

CITY OF MORRO BAY
HARBOR ADVISORY BOARD
SYNOPSIS MINUTES

The regular meeting of the City of Morro Bay Harbor Advisory Board was held Thursday, October 6, 2011 at 7:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

I. ROLL CALL

Present: Members: Brett Cunningham
 Mandy Davis
 Gene Doughty
 Jeff Eckles
 Bill Luffee
 Lynn Meissen
 Jim Phillips
 Staff: Eric Endersby, Harbor Operations Manager
 Susan Lichtenbaum, Harbor Business Manager
 Polly Curtis, Office Assistant

II. MINUTES

Mr. Eckles moved the September 1, 2011 Harbor Advisory Board minutes be approved as submitted. The motion was seconded by Mr. Luffee and carried unanimously.

III. ORAL COMMUNICATIONS

Harbor Patrol Officers Scott Mather and Dana Stein introduced themselves to the Board as newly hired for the Harbor Department. HPO Mather said he has been employed by the Harbor Department for fifteen years, HPO Stein for six, both as Reserves. Chairman Phillips congratulated both officers and welcomed them aboard. Mr. Eckles said he has interacted with both officers on the water already and said they are a pleasure to work with.

Mr. Brian Stacy, local resident and fisherman, asked the Board to keep informed regarding of Mr. Rick Algert's plan for forming a Community Quota Bank here in Morro Bay. Ms. Davis recommended Mr. Stacy contact Mr. Algert directly.

IV. PRESENTATIONS AND ACTION ITEMS

IV-1. Presentation on the Maritime Museum

Mr. Larry Newland, President of the Central Coast Maritime Museum Association (CCMMA) said he has been on the project since 1993. He reviewed the history of the Maritime Museum project, as well as describing the current building and design plans. He said the proposed location is in the parking lot across the Embarcadero from GAFCO. He reviewed permitting, surveying, and funding plans, as well as the mission, vision and goals for the organization.

The Board asked Mr. Newland how many vessels the CCMMA owns, the location of all the collected artifacts, whether there would be an admission fee, and how to contact him. Mr. Newland said the Museum currently has four vessels, and their collection is being housed in storage as well as at their own homes. He said most museums do not run through admission fees, but rather through the use of donated materials, volunteer time, and other grants and donations.

City Attorney Rob Schultz explained to the Board that there is a necessary and rather complicated process the City must go through prior to entering into a lease agreement for the museum site, and that is to "Abandon" Surf Street. Half of this location belongs to the power plant, Dynegy, and half to the City. He said part of the negotiations includes the Outfall Lease, but it will be presented to City Council this December, and he expects an agreement to be reached in six months to a year from now.

IV-2. Presentation by the City Attorney on Administrative Citation Process and Leaseholders/Mooring Owners' Responsibility with Regard to Liveaboard Compliance

City Attorney, Rob Schultz, reviewed the Administrative Citation process for the Board, saying the City of Morro Bay established this process in 2007 when the Code Enforcement officer position was eliminated at the Police Department. He detailed the differences between this type of citation versus a criminal or misdemeanor. One difference is that the funds stay in Morro Bay. He said there must always be a Warning procedure prior to an Administrative Citation. But he said the biggest difference is shifting Burden of Proof to the Defendant. Proof is the Citation itself.

Mr. Schultz described the difficulties with this Citation and upholding the Liveaboard Ordinance in that an officer must testify in court that four full days of a boater living on a boat were witnessed by a surveillance officer or officers, twenty-four-seven. Mr. Eckles asked about the possibility of a surveillance video camera, and Mr. Schultz agreed that evidence on film definitely helps a case. Mr. Eckles asked Mr. Endersby how severe the non-permitted liveaboard situation is in Morro Bay, as evidenced by Harbor Patrol's "fins-in-the-water" view. Mr. Endersby said he would not term liveaboards as a problem, though some are, but usually the problem people have other issues such as non-payment of harbor fees.

Ms. Davis asked if the leaseholders such as Associated Pacific, Marina Square, and the Yacht Club who own a good portion of slips and moorings are responsible for making sure liveaboards comply with the City Liveaboard Ordinance. Mr. Schultz said the leaseholders are responsible, but if a non-compliance issue is brought to court, a witness is still required to testify. He said Staff can remind the leaseholders to verify that their liveaboards are in compliance.

IV-3. Review of Public Art Proposal from The Central Coast Women for Fisheries for a Sculpture Project to be Located at the Morro Bay Target Rock Area

Ms. Lichtenbaum asked the Board to review the proposed art donation of the Fishermen's Family Sculpture project from the Central Coast Women for Fisheries (CCWF) and make a recommendation to Council. Discussion by the Board.

MOTION: Mr. Doughty moved to recommend that City Council accept the Family Sculpture donation from the Central Coast Women for Fisheries. The Motion was seconded by Mr. Cunningham, and carried unanimously.

V. INFORMATION ITEMS

V-1. Review on Harbor Advisory Board Agendizing Procedures

Ms. Lichtenbaum briefed the Board on the City Council Policies and Procedures manual, which is available in full on the City's website. She reviewed the steps for Board members to request items be placed on the Agenda.

V-2. Harbor Department Status Report

Ms. Lichtenbaum briefed the Board on the following topics:

Grant Funding for Marine Engine Replacement
Beach Lifeguard Season Ending
Snowy Plover Nesting Season
Central Coast Waterman Festival/Jesse King Memorial Race
The Catch Exhibit at Morro Bay Library
Tall Ship Lady Washington November 18-21, 2011
Lighted Boat Parade
Bait Receiver Project
PG&E Meeting
USCG/DFG Montebello Information

VI. ADDITIONAL COMMENTS

Ms. Meissen asked how much of the \$25k from the Harbor Fund was used for the banners along the Embarcadero. Ms. Lichtenbaum said only \$6k was used from the Harbor Fund, and other funding came from the Morro Bay Commercial Fisherman's Organization and other sources. Ms. Meissen said she liked the fishing banners north of Beach Street, and wondered if other businesspeople would consider doing more personal images for their own business along the rest of the Embarcadero. Ms. Lichtenbaum said there had been a city workshop to discuss signage, and businesses are concerned about ways to advertise; this is an important topic right now.

Ms. Meissen said the city floating dock is now sinking under the weight of the sea lions, and asked if there is any way to prevent this harbor asset from being destroyed. Mr. Endersby said he made the decision, after much discussion, to allow sea lions to take over that dock, rather than having them gather on the docks attached to land and nearer to boats. He said the sea lions will probably not go away, and their numbers seem to be on the increase.

VII. FUTURE AGENDA ITEMS

Mr. Luffee asked for updates on the RFP for dredging the State Park Marina. Ms. Lichtenbaum said the RFP would happen in January or February, but a State Park Marina Dredging Update is scheduled for the next meeting. Mr. Cunningham asked to be kept informed of the PG&E permitting process and seismic testing meeting. The Board requested revisiting the discussion a boatyard in Morro Bay. There was Board consensus on these two future agenda items.

November: State Park Marina Dredging Update
Lifeguard Season Review

Future: Boatyard Review
Review of Launch Ramp Parking Permit After One Year
MBNEP Comprehensive Conservation Management Plan Update

VIII. ADJOURNMENT

This meeting was adjourned at 8:45 PM.

Submitted by,

Polly Curtis
Harbor Department