

RESOLUTION NO. 26-02

**A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS
OF THE MOSS LANDING HARBOR DISTRICT
APPROVING A “COUNTY OF MONTEREY RIGHT OF ENTRY, MUTUAL
INDEMNIFICATION AND REIMBURSEMENT AGREEMENT” AND AUTHORIZING
AND DIRECTING THE GENERAL MANAGER TO EXECUTE THE SAME ON
BEHALF OF THE MOSS LANDING HARBOR DISTRICT**

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WHEREAS, the Moss Landing Harbor District (District) and the County of Monterey (County) have a mutual interest in maintaining safety and security at of the District’s Kirby Park; and

WHEREAS, with minor exceptions limited to the issuance of specific citations, the District does not provide law enforcement services and instead relies upon the County Sheriff’s Department for such matters; and

WHEREAS, access to Kirby Park is provided via County property, including portions of Kirby Road and property contiguous to Kirby Park, with vehicular access being controlled by an unmanned gate located on District property (the “Kirby Park Gate”); and

WHEREAS, District 2 Supervisor Glenn Church has suggested and recommended a one-year pilot program by which the District would contract with a private security service to periodically patrol and secure Kirby Park, including but not limited to unlocking the Kirby Park Gate at sunrise and locking the Gate at sunset, with District and County splitting the costs for said service; and

WHEREAS, District has obtained a quote for such service with an estimated annual cost of \$24,000, thus establishing District’s and County’s equal share of said costs at approximately \$12,000 per year; and

WHEREAS, District and County have now prepared an agreement to facilitate Supervisor Church’s plan, which provides District and its agents with a right of entry onto County’s property, outlines payment procedures for the private security services, and provides mutual hold harmless provisions during the term of the pilot program.

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Harbor Commissioners of the Moss Landing Harbor District that the “County of Monterey Right of Entry, Mutual Indemnification and Reimbursement Agreement,” a draft copy of which is attached hereto as Exhibit A and by this reference incorporated herein, at a cost to District of a not-to exceed amount of \$13,000, is approved in substantial form and content, subject to final approval of the General Manager and District Counsel. The General Manager is hereby authorized and directed to execute said agreement on behalf of the Moss Landing Harbor District when it has been placed into final form.

*****CERTIFICATION*****

Resolution No. 26-02 was duly adopted by the Board of Harbor Commissioners of the Moss

Landing Harbor District at a regular meeting of the Board held on the 25th day of February, 2026, a quorum present and acting throughout, by the following vote, to wit:

AYES: Commissioner Jeffries, Commissioner Ferrante, Commissioner Goulart, Commissioner Soto, Commissioner Lomeli

NOES:

ABSTAIN:

ABSENT:

ATTEST:



Russ Jeffries, President
Board of Harbor Commissioners



Tommy Razzeca, Deputy Secretary
Board of Harbor Commissioners