



CITY OF MORRO BAY HARBOR ADVISORY BOARD A G E N D A

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.

Regular Meeting Thursday, November 5, 2020 – 5:30 P.M. Held Via Teleconference

Ron Reisner, Chair	Marine Oriented Business
Mark Blackford, Vice Chair	Member at Large
Lynn Meissen,	Member at Large
Gene Doughty	South Bay/Los Osos
Cherise Hansson	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

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this Meeting will be conducted telephonically through Zoom and broadcast live on Cable Channel 20 and streamed on the City website (click [here](#) to view). Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Veterans' Hall will not be open for the meeting.

Public Participation:

In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-29-20, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Harbor office at lstilts@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak on a specific agenda item by logging in to the Zoom webinar at the **beginning** of the meeting using the information provided below. Please use the "**raise hand**" feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

➤ <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRWFUQT09>
Password: 135692

Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to “Raise Hand” for Public Comment

A. CONSENT CALENDAR

Unless an item is pulled for separate action by the Board, the following actions are approved without discussion. The public will also be provided an opportunity to comment on consent agenda items.

A-1 Approval of Minutes from the Harbor Advisory Board meeting held on September 3, 2020.

RECOMMENDATION: Approve as submitted.

A-2 Harbor Department Status Report.

RECOMMENDATION: Receive and file report.

B. BUSINESS ITEMS

B-1 Update from the Boatyard/Marine Services Facility Ad-Hoc Committee on Committee’s Recent Activities

RECOMMENDATION: Receive and file update.

B-2 Update from the Finance & Budget Ad-Hoc Committee on Committee’s Recent Activities

RECOMMENDATION: Receive and file update.

B-3 Consideration of Harbor Advisory Board Member Assignments for Public Engagement Opportunities

RECOMMENDATION: Staff recommend the Harbor Advisory Board consider board member assignments to act as information conduits to various outside organizations and entities as outlined in this staff report.

B-4 Identification of Responsible Parties for Cleanliness of Waterfront Ground Leases, Public Restrooms, Light Posts and Concern for Public Safety

RECOMMENDATION: Receive and file report.

B-5 Update on the Activities and Fundraising Efforts of the Friends of the Morro Bay Harbor Department

RECOMMENDATION: Receive and file update.

C. 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
- Wind Energy Generation off the Coast of Morro Bay
- Creation of an Embarcadero Business District to Fund Harbor Infrastructure
- Review of TBID Assessment funding
- Identify/review responsible parties for cleanliness of waterfront ground lease sites, public restrooms, light posts, and concern for public safety

- Eelgrass Committee to propose an action plan to be included in the GPLCP update
- Allocating Board Members to specific areas to increase public engagement
- Discussion of the Castle Wind Community Benefit funds

D. 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, 1275 Embarcadero Road, 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.

AGENDA NO: A-1

MEETING DATE: November 5, 2020

MINUTES-MORRO BAY HARBOR ADVISORY
BOARD MEETING – September 3, 2020
TELECONFERENCE – 5:30 P.M.

Harbor Advisory Board conducted this meeting in accordance with Section 3 of California Governor Newsom's Executive Order N-29-20 issued on March 17, 2020 in response to the present State of Emergency in existence due to the threat of COVID-19. This meeting was held via teleconference for all participants.

PRESENT: Mark Blackford Vice-Chair
Cherise Hansson Member
Lynn Meissen Member
Dana McClish Member
Owen Hackleman Member

ABSENT: Ron Reisner Chair
Gene Doughty Member

STAFF: Eric Endersby Harbor Director
Lori Stilts Harbor Business Coordinator

ESTABLISH QUORUM AND CALL TO ORDER

<https://youtu.be/ICYN6koyF0o?t=10>

The meeting was called to order at 5:50 p.m., with a quorum present.

MOMENT OF SILENCE

<https://youtu.be/ICYN6koyF0o?t=78>

The moment of silence was dedicated to the passing of Rita Anderson and Reg Whibley.

