



CITY OF MORRO BAY HARBOR ADVISORY BOARD A G E N D A

*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.
The City shall be committed to this purpose and will provide a level of municipal service and safety
consistent with and responsive to the needs of the public.*

**Regular Meeting - Thursday, February 5, 2015
Veteran's Memorial Building - 6:00 P.M.
209 Surf Street, Morro Bay, CA**

Bill Luffee, Vice-Chair	Marine Oriented Business
Alan Alward	Morro Bay Commercial Fishermen's Organization
Dana McClish	Recreational Boating
Gene Doughty	South Bay/Los Osos
Neal Maloney	Waterfront Leaseholders
Lynn Meissen	Member at Large
Ron Reisner	Member at Large
Tom Hafer	Alternate to Alan Alward (MBCFO)
Joe Conchelos	Alternate to Alan Alward (MBCFO)

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Board on City business matters other than scheduled items may do so at this time. To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Board meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes.
- All remarks shall be addressed to the Board, as a whole, and not to any individual member thereof.
- The Board respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, Board member and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Board to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Board meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Harbor Department's Office Assistant at (805) 772-6254. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

CONSENT CALENDAR

- A-1 Approval of Minutes from Harbor Advisory Board meeting held on Thursday, December 4, 2014.
Staff Recommendation: Approve minutes.

A. PUBLIC HEARINGS, REPORTS, AND APPEARANCES

- B-1 Harbor Department Status Report
Staff Recommendation: Receive and file.

B. UNFINISHED BUSINESS

- C-1 Review of Harbor Department Rules and Regulations Document and Morro Bay Municipal Code Chapter 15 for Harbor Advisory Board Input and Direction Regarding T-Pier Usage, Mooring Size Limits, Fee Use of City “Head Float” Dock Areas and Overhead Casting
Staff Recommendation: Review Harbor Department Rules and Regulations document, Morro Bay Municipal Code Chapter 15 and other documentation provided for input and direction on areas noted.

- C-2 Update and Report from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee’s Recent Activities, Findings and Recommendations with Regard to the Draft Work Products Received to Date from Lisa Wise Consulting
Staff Recommendation: Staff recommends the Harbor Advisory Board receive the update and report, and consider taking a position or positions with regard to the report’s findings and recommendations.

- C-3 Update from the Capital Improvement Planning Ad-Hoc Committee on Committee’s Recent Activities
Staff Recommendation: Receive and file.

C. NEW BUSINESS

- D-1 Election of Harbor Advisory Board Chair and Vice Chair
Staff Recommendation: Elect a Chair and Vice Chair

D. DECLARATION OF FUTURE AGENDA ITEMS

E. ADJOURNMENT

This agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the agenda posted at the Morro Bay Harbor Department, 1275 Embarcadero, for any revisions or call the department at 772-6254 for further information.

Materials related to an item on this Agenda are available for public inspection during normal business hours at the Harbor Department and at Mill’s/ASAP, 495 Morro Bay Boulevard, or online at www.morro-bay.ca.us. Materials related to an item on this Agenda submitted to the Board after publication of the Agenda packet are available for inspection at the Harbor Department during normal business hours or at the scheduled 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 4, 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 (MBCFO Rep) Gene Doughty Jeff Eckles Bill Luffee Lynn Meissen Ron Reisner
	Absent:	Dana McClish
	Staff:	Eric Endersby, Harbor Director Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

Mr. Reisner thanked the Morro Bay Harbor Patrol for transporting the volunteers of Morro Bay Beautiful (MBB) to the sandspit and back for the semi-annual fall cleanup. The MBB volunteers picked up trash at several county locations including Black Hill, Arroyo Grande, and walked from Montana de Oro to the South Jetty on the sandspit during the cleanup.

Chair Eckles said his twin boys just celebrated their 11th birthday by kayaking with him to the sandspit and enjoying the day there. He said they are grateful to live in such a special place.

Mr. Doughty reminded all boaters that big storms are on the way next week, so be sure all lines are tied securely and you have chaffing gear on the boats.

PUBLIC COMMENT

Mr. Ed Molinari said he's been a Morro Bay resident since 1998, and about two months ago a boat collided with his boat on the mooring. He said he has asked the Harbor Patrol Supervisor for a collision report but still has not received it. He also said an incident with the AIS barge occurred a couple of years ago, and he still has not received the requested report. He also wanted to get clarification on the number of nights per week a person is allowed to stay on a vessel before needing to apply as a Liveaboard.

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

Ms. Meissen moved the November 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:

Recent City Council Actions:

**Ordinance 588 Commercial Fishing Vessel Slip Qualification
New Sublease Agreement Form for Lease Sites
Administrative Approval Change of 7 Master Leases**

Recent Events:

**November 7 – Waterfowl Hunting Season Open
November 15 – Commercial Dungeness Crab Season Open
November 29 – Morro Bay in Bloom Surfboard Auction**

Upcoming Events:

**December 3-8 – Lady Washington
December 6 – Lighted Boat Parade
December 31 – Recreational Rockfish Season Ends
January 1 – New Year’s Day Polar Bear Dip
January 16-19 – Winter Bird Festival**

C. UNFINISHED BUSINESS

C-1 Review of Harbor Department Rules and Regulations Document and Morro Bay Municipal Code Chapter 15 for Harbor Advisory Board Input and Direction on Revising “Definitions”

Mr. Endersby asked the Board to review the current Morro Bay harbor-related definitions in Chapter 15.04 of the Morro Bay Municipal Code as the first phase of revising the Harbor Rules and Regulations document. He asked the Board to choose from the lists of excerpted definitions and provide input to Staff.

The Board reviewed the definitions and made detailed comments and clarifications on each page of the definitions.

Chair Eckles said this first phase of revising definitions in the Harbor Rules and Regulations has been completed and the next phase would be working directly on the Rules and Regulations themselves, section by section.

C-2 Update from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee’s Recent Activities

Mr. Reisner said the Ad-Hoc Committee received a copy of the draft final report of the Market Demand Analysis by Lisa Wise Consulting (LWC). He said the co-sponsor of the Analysis, the Morro Bay Commercial Fisherman’s Organization (MBCFO) as well as the Ad-Hoc Committee reviewed the Analysis and provided comments back to the Harbor Director who is the liaison.

Mr. Reisner said the Ad-Hoc Committee found the Market Demand Analysis draft report incomplete and that it did not satisfy the contract deliverable elements, relative to a Morro Bay boatyard and haulout facility, in Task 6 as follows:

- Identify the most important services
- Identify the potential demand
- Identify the opportunities and constraints for marine facility operators
- Make recommendations on the viability of a boatyard and haulout facility in Morro Bay
- Make recommendations as to what types of services are likely to generate the highest demand
- Make recommendations relative to possible strategies to capitalize on trends in the market

Mr. Endersby said he will be meeting with LWC next week to look at the submitted comments by the Ad-Hoc Committee.

Further discussion by the Board. Mr. Doughty said he was opposed to the City giving any more money to LWC until the analysis as requested is complete.

C-3 Update from the Capital Improvement Planning Ad-Hoc Committee on Committee's Recent Activities

Chair Eckles said the Ad-Hoc Committee has not convened since the previous Harbor Advisory Board meeting. Nothing to report.

D. NEW BUSINESS

D-1 Tsunami Event Protocols and Public Safety Information

Mr. Endersby presented this informational item to the Board on tsunami warning protocols for vessels and vessel owners on Morro Bay waters. He reviewed the four levels of tsunami danger: 1) Warning, 2) Advisory, 3) Watch, and 4) Information Statement. He reviewed the included brochure of Cal EMA's "How to Survive a Tsunami." He described the conditions at which the City of Morro Bay's Emergency Operations Center would be activated, and the methods that county dispatch would use (Reverse 911) to notify people.

Mr. Alward asked that the City slip holders be notified directly either by the Harbor Patrol boat or by phone, and that a list with their cell phone numbers be kept in the Harbor Office for this purpose. During the last tsunami event, he was only notified half an hour before it hit and then it was too late to take his boat out of the harbor.

Mr. Endersby said human safety is the bottom line versus saving boats from damage, but if time allowed and it was safe to do so, boat owners could be notified in order that they may go out to sea beyond the tsunami threat.

D-2 Cancellation of the January, 2015 Harbor Advisory Board Meeting

MOTION: Mr. Doughty moved to cancel the January, 2015 Harbor Advisory Board Meeting. The Motion was seconded by Mr. Luffee, and carried unanimously.

E. DECLARATION OF FUTURE AGENDA ITEMS

The Board had no new Future Agenda Items to declare.

Mr. Endersby said at the November meeting, the Board reviewed items previously declared for Future Agenda and there was consensus to review the State Park Marina Operating Agreement at the February 2015 Harbor Advisory Board meeting.

Chair Eckles thanked the Board and Staff for their dedication and perseverance throughout the last year, saying many accomplishments have been made. He said since this is the final meeting of 2014, he would like to wish everyone a Merry Christmas and Happy Holidays.

F. ADJOURNMENT

This meeting was adjourned at 9:08 PM.
Submitted by,

Polly Curtis
Harbor Department



AGENDA NO: B-1

MEETING DATE: February 5, 2015

Staff Report

TO: Harbor Advisory Board

DATE: January 29, 2015

FROM: Eric Endersby, Harbor Director

SUBJECT: Harbor Department Status Report

RECOMMENDATION

Receive and file.

DISCUSSION

Recent City Council Action: At their December 9, 2014 meeting, the Council adopted Ordinance 588 changing the commercial fishing vessel slip qualifications in terms of the amount of fish landing receipts (tickets) needed to qualify as was recommended by the Harbor Advisory Board at their September 4, 2014 meeting.

