

# HARBOR ADVISORY BOARD MEETING

Thursday March 1, 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. MBNEP Comprehensive Conservation Management Plan Update
    - IV-2. Hold-Over of South Bay Hookers License Agreement
  - V. INFORMATION ITEMS
    - V-1. Discussion of Launch Ramp Parking Annual Permit
    - V-2. Harbor Department Status Report
  - VI. ADDITIONAL COMMENTS
  - VII. FUTURE AGENDA ITEMS
  - VIII. ADJOURNMENT
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Discussion by the Board. Ms. Davis asked why the third fisherman, Joe Nungaray, had not attended this meeting. Chairman Phillips said Mr. Nungaray was not required to attend, but did submit a letter to the Board, as required.

The Board asked Mr. Endersby about the number of people on the Slip Waiting List. Mr. Endersby explained that there are currently six candidates who are on the Slip Waiting List who have qualified and could fit into the three slips of these specific fishermen, though there are other people on the list whose boats would not fit.

**Motion:** Ms. Davis moved that the Harbor Department grant waivers to Mr. Bob Mandella and Mr. Dick Barrow, and to deny the waiver request by Mr. Joe Nungaray. The motion was seconded by Mr. Doughty and carried unanimously.

Chairman Phillips said Mr. Nungaray will be able to take his case to City Council if he wishes to appeal the decision by the Harbor Advisory Board.

#### **IV-3. Morro Rock Beach Access Improvement**

Mr. Endersby reviewed the item for the Board, saying that City Council requested that the subject of an improved beach access facility from the Rock parking lot area down to the beach sand be reviewed by the advisory boards, and be brought back to the Council. He said the estimated cost is \$83,000, but funding is not in the budget.

Chairman Phillips opened the item for discussion to the audience. Mr. Robert Latham showed the Board photos of different stairs that he thought would be possible options for placement approximately 100 yards west of the end of the Boardwalk at the north Rock beach parking lot. He expressed the need of beach access at this location by showing photos of families climbing up and down the rocks. He did not believe an \$80,000 project was required, but a simple moving of boulders and sand for a rustic stairway. He thought wheelchair access would not be necessary since there was already a ramp at the far east end of the parking lot.

Discussion by the Board.

**Motion:** Ms. Davis moved to advise City Council against supporting the current Beach Access Ramp Concept Plan as submitted, and recommends continuing to review a project to repair the riprap in a more simple and less expensive way, and to direct the Harbor Department to install two Beach Access signs directing the public to the current beach access ramp. The motion was seconded by Mr. Doughty. After further discussion by the Board, the motion failed by a vote of 0 to 4.

Further discussion by the Board, asking to see any future concept plans from Recreation and Parks or the Planning Department. Mr. Endersby said he has not seen any separate "Rock Lot" concept plans, other than what was included in the Waterfront Master Plan. He said the Board is being asked to approve an access ramp "in concept" and then during the design phase the Board would have more input. Mr. Endersby cautioned that as soon as we build anything, the City then has potential liability so any access must be built to code.

**Motion:** Ms. Davis moved to recommend that City Council continue to review the proposed Beach Access Ramp Concept Plan with a view toward less intrusive and less expensive means of beach access. The motion was seconded by Ms. Meissen. After further discussion by the Board, Ms. Davis amended the original motion to add the following: "and for Council to direct the Harbor Department to install two Beach Access signs directing the public to the current ramp." The amendment was seconded by Ms. Meissen, and the motion and amendment carried unanimously.

## **V. INFORMATION ITEMS**

### **V-1. Discussion of Non-Payment of Dockage Fees**

Mr. Endersby reviewed the Harbor Department's process for collection of past-due dockage fees for both licensed and documented vessels. He also reviewed the various funding and grants used for demolition of vessels, as well as the lien process.

Chairman Phillips asked if it is the City's ultimate responsibility to deal with abandoned vessels. Mr. Endersby said yes, the end-game is that the City ends up as owner, but for the small to medium sized licensed boats, funds from DBW and grants have been used for demolition, such as the Vessel Turn-in Program (VTIP). The Board asked about repercussions to owners of documented vessels, and Mr. Endersby said because they are federally documented they are protected under an old maritime law, which makes the process complicated and very expensive, including the necessity of hiring a maritime lawyer.

### **V-2. Harbor Department Status Report**

Mr. Endersby briefed the Board on the following topics:

**Surf Contest – WSA, April 14-15**

**Big Bad & Ugly Surf Contest, February 18**

**Blessing of the Fleet, April 22**

**Celebrate Morro Bay Parade & Morro Bay Kite Festival, April 28**

**Training: RHPO, HPO, NICS**

**Patrol Boat 68 Repairs**

## **VI. ADDITIONAL COMMENTS**

Mr. Doughty said he has been pulling moorings recently and has seen a lot of mussels, clams, and life in the water.

Chairman Phillips said there was a memorial service today for Jim Wood, former Chairman of the Harbor Advisory Board. He also said Susan Lichtenbaum is retiring, and sends his gratitude for all the many years of service; her expertise will be sorely missed. He also recognized Harbor Patrol Officer Evan Buddenhagen for going beyond the call of duty in assisting a paraplegic man with living situations on land, the man had originally sailed into the Yacht Club.

