



CITY OF MORRO BAY HARBOR ADVISORY BOARD AGENDA

*The City of Morro Bay provides essential public services and infrastructure
to maintain a safe, clean and healthy place for residents and visitors to live, work and play.*

Meeting - Thursday, March 1, 2018 Veteran's Memorial Building - 6:00 P.M. 209 Surf Street, Morro Bay, CA

Ron Reisner, Chair	Member at Large
Lynn Meissen, Vice Chair	Member at Large
Gene Doughty	South Bay/Los Osos
Bill Luffee	Marine Oriented Business
Neal Maloney	Waterfront Leaseholders
Dana McClish	Recreational Boating
Jeremiah O'Brien	Morro Bay Commercial Fishermen's Organization
Peter Griffin	Alternate to Jeremiah O'Brien (MBCFO)
Owen Hackleman	Alternate to Jeremiah O'Brien (MBCFO)

ESTABLISH QUORUM AND CALL TO ORDER

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR, ADVISORY BOARD MEMBER & LIAISON 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.

A. CONSENT CALENDAR

- A-1 Approval of Minutes from the Harbor Advisory Board meeting held on December 7, 2017.
Staff Recommendation: Approve minutes.
- A-2 Approval of Minutes from the Special Harbor Advisory Board meeting held on January 11, 2018.
Staff Recommendation: Approve minutes.

B. REPORTS AND APPEARANCES

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

C. BUSINESS ITEMS

- C-1 Update from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee's and Staff's Recent Activities
Staff Recommendation: Receive and file.
- C-2 Update from the Finance & Budget Ad-Hoc Committee on Committee's Recent Activities
Staff Recommendation: Receive and file.
- C-3 Update from the Eelgrass Ad-Hoc Committee on Committee's Recent Activities.
Staff Recommendation: Receive and file.
- C-4 Update from the Marine Sanctuary Ad-Hoc Committee on Committee's Recent Activities
Staff Recommendation: Receive and file.
- C-5 Update from the Working Waterfront Ad-Hoc Committee on Committee's Recent Activities
Staff Recommendation: Receive and file.
- C-6 Review of Revisions to Morro Bay Municipal Code Section 15.56.020 for Harbor Advisory Board Input on Vessel Impoundment
Staff Recommendation: Staff recommend the Harbor Advisory Board approve the proposed changes to Morro Bay Municipal Code Section 15.56.020 dealing with impoundment of vessels.

D. DECLARATION OF FUTURE AGENDA ITEMS

Pending items previously declared:
Goals and Objectives – Working Waterfront Designation
Measure D
Explore Benefits of Becoming a Harbor or Port District
BOEM Update
Creation of an Embarcadero Business District
Morro Bay Maritime Museum Overhead Powerline Undergrounding

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.morrobayca.gov. 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.

MINUTES-MORRO BAY HARBOR ADVISORY BOARD
REGULAR MEETING – December 7, 2017
VETERAN’S MERMORIAL HALL - 6:00 P.M.

AGENDA NO: A-1
MEETING DATE: March 1, 2018

PRESENT: Ron Reisner HAB Chair
Lynn Meissen HAB Vice-Chair
Jeremiah O’Brien HAB Member
Gene Doughty HAB Member
Bill Luffee HAB Member
Dana McClish HAB Member

ABSENT: Neal Maloney HAB Member

STAFF: Eric Endersby Harbor Director
Lori Stilts Harbor Business Coordinator

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:01 p.m. with six members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

https://youtu.be/tirMAbWH_bw?t=2m42s

Board Member Luffee recapped the Jesse King Memorial SUP event which was held a few months ago raised \$1,680.00 that was donated to the City’s Junior Lifeguard program through the Friends of the Morro Bay Harbor Department.

Board Member McClish announced the 2018 Morro Bay Youth Sailing Foundation annual tide calendars are available for a \$20.00 donation. Pick up at the Yacht Club on Friday evenings at 6-7 pm or order online at www.mbyc.net. The donations collected are used to facilitate youth sailing programs throughout the County.

Board Member Meissen stated today is December 7th and we should not forget our history as to not repeat it.

Board Member O’Brien was appreciative of the Board members remembering Pearl Harbor day.

Board Member Doughty showcased the handmade plaque he received at last Monday’s Advisory Board appreciation event for serving 30 years on the HAB. Member Doughty thanked Chair Reisner and Director Endersby for their efforts. Member Doughty then presented a short demonstration on how to properly maintain and tie pennant lines.

Chair Reisner announced that after the first of the year a Cal Poly Geographic Information Systems (GIS) class has agreed to map the mooring fields in the bay as a student project and the electronic information be tied to the City’s mapping system.

