



AGENDA NO: A-2

MEETING DATE: August 6, 2015

CITY OF MORRO BAY

SPECIAL HARBOR ADVISORY BOARD

SYNOPSIS MINUTES

The special meeting of the City of Morro Bay Harbor Advisory Board was held Wednesday, July 22, 2015 at 6:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

ESTABLISH QUORUM AND CALL TO ORDER

Present: Members: Joe Conchelos (MBCFO Alternate Rep)
 Gene Doughty
 Bill Luffee
 Neal Maloney
 Dana McClish
 Lynn Meissen
 Ron Reisner
 Eric Endersby, Harbor Director
 Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT RE: ITEMS ON THE AGENDA

None.

SPECIAL MEETING AGENDA ITEMS:

- I. REVIEW OF HARBOR DEPARTMENT RULES AND REGULATIONS AND MORRO BAY MUNICIPAL CODE CHAPTER 15 FOR HARBOR ADVISORY BOARD INPUT AND DIRECTION REGARDING PROHIBITING CAREENING OF VESSELS ON THE SANDSPIT EXCEPT IN EMERGENCIES, LIMITING THE AMOUNT OF REPAIR ON VESSELS IN-WATER (25%) THAT SHOULD GO TO A BOATYARD, ADDING/STRENGTHENING BEST MANAGEMENT PRACTICES, AND MARINE SANITATION DEVICES AND DISCHARGE INTO THE BAY

Mr. Endersby reviewed the item, saying the review from the original list "A" includes #9, #10, #13, and #14. He proposed reviewing each number separately and make any recommendations after each section.

#9. Prohibit careening of vessels on sandspit except in emergencies.

Mr. Endersby reviewed the item. Mr. Reisner suggested the description of careening of vessel in the phrase, "...allowing a vessel to lay on its side on the bottom to do work..." the word should be changed from "bottom" to "beach." Mr. Endersby said this can be changed in the definitions.

Discussion by the Board on harmlessness of careening if the boat owner does not scrape or sand; chances of pollution and ability to control all substances from entering the bay.

Mr. Doughty asked what's the difference between a vessel owner who careens a boat to do bottom work versus a hired diver who does bottom cleaning on a vessel that is in the water? He said divers scrape barnacles off, making paint chips go into the water. Mr. McClish said there are responsible boat owners and there are others who are not so responsible. He said the sea life in Sandal's Cove at certain times of the year includes thousands of sand dollars that could be wiped out during just one careening event.

MOTION: Mr. Reisner moved to prohibit careening of vessels for repair and maintenance in Morro Bay, except in cases of emergencies with no potential for pollution, or in the event of short-term maintenance on not more than one tide change during maintenance. The Motion was seconded by Mr. McClish and carried with a vote of 6 to 1, with Ms. Meissen voting no.

#10. Limiting the amount of repair on vessels in-water (25%) that should go to a boatyard.

Mr. Endersby reviewed the current rule, saying although no vessel project on Morro Bay waters can discharge pollutants to the bay under several local, state and federal codes, there currently exists no Morro Bay rule or code specifically addressing the amount of work that can be done on a vessel in-water. He said without a full-service boatyard that can accommodate the majority of vessels in Morro Bay at this time, he recommends this item not be codified as a requirement but remain as a Best Management Practices recommendation. Mr. Endersby recommends larger in-water projects such as tenting and tarping be codified as a compliance requirement.

Discussion by the Board. Consensus that item be included with BMP as it relates to no contaminants in Morro Bay waters.

#13. Adding/Strengthening Best Management Practices (BMP).

Mr. Endersby said many BMPs for clean vessel ownership/operation exist, none of which are specifically codified in Morro Bay. He reviewed the current Section 15.24 of the Morro Bay Municipal Code, and recommended this Section and/or the Harbor Department Rules and Regulations be amended to require employment of certain accepted BMPs for vessel ownership, operation and repair/maintenance.

Discussion by the Board on removal of prohibition of fueling in slips, at piers or locations other than properly equipped and permitted fuel docks. Discussion by the Board and Mr. Endersby on the Clean Marina Certification for Morro Bay expiring in 2016. Discussion on importance of using advisory/education vs regulation and enforcement.

Mr. Endersby said advising and education are always the first tools the Harbor Patrol uses, and they never go straight to enforcement; however, the rules need to be codified as a backup when education does not work. He said he plans revision of all Harbor Department contracts, rental agreements, dockage cards, etc., and a packet can be created that includes BMPs as a handout to boaters.

MOTION: Mr. Reisner moved the Harbor Advisory Board recommend the Harbor Department provide City Council with modified drafts of Section 15.24 of the Morro Bay Municipal Code and that the City develop Morro Bay specific Best Management Practices, and where appropriate as an advisory document. The Motion was seconded by Ms. Meissen and carried unanimously.

#14. Marine Sanitation Devices and discharge into the bay.

Mr. Endersby reviewed the issue of MSDs and discharge into the bay, and the local, state and federal laws pertaining to discharge; he discussed the requirements in the case of Liveaboards.

Discussion by the Board.

MOTION: Mr. Doughty moved that the Harbor Advisory Board approve Staff recommendation that Municipal Code Section 15.24.010 be amended to clarify that discharge of both untreated and treated sewage of any kind is prohibited in the bay. The Motion was seconded by Mr. Reisner and carried unanimously.

II. UPDATE FROM THE MARINE SERVICES FACILITY/BOATYARD AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, FINDINGS AND RECOMMENDATIONS

Mr. Reisner said the Ad-Hoc Committee had not met since the previous Harbor Advisory Board meeting, and has nothing to report; he asked if Mr. Endersby had recently been given direction by the City Council. Mr. Endersby said the City Council gave direction and approval of funds to hire a consultant to determine if there is space in the triangle lot for a boatyard, parking, and the Maritime Museum. He said there is support from Council to move forward.

III. UPDATE FROM THE CAPITAL IMPROVEMENT PLANNING AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, FINDINGS AND RECOMMENDATIONS

Mr. Maloney reported on discussions at their recent Ad-Hoc meetings. Discussion by Mr. Maloney, Mr. Luffee and Mr. Reisner on Cost Allocation and the documents under review from FY2009-10. Mr. Maloney said there are no recommendations, but the Committee plans to meet with the Harbor Director before the next Harbor Advisory Board meeting.

IV. UPDATE FROM THE INSURANCE AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, FINDINGS AND RECOMMENDATIONS

Ms. Meissen reported the findings from Committee meetings in April and May, 2015. She concluded by saying that more information needs to be gathered, and future meetings would be beneficial with City staff and trained risk assessment personnel from the CJPIA, which incorporates the various liability and property related potential risks identified by the Ad-Hoc Committee.

Discussion by the Board and Mr. Endersby on the next steps needed to assess potential risks to the City and the Harbor Department.

ADJOURNMENT

This meeting was adjourned at 8:20 PM.
Submitted by,

Polly Curtis
Harbor Department