

# THE CYBA NEWS

July-August 2013

The California Yacht Brokers Association Newsletter

## CYBA/NMMA Partnership Sets Foundation For New Show

San Diego, CA

The recent partnership agreement between the California Yacht Brokers Association (CYBA) and the National Marine Manufacturers Association (NMMA) has been heralded as having brought renewed enthusiasm, participation, and relevance to the newly upgraded San Diego International Boat Show (SDIBS), held June 20 – 23, adjacent to the San Diego International Airport at Cancer Survivors Park. The 4-day show greatly surpassed previous shows in terms of quality of boats and numbers of displays, both in and out of the water. With

a decidedly more broad-reaching appeal, the show encompassed marine products from both ends of the size and price spectrums. From trailer boats to 100'-plus yachts, from the latest nautical trinkets to the finest accessories and electronics, the show seemed to have something for everyone.

Joining in this year as a result of CYBA efforts, were the San Diego Superyacht Association (SDSA) and the San Diego Maritime Museum's steam yacht *MEDEA*.

The SDSA hosted several events throughout the show, including a marine-industry golf tournament, a superyacht crew briefing for America's Cup vessel

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## Rounding Third... Headed Home

By: Bill Krauss

The Legislative Session starts in January and gets a full head of steam in spring and early summer, followed by a summer break, which is where we are at the writing of this article. They will then return in a few weeks for a frenzied month to finish out the year.



I am glad to report that all the bills that we are supporting continue to move through the process, and the bills that require amendments are getting the needed changes, with only minor exceptions that should get worked out in the coming weeks. We are still opposed to two bills that will extend a fee on new vessel registrations (not renewals), that is assessed ostensibly for air quality research. (There are two bills, but

(cont. on page 5)



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O: (949) 642-5735  
E: dmoran@ardell-ca.com  
F: (949) 642-9884  
C: (714) 299-1286

### 2nd Vice President

J. R. Means  
O: (949) 631-0228  
E: jr@bayportyachts.com  
F: (949) 631-5440  
C: (949) 637-6671

### Past President

Tom Trainor  
O: (916) 777-6559  
E: delatayachtsales@aol.com  
F: (916) 777-6365  
C: (916) 798-8667

### Secretary

J. R. Means  
O: (949) 631-0228  
E: jr@bayportyachts.com  
F: (949) 631-5440  
C: (949) 637-6671

### Treasurer

James H. Johnson  
O: (619) 222-0626  
E: jim@chuckhoveyyachts.com  
F: (619) 222-1695  
C: (619) 784-9002

### Director

Bob Merritt  
O: (805) 382-6250  
E: bob@corinthianyachts.com  
F: (805) 382-6250  
C: (805) 216-6561

### Director

Nick Friedman, CPYB  
O: (310) 547-4416  
E: yachtbroker@pacbell.net  
F: (310) 547-4258  
C: (310) 748-5409

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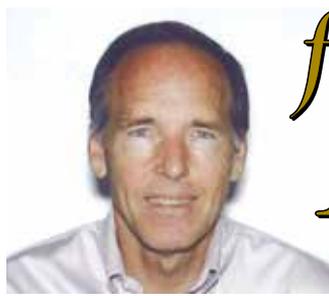
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E: dean\_west@yahoo.com  
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C: (619) 417-9378

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E: don@recreationpublications.com  
F: (775) 353-5111  
C: (775) 745-6565

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Tom Russell  
O: 949-854-6000  
E: trussell@ra-law.com  
F: (949) 854-6001  
C: (949) 244-6230



# from the PRESIDENT

Dennis Moran

## CAUTIOUS OPTIMISM

The yacht brokerage industry have been through a roller-coaster ride since the Lehman Brothers bankruptcy started the economic collapse in 2008. The headlines paralyzed potential customers, the new boat industry came to a grinding halt and marine lenders vanished. Fast forward to 2013 and those of us that survived are experiencing gradual growth again in sales. The new "normal" will never look like the good old days but for those who put forth the time and energy are selling boats. The recipe for success in our current market is intelligent marketing, good product knowledge, embracing social media and presenting your company as an ethical and trustworthy partner to potential boat buyers.

Attendance was reportedly up by an impressive 65% at the recent San Diego International Boat show on Harbor Island, with a great cross-section of brokerage product displayed. See the accompanying article with complete details elsewhere in this newsletter. As announced last year, CYBA has entered into a partnership with NMMA for our member participation in their boat shows, offering reduced rates to CYBA members. The recent mergers of SCMA and NCMA with NMMA has allowed the very experienced NMMA boat show staff to use their expertise, including making a significant financial investment, in recasting the boat shows in California to better attract customers and has solicited suggestions from our association. The San Diego, Long Beach and LA shows have already benefited greatly from this new direction. Plans are well along to bring

back the San Francisco/Bay area boat show to its former glory and it will be held at an exciting new venue, McCovey Cove, just beyond the right field wall of AT&T Park in the heart of downtown San Francisco.