PUBLIC COMMENT

https://youtu.be/tirMAbWH_bw?t=10m51s

The public comment period was opened.

John Gillespie, resident of Santa Margarita, acknowledged the heroes of Pearl Harbor. He went on to remind the Board he pays a higher cost of moorage for his boat compared to other fishermen in the Harbor. In addition, he and his deckhand have been ticketed for living aboard his boat on the T-Pier. He feels having someone on the boat serves as a good method of security and would like to have the rule changed. In addition, he stated the community catch share system needs to be available to fishermen in this port, but it’s due to governmental agendas that it isn’t.

Questions and discussion by the Board.

A. CONSENT AGENDA

https://youtu.be/tirMabWH_bw?t=23m11s

A-1 APPROVAL OF MINUTES FROM HARBOR ADVISORY BOARD MEETING HELD ON November 2, 2017

MOTION: Board Member Luffee moved the November 2, 2017 Harbor Advisory Board minutes be approved. The Motion was seconded by Board Member McClish and carried unanimously, 6-0.

The public comment period was opened.

An unidentified member of the public addressed the Board and stated her concerns on the current outlook of Morro Bay.

The public comment period was closed.

B. REPORTS AND APPEARANCES

https://youtu.be/tirMabWH_bw?t=28m51s

B-1 HARBOR DEPARTMENT STATUS REPORT

Director Endersby recapped the Advisory Board appreciation night held on December 4th and then presented the staff report for B-1 and responded to Board Member inquiries.

C. BUSINESS ITEMS

https://youtu.be/tirMabWH_bw?t=48m50s

C-1 UPDATE FROM THE MARINE SERVICES FACILITY/BOATYARD AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES

The public comment period was opened.

The public comment period was closed with no comments.

Committee Chair McClish stated the committee has no recent update.

Director Endersby explained to the Board the process and purpose of a RFP for a financial feasibility study for a Marines Services Facility/Boatyard.

Discussion by the Board and Director Endersby.

C-2 UPDATE FROM THE FINANCE & BUDGET AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, AND REVIEW OF CURRENT DEPARTMENT CAPITAL IMPROVEMENT/REPLACEMENT SPREADSHEETS FOR HARBOR ADVISORY BOARD REVIEW

https://youtu.be/tirMabWH_bw?t=52m9s

The public comment period was opened.

The public comment period was closed with no comments.

Director Endersby stated he did meet with the Committee Chair Maloney early this week and presented the staff report for C-2, including explaining the methodology of the improvement/replacement spreadsheets.

Discussion by the Board and Director Endersby.

C-3 UPDATE FROM THE EELGRASS AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, AND UPDATE ON EELGRASS MANAGEMENT PLAN CONSULTANCY PROPOSAL FROM ANCHOR QEA

https://youtu.be/tirMabWH_bw?t=1h8m21s

Committee Chair Meissen stated the committee has not met and are waiting for an update on the eelgrass proposal from Anchor QEA.

Director Endersby presented the staff report for C-3 and stated that he did get a revised scope of work proposal back from Anchor QEA.

Discussion by the Board and Director Endersby.

C-4 UPDATE FROM THE MARINE SANCTUARY AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES

https://youtu.be/tirMabWH_bw?t=1h13m29s

The public comment period was opened.

The public comment period was closed with no comments.

Committee Chair Reisner stated there is no current activity.

C-5 UPDATE FROM THE WORKING WATERFRONT AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES

https://youtu.be/tirMabWH_bw?t=1h13m50s

The public comment period was opened.

The public comment period was closed with no comments.

Committee Chair Doughty and Director Endersby discussed the upcoming public Joint Planning Commission and Harbor Advisory Board meeting tentatively set for January 11, 2017.

Discussion by the Board and Director Endersby with the progress of the City's general/local plan update.

C-6 CANCELANATION OF THE JANUARY 2018 HARBOR ADVISORY BOARD MEETING

https://youtu.be/tirMabWH_bw?t=1h18m11s

There was Board consensus to cancel the regular January 2018 meeting and tentatively schedule a special meeting later in the month.

MOTION: Board Member Doughty moved the regular January 4, 2018 Harbor Advisory Board meeting be canceled. The Motion was seconded by Board Member Luffee and carried unanimously, 6-0.

D. DECLARATION OF FUTURE AGENDA ITEMS

https://youtu.be/tirMabWH_bw?t=1h22m37s

Discussion by the Board and Director Endersby

The Board agreed to add the Creation of a Business Improvement District to fund Harbor infrastructure as a future agenda item.