At their January 13, 2015 meeting, the Council: (a) authorized additional funding of \$20,000 to adequately complete the lease site percent gross revenue audits currently underway; (b) approved the Assignment and Assumption of lease site 144/144W, the M&M Refrigeration site, from M&M to Neal Maloney and the Morro Bay Oyster Company; (c) accepted the “quit claim” deeds from power plant owner Dynegy for the “Triangle Lot” property located on the SW corner of the plant property; and, (d) approved the continued negotiations between the owner of lease site 62/62W (Kayak Horizons) and the owners of the adjacent lease site 63-64/63W-64W (Gray’s Inn) for a possible future Assignment and Assumption of that site.

At their January 27, 2015 meeting the Council: (a) approved a new license agreement with Cal Poly for continued dedicated dockage space on the north T-Pier for their research and education dock; and, (b) approved extension of the consulting agreement with Lisa Wise Consulting in order that the completion of the Boatyard and Haulout Market Analysis be done under contract. The contract had expired on January 13, and was extended until March 31, 2015.

Recent Events: The annual **Cayucos New Year’s Polar Bear Dip** at the Cayucos pier went off with no major incidents. Again the Harbor Patrol was in attendance for water safety back-up. This event doubles as a water rescue and coordination training event for personnel from various agencies.

Prepared By: EE

Dept. Review: EE

Winter Bird Festival. January 16, 17, 18, & 19 saw the Morro Bay Winter Bird Festival, the yearly eco-tourism event promoting an understanding and appreciation of birds and other wildlife and an awareness of environmental and conservation issues of the Central Coast. Events and outings were held in various Central Coast locations.

Used Oil Recycling Center. On January 27 we held a well-attended ribbon-cutting ceremony for our new oil recycling center in the Front Street parking lot. This center was the culmination of several years' effort by department staff, led by Harbor Patrolman Scott Mather and administratively backed by Harbor Business Coordinator Lori Stilts. The facility accepts and recycles not only used engine oil and hydraulic fluid, but used oil filters, oil absorbent pads, engine coolant, zinc anodes and batteries. It was funded by a combination of grants from the SLO County Integrated Waste Management Authority/Cal Recycle and the Morro Bay National Estuary Program.

Harbor Patrol Happenings. On January 19 the Harbor Patrol made access to a stranded family on the inside of the sandspit, trapped on the spit by a low tide. While they were not in any immediate danger, sunset was nearing. They were accessed by Harbor Patrolman Jeremiah Jacobs on the department's new "mud board," half of a broken lifeguard surf rescue board that "skims" nicely across the mudflats. The family was reached and escorted to a State Parks Ranger who drive them back to Morro Bay.

With funds from the **Friends of the Harbor Department**, the Harbor Patrol was able to purchase a new radio-equipped helmet for personal watercraft (PWC) rescue operations. In any emergency situation, communications are one of the key factors that are often difficult on the water, even in the best of situations. This is acutely true of PWC operators. The department has experimented and struggled with various radio types and installations, and this new helmet/bone mic equipment is by far and away superior to anything we've used to date and will greatly increase the effectiveness and safety of our PWC operators. We in the process of acquiring a second unit, also to be funded by the Friends.

Derelict Vessel Demo. In early January we demolished the derelict 40-foot wooden power boat "Kingfisher" using Division of Boating and Waterways SAVE grant funds. The cost was \$4,500.

California Marine Affairs and Navigation Conference (CMANC). On January 14-16 your Harbor Director attended the Winter Meeting of the California Marine Affairs and Navigation Conference (CMANC) in Long Beach. Topics of primary concern were the ongoing copper bottom paint and copper maximum daily load issues in some harbor and marina waters, and the status of the Army Corps of Engineers funding via the Federal Water Resources Development Act (WRDA) and budgeted projects.

Regarding the former, for those harbors and marinas under a regulatory requirement by the California Water Boards to reduce their suspended copper or copper entrained in bottom sediments, much work is afoot to study exactly what the toxicity ramifications are and how

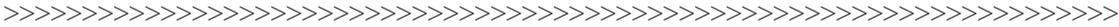
natural sources may play into them, reasonable measures to reduce or eliminate copper loading in impaired water bodies and effective hull copper bottom paint alternatives. Fortunately (knock on wood) Morro Bay does not have a copper loading issue.

Regarding the latter, the Federal government's current FY15 budget got a \$48M increase to the Corps' Operation and Maintenance budget, which translated into some plus-ups to some of California's Corps projects (but not Morro Bay). For this fiscal year the Corps budget includes adequate funding (\$2.06M) for approximately 20 days of work for the dredge ship *Yaquina*, pictured above, to conduct our critical entrance channel deepening. This will begin sometime in May. For the upcoming Federal fiscal year, FY16, since it is five years since the last whole-harbor channel dredging episode (completed early 2010), CMANC is recommending Morro Bay be funded to \$7M in FY16 to complete a navigation channel dredging cycle from the entrance to the Inn at Morro Bay, where the Federal channel terminates. This will be one of the core messages that your City representatives will be bringing to Washington DC in early March during CMANC's annual Washington Week conferences in the capital.

See attached **December, 2014 Harbor Department Update** for other significant December happenings.

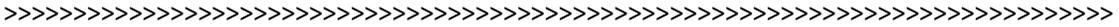


DECEMBER 2014 HARBOR DEPARTMENT UPDATE



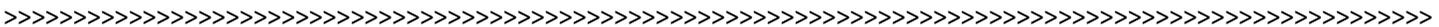
DERELICT VESSEL DEMOLITIONS

On December 9th three derelict vessels were demolished using State Division of Boating and Waterways grant funding. The defunct 40-foot wooden Chris Craft vessel "Glowing Star" (2nd photo) was turned in by its owner for demolition after it sunk for the second time in recent years. Much of this vessel's parts and pieces were salvaged. In addition, the 35-foot fiberglass ex-commercial fishing vessel "Viejo del Mar (1st photo) was demolished after a lien action on the vessel for unpaid fees. A third vessel, an 18-foot long fiberglass recreational vessel left abandoned and unidentifiable in the launch ramp parking lot, was also disposed of. The total cost of disposals was \$7,400.



SHARK ATTACK

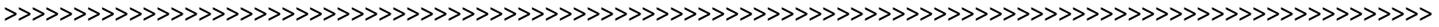
On December 28th a local surfer and father of a Morro Bay Lifeguard was attacked by what was assumed to be a Great White shark near the base of the Sandspit. Fortunately the victim survived his wounds from what was described as an 8-10 foot animal. Harbor Patrol overheard the radio traffic dispatch and immediately responded with a Harbor Patrol vessel and rescue jet ski, and were the initial first-responders on-scene. Two doctors happened to be nearby and assisted in the initial rescue and treatment of the victim when Harbor Patrol arrived. A trauma kit was transported ashore by the Harbor Patrol and along with the two doctors the victim was treated until Cal Fire personnel arrived, assumed care and packaged the victim for helicopter transport to the hospital. Friends and fellow surfers in the water assisted in the rescue, 911 calls and treatment.



LIGHTED BOAT PARADE



The annual Lighted Boat Parade went off without any significant hitches on Saturday, December 6. Over 20 vessels participated on an unseasonably warm evening. The Harbor Patrol did have to tow one participant vessel free after she grounded on a high spot while circling in the start-off area near the launch ramp. She was able to carry on in the parade.



WEATHER

The second week of December saw the first significant storm event in several years, with rain and wind starting in earnest on the 11th and continuing off and on through the 16th. Over 3 inches of rain overall were recorded at the Harbor Office with maximum brief wind gusts of 75 knots on the 11th. The Harbor Patrol was kept busy attending to numerous issues from vessels dragging anchor to unfurling sails and advising the public of hazardous conditions, however, no major incidents or damages were reported.



MONTHLY STATISTICS

- 142 Calls for Service
- 15 Emergencies Responses
- 11 Assists of Other Agencies
- 33 Enforcement Actions
- 204 Maintenance Actions
- 16 Days of Small Craft Advisories
- 7 days of Hazardous Harbor Bar Warnings



AGENDA NO: C-1

MEETING DATE: February 5, 2015

Staff Report

TO: Harbor Advisory Board **DATE:** January 28, 2015

FROM: Eric Endersby, Harbor Director

SUBJECT: Review of Harbor Department Rules and Regulations Document and Morro Bay Municipal Code Chapter 15 for Harbor Advisory Board Input and Direction Regarding T-Pier Usage, Mooring Size Limits, Fee Use of City “Head Float” Dock Areas and Overhead Casting

RECOMMENDATION

Review Harbor Department Rules and Regulations document, Morro Bay Municipal Code Chapter (MBMC) 15 and other documentation provided for input and direction on areas noted.

FISCAL IMPACT

Minor negative fiscal impact (approximately \$1,400/year) if \$1/day Head Float use is eliminated.

BACKGROUND

Starting last fall, the Harbor Advisory Board considered several areas of the Harbor Department Rules and Regulations and MBMC Chapter 15 (harbor and ocean regulations) for possible revision.

At the November 6, 2014 Advisory Board meeting, the Board identified several items that it wished to consider at a future date for input on possible revision. Those 16 items are enumerated in the approved meeting minutes under item D-1 (attached).

The most recent Advisory Board meeting was December 4, where the Board considered and provided input on the “definitions” in Chapter 15 of the MBMC. “Definitions” are listed as item #7 of the 16 identified during the November 6 meeting.

