



THE CYBA NEWS

September-December 2017

The California Yacht Brokers Association Newsletter



A Letter From The CYBA President To The DBW

October 27, 2017

Ms. Mangat Director California
Department of Parks and
Recreation
1416 9th Street
Sacramento, CA 95814

Dear Ms. Mangat:

It was brought to the attention of the California Yacht Brokers Association (CYBA) that Deputy Director Lynn Sadler is no longer with the Division of Boating and Waterways. We on the CYBA Board

of Directors believe that the vacating of her Deputy Director's position now gives DBW and Parks a chance for a reset with the numerous associations that represent recreational boating in California. Our numerous, diverse boating associations have always prided ourselves in the relationships and support that we have had with the DBW over the decades. We would love to reenergize those important relationships.

The CYBA asks that you seek

the input and resources of the state's recreational boating associations as you seek qualified persons to consider for the Deputy Director's position. We would like to offer our assistance, our input, and our support to assist you with this critical task.

It is our belief that the State of California, through the Department of Parks and Recreation, and the Division of Boating and Waterways, can forge a new and

(cont. on page 3)



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from the PRESIDENT

Mik Maguire, Richard Boland Yachts

Closing the year...

As we head to the end of 2017, I am taking time to reflect on the accomplishments and still existing challenges your CYBA met this bonus year of 2017. I say bonus because my experience and that of many brokers I have spoken with, has been one of record sales, in both power and sail. Additionally, with the efforts of our industry lobbyists, we have (reportedly) maintained our share of the fuel taxes for improvements to infrastructure and low cost loans. We also hope to access our prorated portion of the fuel tax increase for boater education, waterway cleanup and abandoned vessel abatement.

We met the challenge of "wire transfer" scams with education and new approaches. The CYBA protected our valuable forms system, are making improvements and made inroads with the governing legislators, both in the state and nationally. All this, as well as growing our salesperson and broker memberships and adding supporting affiliate sponsors that work in our industry.

The CYBA produced a successful legal seminar and two YachtWorld marketing presentations, attended numerous industry events with delegations including the marina owner's MRA convention and addressed the problematic vessel taxation in the State of California.

We understand the value the members perceive in the standardized forms, valuable arbitration process when needed, network alerts (as in the recent wire fraud issue) and credibility the public respects and hope to continue to deliver better service to you, our members.

Now, it's time to ask for something in return... We would like this newsletter to be the best in the industry and that takes input from all of you that work in this great industry. If you have stories, quotes, photos and history, please share with us all by contacting Jeff Merrill, our editor.

I hope to see you all at the CYBA Annual Dinner, January 13th, in Newport Beach for fun and camaraderie!

By Mik Maguire

About The Mexican Marina And Tourism Association

The AMMT was established in June 1989. They represent the common interests of the investors in marine tourism to the different government agencies. Their aim is to facilitate the operation of marinas against the constant changes in laws and regulations that in some cases can affect boating activity of thousands of tourists and nationals. They also focus in promotion, statistics, technical assistance and training.

They are part of the (Mexico) National Tourist Business Council of the National Tourism Confederation and the National Advisory Committee on Tourism Standardization.

Their website: <http://www.ammt.org/> contains all the information to successfully visit Mexico, import your vessel and leave with the proper paperwork. Also, there is valuable information about the marina facilities that are part of their membership.

Marshall "Duffy" Duffield Elected Mayor Of Newport Beach

We are all familiar with the Duffy electric boats. Marshall "Duffy" Duffield is also an active, elected councilman in Newport Beach, CA and was just elected Mayor!



Elected, electricity, there is a common buzz!

Duffy has just completed a term as mayor pro tem and was appointed mayor of Newport Beach in a city council meeting on December 12th.

The following is excerpted from the newport beachca.gov website:

Duffy has been a resident of Newport Beach since 1955. A graduate of Newport Harbor High School, he married his high school sweetheart, Terry. Their three children, Kelly (grandson Marshall was born in June, 2013), Tyler and Travis were all raised and live in Newport.

Duffy has spent a lifetime on the water, both as an offshore sailboat racer, designer and builder and operator of large power boats. He is founder and owner of the largest electric boat company in the world – the internationally prominent Duffy Electric Boat Company, which dominates the leisure electric boat market on every continent.

A Newport Beach Harbor Commissioner from 2002 through 2012, Duffy has always taken a keen interest in preserving the character of Newport Bay by maintaining commercial and public access and establishing a comprehensive dredging plan which the harbor desperately needs. He believes in smaller government, fair taxation, and leadership which carefully considers and responds to the concerns and desires of Newport's citizens.

Letter From The CYBA... (cont. from page 1)

dynamic relationship with the stakeholder associations, which will serve to benefit the state's boaters and waterways in a vibrant and robust new manner.

Please feel free to seek our assistance, as we look forward to helping you to keep the Division of Boating and Waterways a productive and beneficial component of your Department of Parks and Recreation.

I can be reached at 510-552-7272, and I look forward to hearing from you. Thank you for your consideration.

Best personal regards,
Michael (Mik) Maguire,
President, California Yacht Brokers Association

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YOU'RE INVITED

43RD ANNUAL CYBA Reception & Dinner

SATURDAY, JANUARY 13, 2018

6:00 - 11:00 p.m.

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For more information:
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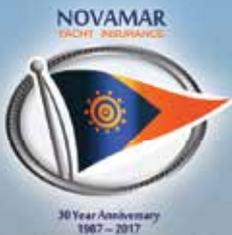
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Southern California In-Water Boat Show Recap

By Nick Friedman, CPYB

The second annual Southern California In-Water Boat Show was held September 28th through October 1st at the Cabrillo Way Marina in the heart of Los Angeles Harbor. Buyers were able to come aboard and compare a large selection of new boats, as well as some of the finest brokerage vessels on the Pacific Coast. Whether you're a buyer, a seller or just evaluating the market, this is now the premier boat show for a side-by-side comparison.

Trawlers, cruisers, sportfishers, sailboats, catamarans, motor-yachts, dockage, tenders, paddleboards, financing, insurance, gear & accessories, engines, services and lots more were on display.

According to Duncan McIntosh, the producer of the show, attendance and display boats in the water were both up about fifteen percent and reports of numerous new and brokerage sales were reported during the show.

One of the success stories of the show is the draw it has for attendees north of Los Angeles who felt Newport Beach was just too far to go, but San Pedro was within range for a day of fun on the water. Duncan McIntosh plans to build the show into the premier boat show in the area.



From The Treasurer

By Peter Zaleski, CPYB

I cannot believe it has been a year since I was voted a Director, thank you for your support.

In the past year we completed an audit and found that we have been properly following the guidelines for Non-Profits and our Association is financially sound.

I did not know how hard the volunteers in our Association worked on our behalf. It often



seems there is no way to influence Government entities to do the right thing. I truly believe without the efforts of the members we would be in a worse position than we are now. This shows that it is very important to build our Membership to help fund the cause of protecting our businesses and livelihood.

Our Association has two means of income, Membership and Sponsorship. In the past year our Membership has grown, but our Sponsorship has fallen behind last year's efforts.

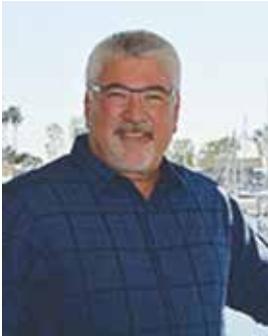
Please encourage your contacts to help any way they can. If every member could bring in one more Sponsor or Member we would be a much stronger Organization. This would help us to support our causes and getting more Brokers to abide by our Code of Ethics would help make the experience better for our Clients and Customers.

You are invited to contact me with any questions, comments, ideas or concerns. I can be reached at 619-294-2628 or email at Peter@AlexanderMarineUSA.com

Broker Surety Bond Renewal

By Mark Rentziperis

A few weeks ago, our office received a call from Monique Cabral from the Division of Boating & Waterways (DBW); I took the call due to the broker of record not being in the office. She wanted to notify the Broker of Record that his bond had expired, and that we have 10 days to provide a copy of the current Bond continuation certificate or his license would be suspended.



After making a few phone calls and checking office records, it showed that the Bond had actually been renewed on time; however, but the Bond Provider had yet to deliver the certificate to

DBW. When I called Monique back she said to either fax or email a copy of the continuation certificate and disregard the written notice that is on its way by mail.

Once DBW's records show a bond has expired, Monique automatically mails a letter the day after the bond expires stating the broker has ten days to provide DBW with the current bond continuation certificate. If the current bond continuation certificate is not received by the tenth day, Monique will suspend the broker's license and mail a "Notice of License Suspension – Bond Expired" letter via certified mail.

Make it easy on yourself and Monique, provide her with the Bond Continuation Certificate as soon as you receive it, she would rather receive it twice than not at all. Here is her contact information: Monique Cabral: monique.cabral@parks.ca.gov ph: 916.327.1847 or Fax 916-327-1878.

CYBA Is Pleased To Welcome New Friend Sponsor; Maritime Consultant, Inc.

Lee Frain, president of Maritime Consultant, Inc. is one of the top surveyors in the U.S. He is NAMS Global CMS (certified marine surveyor) with over twenty years of experience having inspected thousands of boats. Lee does pre-purchase and insurance surveys including appraisals.

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Second Annual YachtWorld/CYBA Competitive Advantage Seminar

By Nick Friedman, CPYB

On October 10, 2017 Southwestern Yacht Club in San Diego hosted the Southern California YachtWorld/CYBA second annual Competitive Advantage Seminar. A Northern California venue was held in Richmond at KKMI's facility two days later.

As always, Southwestern Yacht Club did a wonderful job creating a perfect environment for the day. The format was effective and somewhat unusual. After a detailed "State of the Industry" presentation by YachtWorld we all divided into small group working sessions of about ten each and were able to work one on one with the presenters to go into

individual planning with each company.

YachtWorld used an independent web scoring service (Woo Rank) to score each participant's website and after going over general fundamentals that would help all of us, went into great detail about strategies to improve Google rankings, local recognition, what works, and doesn't as we are viewed on tablets and smart phones and more. Another small group session dealt with Facebook and Instagram, bridging the gap between each of these social media platforms and provided suggestions on how to get the most out of our Facebook and Instagram. General strategies for

marketing through social media was also discussed.

Craig Chamberlain from Novamar Insurance did a presentation to the group about overlapping insurance coverage and possible gaps in coverage. He also hosted small group sessions and sponsored the lunch.

Overall this was a very successful and insightful seminar for everyone there.

On October 12th the seminar was repeated in Richmond, CA, please see Tony Faso's report.



(cont. on next page)



YachtCloser Special Offer Through YachtWorld

(CYBA Gold Sponsor)

CYBA members are encouraged to take advantage of a special promotion to new YachtCloser customers which is a 50% discount on the set-up fee and waived service fees if you join YachtCloser by January 31, 2018.

This is a great time to start using YachtCloser as we head into the 2018 boat show season. Visit the YachtCloser site (www.yachtcloser.com) to view the demonstration and see how quickly deals can be closed. YachtCloser has saved brokers an average of 60% of their time on paperwork by using the most advanced e-communication system in the industry:

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Please contact the YachtCloser Team

954-361-1396

Sales@yachtcloser.com

YachtWorld Travels North And CYBA Brokers Benefit!

By Tony Faso

On October 12th, the generous ownership at KKMI boatyard saved the day by providing the CYBA the full complimentary use of their top notch instructional facility while special thanks is due to Gary Clausen from Twin Rivers Insurance for hosting the lunch and refreshments. The amazing staff at Boats Group led by Courtney Chalmers, traveled to the SF Bay Area to enlighten the local brokers about recent changes to the websites hosted by Boat Group and the many easily implemented improvements available to our own websites. These helpful changes ranged from the content that you post on the multitude of social media sites, the marketing of your business through Google, all the way to very in-depth analysis of each

participant's website courtesy of Woo Rank and the professional staff at YachtWorld.

Some of the mysteries that surround these Social Media sites were quickly answered and very thoroughly explained. The overwhelming majority of attendees noted that they not only felt they learned a ton about how to maximize their online presence, but most of them were astonished to see how easily they could alter very simple things on their own website to greatly improve the overall effectiveness.