Pending items previously declared:

Goals and Objectives – Working Waterfront Designation

Measure D

Explore Benefits of becoming a Harbor or Port District

BOEM Update

Update from and current report from the Morro Bay Community Quote Fund

E. ADJOURNMENT

This meeting was adjourned at 7:29 PM. The next Regular Meeting will be held on Thursday, February 1, 2018 at 6:00 p.m. at the Veteran's Memorial Hall located at 209 Surf Street, Morro Bay, California.

Recorded by,

Lori Stilts
Harbor Business Coordinator

MINUTES-MORRO BAY HARBOR ADVISORY BOARD
SPECIAL MEETING – January 11, 2018
VETERAN'S MEMORIAL HALL - 6:30 P.M.

AGENDA NO: A-2

MEETING DATE: March 1, 2018

PRESENT: Ron Reisner HAB Chair
Lynn Meissen HAB Vice-Chair
Jeremiah O'Brien HAB Member
Gene Doughty HAB Member
Bill Luffee HAB Member
Dana McClish HAB Member
Neal Maloney HAB Member

LIAISON: Matt Makowetski Council Member

STAFF: Eric Endersby Harbor Director
Lori Stilts Harbor Business Coordinator

ESTABLISH QUORUM AND CALL TO ORDER

The meeting was called to order at 6:33 p.m., with all members present.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER ANNOUNCEMENTS & PRESENTATIONS

<https://youtu.be/V-SZ9VEReAQ?t=2m2s>

Board Member Doughty stated there are schools of 4 to 6-inch-long anchovies in the bay, which is unusual for this time of the year.

Board Member O'Brien informed the Board of the high volume of bluefin and swordfish currently offloading in Morro Bay, with Morro Bay usually between the 1st or 3rd highest landing of these particular fish on the west coast of the United States. Also, now available is the newly released Morro Bay Commercial Fisheries 2017 Economic Impact Report.

In addition, Member O'Brien announced the upcoming annual Central Coast Women for Fisheries Albacore enchiladas fundraiser. Pick up is Saturday, February 3, 2018, from 1:00 to 5:00 p.m. Order by calling Jackie at 805-772-8281 or Lenore at 805-550-0253.

Board Member McClish updated the Board on the progress of the Maritime Museum's building.

Board Member Luffee announce the Friends of the Morro Bay Harbor Department is raising money to rebuild the dilapidated floating dock the sea lions currently occupy in the bay. To donate go to the Friends website at friendsofthembhd.org or call the Harbor Department at 805-772-6254.

Board Chair Reisner recognized Board Member Doughty for his 30 years of service to the Harbor Advisory Board with a custom mooring ball sculpture handmade by Chair Reisner.

PUBLIC COMMENT

<https://youtu.be/V-SZ9VEReAQ?t=11m48s>

The public comment period was opened.

Larry Newland, with the Central Coast Maritime Museum Association (CCMMA), believes the Maritime Museum may open its doors the weekend of the 2018 Harbor Festival. The biggest obstacle in getting to opening day is obtaining electricity to the building which will cost \$8-10 thousand dollars. Mr. Newland believes for the triangle lot to become useful the overhead lines will need to be removed. It might be sensible for the City and CCMMA to jointly take on the electricity project together, install parking lights, underground the overhead lines, and create the ability for possible museum expansion.

Questions and discussion by the Board.

The public comment period was closed.

A. CONSENT AGENDA

<https://youtu.be/V-SZ9VEReAQ?t=20m44s>

A-1 APPROVAL OF MINUTES FROM THE SPECIAL HARBOR ADVISORY BOARD MEETING HELD ON NOVEMBER 16, 2017

MOTION: Board Member Luffee moved the November 16, 2017 Harbor Advisory Board minutes be approved. The Motion was seconded by Board Member Doughty and carried unanimously, 7-0.

B. REPORTS AND APPEARANCES

<https://youtu.be/V-SZ9VEReAQ?t=21m27s>

B-1 HARBOR DEPARTMENT STATUS REPORT

Director Endersby presented the staff report for B-1 and responded to Board Member inquiries.

Chair Reisner stated he introduced previous item A-1 incorrectly and therefore the motion is incorrect. The motion was rescinded.

MOTION: Board Member McClish moved the November 16, 2017 Special Harbor Advisory Board minutes be approved. The Motion was seconded by Board Member Doughty and carried unanimously, 7-0.

C. BUSINESS ITEMS

<https://youtu.be/V-SZ9VEReAQ?t=37m45s>

C-1 UPDATE FROM STAFF AND THE MARINE SERVICES FACILITY/BOATYARD AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES

Committee Chair McClish stated the committee has not yet met this year, however, he would like to inform the Board boat storage is available in the triangle lot.

