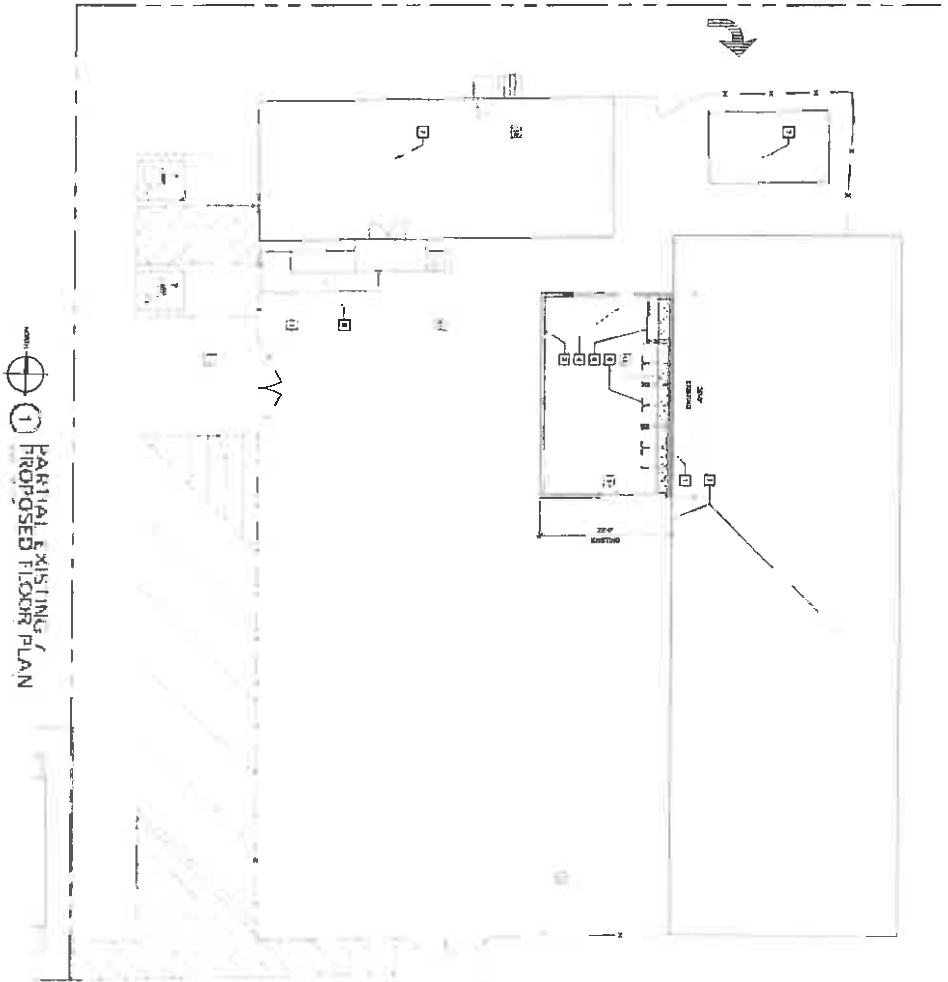
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8. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

10. ALL DIMENSIONS ARE TO SURFACE UNLESS OTHERWISE NOTED.





1 PARTIAL EXISTING / PROPOSED FLOOR PLAN

KEY NOTES

- 1. THE NEW BEARING WALL PLACEMENT IS TO BE SUBMITTED TO THE DISTRICT PLANNING AND ADMINISTRATION DEPARTMENT FOR REVIEW AND APPROVAL.
- 2. ALL EXISTING AND PROPOSED WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DISTRICT PLANNING AND ADMINISTRATION DEPARTMENT'S REQUIREMENTS.
- 3. THE PROPOSED BEARING WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DISTRICT PLANNING AND ADMINISTRATION DEPARTMENT'S REQUIREMENTS.
- 4. THE PROPOSED BEARING WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DISTRICT PLANNING AND ADMINISTRATION DEPARTMENT'S REQUIREMENTS.
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- 10. THE PROPOSED BEARING WALLS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE DISTRICT PLANNING AND ADMINISTRATION DEPARTMENT'S REQUIREMENTS.

