

**CBJ DOCKS & HARBORS BOARD**  
**SPECIAL REGULAR MEETING MINUTES**  
**For Thursday March 11, 2004**

**I.** Call to Order

Board Chairman, Mr. Knapp, called the Special Regular Meeting to order at 6:30 p.m. at the Aurora Harbor Office.

**II.** Roll Call

The following members were present: Mr. Clough, Mr. Derr, Mr. Etheridge, Mr. Fisk, Mr. Hurley, Mr. Preston, Mr. Simpson, and Mr. Knapp.

The following Member was absent: Mr. Grussendorf.

Also in attendance were the following: Mr. Stone – Port Director and Mr. Hartle - City Attorney.

**III.** Approval of Agenda;

**The agenda was approved without objection.**

**IV.** Public Participation.

There was none.

**V.** Approval of Previous Meeting Minutes.

**MOTION by Mr. Etheridge: TO APPROVE THE MINUTES FROM THE REGULAR MEETING OF FEBRUARY 26, 2004.** The motion passed without objection.

**VI.** Items for Action.

There were none.

**VII.** Items for Information/Discussion.

A. Letter from Troy and Sharon Andrews – owners of both Fisherman’s Bend and Andrew’s Marina.

Mr. Stone gave a short presentation on this topic. And then discussion followed with all the Board Members

**VIII.** Executive Session.

A. Audit Committee Report.

**MOTION by Mr. Derr: ASK UNANIMOUS CONSENT TO GO INTO EXECUTIVE SESSION TO DISCUSS THE AUDIT COMMITTEE REPORT.** The motion passed without objection.

The Board Members went into Executive Session at 6:38 p.m.

**MOTION by Mr. Derr: ASK UNANIMOUS CONSENT TO END EXECUTIVE SESSION.** The motion passed without objection.

The Executive Session ended at 7:51 p.m.

**MOTION by Mr. Derr: ASK UNANIMOUS CONSENT TO RESUME REGULAR SESSION.** The motion passed without objection.

The Regular Board Meeting resumed at 7:52 p.m.

**MOTION by Mr. Simpson: TO DIRECT THE SPECIAL AUDIT COMMITTEE TO CONDUCT A REVIEW OF PREFERENTIAL MOORAGE RULES AND SLIP ASSIGNMENTS. THE REVIEW IS TO INCLUDE AN INQUIRY AS TO THE STATUS OF EVERY STALL USED OR ASSIGNED TO: (A) A DOCKS AND HARBOR BOARD MEMBER; (B) AN ASSEMBLY MEMBER; (C) AND A DOCKS AND HARBORS DEPARTMENT EMPLOYEE; (D) AND A PERSON WHO HAS REFUSED TO PROVIDE DOCUMENTATION OF OWNERSHIP; OR, (E) ANY PERSON WHO THE DOCKS AND HARBOR DEPARTMENT STAFF HAS A REASONABLE BASIS TO BELIEVE MAY NOT BE IN COMPLIANCE WITH PREFERENTIAL MOORAGE RULES REGARDING STALL ASSIGNMENT. THE INQUIRY WILL BE BY THE SPECIAL AUDIT COMMITTEE WITH ASSISTANCE OF THE STAFF, EXCEPT THAT, WITH RESEPECT TO ANY STALL ASSIGNED TO A COMMITTEE MEMBER, THE CITY ATTORNEY'S OFFICE WILL BE ASKED TO ASSIST WITH THE REVIEW. IF PERSONS ARE FOUND TO HAVE WILLFULLY MISREPRESENTED THE STATUS OF THE VESSEL OWNERSHIP OR REFUSED TO PROVIDE DOCUMENTATION, THEY SHALL FORFEIT THEIR STALL AND**

**RETURN TO THE WAIT LIST. IF PERSONS ARE FOUND TO BE WITHIN THE TERMS OF THE EXISTING POLICY BECAUSE OF A TECHNICAL APPLICATION OF THE POLICY OR DOCUMENTS INVOLVED, THE COMMITTEE SHALL MAKE A RECOMMENDATION FOR THE REVISION OF THE RULES TO REMOVE ANY “LOOPHOLE” THAT TENDS TO MAKE THE POLICY INEFFECTIVE, BUT PERSONS WHO WOULD FORFEIT A STALL UNDER THIS PROVISION SHALL BE AFFORDED A PERIOD OF GRACE IN WHICH THEY MAY RETAIN THEIR STALL ASSIGNMENT. NO GRACE PERIOD SHALL BE ALLOWED IN CASES OF WILLFUL MISREPRESENTATION OR WITHHOLDING OF DOCUMENTATION. THIS INQUIRY SHALL BEGIN IMMEDIATELY AND THE COMMITTEE SHALL REPORT TO THE FULL BOARD WITHIN 60 DAYS.** The motion passed without objection.

**VIII.** Committee Member & Staff Reports.

**IX.** Committee Administrative Matters.

**X.** Adjournment.

**MOTION** by Mr. Derr: **ASK UNANIMOUS CONSENT TO ADJOURN THE MEETING.** The motion passed without objection.

The meeting was adjourned at 7:54 p.m.