PLEDGE OF ALLEGIANCE

CHAIR AND ADVISORY BOARD MEMBER, LIAISON ANNOUNCEMENTS

<https://youtu.be/ICYN6koyF0o?t=143>

Vice-Chair Blackford announced the cancelation of the Special August 13, 2020 Board meeting due to lack of a quorum.

PUBLIC COMMENT

<https://youtu.be/ICYN6koyF0o?t=388>

The public comment period was opened and closed with no comments.

A. CONSENT AGENDA

<https://youtu.be/ICYN6koyF0o?t=463>

Unless an item is pulled for separate action by the Board, the following actions are approved without discussion. The public was provided an opportunity to comment on consent agenda items.

A-1 APPROVAL OF MINUTES FROM THE HARBOR ADVISORY BOARD MEETING HELD ON FEBRUARY 2, 2020.

RECOMMENDATION: Approve as submitted.

A-2 APPROVAL OF MINUTES FROM THE HARBOR ADVISORY BOARD MEETING HELD ON MARCH 5, 2020.

RECOMMENDATION: Approve as submitted.

A-3 APPROVAL OF MINUTES FROM THE SPECIAL HARBOR ADVISORY BOARD MEETING HELD ON JUNE 25, 2020.

RECOMMENDATION: Approve as submitted.

A-4 HARBOR DEPARTMENT STATUS REPORT.

RECOMMENDATION: Receive and file report.

MOTION: Board Member Hansson moved approval of all items on the consent agenda. The Motion was seconded by Board Member McClish and carried unanimously, 4-0.

B. BUSINESS ITEMS

<https://youtu.be/ICYN6koyF0o?t=508>

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

Committee Chair McClish stated there is nothing new to report.

B-2 UPDATE FROM THE FINANCE & BUDGET AD-HOC COMMITTEE ON COMMITTEE'S RECENT ACTIVITIES, INCLUDING REPORTING ON THE HARBOR ADVISORY BOARD'S JUNE MEETING RANKING ON HARBOR CAPITAL AND OPERATIONAL NEEDS

<https://youtu.be/ICYN6koyF0o?t=524>

Director Endersby presented the staff report for item B-2 and responded to Member inquiries.

Member Meissen joined the meeting at 6:02 p.m.

B-3 REPORT ON THE FY19/20 PRELIMINARY YEAR-END HARBOR DEPARTMENT BUDGET STATUS, INCLUDING ECONOMIC IMPACTS OF THE COVID-19 PANDEMIC SOCIAL AND BUSINESS SHUTDOWNS TO THE FY19/20 HARBOR DEPARTMENT BUDGET, AND CURRENT INITIATIVES AND PROGRAMS TO ASSIST WATERFRONT LEASEHOLDERS EXPERIENCING RENT PAYMENT ISSUES

<https://youtu.be/ICYN6koyF0o?t=820>

Director Endersby presented the staff report for item B-3 and responded to Member inquiries.

B-4 UPDATE ON HARBOR DEPARTMENT LEASE MANAGEMENT POLICY UPDATE PROCESS

<https://youtu.be/ICYN6koyF0o?t=1557>

Director Endersby presented the staff report for item B-4 and responded to Member inquiries.

B-5 UPDATE ON STATUS OF THE FOLLOWING CITY COUNCIL 2019/2020 GOAL ACTION ITEMS: WATERFRONT RV CAMPING; PAID PARKING/PARKING MANAGEMENT PLAN

<https://youtu.be/ICYN6koyF0o?t=2089>

The public comment period was opened and closed with no comments.

Director Endersby presented the staff report for item B-5 and responded to Member inquiries.

B-6 REPORT ON CITY ACTIONS AND ACTIVITIES IN RESPONSE TO THE COVID-19 PANDEMIC

<https://youtu.be/ICYN6koyF0o?t=2668>

Director Endersby presented the staff report for item B-6 and responded to Member inquiries.

There was Board discussion.

B-7 SELECTION OF WHICH THREE MONTHS OF THE YEAR THE HARBOR ADVISORY BOARD WILL NOT HOLD SCHEDULED MEETINGS

<https://youtu.be/ICYN6koyF0o?t=3875>

Member Blackford presented the staff report.