NO. 10	2/11/22
NO. 11	2/11/22
NO. 12	2/11/22
NO. 13	2/11/22
NO. 14	2/11/22
NO. 15	2/11/22
NO. 16	2/11/22
NO. 17	2/11/22
NO. 18	2/11/22
NO. 19	2/11/22
NO. 20	2/11/22

**MONTEREY BAY KAYAKS
PROPOSED NEW BEARING WALL**

NO. 10
2/11/22
NO. 11
2/11/22
NO. 12
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2/11/22
NO. 19
2/11/22
NO. 20
2/11/22



W.P. & L. LEGAL SERVICES
1234 MAIN STREET
MONTEREY, CA 93940
TEL: (408) 555-1234
WWW.WPANDL.COM

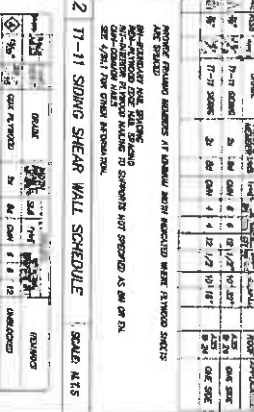
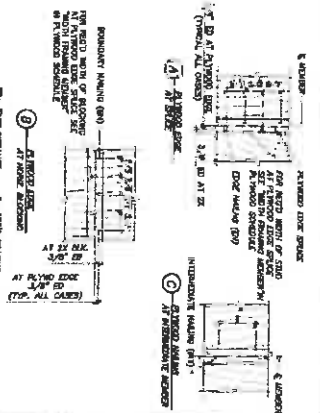
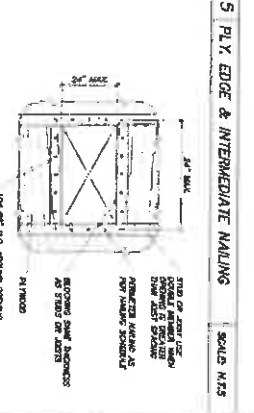
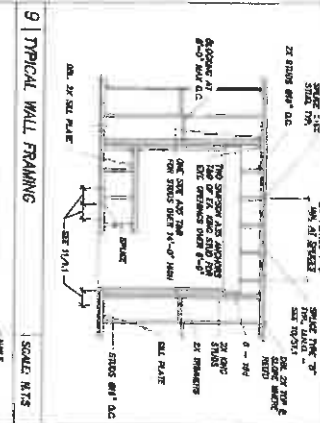
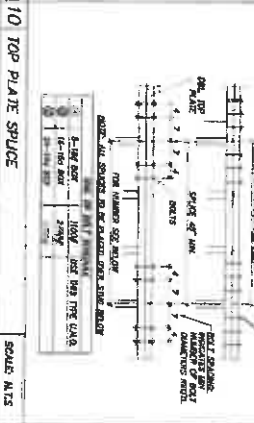
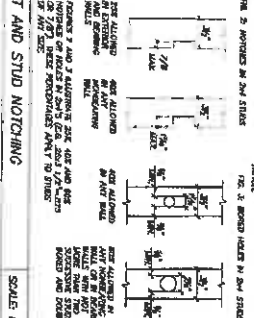
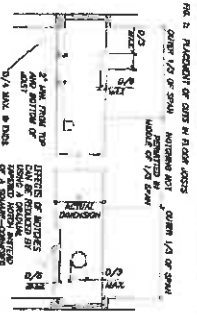
3456 MARKET STREET, SUITE 200
MONTEREY, CA 93940
TEL: (408) 555-1234
WWW.WPANDL.COM