Director Endersby provided more information regarding the pilot boat storage program which will be going to Council soon for input and recommendations.

Discussion and questions by the board.

The public comment period was opened.

The public comment period was closed with no comments.

C-2 UPDATE FROM THE FINANCE & BUDGET AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, AND BOARD INPUT AND RECOMMENDATION OF HARBOR DEPARTMENT CAPITAL PROJECTS SPREADSHEETS

<https://youtu.be/V-SZ9VEReAQ?t=40m47s>

Committee Chair Maloney stated the committee has met twice since December. There was a recommendation by the committee to add a priority listing with definitions based on importance and timing to the Harbor Department capital projects spreadsheet. A structure based on 1 through 5, with 1 being most time sensitive and an A meaning the item needs an assessment.

Committee member Luffee stated concerns regarding items not listed on the capital project spreadsheets that might present the wrong outlook to City Council.

Director Endersby explained the City and leaseholder's responsibility related to seawall/revetment maintenance and agreed to add the City revetment locations to the capital spreadsheets.

Discussion by the Board and Director Endersby regarding the general prioritization of line items on the capitol spreadsheets and layout, along with status of the harbor office and Beach Street slips and

launch ramp projects.

Chair Reisner stated the harbor department for fiscal year 17/18 will need \$2.2 million for capital maintenance and this needs to be addressed by City leaders.

Director Endersby updated the board on the status of the Embarcadero street lighting in-house “gut check.”

C-3 UPDATE FROM THE EELGRASS AD-HOC COMMITTEE ON COMMITTEE’S RECENT ACTIVITIES

<https://youtu.be/V-SZ9VEReAQ?t=1h10m10s>

Committee Chair Meissen stated the committee has not met and there is nothing to report.

Director Endersby explained the Anchor QEA revised scope of work proposal and proposed process for the Morro Bay eelgrass policy/mitigation project, with a work product in hand no later than the end of June 2018.

Discussion by the Board and Director Endersby.

C-4 UPDATE FROM THE MARINE SANCTUARY AD-HOC COMMITTEE ON COMMITTEE’S RECENT ACTIVITIES

<https://youtu.be/V-SZ9VEReAQ?t=1h16m7s>

Committee Chair Reisner stated there is no current activity.

Discussion by the Board and Director Endersby.

C-5 UPDATE FROM THE WORKING WATERFRONT AD-HOC COMMITTEE ON COMMITTEE’S RECENT ACTIVITIES, AND SUPPORT OF H.R. 1176, THE “KEEP AMERICA’S WATERFRONTS WORKING ACT”

<https://youtu.be/V-SZ9VEReAQ?t=1h17m31s>

Committee Chair Doughty stated the Joint Planning Commission and Harbor Advisory Board subcommittee met today and discussed how to define measure D more clearly. Three terms were discussed and given more clear definition – “primary use”, “non-commercial recreational fishing”, and “incidental thereto.” In addition, the HAB subcommittee is in agreement with the Planning Commission as to locations the working waterfront should be defined in three separate areas, from Target Rock to Beach Street, Beach Street to the Tidelands Dock, and Tidelands Dock to the State Park Marina. A revised mission statement will be determined from the two previous statements and brought back to the Joint subcommittee for review. It will then be implemented into the general/local coast plan update, along with a policy statement.

Director Endersby explained the City’s general/local plan update process.

Committee member Reisner reported Planning Commissioner Luhr conceptionally identified the three areas as; Target Rock to Beach Street, is Measure D, Beach Street to Tidelands Dock, would be working waterfront related activities, and Tidelands Dock to the State Park Marina, as nature related water activities.

Input and discussion by the Board and Director Endersby.

Director Endersby presented the C-5 staff report considering support of H.R 1176, the “Keep American’s Waterfronts Working Act.”

Input and discussion by the Board and Director Endersby.

MOTION: Board Member Reisner moved the Harbor Advisory Board endorse H.R. 1176, and encourages modifications to the Bill as necessary to ensure that local government authority be written in as potential direct recipients of the Bill’s proposed Working

Waterfronts Grant Program. The Motion was seconded by Board Member McClish and carried unanimously, 7-0.

D. DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/V-SZ9VEReAQ?t=1h49m27s>

Discussion by the Board.

The Board agreed to add Morro Bay Maritime Museum Overhead Powerline Undergrounding.