There was Board discussion.

MOTION: Board Member Hansson moved to choose January, April and July as the months the Board will not hold Board meetings. The Motion was seconded by Board Member McClish and carried unanimously by roll call vote, 5-0.

C. DECLARATION OF FUTURE AGENDA ITEMS

<https://youtu.be/ICYN6koyF0o?t=4321>

Pending items previously declared:

- Goals and Objectives – Working Waterfront Designation
- Measure D
- Explore Benefits of Becoming a Harbor or Port District
- Wind Energy Generation off the Coast of Morro Bay
- Creation of an Embarcadero Business District to Fund Harbor Infrastructure
- Review of TBID Assessment funding
- Identify/review responsible parties for cleanliness of waterfront ground lease sites, public restrooms, light posts, and concern for public safety
- Eelgrass Committee to propose an action plan to be included in the GP/LCP update
- Allocating Board Members to specific areas to increase public engagement
- Discussion of the Castle Wind Community Benefit funds
- ~~HAB's future Meeting Schedule~~

D. ADJOURNMENT

This meeting was adjourned at 7:03 p.m. The next Regular Meeting will be held on Thursday, October 1, 2020 at 5:30 p.m. via teleconference.

Lori Stilts
Harbor Business Coordinator



AGENDA NO: A-2

MEETING DATE: November 5, 2020

Staff Report

TO: Harbor Advisory Board

DATE: October 27, 2020

FROM: Eric Endersby, Harbor Director

SUBJECT: Harbor Department Status Report

RECOMMENDATION

Receive and file report.

DISCUSSION

Recent Department Activity:

Harbor Patrol statistics for September to October 2020 were 30 emergency responses, 253 calls for service, 59 assists of other agencies, 110 enforcement contacts, 8 weather warnings, and 2 hazardous bar warnings.

Of the 30 emergency responses by the Department, here are some notable events:

September 18, Harbor Patrol responded underway on Boat 64 to look for a runabout boat on the beach in between the Finger Jetty and South Jetty inside the harbor. The boat was located with six subjects attempting to push the boat off the beach into the water, but unsuccessful. Harbor Patrol swam a line to the boat and towed the boat and passengers to safety.

September 20, Harbor Patrol responded by land to assist Morro Bay PD to locate a suspect reportedly threatening people with a knife at the end of a fishing pier. Subject was detained and arrested.

September 25, Harbor Patrol responded to a surf rescue at the Rock for a vessel reported in the surf. A disabled boat drifted into large surf, capsized and washed up on the beach. The operator was uninjured, and the boat was recovered by Harbor Patrol, with assistance from a City road crew worker and heavy equipment. Later review of the footage on the Surfline camera revealed the operator had driven the boat into the breaking surf area, and was disabled trying to get back out while jumping a wave.

October 1, Harbor Patrol responded underway on Boat 64 with three Morro Bay Fire personnel for a medical aid on a passenger for hire sport fishing vessel. After reaching the vessel four miles offshore, the Fire crew was transferred to the boat to assist the patient while the Harbor Patrol escorted the boat back in.

October 17, Harbor Patrol responded to a multi-agency incident of a report of a climber trespassing on Morro Rock. There was visual confirmation and efforts to retrieve the climber. The search, however, was called off at sundown, and by morning the climber apparently slipped away.

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

Recent City Council Activity

On September 22, Council adopted Resolution No. 80-20 approving an interim three-year master lease agreement between the City of Morro Bay and Libertine Brewing Company for lease site 86/86W, located at 801 Embarcadero, and commonly known as “The Libertine Pub.”

Also, on September 22, Council adopted Resolution No. 81-20 approving Amendment #2 to the commercial building lease agreement with Three Stacks and a Rock Brewing Company at lease site 69-70/69W-70W, located at 595 Embarcadero Road.

Again, on September 22, there was a Proclamation of the City Council declaring September 20 – September 26, 2020 as the 18th Annual Sea Otter Awareness Week.

