

# HARBOR ADVISORY BOARD MEETING

Thursday February 2, 2012

7:00 PM

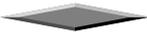
Morro Bay Veteran's Hall

209 Surf Street

Morro Bay CA 93442

## AGENDA

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- I. ROLL CALL
  - II. APPROVAL OF MINUTES
  - III. ORAL COMMUNICATIONS  
Members of the audience wishing to address the Board on City business matters other than those on the agenda may do so now.
  - IV. PRESENTATIONS AND ACTION ITEMS
    - IV-1. Election of Chair and Vice-Chair
    - IV-2. Requests for Waiver of Requirement to Qualify for a Commercial Fishing Slip
    - IV-3. Morro Rock Beach Access Improvement
  - V. INFORMATION ITEMS
    - V-1. Discussion of Non-Payment of Dockage Fees
    - V-2. Harbor Department Status Report
  - VI. ADDITIONAL COMMENTS
  - VII. FUTURE AGENDA ITEMS
  - VIII. ADJOURNMENT
- 
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In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Harbor Office Assistant, (805) 772-6254. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting

**CITY OF MORRO BAY****HARBOR ADVISORY BOARD****SYNOPSIS MINUTES**

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, December 1, 2011 at 7:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

**I. ROLL CALL**

Present:           Members:     Brett Cunningham  
  Gene Doughty  
  Jeff Eckles  
  Lynn Meissen  
  Jim Phillips  
                          Absent:       Mandy Davis  
  Bill Luffee  
                          Staff:         Eric Endersby, Harbor Operations Manager  
  Susan Lichtenbaum, Harbor Business Manager  
  Polly Curtis, Office Assistant

**II. MINUTES**

Ms. Meissen moved the November 3, 2011 Harbor Advisory Board minutes be approved as submitted. The motion was seconded by Mr. Doughty and carried unanimously.

**III. ORAL COMMUNICATIONS**

Ms. Carla Borchard, City Councilmember, let the public know tomorrow night, Friday, December 2<sup>nd</sup>, is the Luminaria Festival, which begins at the City Park, and there are children's dance presentations at Centennial Park. She said Council will be discussing possibly improving beach access from the Rock parking lot after the first of the year. Also, Council will be looking at vessel non-payment of dockage fees.

**IV. PRESENTATIONS AND ACTION ITEMS****IV-1. Presentation on the Proposed PG&E Seismic Studies**

Mr. John Shoals, Senior Government Relations Rep for PG&E, gave an overview to the Board on the proposed seismic studies off the Central Coast, saying that in November 2009 PG&E at Diablo Canyon applied for the license renewal, but the Nuclear Regulatory Commission (NRC) deferred the license until seismic surveys were completed and a permit issued by the California State Lands Commission. He listed approximately a dozen other agencies who will be involved in the permitting process.

Mr. Chris Vardas, Senior Land Planner for PG&E, presented detailed slides showing the proposed onshore and offshore seismic survey areas, as well as all the equipment, vessels, and types of surveys that would be performed with the estimated timeframe from September to December 2012.

Mr. Jeremiah O'Brien, President of the Morro Bay Commercial Fishermen's Organization (MBCFO) made a statement that the Organization adamantly opposes the seismic activity proposed by PG&E on the Central Coast, and will be making this statement to City Council as well. He said the fishermen are mainly concerned with the bait fish in the area. He said it would be impossible to assess the long-term damage to fisheries, and does not believe it will be quantifiable.

Mr. Shoals said the PUC/NRC is requiring the seismic studies prior to Diablo Canyon applying for their license renewal that would extend the license from 2024 to 2044. He said PG&E is under no false illusion that a permit will actually be issued to perform these studies. More will be determined after the EIR which is scheduled for release in early January, followed by two public workshops on mitigation, and marine impacts including commercial and recreational fishing.

Discussion by the Board. Chairman Phillips said he hoped all groups can work together as he knows the importance of the local fisheries but also of the public's safety from any power plant accidents due to a seismic disaster.

#### **IV-2. Presentation on the Morro Bay 2011 Commercial Fisheries Economic Impact Report**

Mr. Henry Pontarelli of Lisa Wise Consulting reviewed the Morro Bay 2011 Commercial Fisheries Economic Impact Report for the Board. He said this report was funded by the Central Coast Joint Cable/Fisheries Liaison Committee through a grant obtained by the Morro Bay Commercial Fishermen's Organization, and a link to the report is on [lisawiseconsulting.com](http://lisawiseconsulting.com). Mr. Pontarelli explained the focus of three graphs, one of which showed 160% economic growth in the local fishing industry between 2007-2010.