CYBA is one of seven members of a California boating coalition who are represented by Bill Krauss, our lobbyist in Sacramento with the Apex Group. Bill has years of experience in keeping a sharp eye out for anything our esteemed legislators may decide to make an issue of that involves boating in the Golden state. Recently, he organized a meeting of the coalition representatives and the Dept. of Parks and Recreation (DPR) which now manages the Dept. of Boating and Waterways (DBW) as a division of DPR. Our original concern that DBW would get lost somewhere at the bottom of DPR's organizational chart has, so far, not come to pass. It made the transition with most personnel intact and it is business as usual. I had the pleasure of getting to know the new State Parks Director, Retired USMC Major General Anthony L. Jackson when he attended our recent CYBA Legal Seminar in San Diego as keynote speaker. I can tell you he is not the traditional Sacramento bureaucrat and, after a distinguished 30+ year military career, was not looking for a new job. He was recruited by the Brown administration and couldn't turn down a good challenge. His presentation at the seminar, complete with some great Marine Corps stories, kept the attendees on the edge of their seats. He made it a point to let our attendees know DBW was

(cont. on next page)

**From The President...** (cont. from pg. 2)

a very important component of his department and encouraged establishing a good line of communications via an "open door" policy which was apparent at the Apex Group meeting on July 30.

Due to an unexpected vacancy on the CYBA Board of Directors, we recently reached out to a veteran broker, former CYBA President and long term Board Member, Bob Merritt of Corinthian Yacht Sales in Oxnard to fill the position, which Bob has agreed to. We are excited to have the benefit of his years of experience and wise counsel. Serving on the Board is on a volunteer basis and involves a significant amount of time. If you were to poll our current board members about why they serve, the majority would tell you it is to give back to an industry in which they have been fortunate enough to make a successful career. Whether you realize it or not, behind the scenes, your Board is constantly looking out for your interests.

One final note; since I also serve as Arbitration Administrator for the CYBA, any complaints filed on our web site by buyers, sellers or brokers come across my desk. Recently a buyer who bought a boat through one of our members filed a complaint about never receiving his new Coast Guard vessel document. It turns out the broker decided to make a few extra bucks by acting as the documentation service but there was a problem with some of the paperwork submitted and eight months later, still no document. In my experience, re-documentation can be a difficult process, best left to the professionals who do it for a living day-in and day-out. They know how to resolve issues and have a direct line of communication to the National Vessel Documentation Center. Stick with what you know best, selling yachts, and let the doc services get the job done right for your customer.

**THE CYBA HAS A NEW ADDRESS!!! Please send any correspondence to:  
CYBA**

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**~ STUDY SESSION AND TESTING ~**

**Contact Lon Bubeck, Nick Friedman  
or Dick Angel for next  
study session & exam.**

The CYBA is conducting a study session, immediately followed by the examination, for all those interested in becoming Certified Professional Yacht Brokers. This will be our first available session in response to the great interest in this worthy program.

If you have a desire to take your business and personal accomplishment up to the next level, you owe it to yourself and your clients to earn the CPYB designation. Join a growing number of the best and brightest brokers nationwide in increasing your knowledge, professionalism, and ethical standards as they relate to your chosen profession.

For complete information, including study materials, applications, and required qualifications, please visit the National Yacht Broker Certification website at [www.cpyb.net](http://www.cpyb.net). There you will find all the forms you need in a downloadable format.

If you have any questions, please contact one of the CYBA's Members on the Certification Advisory Council:

Lon Bubeck, CPYB  
Flying Cloud Yachts, Long Beach  
562-594-9716  
[lonbubeck@verizon.net](mailto:lonbubeck@verizon.net)

Nick Friedman  
San Pedro Yacht Sales  
310-748-5409  
[yachtbroker@pacbell.net](mailto:yachtbroker@pacbell.net)

Dick Angel  
MarineMax of California  
510-535-6160  
[dickangel1@aol.com](mailto:dickangel1@aol.com)

You may also respond to [cpyb@cyba.info](mailto:cpyb@cyba.info) or contact any CYBA Board Member. The National Yacht Broker Certification office needs time to process your application and to perform your background check.

Brokers wishing to attend the study session, but who are not testing, are welcome. However you must reserve a space! Seating is limited!

NOTE: This session is for CYBA Members only. If you are not yet a Member, and would like to join, contact the CYBA office immediately @ 800-875-2922.

## CYBA/NMMA Partnership... (cont. from pg. 1)

attendees, and an evening gala "Sunset Rendezvous" reception on the show docks.

The vibe throughout the show was upbeat and positive, with deals being written and promises to be "back next year" being heard from show participants and visitors alike. The show's owners/promoters, the NMMA, indicated an attendance growth of 30% over 2012. Moving SDIBS up to a mid-June date from previous years' late July, was widely cheered as being far more in touch with the selling season, and the needs of out-of-town show visitors.

