

**MINUTES
BOATING AND WATERWAYS COMMISSION MEETING
EMERYVILLE, CALIFORNIA
MARCH 2, 2011**

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Chairwoman Clark on March 2, 2011, at 9:30 A.M. at the Courtyard Hotel, 5555 Shellmound Street, Emeryville, California.

ROLL CALL

Commissioners Present: Lenora S. Clark; Douglas W. Metz; H.P. "Sandy" Purdon, and Matthew Webb

Dept. of Boating and Waterways

Personnel Present: Penny Schulz, Staff Counsel; Steve Watanabe, Facilities Chief; Sylvia Hunter, Facilities Loans and Grants Chief; Tom Heuer, Retired Annuitant, and Margarita Sanchez, Administrative Assistant

CONVENE AND APPROVAL OF MINUTES

MOTION: *It was moved by Commissioner Purdon and seconded by Commissioner Webb that the Boating and Waterways Commission Minutes of January 26, 2011, meeting be approved. The motion carried unanimously.*

CHAIRMAN'S REPORT

Chairwoman Clark welcomed everyone and spoke on educating the commissioners, the boating public and legislators on the value of the Department of Boating and Waterways by accenting the Department's programs and functions. She will be asking staff for a presentation of Department programs at every meeting. She noted that the Acting Director is not in attendance due to illness.

Chairwoman Clark stated she will be implementing a Boating and Waterways Commission "Hall of Fame"- Champions--individuals who are making an impact on boating and/or the Department; she asked for nominations of worthy individuals. The individuals selected will be given a plaque and a Press Release will be issued highlighting their achievements.

Chairwoman Clark asked that meetings be scheduled in June for a review and/or revise of the loan process and in July for the abandoned vessel program.

Chairwoman Clark said the Department's budget has been placed on hold pending resolution of the Department of Finance's review of the Department's loan process and a proposed project. She requested Department staff to provide the Commission with a detailed spreadsheet of the entire loan portfolio.

Chairwoman Clark also spoke on the following:

- Boating has been taken off the NTSB "Endangered List"
- USCG continues to focus on PFD wear. Now US Army Corp of Engineers has expanded its mandatory life jacket test at Pine Flat Lake in Fresno, California
- Oil spill preparedness in San Francisco Bay workgroup coordinated by Vivian Matuk to bring marinas and yacht clubs together to develop plans and protocols
- E15 has not been approved for marine engines but boaters must be made aware NOT to use it
- US EPA will have a ruling this in Spring on recreational vessels, BMP (Best Management Practices) and boater responsibility

DIRECTOR'S REPORT

Mr. Watanabe read the Director's report. The following was discussed:

- Consideration of the Department's FY 11-12 budget proposals for facilities loans and grants is expected to occur as part of the Spring process
- Governor Brown has extended the hiring restrictions, reduced the number of cellular phones and vehicles that a department can have, and halted purchases of any promotional items
- Travel and overtime restrictions remain in place
- Department's publications are now being distributed through a central distributor and a limit has been placed on publication requests
- Life jacket programs are continuing
- Media campaign will use more social networking and not as many radio spots
- Department has been working with Delta stakeholders on treatment of water hyacinth and egeria densa

LEGISLATIVE REPORT

Chairwoman Clark spoke briefly on the Legislative Report and copies were made available to the public.

PUBLIC COMMENT

Mark Sandoval, Vice President of California Associations of Harbor Masters and Port Captains and Board of Directors of the Marina Recreation Association, asked if associations will be able to provide comments, information, and questions at the meetings in June and July. Chairwoman

Clark responded that the meetings will be working meetings in Sacramento where comments, ideas, and suggestions will be heard and encouraged.

Rob Schroder, Mayor, City of Martinez, introduced himself and commented on the desire to move forward with their project with the assistance of the Department. He excused himself from the meeting due to other obligations but he indicated that Mitch Austin, Recreation Manager, will speak on the City's behalf later in the meeting.

Linda Bendsen, President, Recreational Boaters of California, spoke on the great work the Boating and Waterways Commission and Department have done for recreational boaters.

Maggie Sabovich, Pacific Inter-Club Yacht Association, spoke on the support of the Department and Commission.

CONSIDERATION OF PUBLIC GRANTS

Ms. Hunter presented to the Commission for its advice and consent the following requests for public grants.

Marina del Rey Boat Launching Facility

The County of Los Angeles has requested a Harbors and Watercraft Revolving Fund grant of \$700,000 to make improvements to the Marina del Rey Boat Launching Facility. Improvements will consist of modifications to allow for easier turning capability into the entrance lane; modifying alignment of the entrance lane, new curbs, pavement and minor landscaping at the entrance and exit; relocating utilities and storm drain; new signage; and relocate island with barrier gate and pay stations.

Paul Wong, Division Chief of Planning, Department of Beaches and Harbors, was available to answer questions from the Commission. He gave a PowerPoint presentation on the proposed project.

Staff recommends that the Boating and Waterways Commission approve the County of Los Angeles request for a \$700,000 Harbors and Watercraft Revolving Fund grant for improvements, as described in the March 2, 2011, Feasibility Report, to the Marina del Rey Boat Launching Facility.

Commissioner Webb visited the proposed project site and recommends approval.