The Board asked for details from Mr. Jeremiah O'Brien, President of the MBCFO. Mr. Eckles asked what his main conclusions are from this report. Mr. O'Brien said mainly this shows the local fishing industry hit bottom in 2007 and there has been a steady economic increase since then, and the industry is doing pretty well. He hopes this will bring attention to our elected officials, county supervisors, etc. that "we are still here and still working." He said he believes the economic increase will continue for 2011.

#### **IV-3. Cancellation of the January 5, 2012 Harbor Advisory Board Meeting**

The Board discussed the option of cancelling their January meeting. Mr. Cunningham moved to cancel the January 5, 2012 Harbor Advisory Board meeting. The Motion was seconded by Ms. Meissen and carried unanimously.

### **V. INFORMATION ITEMS**

#### **V-1. Harbor Department Status Report**

Ms. Lichtenbaum briefed the Board on the following topics:

**Lighted Boat Parade**

**Hunting Season**

**Caroling Cops**

**Polar Bear Dip**

**Winter Bird Festival**

**Winter Storms**

**Annual Slip Qualification**

**City Hall Closed for Fumigation Fri-Mon Dec 2<sup>nd</sup>**

**City Council Dec 13<sup>th</sup> Agenda:**

**M&M Refrigeration Lease**

**GAFCO Lease**

**Sea One Solutions Lease**

**VI. ADDITIONAL COMMENTS**

Mr. Eckles asked Staff if the Harbor Department would consider presenting an annual outreach program on water safety to the local high schools and elementary schools. Mr. Endersby and Ms. Lichtenbaum said the Harbor Department does go to all schools whenever any school requests a presentation, and also hosts the Junior Lifeguard Program every summer. They said it would be possible to contact the schools to let them know of availability, or to consider a regular annual program. Ms. Lichtenbaum invited Mr. Eckles to discuss this with them at any time.

**VII. FUTURE AGENDA ITEMS**

**February: Election of Chair and Vice-Chair  
Morro Rock Beach Access Improvement  
Discussion of Non-Payment of Dockage Fees**

**Future: MBNEP Comprehensive Conservation Management Plan Update  
Review and Recommendation on Renewal of a License Agreement with  
South Bay Hookers**

**VIII. ADJOURNMENT**

This meeting was adjourned at 8:30 PM.

Submitted by,

Polly Curtis  
Harbor Department

AGENDA NO. IV-1

DATE: 2/2/12 Action:       

**TO: HARBOR ADVISORY BOARD**

**DATE: 1/26/12**

**FROM: HARBOR BUSINESS MANAGER**

**SUBJECT: ELECTION OF CHAIR AND VICE CHAIR**

The Harbor Advisory Board by-laws state that “At the first regular meeting in each year wherein newly appointed Members are seated, the Members shall elect a Chairperson and Vice-Chairperson who shall hold office for a period of one year.”

TO: HARBOR ADVISORY BOARD

DATE: 1/26/12

FROM: HARBOR BUSINESS MANAGER

SUBJECT: REQUEST FOR WAIVERS OF REQUIREMENT TO QUALIFY FOR A  
COMMERCIAL FISHING SLIP

**BACKGROUND:** The City Municipal Code reserves City slip assignments to “qualified” commercial fishing vessels. Attached is Resolution #23-91 which outlines the commercial fishing qualification process. Slip holders are allowed 2 waivers from qualifying in any 10 year period. The City granted a blanket waiver in 1998. In 2009 and 2010 salmon fishermen were allowed to bring in a copy of their current salmon fishing permit to qualify as the salmon fishery was declared a federal disaster those two years. Despite the fact that 2011 was not declared a federal disaster for the salmon fishery, there were not many salmon caught locally.

At this time, all but 7 slip holders qualified for maintaining their slip agreement for 2012 by showing fishing effort in 2011. Four of those individuals were eligible for and did receive a waiver for qualifying in 2012.