The value of these seminars doesn't end with the extremely important information that is shared by the instructors. The importance of communicating with your fellow brokers, putting faces to names, and understanding the role of our broker community in

this quickly changing online environment is forever invaluable.

I can't say enough positive things about these seminars, the great people at YachtWorld that make them possible, and again to our gracious hosts Paul Kaplan at KKMI Boatyard and Gary Clausen at Twin Rivers Insurance. Thank you all for your effort and hospitality. It is much appreciated.



(cont. on next page)



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Automatic Identification System

By Pat Carson

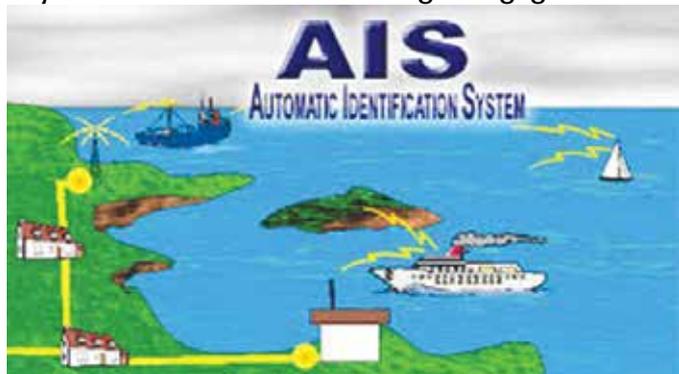
When making coastal deliveries we have experimented with several different methods of keeping those still on shore updated on our progress and our intentions. At regular times we will send text updates to the owner with current location, distance made good from last report, weather forecast, and our intentions until the next report. These messages are generally sent at 0600, 1200, and 1800 if we have cell service, or at the soonest possible when out of range at these times. We do not usually send any messages during the night unless something significant has occurred that folks on shore should be made aware. Over the years we have used the SPOT satellite messaging service that provides location based messaging from far offshore because it uses satellites for communication rather than terrestrial cellular service. The preconfigured messages, along with GPS position, are delivered to specific addresses at regular intervals via text message or email. A person, or persons, must be selected in advance to receive the messages. Pushing the "SOS" button will send an emergency notification to GEOS Rescue Coordination Center.

Although the SPOT system works well and has features that allow custom automatic messaging, vessel tracking, and easy SOS transmit, it does require an annual subscription, battery replacement every 3 days or so, and anything other than basic service drives the cost to several hundred dollars per year. Until recently, we have found text messaging to work well and are rarely out of cellular range for more than half a day. Now we only use the SPOT service on client request.

On my last several deliveries, we have been experimenting with a new product that utilizes Cellular phone service and coastal AIS base stations for anyone with an internet connection to receive our current location, track, SOG, and COG. The app runs in the background and can also be used as an AIS display. More on that later...

AIS

Automatic Identification System was developed in the 1990's and became a requirement in 2002 for all commercial vessels greater than 300 gross tons, any vessel over 20 meters in length engaged in com-



mercial service, a passenger vessel carrying more than 150 passengers for hire, and towing vessels greater than 26 feet in length. In 2006, a feature reduced version was introduced as a lower cost option for recreational vessels. Today we have seven types of AIS stations; there are two classes of AIS units installed on vessels, Class A and Class B, base stations, Search and Rescue (SAR), Aids to Navigation (AtoN), Search and Rescue Transmitter (AIS-SART), MOB (Man Over Board), and EPIRB (Emergency Position Indicating Radio Beacon)-AIS. See the chart at the end for a comparison of these different implementations.

The AIS system is primarily used for collision risk management and navigation safety. The system automatically transmits and receives over VHF radio vessel information such as the vessel name, MMSI (Marine Mobile Set Identifier), vessel type, position data, speed, course, destination, and much more. This information helps to identify other nearby vessels or stations by displaying the received data on a plotter, RADAR screen, or a tabular display. All vessels within VHF radio range of each other will receive the other ships data and the display can be configured to show the other ships COG and SOG via a speed leader.

Both the RADAR and the Chartplotter with AIS data are useful tools for collision avoidance. This RADAR display shows vessels and objects within 1.5 miles while the Chartplotter shows only vessels with AIS, but also has a speed leader to aid in determining speed and course of the other vessels.

All vessels within VHF radio range of each other will receive the other ships data and will calculate your vessels CPA (Closest Point of Approach) and TCPA (Time to Closest Point of Approach). A caution is that CPA and TCPA are calculated on instantaneous data and any course or speed change by either vessel will alter the data.

The Details – How AIS Works

Each AIS system consists of one VHF transmitter, two receivers, and an interface to the vessels display. Heading information, course, and speed over ground is derived from GPS data and is provided by all AIS equipped vessels. Class A transmitters also include additional dynamic information such as rate of turn, angle of heel, pitch and roll, destination and ETA. AIS works in an autonomous and continuous mode independent of location and transmits data every two to ten seconds, depending on speed over ground, over two VHF channels, 87B and 88B. Each AIS system determines its own transmission schedule based on data traffic and knowledge of future actions by other stations. There are 2,250 time slots every minute and all AIS stations in range of each other continuously synchronize themselves to avoid data loss. In actual operation, the system allows for a five times overload by sharing of time slots and in practice the capacity

(cont. on page 14)



Coming Soon

Mandatory Boater Safety Education

On January 1, 2018, California will begin implementing its multi-year phase-in of the new mandatory boater safety education law for boaters who operate a motorized vessel on California waterways. California State Parks Division of Boating and Waterways (DBW) will issue Boater Cards to those who show proof of passing an approved boater safety exam. The new law promotes boating safety education for California boat operators and once issued, the Card remains valid for a boater's lifetime.



**Attention all interested
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~ STUDY SESSION AND TESTING ~

**Contact Lon Bubeck or Nick Friedman
for next
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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. 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

Nick Friedman, CPYB
The Shoreline Yacht Group
310-748-5409
yachtbroker@pacbell.net

You may also respond to 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.

of the system is nearly unlimited. The coverage range is similar to VHF voice communication and dependent on the height of the antenna with a typical range at sea of 20 miles. It is possible for AIS to "see" around islands and bends in the river where RADAR would normally be "blind".

Class A

Class A stations report their dynamic position data every two to ten seconds depending on the vessels speed and course changes or every three minutes when at anchor or moored, and the vessels static and voyage related data every six minutes. Class A stations are also capable of text messaging safety related information, meteorological and hydrological data, electronic broadcast of the Local Notice to Mariners, and other marine safety information.

Class B

Class B stations report their dynamic position data every 30 seconds and with less transmit power than Class A stations, their static data every six minutes, and report every three minutes when at anchor or moored. Class B stations can text message safety related non-alterable preconfigured text messages only.

Aids to Navigation

Shore based or mobile stations can provide the location and status of objects other than vessels via application specific messages. These aids can be located on shore, such as in a lighthouse, platforms, or buoys. The USCG believes that AIS might replace RADAR beacons such as those currently used on the Bay Bridge, Golden Gate Bridge, and other prominent landmarks in San Francisco. AIS AtoN's enable authorities to remotely monitor the status of a buoy, such as the status of the light, as well as transmit live data from sensors such as weather and sea state located on the buoy to vessels with AIS transceivers. In



San Francisco we see AIS AToNs at Mile Rock, Harding Rock, and each of the Oakland-San Francisco bay bridge towers. The AtoN standard also permits Virtual AtoN positions where a single device may transmit messages with a false position such that an AtoN marker appears on electronic charts, although a physical AtoN may not be present at that location. In San Francisco we see these virtual AtoN's in the offshore traffic sector and during the Americas Cup races marking the course boundaries.

Search and Rescue Transmitter, SAR, EPIRB, MOB

These maritime survivor locating devices are used on lifeboats and life rafts to aid in homing a person in the water or survival craft. The transmitter sends a coded message along with position data in a burst of eight messages every minute.

AIS Base station

Shore based AIS transmitters provide identity, time synchronization, text messages, and also may act as and AIS AToN. The shore station transmits every ten seconds.

The Nationwide AIS system, NAIS

The NAIS is a nationwide network of land based VHF receives and transmitters. These stations receive coastal AIS activity which is then forwarded to the USCG and other government agencies. There are currently 200 of these stations along the US coast and coverage in 58 US ports receiving data from all AIS equipped vessels operating in the territorial waters of the United States. This data aids the USCG with their charter

of Search and Rescue, marine and navigational safety, and maritime security. But, this data is only shared with other government agencies. Enter the private sector.

In the last several years many commercial enterprises, groups, and some individuals have established shore side receivers and are sending the AIS data over the internet for anyone to receive. Although the International Maritime Organization, IMO, discourages this practice and claims that sharing AIS data is a threat to maritime security, that ship has left the dock. There are hundreds of these shore side receivers throughout the world and there are many apps to select from for your Android, iOS, or MS tablets and PC's such as Marine Traffic, SmartChart AIS, and the one I am currently using, BoatBeacon.

If you are one of the mariners that has been receiving and monitoring ship traffic in the Bay area over the internet, you have probably noticed that, until recently, there was a lack of coverage from Pittsburg to Stockton. In the past few months, Twin Rivers Marine Insurance installed a shore side station in Antioch and two members of the San Joaquin Delta Power Squadron and Stockton Yacht Club have installed a shore side station in Stockton filling in the gaps. Now we can track all AIS equipped vessels all the way up to Stockton from several miles out at sea over our internet based display.

On a recent delivery from Seattle my vessel, Antiquity, is approaching the golden gate bridge several hours before sunrise. You can see we have four other vessels inbound to San Francisco, we are being overtaken by the Pilot Boat Golden Gate, and a dozen more large vessels moving about the bay. I can select any one of the other vessels and bring up their information with the most helpful being the CPA and ships SOG. This data also makes it easier to

(cont. on page 16)