From a logistical standpoint, the show's deep water positioning between Harbor Island and the Spanish Landing/Cancer Survivors Park/Harbor Drive corridor gave unlimited room to display and to grow in years to come. Shore-side amenities consisting of ample parking, public transportation, nearby lodging and restaurants, and the across-the-street location of the airport – are all helping to position this show to meet the stated desires of both the NMMA and the CYBA to build this show in to the premier boat show on the West Coast.

With before-unseen participation from San Diego maritime and waterfront luminaries, and a broad encompassing buy-in from the local community, the SDIBS is being structured to become a strong economic catalyst for the region. From an exhibitor participation standpoint, every effort



is being made to welcome ALL facets of the marine industry – PWCS to megayachts, accessories and services, finance, insurance, chartering, yards and marinas. In addition, future shows will work to bring the superyacht community

in to the fold, as well as the local sportfishing fleet, paddlesports, and others.

For further information, or to comment, please contact the CYBA Boat Show committee at [BoatShow@cyba.info](mailto:BoatShow@cyba.info).



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Active Member

**After a record-setting month in May (best month in five years), YachtWorld members recorded another strong month of sales in June, selling 3,558 boats, 172 fewer boats than in May but 101 more than in June, 2012. According to reports in Soldboats.com, U.S. brokerages not only sold 3 percent more boats, they sold them for a total price of \$482 million—55 percent higher than the previous year.**

**By John Burham  
[jburnham@yachtworld.com](mailto:jburnham@yachtworld.com)**

## **Rounding Third...** (cont. from pg. 1)

only one will likely make it to the Governor's desk for signature. It is political tactic to start two bills, one in each house, to improve the chances of success and prevent the other house for making unwanted changes to the other houses bill.)

The challenge with getting ourselves removed from these bills is that we are caught up in a political dynamic that includes literally dozens of large interest groups that want these fees extended as they get grants from the proceeds. The fee on new vessel registrations is just one of many fees that raise hundreds of millions of dollars for these grant programs, which is why the support coalition is so large. The chosen bill will likely pass, simply due to the overwhelming support and the fact that there is broad legislative support for the extension of all the fees. We are further challenged by the fact that if they let us out of the program, other fee payers will also want out, which will result in the entire program falling apart.

This has been an unusual year in that, unlike most years, we have been more supportive of proposed legislation than we are opposed. Although there are bills of concern, as noted above, it has been a nice change to testify in support of bills rather than taking on the adversarial role. Offering our support when we can shows we want to be part of the process. Furthermore, legislators appreciate the effort because they always want to see the broadest cross section of support they can get.

Bills we continue to support will improve training for harbor patrol officers, improve the yacht broker licensing program, enhance the abandoned vessel program, expands the weed control program in the Delta, and one that will make it easier to dredge. We will continue to support these bills and work toward getting them signed into law by the Governor when they reach his desk.

We also are continuing our work with State Parks on the transition of DBW into the Department of Parks and Recreation. Frankly, that transition has been so smooth there is not much to report at this point. We have been in regular communication and they have been thoughtful in their organizational decisions. July 1 was the official start of the merger and the staff is already moving into the new building.

We have worked hard to start our relationship with Parks out on the right foot and, so far so good. In fact, we have a meeting schedule with the Parks leadership later this month to discuss their proposed budget for next year for the new Division of Boating and Waterways. This meeting is all part of our plan to engage them on a regular basis so the boating programs always remain a priority.

State Parks has a long history of dealing with outside interest groups and their interaction with us has demonstrated that experience. They understand that affected parties want to have a say in the process and they have learned that talking is much better than arguing. I am encouraged by the relationship and we can only hope it continues in the direction

we are headed. Although we had worked to keep DBW as a separate department, hopefully now the new division of boating and waterways will become "part of the family," rather than being perceived as another department to be cannibalized. Only time will tell.

If I had a crystal ball and if it could tell the future, I would say the future is looking up. For years I would write that I could not see how it could get any worse, and it would always get worse. Now, the bleeding seems to have stopped. Granted, we don't know how State Parks will respond now that they have control of the boaters' dollars, but early indications are positive. And we don't know what can happen with the Legislature generally, as the political winds can shift in an instant, but optimism is starting to creep into my thinking.

If I am right, and the trend is changing upward, our next job is to work to get back what was taken during the downturn. There are outstanding loans from the Harbors and Watercraft Fund to the State General Fund, and State Parks continues to get nearly \$27 million annually from the HWRF. I guess even when the news gets better there is always work to do!

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## **A NEW DAY**

This is the beginning of a new day.  
You have been given this day to use as you will.

You can waste it or use it wisely.  
You can make it a day to remember for its joy,  
its beauty and its achievements,  
or it can be filled with emptiness.