Slip holders Dick Barrow, Joe Nungaray and Bob Mandella have already received 2 waivers in the last 10 year period. These individuals were notified of the fact that they already received waivers and therefore the Harbor Department could not grant an additional waiver. All three have requested special consideration to keep their slip assignments. (Attached is a copy of their requests.) Resolution #23-91 provides for an appeal process at the Harbor Advisory Board for decisions not to grant waivers.

**RECOMMENDATION:** That the Harbor Advisory Board review the attached material and make a recommendation as to what action to take regarding these requests for a waiver for qualifying as a commercial fishing vessel for the 2012 calendar year. If a waiver is granted by the Board, these vessels would have to qualify for 2013 by presenting fish tickets for the 2012 calendar by December 2012.

**DISCUSSION:** Mr. Nungaray is in a 48’ slip, Mr. Barrow is in a 40’ slip and Mr. Mandella is in a 36’ slip. There are 3 active fishing vessels 45’ or larger on the commercial waiting list. Of those vessels, 1 would not fit in any of the slips as it is long and has a wide beam and needs an end-tie slip. The other 2 larger vessels got on the list in 2010 and 2011. There are 3 vessels on the commercial waiting list that are 36’ or less and have been on the list since December 2010. In years past the average waiting time on the commercial slip waiting list is 2-4 years for vessels under 40’ and 4-8 years for vessels over 40’.

If the Board approves the waivers, the Harbor Department will administratively carry out the recommendation as allowed in Resolution #23-91. We would notify the appellants that they may keep their slip assignment in 2012, but should not anticipate any future waivers and should insure that they are not in the same situation next year. If the Harbor Advisory Board recommends not granting these waivers, the parties still can request an appeal from the City Council. Ultimately, the City Council would make the final determination. If waivers are not approved for the appellants, the slip holders would then be given a 30 day notice to vacate the slip. These vessels could tie up at the Piers on a first-come/first-served basis; however the monthly dockage rate will be higher than the monthly slip rate and access is more difficult on the Piers.

RESOLUTION NO. 23-91

RESOLUTION ESTABLISHING PROCEDURE TO QUALIFY AS A  
COMMERCIAL VESSEL FOR THE PURPOSE OF  
LEASING CITY DOCKING FACILITIES

T H E C I T Y C O U N C I L  
City of Morro Bay, California

WHEREAS, Morro Bay Municipal Code Section 15.04.150 defines vessels of a commercial nature; and

WHEREAS, Morro Bay Municipal Code Section 15.32.010 establishes the policy that the City shall rent or lease all City facilities at docks, wharfs and piers primarily to those vessels of a commercial nature; and

WHEREAS, City Council wishes to rescind Resolution No. 90-85 of the City of Morro Bay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Morro Bay that Resolution No. 90-85 is rescinded in its entirety and replaced with the following. Any vessel attempting to qualify as a commercial vessel under the criteria of having fished ninety (90) days during the calendar year shall submit proof of having actually fished for ninety (90) calendar days in the following manner:

1. By fuel receipts clearly indicating the date of purchase and the owner's name and/or vessel's name and/or registration number of the vessel, or
2. By presenting Fish and Game tickets for the sale of fish which will be credited on the basis of one ticket for every two days' fishing credit, or
3. Any combination of the above proof of fishing statement, provided there is sufficient proof of separate incidents.

The Harbor Director, or his appointee, shall be responsible for evaluating the proof of fishing and making the determination as to whether or not this proof indicates that the vessel has been actively worked for ninety (90) days during the preceding calendar year.

A waiver from the requirement to qualify as a commercial vessel for a given calendar year may be granted by the Harbor Director upon filing of an official written request by the lessee. The Harbor Director shall evaluate the request and determine whether or not the waiver shall be approved. Not more than two (2) waivers shall be granted in any ten (10) year period.

Any person who wishes to appeal the decision of the Harbor Director regarding the waiver may do so to the Morro Bay Harbor Advisory Board by filing an official written statement with the Harbor Director not later than fifteen (15) days after the Harbor Director's determination. The Harbor Advisory Board shall review the appeal within thirty (30) days of the date of filing, and shall render a recommendation regarding the appeal within fifteen (15) days following close of the appeal hearing. The Harbor Director may administratively carry out the recommendation of the Harbor Advisory Board or may schedule the appeal for City Council consideration.

Any person who wishes to have the City Council review the hearing record of the Harbor Advisory Board recommendation regarding an appeal may do so by submitting a request to the Harbor Director within fifteen (15) days following receipt of the Harbor Advisory Board's findings.