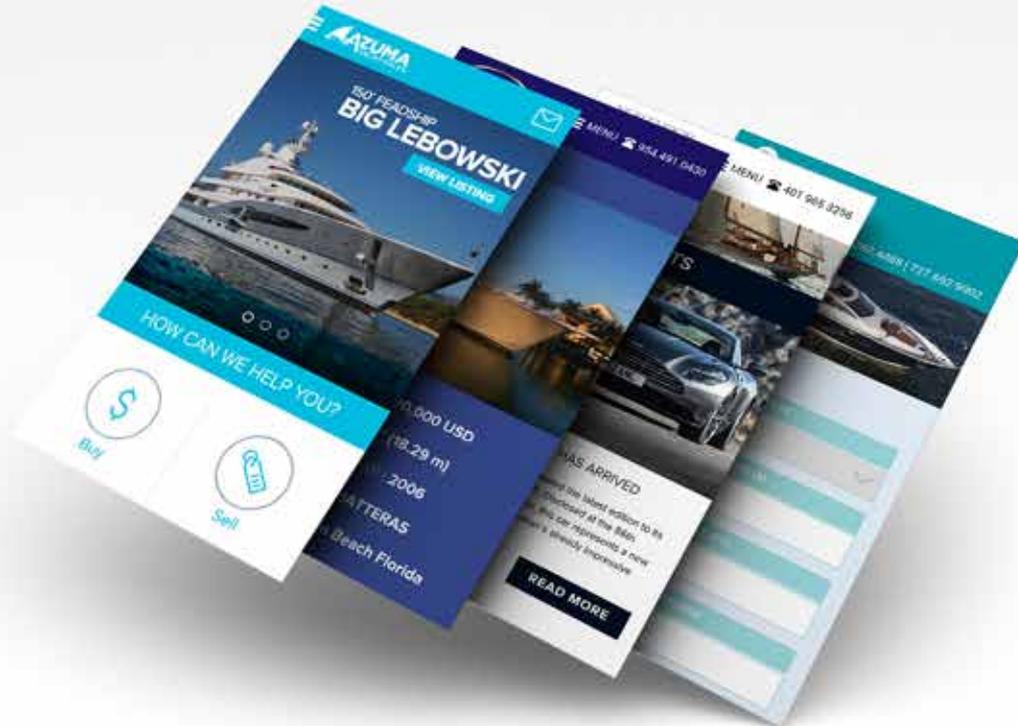
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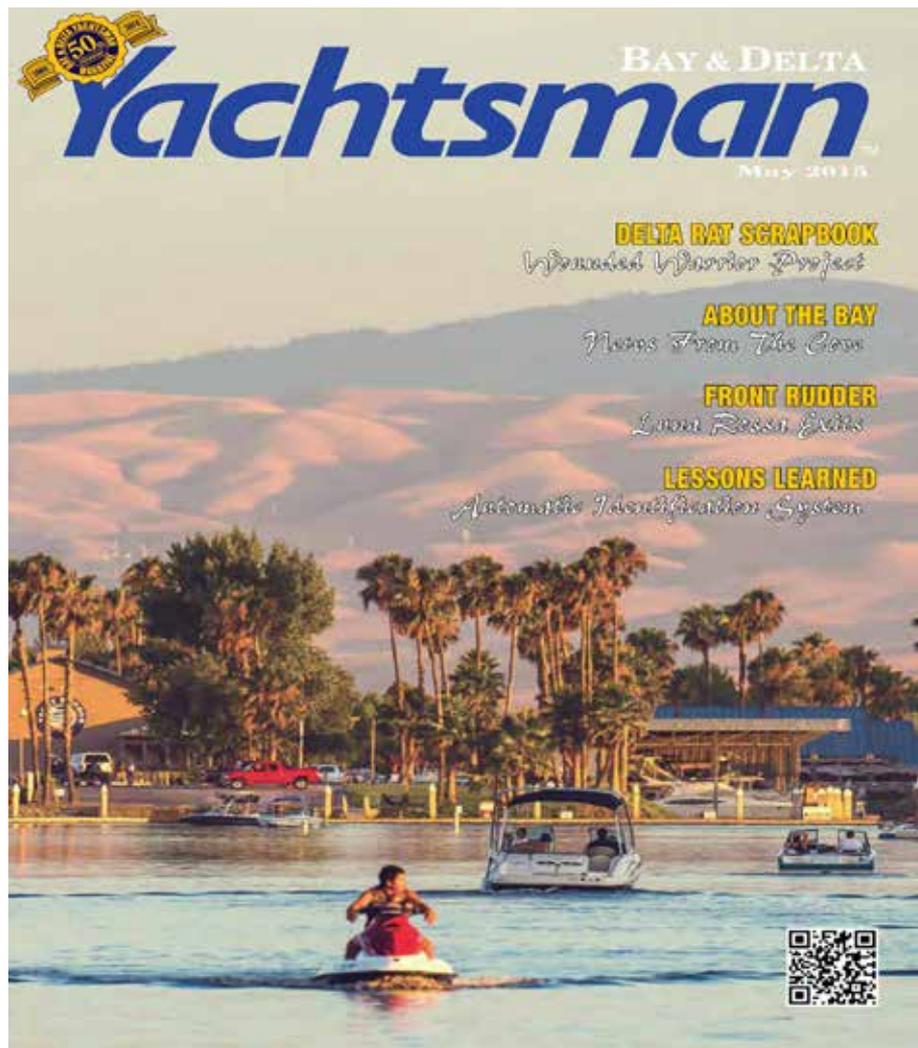
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AIS... (cont. from page 14)

identify each of the vessels on my ships RADAR for identification and tracking.

Not only can we receive AIS data via the internet, but we can transmit it as well. The difference being that our transmitted data is sent via cellular network and then distributed over the internet for anyone to see, not via VHF radio for other vessels to see. Two cautions, first unless the other vessels are using internet based AIS and are in cellular range our vessel will not show on their screen. They will only see vessels that are transmitting Class A or Class B data over the VHF radio. And second, there is a time delay in our sent and received data resulting in the ships positions as displayed are not real time. I have seen position errors of up to 10 minutes due to the latency of the internet data. While in most cases the errors are only a few minutes we must exercise caution when in close proximity to other vessels. A fixed AIS system using VHF radio is real time and shows all AIS equipped vessels nearby is the best option. An internet based AIS is not real time and shows all AIS equipped vessels within range of a commercial shore side receiver, but is better than having no AIS.

Just a final thought as I get ready to kick back and enjoy a good Port and cigar. Prudent mariners will practice safe seamanship by maintaining a proper



lookout, travelling at a safe speed, and using RADAR as your primary collision avoidance techniques. AIS is a powerful tool and should definitely be a part of your navigation toolbox but we must use all electronic aids to navigation with a full knowledge and understanding of their limitations

Have a good story to tell, send

me an email. Have good photos of right and wrong, please send them and I will include them in next months edition of "is it right or is it wrong" patcarson@yachtsmanmagazine.com.

Originally published in *Bay & Delta Yachtsman Magazine* "Is it right or is it wrong?"

CPYB Advisory Council Meeting

By Lon Bubeck, CPYB

On November 14th and 15th the Certification Advisory Council (CAC) met in Ft. Lauderdale for their annual face to face meeting. Representatives from the seven North American yacht brokers associations spent those two days discussing and guiding the program to meet the needs of its members.

The CPYB program is the only North American program that sets the standard to identify

those "Yacht Sales Professionals" who have mastered the core competencies in their field. As an active participant in your industry, you know the value of professionalism in dealing with peers and clients. It is essential for the survival of the yacht sales profession that members demonstrate their commitment to the boating public and the entire recreational marine industry by raising the level of competency and professional-

ism to the highest possible level through the CPYB education and credentialing process. By earning your CPYB designation you will demonstrate to your clients and to your peers that you are committed to becoming the best that you can be.

To apply to the CPYB program go to www.cpyb.net and click on "Earning Certification" or you can contact the program administra-

(cont. on next page)

CPYB Advisory... (cont. from page 16)

tor, Colleen McDonough at cmcdonough@cpyb.net and ask for details. On behalf of the CYBA we look forward to you becoming part of the CPYB program to build trust, integrity and professionalism in the yacht brokerage industry.

Yacht Broker Association Leaders

By Jeff Merrill, CPYB

The CYBA is one of seven yacht broker associations in North America. Each association is regional and independent. We share many of the same objectives and concerns and there is a common desire for each group to stay current with the fast pace of our business. Many years ago, Yacht Council was created to link the associations, but it dissolved (long story). Since then, nothing has really unified the associations, except the CPYB program, which is supported and sponsored by all seven associations.

Back in 2015, as CYBA president, I reached out to each of the associations directly to propose a phone conference call so that the various presidents and executive directors could become better acquainted. With the support of Vin Petrella, executive director of YBAA and founder of the CPYB program, we developed a roster and set up an agenda for the first call. A second call was held in 2016. The group has become known as YBAL and though everyone is busy with their brokerage business and association duties, (and no one needs to belong to another committee!), the importance of staying connected is too great to overlook.

The yacht broker associations really aren't competitors, so it is natural to share across the board with the mutual goal being to grow each association, discuss relevant issues and collectively raise the profile of the yacht brokerage business.

In November, we held our third call enjoying full participation from all seven associations. We limited the call to one hour, ran over slightly and many other important discussion topics for future calls were presented.

The subjects covered ranged from an update by Vin Petrella about the CAC (governing board for the CPYB program) to disclosure in listings and purchase agreements, Mik Maguire CYBA president hosted that section, to an update on deferred duty and Florida licensing led by Paul Flannery, president of IYBA. J.P. Skov, president of YBAA, gave a report on the Boats Group Advisory committee (see separate article in this newsletter about that meeting). The concept of a future Yacht Broker Hall of Fame was also introduced.

Each year association leadership can change due to elections, but the importance of keeping this group of leaders together through continuity in communications have made this an important channel for each association to participate in. For 2018, YBAL is scheduled to have a quarterly conference call.

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Boats.com Change In Promotional Pricing

By Mik Maguire

Many of us have heard from our Boats Group account manager about the increase in price for Boats.com. We have asked for and received the following notice from Boats Group which we are sharing with our membership.

Long time YachtWorld accounts have had Boats.com as a free "legacy" feature. We appreciate that Boats Group is a business for profit (as are all of us) and though no fee increase is ever welcome we believe we understand why they are doing this.

There have been a lot of "junk" listings posted in Boats.com and the information is often not updated or properly managed by many brokers who view it as a low cost or free service. Consumers have become frustrated.

As internet search continues to expand, most brokers have

received more leads from Boats.com than ever before.

With the new management team at Boats Group, it was a logical time to look at this from all sides for improvement.

The CYBA appreciates the sponsorship and support that we receive from YachtWorld and are also very keen to be an advocate for our members.

Here is the notice from Boats.com:

You may be aware that Boats Group has recently made a change to the boats.com membership. The company is focused on improving the boats.com experience from a consumer and industry partner standpoint, and part of that initiative includes the removal of non-paid listings. This effort helps to ensure that boats.com generates more qualified leads on current listings and that

the broker/dealer community is able to actively follow-up with those inquiries.

It's important that your boat listings are featured across multiple sites to capture the most expansive audience - and since 80% of the visitors on YachtWorld, Boat Trader and boats.com are unduplicated across the sites, there is a big opportunity to reach a new and growing audience through boats.com. Since 2016, boats.com boasts nearly 40% more visitors, averaging 1.6M per month. These consumers are active shoppers as leads have increased nearly 30% since 2016. And, as a result, 1 out of every 12 leads submitted on boats.com converts to a sale.

If you have questions regarding boats.com, please contact your local sales representative.

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Year In Review

**By Bill Krauss,
APEX Group,
CYBA Lobbyist in Sacramento**

In October I provided the Association with a comprehensive report on the legislation and issues we engaged in during 2017. Due to the space constraints of this article, the following is an abbreviated summary of that report. In this report, I have shortened or modified certain sections and removed others altogether. If you would like the complete report, which includes more of the narrative and background on these issues, please contact us and we will provide you with a copy.

State Parks Transformation – Transition Plan

Over two years ago, the Department of Parks and Recreation (DPR) embarked on a process to evaluate park operations with the goal of bringing them into the “21st century.” In the final report that outlined the proposed changes, there is a passing reference that could be construed to make significant changes to the Division of Boating and Waterways (DBW). This, obviously, is of concern to our members that value the independence of the DBW.

A little background: Since the early 1990s the boating community, and our firm, The Apex Group, have worked to protect the DBW and its programs from countless attacks. The DBW is funded with boaters’ dollars through the Harbors and Watercraft Revolving Fund (HWRF), and when the State runs low on cash they look to this fund for help. They have gone directly after the money and attempted to eliminate the “Department” of Boating and Waterways to sweep the money on many occasions. In 2012 they were finally successful with merging the DBW into Parks, making it the “Division” of Boating and Waterways in the Department of Parks and Recreation.

Because of this history, we were very concerned about any



possible changes to the DBW. Since the release of the 2015 report, we have worked with Parks to express our desire to see DBW remain as intact as possible and not be absorbed into larger DPR operations, thereby losing its identity and effectiveness. I am glad to report that Parks has recently released the detailed implementation plan and the DBW will remain intact.

There will be some minor changes, however. Specifically, the grant program will be altered. The DBW will still process applications and award the grants, but tracking and compliance will now be completed by a new consolidated office providing the same functions for all DPR grants. The only real function that will be lost will be “communications and marketing.” That will now be part of a consolidated DPR office as well. There will also be some “enhanced coordination” among other functions, such as law enforcement, natural resources programs, and education programs. It is not exactly clear, however, what that coordination will look like. We will, of course, keep our eyes on developments. This has been a project all year and will continue to be a priority as the plan is implemented.

Legislation

This year, we have taken sup-

port positions on fourteen bills and we were opposed to three. Below is a summary of our priority bills.

SB 1 (Beall): Transportation Funding / Harbors and Watercraft Revolving Fund:

At the beginning of the year, SB 1 (Beall) was introduced to address the funding crisis for our streets and roads, namely in the form of an increase of the gas tax. So why do we care about this? Well, the gas tax paid by boaters is the primary funding source for the HWRF, which is the funding source for the vast majority of boating programs.

