



TODAY'S ACTION

Consider denying an appeal filed by Paul Brow challenging the Monterey County Water Resources Agency's decision to revoke dock license #26433 due to deterioration, damage, and inadequate maintenance which renders the dock a hazard and in violation of Ordinance 4065; and authorize the General Manager to revoke dock license #26433; and authorize the General Manager to proceed immediately with summary abatement which may include destruction of the dock if not retrieved by the owner from floating on the surface of the Reservoir or left aground within the highwater mark of the Reservoir.



Committee Action

- Personnel and Administration Committee-
05/03/24

Financial Impact

- According to Ordinance 04065:
“Any person violating any of the provisions of this ordinance shall be guilty of an infraction which is punishable by a fine not to exceed \$100.00 for each violation...If licensee fails to comply with the standards and requirements in this ordinance, the property owner shall assume full responsibility for all fees owed to the Agency, including any and all disposal fees and removal expenses as appropriate.”
- In this case, Mr. Brow would be responsible for fees owed to the Agency for violating the Ordinance, as well as removal and disposal fees incurred.



Purpose

- Dock #26433 owned by Paul Brow found structurally compromised with both floatation and structural failures.
 - Boat Dock floats are compromised of failing plastic barrels, as well as miscellaneous plastic floats
- Brow failed to address maintenance issues despite warnings.
- Revocation notice sent, appeal process initiated.
- Dock's condition poses a safety risk, requiring revocation and abatement.
- Property owner bears costs of abatement as per ordinance.

Timeline

- 2/9/24 - Dock #26433, owned by Paul Brow, was found to have structural failures and inadequate maintenance, posing a hazard as per Ordinance 4065. Mr. Brow was contacted immediately alerting him of the lack of compliance with the ordinance and need for repair/removal.
- Despite warnings and opportunities for repair, Brow failed to address the issues satisfactorily.
- 2/21/24 - Revocation notice was sent, outlining the violation and appeal process.
- 3/1/24-4/15/24 - Brow's appeal was initially incomplete but later fulfilled the requirements, initiating the appeal process.

Photos



Photos (cont.)



Photos (cont.)



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Staff Recommendation:

- The dock license be revoked, the owner pays all penalty fees owed to the Agency, and that the boat dock be removed from the reservoir.
- Once this action is performed, Mr. Brow can apply to operate a dock compliance with ordinance standards by applying for an initial dock license, which is subject to the approval of the General Manager.