A201
EXISTING / PROPOSED FLOOR PLAN

TABLE 1: MATERIAL SIZES FOR JOISTS IN GABLE ROOFS

JOIST SIZE	MAX. SPAN	MAX. RISE	MAX. RISE/SPAN	MAX. JOIST LENGTH
2x6	12'-0"	1'-0"	1/12	12'-0"
2x8	14'-0"	1'-0"	1/14	14'-0"
2x10	16'-0"	1'-0"	1/16	16'-0"
2x12	18'-0"	1'-0"	1/18	18'-0"

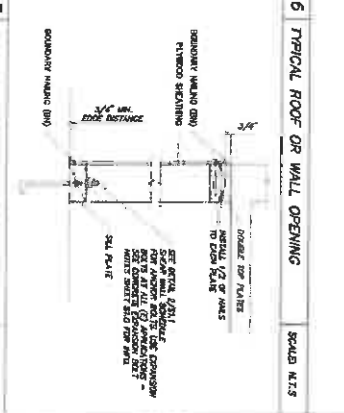
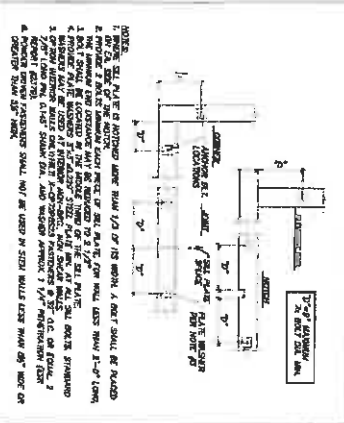
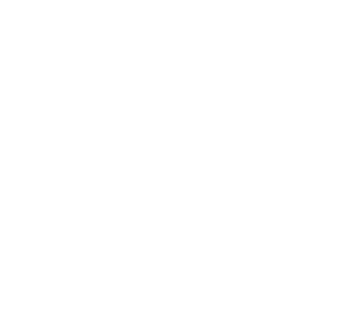


1 LUMBER SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	2x6 JOIST	100	LF	12'-0" SPAN
2	2x8 JOIST	150	LF	14'-0" SPAN
3	2x10 JOIST	100	LF	16'-0" SPAN
4	2x12 JOIST	50	LF	18'-0" SPAN
5	2x4 STUD	200	LF	12'-0" SPAN
6	2x6 STUD	150	LF	14'-0" SPAN
7	2x8 STUD	100	LF	16'-0" SPAN
8	2x10 STUD	50	LF	18'-0" SPAN
9	2x4 PLATE	100	LF	12'-0" SPAN
10	2x6 PLATE	150	LF	14'-0" SPAN
11	2x8 PLATE	100	LF	16'-0" SPAN
12	2x10 PLATE	50	LF	18'-0" SPAN

2 TYPICAL SHEAR WALL SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	2x4 STUD	100	LF	12'-0" SPAN
2	2x6 STUD	150	LF	14'-0" SPAN
3	2x8 STUD	100	LF	16'-0" SPAN
4	2x10 STUD	50	LF	18'-0" SPAN
5	2x4 PLATE	100	LF	12'-0" SPAN
6	2x6 PLATE	150	LF	14'-0" SPAN
7	2x8 PLATE	100	LF	16'-0" SPAN
8	2x10 PLATE	50	LF	18'-0" SPAN

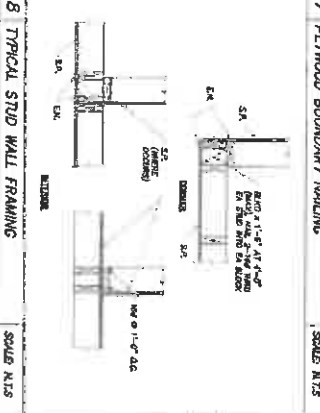
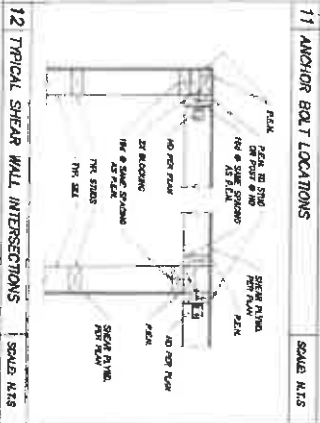