Pending items previously declared:

Goals and Objectives – Working Waterfront Designation

Measure D

Explore Benefits of becoming a Harbor or Port District

BOEM Update

Update from the MBCQF – tentatively scheduled for February 2018

Creation of an Embarcadero Business District

E. ADJOURNMENT

This meeting was adjourned at 8:22 p.m. The next Regular Meeting will be held on Thursday, February 1, 2018 at 6:00 p.m. at the Veteran's Memorial Hall located at 209 Surf Street, Morro Bay, California.

Recorded by,

Lori Stilts
Harbor Business Coordinator



AGENDA NO: B-1

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board

DATE: February 20, 2018

FROM: Eric Endersby, Harbor Director

SUBJECT: Harbor Department Status Report

RECOMMENDATION

Receive and file.

DISCUSSION

Recent Department Activity:

Harbor Patrol statistics for the month of February 2018 to date were 9 emergency responses, 77 calls for service, 22 assists of other agencies, 26 enforcement contacts, 3 weather warnings and 1 Hazardous Bar postings.

2/11/18 Harbor Patrol responded to a single report of possible climber on Rock. Report came from the Coast Guard. Patrol was unable to locate climber.

2/14/18 Harbor Patrol responded to a single report of possible climber on Rock. Climber was located approx. 200 feet up on South side. Contact with Climber on the ground, given lecture and released.

Recent City Council Activity:

At a Special Goals and Objectives Retreat on February 2, City Council discussed the City's strategic planning process, presented a status update on existing goals & objectives, took community input on upcoming goals & objectives for 2018, gave general direction to staff and considered the next steps.

At the regular February 13 City Council meeting, Council reviewed and gave direction regarding Harbor Advisory Board recommendations on FY 17/18 Workplan Objectives and consideration of establishing fee-based boat/RV storage in the "Triangle" Parking Lot, and licensing / permitting for-profit activities and businesses occurring on Tidelands Trust Properties. Council direction on the Triangle Lot was to make further refinements to the proposal, including comments from the Council, and bring back for future consideration. Council direction on the licensing/permitting proposals was concurrence with the staff recommendations, and to bring back final policy and implementation for approval.

Tentatively, at the upcoming regular February 27 City Council meeting, staff will recommend Council to adopted Resolution #07-18 Protecting Our Ocean and Coast from Offshore Oil Drilling, Exploration and Fracking and discuss the Agenda for the C-MANC Annual "Washington Week" Meetings in Washington, D.C.

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

Department of Boating and Waterways:

As of January 1, 2018, the mandatory boating safety education law goes into effect, and will be phased in by age. If you operate any type of motorized vessel on California waterways (including powered sailboats/paddlecraft), you will be required to pass an approved boating safety examination and carry a lifetime California Boater Card. For more information and the phase-in schedule to have a California Vessel Operator Card based on operator age go to: <http://californiaboatercard.com/>

Fishing Front:

Meager to moderate takes of commercial and recreational Dungeness crab are being reported.

Upcoming Events:

3/16/18 Leprechaun Crawl presented by the Friends of the MBHD <http://friendsofthembhd.org>

3/18-3/19/18 Big Rock Regatta Hosted by Morro Bay Yacht Club <http://mbyc.net>

4/6-4/8/18 15th Annual Morro Bay City-Wide Yard Sale

4/15/18 Morro Bay Yacht Club Opening Day <http://mbyc.net>

4/21/18 Family Care Network 15th Miracle Miles for Kids <http://mm4k.com/>

4/28/18 Kite Festival presented by the Friends of the MBHD

5/3-5/6/18 22nd Cruisin' Morro Bay Car Show <http://www.morrobaycarshow.org/>

5/19-5/25 National Safe Boating Week <http://www.safeboatingcampaign.com/>

5/26-5/28/18 Morro Bay Memorial Day Art in the Park <http://www.morrobayartinthepark.com/>

7/14/18 49th Annual Brian Waterbury Rock to Pier Run & Half Marathon

All citizens of Morro Bay and its governing authorities and Council are invited on March 10th at 2:30pm - 3:00pm at the Veteran's Memorial Building for the City of Morro Bay to be proclaimed "Rescue Water Craft Training Capital of the World" by the Rescue Water Craft Association. This dedication is included in a weekend conference attended by more than 10 countries around the world called RESCUECON 2018. For more information on the conference see www.WaterRescueCon.com

Status of Pending HAB Recommendations:

	HAB Recommendation	Date	Status
1	Staff draft letter to Council encouraging the City to pursue negotiating with State Parks the City assume both marina and café concessions.	5/7/15	Staff's last contact with Parks indicated no Parks interest in giving up the café concession. Since that time, all of Parks' key personnel on the SPM have either retired or positions turned over. Staff's current thinking is we're at a "start-over" point with Parks to begin talks anew, and are acting accordingly before taking anything back to the Council. 11/1/17. Staff have reached out to Parks to renew discussions. 12/20/17. Spoke with office of Director for State Parks; tentative meeting set for week of January 8-12. 2/13/18 Spoke with office of Director of Concessions office left message with assistant for our concession specialist to set up conference call. No response. 2/22/18 Called again left message. 2/23/18 new Parks concession specialist contacted department.