It was our position that if the gas tax on boaters was going to be raised, then the HWRF should get its fair share of the increase. After much political wrangling, SB 1 (Beall) was passed and signed into law, resulting in the most comprehensive tax increase for transportation funding in decades. This new legislation will result in about \$5 billion annually for transportation infrastructure.

As part of the legislation, we were able to get the bill amended to “mostly” protect our new money. We would have preferred that it was fully protected, but the compromise outcome was that our proportional increase in the gas tax would go to the DPR to be used for “parks, boating or off-highway vehicle (OHV) programs.” The OHV language was also included because they currently get some of the gas tax money. Under this arrangement, the DPR will have discretion that may be good for us in some years, and not-so-good in others, but the great news is we protected this new money from disappearing forever into the abyss of the Department of Transportation. Given the challenges of this issue and the “big” politics involved, I count this a huge victory, and at the end of the day there are tens

(cont. on next page)

of millions of new dollars that are up for grabs!

AB 478 (Waldron), AB 986 (Gallagher), SB 187 (Berryhill), SB 234 (Berryhill), SB 518 (Berryhill): Promotes Recreational Fishing

Because recreational fishing is such an integral part of the boating lifestyle, we are making a concerted effort to support those bills that enhance recreational fishing. Each of the bills listed improve fishing in some manner, from extending the life of fishing licenses to a full 12 months to prevent over regulation of fishing. We supported all of these bills. All of these bills died, except SB 518, which will be considered next year. SB 518 attempts to change the law to make a fishing license good for a full 12 months, rather than expire at the end of each calendar year.

AB 975 (Friedman) – Wild and Scenic Rivers: Oppose: Failed Passage

This bill would have revised the policy of the State to specify that certain rivers that possess scenic, recreational, fishery, wild-life, historical, cultural, geological, ecological, hydrological, botanical, or other values receive enhance protections.

AB 1228 (Bloom) – Experimental Fishing Permits: Support: Vetoed

This bill would have authorized the Fish and Game Commission to approve experimental fishing permits in certain, narrow instances.

SB 367 (Bates) – Tidelands and Submerged Lands: County of Orange: Support: Signed into Law

This bill extends to 66 years the maximum period for which the county may grant franchises or leases for the use of those tidelands and submerged lands. We obviously agree that the longer the lease term, the more economically stable the business operation.

SB 704 (Galgiani) – Div. of Boating and Waterways: Invasive Aquatic Species: Support: Signed into Law

This bill requires the DBW, to the extent feasible, to collaborate with the California Conservation Corps and use members of the corps in implementing its invasive aquatic plants control programs. Our position: The more help the better!

State Budget

This year it is fair to say it was a “status quo” budget for the DBW. However, in the “May Revision” of the budget there way an increase of \$1 million for the abandoned vessel program. That brings the total this year to \$2.75 million. This is good news as abandoned vessels are a danger to navigation and cause environmental damage.

\$51 Million in loans from the Harbors and Watercraft Revolving Fund Repaid

During the “Great Recession,” the State of California took several loans from the HWRF to prop up the struggling state budget. I was skeptical that these loans would ever be repaid, given the State’s track record, but the money has been placed back in the account!

California Boating Congress

Next year will be the third-annual California Boating Congress (CBC). We are in the planning stages for the 2018 CBC and we are confident this is going to be another successful year! It is our plan to continue to conduct this conference every year with the goal of it to become the premier event for the boating and marine community to advocate for our interests in Sacramento. If you did not attend the first two events, please plan on attending next year. I don’t think you will be disappointed!

How You Can Help!

I monitor the Legislature and various state agencies for issues that may impact your association.

However, there are countless other state and local agencies that may propose rules or regulations that can affect you and should be addressed by the association and/or myself. If you become aware of an issue that may affect you or others in your industry, please do not hesitate to pass the information along to your association leadership who can, in turn, bring it to my attention so we can determine how to proceed...working together we stand the best chance of success in protecting your interests!

Bill Krauss,
The Apex Group,
Sacramento, CA,
(916) 444-3116,
wkrauss@theapexgroup.net

From Our Lobbyist

**Sacramento Lobbyist,
Bill Krauss of the APEX Group**

The following is an excerpt from Bill Krauss.

The legislative session ended in September and will be back in session starting in January. We will see what we face next year in mid-January when the Governor’s proposed budget is released and late February after the bill introduction deadline.

With the passage of SB 1 (Beall), the transportation funding bill, Parks will be getting up to 80 million annually that “could” be available to boating programs. We need to create demand for that money, so it does not go to other programs.

We are preparing for the 2018 California Boating Congress, which will be in Sacramento on February 28. Please promote this event.

State Parks is beginning to implement the recommendation from its “Transforming State Parks” report. They just released the specifics in its “Operational Transition Plan.” We have been and will continue to be in regular communication with Parks about

(cont. on page 22)

From Our Lobbyist... (cont. from page 21)

the proposed changes. See attached PowerPoint from my conference presentation for details of the changes affecting the Division of Boating and Waterways.

Lynn Sadler, the Deputy Director for DBW was terminated. They are looking for a new Deputy Director. We have recommended and are supporting Robert Oakes.

Robert is a fisherman, boater, former legislative staffer who I have worked with over the years, and is currently working in the Department of Education.

Legislative Committee Meeting - October 2017

By Tony Faso

On October 3rd, your CYBA sponsored lobbyist, Bill Krauss from The Apex Group, hosted another Legislative Committee Meeting with members of the marine industry's top associations, to discuss the never-ending litany of upcoming bills affecting our industry. These proposed bills are in the various stages of review and discussion, however it is important that we monitor and resist

where necessary, to prevent potentially harmful legislation from becoming law in our great state. Equally important is the need to foster relationships with the local government representatives who represent us in our districts to enable our voices to be heard.

Of particular interest to us all is learning the details of the integration of the DBW and CA State Parks. Bill has been a vigilant watchdog and, along with the

leaders of the lobby membership, has imparted great influence on the Department's Director to retain the autonomy and expertise of the DBW throughout the merger.

We will be meeting again soon and through proactive outreach along with Bill's persistence, hope to gain a better understanding of the finalized structure of these entities.

Letter To The Editor

Hi Jeff,

Just wanted to let you know what an outstanding job the CYBA

did on their most recent newsletter. The articles were interesting, informative, and executed very

well. Keep up the great work!

Chris Simpson - Broker, 925-757-6655, simpsonyachts.com

From The Editor

Thank you for another banner year of CYBA activities. I've enjoyed my term as editor of the CYBA News and wish to thank all of the writers and photographers who provided content so that we could produce a publication that is helpful and informative.

As special thank you to all of the CYBA Board members and past presidents who have not only volunteered their time to grow our association, but have also worked hard to contribute important and relevant articles to this newsletter for our membership to enjoy.

We certainly can't say enough about the generosity of our sponsors. They are listed on the www.cyba.info website and most are represented through advertisements in this newsletter. If you are looking for various broker related services, please consider reaching out to our sponsors, it's a win/win for everyone.

President Mik Maguire embarks on year two of his presidency in 2018 with the promise of continued growth in our association state wide, and many important activities coming up in Sacramento. Your board of directors is experienced and organized, we have an impressive team looking after you.

We are very fortunate to have two instrumental guiding forces help steer us on a steady course; our executive director, Don Abbott and our senior advisor, Tom Russell.

January 1 sees the California Boater Card program swing in to high gear. If you haven't already done so, it is worth signing up and getting your card. This will make it easier for you to explain the process to your customers.

Our annual dinner and awards returns to Newport Beach, CA on January 13th. If you have been

before I'm sure you will be back, if you have never attended, why not? It's a fun way to network and mingle and I can guarantee you will find it is a worthwhile evening.

In February, the third annual California Boating Congress will convene, if you can make it, we'd love to see you in Sacramento.

We have more events and activities in the works, including the ever-popular Legal Seminar so stay tuned to the email blasts and visit the CYBA website regularly to keep current. If you have any events or announcements concerning your business that you would like to share with the membership, please let us know.

The yacht brokerage business was very productive in 2017 for most of the brokers I know, here's hoping the momentum continues and that 2018 brings even more success to all of us.

A Letter To The DBW

A letter was recently written to the Director of the Department of Parks & Recreation by a CYBA board member calling into question the lack of presence of the Division of Boating and Waterways at a recent boating event. This is a summation of that letter, redacted for tone and length...

I have just completed four days of participation in the Southern California Boat Show, held September 28th through October 1, in San Pedro (LA Harbor). Along with 97 fellow corporate exhibitors; over 175 boats, yachts, kayaks and paddleboards; roughly 10,000 attendees; and hundreds of working members of the California recreational boating community, we staged one of the largest boat shows to be held in the entire State of California this year. Hundreds of millions of dollars of product - some of it made in California, was on display to an enthusiastic crowd of attendees who came out in droves to see the latest and greatest, to shop for new products, boats, and services, to eat and drink and have fun and entertainment in an all-inclusive, family event.

Unfortunately, Parks Department's Division of Boating and Waterways was not in attendance. What was missed was there was no one there to administer and provide the children's loaner PFD's, a program that has become such an incredible component of boat show safety as there was no one to explain or call attention to the new California Boater Card. Additionally, no one offered any materials, or lessons to the public, on how to reduce the spread of invasive species by trailer boats and fishermen.

No Yacht & Ship Broker licensing personnel were on hand to meet and greet a large assemblage of brokers and salesmen, to answer questions and concerns, and to ascertain licensee compliance with the Yacht & Ship Brokers Act nor were there any handout materials, including the Division's own Buying a Used Boat, or the ABC's of California Boating.

At the July 19th meeting with Parks (Division of Boating & Waterways) and the Transition team, we cautioned that we were fearful of DBW being less visible to the boating public at these events. In years past, a major public event, centered around recreational boating, would have been assured of a strong DBW presence. We are one of the largest recreational boating states in the nation, with 826,000 boats, and that there are 71,000 jobs attributed to our industry.

It is apparent that the leaders in our industry will need to take a more active and determined role in representing our boaters, our businesses, and our California resources - along the waterfront and in Sacramento.

Please send any correspondence to:

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and small businesses in the marine industry."

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Please Attend The CBC In February

By Dean West

Friends and colleagues: I want to make sure that you all receive this Save the Date for the upcoming California Boating Congress. This is the third year for this industry conference, held annually in Sacramento. CBC 2018 is an event that I believe everyone in the marine industry should support and attend. It is imperative that we all meet, discuss issues of common concern, and then take our concerns to the legislators and staff that tax, regulate, and often impede our business efforts in California.

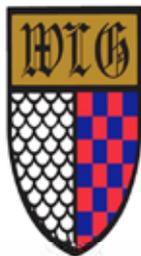
IT IS A TRULY WORTHWHILE EVENT

I believe that through the efforts of a small group that I was with last year, visiting key legislators' offices, that we were able to thwart the misguided repeal of the second home tax deduction. While not a huge win, it nevertheless repelled yet another assault on California boat owners.

There is strength in numbers. There is strength in knowledge. Please join the California Yacht Brokers Association, and dozens of other concerned stakeholders, in attending this important event. It is only one day out of your schedule, but it can pay important dividends in strengthening the industries that we work in.

Thanks, hope to see you there. If you have any questions, please feel free to call me.

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62nd Annual Los Angeles Boat Show - January 18-21, 2018, Fairplex, Pomona

The Los Angeles Boat Show is promoted by CYBA Platinum Sponsor, the Duncan McIntosh Company.

Billed as the ultimate destination for boating and outdoor lifestyle enthusiasts, this event features sport fishing boats, yachts, performance boats, sailboats, ski boats, cruisers, jet skis, pontoons, motorboats, catamarans, cabin cruisers, dinghies, RIBs, kayaks, stand-up paddleboards and more!



SHOW HOURS

January 18, 2018	Noon-8pm
January 19, 2018	10am-8pm
January 20, 2018	10am-8pm
January 21, 2018	10am-6pm

LOCATION

1101 W. McKinley Ave., Pomona, CA 91768

Fairplex is located in Pomona and is conveniently reached from all points in Southern California.