DISCUSSION

Of the 15 remaining items to be considered out of the list of 16, staff have categorized them into three general categories: (A) Environmental; (B) Policy; and (C) Operational. Using the numbering of the items in the November 6 minutes, the three categories are:

Prepared By: EE

Dept. Review: EE

A - Environmental

9. Prohibiting careening of vessels on the sandspit except in emergencies
10. Limiting the amount of repair on vessels in water (25%) that should go to a boatyard
13. Adding/strengthening Best Management Practices
14. Marine Sanitation Devices and discharge in the bay

B – Policy

1. Requiring vessel insurance for use of City facilities
3. Use of impoundment of vessels for other than non-payment of fees as an enforcement tool
6. Insurance required for Liveboards
11. Specific reference to City slips for owners/crew/guests only
15. Cleaning up the section that mentions Associated Pacific and Jim Entwisle
16. A defined appeal process

C – Operational

2. Time limit on recreational vessel stay on T-Piers
4. Setting a definitive number on the maximum size vessel that a mooring can accommodate
5. Allowing a limited number of commercial fishing vessels to have Liveboard permits at the T-Piers
8. Eliminating the \$1/day non-mooring holder skiff tie-up fees at City head-float areas
12. No overhead casting in certain areas

At this time staff are bringing the “C” list of “operational” items to the Advisory Board for consideration. Each item, using the November 6 item number listing, will be broken down into “issue,” “current rule/code,” and “staff-provided information” and “recommendations” (if any) sections in order to better inform the analysis.

2. Time limit on recreational vessel stay on T-Piers

ISSUE: Recreational vessel owners often use the T-Piers as an affordable location to berth their vessels to complete repairs, modifications or projects. Others utilize the piers as a “last resort” location, having found no available accommodation elsewhere or overstayed their welcome at the private facilities. Provided owners pay their bills, there is no limit on the length of their stay and some vessels have remained for many months, years in some cases, which can impact the available useable space for operational commercial fishing vessels.

CURRENT RULE/CODE: There exists no current rule or code addressing the length of any vessel’s stay on the piers.

STAFF-PROVIDED INFORMATION: Section 15.32.010, Policy, of the MBMC states “It is the policy of the city to rent or lease all city facilities at docks, wharves or piers primarily to those vessels of a commercial nature, i.e. commercial fishing boats, commercial abalone boats, etc.” In addition, the City’s open anchorage area and floating dock both have limits of any stay of 30 days in any six month period. As a disincentive for vessels to remain “parked” and not in active operation at the piers, there existed previously in the Master Fee Schedule the provision that any vessel on the piers that hadn’t moved in 90 days or more was charged double the normal rate.

This fee, however, was not effective primarily because those vessels that tended to remain parked at the piers for extended periods were the same ones whose owners were not paying their bills anyway, therefore it didn't matter what the tie-up fee was. Finally, for legitimate, active commercial fishing boats that fished only in one seasonal fishery, albacore for example, and essentially "parked" their boats for the remainder of the year, owners were having to move their boat every 90 days or risk having to pay double the rate. This practice was unnecessarily burdensome on these owners, and often made for extensive boat towing by the Harbor Patrol to move boats "stacked" on each other on the piers to allow others to move.

RECOMMENDATIONS: Consider a reasonable time limit, such as six months in any 12-month period, and provisions such as an exemption may be made if adequate space is available in the sole opinion of the Harbor Department, and said adequate space can only be used if the owner is current on their billing and the vessel meets the City's requirements for vessel operability and seaworthiness.

4. Setting a definitive number on the maximum size vessel that a mooring can accommodate
ISSUE: The maximum size (length) of a vessel that may be accommodated on any private or City mooring is a direct function of the mooring's size (weight). In years past (20+ years ago) when vessels were generally smaller, mooring owners often upgraded their moorings to accommodate larger vessels as they "traded-up" in vessel size. Until about 20 years ago this was not generally a problem, however, over the last 20 or so years there has occurred increasing vessel-to-vessel swing conflicts as vessel sizes in the bay have generally increased. In addition, there is ambiguity as to the definition of "maximum vessel size." For a sailboat, is it the vessel's length overall (LOA) including spars and other appurtenances, or is it the deck length? For a powerboat, does it include a swim step?

CURRENT RULE/CODE: Currently there is no provision or code to limit the size of a mooring block installed, and consequently, limit the size vessel that mooring may accommodate.

STAFF-PROVIDED INFORMATION: Over the past 20 years, while mooring owners were free to install whatever size mooring block they wished, the Harbor Director has limited the maximum vessel's size to the "historical" or past block's maximum vessel size to avoid furthering the swing contact problem. In some cases that historical record was unclear and the historical block size disputable.

RECOMMENDATIONS: That each mooring's block size history be researched and a definitive maximum vessel size be established based on some reasonable criteria, and that a definition of vessel size be established for what exactly the length or size of a vessel is determined by.

5. Allowing a limited number of commercial fishing vessels to have Liveaboard permits at the T-Piers

ISSUE: Legitimate working commercial fishing vessels often have owners and/or crew living aboard, including at the T-Piers. Provided they do not live aboard more than 60 days, they are considered "transient" per the Liveaboard Ordinance and thus allowed. Such liveaboard use can be beneficial such as "eyes on the water and pier" that prevent or assist in emergencies, and is sometimes necessary for caretaking and operation of vessels, however it runs afoul of the MBMC.

CURRENT RULE/CODE: Section 15.40.020, Definitions, of the MBMC states that a vessel being lived aboard for more than 60 days in any 12-month period is by definition a Liveaboard. Section 15.40.030, Permit Required, states in paragraph (B) that Liveaboard vessels are prohibited from the City's T-Piers.

STAFF-PROVIDED INFORMATION: The Liveaboard section of the MBMC was enacted after (but not because of) the South T-Pier fire in 1989, and the T-Pier Liveaboard prohibition was presumably included as it was determined that a shore power cord electrical issue on a South T-Pier Liveaboard vessel caused the fire. In the intervening years, however, on at least three occasions T-Pier "sneakaboards" have reported and/or been instrumental in dousing incipient pier or vessel fires, or been instrumental intervening in several medical issues arising on the piers or vessels on the piers. As such, like the general Liveaboard population on the bay, T-Pier Liveaboards can be considered a valuable and life and property-saving asset. In addition, prior to the South T-Pier fire there were no vessel electrical shore power cord requirements or specifications. This is now not the case, and all vessels are required to use an approved shore power cord assembly, which has greatly decreased the electrical fire hazards on the piers.

RECOMMENDATIONS: Since the City-operated facilities by policy are meant to be primarily for commercial fishing use, staff believe a limited number of Liveaboard vessels be allowed for commercial fishing vessels. Staff recommend the number of allowed Liveaboard vessel on each pier be limited to a maximum of three at any time (on a first-come, first-serve basis), and that only commercial fishing vessels that meet the commercial fishing vessel qualifications criteria as set forth in Resolution 588 and section 15.04.150, Vessels of a Commercial Nature, of the MBMC be allowed.

8. Eliminating the \$1/day non-mooring holder skiff tie-up fees at City head-float areas

ISSUE: The \$1/day provision and fee was established over 15 years ago as a means to accommodate small skiffs at the City head float areas of its slips that otherwise may not find suitable accommodation elsewhere. Head float areas of City facilities are normally designated for skiffs belonging to moored vessel owners. While non-mooring vessel owners that initially took advantage of this provision used their vessels regularly, in recent years vessels now under the provision have fallen into lack of use and block other users from utilizing the available space. In addition, the tracking, billing and administration of this provision costs significantly more in staff time and effort than is collected at \$1/day.

CURRENT RULE/CODE: Section 9 of the Harbor Department Rules and Regulations states "Other users may store tenders, skiffs or dinghies on City docks at designated locations with the prior approval of the Harbor Department at a fee of \$1.00 per day." "Other users" are those users without moored vessels as previously described.

STAFF-PROVIDED INFORMATION: Nothing further.

RECOMMENDATIONS: Staff believe that providing a temporary means of accommodating small skiffs and dinghies for non-mooring holders when space is available is a good thing to do, however, recommend that the \$1/day provision be changed as it no longer serves its original purpose and is administratively burdensome. Staff recommends that the provision be changed to a maximum stay of 30 days in any six month period, mirroring the anchorage and floating dock rule, and that the fee be as set forth in the Master Fee Schedule. Staff would recommend setting

the fee at \$3 per day. There remains one vessel on the \$1/day provision that is being actively used commercially by one of the oyster lease operators, however, that vessel is not a skiff or dinghy and should rightly be on the commercial fishing vessel rate instead.

12. No overhead casting in certain areas

ISSUE: With the increased access that the Harborwalk and other public amenities and piers have provided, many recreational fishermen are taking advantage of that access to fish. While this access is a good thing, at times it can lead to user safety conflicts, primarily between overhead casting of fishing rods and passersby.

CURRENT RULE/CODE: Currently there is no Morro Bay provision or code to limit or control fishing means or methods. All fishing activities are regulated by State Fish and Game codes, which do not address this particular issue.

STAFF-PROVIDED INFORMATION: Many municipalities and entities restrict or limit overhead casting in public areas to prevent safety issues with the passing-by general pedestrian public.

RECOMMENDATIONS: That a prohibition of overhead casting from certain public facilities (not including beaches or harbor entrance jetties) be enacted in Morro Bay.

CONCLUSION

Staff are seeking public and Advisory Board input on the issues outlined for possible revision of the applicable Harbor Department Rules and Regulations and/or MBMC pertaining to them. Any proposed revisions will be brought to the City Council for consideration at a future date. A copy of the Rules and Regulations and MBMC sections quoted herein are included with this staff report.

D. NEW BUSINESS

D-1 Review of Harbor Department Rules and Regulations Document and Harbor Advisory Board Input and Direction on Sections Warranting Updating and Revision

Mr. Endersby briefed the Board on the Harbor Rules and Regulations and the need to identify areas to be revised, added, deleted, or organized. He asked the Board for their suggestions, saying he would incorporate the changes and then bring the updated version back to the Board, prior to submitting to City Council for approval.