2	Staff provide Council with modified sections of MBMC 15.24 (harbor sanitation) and develop environmental BMP's.	7/22/15	<p>Staff have incorporated this BMP effort into the ongoing Rules & Regs/MBMC updating project.</p> <p>11/1/17. Work ongoing; tentatively scheduled to come to HAB Feb or March 2018.</p> <p>1/18/18. Review at HAB 2/1/18 meeting item C7.</p>
3	Council direct staff to engage consultancy relative to obtaining regulatory approval for cost-effective ocean disposal of SPM dredge material, and/or determine the practical and economic feasibility of using same as landfill.	1/7/16	<p>Staff did engage consultancy and the Corps to investigate regulatory permit approval of SPM material disposal in the Nearshore Disposal area. With consultant cost estimate to <i>attempt</i> this approval of \$178,000, and no guarantee of success, staff ceased pursuing. In discussions with the EPA, permitting success seemed not likely. City also seeking (along with CMANC) regulatory relief of the "80-20" dredge material disposal rule, which could change the playing field.</p>
4	City Council to approve issuance of the final draft Marine Services Facility/Boatyard Request for Qualifications document.	2/2/17	<p>2/14/17. Council approved the release of a Request for Qualifications (RFQ) document as-proposed. RFQ is out, and responses due July 14, 2017.</p> <p>7/27/17. No responses to RFQ.</p> <p>8/3/17. HAB meeting to consider next steps.</p> <p>11/3/17. Put together a RFP for a financial feasibility study to go to Council for approval.</p> <p>12/1/17. Draft proposal in process for HAB review 2/2018.</p> <p>12/18/17. Tentatively on Council agenda for 1/23/18 to lay out scope of work and get authorization for a financial feasibility study.</p> <p>1/18/18. Discussing at HAB meeting 2/1/18 during item C1.</p>
5	City Council to involve the Harbor Advisory Board directly in the consideration and incorporation of Measure D into the General Plan and Local Coastal Plan update.	3/2/17	<p>Tentatively on the July 11, 2017 City Council Agenda for consideration regarding Harbor Advisory Board Request to Resolve Ambiguities regarding Measure D / Working Waterfront (HD).</p> <p>7/27/17. City Council on 7/11/17 authorized PC subcommittee to jointly work with HAB ad-hoc committee on Measure D ambiguities and Working Waterfront policy language for consideration of incorporation into GP/LCP update process.</p> <p>9/1/17. First joint HAB/PC subcommittee meeting to consider Measure D and Working Waterfronts</p>

			<p>scheduled for September 8, 2017, at the Community Center Studio room from 3:00-5:00 pm.</p> <p>9/8/17. First joint subcommittee meeting held. General discussion and public input. Second meeting TBD, likely late October or early November.</p> <p>12/18/17. PC/HAB Joint meeting on 1/11/18.</p> <p>Joint meeting of the full HAB and PC pending.</p>
6	City to use a consultant to update the cost allocation plan, if feasible, if not, then direct staff to do an internal check.	6/1/17	<p>Approved Council Goal Objective Work Plan Item – Internal “gut check” Goal 1(e).</p> <p>11/2/17. On HAB agenda for process consideration. Staff/Committee analysis review calendar 2017. To new Finance Director January 2018. Consideration of findings into development of FY 18/19 budget.</p> <p>1/18/18 Staff currently engaging in internal check.</p>
7	City to share TOT, sales tax and possessory interest revenue that is collected in the Harbor fund and used for Harbor Capitol maintenance and improvements.	6/1/17	<p>Pending until a new Finance Director and City Manager are in place.</p> <p>10/30/17. Per the SLC it is normal for these taxes to go into the City’s General municipal funds.</p>
8	City Council to include proposed eelgrass language into General Plan/Local Coastal Plan updates.	6/7/17	<p>7/28/17. Consultant Anchor QEA is developing a proposal to review existing information and documentation, research typical projects that have eelgrass issues, interview NEP personnel, and meet with Eelgrass Ad-Hoc committee members to discuss Newport Beach management plan.</p> <p>11/1/17. Staff engaged with Anchor on eelgrass proposal.</p> <p>12/1/17. Update to HAB on 12/7/17 on revised consultant contract scope of work.</p> <p>12/18/17. Draft eelgrass consultant agreement submitted to legal for review and approval.</p> <p>1/18/18 executed contract with Anchor QEA.</p>
9	City Council to review the proposed outline for the eelgrass policy to decide if the elements are appropriate.	6/1/17	See above.
10	Incorporate Working Waterfront land area and uses into General Plan/Local Coastal Plan updates.	6/1/17	Tentatively on the July 11, 2017 City Council agenda for consideration with Measure D recommendation above.

