

CITY OF MORRO BAY

HARBOR ADVISORY BOARD

SYNOPSIS MINUTES

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, April 3, 2014 at 6:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

ESTABLISH QUORUM AND CALL TO ORDER

Present: Members: Alan Alward
 Gene Doughty
 Jeff Eckles
 Bill Luffee
 Dana McClish
 Lynn Meissen
 Ron Reisner
 Eric Endersby, Harbor Director
 Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

Mr. McClish said the Morro Bay Yacht Club along with the Morro Bay Youth Sailing Foundation held their 7th annual Big Rock Regatta on March 22 and 23. He said there were ten races over two days and included 71 boats, which was a record number for this event – a huge success.

Chair Eckles said the Regatta was the first time he had served on a race committee, and said this was a wonderful event for our community.

Mr. Reisner said the annual city-wide yard sale, sponsored by Morro Bay Beautiful, takes place this weekend. The *Bay News* has a map of some of the yard sale sellers' locations in the current issue.

Mr. Reisner said the Morro Bay Marine Services Facility Ad-Hoc Committee met recently, and reviewed a refined market analysis proposal by Lisa Wise Consulting, Inc. (LWC) to begin Phase One of their larger scope proposal, as discussed in the March Harbor Advisory Board meeting. Mr. Reisner explained the phasing and funding processes.

MOTION: Mr. Reisner moved that the Harbor Advisory Board recommend to the City of Morro Bay that the City agree to 50% participation in funding Lisa Wise Consulting, Inc.'s March 27, 2014 proposal entitled "Proposal for Boatyard and Haulout Market Analysis." The Board further recommend that the City acquaint itself with the proposed methodology of the market demand analysis, and that the City pursue accelerating the analysis timeline, as Lisa Wise Consulting has suggested may be possible. The Motion was seconded by Mr. McClish.

Discussion by the Board on this Motion being a refinement of the Harbor Advisory Board's previous Agenda Item and Motion at their March 6, 2014 meeting. Discussion on the amount of funding being requested in this Motion, which would be 50% of the proposed \$29,000 by LWC for the smaller scope proposal.

VOTE: A Vote was taken on the Motion and carried unanimously.

Mr. Luffee announced the Harbor Patrol event of the christening of their new Harbor Patrol vessel #64 which will happen on Saturday, May 17th from 10:00 a.m. until noon at the Harbor Patrol slips.

PUBLIC COMMENT

Mr. Steve Yarling said the Pirate and Mermaid Parade will be held on May 31 at 10:00 a.m.

A. CONSENT CALENDAR

A-1 MINUTES

Ms. Meissen moved the March 6, 2014 Harbor Advisory Board minutes be approved. The Motion was seconded by Mr. Luffee and carried unanimously.

B. PUBLIC HEARINGS

B-1 Harbor Department Status Report

Mr. Endersby briefed the Board on the following topics:

North T-Pier Maintenance and Repair Project

Lease Site News:

Virg's Landing Action by Council on March 25, 2014

Calif Marine Affairs & Navigation Conference (CMANC) Annual Washington DC Week

Snowy Plover Fencing

Otter Studies

Events:

April 5 – Recreational Salmon Season Opens

April 12 – MB NEP State of the Bay at Tidelands Park

April 12 – Emergency Vehicle Show

April 13 – Opening Day at the Yacht Club

April 19 – Miracle Mile for Kids Fun Run from Morro Rock to Cayucos Pier

April 20 – Easter Sunday Service at the Rock

April 26-27 – Morro Bay Kite Festival

April 27 – Blessing of the Fleet

May 1 – Recreational Rock Fish Opens and Commercial Salmon Season Opens

DBW/VTIP Funds

Tsunami Info – Status Report at Next Meeting

Council Meeting April 8 – Agenda Item MB Fishing Community Sustainability Plan

Discussion by the Board and Mr. Endersby on dredging and navigation of the bay.

B-2 Presentation by the San Luis Obispo County Sheriff's Office on Mexican Smuggling Pangas along the Central California Coast

Commander Jim Taylor of the San Luis Obispo County Sheriff's office, gave the Board a detailed presentation on the Mexican Panga boat landings and arrests in this county since the first known landing on May 24, 2012. He said the landing on October 16, 2013 at Piedras Blancas lighthouse resulted in the arrest of 20 suspects and 144 bales or 4,400 pounds of cannabis, and this was a "super" Panga boat that was 45-feet in length.

Commander Taylor is concerned about the risk to the public, the environment, and navigational issues. He said with the larger Pangas, authorities are wondering what *can't* they smuggle now? The possibilities could include people on the terrorist watch list, dirty bombs, and drugs other than cannabis.

Discussion and comments by the Board and Commander Taylor on equipment used by authorities in pursuit and enforcement; airborne assets; federal funding; locations of Panga landings such as Montana de Oro and Ragged Point and the possibility of Oceano Dunes and other locations frequented by the public. The Commander discussed the speed of the Pangas, saying they are faster than most other boats due to their design and powerful engines.