For more information about exhibiting or attending please visit the show website, <http://www.losangelesboatshow.com>

2018 Pacific Sail and Power Boat Show - April 19-22, 2018, Richmond, CA



This four-day event will feature new sailboats and cruising powerboats, gear, accessories, clothing, seminars, on-the-water workshops, and special events, all geared towards boating enthusiasts. From nautical novices to serious boaters, the Pacific Sail & Power Boat Show is the place for people to immerse themselves in the world of boating, talk to experts, participate in hands-on seminars, learn new techniques, get on the water and have fun. The Pacific Sail & Power Boat Show (formerly Strictly Sail Pacific) has become known for its expansive seminar series, touching on topics from boating basics to advanced navigation.

The show will also offer the latest innovative products and gear from the top names in boating equipment. Several products will make their West Coast debuts, allowing attendees to be among the first to experience them in person. The City of Richmond is the perfect host destination and the venue is Craneway Pavilion and Marina Bay Yacht Harbor. The location is just a short walk from the Richmond BART Station and AC Transit Bus Line #74 (Ford Point Stop). For more information on where to eat, stay and play in Richmond, visit <http://visitrichmondca.com>.

For additional information, visit www.sailamerica.com. Follow @pacificboatshow on Twitter and www.facebook.com/PacificSailandPowerBoatShow on Facebook. CONTACT: Katie Kelly, Sail America 1.401.289.2540.

The San Diego Sunroad Marina Boat Show

January 25-28, 2018 at SunRoad Resort Marina

The San Diego SunRoad Marina Boat Show is brought to you by CYBA Sponsor SunRoad.

Welcome to the 2018 San Diego Sunroad Marina Boat Show. If you are a boater, don't miss this once a year event! We'll have the brands and companies you've come to know and love, as well as new marine services and products, free boating seminars, boat rides, libations and more. Come join us!

Fair Winds,
Jim Behun, Show Director

Show Hours

Thursday, Jan 25, 12pm – 6pm
Friday, Jan 26, 12pm – 6pm
Saturday, Jan 27, 10am – 6pm
Sunday, Jan 28, 10am – 6pm

Admission

\$13 for Adults. Children 12 & under, FREE.



Active Military, EMTs, Police and Fire personnel are FREE on Thursday, January 25 and Friday, January 26 with ID.

SunRoad Marina
955 Harbor Island Drive
San Diego, CA 92101
www.BigBayBoatShow.com

CYBA Members On YachtWorld Advisory Board

By Jeff Merrill, CPYB

The Boats Group, which owns YachtWorld.com, Boats.com and BoatTrader.com has an energetic new management team comprised mostly of experienced e-commerce veterans who are eager to improve broker and public experiences on their internet portals.

Several top brokers from around the country have been invited to participate in an Advisory Group to help address concerns, assist with improvements and to guide the Boats Group team to achieve their goals of improving all aspects of the products they offer.

The brokers and Boats Group executives convened in Miami, FL at the Conrad Hotel on November 28th for a lunch through dinner engaging discussion that covered many topics. Representing the US west coast were two former CYBA presidents, J.R. Means, Jr. and Jeff Merrill.

The Boats Group Advisory committee includes current and former yacht broker association presidents, small boat brokers and broker/dealers of various sizes from small operations with one or two locations to large national firms with offices in multiple states. The broker team invited to advise includes representatives from the states of: Connecticut, Massachusetts, Florida, Texas and California. This is a diverse group of knowledgeable brokers who have volunteered their time to improve the MLS platforms that the Boats Group offers. Discussions were productive, insightful and offered varying perspectives on the issues discussed.

J.R. and Jeff were delighted with the format and both said they felt the first gathering was extremely positive and that the Boats Group team were all good listeners and seem committed to improvement.

After a long afternoon session, we all met in the new Miami offices for the Boat Group for an informal dinner and to meet more of the staff, it was a very well-organized event.

The Advisory committee is scheduled to meet four times a year and will be in the know and on the forefront of the changes that the Boats Group intends to rollout. If you have any suggestions, questions or ideas please get in touch with J.R. or Jeff so that they can present your views.

REMINDER

Your association has many occasions to communicate with the membership during the year and virtually all of it is now conducted by email.

If you have changed your email address recently, or are not getting email broadcasts from CYBA, please forward your current email address to Don Abbott, our Executive Director at don@cyba.info

BOATS GROUP



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Division Of Boating And Waterways Now Accepting California Boater Card Applications



December 1, 2017
Contact: Adeline Yee,
Information Officer,
(916) 651-8725

Sacramento, Calif. – California State Parks Division of Boating and Waterways (DBW) is now accepting applications for the California Boater Card. The card verifies that its holder has successfully taken and passed an approved boater safety education course. Once issued, the California Boater Card remains valid for an operator's lifetime.

On Sept. 18, 2014, Governor Edmund G. Brown, Jr. signed into law Senate Bill 941, which prohibits the operation of motorized vessels in California without a valid boater card developed and issued by DBW. The new mandatory boating safety education law will go into effect Jan. 1, 2018. The law will be phased in by age. The first group required to take the exam are boaters 20 years of age and younger. Each year after February 2018, a new age group will be added to those who are required to possess a valid card. By 2025, all persons who operate a motorized vessel on California waters will be required to have one. The cost of the lifetime card is \$10, and all the money goes toward developing and operating the program. By law, DBW cannot profit from the program.

"California and U.S. Coast Guard accident data show that states with some form of boating safety education have fewer accidents and fatalities than states without any boater education requirements," said DBW Acting Deputy Director Ramona Fernandez. "This new law will help make boating safer for all families on California's waterways."

California is one of the last states to implement some sort of mandatory boating education requirement. Repeatedly, recreational boating accident data shows that many operators involved in accidents have not taken a boating safety course. For example, last year's statistics showed that more than 800 California recreational vessels were involved in reported accidents, resulting in 50 deaths. Only one of the boat operators involved in the fatal accidents had taken an approved boating safety course.

Applying for the California Boater Card is easy. Boaters have an option to apply before or after taking an approved boating safety course. You can find the list of options at www.CaliforniaBoaterCard.com. A toll-free telephone support line is also available at (844) 421-8333.

There is good news for boaters who have already taken an approved course between Jan. 1, 2015 and Dec. 31, 2017 - Persons who have passed an approved examination during this timeframe will have until Dec. 31, 2018 to apply for their California Boater Card to receive the "grandfathering" exemption regardless of their age. Older courses will not be



accepted since they may not include recent state or national changes to navigation law.

Boating safety course providers must be approved not only by the state of California, but by the National Association of State Boating Law Administrators. Courses may be classroom, home study or online.

It is important to note there are exemptions to the new law. For example, those operating a rental vessel or possess a current commercial fishing license do not need to obtain a California Boater Card. For more information on the new mandatory boating safety education law, including a current list of approved California boating courses and exemptions to the law, please visit www.CaliforniaBoaterCard.com

CA Brokers Attend FLIBS In November

By Jeff Merrill, CPYB

The Fort Lauderdale International Boat Show (FLIBS) is one of the premiere boat shows in the world and attracts builders, buyers and brokers from all over the world to attend.

Each year a number of mini-reunions occur as California brokers and California based marine service businesses who are walking the show or working a brand on display meet to say hello to one another.

During the event, several CYBA Board members met with Steve Myers from Yatco for a presentation on the new BOSS platform.

Photos received of CYBA members and affiliates who attended are included here. I know Neil Esterly from Fraser Yachts and Peter Zaleski from Alexander Marine, USA were also in attendance (sorry Neil and Pete, no photos) and many more CYBA members were also around.



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CA Bureaucracy Growth Slowed - DBW To Be Left Alone By Parks... For Now

By Tony Faso

Recently, the California State Parks officially released their Transition Plan for the Public to review. It has broad reaching implications across the entire recreation industry, however, of particular interest to our Association is the integration of The Division of Boating and Waterways into the all-encompassing Department of California State Parks.

It is imperative that we not lose sight of these important dynamics between the Division of Boating and Waterways and State Parks. In the past, similar types of integrations have had a way of "culling the talent" right out of the pool... But that's where representation becomes so important. This is why it is incumbent upon our Association to act on the boating communities' behalf.

The CYBA has been "Dog on Bone" on this topic, working tirelessly to ensure that the core founding principles and intentions of the DBW were not lost in this transition.

We have advocated that the DBW and its staff of industry experts are left in place to enable the best possible chance to influence the marine marketplace and infrastructure (Be it the ocean or an office building) that we all call our workplace.

On July 19th, our Board members and affiliates attended a meeting with Director, Lisa Mangat and her staff, wherein she repeatedly impressed upon the attendees her commitment to maintaining transparency throughout these changing times. It is meetings such as these that allow our interests to be heard, first hand, by the very people that can effect the changes going forward.

Here are some highlighted excerpts from their transitional plan that show them "leaving DBW alone."

Retain the Divisions of Off-Highway Motor Vehicle Recreation and Boating and Waterways separate with deputy directors, while further incorporating their services into the DPR organization.

Retain the structure and operations of the four commissions that represent different stakeholder interests: Boating and Waterways, State Historical Resources, Off- Highway Motor Vehicle Recreation, and State Park and Recreation.

We will continue to monitor and influence the powers that be, to best promote our industry, our membership and the whole of the boating community.

Eight Bells

Founder of Stan Miller Yachts passes away at 91.

LONG BEACH — Stan Miller, the founder of Stan Miller Yachts passed away Nov. 17 at Palm Desert, California. He was 91. The boating industry executive forayed into the world of maritime in the mid-1930s, when he sailed his 8-foot dinghy in Newport Beach Harbor. He actively participated in racing events, rigging and sailboat repair.

Miller, who also served in the U.S. Navy, eventually founded Stan Miller Sailboats with his brother in 1955. Construction began in Seal Beach, where masts, rudders and leeboards were built. This two-level building would later become the Stan Miller Sailboats & Hardware store. Close friend and sail maker Lowell North, who was in the process of developing and growing North Sails, was located upstairs.

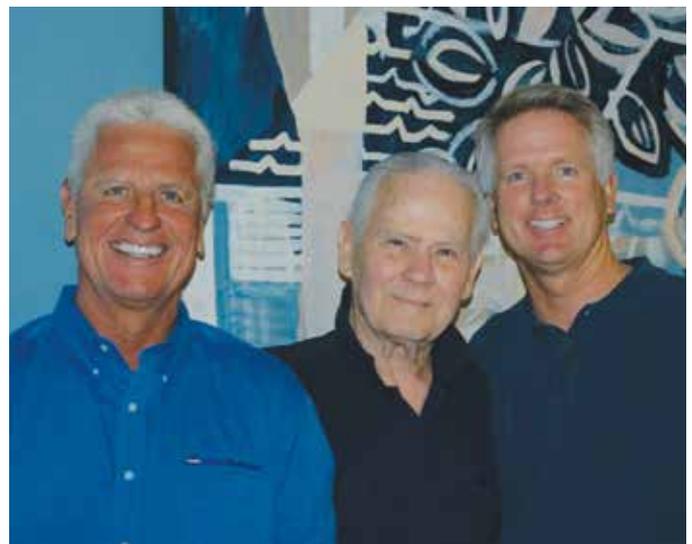
The Millers love of sailboat racing continued, and in the early 1970s, Miller and his partners bought a New Zealand-built sailboat Ragtime. Miller would captain Ragtime to racing victories, with two wins of the Transpacific Yacht Race, racing from Los Angeles to Diamond Head Lighthouse in Honolulu.

Stan Miller Sailboats later branched into motoryacht sales, with the company being re-named Stan Miller Yachts to reflect their growing market. In 1976, John Buettner joined Stan Miller Yachts as a Licensed and Bonded broker. John Buettner remained a broker at Stan Miller Yachts until 1983, at which time Brad Buettner joined him and the two became partners

with Stan Miller until Miller's retirement in 1989. After his retirement, the Buettner's took full control of Stan Miller Yachts and grew the company to be an industry leader for new and brokerage yachts.

