

CITY OF MORRO BAY

HARBOR ADVISORY BOARD

SYNOPSIS MINUTES

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, November 7, 2013 at 6:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

ESTABLISH QUORUM AND CALL TO ORDER

Present: Members: Gene Doughty
 Jeff Eckles
 Bill Luffee
 Dana McClish
 Lynn Meissen
 Jim Phillips
 (Vacant Seat)
 Staff: Eric Endersby, Harbor Director
 Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

Chair Eckles thanked all Veterans for their service and called for remembrance of Veterans on the upcoming November 11th Veteran's Day. He also reminded everyone of the upcoming event "Morro Bay Sings Elvis!" at the Community Center on Saturday, November 9th at 5:30, which benefits the Morro Bay Community Foundation who give scholarships to kids under the program, "Every Child Deserves Recreational Opportunities."

Chair Eckles said it is approaching the end of the year, so he reminded people to bring all issues regarding the harbor or the City to any Harbor Advisory Board member for consideration at upcoming Board meetings. He's hoping for a full agenda next year.

Mr. Doughty said John Lindsey is predicting rain next week; so boaters need to be sure their mooring lines are secure in preparation for winter storms.

PUBLIC COMMENT

None.

**A. CONSENT CALENDAR
A-1 MINUTES**

Mr. Luffee moved the October 3, 2013 Harbor Advisory Board minutes be approved as submitted. The Motion was seconded by Mr. Phillips and carried unanimously.

B. PUBLIC HEARINGS

B-1 Harbor Department Status Report

Mr. Endersby briefed the Board on the following topics:

New Harbor Patrol Vessel and Fire Pump

Recent Training:

Rescue Watercraft Training Oct 22

Multi-Agency Fire Drill on North T-Pier Oct 30

Random Night Patrols by HPOs

Lease Site News:

Caldwell -- Embarcadero Grill

Redican -- Rose's Landing

Coin-Op Showers

North T-Pier Update

New Book by Mick Kronman, Santa Barbara Harbor Ops Mgr, "From Hooks to Harpoons"

Events:

Harbor Festival October 5-6

Outstanding in the Field November 3

Lighted Boat Parade December 7

Discussion by the Board and Mr. Endersby on possible camera surveillance outside the public showers due to the vandalism of coin boxes; night operations by Harbor Patrol; compensation to the Harbor Dept for vessel assistance to the event "Outstanding in the Field;" percent-gross revenue from leaseholders and sublease holders; revenue from new slips at lease sites; and Coastal Commission approvals for new slips on lease sites.

B-2 Report on Status of Liveboards and Liveboard Permits in Morro Bay

Mr. Endersby briefly reviewed the item for the Board, saying the last liveboard review was at the August 2011 meeting. He said liveboards are a good asset to have on the water, as they have often reported and assisted with incidents in the bay. He then introduced Ms. Becka Kelly, Harbor Patrol Supervisor.

Ms. Kelly reviewed the estimated number of liveboards on the bay, current legal permits that have been issued and when they expire, and the number that are in process. She said there are two currently under investigation or delinquent. She explained the definition of a liveboard, which is the vessel owner who stays four or more days/nights on their boat in any seven-day period. Non-vessel owners are not allowed to be issued liveboard permits.

Ms. Kelly said Harbor Patrol had issued no citations this year; however, last year several administrative cites had been issued, followed by Police "Notice to Appear" citations. All of those people cited came into compliance with the liveboard regulations.

Ms. Kelly reviewed the changes to the Liveboard Ordinance in 2009; the permit was changed from one year to two years, all liveboard permits expire on the same date of June 30th in a given year, and the liveboard inspection that was previously only performed by the Harbor Patrol could now be performed by other qualified surveyors. She said of the 27 liveboard inspections this year, 22 were performed by outside sources, not the Harbor Patrol.

Ms. Kelly said possible future changes to the Liveboard Ordinance might be to allow qualified commercial fishermen to live on their vessels on the T-Piers. Some of the commercial fishermen who are not based out of Morro Bay stay in the harbor for months at a time when their fishery is open in this area. Another possible future change could be that the use of the pumpout be demonstrated during the inspection, rather than just verifying that a holding tank or Port-a-Potty exists on the vessel.

Discussion by the Board, Ms. Kelly and Mr. Endersby on the status of the pumpout vessel; the use of dye tabs during inspection; the difference in the fee for inspection by Harbor Patrol versus other surveyors; the question of what accreditation marine surveyors should have in order to perform liveaboard inspections; and the difference in standards between Harbor Patrol and other surveyors on vessels being operable and seaworthy.