Commander Taylor said the public should use any method of communication possible to notify the authorities such as the Coast Guard, including VHF channel 16 if the reporting party is on the water. The Coast Guard will contact the Sheriff's office, and air patrols will be sent; but the Coast Guard is geared toward sea rescue rather than pursuit and enforcement. The Commander said the approach needs to be multifaceted in order to deter the Pangas.

C. UNFINISHED BUSINESS

C-1 Review of Liveboard Ordinance Regarding Marine Surveyor Certification and Standardization of Liveboard Permit Inspections

Mr. Endersby reviewed the Item, saying there was Board consensus at a previous meeting to bring this back and review the marine surveyors "acceptability" component of the Liveboard Ordinance language, as well as review the permit inspection standards and their consistent application between the public (Harbor Patrol) and private inspectors.

Discussion by the Board and Mr. Endersby on the following topics:

- The origination of the Liveboard standards.
- Operability and Seaworthiness definitions, or need for clearer definitions.
- Morro Bay Harbor Department Rules and Regulations; definitions.
- Need for current City Attorney to review the liability issues.
- The suitable design of a vessel to operate in the Pacific Ocean.
- Specific language disallowing houseboats in Morro Bay.
- Discrepancy between Harbor and Marine Surveyor on operability of one vessel.
- Need for procedure if a discrepancy between Harbor and Surveyors arises.
- Checklist of vessel inspections are same between Harbor and Surveyors.
- Liveboards must comply with the Harbor Rules and Regulations.
- Liveboard Permits expire on June 30th but are two-year Permits.

Chair Eckles reopened Public Comment.

Mr. Drew Jacobson said there were 26 Liveboard Permits which he performed the inspections on out of the 32 Permits that were issued. He reminded Mr. Endersby that together they had a meeting with the City Attorney on liability issues as well as definitions of Operability and Seaworthiness. He believes the language should be clarified. He also said the City/Harbor has the final say on who is permitted. Ms. Denise Jacobson said the Harbor office has often sent people to Drew for the inspections.

Mr. Rich Boren said he and his family have been Liveboards in Morro Bay since August, and have felt welcomed from the beginning by the Harbor Department, and there have been good communications. He said he works onboard his boat and sees the Harbor Patrol frequently; so he believes the Officers are looking after they bay and doing a good job.

Further discussion by the Board and Mr. Endersby.

Chair Eckles said there are a few current and former Liveboards on the Harbor Advisory Board, and that the Board is here to represent and express the public's interests. He invited people to come and talk one-on-one to any Board member, or to Mr. Endersby on any harbor issues. He understands this is an emotionally charged issue, as the discussion is about people's homes.

Mr. Endersby said the Harbor Department and the Board support Liveboards, as they are a good force on the bay. He said it is Staff's duty to regulate the bay, but the last thing Staff is trying to do is force out Liveboards. He said that he was once a Liveboard in Morro Bay.

Mr. McClish agreed, saying they appreciate Liveboards being the eyes on the bay, and he was also a former Liveboard in Morro Bay. Mr. McClish asked Eric if he would be willing to revise and clarify certain definitions on the Liveboard Ordinance and then pass it to the current City Attorney for his input. Mr. Endersby said he would, and then can bring this item back to the Board in June.

Mr. Alward said he is also a former Liveboard, and as a commercial fisherman appreciates being able to live on the piers in other harbors during the course of fishing seasons. He hopes current transient fishermen are allowed to live on their commercial boats on our piers during the season without a permit. Mr. Endersby said all transients have 60 days to live on their boats before a Liveboard Permit is required. He said the regulation on the T-Piers began after the fire on the South T-Pier was started by a man living on his boat and two people died; however, that regulation can be reviewed as well. The difficulty might be enforcing people who are not qualified for commercial fishing who live on boats on the T-Piers.

Mr. Reisner said there are about 90 days until the Liveboard Permits expire, and asked if there is anything Board members might do to assist. Chair Eckles said Board members could review the Ordinance and make suggestions for changes, if that might be of assistance. Mr. Endersby said he would appreciate the Board's recommendations for smoothing out the Liveboard Ordinance, and would bring the topic back in June.

D. NEW BUSINESS

D-1 None.

E. DECLARATION OF FUTURE AGENDA ITEMS

May: Public Fish Buying Dock and Cold Storage

June: Harbor Department Budget

Review of Liveboard Ordinance Regarding Marine Surveyor Certification and Standardization of Liveboard Permit Inspections

Future:

Coast Guard Building Location Plans

Planning for Power Plant Property

Tsunami Warning and Emergency Notification

F. ADJOURNMENT

This meeting was adjourned at 8:00 PM.

Submitted by,

Polly Curtis
Harbor Department