PASSED AND ADOPTED by the City Council of the City of Morro Bay at a regular meeting held thereof on the 25th day of February, 1991, by the following vote:

AYES: Baker, Luna, Mullen, Wuriu, Sheetz

NOES: None

ABSENT: None

  
ROSE MARIE SHEETZ, MAYOR

  
ARDITH DAVIS, CITY CLERK

January 10, 2012

Harbor Advisory Board  
1275 Embarcadero  
Morro Bay, California 93442



Honorable Board:

Pursuant to the rules of the harbor, I am submitting this request for a waiver of my commercial fishing slip for your consideration.

I am sure your Board is aware of the continuing issues commercial fishermen face these days. But added to those issues, I experienced a medical issue in 2010 and 2011 and went through several procedures at French Hospital. Added to this my 92 year old mother had a mini-stroke and I had to turn my attention to changes at her residence and her day-to-day living requirements. All of these issues have taken away my fishing time but these issues had to be prioritized. When time would allow, and respecting the requirements of the harbor, I have made several attempts to fish and produced approximately \$2700.00 of fish tickets, as well as some fuel tickets for days that didn't produce any fish. I have also maintained all of my licenses, all proper insurances, and have already paid a year's worth in advance for my commercial fishing slip.

My hope is that 2012 will be a better year for all fishermen and that your Board will grant me a waiver.

Thank you for your consideration.

*Joe Nungaray*

Joe Nungaray  
F/V Michael Too

January 12, 2012

City of Morro Bay  
Harbor Advisory Board  
1275 Embarcadero  
Morro Bay, CA 93442



RE: Slip Qualification Requirement – Calendar Year 2011

I would like to request a waiver of the slip requirement for the Commercial Fishing Boat Blue Horizon (F & G #17428, Document #511-624), for the calendar year 2011.

I have fished commercially for 52 consecutive years and will fish again in the year 2012.

I have had several health issues in the last few years. I had my left knee replaced in 2006 and my right replaced 2007. I have had two eye operations (lens replacement), one December 2011 and one January 2012. I also had time consuming boat repairs.

I would like to attend the meeting at which this request is considered and give some short explanations. No lengthy dissertation, I promise.

Sincerely,

A handwritten signature in cursive script that reads "R. H. Barrow".

Richard H. Barrow  
126 Palomar  
Pismo Beach, CA 93449  
805 7732190  
F/V Blue Horizon

**Susan Lichtenbaum - Appeal to the Morro Bay Harbor Advisory Board for 2011 waiver of landing requirements**

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**From:** bob <bobmandella@sbcglobal.net>  
**To:** Sue <slichten@morro-bay.ca.us>  
**Date:** 01/22/12 6:46 PM  
**Subject:** Appeal to the Morro Bay Harbor Advisory Board for 2011 waiver of landing requirements

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I am requesting the Harbor Advisory Board for an accommodation to waiver my landing requirements for 2011. I missed the 2011 salmon season due to Medical Necessity. I had forgotten getting a waiver in 2002 due to not making the minimum landing after fishing the area from San Francisco to Bodega for 34 days and giving up on the salmon run arriving before our season closed.

A little about the F/V Primetime which is a 29 foot fiberglass lobster boat set up for salmon trolling which I have fished for 34 years. I have fished this boat from Southern California to Central Oregon and having landed fish in most all harbors. I have been in a city slip since 1995 and got my first waiver when my father passed away in 1996. Sue and I were discussing the Local Disaster Waiver in 1998 which I did not need as I was fishing up north. There were other State and Federal Disaster declarations since. As I recall there may have been one in 2008 or 2009 that I did not need as I was again fishing up north. What i am leading up to here is that I have my own private disasters due to medical problems. I would really like to move

some of the declared disasters over to the years I need them. 2003 I was diagnosed with prostate cancer and progressed to surgery and then to a diagnosis of metastatic cancer which fortunately for me is not progressing.

I have continued to keep fishing as best I can when the government transfers water from the rivers killing the salmon and calling it "overfishing". I have been looking at salmon landing in California for the following years.

1988.....1.4 million salmon. 2010.....12,600 salmon. 2011....68,600 salmon.