On October 13, Council adopted a conditional Consent of Landowner pertaining to a modest lease site redevelopment proposal for lease site 78-81/78W-81W, located at 701 Embarcadero (Dutchman’s Seafood House) to Van Beurden Investments.

Also on October 13, Council adopted Resolution No. 89-20 authorizing the City of Morro Bay to enter into a \$85,000 Boating Safety and Enforcement Equipment grant contract with the State of California Department of Parks and Recreation, Division of Boating and Waterways for purchase of the Port San Luis’ surplus 26-foot harbor patrol vessel.

Again on October 13, Council adopted Resolution No. 90-20 approving a request from the Harbor Advisory Board (HAB) to establish January, April and July as the three months per each calendar year the HAB would not have a regularly scheduled monthly meeting.

On October 27, Council adopted Resolution No. 92-20 approving the assignment and assumption and conditionally authorizing the Mayor to execute the necessary documents for the sale of lease site 91-92/91W-92W, and accepting deeds of trust related thereto (Anderson Inn, 897 Embarcadero), and rescinding Resolution Nos. 17-20 and 76-20 that conditionally approved previous assignments and assumptions of Lease Site 91-92/91W-92W, because those associated sales were not consummated.

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

			<p>contacted department. 4/23/18. Harbor Director email sent to Parks. 4/27/18. Contacted Parks staff, discussions underway. 5/17/18. Harbor Director met with Dan Falat, District Superintendent, regarding reviving discussions, putting concessions out to bid and prospects for City taking over operation and management of the marina. Staff was recently informed by the district superintendent that State Parks in Sacramento is potentially bringing this item off the back burner. 4/26/19 Meeting still pending. No new updates.</p>
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. 11/1/17. Work ongoing; tentatively scheduled to come to HAB Feb or March 2018. 1/18/18. Review at HAB 2/1/18 meeting item C7. 4/27/18. Pending Council consideration. No new updates.</p>
3	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. 7/27/17. No responses to RFQ. 8/3/17. HAB meeting to consider next steps. 11/3/17. Put together a RFP for a financial feasibility study to go to Council for approval. 12/1/17. Draft proposal in process for HAB review 2/2018. 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. 1/18/18. Discussing at HAB meeting 2/1/18 during item C1. 4/27/18. Working on draft RFP to go to Council. Tentatively on 6/26/18 City Council agenda for consideration of issuance. Tentatively on 8/28/18 City Council agenda for consideration of issuance. 8/28/18. Council approved issuance of a financial feasibility RFP. RFP to be issues asap. Request for Proposals issued for financial feasibility study services for the proposed boatyard. RFP due February 1, 2020. No proposal submissions received. HAB to consider next steps 3/13/19. 4/26/19 Staff not recommending any further expenses be undertaken on boatyard financial feasibility study at this time. 5/31/19 Boatyard/Marine Services Facility remains on the City Council's goals.</p>

4	City to share tax revenues that are collected in the Harbor fund (and not currently going to 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> <p>4/5/18. Chair Reisner requesting City Manager to provide a memorandum on this item.</p> <p>Chair Reisner met with the City Manager.</p> <p>No new updates.</p>
5	City Council to include proposed eelgrass language into General Plan/Local Coastal Plan updates, and to review the proposed outline for the eelgrass policy to decide if the elements are appropriate.	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> <p>4/27/18. Anchor QEA beginning project.</p> <p>4/25/18. Eelgrass Ad-Hoc committee met with Anchor QEA reps in Morro Bay</p> <p>Draft Anchor QEA eelgrass mitigation report on HAB agenda for consideration 8/2/18.</p> <p>8/18 final Morro Bay Conceptual Eelgrass Plan report issued by Anchor QEA for ad-hoc and HAB consideration.</p> <p>Next step of hiring Anchor QEA to approach pertinent regulators with Morro Bay eelgrass mitigation plan concept pending Council consideration on January 8, 2020.</p> <p>2/19/19. staff, eelgrass committee and MBNEP exploring new possible in-lieu mitigation path, as Morro Bay Eelgrass Plan as currently outlined by Anchor QEA is likely not viable.</p> <p>No new updates.</p>
6	<p>Incorporate Working Waterfront land area and uses into General Plan/Local Coastal Plan updates.</p> <p>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.</p>	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</p>