Miller is remembered by the entire team at Stan Miller Yachts, his family, friends and the sailing and boating communities of Long Beach, Calif. and Astoria, Ore., as well as the many lives he touched.

Photo courtesy of Stan Miller Yachts, article edited from *The Log*.



CYBA Gives Boating Tax Policy Talk At MRA Conference

By Dean West

In October, your CYBA was invited by the Marine Recreation Association (MRA) to attend their 46th Annual MRA Educational Conference in Monterey, and to present our "Crafting Tax Policies to Stimulate Recreational Boating" treatise to the assembled attendees. Those participating in the conference represented a broad cross-section of the recreational boating industry and included business owners and operators, administrators, law enforcement and government officials.

Updating and broadening the similar highly acclaimed CYBA presentation given at the California Boating Congress (CBC 2017) in Sacramento last March, the CYBA Legislative Committee of Mik McGuire, Tony Faso, and Dean West compiled a multimedia presentation that explores the burdensome over-regulation, excessive taxation, and benign neglect foisted on California boaters and boating industry by Sacramento, local and regional bureaucrats.

At stake is the \$9,000,000,000 annual economic impact that recreational boating contributes to the California economy each year, along with the thousands of jobs created by the boating industry.

Speaking to the attendees, West and Maguire touched on the imbalance between boating-friendly states such as Washington and Florida, and the high tax-burden environment that exists in California. It is their contention (as well as that of the CYBA) that no cap on the sales or use taxes



assessed on boat transactions, the burdensome and often illogical

county personal property taxes, high personal income taxes, and regressive tax hikes on fuel – all lead to a stifling burden on California boaters that most states' boaters just don't experience. The net result of this environment is that many of our (CYBA) clients are opting to take delivery of their boats outside California, and then never exposing themselves to these costs, fees, and taxes by keeping their boats out of this state forever, or delaying the return to California, costing our yards, marinas, and service providers countless needed dollars.

This effect is compounded by high slip rates and shortages, the aforementioned fuel costs, fishing area closures, over-reaching environmental restrictions, and a litany of other bureaucratically induced measures that either overtly or inadvertently restrict or discourage recreational boating and fishing within California waters.

This is a topic that your CYBA Board has identified as critical to the long term viability of our recreational boating industry, and one that is worthy of our time, effort, and financial commitment. Your dues and sponsorship dollars help fund this critical push-back, as your CYBA takes this issue before boater groups, the marine industry, and bureaucratic and regulatory agencies.

If you would like a copy of our PowerPoint presentation "Crafting Tax Policies to Stimulate Recreational Boating, Can California Compete?", please email us at advocacy@cyba.info

Full Disclosure!

By Dennis Moran,
CYBA Arbitration Administrator

The seller finally signed the central agency listing you've been after for 6 months. It's a 60' trawler with a lot of systems and inven-



tory so the spec sheet is going to be lengthy. The boat has quite a few miles on it and has had three different owners. Hopefully, you are using the CYBA listing agreement form. Several years ago, we added a series of disclosure questions at the bottom of the signature page. You know, the

ones like: "Has the boat ever run aground?; Has the boat ever taken on water?; Has there ever been a fire aboard?" We've seen cases where the seller didn't check the boxes and the broker never bothered to follow up. Why is this important to you? It's sometimes

(cont. on page 32)

Full Disclosure... (cont. from page 21)

too tempting for a seller to conveniently not mention something negative about his boat in hopes it will not come up.

Our friends at the Division of Boating & Waterways will be glad to remind you that you have a fiduciary responsibility to protect all parties in a transaction and that includes disclosing anything about the boat that would potentially affect a buyer's decision to make an offer. Even though Paragraph 9 of the CYBA Central Agency listing agreement seems to indemnify you from non-disclosed vessel deficiencies or incorrect information, that protection is doubtful if you haven't done your job upfront in documenting in writing vessel condition issues with the seller at time of listing. It's too late if you're already in a deal and the boat is hauled for survey. Having the seller answer the disclosure questions and sign acknowledgement goes a long way in protecting you down the road if one of the disclosure issues comes up in survey and it turns out the seller wasn't being completely honest about things.

Obviously, if the seller checks yes in one of the boxes on the listing disclosure questions, you need to ask for the full details from him on that particular issue. In addition, you need to sit down with the owner, preferably aboard, and have a heart to heart discussion about the current condition of the vessel. What doesn't work? Has the hull ever had blisters? What items currently aboard (think rods and reels, portable electronics, binoculars, etc.) is the seller planning to remove? Make sure these items are listed in the MLS specs as exclusions. Once you have a complete picture of current condition, you have an obligation to disclose what you know to a potential buyer, either directly or to the corresponding broker.

We're selling used boats which, by nature, are not perfect and most buyers realize that. Buyers are much more accepting of vessel deficiencies if you disclose them upfront vs. having them discovered in survey. You will have some serious potential liability if a client goes to the expense of flying from the east

coast to come see your listing and then finds out after the fact that there was a "small" problem; something about taking on water.

In parting, don't try and hide behind "Buyer beware" or "as-is-where-is". Yes, we tell the buyer to hire his own surveyor to validate his expectation of vessel condition but that doesn't relieve you of your fiduciary responsibility as listing agent to present an accurate picture of your listing by asking the right questions of the seller up front. A buyer is knocking on your door because you have represented yourself as a boating expert who can advise him on the best boat for his needs. Don't let the prospect of a big listing commission cloud your judgement about doing the right thing and offering full disclosure. If you have done your job and a dispute arises where it is later determined that the seller was not forthcoming in responding to your disclosure questions, you have greatly reduced or eliminated the possibility of potential personal or company liability.

Ethically Speaking, Are You?

**By Dean West,
CYBA Ethics Chairman**

(This column is another in an occasional series discussing sections of the CYBA's Code of Ethics written by Ethics Committee Chair, Dean West)

Following up on my previous column (see The CYBA News, January 2017 – April 2017), I am going to pick a Section and discuss an ethics issue that has been getting some attention lately, Section 29 Plagiarism.

"To responsibly represent a client's vessel and interests, Member shall at all times respect the intellectual property and creative



efforts of a fellow broker, or others in the industry. In the event a Member is appointed listing agent on a previously listed vessel, any previous specification sheets, inventory lists, photos, survey reports, videos or internet postings shall not be copied and disseminated without written consent of the original author(s)."

Sometimes I have to ask myself: do I really need to point the intent of this Section out to brokers and salespersons? Is anyone really so lazy and obtuse as to use another broker's spec sheet and/or photos, or a surveyor's report, when marketing a listing? The short answer is, of course, yes. People are that lazy, incompetent, and deceptive. But not YOU, right? You don't plagiarize because you

know it is unethical and contrary to your client's and the public's best interests.

To wit, if you rely on dated, unverified information such as what you pull off of a sold boat site, or if you recycle old file spec sheets, or the previous listing agent's spec sheet, you are setting yourself up for embarrassment, potential legal problems, and/or loss of a sale/client. If you don't personally compose the specifications sheet, after a careful inspection and inventory of the vessel, how can you possibly know that the prior broker's information is valid? If you under-report the specifications of a vessel, you do your seller a disservice, and don't properly represent the vessel to prospec-

(cont. on next page)

tive buyers. Conversely, if you list specifications that are inaccurate, or promote accessories and equipment that are no longer on the boat or no longer operational, you are guilty of misrepresentation. If you use dated photos, are you representing the vessel as she currently appears? Are you showing items that don't convey, yet haven't been designated as not conveying? These are indefensible transgressions that will put you on the losing side of an arbitration or a legal proceeding.

As for the photos and videos, using another's photos without express, written permission can expose you to copyright infractions and legal drama outside of the industry administrated arbitration process. Do you really want to go down that road, and end up in court arguing against a photographer that may likely have a written contract with a seller or previous broker? The same holds for surveys, which for the life of me I can't believe that anyone would copy or pass on, yet it continues to happen. Let me put it as plainly as

I can, if you disseminate a survey that you didn't order and pay for, or that you have not been given by the person who paid for it, you are asking for serious trouble, and you are violating yet another Code of Ethics Section (Section 28, Ownership and Control of Surveys). If you give a prospective buyer a survey that he didn't order and pay for, you are asking for trouble. If you give away a surveyor's intellectual property (survey) without compensation to that surveyor, you are asking for trouble. And lastly, if you, by willfully providing a prospective buyer someone else's survey, attempt to influence said prospect in a positive way, you are asking for trouble as you would be if you provided a survey to negatively influence a decision. In that case, you would be answering to the seller's wrath.

If you are following me, and have made it this far in the article, you can begin to see that there is no good that can come of a broker being too lazy or cheap to compose his own specifications sheet, or to take or have taken, the pho-

tos to accompany his marketing materials. It may not come as any surprise, that the most successful, respected, and competent brokers pride themselves on their specs and photography. It is a mark of professionalism to spend the time aboard a new listing thoroughly going through every inch of the boat in order to understand the vessel, and to represent it properly and to satisfy your fiduciary responsibility to your seller. Make a commitment today, that you will never rely on some else's efforts to do what you should be doing for yourself and your clients.

Making that commitment will save you headaches, it will save you embarrassment, it will save you money. And ethically speaking, it is the right thing to do!

About the author: Dean West is owner/broker for Dean A. West Marine Enterprises. He is chairman of the CYBA's Ethics Committee, and current Board member and past President, and the former Ethics Chair of the International Yacht Brokers Association.

11 Important Negotiating Tips

**By Vincent Finetti,
Yacht Sales Academy**

"You will never make as much money as you do when you are negotiating."

Why don't they teach us negotiation at school?

Just like selling, negotiation is something we use every single day of our lives. Negotiating is an art, and with a lot of preparation and practice, it can become an extremely valuable skill in life.

Being a great negotiator offers amazing advantages in both your personal and professional life. However, the general public perceives negotiation as something reserved for certain limited circumstances in life like lawyers, the corporate world, politics, sales, etc. But in reality, this is something we use every single day in so

many areas of our lives such as business, relationships, parenting, family, friends, and during almost every conversation we have both personally and professionally.

Mastering negotiation is not only learning the skills that pay the most amount of money in the minimum amount of time, it is about being able to live the life you want.

I have read dozens of books and articles and have taken a number of courses on the subject to curate and gather the best tips and techniques that you could apply to your daily boat sales activity.

So, without further due, let's dive in and let me share with you 10 negotiation tips that you can use in boat sales:

1) Never go against the client

Client keeps asking for another discount.

Common mistake: "Sorry, I cannot go lower than this." or "Sorry, I cannot give you a discount."

Solution: Put a monetary value on the discount you give them by saying this instead: "I don't have any more money to give you." (They will perceive the discount as real money and it will help you in your negotiation).

2) Client is buying a boat over budget

Common mistake: Trying to justify the full price of the boat.

Solution: Selling on the difference and not the total value. This is one of the most common mistakes salespeople make. Let's

(cont. on page 34)

11 Important... (cont. from page 33)

assume your client has a \$100k budget for a boat. You have the model of their dreams, but you are actually over their budget as it is selling for \$120k. Do not sell the boat at \$120k, but sell it on the difference: the \$20k. You can even divide the difference into 10 upcoming years if you know they will keep their boat for the next 10 years.

So instead of selling a \$120k boat today, sell them on \$2k a year for the next 10 years or \$5 a day.

3) Never use the word FREE

Avoid using the word free as it totally devalues the effort you're making in your negotiation. Something "free" is automatically perceived as no value added for the customer.

Receive a free set of lifejackets.

Receive \$360 worth of life jackets at no cost to you.

4) Use hundreds instead of thousands

If your product is worth three thousand five hundred, say 'thirty-five hundred', it will look cheaper. Now on the opposite side, if you give a \$1500 discount say, 'one thousand five hundred' and not fifteen hundred.

5) Never talk about the "price" in front of a client

Instead, use the term "value". Never give the price alone by itself.

Bracket your "value" between 2 benefits. Jean-Marie Brücker, International Sales trainer, calls it the Macaron Technique. Referring to the sandwich-like French macaron pastry. It goes something

like this:

"Madame, this timepiece comes from our finest Switzerland workshop and it has a value of twenty-seven thousand dollars. If you invest in it, your children are sure to enjoy it for generations to come."