3 ROOF/FLOOR PLYWOOD SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	5/8" CDX PLYWOOD	100	SF	12'-0" SPAN
2	3/4" CDX PLYWOOD	150	SF	14'-0" SPAN
3	1/2" CDX PLYWOOD	100	SF	16'-0" SPAN
4	3/8" CDX PLYWOOD	50	SF	18'-0" SPAN

4 TYPICAL SHEAR WALL SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	2x4 STUD	100	LF	12'-0" SPAN
2	2x6 STUD	150	LF	14'-0" SPAN
3	2x8 STUD	100	LF	16'-0" SPAN
4	2x10 STUD	50	LF	18'-0" SPAN
5	2x4 PLATE	100	LF	12'-0" SPAN
6	2x6 PLATE	150	LF	14'-0" SPAN
7	2x8 PLATE	100	LF	16'-0" SPAN
8	2x10 PLATE	50	LF	18'-0" SPAN



5 TYPICAL SHEAR WALL SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	2x4 STUD	100	LF	12'-0" SPAN
2	2x6 STUD	150	LF	14'-0" SPAN
3	2x8 STUD	100	LF	16'-0" SPAN
4	2x10 STUD	50	LF	18'-0" SPAN
5	2x4 PLATE	100	LF	12'-0" SPAN
6	2x6 PLATE	150	LF	14'-0" SPAN
7	2x8 PLATE	100	LF	16'-0" SPAN
8	2x10 PLATE	50	LF	18'-0" SPAN

6 TYPICAL SHEAR WALL SCHEDULE

ITEM	DESCRIPTION	QUANTITY	UNIT	REMARKS
1	2x4 STUD	100	LF	12'-0" SPAN
2	2x6 STUD	150	LF	14'-0" SPAN
3	2x8 STUD	100	LF	16'-0" SPAN
4	2x10 STUD	50	LF	18'-0" SPAN
5	2x4 PLATE	100	LF	12'-0" SPAN
6	2x6 PLATE	150	LF	14'-0" SPAN
7	2x8 PLATE	100	LF	16'-0" SPAN
8	2x10 PLATE	50	LF	18'-0" SPAN

TYPICAL NOTES & DETAILS

1. ALL JOISTS SHALL BE SPACED AT 16" O.C. UNLESS OTHERWISE NOTED.

2. ALL STUDS SHALL BE SPACED AT 16" O.C. UNLESS OTHERWISE NOTED.

3. ALL PLYWOOD SHEATHING SHALL BE CDX GRADE UNLESS OTHERWISE NOTED.

4. ALL ANCHOR BOLTS SHALL BE 1/2" DIA. UNLESS OTHERWISE NOTED.

5. ALL WALLS SHALL BE 8" THICK UNLESS OTHERWISE NOTED.

6. ALL ROOFS SHALL BE 12" UNLESS OTHERWISE NOTED.

7. ALL FLOORS SHALL BE 12" UNLESS OTHERWISE NOTED.

8. ALL CEILING SHALL BE 12" UNLESS OTHERWISE NOTED.

9. ALL DIMENSIONS SHALL BE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

10. ALL MATERIALS SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

S1.1



MONTEREY BAY KAYAKS
 STORAGE BUILDING
 2390 HWY 1, MOSS LANDING, CALIFORNIA 95039

KELLER ENGINEERING, LLC
 P.O. BOX 25624 FRESNO, CALIFORNIA, 93729
 (579) 452-7199 KELLERENGINEERING@GMAIL.COM



BOARD OF COMMISSIONERS
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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 21 – CONSIDER RESOLUTION 22-09 AUTHORIZING PREPARATION AND EXECUTION OF A NON-EXCLUSIVE CONSULTING SERVICE AGREEMENT FOR DREDGING RELATED SERVICES WITH HALEY & ALDRICH