What you do today is important,  
because you are exchanging a day of your life for it.  
When tomorrow comes, this day is gone forever,  
but you will hold something which you have traded for it.  
It may be no more than a memory,  
but if it is a good one, you will not regret the price.

# Solid Fiberglass Versus Cored Fiberglass Composites

Kells Christian

Christian & Company Marine Surveyors

Designers and builders of boats know that cored composite fiberglass structures have better characteristics than solid fiberglass structures. The general boating public does not. We tend to believe that solid fiberglass is stronger and less likely to suffer damage from water saturation, and the latter is true. Virtually every high performance racing sail or powerboat is cored.

The mass production of fiberglass boats began in the 1960s and from the beginning the advantages of coring fiberglass panels were known. Fiberglass panels' strength comes from the exterior plies and the thickness. Coring is the addition of a different material between two thin layers of fiberglass and the resulting panel is better in almost every way.

Builders began coring hulls and taking advantage of the lighter, stronger composite and were able to make the boats go faster and be more efficient, then they realized the coring process had its own set of challenges, including water intrusion.

Fiberglass coring is generally made of balsa wood, closed cell foam or varieties of honey comb. In the earlier days of coring, balsa was the normal choice. Balsa is actually still better in many ways than any man made coring, but it is organic and with moisture, fungus spores and the proper temperature, it deteriorates.

Many production fiberglass boats were made with balsa core without properly sealing the penetrations, including through hulls, port lights, deck hardware, etc...

The boating public became aware of the problem and many builders started advertising "solid fiberglass hulls", likely beginning the boating public's opinion that this was a better way to build a boat. It's not. It is however a way to eliminate concerns about water intrusion into core.

Balsa and foam core comes in sheets sliced on one side to allow it to bend to conform to a curved mold. These open "kerfs" would allow water to accumulate and flow, resulting in a significant weight gain and in the case of balsa, fungus deterioration (rot). The boating community had a reason to be concerned. The cored composite was good, but the construction methods were not.

Most builders have come a full circle and are coring hulls but doing it better. They remove the core from around through hulls and port lights in the mold, they fill the kerf lines and they design and build with water intrusion in mind.

To determine if you have water in your boat's core use a moisture meter, pull a through hull, drill a few holes or weigh it. If you determine you do have water in the core, should you care? Well if it is fresh water and balsa core, yes, it will eventually rot and the two thin pieces of fiberglass separated by rot is not so strong.

If you have salt water in your balsa (or on your plywood), it may not rot and of course the man made cores can live in water and not deteriorate. There can be issues with freeze and thaw cycles (expansion) and the added weight is never a positive, but many builders have responded to complaints of water in the core with "well seal the entry point to prevent air from getting in and it won't rot" or "it is closed cell PVC foam, it will be fine". And they are right, but as a surveyor, I know it will reduce performance and value. But like blisters, you may have water in the core for years and never know or care.

If you own one of the boats designed to keep water out of the core, be careful when you install a new through hull or piece of hardware, remove the core from around the hole, back fill with an epoxy and then bed the new installation with a good sealant.

p.s. most of those boats with solid fiberglass hulls still have balsa cored decks.

Kells Christian is the principal marine surveyor of Christian & Company Marine Surveyors, Inc. Christian & Co. is a full service marine surveying firm specializing in yacht surveys, pre-purchase, condition and valuation, damage surveys, litigation support and consultation. Kells began marine surveying in 1990, in Florida (Go Gators!) for a Ft. Lauderdale company. He started Christian & Co. in San Diego in 1995 and leads a team of surveyors. The office address is 1276 Scott Street, San Diego, CA 92106 and web site is themarinesurveyors.com.



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*Source: InfoLink & YachtWorld Lead Analysis*

# Yacht Sales And The Law – CYBA Legal Seminar 2013 - San Diego, CA

By Jeff Merrill, CPYB – Nordhavn Yachts

Southwestern Yacht Club was a fantastic venue for the 16th Annual CYBA “Yacht Sales and the Law” all day gathering. Nearly 100 brokers and guests were in attendance to mingle, share stories and listen to an excellent panel of speakers.

The event began with a registration/check-in light breakfast and kicked off with a welcoming from CYBA president, Dennis Moran. CYBA legal counsel, Tom Russell was the moderator and kept the pace moving along nicely. Tom has a friendly approach and reminded us that for the price of a lunch we are “not getting legal advice”, but certainly raising awareness.

This was my first time attending and I’m sorry I haven’t been before, there was a wealth of great information – all good things to help all of us be more successful and be cognizant of some simple (but potentially costly) mistakes to avoid legal consequences.

Nicole Vasilaros from NMMA in Washington, DC gave a nice overview of the economics of the boating industry including figures on revenue and jobs. She is a bit concerned about how much can get accomplished with the current grid lock between the parties in government, but is optimistic. She touched on sequestration, tax reform, recreational boating access and ethanol. There is a concern about legislation and restrictions on where boaters can use their boats.