6) Don't be vague when providing pricing

When asked to give a quote or how much it costs, never give a range like "Between \$5,000.00 to \$6,000.00". Be confident in your pricing and back it up with some strong value-added phrases.

For example: quoting \$5645.50. It will get you closer to sealing the deal and will be perceived as more honest by your client. If you say between \$3,000 to \$4,000, any dollar added after \$3,000.00 will be perceived as extra in your pocket in the eyes of your client.

7) Don't oversell

The longer you talk after the other person has said yes (either verbally or in their mind), the more there is a chance that doubt will set in their mind. They will question themselves while you speak, they will run back over the deal in their head, looking for weaknesses. Don't push too hard or you could lose all that you have worked for.

8) Take your time

Never respond too quickly to an offer. Pausing or even suspending negotiations can convey that you're not desperate to close the deal and that you have other options. Silence can force a sur-

prising amount of pressure on the other party as well (there is a correlation between the response time and the desperation to sell).

9) Acknowledge their offer

Taking time to reformulate their offer or objection will always help you in the negotiation process. It will put you in a position of power and give you more confidence and clarity to achieve your desired outcome.

"So, you are asking for this, this and this, correct?" You can also ask a question. "Would you take \$120k for it?" "Are you offering me \$120k for it?"

10) Work on the relationship

The only difference between a contract and a contact is the "R". And the R stands for relationship. One of the easiest ways to win in any negotiation is to have the other party like and appreciate you.

11) Do not freak out about objections, just ask the clients to repeat

If the client says, "Oh it is too much, I can't afford it", calmly say, "What do you mean by you cannot afford it?" and listen. You will be surprised by the multiple ways you can handle price objection if you take the time to hear your clients and go deeper into their feelings and position.

I hope that you enjoyed those few tips on negotiation. If you have any questions or would like to learn more about negotiating in boat sales, feel free to email me at vincent@yachtsalesacademy.com

CYBA Is Pleased To Welcome New Bronze Sponsor, Marine Diesel Services

Erik Pedersen is a hands-on diesel mechanic who has successfully run Marine Diesel Services Inc. in Costa Mesa since 2003. Offering a wide range of service options, from full service oil changes, maintenance services, descaling services, Mechanical repairs, En-

gine Rebuilds and Re-powers. Whether you need something as simple as an oil change or a new set of injectors, Marine Diesel Services has you covered.

Contact information: Office 949-612-8180 or www.marinedieselservice.com



CYBA Board Of Directors Elections

For the 2018 term, we have five candidates running for five board seats. The e-ballot online voting worked very smoothly, and our turn out was the best yet. Here are your candidates, all of whom are running for re-election. If you see these guys on the waterfront, please thank them for their involvement with the CYBA Board of Directors.

Tony Faso

Tony Faso has been around boating since the days of being dragged behind ski boats in lake Shasta as a 5-year-old. He began his professional boating life after building custom homes in the North Bay got him interested in modifying boats in the California Delta for resale purposes. Tony has been the owner operator of Delta Marine Sales and Services in Stockton, CA (a 5-acre boatyard and sales facility) for nearly 15 years and continues to run the boat yard today along with another sales facility at Tower Park Marina in the Delta.



Nick Friedman

Nick is president of the Shoreline Yacht Group, comprised of San Pedro Yachts in San Pedro and Pacific Sailing and Motor Yacht Sales in Long Beach. Nick learned to sail in the Sea Scouts in San Francisco as a boy and has enjoyed boating for much of his life. He began his career selling boats in 1995 and in 1998 purchased San Pedro Yachts. He and his staff have dedicated themselves to helping each of their client's dreams of boating come true. Nick has been a CYBA member since 1999 and joined the board of directors in 2006. He was president of the CYBA in 2008 and is proud to have been



the 2011 recipient of the Merle Parks award for dedicated service to the California yacht industry, the highest award given by the CYBA.

Mik Maguire

Mik Maguire completed his education using the GI Bill at San Francisco State College in 1972, then worked with a national corporation managing 40 independently owned dealer outlets for five years. He entered the sales side of the marine industry and have been a licensed salesman and broker for 33 years. During that time, owning his own business and managing others.



Jeff Merrill

Over the last thirty years Jeff has worked for several California marine businesses including LeFell manufacturing, W.D. Schock Corp. and Magma Products before specializing in cruising boats for the last twenty-five years. He spent seven years as vice president of sales and marketing for cruising sailboat builder Pacific Seacraft before joining Pacific Asian Enterprises, Inc. in 1999 to become involved with production and sales of the Nordhavn trawler brand. After 14 years with Nordhavn, Jeff started JMYS in 2014. Jeff is a Certified Professional Yacht Broker and is licensed in California and Florida. Jeff was CYBA president in 2015-2016.



Dennis Moran

Dennis and 3 other senior brokers from Ardell, partnered with the international yacht brokerage firm, Northrop & Johnson, in February 2016 to open a new office in Newport Beach. Dennis had been continuously affiliated with Ardell Yacht & Ship Brokers from 1968 to 2016 when

the sale of the landmark Ardell Marina waterfront property in Newport Beach and the founder's passing followed with the surprise announcement that the brokerage operation, which began in 1959, was closing its doors. Dennis had previously managed the Newport Beach office for 10 years with heavy involvement in contract negotiation and sale administration. Dennis has served several terms as President of California Yacht Brokers Association, 1995, 2013-2014.



Please Welcome NEW CYBA Bronze Sponsor; Dana Point Shipyard

Please Welcome NEW CYBA Bronze Sponsor; Dana Point Shipyard

Dana Point Shipyard is a family owned and operated full-service shipyard that has been in the business of hauling and repairing vessels since 1967. With the recent addition of a larger Travel Lift, they are able to lift boat as large as 187,000 lbs. with a Max 25-foot Beam.

Our mission is to provide excellence in customer service and repairs to the recreational, commercial, and professional boating community of Dana Point Harbor and beyond, while continuing our commitment to respect and protect our environment and harbor waters.



KKMI Leads The Way Again With Silver Sponsorship Of CYBA

After a recent Yachtworld Seminar was in jeopardy of being canceled, it was Paul Kaplan, of KKMI Boatyard who came to the rescue by offering his teaching facility to the CYBA on short notice and at no charge.

Having been a California Yacht Broker for many years himself, Paul knows how valuable the CYBA is not only to its own membership, but the Affiliate Members as well and Paul was quick to help.

With this wisdom and proactive approach to business, KKMI has offered to become our newest Silver Level Sponsor.

As a member and sponsor of our association, KKMI offers its services and expertise to all CYBA brokers and their clientele and reminds us all how important it is to have a boatyard that is sensitive to the unique needs of professional brokers during the often delicate purchase/sale process.

This offer to sponsor our Association shows the type of commitment to maintaining professional excellence that KKMI prides itself upon. We wish to thank the entire staff at KKMI and encourage our membership to "support those who support us" for it is this type of benevolence that makes these great associations possible and adds so much value to all of the members.

Thank You CYBA Sponsors

**By Jeff Merrill,
CPYB**

2017 was a record year for the CYBA sponsorship program. Introduced in 2015, our Affiliate members have a direct conduit to reach out to and connect with a very targeted audience (you and me and our fellow yacht broker members). The CYBA sponsorship program continues to grow each year and has developed into a mutually beneficial partnership that is just plain good for business all around.

There are five categories of Sponsorship: Platinum, Gold, Silver, Bronze and Friends. Each level

has different opportunities for promotion to suit various sizes of businesses. Details for becoming a CYBA Affiliate member sponsor are outlined on the CYBA.info website. It is never too late to join, but the sooner the better.

We are very pleased to report virtually unanimous renewal from the class of 2017 and in this edition, you will see their advertisements as well as announcements of our three newest sponsors for 2018.

At press time our new 2018 CYBA Affiliate Member sponsors are:

Lee Frain Marine Surveyor –

Friends

Dana Point Shipyard – Bronze Sponsor

Diesel Marine Services – Bronze Sponsor

KKMI – Silver Sponsor

I'd also like to thank the Wenthur Lawgroup for upgrading from Bronze to Silver.

As a CYBA broker/salesperson it is an obvious advantage to use our sponsors to assist your brokerage and support your clients' needs. Each sponsor is dedicated to helping the CYBA grow and has a keen interest to support all of our success.

ALONG THE WATERFRONT

Crow's Nest San Diego purchased by yacht brokers Eric Pearson, Michael Selter

"This is the right time and the right property to undertake this exciting endeavor"

SAN DIEGO – Crow's Nest Yachts, a legacy yacht brokerage along San Diego's Shelter Island for more than four decades, has been purchased by long-time yacht brokers Eric Pearson and Michael Selter in a shared co-executive partnership.

Building on its early heritage as a specialist in high-end sportfishers and luxury yachts, Crow's Nest San Diego will be transformed into Shelter Island's pre-

mier boutique yacht brokerage with an emphasis on upgraded personalized service and the highest levels of "fit and finish" in all operations.

"We're convinced this is the right time and the right property for us to undertake this exciting endeavor," said Pearson, who like Selter is a San Diego native who has spent virtually his entire life around boats of all sizes.

"Michael and I know the inner workings of this industry, which has always been a major focus of our lives, both personally and professionally. For us, this is our homecoming."

Pearson and Selter plan to

contemporize all business operations as well as brighten the firm's 1,650-square foot offices, enhance exterior signage, and fully outfit its privately-owned 23-vessel capacity sales marina.

Since its founding in 1975, Crow's Nest has been a vibrant part of the Shelter Island maritime district. Its reputation is based on offering a variety of sportfishers, recreational vessels and luxury yachts sized from 40 feet to 150 feet and longer, along with a highly desirable locale along the waterfront.

Pearson began his yacht broker career at Crow's Nest more

(cont. on next page)

Along The Waterfront... (cont. from page 36)

than a decade ago. He then moved to Fraser Yachts, where he has been a successful broker for the past 12 years. He spent much of his formative years working alongside his father, Ron, former owner/founder of Pearson Fuel Dock, long a Shelter Island fixture that's within walking distance from Crow's Nest.

In serving the boating needs of their clients, most of whom they knew personally, the Pearson father and son team emphasized friendly, professional service with a smile, a hallmark of Crow's Nest under its new ownership team.

Like Pearson, Selter is a long-time successful yacht broker and brokerage owner who was affiliated with Fraser Yachts, first in San Diego and most recently in Fort Lauderdale. He plans to relocate to San Diego, where he grew up and spent much of his childhood and early adult years on Shelter Island. He formerly owned and operated American Yachts, a full-serve brokerage with offices in Newport Beach and San Diego, which was located directly across



Eric Pearson (left) and Michael Selter are the new owners of Crow's Nest San Diego on Shelter Island.

the street from Crow's Nest.

"We love what we do and we're excited to have this opportunity to take Crow's Nest tradition of excellence to the highest levels," said Selter. "Together, we will strive to maintain the highest ethical standards along with cultivating a fun, friendly, professional environment for our brokers and our clients."

ABOUT CROW'S NEST YACHTS:

Founded in 1975, Crow's Nest Yachts San Diego is a full-service yacht sales brokerage conveniently located on San Diego's Shelter Island. Paired with two sister offices in Newport Beach and Seattle, each owned and operated under separate ownership, Crow's Nest Yachts San Diego handles all sectors of the yacht sales industry.