Discussion by the Board. Mr. Endersby said he has started a list of possible areas in the Harbor Rules and Regulations that he feels need to be addressed. Mr. Doughty asked if Mr. Endersby could read the list aloud and the Board members can agree or disagree to discuss the areas further, with a "thumbs-up" or "thumbs-down" response tonight. Mr. Endersby agreed.

Following is the list of areas in the Harbor Rules and Regulations that the Board agreed to discuss further.

1. Requiring vessel insurance for use of City facilities.
2. Time limit on recreational vessel stay on T-Piers.
3. Use of impoundment of vessels for other than non-payment of fees as an enforcement tool.
4. Setting a definitive number on the maximum size vessel that a mooring can accommodate.
5. Allowing a limited number of commercial fishing vessels to have Liveaboard permits at the T-Piers.
6. Insurance required for Liveaboards.
7. Adding needed definitions to the Morro Bay Municipal Code.
8. Eliminating the \$1/day non-mooring holder skiff tie-up fees at City head-float areas.
9. Prohibiting careening of vessels on the sandspit except in emergencies.
10. Limiting the amount of repair on vessels in water (25%) that should go to a boatyard.
11. Specific reference to City slips for owners/crew/guests only.
12. No overhead casting in certain areas.
13. Adding/strengthening Best Management Practices.
14. Marine Sanitation Devices and discharge in the bay.
15. Cleaning up the section that mentions Associated Pacific and Jim Entwisle.
16. A defined appeal process.

D-2 Tsunami Event Protocols and Public Safety Information

Chair Eckles requested this Informational Item be tabled until the December meeting. The Board concurred.

E. DECLARATION OF FUTURE AGENDA ITEMS

Chair Eckles requested the "Changes to Harbor Rules and Regulations" Agenda Item be heard at the next Harbor Advisory Board meeting in December 2014. There was Board concurrence to hear this item in December 2014.

Chair Eckles requested the "Tsunami Warning and Emergency Notification" Informational Item, which was on the current Agenda and did not get heard, be tabled until the December 2014 Harbor Advisory Board meeting. There was Board concurrence to hear this item in December 2014.

Chair Eckles requested review of Marine Sanitation Devices and discharge in the bay at a future Harbor Advisory Board meeting. There was Board concurrence to hear this item.

Mr. Doughty requested an annual status report from Mr. Endersby on all waterfront Lease Sites. There was Board concurrence to hear this item.

EXHIBIT "A"

CITY OF MORRO BAY - HARBOR DEPARTMENT RULES AND REGULATIONS FOR VESSELS USING CITY PIERS, DOCKS AND OFFSHORE MOORINGS

INTRODUCTION

The City of Morro Bay directly operates 2 piers, approximately 50 slips and 70 individual moorings. The City also provides a floating dock and anchorage area for transient vessels. City-managed individual mooring sites are in the A2, A1-1 and A1-2 mooring areas as shown in the attached map. The City leases out the A1-3 and A1-4 mooring areas to the Morro Bay Yacht Club and Morro Bay Marina respectively which manage individual mooring assignments in those areas. Most Embarcadero slips and the State Park Marina slips are privately operated with rules and regulations set by the operator. Following are rules and regulations for City-managed facilities and general operation of the Harbor within City limits. The Harbor Department shall mean the Harbor Director, or any designated employee of the City of Morro Bay Harbor Department.

1. MORRO BAY HARBOR DEPARTMENT - GENERAL REGULATIONS

No person shall anchor, moor or secure a vessel or any object within the City of Morro Bay except in designated areas and locations set by the Morro Bay Harbor Department and the Morro Bay Municipal Code. Any vessel or object moored, anchored or secured in violation of this section may be declared a hazard pursuant to California Harbor and Navigations Code Section 523 and shall be relocated to a safe anchorage or berthing location by the Harbor Patrol. The owner will be charged for all costs associated with such relocation and may be subject to impoundment at the fee shown in the Master Fee Schedule. No vessel may exceed 5 MPH speed limit within the Morro Bay City limits with the exception of governmental agencies in the performance of duties. Discharge of sewage is strictly prohibited. No person may liveaboard a non-transient vessel in excess of 4 days without first obtaining a permit as provided for in Morro Bay Municipal Code, Section 15.40.

To use or occupy City docks, City moorings, City Piers, the A1-5 anchorage area or City floating dock a vessel must be registered with the Harbor Department including submission of a signed RENTAL AGREEMENT or transient berthing agreement card.

2. CITY SLIPS

A: General

City slips shall be assigned to commercial fishing vessels as defined in Morro Bay Municipal Code 15.04.150 and Resolution 23-91 of the City of Morro Bay. Rental agreements for use of City slips are not transferable. If a vessel is sold or ceases to qualify for a slip, the agreement is terminated. No city slip agreement holder may allow the use of any city slip by another vessel without the prior permission of the Harbor office. The City may rent any unoccupied slip on a temporary basis.

A commercial fisherman with a qualified commercial fishing vessel, as defined, occupying a City slip may, at the fisherman's discretion, occupy said slip with a second qualified commercial fishing vessel owned by the fisherman in place of the first vessel provided that said second vessel is of an appropriate size for said slip, and that both vessels remain qualified commercial fishing vessels as defined. This allowance will in no way be used by said fisherman for the purposes of transfer of the slip to a second owner or owners of either vessel in order to bypass the commercial slip waiting list by the

second owner or owners. (Resoluiton 60-13)

Berthing space behind head floats on City slips will be designated as "head float berth" in the City's Master Fee Schedule and may be assigned to qualified commercial fishing vessels which will be charged at the monthly commercial slip rate. Vessels other than skiffs or qualified commercial fishing vessels desiring to use the "head float berth" will be charged as set forth in the City Master Fee Schedule. This "head float berth rate" may be adjusted annually by the City Council. Head Float Berth spaces will be assigned on a first come, first serve basis with prior approval of the Harbor Department.

B: Waiting List Procedures And Assignment Of Vacant Slips

The City has established a Commercial Slip Waiting List with a refundable fee as set forth in the City Master Fee Schedule and a Recreational Slip Waiting List with a refundable fee as set forth in the City Master Fee Schedule. When a slip vacancy occurs, the slip will be assigned to the next eligible vessel on the commercial slip waiting list. It is the responsibility of all waiting listees to keep the Harbor Office informed of current address and contact numbers. If no response is received after two attempts to contact waiting listee at the address and/or phone number on record with the Harbor Office, then the waiting listee will be passed over until such time as they recontact the Harbor Department.

A vessel and the vessel's owner must meet the definition for commercial fishing vessels to be placed on the commercial slip waiting list and must qualify for the year in which they are offered a permanent slip. A vessel owner may substitute a different vessel and maintain the same position on the list up to one time in any three-year period. Anyone on the commercial slip waiting list for more than 5 years will have to re-qualify as a commercial vessel to remain on the list. Failure to re-qualify the vessel will result in removal from the list and a refund of the deposit.

The recreational slip waiting list would be used in the event the City develops new slips for recreational boaters.

C: Temporary Cancellation Of City Slips And Slip Subleasing

Any City slip agreement holder may, by giving City notice at the Harbor Office of a pending absence and vacation of the slip in excess of 30 days, have their slip fees reduced to 25% of the regular monthly fees listed in the Master Fee Schedule. If the slip holder returns to the slip in a period less than the 30 days and another vessel is occupying the slip under a sublease, the slip holder will have to dock at the T-Piers as space is available. Vessels on the Commercial Slip Waiting List will have priority for subleases. The City will maintain a slip sublease waiting list and will make the vacated slip available to the next available qualified vessel on the slip sublease waiting list if there is no vessel on the Commercial Slip Waiting List which desires a sublease. If a vessel or person on the sublease waiting list declines a slip sublease assignment or if the City is unable to contact the person after two attempts; then that person's name shall be removed from the waiting list. The City may assign any vessel to a vacated slip on a daily basis at the daily transient fee but no subleases will be allowed for a period less than one month. No vessel will be allowed to use any vacated slip either on a transient daily fee or monthly sublease basis without paying in advance. As long as there are vessels on the sublease waiting list, there will be a 3-month maximum for any one vessel to remain in a sublease slip. If there are no suitable vessels on the sublease waiting list or commercial waiting list, a vessel may remain in a sublease slip in excess of 3 months.

If a vessel on temporary cancellation does not occupy the assigned slip for a period of at least 3 months in any 24-month period then the City may terminate the berthing agreement and assign the slip to the next qualified vessel on the commercial slip waiting list.

3. OFFSHORE MOORINGS

A: Moorings - General

Moorings are allowed only in designated locations within the outlined mooring zones or as approved by the Harbor Director and allowed by the Morro Bay Municipal Code. Some mooring locations have tackle and gear owned and installed by the City; most mooring locations have tackle and gear owned and installed by the private party. Each mooring is for one vessel and its associated tender. Floating docks or arrangements other than mooring tackle and gear as outlined and approved by the Harbor Department are prohibited.

Moorings sites A2-0-21A and A1-2-7A were assigned when previous unpermitted floating docks were removed off these moorings. The Harbor Department at its sole discretion shall set maximum vessel size limits for these moorings. Mooring sites A2-0-21A and A1-2-7A are owned by Jim Entwisle and Associated Pacific Constructors respectively and may not be sold, transferred or assigned to new parties. Should Jim Entwisle or Associated Pacific Constructors no longer desire to use mooring sites A2-0-21A or A1-2-7A then these moorings shall be removed.

Assigned mooring agreement holders must at all times keep the Harbor Department notified of the vessel which is currently using the mooring site.