At one time 8,000 boats in California fished salmon commercially, now as few as a hundred or so made landing this year. Reportedly there are two strong year classes in the ocean now that should provide a fishery for the next few years. The year class at the hatcheries now are at grave risk due to the drought.

So this is fishing in the New Era, if you can cut me some slack I will get my operation back on track

Thank for considering an accommodation.....Bob Mandella

**TO: HARBOR ADVISORY BOARD**

**DATE: 1/26/12**

**FROM: HARBOR OPERATIONS MANAGER**

**SUBJECT: MORRO ROCK BEACH ACCESS IMPROVEMENT**

**RECOMMENDATION:** That the Harbor Advisory Board (HAB) review and discuss the proposed improvements to the Morro Rock parking lot and forward recommendations and potential funding sources to the City Council.

**FISCAL IMPACT:** Development of a pedestrian access ramp from the parking lot level down to the beach level that meets accessibility requirements for beach access is estimated by Public Services to be \$83,200. No funding has yet been committed to this project.

**SUMMARY:** Development of a beach access ramp from the Rock parking lot to the beach will have to meet Federal Access Board (FAB) design requirements for beach access, in addition to being able to withstand wave and surge action during winter months. The area proposed for the ramp is within the Coastal Commission's original jurisdiction and will require a Coastal Development permit along with any required local permits.

**BACKGROUND:** At the August 23, 2011 City Council meeting, Councilperson Smukler requested that the subject of an improved beach access facility from the Rock parking lot mid-lot area down to the beach sand be agendaized and brought back for Council's discussion. This item was discussed at the regular City Council meeting on October 31, 2011. Council unanimously agreed to send the item to the City's advisory boards for review and recommendations.

**DISCUSSION:** Improvements recommended in the Waterfront Master Plan include a stair access from the parking lot to the beach level. Development of stairs for the able-bodied without accommodations for the disabled would be problematic and could expose the City to possible legal action under the Americans with Disabilities Act (ADA). In order to comply with ADA, a ramp would also need to be constructed along with the stairway to accommodate all potential users. Instead of building both a staircase and a ramp, the construction of only an ADA-compliant ramp would accommodate all potential users while realizing a cost savings.

The ramp would have to be approximately 90 feet long and 8 feet wide with periodic level areas for resting in accordance with FAB guidelines for beach access facilities. In addition, it would have to be designed by an engineer with specialty in coastal engineering with a foundation and configuration capable of withstanding exposure to potentially heavy wave and surge action from the mid to lower end.

The Recreation and Parks Commission (RPC) reviewed the proposal at their November 17, 2011 meeting, and voted in favor to recommend that the City Council proceed with the ramp, in addition to other recommendations. The RPC staff report and minutes from that meeting, as well as a conceptual map cost estimate sheet are included in this report.

**CONCLUSION:** The development of a beach access ramp in the Morro Rock parking lot is consistent with the Waterfront Master Plan and would provide a safe accessible path of travel to the beach from the mid-parking lot area. Staff recommends that the HAB review this proposal, taking into consideration the recommendations of the RPC, and forward a HAB recommendation, including any potential or recommended funding sources, to the City Council for their final consideration.



AGENDA NO: B-2

MEETING DATE: 11/17/2011

## Staff Report

**TO:** Recreation and Parks Commission      **DATE:** 11/17/2011  
**FROM:** Joe Woods, Recreation and Parks Director  
**SUBJECT:** Discussion of Improvements for pedestrian access from Morro Rock parking area to the beach.

**RECOMMENDATION:**

Commission review and discuss the proposed improvements to the Morro Bay Rock parking lot and forward recommendations and potential funding sources to the City Council.

**FISCAL IMPACT:**

Development of a pedestrian access ramp from the parking lot level down to the beach level that meets required accessibility requirements for beach access is estimated to be \$83,200.

**SUMMARY:**

Development of the beach access ramp from the Rock parking lot to the beach will need to meet the Federal Access Board requirements for beach access. Additionally, the landing will need to be able to withstand the wave action during the winter storm season. The area proposed for the development of the access is within the Coastal Commission's original jurisdiction and will require a Coastal Permit issued by the California Coastal Commission along with the required local permits. Additionally, the project will require specialized foundation design by an engineer with specialty in coastal engineering due to the impact of wave action.