Sy Toutouchian and Teddy Hanson from Bank of America were up next and talked about fraudulent checks and alternatives for deposits and financial funds shifting. I came away reaffirming that the best and safest way to do banking on boating deals is by wire transfers.

Local legend and Southwestern Yacht Club staff commodore Bill Dysart gave a presentation on vessel disclosure and outlined

what you should ask the seller and related key language like “as is, where is, with all faults” to the California Civil Code. I did not know about “secret liens” and this section was a great refresher on fiduciary relationships and various forms of disclosure.

Leading up to lunch the “hot topic” of the day came into focus with a discussion chaired by Danielle Butler and Phil Weiss who handled Shipyard Work Orders. The primary issue involves insurance – ship yard insurance, boat owner insurance and how they don’t necessarily match up when factors like indemnification and subrogation apply as it leads to potential conflicts that, if there is a problem at the yard, may end up in a finger pointing episode. Yacht brokers should NOT sign ship yard work orders and it is very important on a brokerage haul out for the seller to have a clear understanding with the yard and his insurance provider to make sure proper coverage is in place and that the seller hasn’t inadvertently changed the terms of his insurance policy without the insurers consent. Also, make sure your buyer understands his or her risks and responsibilities. Scott Jarvie from Oversea Insurance also joined the lively discussion and mentioned that an insurance rider or “additional endorsement” can be selected in advance for ship yard work, so be sure to check on this important subject before your next visit to a boat yard. Danielle reiterated that “ignorance is not an excuse for not knowing the law”

After lunch we had our key note presentation from Major General Anthony Jackson who is the Director of the California State Parks (which the Department of Boating and Waterways is now under). What a great guy with some fun and interesting anecdotes! One thing to be on the lookout for is that in 2014 we will be celebrating the 150th anniversary of our California state parks system.

Cris Wenthur was next up on

the microphone and his topic was LLC’s, corporations and MIPA (membership interest purchase agreements). We were all reminded by Cris that on listing write ups for boats in an LLC not to advertise the LLC and to keep the description simple like, “LLC owned”. Never promote transferability or tax savings of an LLC. There is a lot to consider on taxes and liabilities and if your clients are going this route it is clearly best to have them retain legal counsel and advice.

Bill Dysart was back up to discuss procuring cause followed by Dean West who had a fun session called “You make the call” where various common situations we face regularly in boat sale transactions were outlined and the potential ethical dilemmas encountered. Dean is the chair of the CYBA Ethics committee and brought out some very important points for us all to remember. One key piece of advice was to never operate your client’s boat – there is too much at risk. Another major point made was “if you know it, disclose it” to make sure you stay transparent to all parties in a transaction.

We ended the day with a “Maritime Potpourri” of multiple topics including cruising licenses, foreign flagged vessels, foreign built boats and Dennis Moran reminded us all that the CYBA forms have been developed to help assist with transactions and avoid problems – so use them! Dennis wrapped it all up by thanking our sponsors and presenters and wished us all well in this recovering market filled with lots of exciting times.

Special thanks to Wayne D. Rodgers for organizing the event and to our Presenting sponsors – Yachtworld and Yatco as well as our co-sponsors – Twin Rivers Marine Insurance, Oversea Insurance Agency, Dona Jenkins Marine Documentation and the Mary Conlin Company.

There were a lot of familiar faces in the room. Many also at-

*(cont. on next page)*

## Editor's Notes

It's hard to believe that we have shot through a large part of the summer, and August is upon us. Here in Southern California, there seem to be mixed feelings as to how boat sales have been tracking – depending on who you are asking. Positive reports of improving catches within the local San Diego Charter Sportfishing Fleet have boosted the local economy, and may have contributed to a renewed interest in brokerage fishing vessels. It has been a longtime since I have seen the commercial fishing fleet so busy, in fact according to Ken Franke, President of SAC (Sportfishing Association of California), a number of the commercial charter fishing fleet vessels that had left San Diego and relocated up the coast, have recently begun returning to San Diego.

Back in June, the National Marine Manufacturers Association (NMMA), in partnership with the CYBA, put on a very successful

boat show here in San Diego on Harbor Island. Be sure to read the article Dean West wrote that goes into greater detail on the success and the highlights of this show. My thanks to Dean for the article and to Joni Geis for the photos she provided.

I would like to commend those members who continue to provide the newsletter with valuable articles of interest to our membership, it is truly appreciated and I believe it makes for a better newsletter – thank you again.

A special “welcome back to the Board of Directors” is due Bob Merritt of Corinthian Yacht & Ship Brokerage of Channel Islands, who has agreed to return to the CYBA Board of Directors. Bob is not only a past member of the BOD but also a Past President in 2000. I'm sure that his past experience will be invaluable to the board and, speaking for the other BOD's, we are very pleased to have Bob back with us. I would

like to extend to our membership an invitation to become more active with your Association, if not as a board member then maybe as member of one of many CYBA committees, your participation is paramount to the continued growth and success of Your Association.