			<p>7/27/17. City Council on 7/11/17 authorized PC subcommittee to jointly work with HAB ad-hoc committee on Measure D ambiguities and Working Waterfront policy language for consideration of incorporation into GP/LCP update process.</p> <p>9/1/17. First joint HAB/PC subcommittee meeting to consider Measure D and Working Waterfronts scheduled for September 8, 2017, at the Community Center Studio room from 3:00-5:00 pm.</p> <p>9/8/17. First joint subcommittee meeting held. General discussion and public input. Second meeting TBD, likely late October or early November.</p> <p>12/18/17. PC/HAB Joint meeting on 1/11/18.</p>
11	In General Plan/Local Coastal Plan updates, consideration be given to a list of uses provided, and that the Measure D area and its uses be incorporated into Morro Bay's Working Waterfront.	6/1/17	<p>Tentatively on the July 11, 2017 City Council agenda for consideration with Measure D recommendation above.</p> <p>7/27/17. City Council on 7/11/17 authorized PC subcommittee to jointly work with HAB ad-hoc committee on Measure D ambiguities and Working Waterfront policy language for consideration of incorporation into GP/LCP update process.</p> <p>9/1/17. First joint HAB/PC subcommittee meeting to consider Measure D and Working Waterfronts scheduled for September 8, 2017, at the Community Center Studio room from 3:00-5:00 pm.</p> <p>9/8/17. First joint subcommittee meeting held. General discussion and public input. Second meeting TBD, likely late October or early November.</p> <p>12/18/17. PC/HAB Joint meeting on 1/11/18.</p>
12	Paid parking be established on and around the Embarcadero, and recommended list of issues to be addressed when considering establishment of same.	7/6/17	<p>July 18, 2017 letter from HAB Chairman provided to Planning Commission and copied to City Council, Public Works Advisory Board and Community Development Director with HAB's recommendations.</p> <p>10/9/17. Once CD Director gets additional input from PC, it will be brought to Council to obtain direction on parking initiatives. PC to the lead on policy development.</p>

		<p>11/7/17. Discussed at the Planning Commission Meeting.</p> <p>12/1/17. Per CD Director also discussed with PWAB and tentatively going to Council in Jan or Feb 2018 for direction.</p> <p>12/19/17. Per CD Director PC and Council will be provided with HABS recommendations.</p>
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AGENDA NO: C-1

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board

DATE: February 20, 2018

FROM: Eric Endersby, Harbor Director

SUBJECT: Update from the Marine Services Facility/Boatyard Ad-Hoc Committee on Committee's and Staff's Recent Activities

RECOMMENDATION

Receive and file.

DISCUSSION

The Marine Services Facility/Boatyard 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

City Manager Review: _____

City Attorney Review: _____



AGENDA NO: C-2

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board

DATE: February 20, 2018

FROM: Eric Endersby, Harbor Director

SUBJECT: Update from the Finance & Budget Ad-Hoc Committee on Committee's Recent Activities

RECOMMENDATION

Receive and file.

DISCUSSION

The Budget & Finance 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

City Manager Review: _____

City Attorney Review: _____



AGENDA NO: C-3

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board

DATE: February 20, 2018

FROM: Eric Endersby, Harbor Director

SUBJECT: Update from the Eelgrass Ad-Hoc Committee on Committee's Recent Activities

RECOMMENDATION

Receive and file.

DISCUSSION

The Eelgrass 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

City Manager Review: _____

City Attorney Review: _____



AGENDA NO: C-4

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board

DATE: February 20, 2018

FROM: Eric Endersby, Harbor Director

SUBJECT: Update from the Marine Sanctuary Ad-Hoc Committee on Committee's Recent Activities

RECOMMENDATION

Receive and file.

DISCUSSION

The Marine Sanctuary 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

City Manager Review: _____

City Attorney Review: _____



AGENDA NO: C-5

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board

DATE: February 20, 2018

FROM: Eric Endersby, Harbor Director

SUBJECT: Update from the Working Waterfront Ad-Hoc Committee on Committee's Recent Activities

RECOMMENDATION

Receive and file.