**BACKGROUND:**

At the August 23, 2011 meeting of the City Council, Councilperson Smukler requested the subject of beach access from the Rock parking lot down to the beach area near the wet sand, be agendaized and brought back for Council's discussion. This item was discussed at the regular City Council meeting on October 31, 2011. City Council unanimously agreed to send this item to the City's advisory boards for review and recommendations

**DISCUSSION:**

Improvements recommended in the approved Waterfront Master Plan include a stair access from the parking lot to the beach level. Development of stairs for the able-bodied without accommodations for the disabled would be problematic and could expose the City to potential legal action under the Americans with Disabilities Act. In order to comply with ADA, a ramp would need to be constructed along with the stairway to accommodate all potential users. Instead of building both a staircase and a ramp, the construction of only a ramp would meet ADA guidelines and staff feels it would accommodate potential users.

The ramp would be approximately 90 feet in length with periodic level areas for resting in accordance with United States Access Board's guidelines for beach access facilities. Additionally, the ramp would be 8 feet in width in order to accommodate all potential users. One concern to keep in mind is the lower terminus of the ramp and the potential to exposure of wave action during winter storms.

**CONCLUSION:**

The development of the beach access ramp near the North Side of the Rock parking lot is consistent with the approved Waterfront Master Plan and would provide an accessible path of travel to the beach. Staff recommends this item be reviewed by the RPC with recommendations and potential funding sources being forwarded to City Council for their final approval.

u.j.parks.morro rock access ramp Commission 2011.doc

Prepared By: _____	Dept Review: _____
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Commissioner Bates said he likes the idea of being able to add to it, however, he has concerns that some type of nature element should be incorporated. Mr. Farrell stated there is a lot of wall space and artists could paint original works of art that would bring us back to the location, perhaps a painted window with a view of the Rock.

Commissioner Romero inquired if the project would require a permitting process. Mr. Farrell we are basically putting paint on the walls and redo the ceiling and floor as well as adding other little touches.

Commissioner Munoz would like to see the outdoors brought in, maybe a window showing a seascape, something nautical.

Chair Hale suggested an aquarium might be incorporated.

Staff Woods commented on the concrete site furniture. He stated the project has to be sure it is in line with regulatory agencies.

MOTION: Commissioner Munoz moved the Commission approve the Morro Bay Public Art Foundation proposal for the City Park bus shelter and have staff forward the recommendation to City Council for approval. The motion was seconded by Commissioner Sidaris and carried. (6-0)