The “ALONG THE WATERFRONT” section in the newsletter is getting great response. Remember this is a great way for your company to get the word out on changes at your office - whether it is new personnel, a new product line, or even a new or relocated office. These are all newsworthy topics, and I hope you will take a moment of your time and allow your newsletter to work for you – please submit articles to me via email at jim@chuckhoveyyachts.com. I ask that you try and keep the article to a couple paragraphs if at all possible. Thank you.

Respectfully,  
James H. Johnson, Editor

## **CYBA Legal...** (cont. from pg. 8)

tended the May YBU seminar in Newport Beach. Too much good information to really summarize it all, but just remember CYBA is here to help you improve your business. I encourage you to take advantage of these types of events. Not only are they incredibly informative, but it's a nice break out of the office and you'll meet some great industry colleagues.

Jeff Merrill, CPYB, is a thirteen year veteran salesman for Nordhavn based in the CA office. Jeff is licensed in CA and FL and a lifelong boater with over 20 years experience selling cruising sailboats and trawlers. He is active with CYBA on the Ethics and Forms committee. You can find out more about him on [www.nordhavn.com](http://www.nordhavn.com) and his personal email is [jeffcmerrill@gmail.com](mailto:jeffcmerrill@gmail.com). You can also follow Jeff on Twitter – [merrilljeff](https://twitter.com/merrilljeff).

## **July - August 2013 Proposed New Members**

### **Mr. Alexander T. Gruft**

Wright & L'Estrange  
Affiliate Member

Sponsored by: Ray Jones

### **Stephen D. Gardella**

Ensign International Yachts  
Associate Member

Sponsored by: Jack Buckley & Russ Cornelius

### **Scott W. Purcell**

Heritage Yacht Sales  
Associate Member

Sponsored by: Tony Duni & Don Ross

### **Mark Womble**

Pacific Maritime Ventures  
Master Member

Sponsored by: Rick Young & Dennis Moran

# CYBA Board Of Directors Meeting

**Board of Directors Meeting:**  
**June, 5, 2013, 5 p.m.**  
**Southwest YC, San Diego, CA**

CALL TO ORDER: Dennis Moran - President, Dean West, Jim Johnson, JR Means, Nick Friedman, Chris Simpson, Tom Trainer, Don Abbott.

RECOGNIZE GUEST(S): Jeff Long, Jeff Merrill, Ron Gullan, Morrie Kirk, Danielle Butler.

APPROVE MINUTES: Approved as submitted.

FINANCIAL REPORT: Accepted.

CORRESPONDENCE: None.

## COMMITTEE REPORTS:

### 1 MEMBERSHIP

a. MASTER, ASSOCIATE, SALESPERSON – Vacant Chair.

JR Means appointed as new chair of this committee.

A motion was made by JR Means and seconded by Nick Friedman to lengthen the President's term of service to two years. This committee is charged with creating two mentor programs. One for new board members and a second for incoming presidents.

b. AFFILIATE – Jeff Long, Chair.

At the recommendation of Jeff Long a motion was made by Tom Trainer and seconded by Dean West to discount the price of affiliate membership by 50% for the remainder of the year, beginning July 1, 2013.

2. FORMS – Nick Friedman, Chair

a. Don will work with Doris to keep the forms up until version 2 is working and in place on the new server.

b. Our new vendor expects to have the forms ready for beta testing by July 1, Nick's realistic expectation is Aug 1 if all goes well. Hope is to be up and running by October.

3. BOAT SHOWS – Dean West, Chair, Update on San Diego International Boat Show, June 20-23: Lots of exciting news. NMMA upped the advertising budget. US Super Yacht Association and the San Diego Super Yacht Association are both participating with the goal to incorporate what Yacht Fest has been in the past as a integral part of this show. The show will be much larger than last year. CYBA has a large number of entrants, as promised. There will be two CYBA Seminar tents having seminars on various subjects throughout the 4 days. A floating dock with catered food and drink will be added. The turnout for both land and water based

exhibits is exceeding expectations.

## 4. WEBSITE/MEDIA/PUBLICITY

a. NEWSLETTER – Jim Johnson working on the newsletter.

b. CYBA WEBSITE – Chris Simpson will take the lead on all improvements.

## 5. LEGAL

a. LEGISLATIVE - DBW LIASON – Tom Trainor, Chair:

Support for Bill Kraus is encouraged. Support for Invasive Species Act is encouraged by the Board. The bill is in process of being rewritten. We support the changes in the life jacket legislation.

c. BY-LAWS/ETHICS – Dean West, Chair

The by-laws have been amended so that the Board may vote on and make changes in them. This vote from a year or two ago should be on the web-site and the website committee is directed to update if not already done.. Some of our regulating rules have changed with special regard to electronic media and communication. We are in the process of updating the by-laws to take these changes into account.

d. ARBITRATION – Dennis Moran No report.

e. NOMINATING COMMITTEE – TBD.