MOTION: *It was moved by Commissioner Webb and seconded by Commissioner Metz that the Boating and Waterways Commission approve the Department of Boating and Waterways Harbors and Watercraft Revolving Fund grant of \$700,000 to the County of Los Angeles for improvements to the Marina del Rey Boat Launching Facility, as described in the March 2, 2011, Feasibility Report. The motion carried unanimously.*

Tahoe Vista Boat Launching Facility

The North Tahoe Public Utility District (District) has requested a Harbors and Watercraft Revolving Fund grant of \$1,432,000 to make improvements to the Tahoe Vista Boat Launching Facility. Improvements will consist of construction of the parking site upland of the previously funded boat launching facility. The parking site will provide 24 pull-through vehicle and trailer parking spaces. The completion date for this project is 2012.

North Tahoe Public Utility District staff, Kathy Long, Parking Facility Manager; Paul Schultz, General Manager; and Wyatt Ogilvy, Consultant, were available to answer questions from the Commission. Mr. Ogilvy gave a PowerPoint presentation on the proposed project.

Staff recommends that the Boating and Waterways Commission approve a \$1,432,000 Harbors and Watercraft Revolving Fund grant to the North Tahoe Public Utility District for improvements to the Tahoe Vista Boat Launching Facility as described in the March 2, 2011, Feasibility Report, contingent upon the District securing the final \$500,000 and providing evidence of this grant to the Department.

Chairwoman Clark visited the proposed project site and recommends approval.

MOTION: *It was moved by Commissioner Metz and seconded by Commissioner Purdon that the Boating and Waterways Commission approve a \$1,432,000 Harbors and Watercraft Revolving Fund grant to the North Tahoe Public Utility District for improvements to the Tahoe Vista Boat Launching Facility as described in the March 2, 2011, Feasibility Report, contingent upon the District securing the final \$500,000 and providing evidence of this grant to the Department. The motion carried unanimously.*

Chairwoman Clark called for a break at 10:50 A.M.; meeting resumed at 11:07 A.M.

Ms. Hunter presented to the Commission for its advice and consent the following request for a public loan.

CONSIDERATION OF PUBLIC LOAN

Long Beach, Alamitos Bay, Basin 4

The City of Long Beach has requested a Harbors and Watercraft Revolving Fund public loan of \$9.97 million to rebuild Alamitos Bay Marina, Basin 4. The estimated completion date for this project is December 2011.

Staff recommends approval of the \$9.97 million to the City of Long Beach to rebuild Alamitos Bay Marina, Basin 4 with the condition of a full execution of an amendment which has been

approved by the Department of Boating and Waterways between the City of Long Beach and the Long Beach Yacht Club that provides:

1. All Basin 4 berths will be made available to all individuals on a first-come, first-served basis and that the City of Long Beach's City-wide Marina Waiting list will be the basis for allocating Basin 4 berths.
2. Basin 4 berths will not be conveyed by an individual to another person or entity, either directly or indirectly.

Ms. Hunter stated that the Department's Acting Director and the City officials of the City of Long Beach are currently working on condition number two.

Mark Sandoval, Manager of Marinas and Beaches and David Nakamoto, City Treasurer, City of Long Beach, were available to answer questions from the Commission.

Commissioner Metz read into the record an email dated March 1, 2011, from Acting Director Becerra to Commissioners Clark and Metz. The email read as follows:

"Notes About Recommendation. We do not yet have an amendment that has been approved by DBW. I think we pretty much have language agreed to on the first condition. However, we are not there yet on the second item. The City has policy that allows for subletting in certain conditions. I haven't received it yet, My goal is to reach agreement on language which considers conveyance if appropriate in certain reasonable situations but does not leave a technical hole that results in slips being sublet, churned, etc to deter public access. I want to ensure appropriate turnover and public access. I called Long Beach today and was told that it does have a waiting list, contrary to other information received that there is no one on the waiting list. I'm not sure if this is a semantics issue but I'd like to know for sure. I asked Mark to send me subletting policy and waiting list information."

After discussion, a motion was made.

MOTION: *It was moved by Commissioner Purdon and seconded by Commissioner Webb that the Boating and Waterways Commission approve the proposed loan of \$9.97 million, as described in the Department of Boating and Waterways March 2, 2011, Feasibility Report, to the City of Long Beach conditioned upon final execution of a lease amendment between the City of Long Beach and the Long Beach Yacht Club, to the satisfaction of the Department. The motion carried unanimously.*

NEW BUSINESS

City of Martinez Presentation

Philip Vince, City Manager, City of Martinez, was introduced. Mitch Austin, Recreation Manager, City of Martinez, Community and Economic Development, gave a PowerPoint presentation on the Martinez Marina.

COMMISSIONER ANNOUNCEMENTS

Commissioner Purdon thanked the Commissioners for making the last seven years memorable and Commissioner Metz and Webb thanked Commissioner Purdon for his service.

Chairwoman Clark noted that contingent of getting new commissioners, the next meeting is scheduled for April 26 and 27, 2011, in Long Beach or Marina del Rey.

ADJOURN

Chairwoman Clark adjourned the meeting at 12:23 P.M.



Lucia C. Becerra, Acting Secretary