## **VII. FUTURE AGENDA ITEMS**

**March: Launch Ramp Parking Annual Permit Review**

**Future: MBNEP Comprehensive Conservation Management Plan Update**

## **VIII. ADJOURNMENT**

This meeting was adjourned at 8:55 PM.

Submitted by,

Polly Curtis  
Harbor Department

AGENDA NO. IV-1

DATE: 3/1/12 Action:       

**TO: HARBOR ADVISORY BOARD** **DATE: 02/24/12**  
**FROM: HARBOR OPERATIONS MANAGER**  
**SUBJECT: MBNEP COMPREHENSIVE CONSERVATION MANAGEMENT PLAN UPDATE**

A representative of the Morro Bay National Estuary Program will provide an update to their Comprehensive Conservation Management Plan and be available to answer questions from the Board.

**TO: HARBOR ADVISORY BOARD** **DATE: 02/24/12**  
**FROM: HARBOR OPERATIONS MANAGER**  
**SUBJECT: HOLD-OVER OF SOUTH BAY HOOKERS LICENSE AGREEMENT**

**RECOMMENDATION:** That the Harbor Advisory Board recommend extending the South Bay Hookers License Agreement for a one-month hold-over.

**SUMMARY:** The License Agreement for the South Bay Hookers baiting operation is set to expire on March 31, 2012. The agreement has a monthly hold-over clause that is being recommended for approval while staff works on a new agreement.

**BACKGROUND:** Starting April 1, 2011, the Harbor Department entered into a license agreement with the South Bay Hookers for them to operate a commercial fishing baiting operation on underutilized Harbor Dept. storage property at the end of the Embarcadero dirt extension road. The Harbor Advisory Board recommended approval of the agreement at the March 3, 2011 HAB meeting. The City Council approved the License Agreement (Reso 26-11) between South Bay Hookers and City of Morro Bay on April 12, 2011. The agreement expires on March 31, 2012, but has a monthly hold-over clause.

**DISCUSSION:** Staff are currently working on renewing South Bay Hookers License Agreement, but due to time and staffing limitations are unable to complete a recommended agreement for HAB consideration by this (March) meeting. Therefore, staff is recommending approval of extending the agreement for a one-month hold-over while details of the new agreement are worked out.

**CONCLUSION:** The current South Bay Hookers License Agreement for their use of City property for their operations is set to expire on March 31, 2012. Staff are unable to complete a new agreement, so are recommending enactment of the hold-over clause in the agreement for a one month period. Should the HAB recommend the hold-over, staff will administratively carry out the action.



# CITY OF MORRO BAY

## **ANNUAL LAUNCH RAMP PARKING PERMIT LEGAL NOTICE & AGREEMENT**

The Annual Launch Ramp Parking Permit issued by the City of Morro Bay is intended for the benefit of boaters who frequently launch their vessels in Morro Bay harbor, then park their vehicle and trailer at the Launch Ramp parking lot yellow-marked stalls.

The permit is **NOT** intended for storage of boats or vehicles, use by more than one vehicle, or extended parking (more than 72 hours). In addition, permit holders agree to all of the following:

Initial

- \_\_\_\_\_ 1. Annual Permits are valid only for yellow-marked truck/trailer stalls.
- \_\_\_\_\_ 2. Permit holders will abide by all rules and regulations for Launch Ramp lot use, whether posted or in the Harbor Rules and Regulations as adopted by City Council.
- \_\_\_\_\_ 3. The permit sticker will be adhered to the left lower corner of the towing vehicle's windshield, and clearly and easily visible from outside the vehicle.
- \_\_\_\_\_ 4. If, in the sole opinion of Harbor Department staff, an Annual Launch Ramp Parking Permit is not being used for its intended purpose or in adherence to this agreement, it will be revoked without refund.
- \_\_\_\_\_ 5. Permit valid from July 1, \_\_\_\_\_ to June 30, \_\_\_\_\_. Permits are not pro-rated.

By purchasing a City of Morro Bay Annual Launch Ramp Parking Permit, I, \_\_\_\_\_ understand the intent and purpose of the Annual Launch Ramp Parking Permit program and agree to use it for its intended purpose.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Towing Vehicle Make, Model, & Color

\_\_\_\_\_  
Towing Vehicle License Plate



**Miracle Mile for Kids:** The 9<sup>th</sup> annual Miracle Mile fun run from Morro Rock to the Cayucos pier is scheduled for Saturday, May 12. This charity fundraiser begins at 8:30 AM, and is sponsored by the Family Care Network of San Luis Obispo County. For more information to the FCN website at: [www.fcni.org](http://www.fcni.org).

**Already reported at the February 2 HAB meeting but still pending are:** Blessing of the Fleet on Sunday, April 22 starting at 12:30 PM at the North T-Pier and ending with a barbecue at the Vet's Hall; Celebrate Morro Bay Parade and Kite Festival on Saturday, April 28. The parade starts at 10:00 AM on Morro Bay Blvd., while the festival begins at 11:30 at Morro Rock. These events as well as the Blessing are being sponsored by the Morro Bay Chamber of Commerce, 772-4467.