DISCUSSION

The Working Waterfront 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

City Manager Review: _____

City Attorney Review: _____



AGENDA NO: C-6

MEETING DATE: March 1, 2018

Staff Report

TO: Harbor Advisory Board **DATE:** February 23, 2018
FROM: Eric Endersby, Harbor Director
SUBJECT: Review of Revisions to Morro Bay Municipal Code Section 15.56.020 for Harbor Advisory Board Input on Vessel Impoundment

RECOMMENDATION

Staff recommend the Harbor Advisory Board approve the proposed changes to Morro Bay Municipal Code Section 15.56.020 dealing with impoundment of vessels.

BACKGROUND

The Harbor Advisory Board had previously reviewed staff input and recommendations on revising the impound section of the Morro Bay Harbor Rules and Regulations and Morro Bay Municipal Code regarding use of impoundment as an enforcement tool. Currently, according to Municipal Code section 15.56, impoundment can only be used in cases of nonpayment of fees, although Section 5 of the Rules and Regulations states impoundment can be used for continued use of City facilities without permission. This, too, needs to be rectified with both documents being harmonious.

Staff had recommended use of impoundment as an enforcement tool for a vessel and/or vessel owner that represents a threat to safety and security of facilities and/or harbor users, vessels that are a threat to pollute and for vessel owners who chronically abuse use or time restrictions on City facilities. HAB concerns from its previous review were to ensure due process is not violated, that it be specific and defined and to bring back a more refined recommendation.

DISCUSSION

Black's Law Dictionary defines "impound" as:

- 1. To place (something, such as a car or other personal property) in the custody of the police or court, often with the understanding that it will be returned intact at the end of the proceeding.*
- 2. To take and retain possession of (something, such as a forged document to be produced as evidence) in preparation for a criminal prosecution.*

The below, "red-lined" version (language recommended for removal in strike-out; language recommended for addition in underline) of the current Municipal Code section 15.56.020 is being presented for HAB consideration and approval:

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

15.56.020 Impoundment.

- A. ~~Any vessel which fails to pay transient fees as required in Section 15.56.010 hereof within forty-eight hours after mooring may be impounded by the Harbor Director.~~ Any vessel ~~that, which~~(i) has incurred ~~mooring fees,~~ any other fees or other charges that remain unpaid for a period in excess of ninety days, ~~or, (ii) represents, in the professional opinion of the Harbor Patrol, a threat to the safety, security or welfare of City facilities, harbor users or the environment, or, (iii) chronically violates use or time restrictions on City facilities, or, (iv) continues to use City facilities after having been denied use, or, (v) is removed from a public waterway in accordance with California Harbors and Navigation Code Section 523 that shall moor or remain moored to any city facility~~ may be impounded by the Harbor Director.

To impound any vessel, the Harbor Director may relocate or secure to prevent the vessel from leaving that location until such time as, ~~(i) all fees or charges are paid in full, including the impound fees, towing fees, past due charges, penalties, interest, legal fees and charges accruing for mooring, storage or maintenance of the vessel during impoundment at the direction of the Harbor Director, and/or, (ii) the threat to the safety, security or welfare of City facilities, harbor users or the environment is abated, and/or, (iii) the vessel is relocated to a non-City facility, and/or, (iv) the reason under which the vessel was removed from the waterway under California Harbors and Navigation Code Section 523 is abated or corrected.~~ The Harbor Director may authorize the vessel to be removed from the water, stored, and/or moved to more appropriate ~~mooring~~ facilities for security of the vessel or convenience during such impoundment period.

~~For any vessel impounded for past due fees or charges, A~~after a period of sixty days the vessel may be destroyed or sold at public auction in accordance with the provisions of Article 4 of Chapter 2, Division 3 of the California Harbors and Navigation Code "Boaters Lien Law."

- B. All fees and charges incurred on behalf of the vessel shall continue to be associated with the vessel and/or the vessel's owner and/or operator at the time the charges were incurred until paid in full regardless of changes of ownership or operator of the vessel.
- C. Any individual who, or vessel which, has incurred fees or charges to the city of Morro Bay which shall remain unpaid for a period in excess of ninety days may be denied use of any city vessel mooring facilities.

CONCLUSION

Staff believe impoundment of a vessel under the circumstances being proposed falls well within Black's definition of "impoundment." Staff further believe amending the Municipal Code section dealing with impoundment as-proposed provides a well-defined process and a more effective enforcement tool, while still respecting individual and property rights and due process.

As-necessary, the Harbor Rules and Regulations document will be amended to be harmonious with any Municipal Code changes. In addition, any changes to the Municipal Code will ultimately have to be reviewed and approved by the City Attorney, and will go to the City Council for final approval.