If an offshore mooring agreement is terminated for non-payment of rent or failure to inspect mooring gear, the City may take possession of the location and any personal property as outlined in Chapter 15 of the Morro Bay Municipal Code. In such case the Harbor Department may either take the mooring location out of service or install City owned mooring tackle and gear on the location.

B: Moorings - Tackle And Gear Privately Owned

Moorings locations where a private party owns the mooring tackle and gear shall be held under a monthly rental agreement. Said agreement may be assigned to another party, subject to approval of the City of Morro Bay, by making written request to the Harbor Department. The City reserves the right of approval of any assignment and may not approve such assignment if the mooring agreement holder or assignee is in violation of these rules and regulations or has a past due account with the City or if the proposed use of the mooring will violate these rules and regulations or the Morro Bay Municipal Code or safe boating practices as determined by the Harbor Director. The rental agreement shall have a month-to-month term and fees shall be set forth in the Master Fee Schedule under Offshore Moorings.

C: Moorings - Tackle And Gear City Owned

The City will rent City owned moorings on a daily or monthly agreement at fees set forth in the Master Fee Schedule under City Owned Moorings. City owned mooring agreements are not assignable or transferable or to be subleased.

The City may set up a waiting list for City moorings with no fee or deposit required. It is the responsibility of the person on the waiting list to provide the City with a current

mailing address and phone number at all times. If a phone number is disconnected and/or the mail comes back as undeliverable, the person shall be removed from the waiting list. If a person is offered a mooring and refuses it, they shall be removed from the waiting list.

D: Mooring Tackle And Gear Maintenance

The offshore mooring holder shall maintain the tackle and gear to the specifications set by the Harbor Department including biennial inspections meeting the requirements set by the Chief Harbor Patrol Officer. The City will maintain and inspect City owned moorings. Moorings leased to the Morro Bay Yacht Club and Morro Bay Marina will be maintained and inspected by those lessees to meet the specifications set by the Harbor Department.

4. T-PIERS, FLOATING DOCK OR ANCHORAGE AREA

The T-Piers, floating dock or anchorage area shall be available to registered transient vessels on a first come first serve daily basis at fees established in the Master Fee Schedule, except that no vessel may use the anchorage area or floating dock for more than 30 days in any six month period. To maintain safe and efficient Harbor operations, the Harbor Department may relocate vessels or designate specific sites for certain vessels at these facilities at any time.

5. HARBOR DEPARTMENT RESPONSIBILITY TO PROTECT SAFE AND EFFICIENT OPERATION OF CITY-MANAGED FACILITIES

When a vessel enters a mooring or docking facility or anchorage area in the waters of the City of Morro Bay, it immediately comes under the jurisdiction of the City and may be moored or docked or anchored at the direction of the Harbor Department. The Harbor Department may refuse use of City-managed facilities to any vessel or vessel operator who represents, in the opinion of the Harbor Department, a potential to pollute or that potentially threatens the safety and security of City facilities.

When a vessel or vessel operator, who has been denied use of City facilities, continues to use those facilities without permission, that vessel or vessel operator shall be subject to impoundment under Morro Bay Municipal Code 15.56.010 and/or fines for violation of Section 525 of the Harbor and Navigations Code.

Any vessel using City-managed facilities shall operate under its own power and be seaworthy and maintained in good and safe condition as determined by the Harbor Department. Any vessel that requires Harbor Patrol emergency assistance to pump out, take under tow or otherwise care for the vessel more than once in any 12-month period will be subject to termination of its use of City facilities and/or its berthing agreement.

All vessels at City-managed facilities including piers, moorings, docks and wharves must be operable and seaworthy.

Operable means capable of maneuvering under a vessel's own power to the Harbor entrance or to an inspection site designated by the Harbor Director and back to its berthing location.

Seaworthy shall mean the vessel's hull, keel decking, cabin, and mast are structurally sound and generally free from structural rusting, delamination, or dry rot.

If a vessel at any City-managed facility is determined to potentially be not seaworthy or inoperable, at the sole determination of the Harbor Department, then the Harbor Department shall provide the owner of the vessel a 30-day written notice. The notice will either require the owner to prove the vessel is operable as described above, or it may require the owner to prove the vessel is seaworthy by obtaining the opinion of a qualified independent marine surveyor as to the seaworthiness of the vessel at the owner's expense.

If the vessel owner fails to successfully respond to the notice within the 30-day period, the vessel owner will be granted an additional 120 days to make repairs for seaworthiness or to prove the vessel is operable as defined above.

If after this period of time the vessel cannot successfully complete the required test, the mooring or slip agreement shall be terminated or the vessel will be denied further use of City-managed facilities and the vessel may be subject to citation and impoundment as outlined herein or in Morro Bay Municipal Code, Section 15.56.

6. FEES

Fees for use of City-managed facilities shall be set in the City's Master Fee Schedule. All fees are due and must be paid in advance. The Harbor Department may allow billings for qualified and registered vessels with current account status at the discretion of the Harbor Department. Transient fees must be paid in advance provided that the Harbor Department may allow 48 hours after arrival for any vessel to make payment or acceptable arrangements for payment. Transient Vessels not complying with this section within 48 hours of arrival shall be subject to impoundment as specified in Chapter 15, Section 15.56 of the Morro Bay Municipal Code.

The City will refund upon request any prepaid unused transient fees in excess of \$20. Unused prepaid transient fees of less than \$20 may be held as a credit to payee's account. City slips and moorings will be billed on a monthly basis in advance, will be delinquent and subject to a late payment penalty if not paid by the 10th day of the month, whether the tenant receives a bill or not. After a City slip or offshore mooring assignment is made and until the mooring or slip agreement is cancelled or assigned with prior approval of the Harbor Department, the agreement holder shall be responsible for payment of all fees whether the agreement holder occupies the slip or mooring or not. All fees will be adjusted annually as set forth in the Master Fee Schedule. Slip fees shall include electricity services but T-Pier fees shall not and the harbor patrol will limit electric service on the piers to those vessels, which pay the daily use fees. The established electric use fee will be for one vessel only and must be paid prior to use.

The Harbor Department may terminate any vessel's use of City-managed facilities and/or their berthing rental agreement for violation of these requirements or of any other section hereof.

7. DAMAGE TO CITY PROPERTY

Any vessel that causes damage to City property will be responsible for repaying the cost of repair to such damage as determined by the Harbor Department and submitted in a written statement itemizing costs.

8. EMERGENCY MEASURES, CITY HELD HARMLESS

In the event of severe storm or tidal wave, the vessel owner, operator and/or agreement holder will provide preparation and damage prevention protection for their property. The vessel owner or their agent is solely responsible to take all emergency measures possible, and the City does not assume any responsibility for said protection and or damages to the vessel from storm or tidal wave action. The City assumes no responsibility for the safety of any vessel using City-

managed facilities, and will not be liable for fires, theft, loss or damage to said vessel, its equipment, or any property in or on said vessel.

Tenant expressly and by their use of City-managed facilities agrees to hold City and its officers and employees harmless from any claim tenant or any of tenant's crew, guests or agents have against City for damage to the vessel or other property or for personal injury arising from tenant's use of City property or facilities.

9. STORAGE AND SECURING OF VESSELS

Tenders and skiffs will be stored on board larger vessels when possible and are not allowed at City slips and docks except as designated by the Harbor Department personnel. The water space between the shore and City docks shall be used primarily for the storage of tenders, skiffs or dinghies used to serve vessels occupying moorings in a non-commercial mooring zone. Each City mooring holder may berth one tender or skiff (as defined by the Harbor Department) in this manner at no charge. Other users may store tenders skiffs or dinghies on City docks at designated locations with the prior approval of the Harbor Department at a fee of \$1.00 per day. No dock boxes, steps or any other installations may be made to City slips, moorings or other facilities without prior permission from the City. No rafting or storage of more than one vessel on any slip, mooring or anchorage is allowed without the permission of the Harbor Department. Temporary storage of crab or fish receivers may be allowed with the prior written permission of the City. It is the responsibility of each vessel owner or operator to safely secure that vessel to its berthing. Vessels shall be secured in their berths, moorings or anchorage in a manner acceptable to the City or the Harbor Department personnel may adequately secure the vessel and assess a service fee.

10. FISH UNLOADING OR SALES

Fish may be unloaded off City piers and slips only by the owner or operator of the commercial fishing vessel which caught the fish. Operations including commercial truck loading by fish processors or fish buyers are prohibited from City piers and docks, including the boat launch ramp. Commercial unloading of any cargo or materials (including kelp) requiring special heavy vehicles (such as crane, boom or stake bed trucks) is prohibited without the prior permission of the Harbor Department. Permission by the Harbor Department may be contingent on provision of an insurance certificate and payment of a fee.

Commercial fishermen may sell their catch only from their vessels at city slips and docks provided they are in conformance with these rules and regulations, State and Federal law, providing that such sales shall not negatively impact the safe or efficient operation of the harbor, at the discretion of the Harbor Department. Signage shall be minimal and fish sold from vessels must be fish that was caught by the vessel owner.

11. VIOLATIONS OF THE MORRO BAY MUNICIPAL CODE OR OF THE RULES AND REGULATIONS

Violations of Chapter 15 of the Morro Bay Municipal Code, the Harbor and Navigations Code or these Rules and Regulations are punishable by fines as follows:

1. Violation of MBMC 15.12.010, prohibiting operation of a vessel in excesses of 5 MPH, or in a manner which causes damaging wake within Morro Bay Harbor. \$100 first offense, \$200 second offense and each offense thereafter.