C. UNFINISHED BUSINESS

C-1 Overview of State Park Marina Major Maintenance Plans

Mr. Endersby briefly reviewed the item for the Board and then introduced Mr. Paul Gillen of Associated Pacific Constructors, the State Park Marina concessionaire. Mr. Gillen gave the Board an overview of the Major Maintenance Program of the State Park Marina for the current years 2012/13, and said the utilities have been upgraded, two docks have been rebuilt, and two more docks (#5 & #6) will be rebuilt within the next two years. He said the safety and integrity of the Marina are the priorities. He said the electrical conduits are marine grade, but there is a need for electrical upgrade on the shore side. The fire hoses and outlets comply with local fire code.

Mr. Gillen said the Marina is in good shape and is self-funding, which is something most other marinas cannot claim. His company, Associated Pacific, performs work on many marinas up and down the West Coast, and he has seen no other marinas that are self-funding.

Discussion by the Board and Mr. Gillen on future dredging issues and disposal sites; the revenue generated toward the Major Maintenance Budget; the number of slips in the Marina; the length of waiting time for a slip; and the full-time Marina maintenance man who works six days each week onsite.

There was no public comment.

C-2 Status of State Park Marina Operating Agreement as it Relates to City Operations and Management of the Marina, Including Future City Involvement

Mr. Endersby reviewed the item for the Board. He said the major obligations of the City under the Agreement are to:

1. Actively pursue the agreed-upon dredging and renovation projects.
2. Continue to operate the marina as-designed.
3. Manage the Associated Pacific Constructors concession including receipt of revenue and continued major maintenance planning and execution.

Mr. Endersby concluded by saying that Staff is seeking any input from the Harbor Advisory Board regarding whether the City should continue in the Agreement and pursue the additional dredging and renovation; and whether the City should negotiate with the State for a new or revised Agreement; and if there is interest or desire by the City to pursue a more permanent Agreement to operate the Marina on a long-term basis with or without a concessionaire. He asked Mr. Gillen of Associated Pacific for his comments.

Mr. Gillen said he's spent a lot of time working at other marinas, and on reflection sees that the State Park Marina in Morro Bay is a very special spot; it is connected to the State Park with easy access for boaters; it has been upgraded to good standards and is currently very affordable. He said dredging has always been the main issue, but at an estimated cost of \$10-20 million the project is not financially feasible unless it is grant funded.

Chair Eckles opened the topic up to public comment. Mr. Bill Martony of Morro Bay expressed his confusion over the Operating Agreement between State Parks and the City. He questioned the income percentage to the concessionaire and the length of the lease. Mr. Gillen responded to all of Mr. Martony's questions.

Discussion by the Board. Mr. Phillips said he had a boat in the State Park Marina for many years, and since 2005 when Associated Pacific became the concessionaire for the City, the Marina has achieved a number of improvements; he has noticed a lot of work being done. The State did not tend to show much interest in the upkeep of the Marina, but with the City's interest it has been much improved.

Chair Eckles said the State Park Marina does not appear to bring in significant revenues and is not a huge money-maker, but it does serve the boating community. He said the current concessionaire has deep knowledge and experience on maintaining marinas, and wondered about the ability of the Harbor Department to run and maintain that Marina. Mr. Endersby replied it is slim to none, and that there would not be current staffing for the Harbor Department to take over the business, which would mean investing in other contractors.

Motion: Mr. Phillips moved that the Harbor Advisory Board recommend to the City Council that the City continue in its Operating Agreement with the State of California until that Agreement expires, and that the City Council have the City Attorney investigate an extension of the current Agreement with improvements specifically related to the City being reimbursed for its hard and soft costs for improvements should the City terminate its Agreement with the State, and that the City Council continue its efforts to dredge and renovate the State Park Marina until the end of its Agreement with the State. The Motion was seconded by Mr. Luffee and carried unanimously.

Further discussion by the Board. Ms. Meissen said she has not heard as many complaints about the State Park Marina as years past, due to the concessionaire's upgrades and efforts. She said we should move forward and support the Marina as much as possible; and that dredging would always be a problem, as it's the nature of estuaries.

Motion: Mr. Phillips moved that the Harbor Department pursue extensions to all necessary permits related to the dredging of the State Park Marina before they expire, and continue to actively seek funding for future dredging of the Marina. The Motion was seconded by Mr. Doughty and carried unanimously.

D. NEW BUSINESS

None.

E. DECLARATION OF FUTURE AGENDA ITEMS

Future:

**Marine Mammal Center Informational Report
Morro Bay Community Quota Fund Update by Rick Algert
State Park Marina, Result of City Council Meeting
Harbor Advisory Board By-Laws Changes, Result of City Council Meeting
Review of Liveboard Ordinance Regarding Marine Surveyor Certification and
Standardization of Liveboard Permit Inspections**

F. ADJOURNMENT

This meeting was adjourned at 8:05 PM.

Submitted by,

Polly Curtis
Harbor Department