## 6. ANNUAL EVENTS

a. LEGAL SEMINAR – Wayne Rodgers, Chair Ready to go Tommorrow.

b. ANNUAL DINNER – TBD.

## 7. TRADE ASSOCIATION RELATIONSHIPS

a. NMMA – TBD – See Boat show report.

b. CPYB – Lon Bubeck, Chair – No report.

c. OTHER YACHT BROKER ASSOCIATIONS – TBD No report.

d. MLS PROVIDERS – Yachtworld, Yatco – Nick Friedman, No report.

NEW BUSINESS: Board member replacement for Ron Gullan: Bob Merritt has been asked to join the Board.

Jeff Merrill and Dave Millet both have an interest, but need to take the broker's test to qualify.

ADJOURNED: Tom Trainer moved to adjourn, seconded by Nick Friedman.

NEXT BOARD MEETING: July 10, 2013 –iMeet Video Conference - 9 a.m.

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**Board of Directors Meeting:**  
**July 10, 2013**

Attendees: Dennis Moran, J.R. Means, Nick Fried-

*(cont. on page 12)*

# **Ed Cox, SoCal Marine Industry Veteran, Dies at 79**

posted: 8/15/2013

By: Eston Ellis

NEWPORT BEACH -- Services are scheduled on Aug. 21 for Ed Cox, a longtime Southern California marine industry veteran, who died at his home on Aug. 14. He was 79.

Cox was president of Cox Yacht Insurance Agency in Costa Mesa, having founded the firm about 30 years ago. In the past, he had been Hinckley Yachts' Southern California dealer for 15 years, as well as a dealer for Peterson 44 sailboats.

The Brookline, Massachusetts native had a long history in boating in the Newport Beach area. He first came to Newport Beach in 1959 and worked at Newport Dunes, supervising outboard engine repair. He later became one of the area's best known yacht brokers.

In the 1960s, he founded the first sailing club in Newport Beach -- "and possibly the first in Southern California," recalled Brad Avery, director of the Orange Coast College School of Sailing and Seamanship program.

"The sailing club was a unique concept, where you pay dues, accumulate time on the water (through instruction) and then qualify to take boats out sailing," Avery said. "He had a fleet of Cal 25s."

Avery first met Cox in 1967. "I was a 14-year-old kid with time on my hands, and my dad pleaded with him to give me a job and let me wash boats."

Avery went on to work for Cox for several years and eventually became a sailing instructor for the club. And he and Cox became lifelong friends.

"Lido Village was a real community back then, and Ed was one of the main characters," Avery recalled. "He was a real storyteller with definite opinions about the world. He was outspoken and quick to laugh -- and he was fun to be around."

"He was my first real mentor in the sailing world," Avery added. "I remember watching how he would handle people: He had a way of not looking in the rear view mirror -- and if he ever ran into people who were difficult to deal with, he would never let them get him down. He was a very generous guy, especially in spirit."

About a year ago, Cox donated his own boat, a Hinckley Bermuda 40, to the OCC School of Sailing and Seamanship, Avery said.

Another of Cox's close friends, yacht broker Wayne Rodgers of W.D. Rodgers Co., said that after he moved to Newport Beach in 1985, he and Cox had lunch together almost every day. "In the early days of my business, I would talk to him about many issues that came up -- and he acted as my mentor, in many respects."

Rodgers said he always appreciated the fact that Cox was exceptionally honest, direct and never afraid to express his opinion about anything.

"He was irascible -- and he had a wicked sense of humor," Rodgers said. "He was very funny."

Rodgers shared one of his favorite stories to illustrate Cox's unique sense of humor.

"Ed had a very pretty racing sailboat named Cerulean -- which is a robin's egg blue," Rodgers remembered. "He was thinking about changing the color and the name of the boat. He talked at length with his wife, Kathy, and others about it, as he was considering painting it black and calling it 'Black Irish.'"

"Well, a friend of his who had heard him talking about that decided to order a very nice set of old-fashioned glasses -- from a well-known company that sells nautical jewelry -- and they were each etched with the profile of Ed's boat, with the name 'Black Irish' underneath," Rodgers said.

"When Ed got the set, he thanked him, and added, 'That's the most expensive gift I've ever gotten in my whole life. In fact, it just cost me \$8,000 -- because now I have to paint the boat,'" Rodgers recalled.

Cox is survived by his wife, Kathy; his son, Ted, who worked with him at Cox Yacht Insurance Agency; his son, Mike; his daughter, Ann; and four grandchildren: Dylan Johnson, Akaila Johnson, Nathan Cox and Ryan Cox.