2. Violation of MBMC 15.24.010, prohibiting discharge of waste or refuse from vessels and prohibiting allowing vessels materials waste or refuse to remain on shorelines within City limits. \$200 first offense, \$500 second offense and each offense thereafter.
3. Violation of MBMC, 15.32.010, establishing rules and regulations for City wharves, piers and docks by resolution of the City Council. Violation of Harbor Rules and Regulations: first offense \$100 second offense and each offense thereafter \$200.
4. Violation of MBMC 15.40.030, requiring a permit for occupying or owning a liveaboard vessel in Morro Bay Harbor. First offense \$100, second offense and each offense thereafter \$200.
5. Violation of Harbor and Navigations Code Section 525, prohibiting abandoning a vessel without the facility owner's permission: \$500 first offense, \$1500 second offense and each offense thereafter.

For any violation of the Morro Bay Municipal Code or these Rules and Regulations for which a citation is not issued, or for which a vessel is not impounded, the City may provide written notice to tenant to correct such violation. Failure to comply with such written notice may subject the tenant or violator to suspension of future use of City-managed facilities and or termination or cancellation of a mooring or berthing agreement. For example: use of sub standard electrical cords or equipment after one warning may result, at a minimum, in suspension from use of City-managed facilities for 30 days.

12. STORAGE AND ELECTRICAL SERVICE

No storage of supplies, materials, accessories, fishing gear or debris will be allowed on piers or slips. No charcoal fires or open fires of any kind will be allowed on any City-managed facility. Electrical power cords must meet the standards of NFPA and the National Electric Code as determined by the Harbor Department. The Harbor Department may make exceptions during temporary supervised projects. No doubling off a unit is allowed.

13. OPERATIONS FROM CITY FACILITIES

No sport fishing, tour boat, charter boat or rental business operation shall be conducted from any City slip, pier, street end dock, mooring, anchorage or other City facility or beach except as specifically allowed under a lease or license agreement. Occasional charters for environmental research or commercial fishing research related purposes by qualified commercial fishing vessels in an assigned City slip may be allowed only by prior approval of the Harbor Department and at the Harbor Department's sole discretion.

14. SOUTH T-PIER HOIST

A. No fish, shellfish or seafood products are to be unloaded with the hoist except in the following cases:

1. All other commercial fish unloading facilities in the Morro Bay area are closed, overloaded, or unable to off-load the boat of the requesting party.
2. That the unloading by one of the commercial unloaders, in the Morro Bay area, would be untimely and cause extreme hardship or loss to the requesting party.

B. A key deposit of \$20 or a valid driver's license may be required.

C. A fee set by the Master Fee Schedule shall be by the hour for any part of an hour with a one-hour minimum.

D. No overweight use of the hoist is allowed and the Harbor Department may refuse use of the hoist to any party for any reason to insure proper safe and efficient use of Harbor facilities.

15. TIDELANDS PARK SIDE TIE DOCK, STREET END DOCKS AND BOAT LAUNCH RAMP

The Launch Ramp boarding floats are for temporary tie-up while launching and retrieving a vessel only. The Tidelands Park side tie dock shall be a 3 hour maximum tie up in any 24 hour period facility and may not be used for tie up from 10:00 p.m. through 4:00 a.m.. Vessels which exceed the three hour tie up limit in any 24 hour period, or are tied up to the Tidelands Park side tie dock between the hours of 10:00 p.m. through 4:00 a.m., shall be in violation of these Rules and Regulations and subject to citation and fines as outlined in Section 11 hereof. Tenders and skiffs assigned the inside portion of the Tidelands Park side tie dock under Section 9 hereof shall be exempt from the time limits above.

In an emergency or when all other available facilities are occupied, the City may, at the sole discretion of the Harbor Department, waive the 3-hour time limit on the Tidelands Park side tie dock. In that case, the Harbor Department shall issue a special permit at fees established in the City Master Fee Schedule for a period not to exceed 7 continuous days and said permit shall be displayed in open view on the permitted vessel.

No vehicle shall park or use any parking space in the boat Launch Ramp in excess of 72 hours. The Harbor Patrol shall monitor and enforce rules and regulation for the boat Launch Ramp parking lot to ensure that it is available for boaters. No storage or haul out is allowed in the Launch Ramp parking lot. Repairs and mechanical work are not allowed in the Launch Ramp parking lot except those minor immediately necessary jobs which will not result in any discharge or disposal of contaminants, as approved by the Harbor Patrol. Double stalls at the boat Launch Ramp are for trailers and towing vehicles only. Single vehicles without trailers attached using the double stalls shall be in violation of these Rules and Regulations. Double stalls shall be painted yellow. Parking time limits and regulations within the parking lot shall be appropriately signed and designated.

Use of floating docks at the end of Morro Bay Blvd., Harbor St. and Anchor St. and the Launch Ramp shall be limited to transient tie-ups by recreational boats. No overnight tie-ups will be permitted. Maximum duration of tie-ups at these docks shall be for a period not to exceed 3 hours per day. Shore fishing and angling shall not be permitted from the viewing platforms or the floating dock at the ends of Harbor St., Morro Bay Blvd., Marina St. and Anchor St.

The launch ramp docks are for temporary tie-up while launching and retrieving a vessel only. No vehicle shall park or use any parking space in the boat launch ramp in excess of 72 hours. The Harbor Patrol shall monitor and enforce rules and regulations in the boat launch ramp parking lot to ensure it is available for boaters. No storage or haul out is allowed.

16. PRIOR CITY RESOLUTIONS

A. Incorporation of Prior Resolutions:

City of Morro Bay Resolutions #112-89, 23-91 and 60-13 are incorporated into these rules and regulations by reference.

B. Rescinding of Prior City Resolutions:

Adoption of these rules and regulations shall serve to rescind City of Morro Bay Resolutions # 115-67, #30-74, #1-75, #66-78, #85-80, #86-80, #09-81, #27-82, #72-82, #123-82 #124-82, #19-83, #58-83, #59-83, #60-83, #95-83, #122-83, #8-84, #125-84, #90-85, #61-86, #85-87, #11-89, #76-89, #104-92, #83-97, #115-98.

15.04.150 - Vessels of a commercial nature.

"Vessels of a commercial nature" means vessels for which the state of California, Department of Fish and Game has issued a current commercial fishing license, and whose owner or operator holds a current commercial fishing license, and which, within the current calendar year, has been actively used for commercial fishing activities. Such use shall be evidenced by proof that the vessel has grossed a minimum of one thousand dollars for each net ton capacity of the vessel, with a minimum of five thousand dollars or that the vessel has fished at least ninety days in the calendar year. Gross earnings or fish sales shall be evidenced by state of California, Department of Fish and Game commercial fish receipts or by the official commercial fish receipts of other west coast states. Proof of ninety days fishing shall be established as provided for in Resolution 90-85 or as may be amended by the city council, except that use of float plans for qualification purposes is eliminated.

(Ord. 362 § 1, 1989; Ord. 179, 1980; Ord. 119 § 1 (part), 1974; prior code § 9401.1(n))

ORDINANCE NO. 588

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF MORRO BAY, CALIFORNIA
AMENDING SECTION 15.04.150 OF THE MORRO BAY MUNICIPAL CODE
RELATING TO COMMERCIAL FISHING VESSEL SLIP QUALIFICATIONS**

THE CITY COUNCIL
City of Morro Bay, California

WHEREAS, Section 15.04.150 currently refers to vessels' net tonnage as a qualifying measuring guide to be eligible for a Morro Bay commercial slip; and

WHEREAS, net documented tonnage of a vessel in most cases does not truly represent the fishing potential of the vessel for qualification.

NOW, THEREFORE, the City Council of the City of Morro Bay does ordain as follows:

SECTION 1: Section 15.04.150 of the Morro Bay Municipal Code is hereby amended to read as follows:

A. "Vessels of a commercial nature" means vessels for which the state of California, Department of Fish and Wildlife has issued a current commercial fishing license, and whose owner or operator holds a current commercial fishing license, and which, within the current calendar year, has been actively used for commercial fishing activities.

B. Such use shall be evidenced by one of the following: (i) for any vessel measuring 26 feet or less, gross earnings or fish sales totaling a minimum of \$5,000 per year must be provided, (ii) for any vessel measuring greater than 26 feet in length, gross earnings or fish sales totaling a minimum of \$10,000 per year must be provided, (iii) the vessel has fished at least ninety days in the calendar year.

C. Gross earnings or fish sales shall be evidenced by state of California, Department of Fish and Wildlife commercial fish receipts or by the official commercial fish receipts of other west coast states.

D. Proof of ninety days fishing shall be established as provided for in Resolution 23-91 as may be amended by the city council, except that use of float plans for qualification purposes is eliminated.

SECTION 2: This Ordinance shall take effect 30 days after its adoption. The City Clerk, or her duly appointed deputy, shall attest to the adoption of this Ordinance and shall cause this Ordinance to be published and posted in the manner required by law.

INTRODUCED at a regular meeting the of the City Council of Morro Bay, held on the 12th day of November, 2014 by motion of Mayor Irons seconded by Councilmember Christine Johnson.

PASSED AND ADOPTED on the 9th day of December , 2014, by the following
vote:

AYES: Irons, Headding, Johnson, Makowetski, Smukler
NOES: None
ABSENT: None



JAMIE L. IRONS, Mayor

ATTEST:



JAMIE BOUCHER, City Clerk

APPROVED AS TO FORM:



JOSEPH W. PANNONE, City Attorney

15.32.010 - Policy.

It is the policy of the city to rent or lease all city facilities at docks, wharves or piers primarily to those vessels of a commercial nature, i.e., commercial fishing boats, commercial abalone boats, etc. Rules and regulations governing the use of city-owned docks, wharves and piers shall be established by resolution of the city council.

(Ord. 119 § 1 (part), 1974: prior code § 9407.1)

15.40.020 - Definitions.

