

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 2, 2013 at 6:00 PM in the Veteran's Hall, 209 Surf ST, Morro Bay, California.

ESTABLISH QUORUM AND CALL TO ORDER

Present:           Members:     Gene Doughty  
  Jeff Eckles  
  Bill Luffee  
  Dana McClish  
  Lynn Meissen  
  Jim Phillips  
  (Vacant Seat)  
                          Staff:           Eric Endersby, Harbor Director  
  Polly Curtis, Office Assistant

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

Ms. Meissen said the Morro Bay Yacht Club will begin summer sailing lessons on June 8<sup>th</sup>. The instructive course is given on small sailing vessels for children ages 8 and up, and adults of all ages; the oldest student was 83 years old.

Chair Eckles announced that Agenda Item B-2 "State Park Marina Proposed Maintenance Plan" has been pulled from tonight's Agenda, as the presenter is unable to attend this meeting.

Chair Eckles thanked the public for all the correspondence he has received on the Morro Bay Aquarium, which is Agenda Item B-3. Chair Eckles explained the way the seats on this Board function. He said the Harbor Advisory Board has authority to make recommendations to the City Council, and that each seat on the Board is a different area of interest, but each member represents the community as a whole. Chair Eckles' area of interest is Waterfront Leaseholders, Gene Doughty's area of interest is Los Osos/Baywood, Bill Luffee is Marine Oriented Business, Dana McClish is Recreational Boating, Jim Phillips and Lynn Meissen are Member at Large. However, this does not mean each person only represents this one group; they come from different factions of the community but do represent the entire community. He said there is one vacant seat with the area of interest of Commercial Fishing.

PUBLIC COMMENT

None.

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

Mr. Phillips moved the March 7, 2013 Harbor Advisory Board minutes be approved as submitted. 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:

**New Harbor Patrol Vessel**

**North T-Pier Repair Project**

**CMANC Winter Meeting – Reports by Endersby and Mayor Irons**

**Lifeguard Academy**

**Harbor Dept. Budget**

**Recent Events:**

**Emergency Vehicle Car Show**

**Blessing of the Fleet**

**Morro Bay Kite Festival**

**Miracle Mile for Kids**

**Upcoming Events:**

**17<sup>th</sup> Annual Cruisin' Morro Bay Car Show**

**Retirement Barbecue for Retired Fire Chief Pond**

**Lost at Sea Ceremony and Flyover at Cayucos Pier**

**Department Training**

**Passing of Nick Deurloo**

**B-2 This Item Has Been Pulled from the Agenda**

**B-3 Morro Bay Aquarium**

Mr. Endersby said the Aquarium lease site is an important and historical lease for the City. It has served as a marine mammal rescue and rehabilitation center, information and education center, and an attraction for almost five decades. He said the Lease Management Policy stipulates in part that all lease sites eventually need to be reconstructed or significantly remodeled to bring sites up to modern codes, design criteria, and market conditions. Lease sites are public property, and the Tylers' lease expires in 2018. As with most older sites at the end of their term, a remodel or redevelopment is typically warranted.

Mr. Endersby said the Tylers are in good standing as leaseholders, and have now submitted a modest proposal for development. Last fall, because the Tylers had not yet submitted any plans, the City Council directed staff to put the site out for Requests for Proposals. He said tonight is simply the first step in the process for the community and the leaseholder to express what they see as the future of the Aquarium and this site. A City Council hearing is tentatively set for June 25<sup>th</sup>. Mr. Endersby welcomed input from the public.

Mayor Jamie Irons said he and the Board have received many letters and emails about the Aquarium, both for and against. He said Dean and Bertha have been stewards of the Aquarium in Morro Bay for a very long time, and they are good people and good souls. He said this lease expires in five years, and all state and city laws are being complied with by the Tylers. The City is giving the Tylers opportunity to submit plans. The mayor asked the Board and the public to show compassion for the Tylers and whether the public is for or against the issue, to be considerate and respectful when speaking about the Tylers.

Mr. Dean Tyler, leaseholder of the Morro Bay Aquarium, said he has been running the Aquarium since 1960. He said that he and his wife, Bertha, have visited 35 different Aquariums over the years to see how they are run. He reviewed 11 of those visits from Sitka, Alaska, to Amsterdam, explaining the general attractions of each site. Mr. Tyler said that each Aquarium had at least one special point of interest, depending upon what the people want to see, such as a bear in Sitka, and a diver who hand-feeds the octopus in Depot Bay. He said of all the Aquariums he visited, Morro Bay is the only one he saw where people can buy seal food and feed the seals, who then clap and jump in the air, which makes people feel like seal trainers.

