

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

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, May 7, 2009 at 7:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

**I. ROLL CALL**

Present:	Members:	Brett Cunningham Gene Doughty Michele Leary Bill Luffee Lynn Meissen Barbara Strassel
	Staff:	Rick Algert, Harbor Director Polly Curtis, Office Assistant
Absent:		Jim Phillips

**II. MINUTES**

Mr. Doughty moved the April 2, 2009 Harbor Advisory Board minutes be approved as submitted. The motion was seconded by Mr. Luffee and carried unanimously.

**III. ORAL COMMUNICATIONS**

Mr. Ed Ewing said he thought the Board should agendize the issue of too many non-fishing boats docking at the T-Piers, which should be held open for fishing vessels according to Measure D, as the piers will soon be short on space when black cod and rockfish and squid fishermen arrive. Mr. Ewing recommended agendizing the abandoned vessel procedures, and the possible installation of another heavy impound mooring for boats whose owners have not paid their bills. He also said Frank Loving's boats should be allowed to move to the old Cannery dock, because this is a working harbor and when the boats are tied up, there is no noise.

Mr. Cunningham asked Mr. Algert what it would take to amend the way we deal with dockage on the North and South T-Piers. Mr. Algert said if a documented vessel on the pier is abandoned there is a very lengthy and costly process to remove and demolish that type of boat. He said if a policy change is needed, the Board may consider agendizing a review of the Harbor Rules and Regulations.

**IV. PRESENTATIONS AND ACTION ITEMS**

**IV-1. Presentation by Drew Jacobson, Eco Marine Solutions**

Mr. Drew Jacobson summarized the proposal by Eco Marine Solutions, which was given to the Board in the packet. He proposed that all recreational boats in Morro Bay should require inspection in the same way as boats whose owners are liveaboards; that current inspection program includes meeting Marine Sanitation Device standards and vessel operational requirements.

Ms. Lisa Calmpolmy then reviewed a PowerPoint presentation on the proposal from Eco Marine Solutions to promote their "Green Living" plan.

The Board asked several questions for clarification of the proposal, such as the exact dollar amount of fees to be charged of the boaters for inspection, and which types of vessels, and who would be the inspector. Mr. Cunningham asked Mr. Algert what the Harbor Department's position on this proposal would be. Mr. Algert said the proposed inspection program would require a lot of enforcement time and effort, and a change to the fee schedule might be required. He said there are many questions remaining, and thought the coordination of the boat owners with the inspectors meeting on each vessel would be rather difficult.

Mr. Doughty said he is one of two mooring inspectors in Morro Bay, and said it would be impractical to schedule an inspection of the interior of a boat during his own mooring inspections, especially with the boat owner not on board. He said he does not agree with the percentage reached by Mr. Jacobson of the number of recreational boats that may not be in operable/navigable condition. He said all the moored boats are required to have their moorings inspected every two years, and he currently sees very few problem boats in the bay, and even most of the unmanned boats are in good condition. He said there is a liability issue, asking who would be responsible if a vessel is deemed seaworthy and then crashes the next day.

Mr. Algert said it would be logistically difficult to require the other privately owned concessionaires such as the State Park Marina to comply with inspections of all the vessels docked in their marinas. He said possibly the inspections can be on a voluntary basis with some kind of sticker given to the boat owner when they pass inspection, but he is not clear on how to enforce or require all boat owners to comply with this process.

**MOTION:** Mr. Cunningham moved to request a Staff Report from the Harbor Department to analyze the Eco Solutions proposal and define the information on fees, implementation and the process for inspection. The Motion was seconded by Mr. Luffee. After further discussion by the Board, the Motion was withdrawn by Mr. Cunningham and Mr. Luffee.

**MOTION:** Mr. Cunningham moved to re-agendize the item, and for Eco Solutions to return with a more defined plan, including the separation of the Harbor Department's role from Eco Solutions in the proposed process of inspecting all recreational moored and docked vessels in Morro Bay, and to detail any incentives for boaters to voluntarily comply. The Motion passed with a vote of 4-2, with Mr. Doughty and Ms. Meissen voting no.