For the purposes of this chapter the following definitions shall apply:

- A. For the purposes of this chapter, "Morro Bay Harbor" shall be the tidelands and submerged lands granted to the city of Morro Bay as successor to the county of San Luis Obispo under Chapter 1076 Statutes of 1947 of the State of California.
- B. Liveaboard—Individual(s) and/or Vessel(s).
 - 1. A "liveaboard" is defined as any person(s) who uses a vessel as a residence and/or is occupying that vessel for four or more days or nights within any seven day period engaging in those usual and customary activities associated with a person's residence or abode such as, but not limited to, sleeping and preparation of meals. This definition will also include any individual using a vessel for four or more days or nights within any seven-day period as a place of business, professional location or other commercial enterprise, as evidenced by a business license, when transportation is a secondary or subsidiary use.
 - 2. A "liveaboard vessel" is any vessel which is moored in Morro Bay Harbor for more than sixty days in any twelve-month period and is occupied by a liveaboard. Liveaboard vessels shall be considered single family residences for purposes of health, safety, welfare and public nuisances and shall at no time house such number of persons so as to create a public nuisance or to be detrimental to the health, safety and welfare of others.
- C. "Harbor director" means the harbor director or his/her designate.
- D. "Off-shore mooring" means any site where a vessel is secured within Morro Bay Harbor which is not directly connected to the shore or land by means of a dock, pier, float or other structure providing direct access from the vessel to the land or shore.
- E. "Shore-side mooring" means any site where a vessel is secured within Morro Bay Harbor which is directly connected to the shore or land by means of a dock, pier, float or other structure providing direct access from the vessel to the land or shore.
- F. "Sewage" means that portion of the wastewater from toilets or any other receptacles containing human or animal excreta and urine, commonly known as blackwater.
- G. "Sewage holding tank" means a permanently installed receptacle on a vessel which is used to retain sewage.
- H. "Sewage pump-out" means a mechanical device which is temporarily connected to a vessel for the purpose of removing sewage from its holding tank.
- I. An "adequate vessel sanitation facility" means an operational marine sanitation device or portable toilet approved by the United States Coast Guard as suitable to prevent direct discharge of human waste into Morro Bay Harbor.

(Ord. No. 550, 8-10-09)

15.40.030 - Permit required.

It shall be unlawful for any person to occupy or own a liveaboard vessel within Morro Bay Harbor unless the vessel has been permitted under this chapter.

- A. Liveaboard Vessel—Permit Application and Fees. An application for liveaboard permit shall be filed with the harbor director upon forms provided by the city. The permit is valid for two fiscal years, including the year issued, and may be renewable after payment of the biennial renewal and inspection and completion of the required biennial re-inspection. The harbor director shall have the discretion to provide applicants a six-month extension of their existing permit to complete inspection requirements of the vessel. An applicant must provide a written request to the harbor director for the six-month re-inspection including an explanation of why the extension is needed. Should any existing liveaboard permittee not complete the permitting process and obtain a new valid liveaboard permit within this six-month extension period, the permit will expire. Applications shall be filled out completely and submitted with the required non-refundable fees. Fees shall be paid as set and established in the city master fee schedule.
- B. General Restrictions for Issuance. Liveaboard vessels are prohibited from the city T-Piers. Permits will not be granted for vessels or floating structures such as houseboats, barges, floating homes or other such vessels or floating structures not specifically designed for or not safely capable of navigating ocean waters under their own power. An exception for work barges actively engaged in construction activity in Morro Bay Harbor may be made by the harbor director.

(Ord. No. 550, 8-10-09)



AGENDA NO: C-2

MEETING DATE: February 5, 2015

Staff Report

TO: Harbor Advisory Board

DATE: January 29, 2015

FROM: Eric Endersby, Harbor Director

SUBJECT: Update and Report from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee's Recent Activities, Findings and Recommendations with Regard to the Draft Work Products Received to Date from Lisa Wise Consulting

RECOMMENDATION

Staff recommends the Harbor Advisory Board receive the update and report, and consider taking a position or positions with regard to the report's findings and recommendations.

DISCUSSION

The Marine Services Facility/Boatyard Ad-Hoc Committee has completed a report on their activities and findings to date with regard to the work products received from project consultant Lisa Wise Consulting. The Ad-Hoc report, included with this staff report, will be presented in synopsis by the committee Chair, including taking Advisory Board and public input and/or questions.

Of the findings and recommendations in the Ad-Hoc Committee's report, staff is in concurrence with them and has already conveyed or will convey them to the project consultant, Lisa Wise Consulting.

Prepared By: EE

Dept. Review: EE

**Morro Bay Harbor Advisory Board
Marine Facilities Ad Hoc Committee Report**

Re.

Lisa Wise Consulting, Inc. – Boatyard and Haulout Market Analysis

Ad Hoc Committee Report Date – January 28, 2015

Background

Since March of 2014 (see Committee Project History below) the Marine Facilities Ad Hoc Committee (Committee) has been representing the Morro Bay Harbor Advisory Board (HAB) relative to a Morro Bay boatyard and haulout market analysis study being conducted by Lisa Wise Consulting, Inc. (LWC). The purpose of the study per LWC’s proposal, which is included in the study contract documents, is stated as follows:

*“The MBCFO [Morro Bay Commercial Fisherman’s Organization] as grant recipient and the City of Morro Bay as a funding source have determined that the first step in the establishment of a boatyard and haulout facility in Morro Bay is to **assess the potential market demand and financial viability**. The following scope of work [which is described in the proposal and contract documents], budget and timeline illustrates the steps necessary for completing this study.*

Future phases should be directed at assessing, confirming and acquiring physical sites, analyzing and complying with environmental and regulatory constraints, assessing acquisition and management strategies and the procurement of a Coastal Development Permit.”

Update Summary

The Committee met on January 23, 2015 to formulate an updated report concerning its activities and views concerning the LWC “Boatyard and Haulout Market Analysis” study. Various Committee members expressed and shared their individual comments and opinions concerning the LWC draft work product published to date.

During the meeting, the Committee had at hand the LWC contract Scope of Work, as well as Committee work product review notes to date. Additionally, at the beginning of the meeting, the Morro Bay Harbor Director, who is the City’s designated liaison with LWC for this consulting contract, met with the Committee to provide a brief update of liaison activities.

It is significant to point out that LWC identifies the current market analysis study to be a precursor to determining financial feasibility, and that the study does not directly address financial feasibility for a Morro Bay boatyard and haulout marine facility.

The following points are currently offered by a majority of the Committee:

- LWC’s present work is a “litmus test” relative to moving forward with boat yard and haulout facility feasibility.
- In discussing whether the draft study had or had not adequately addressed potential “outside [market] demand” (beyond the local geographic area of Morro Bay), a majority

of the Committee determined that the consultant's referenced potential of "5% to 10%" demand, obtained anecdotally by the consultant from interviews with the study's "case study" operators, is adequate.

- The Committee agreed that the study needs to clearly identify various methodology and data limitations. For instance: 1. "outside" market demand relying on anecdotal information from yard operators in the various case studies; 2. How a potential Morro Bay boatyard and haulout facility user population of 500 vessels was established; 3. The fact that of the 126 study survey instrument respondents, a reported 61.5% were sailboat owners or operators, and a reported 26.2% were commercial fishing vessel owners or operators (significant because the survey instrument identified potential user groups as including: sail; motor recreational; commercial fishing, research, CPFV, and other commercial); 4. Draft financial demand data was developed from the 126 survey respondents, and extrapolated to an assumed 500 potential Morro Bay user vessels; 5. Clearly identify how the study's survey instrument was administered; 6. Identify survey respondent data by vessel type and size, to include stated haulout frequency and haulout dollars spent as noted for each; 7. Limitations of revenue projections on the basis of vessel size and/or required hoist/lift capacity.
- The Committee recommends LWC include the Marshall & Associates, August 1998 study, "Economic and Operational Analysis of Proposed Boating Access Facility at Morro Bay Harbor" in the reference section of the current market analysis study.
- The Committee agreed that if the consultant was going to address vessel dry storage (as appears to be the case from draft documents), projected user data needs to be reported.
- The Committee expressed interest in the consultant including in the study a more conservative approach in extrapolating the survey results to an assumed Morro Bay vessel population of 500, which may utilize a Morro Bay boatyard and haulout facility. For instance, on a more likely than not basis, what is the actual size of the potential Morro Bay vessel haulout population, and how is that assumption derived?
- A majority of the Committee encourages the consultant to point out the difficulty of predicting variable economic factors over time, when considering facility feasibility.
- The Committee reminds the HAB and the City that the current boatyard and haulout facility market analysis does not address or capture such issues as: real estate acquisition; civil engineering; environmental requirements; potential environmental benefits; bureaucratic regulation and oversight; capital requirements; financial feasibility; and other factors.