BOARD MEETING OF JUNE 29, 2022

Historically Moss Landing Harbor District has contracted the services of Ken Israel for consultation services related to the District's dredging permits and projects. Ken recently informed the General Manager that he is no longer available to continue assisting the District with our dredging needs and recommended that the District obtain the services of Scott Bodensteiner of Haley & Aldrich (H&A) moving forward. H&A/Scott was utilized by Ken during prior District dredge management activities as a subcontractor making Scott familiar with the District permit and our dredge activities in Moss Landing Harbor.

Staff contacted H&A and additional dredging consultants over the past couple of months in an attempt to secure proposals, reaching out to 5 different consulting firms qualified to assist the District with our dredge management. To date 3 of the 5 firms either chose not to provide a proposal or did not respond to our requests.

Staff did receive proposals from H&A and AWR Dredging and has reviewed both proposals ultimately determining that the proposal from H&A was the District's best option. As is noted earlier, H&A's experience with prior District dredging projects and familiarity with District conditions is of clear benefit to the provision of the desired services. All such services would be provided to the District on a task order basis and each task order would come before the Board for consideration and approval. Staff requests that the Board consider and adopt Resolution 22-09 which will authorize the General Manager and District Counsel to prepare and execute an appropriate agreement for dredging related services with H&A. A fee schedule for H&A's services is attached hereto for your consideration.

RESOLUTION NO. 22-09

**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE
MOSS LANDING HARBOR DISTRICT AUTHORIZING PREPARATION AND EXECUTION
OF A NON-EXCLUSIVE CONSULTING SERVICE AGREEMENT FOR DREDGING-
RELATED SERVICES WITH HALEY & ALDRICH**

* * * * *

WHEREAS, the District is in need of technical consulting services related to the District's dredging permits and dredging projects; and

WHEREAS, Ken Israel, the professional marine biologist previously performing the District's as-needed dredging-related environmental work has informed the District that he is unable to continue to provide such services; and

WHEREAS, Staff contacted and requested proposals for the desired consulting services from five different consulting firms but only received responses from two firms: Haley & Aldrich and AWR Dredging; and

WHEREAS, Staff reviewed the proposals and has determined that the proposal from Haley & Aldrich, which has acted as a subcontractor for Ken Israel on previous dredging projects and is familiar with District-specific conditions and needs, represents the best option for the desired consulting services.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Moss Landing Harbor District that based on the foregoing, the Board accepts the proposal for dredging-related services from Haley & Aldrich and authorizes the General Manager and District Counsel to prepare and execute a non-exclusive task order consulting service agreement with Haley & Aldrich on behalf of the District. All expenditures under this agreement, unless below the General Manager's spending authority, will come before the Board for consideration and approval.

CERTIFICATION

Resolution 22-09 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 the 29th day of June, 2022, a quorum present and acting throughout, by the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Russ Jeffries, President
Board of Harbor Commissioners

ATTEST:

Tommy Razzeca, Deputy Secretary
Board of Harbor Commissioners

Haley & Aldrich Engineering and Environmental Services
Summary Rate Sheet

Current rates valid through 12/31/2023

Annual escalation rate = 2%, first applied 01/01/2024

Haley & Aldrich Roles	Billing Rate
Project Manager	\$200
Senior Construction Manager	\$280
Associate Construction Manager	\$205
Principal/Technical Advisor	\$295
Project Chemist	\$170
Field Scientist	\$155
Associate Geotechnical Engineer	\$190
Associate Design Engineer	\$195
CAD Engineer	\$155
GIS Analyst	\$150
Project Coordinator	\$195
Clerical	\$115