

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

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, February 2, 2012 at 7:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

**I. ROLL CALL**

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

**II. MINUTES**

Mr. Doughty moved the December 1, 2011 Harbor Advisory Board minutes be approved as submitted. The motion was seconded by Ms. Meissen and carried unanimously.

**III. ORAL COMMUNICATIONS**

None.

**IV. PRESENTATIONS AND ACTION ITEMS**

**IV-1. Election of Chair and Vice-Chair**

Mr. Doughty moved to nominate Mr. Jim Phillips as Chair and Mr. Jeff Eckles as Vice-Chair. The motion was seconded by Ms. Meissen and carried unanimously.

**IV-2. Requests for Waiver of Requirement to Qualify for a Commercial Fishing Slip**

Mr. Endersby reviewed the commercial fishing slip qualification process, and the current situations of the three commercial fishermen who submitted special consideration requests to the Board for a waiver for calendar year 2011. Chairman Phillips asked for public comment.

One of the fishermen under review, Mr. Dick Barrow, said he is a commercial fisherman and owner of the Blue Horizon, and has been fishing commercially for 52 years and plans on fishing this year and for as long as he can. He explained his reasons for requesting a waiver, and said his boat is hauled out for repairs, but will be ready to go soon.

Another fisherman under review, Mr. Bob Mandella, said he is a commercial fisherman and owner of the Prime Time. He explained his reasons for requesting a waiver, and added that during the two "salmon disaster" years when salmon fishermen were allowed to turn in their permits rather than fish tickets to qualify for their slip, he actually did have plenty of fish tickets for those two years. He said his boat is working fine and he's also ready to fish this year.

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