Services are scheduled for 1 p.m. at Our Lady Queen of Angels Church, 2046 Mar Vista, Newport Beach. A reception is to follow immediately (scheduled from 2:30-4:30 p.m.) at Balboa Yacht Club, 1801 Bayside Drive, Corona del Mar.

In lieu of flowers, donations may be made in memory of Ed Cox to the Wounded Warrior Project, P.O. Box 758517, Topeka, Kan. 66675; (855) 448-3997 or woundedwarriorproject.org. - See more at: <http://www.thelog.com/Newsletter/Article/Ed-Cox--SoCal-Marine-Industry-Veteran--Dies-at-79#appError>

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## CYBA Board Of Directors Meeting... (cont. from pg. 10)

man, Bob Merritt, Tom Trainor,  
Dean West, Jim Johnson & Chris Simpson.

Guest: Lon Bubeck.

9:02 a.m. - Call to order.

Minutes of the June meeting will be completed by Nick in the next few days. June & July meeting minutes will be reviewed at the next meeting.

Jim: Looking into re-categorizing some of the line items in the financial report. One in particular is the Legal & Accounting line item that has fees paid to Tom Russell for services rendered for the Arbitration Panel in Legal & Accounting line item.

Dennis: Needs volunteers to assist him with Association, membership & promotions. Since Ron Gullan stepped down there is a vacancy for Membership Chair. Jim Johnson has agreed to serve on the committee.

Nick: Forms - Yactco is moving forward and will have beta version for review. Launch to membership at the end of September or early October 2013.

Dennis: Emails from Lee at Yatco showing great progress and commitment.

Nick/Chris: DocuSign - waiting for quote to integrate as an association.

J.R: Inquired about desktop/offline version?

Dean: SD Show - Gate up, weather great and more big boats, Meridian was a hit.

Golf tournament - sponsorship Cris Wenthur

Jim Behun - Summer Kick Off went well

NMMA Exhibitor Party went well.

Seminar booths were a disappointment. Fill two tents then only one tent and hard to fill with people. No on water booth, was up above. Suggest that next year stay between seminar tents. Must have staff by CYBA Board. All bags, banners disappeared. Dean has new ones locked in his office. More verbal abuse.

A number of offers written?? people.

Buyer's still think they are in control. Request of NMMA West - want to do all on the cheap.

Dean: Vendor booths?

Dean: Ryan's efforts and work was exemplary.

Next year show needs power 24/7. Need better food/craft beer. Dave is the problem.

Dean: No Norcal show - show will take focus away from MDR & SD shows.

Don: Need Norcal show.

Dennis: Is it truly going to hurt shows here?

Dennis: Thank you to Dean for all of his time and effort. It is meaningful and NMMA is very pleased with CYBA participation.

Pier 32 ???ming to National City in July.

Nick F: CYBA opportunities such as story boards in the seminar tents.

Jim J: Newsletter - waiting for articles. To Don by the 15th.

Jeff Merrill, legal seminar

Dean: SD show

Wayne/Dennis: great job in the a great cast of presenters and information .

Dennis: Annual dinner - A???? or USS Iowa

Dennis: Last vacant board seat.

Jeff Merrill will take test to obtain Broker's license this month.

Legal: Wait for him.

Vender going after Broker of Record. That didn't have control of funds.

Broker doing own document service for Buyer. Currently does not have.

Lon: CPYB - Nothing to report.

Dennis: Board - iMeet, August 7th @ 9:00 a.m.

Face to face September ?? @ 1:00 p.m.

LBYC September 11th.

10:18 a.m. - Meeting adjourned.

### Monthly Quote

"A goal is an enemy to be conquered with a battle strategy and the commitment of a warrior.  
There is no success in giving up." -Tom Garriga

### Calendar

Aug 14	CYBA Board Meeting - 9:00 am Web-Cam Broadcast - Check CYBA.info
Aug 29	San Diego Brokers/Sales Forum - 11:30 am Fiddlers Green Restaurant - San Diego, CA
Sept 11	CYBA Board Meeting - 9:00 am Web-Cam Broadcast - Check CYBA.info
Sept 19	San Diego Brokers/Sales Forum - 11:30 am Fiddlers Green Restaurant - San Diego, CA
Sept 26-29	Lido Boat Show Lido Village - Newport Beach, CA
Oct 02	CYBA Board Meeting - 1:00 pm Long Beach Yacht Club - Long Beach, CA
Oct 3-6	42 <sup>nd</sup> Annual Annapolis Power Boat Show Annapolis, MD
Oct 10-14	44 <sup>th</sup> Annual Annapolis Sail Boat Show Annapolis, MD
Oct 31	San Diego Brokers/Sales Forum - 11:30 am Fiddlers Green Restaurant - San Diego, CA
Oct 31 - Nov 4	Ft. Lauderdale International Boat Show Ft. Lauderdale, FL