B-2 DISCUSSION OF IMPROVEMENTS FOR PEDESTRIAN ACCESS FROM MORRO ROCK PARKING AREA TO THE BEACH

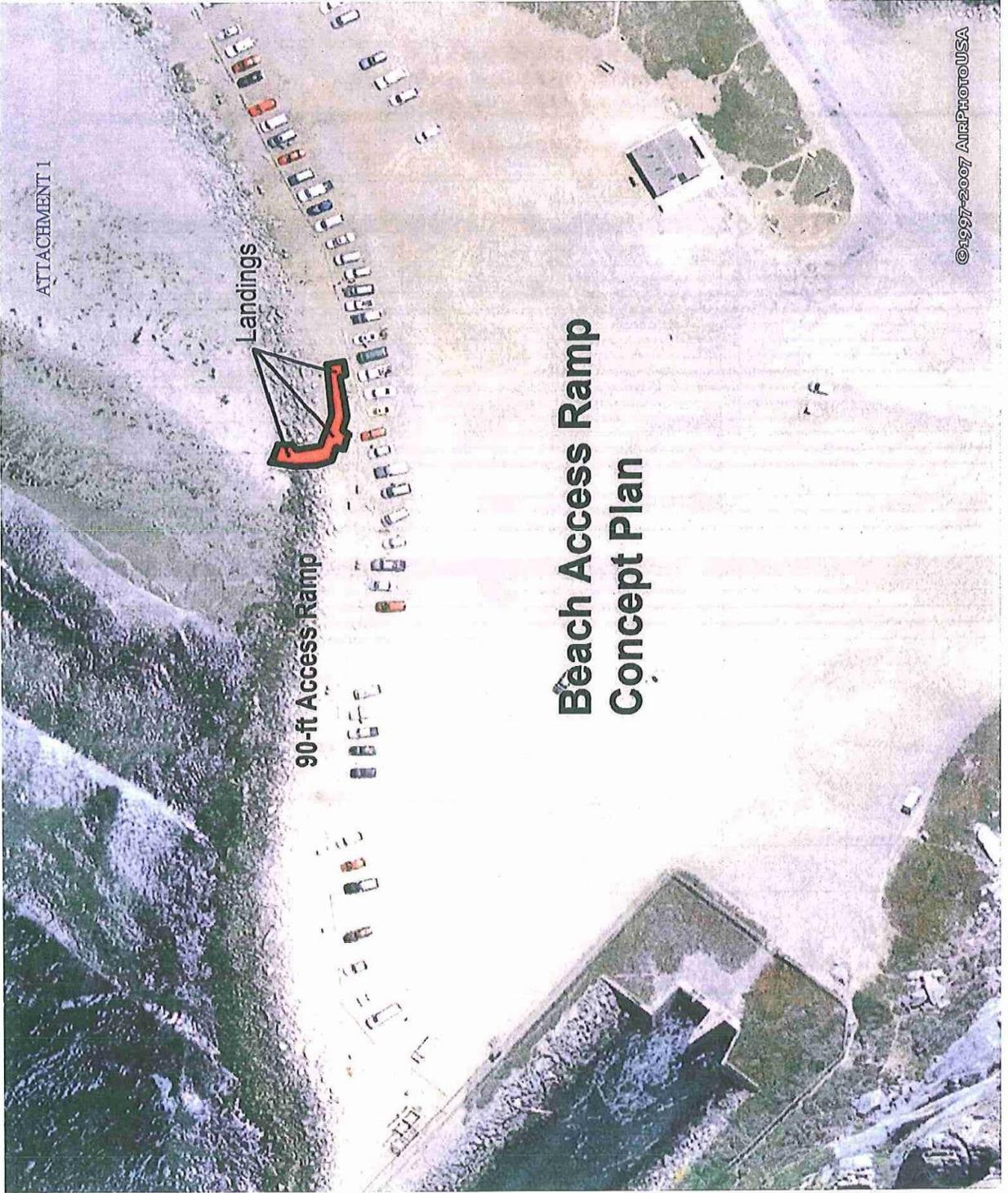
Staff Woods stated this item was discussed at City Council and the City Council unanimously agreed to send this item to the City's advisory boards for review and recommendations. Development of the beach access ramp from the Rock parking lot to the beach will need to meet the Federal Access Board requirements for beach access. Improvements in the approved Waterfront Master Plan include a stair access from the parking lot to the beach level, however, in order to comply with ADA, a ramp would need to be constructed along with the stairway to accommodate all potential users. Construction of only a ramp would meet ADA guidelines and staff feels it would accommodate potential users. Staff recommends the Commission review this item and make recommendations and potential funding sources and forward to City Council for their final approval.

Chair Hale asked if there was a need for both stairs and a ramp and asked if the estimated cost of \$83,200 includes only a ramp or a ramp and a staircase. She felt a nautical theme would be appropriate but keep it clean looking. She also mentioned the possibility of stained concrete. Staff replied a ramp would meet both state and federal guidelines and the cost includes only the ramp.

Commissioner Sidaris commented it would be nice to have benches at the top of the ramp. It is hard to get to the beach and the ramp would be a great improvement.

Commissioner Croley likes the idea of the ramp and benches but indicated maybe some tables could be added also.

Commissioner Romero asked if it would be possible to see how the ramp would be configured. Staff said we are looking at some sort of formal entrance and then there has to be a certain percentage of slope and cross slope to meet ADA requirements. It has to be of a certain length because of the slope that must be maintained. Staff said possible funding could come from State Parks, Land and Water



ATTACHMENT 1

Landings

90-ft Access Ramp

# Beach Access Ramp Concept Plan

©1997-2007 AIRPHOTOUSA

**CITY OF MORRO BAY  
DEPARTMENT OF PUBLIC SERVICES  
OPINION OF PROBABLE COSTS**

Project: Beach Access Ramp at Rock Parking Lot

Prepared by: Rob Livick, PE/PLS

Date: November 2, 2011

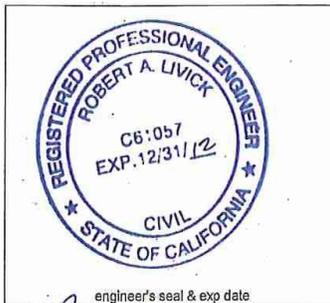
SITE PREPARATION: SEC. 2-1	TYPE	UNIT COST	UNIT	MINIMUM	QUANTITY	TOTAL
CLEARING AND GRUBBING		\$0.03	SF	1000	100	1,000.00
CUT & FILL	0-1000 CY	\$22.00	CY	\$500	60	1,320.00
FINE GRADING		\$0.30	SF	1000		300.00
REIVETMENT WORK		\$5,000.00	LS		1	5,000.00
<i>Subtotal</i>						7,620.00