Committee Project History

- In December 2013 Lisa Wise Consulting, Inc. (LWC) offered to the Morro Bay Commercial Fisherman's Organization (CFO) a proposal to conduct a study focused on the demand for and feasibility of a Morro Bay boatyard and haulout facility.
- In early March 2014 LWC produced a "*Revised Morro Bay Boatyard Feasibility Study Scope, Budget, and Timeline*" proposal. The project scope was described as, "*LWC will produce a Boatyard Feasibility Study to assess development feasibility components of two potential boatyard and two potential haulout sites.*" The scope of work was described as follows:

- **Task 1: Scoping and Refinement**
 LWC will work with the MBCFO, the Boatyard Facility Ad Hoc Committee (Ad Hoc Committee) and the City to identify up to two (2) boatyard and two (2) haulout site locations and to arrive at an agreed upon approach for use in assessing the market demand and ownership/management structure implications for a boatyard and haulout site in Morro Bay.
Deliverable: Approach Memo
- **Task 2: Preliminary Document Review and Case Studies.**
 LWC will review case studies of other recently developed boatyards and haulout facilities for guidance and examples of successful approaches and pitfalls (Newport and Toledo, Oregon, others).
Deliverable: Case Study Memo.
- **Task 3: Morro Bay Market Research.**
 LWC will work with the MBCFO, MBYC, CPFV fleet, Coast Guard and Harbor Department and through personal interviews will quantify the current demand for a boatyard and haulout facility in Morro Bay. The survey will engage as many vessels owners as possible to assess how many vessels are leaving the harbor each year for haulout, repair, and/or maintenance; how much they spend; what work they are undertaking; and where they go and why.
Deliverable: Morro Bay Interviews Summary Memo
- **Task 4: Competitive Market Research.**
 LWC will interview owners of competitive market area boatyard and haulout facilities including Monterey Boat Works, Gravelle's Boatyard and KKMI in Sausalito to gather data on the market. The survey will engage as many vessels owners as possible to assess how many vessels are leaving the harbor each year for haulout, repair, and/or maintenance; how much they spend; what work they are undertaking; and where they go and why.
Deliverable: Competitive Market Interviews Summary Memo
- **Task 5: Ownership and Management Implications**
 LWC will identify potential ownership and management structures for the facility. Options could include the City operating the facility, a ground lease or other ownership/management structure.
Deliverable: Ownership and Management Structure Memo
- **Task 6: Market Analysis & Demand Assessment.**
 LWC will analyze results of the market research interviews outlined in Task 3 above to inform revenue projections, facility design, and identification of the most important services and capacity that will assure a successful boatyard business.
Deliverable: Market Analysis Memo
- **Task 7: Report of Findings:**
 LWC will provide as a final "deliverable" a report of professional appearance that summarizes market demand, programmatic recommendations, and operation/management structure options for a boatyard and haulout facility located on identified (preferred) sites in Morro Bay.
Deliverable: Report of Findings
- **Task 8: Public Presentation of Findings:**
 LWC will produce a PowerPoint presentation of professional appearance that summarizes the work performed and the findings of the project. LWC will use the presentation at one (1) Harbor Advisory Board meeting. This task will also include five (5) color/bound copies of the report to be distributed to the project sponsors.
Deliverable: City Council Presentation on Report Findings.

- In early March 2014, the Morro Bay City Council identified an opportunity to participate in a boat yard and haulout facility study, as co-clients with the CFO. The Council then asked the Morro Bay Harbor Advisory Board (HAB) to review a forthcoming study proposal, and if the project moved forward, review the study work product. In aid of that request, the HAB formed a Marine Facility Ad Hoc Committee, tasked with reviewing the forthcoming study proposal, as well as any subsequent study work product, while reporting to the Harbor Advisory Board and coordinating with the City's contract liaison, the Harbor Director.
- In late March 2014, LWC produced a revised study proposal, dated March 27, 2014, identifying the CFO and the City of Morro Bay as prospective co-clients. The proposed study scope of work included the following:
 - **Task 1: SCOPING, REFINEMENT, & PROJECT MANAGEMENT PLAN**
LWC will schedule, provide an agenda (on which all parties have had the opportunity to comment), and facilitate a kickoff meeting with project managers at the City and the MBCFO to review and confirm the scope of work, deliverables and timeline.
Deliverable: Draft Project Management Plan, with confirmed timeline and deliverables
 - **Task 2: ARCHIVAL REVIEW & CASE STUDIES**
LWC will review and summarize relevant industry reports and publications and conduct case studies of three (3) boatyards and haulout facilities for guidance and examples of successful approaches and pitfalls on the development and management of such facilities. This task is also intended to identify and refine assumptions for the market analysis. Case studies may include KKMI in Richmond California, Newport or Toledo, Oregon, Gravelle's in Moss Landing, Monterey Boatyard, Monterey or Ventura Harbor Boatyard - Shipyard Marine Repair (among others).
Deliverable: Case Study Memo.3. Scope of Work14 | 3.27.14 | Proposal for Morro Bay Boatyard and Haulout Market Analysis
 - **Task 3: DEVELOP SURVEY INSTRUMENT & PROTOCOL**
LWC will work with the MBCFO and the City to develop a survey instrument and protocol designed to collect data on user demand for boatyard/haulout facilities and related services. The survey instrument will seek to identify how often vessel owners haul their boats out of the water, what types of repair they conduct annually/semi annually, how much they typically spend (for each type of service) and the factors that influence vessel owner's decisions on which facility they patronize.
Deliverable: Draft and Final Survey Instrument and Survey Protocol
 - **Task 4: MORRO BAY MARKET ASSESSMENT**
LWC will rely on its close working and personal relationships with the MBCFO, MBYC, CPFV fleet, Coast Guard and Harbor Department and use personal, online and group interview approaches to generate a as robust and as accurate a response possible to the survey instrument aimed at quantifying the demand for a boatyard and haulout facility in Morro Bay. LWC will compile and assess the response data in to a clear and concise memo with accompanying graphs, charts and images.
Deliverable: Morro Bay Market Demand Summary Memo

- **Task 5: COMPETITIVE MARKET RESEARCH**
 Through its relationships with California working waterfront communities, LWC will contact and interview boatyard and haulout facilities to gather data on the competitive market, such as how many boats they handle per day/year, what types of services they provide, how far their customers travel, and the greatest constraints and opportunities facing marine haulout/ boatyard facility operators.
 Deliverable: Competitive Market Interviews Summary Memo³. Scope of Work Proposal for Morro Bay Boatyard and Haulout Market Analysis | 3.27.14 | 15
 - **Task 6: MARKET OPPORTUNITIES AND RECOMMENDATIONS**
 LWC will analyze and quantify the results of the market research interviews outlined in the Tasks 2, 4 and 5 to identify the most important services, potential demand, and opportunities and constraints for marine facility operators and make recommendations on the viability of a boatyard and haulout facility in Morro Bay, what types of services are likely to generate the highest demand, as well possible strategies to capitalize on trends in the market.
 Deliverable: Market Opportunities and Recommendations Memo
 - **Task 7: REPORT OF FINDINGS**
 LWC will summarize the background and findings from the above Tasks into a final report of professional appearance with accompanying graphs, charts and graphics. LWC will work closely with the MBCFO and the City to provide draft versions of the report and make revisions in a timely manner.
 Deliverable: Final Report
 - **Task 8: PUBLIC PRESENTATION OF FINDINGS**
 LWC will produce an attractive and concise PowerPoint presentation that summarizes the work performed and the key findings of the project. LWC will make a presentation at one (1) Harbor Advisory Board meeting. This task will also include eight (8) color/bound copies of the report to be distributed to the project's funding sources.
 Deliverable: City Council Presentation on Report Findings.
- The Ad Hoc Committee was asked to review the LWC March 27, 2014 proposal, which it did, providing its review questions and comments to LWC, the CFO, and the City liaison. Committee questions and comment topics included: study methodology; study scope; and study schedule.
 - In May 2014 the Morro Bay City Council approved the City's participation in a contract incorporating the scope of work described in LWC's March 27, 2014 proposal. *Note:* Ad Hoc Committee questions and comments regarding study scope and methodology continued into September 2014.
 - In early August 2014 the Ad Hoc Committee was asked to review LWC's draft "*Morro Bay Boatyard-Haul Out Facility Survey*", which the Committee did, providing its review comments and questions to involved parties.
 - In mid-August, the Ad Hoc Committee was asked to review LWC's draft "*Case Studies*" document, which it did, providing review comments and questions to involved parties.
 - In September 2014 the "*Morro Bay Boatyard-Haul Out Facility Survey*" was administered locally in the Morro Bay area.
 - In October 2014 LWC published a "*Case Study Memo*" dated October 14, 2014.

- On November 10, 2014 a draft of the LWC "*Boat Yard and Haulout Market Analysis*" was distributed to the Ad Hoc Committee, with request to review.
- Ad Hoc Committee review notes for the LWC "*Boat Yard and Haulout Market Analysis*" were subsequently provided to Harbor Director Eric Endersby, as the City's LWC contract liaison. Additionally, the Committee's review notes were subsequently summarized by Eric in a document distributed on December 5, 2014.
- On January 5, 2014 LWC published, "*Responses to Ad Hoc comment on "Boatyard and Haulout Market Analysis" Draft Report*".
- On January 14, 2015 the Ad Hoc Committee received and reviewed copies of two documents recently published by LWC: "*Morro Bay Boatyard Haulout Demand/Revenue Figures*"; and an untitled document addressing boatyard/haulout facility spending projections.
- On January 23, 2015 the Ad Hoc Committee met to formulated an updated report of its activities for inclusion in the February 5, 2015 HAB meeting agenda.



AGENDA NO: C-3

MEETING DATE: February 5, 2015

Staff Report

TO: Harbor Advisory Board

DATE: January 29, 2015

FROM: Eric Endersby, Harbor Director

SUBJECT: Update from the Capital Improvement Planning Ad-Hoc Committee on Committee's Recent Activities

RECOMMENDATION

Receive and file.

DISCUSSION

The Capital Improvement Planning Ad-Hoc Committee will be presenting an oral update on their activities, if any. This is a standing committee report agenda item.

Prepared By: EE

Dept. Review: EE



AGENDA NO: D-1

MEETING DATE: February 5, 2015

Staff Report

TO: Harbor Advisory Board

DATE: January 29, 2015

FROM: Eric Endersby, Harbor Director

SUBJECT: Election of Harbor Advisory Board Chair and Vice Chair

RECOMMENDATION

Elect a Chair and Vice Chair.

BACKGROUND

Per the Harbor Advisory Board Bylaws, 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.

Prepared By: EE

Dept. Review: EE