			<p>meeting TBD, likely late October or early November. 12/18/17. 1/11/18. PC/HAB joint meeting, recommendations made to GPAC. 4/27/18. Pending GPAC action. Currently at Coastal for comments. Document link on City's Website: https://www.morrobayca.gov/943/PlanMB No new updates. See HAB 5/2/29 agenda item B-6</p>
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AGENDA NO: B-1

MEETING DATE: November 5, 2020

Staff Report

TO: Harbor Advisory Board

DATE: October 27, 2020

FROM: Eric Endersby, Harbor Director

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

RECOMMENDATION

Receive and file update.

BACKGROUND, DISCUSSION & CONCLUSION

The 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: B-2

MEETING DATE: November 5, 2020

Staff Report

TO: Harbor Advisory Board

DATE: October 27, 2020

FROM: Eric Endersby, Harbor Director

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

RECOMMENDATION

Receive and file update.

BACKGROUND, DISCUSSION & CONCLUSION

The 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: B-3

MEETING DATE: November 5, 2020

Staff Report

TO: Harbor Advisory Board

DATE: October 27, 2020

FROM: Eric Endersby, Harbor Director

SUBJECT: Consideration of Harbor Advisory Board Member Assignments for Public Engagement Opportunities

RECOMMENDATION

Staff recommend the Harbor Advisory Board consider board member assignments to act as information conduits to various outside organizations and entities as outlined in this staff report.

BACKGROUND

The Harbor Advisory Board (HAB) previously declared a future agenda item to consider voluntary assignment of HAB members to identify and become information conduits between various organizations, agencies or specific areas of interest in order to increase the HAB's public engagement both to and from the HAB and these organizations. This would entail members serving as two-way information conduits, a role they presently fulfill to a more limited basis with their individual HAB constituency categories.

It is envisioned this program, if enacted, would increase HAB member outreach and communication with various organizations and entities outside their primary constituencies.

DISCUSSION

Staff have identified the following entities for consideration (in no particular order and not all-inclusive):

- Morro Bay Planning Commission
- Morro Bay Yacht Club
- Morro Bay Chamber of Commerce
- Various City committees and advisory bodies (Citizen's Finance Committee, Public Works Advisory Board, Recreation and Parks Commission etc.)
- Embarcadero businesses (perhaps not just waterfront leaseholders)
- Morro Bay National Estuary Program and Bay Foundation
- Coast Guard Auxiliary
- Friends of the Morro Bay Harbor Department
- Various service clubs and organizations (Rotary, Lions etc.)
- Environmental organizations or groups (Pacific Wildlife Care, Marine Mammal Center, ECOSLO, Coastwalk etc)
- California State Parks
- Surfrider Foundation

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

- Central Coast Regional Water Quality Control Board
- Recreational fishing businesses and groups (Virg's and Patriot Sportfishing etc.)
- Other?

CONCLUSION

If enacted, these assignments would be acting at the direction of and for the HAB as a body by assisting staff with HAB outreach and business.



AGENDA NO: B-4

MEETING DATE: November 5, 2020

Staff Report

TO: Harbor Advisory Board

DATE: October 28, 2020

FROM: Eric Endersby, Harbor Director

SUBJECT: Identification of Responsible Parties for Cleanliness of Waterfront Ground Leases, Public Restrooms, Light Posts and Concern for Public Safety

RECOMMENDATION

Receive and file report.

BACKGROUND

The Harbor Advisory Board (HAB) previously declared a future agenda item to review who the responsible parties are for various cleanliness, maintenance and safety issues on the waterfront

This report is an informational item only.

DISCUSSION & CONCLUSION

Lease Site Maintenance

All of the City's master leases stipulate the leaseholder is responsible for the maintenance, upkeep and cleanliness of the leased premises and improvements. In addition, the recently approved new lease policy and new master lease template include a stipulation a master tenant is also responsible for areas outside their leased premises if they utilize those outside areas as part of the site's business operations. An example of this would be the path of travel across public property for a tenant's dumpster from their lease site to curbside.