CURB ONLY	C-2A	\$16.00	LF		180	2,880.00
SIDEWALK	C-4	\$10.00	SF		540	5,400.00
GUARDRAIL		\$40.00	LF		180	7,200.00
<i>Subtotal</i>						15,480.00

CONSTRUCTION AREA SIGNS		\$400.00	EA		2	800.00
TRAFFIC CONTROL	% OF IMPV.	3%	EA		42000	1,260.00
<i>Subtotal</i>						2,060.00

RETAINING WALLS	CMU/POURED	\$38.00	SF (FACE WALL)		540	20520.00
<i>Subtotal</i>						20520.00

EROSION CONTROL: SEC. 1.1.2.J & APP. B	TYPE	UNIT COST	UNIT	MINIMUM	QUANTITY	TOTAL
SAND OR GRAVEL BAG		\$3.00	EA		25	75.00
SILT FENCE		\$2.81	LF		250	702.50
<i>Subtotal</i>						777.50



engineer's seal & exp date

Engineer's Signature

11-2-2011

date

Subtotal	\$48,957.50
Cost Index Factor	1.00
<b>Adjusted Subtotal</b>	<b>\$48,957.50</b>
Contingency (20%)	\$9,791.50
Inflation (10%)	\$4,895.75
Administration/Permits (20%-40%)	\$19,583.00
<b>Probable Cost</b>	<b>\$83,200</b>
(rounded to the nearest \$100)	

revised 7/9/10

S:\City Council Staff Reports\Livick\2011\OPC\_Rock Beach Access.xlsx\OPC



using \$8,787 in VTIP funding. The City is responsible for a 10% match on these DBW grants. Once we hold a lien sale and then demolish the vessel, the person's account is written off. Even if we cannot sell the vessel to recoup costs, we cannot proceed with any additional collection action once the lien sale is finalized.

**SUMMARY:**

Vessels are not like cars. We cannot call a tow company to tow a vessel to a storage yard. We have no boatyard capable of hauling out vessels over 35' and we do not have any dry storage area for vessels. We cannot just untie a vessel from City facilities due to liability issues. People ask how we can let customers continue to use our facilities if they are not keeping current with their dockage fees. Unfortunately this is a multi-pronged issue. We do not have a boatyard or storage area out of the water to keep the vessels, there is no boat yard capable of hauling out larger vessels even if we did have a boat storage yard, and finally there is the high cost of taking action against documented vessels. Over 90% of the highest past due accounts in the Harbor Department dockage receivables are with documented vessels. Most of the accounts that fall into arrears are either documented fishing vessels that no longer have valid permits or are in a derelict condition. The other set of vessels that fall into arrears are smaller recreational vessels that people wind up not being able to maintain and they fall into such disrepair that there is very little value left in the vessel.

Since we hired an additional clerical position, we have been taking a more consistent and proactive role in tracking and collecting on past due accounts. We are turning accounts over to the collection agency quickly in cases where transient vessels used our facilities and then left the area. We have been more proactive in pursuing lien sales on DMV licensed vessels. This year we are in discussion with a Maritime Attorney to address the highest past due account holder we have. This particular account includes dockage fees for 2 documented fishing vessels; one that is a derelict with no engine and no valid permits, the other vessel is still navigable and may have some value. Because this will potentially involve two documented vessels, it may take some time to resolve. One of the other high account holders is also a large documented fishing vessel whose owner has declared bankruptcy effectively limiting what action we can take. We also want to explore other means of taking action against a documented vessel other than trying to get title to the vessel.

The Harbor Department takes its accounts receivable role very seriously. As an Enterprise Fund, the Harbor Department the department can only rely on funds collected for use of Harbor facilities including all the dockage fees and the Lease Site fees. Over the last 3 years Harbor Fund revenues have been flat mostly as a result of a decline in percentage of gross sales on Lease Site revenue.