Mrs. Bertha Tyler said she owned a restaurant in Morro Bay, which she sold in 1973 in order to work with Dean at the Aquarium rehabilitating marine animals. They began by sometimes earning as little as .75-cents per day to now seeing an annual number of visitors upwards of 200,000 people. Mrs. Tyler said the Aquarium is an asset to the community, good for the local economy, and gives a lot of pleasure to people. She reviewed the lives of many animals, including one seal who has lived for 25 years at the Aquarium. She said their grandson, John, will take over running the Aquarium eventually, and she asked Morro Bay to keep the Aquarium. She said she hopes it stays forever, and hopes the lease will be renewed for them in 2018.

The following citizens spoke generally in favor of the Tylers and/or the Aquarium:  
Lupe Sylvester, Maria Gutierrez, Gayle Bickford, Bill Robinson, Patty James, Susan Fortman, Katie Fortman, Bill Martony, Nathaniel Player, Renee Hicks, Marlene Owens, Jeremiah O'Brien, Ed Sylvester, Deborah Hesch, and John Elkhorn.

The following citizens spoke generally in opposition to the current state of the Aquarium:  
Jenny Brantley Jones, John Weiss, Claudia Ferreday, Randal Huss, Sarah Spegamin, Julie Thomas, and Carol Carson.

The Board expressed concerns over the Aquarium's age and need for improvements; the importance of keeping this site connected to waterfront uses rather than just a gift shop; the fact that the current permit for allowing intake and discharge of seawater is a difficult one to obtain; and encouraging the Tylers as well as other people to submit proposals for improvements to the Aquarium and the whole lease site. Chair Eckles reminded the public that this is the initial discussion and talks will continue, and that the Lease Management Policy does require capital improvements prior to lease renewal.

**C. UNFINISHED BUSINESS**  
**C-1 None**

**D. NEW BUSINESS**  
**D-1 State Park Marina Operating Agreement**

Mr. Endersby reviewed the history of the siltation and dredging in the State Park Marina, as well as the estimated cost of land disposal of the dredged material. He discussed the future dredging needs, and said we are at a crossroads trying to decide whether the City continues with the Operating Agreement with State Parks, or hands it back to the State. He requested input from the Board and the public tonight; then will eventually meet with State Parks to discuss possibilities.

Board members questioned Mr. Endersby on the previous possible land disposal sites; on the type of materials allowed in nearshore disposal; on the terms of the Operating Agreement being month-to-month; on the funds received from the Concessionaire (Associated Pacific) and its uses; other funding possibilities; and concerns about the State not pursuing further dredging in time to fulfill requirements of the permits that were so difficult to obtain.

Public concerns over the current dredging needs in the State Park Marina were expressed by people who keep their boats in the marina: Norman Anton, Don Boatman, and Laura McCarren, as well as by Bill Martony. Each of these people said he or she would prefer the Harbor Department to directly take over the operations of the marina. The public agreed that since the Harbor Department has entered into the operations of the marina, through Associated Pacific as the Concessionaire, improvements to the marina have been far greater than when left to the State alone, but continued dredging and slip improvements are desperately needed.

Board members stated they preferred to wait until after Agenda Item B-2 "State Park Marina Proposed Maintenance Plan" has been presented to the Board in a future meeting, before making further recommendations on the Harbor Department operating the marina.

**MOTION:** Mr. Luffee moved to recommend that the Harbor Department continue to remain in the Operating Agreement with the State to run the State Park Marina. The Motion was seconded by Mr. McClish and carried unanimously.

**E. DECLARATION OF FUTURE AGENDA ITEMS**

**June: NEP Comprehensive Conservation & Management Plan (CCMP)  
State Park Marina Proposed Maintenance Plan  
Cancellation of July Harbor Advisory Board Meeting**

**Aug: Review of Harbor Lease Sites  
Feasibility of Harbor Dept Directly Managing State Park Marina  
Proposed Budget & Capital Improvement Plan**

**F. ADJOURNMENT**

This meeting was adjourned at 9:00 PM.  
Submitted by,



Polly Curtis  
Harbor Department