Mr. Luffee asked Mr. Algert if the statement made by Mr. Jacobson were true, that all vessels are required to have proper sanitary facilities. Mr. Algert replied only vessels that have liveaboards are required to have MSDs. He said the Harbor Department already does have Rules & Regulations requiring the seaworthiness and navigability of vessels in the bay.

#### **IV-3. Request from Charter Boat Chablis to Use City Slips for Charter Operation Until Fall 2009**

The Board agreed by consensus to move Agenda Item IV-3 ahead of IV-2.

Ms. Zoe Anders and Ms. Annie Clapp told the Board they were in need of temporary dockage for their charter boat, the Chablis. They told the Board the Chablis had docking space at Virg's Fish'n' when they first arrived, but Mr. Neil said their operations interfere with the bait dock, and they need to find a new docking location. They requested that the City enter into a six-month license agreement allowing them to operate from City facilities.

Mr. Ed Ewing said the T-Piers are to be for commercial, state-owned, and city-owned boats only, according to the Coastal Plan and the Measure D policy. He said the commercial fishing boats need that space. He said passenger loading is not allowed north of Beach Street. He recommended the Chablis use the street-end docks, or the City would have to change its policy.

Mr. Cunningham said he thought it would be all right for the Chablis to tie up at a commercial slip temporarily, but did not support the loading of passengers there. He said the use of Tidelands dock for loading passengers could be a problem due to the pumpout location, and the lack of parking spaces.

**MOTION:** Mr. Luffee moved that the Harbor Advisory Board recommend to City Council to grant a temporary six-month license agreement to the Charter vessel Chablis to use a city dock that Staff recommends for berthing. The Motion was seconded by Ms. Strassel and carried unanimously.

After further discussion by the Board, an Amendment to the previous Motion was recommended by Mr. Doughty.

**MOTION:** Mr. Doughty moved to Amend the Motion to be a "one-time only" license agreement of six months, and to not allow passenger loading on a commercial fishing dock or on Tidelands dock. Mr. Luffee agreed to the Amendment, and the Board agreed by consensus.

#### **IV-2. Harbor Fees Discussion on Mooring Transfer Fee – (Continued)**

The Board briefly discussed the various amounts of possible mooring transfer fees.

**MOTION:** Mr. Doughty moved that the Harbor Advisory Board recommend to City Council to implement a Mooring Transfer fee of \$500.00. The Motion failed for lack of a second.

The Board continued discussion.

**MOTION:** Mr. Luffee moved that the Harbor Advisory Board recommend to City Council to implement a Mooring Transfer fee of \$1,000.00. The Motion was seconded by Mr. Cunningham and carried with a vote of 5-0, with Mr. Doughty abstaining.

### **V. INFORMATION ITEMS**

#### **V-1. Harbor Department Status Report**

Mr. Algert said \$5.24 million of Economic Stimulus money has been approved for dredging of the federal channel in Morro Bay harbor, which is from the harbor entrance to Fairbanks Point, and the contractor should be starting work in September or October.

He told the Board the boatyard design/map has been included here, and today the Harbor Department's application for ARRA funds had been accepted for review, which is a request for \$3.5 million for construction funding for the boat repair yard. A final decision of the application should be made this summer.

### **VI. ADDITIONAL COMMENTS**

Mr. Algert asked the Board's permission to hold their June 4, 2009 meeting with the Department of Recreation and Parks to begin at 6:00 PM. The Board agreed by consensus.

Mr. Luffee asked Mr. Algert for an update or more information on the Waterfront Master Plan, or possibly request it as a future agenda item. Mr. Algert said he would need to confirm with Recreation and Parks if they would agree to discuss the topic at the June joint meeting.

**VII. FUTURE AGENDA ITEMS**

**June:**

**Joint Meeting with Recreation and Parks for Presentation by City Attorney on the Brown Act and FPPA**

**Presentation on Embarcadero/Coleman Drive Improvement Plan (Tentatively Jointly Reviewed with Parks and Recreation Commission)**

**Presentation by Drew Jacobson, Eco Marine Solutions (Continued)**

**Cancellation of July Harbor Advisory Board Meeting (HAB only)**

**August:**

**Review of Rules & Regulations on Berthing of Boats**

**VIII. ADJOURNMENT**

This meeting was adjourned at 8:45 PM

Submitted by,

Polly Curtis  
Harbor Department