Master tenants put the burden on their subtenants for maintenance and upkeep of their sublet properties, and most also require their subtenants to take care of common area maintenance, or "CAM." Ultimately, however, it would be the master tenant the City will hold responsible for taking care of issues.

Public Restrooms

City Facility crews operating under Public Works are responsible for the maintenance and upkeep (utilizing Tidelands Trust/Harbor funds) of the six public restrooms on the waterfront – Tidelands Park/Launch Ramp, Centennial Park/Chessboard, Front Street Parking Lot (at the City's lift station below Surf Street), North T-Pier, Coleman Park and the Rock.

In addition, most master leases now require the tenant to maintain a publicly available restroom during business hours, a requirement they are physically and financially responsible for.

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____

Parks, Other Public Areas and Rights of Way

In general, the City's Facility crews take care of the waterfront's parks, public areas, roads and rights of way with a combination of Tidelands Trust/Harbor and General Fund funding. For jobs or projects outside their scope or capability, work will be done via private sector contracting.

In addition, the Harbor Department's volunteer Maintenance Aide takes care of a significant amount of trash pickup and other odd maintenance, upkeep and beautification jobs on the waterfront on a part-time basis.

Light Posts

All of the City's street lights and light posts are owned and maintained by PG&E, which are costed out to the City on a fixed per-light contract basis. Those on the waterfront are costed out to the Tidelands Trust/Harbor. Under the contract, PG&E is responsible for maintenance, upkeep and replacement. This is standard in most cities across the state.

Public Safety

General security on a lease site and improvements is the responsibility of the master leaseholder, with the Police Department and/or Harbor Patrol called in for crimes or matters of immediate public safety. The Harbor Patrol is quite limited in its terrestrial enforcement authority, and will almost always call in Morro Bay PD to assist or take over cases.

On the water, the Harbor Patrol is the primary public safety and enforcement entity, and again, will call in MBPD when needed for crimes and/or issues beyond basic boating enforcement.

Overall Responsibility

For overall public safety, the Police, Fire and Harbor departments work in concert as a team to address all public safety issues on the waterfront, bay and City's beaches.

As the landlord to all waterfront leases, the Harbor Department is the primary entity responsible for ensuring the leaseholders are living up to their leases, and will employ the assistance of the City Manager, City Attorney or other departments as necessary.



AGENDA NO: B-5

MEETING DATE: November 5, 2020

Staff Report

TO: Harbor Advisory Board

DATE: October 28, 2020

FROM: Eric Endersby, Harbor Director

SUBJECT: Update on the Activities and Fundraising Efforts of the Friends of the Morro Bay Harbor Department

RECOMMENDATION

Receive and file update.

BACKGROUND, DISCUSSION & CONCLUSION

Bill Luffee, President of the Friends, will be providing an update of the organization's activities and fundraising efforts to assist the Harbor Department refurbish the surplus harbor patrol vessel the department is acquiring from Port San Luis.

ATTACHMENT

Friends of the Morro Bay Harbor Department Harbor Patrol Boat Fundraiser flyer

Prepared By: EE

Dept Review: EE

City Manager Review: _____

City Attorney Review: _____



Harbor Patrol Boat Fundraiser

WE NEED TO RAISE \$100,000

In order for our Morro Bay Harbor Department to continue offering the WIDE variety of services we are accustomed to, we are fundraising to help cover the cost.

A New Patrol Boat Is ESSENTIAL



What our MBHD Fleet Does:

- Vessel Assists
- Rescue Operations
- Marine Fire Fighting
- Wildlife Rescue & Release
- Search & Rescue
- Emergency Medical Aid
- Pollution Response & Cleanup
- Municipal Code Enforcement
- Inspects and Manages All Vessel Berthing

To Contribute by Check, Please Send to:
Friends of the Morro Bay Harbor Department

PO Box 718

Morro Bay, CA 93443

To Donate Online, visit

friendsofthembhd.org

*Friends of the*
MORRO BAY
HARBOR DEPARTMENT