Contacts:

Eric Pearson, Co-Executive
Crow's Nest Yachts San Diego
619-253-7622

ericpearson@crowsnestyachts.com

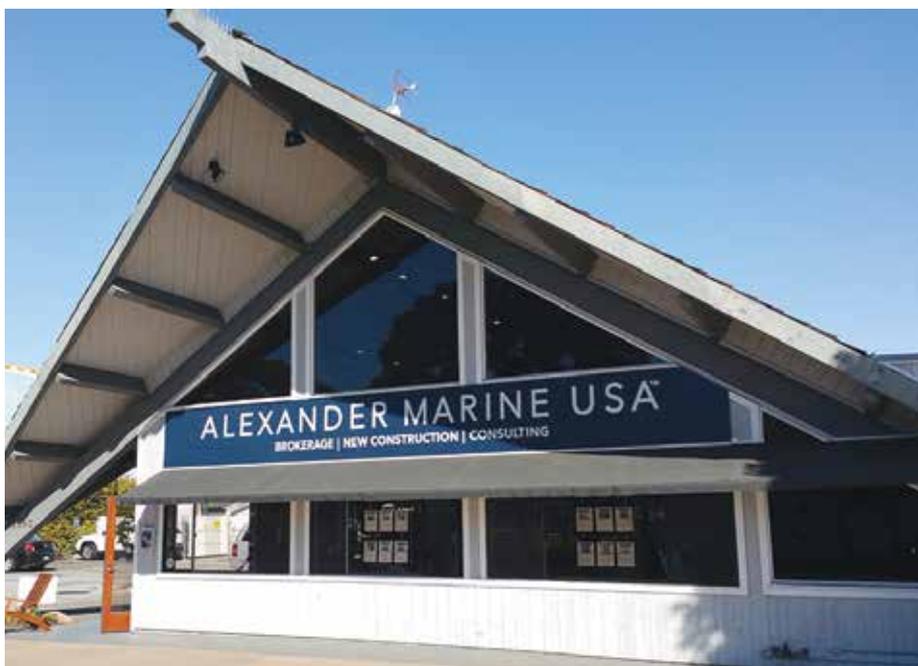
Michael Selter, Co-Executive
Crow's Nest Yachts San Diego
619-265-6906

michaelselter@crowsnestyachts.com

Media contact:

John Freeman
Point PR Communications
619-274-2779
john@pointpr1.com

ALONG THE WATERFRONT



West Coast yacht brokerage and dealership, Alexander Marine USA, has announced the addition of Carver Yachts to its new boat portfolio.

Kate Pearson From Point Loma Is New U.S. Superyacht Association Chair

The U.S. Superyacht Association has announced the election of Kate Pearson as their new chair.

Pearson has been vice chairman and has over 20 years in the marine industry. She is also an executive with Safe Harbor Marinas, which owns and operates five marinas in California.



ALONG THE WATERFRONT

California marine industry veteran, Don Galey, honored by the MRAA

The Marine Retailers Association of the Americas said that it has selected Don Galey, president of Galey's Marine Supply in Bakersfield, Calif., as the recipient of its inaugural Lifetime Achievement Award.

"Don Galey's name has been synonymous with leadership in the marine industry, beyond just the dealership level, for decades," Matt Gruhn, president of the MRAA, said in a statement. "Don has been a leader for the MRAA, for the boat brands and other partners he represents, for his community, and for his dealer colleagues across North America. He epitomizes the type of individual MRAA seeks to recognize with this Lifetime Achievement Award, and it's an honor for us to be able to hold him up and celebrate his numerous incredible contributions to our industry."

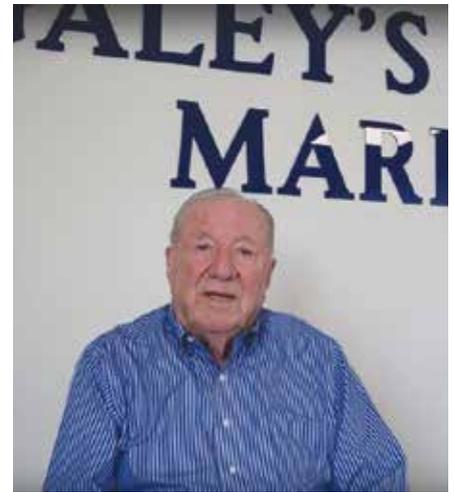
The award will be presented at an awards celebration on Dec. 10 at 6 p.m. at the Marine Dealer Conference and Expo at the Orange County Convention Center in Orlando, Fla.

Galey, who was noted by several colleagues as one of the most respected marine dealers, led the evolution of several major milestones in the industry, including the creation of the MRAA, the launch of Spader Business Management / MRAA 20 Groups and the introduction of floorplan financing for marine dealers.

He served as a board member and chairman of both the MRAA and the Southern California Marine Dealer Association. He sat on numerous manufacturers' advisory boards, and he found time to chair local organizations, including the Better Business Bureau, Bakersfield College Alumni Association and Ducks Unlimited.

At 81, Galey still works alongside his son and grandsons on a daily basis. He remains a member of a Spader 20 Group, stays connected with lifelong friends in the industry and still gives back to his community. He is the chairman of Union Cemetery, the oldest operating cemetery in California.

"Wow! What an honor," Galey said. "Time passes so quickly. It seems like just yesterday when I graduated from college and



bought the business from my parents. I have many fond memories of the original six dealers working to create MRAA and the hurdles that we had to overcome. It makes me very proud to see the incredible growth fueled by Matt and his crew. Thank you to MRAA, the dealers, and manufacturers that add their passion to the recreational boating industry. MRAA's Lifetime Achievement Award will hold a special place in my heart."

Note: This announcement first appeared online in Trade Only Today on November 29, 2017. Congratulations Don!

CYBA Deluxe Board Meeting Aboard OCC's Nordic Star

What more appropriate setting for a CYBA board of directors meeting than on a yacht owned by one of our sponsors and located on the waterfront in Newport Beach?

Thanks to a wonderful offer from CYBA Silver Sponsor, Orange Coast College Yacht Donation headed by Brad Avery, we were able to have our last in-person meeting of the year aboard their 92' flagship yacht, Nordic Star on November 6th.

After getting a tour from the captain and mates we sat down for a very productive session that included lunch aboard and the occasional interruption to watch a cool boat sail by.

CYBA president, Mik Maguire,

sent a personal thank you note to the OCC gang that included, "The crew were delightful, the office staff very accommodating and the vessel itself, a wonder of

restoration and elegance. It truly set our meeting apart from many others. We appreciate the OCC support over the years and look

(cont. on next page)



CYBA Deluxe Board Meeting... (cont. from page 38)

forward to a successful partnership future." The rest of the CYBA board is equally appreciative and hope that we can do this again, it somehow makes the Y in CYBA more appropriate!

The Orange Coast College School of Sailing and Seamanship is located at their Newport Beach Campus. OCC is one of the nation's largest nonprofit public boating education institutions with a fleet of power and sailboats comprised of donated vessels and those purchased from proceeds of other gifts.

If you have a listing that isn't selling, and your client would like to consider the advantages of donating their boat, please contact Brad Avery the Director of Marine Programs. He can be reached at (949) 645-9412 or email him directly at bavery@occ.cccd.edu.



CYBA Board Of Directors Meetings

Wednesday, Sept. 13, 2017

CALL TO ORDER: 10:01 am – Mik Maguire.

DIRECTORS PRESENT: Don Abbott(Exec. Dir.), Mik Maguire, Mark Gibbons, Dean West, Mark Rentziperis, Tony Faso, Dennis Moran, Nick Friedman, Peter Zaleski, Jeff Merrill.

RECOGNIZE GUEST(S): Lon Bu-beck.

APPROVE MINUTES: Nick Fried-

man made Motion to approve minutes – 2nd Mark Rentziperis. APPROVED.

FINANCIAL REPORT: Don Abbott emailed out balance sheet and P&L. Motion to approve: Nick Friedman: 2nd Dean West. AP-PROVED.

CORRESPONDENCE: No correspondence.

MEMBERSHIP:

• Review of sponsoring brokers, receiving a letter and copy code

of ethics for all new applicants.

• New members discussed this month along with two new applications in process.

• Discussion of Master Member applicant,

○ Does not know anyone and have no references.

○ No complaints or infractions to the state. Mark R. to send application to everyone.

○ Request for board to review application.

○ General consensus that there should be no exception because

(cont. on page 40)

CYBA Board Meetings... (cont. from page 39)

he does not know anyone in the industry.

FORMS:

- Nick Friedman: Review of status of forms upgrades.
- Don Abbott found someone that can work with our existing Software which is 10 years old. Including additional security.
 - Estimate expected by 9/14.

LEGISLATION: Bill Krauss: (not available) – No updates on State transition plan.

Nothing happening in the very near future.

BOAT SHOWS:

- San Pedro (Southern California Boat Show) 9/28-10/1.
- Yacht Fest – Northern California, Marina Village.
 - 130 Boats on display. No admission charged. They had on land display. Show did not generate a lot of traffic but sold boats.

NEWSLETTER: New newsletter draft #1 has been sent out to the BOD. All to review for accuracy. Jeff has agreed to be the editor for this year but will not do this going forward. One last issue will be done this year.

WEBSITE/PUBLICITY: Suggestion made to upgrade sponsorships (more prominent on the website) and masthead on Website. Post Newsletter online and make a call for people who want to run for the board.

LEGAL/ARBITRATION: Dennis Moran: Four (4) items have come to the surface, two of which may come to arbitration:

- One regarding wire fraud and the second is a complaint filed that seller agreed to deliver the boat from CA to East Coast for this buyer.
- New complaints:
 - (1) just received regarding survey repairs as part of a transaction.
 - (2) complaint is regarding ethics and not financial damages.

Broker complained that listing agent did not act appropriately. All has been settled.

• LEGAL SEMINAR:

- Need to find a new chair? (Anita has offered to coach).
- Jeff Merrill suggested we need to pick a date and venue ASAP.

CURRENT TOPICS: ABC: Encourage everyone to attend.

MRA: Mike & Dean will represent CYBA as speakers at this upcoming event 25th of September. They will be speaking on the tax and economic benefits from recreational boating to the state. Dean to write an article for the newsletter about this meeting.

CPYB: Mik Maguire suggested that we need to encourage our members to get this certification. Work with CPYB to figure out testing dates in Northern and Southern California.

NEW BUSINESS:

• BOD:

- Anita to step off the board.
- Jeff Merrill would like to come back onto the board.
- Reach out to possible new directors. Nick Friedman is going to run again.

• Annual Dinner:

○ The Island Hotel was selected. Irvine company would potentially cover cost of valet and complimentary bar for one drink for attendees as well as special room rates. Full cost could go up to \$120/person. Mik is proposing raising the cost of attendance from \$75 - \$85 and looking for feedback.

○ Sponsorship: Jeff going to send the list out to board to call for sponsorship.

○ Nick Moves we change the price to \$85 Mark Rentziperis. seconds the motion. Motion APPROVED.

NEXT MEETING: November 8th, 2017 – Orange Coast College Aboard the *Arctic Star*.

MEETING ADJOURNED:

Peter Zaleski motion to adjourn

Dean West seconds the motion. Mik Maguire – Meeting adjourned at 11:48 am.

SUPLIMENTAL:

September 21, 2017: Don Abbot called for a final vote from the board to approve the forms to be fixed and updated. Motion is passed by the board via email. On 9/22/17. Mik Maguire asked this be added to the minutes.

Wednesday, Nov. 8, 2017

CALL TO ORDER: 11: 26am - Mik Maguire.

DIRECTORS PRESENT: Don Abbott (Exec. Dir.), Mik Maguire, Jeff Merrill, Pete Zaleski, Nick Friedman, Mark Rentziperis, Mark Gibbons, Tony Faso.

RECOGNIZE GUEST(S): Morrie Kirk, Jeff Long, Lon Bubeck.

APPROVE MINUTES: Review of September 13, 2017) Minutes corrected and will be mailed out to Board this afternoon.

MOTION TO APPROVE: Jeff Merrill - 2nd Nick Friedman - Motion Approved.

FINANCIAL REPORT: Don Abbott emailed out balance sheet and P&L.

Rebate from Constant Contact on P&L discussed on P&L: Referral fee given. Check from IRS coming with interest.

MOTION TO APPROVE: Peter Zaleski, Jeff Merrill as the 2nd – Motion Approved.

CORRESPONDENCE: IRS Correspondence to Don Abbott. Jeff Merrill received a letter from Chris Simpson giving praise for the latest newsletter.

MEMBERSHIP: Since January - 14 new sales people, 8 Master Mem-

(cont. on next page)

CYBA Board Meetings... (cont. from page 40)

bers and 3 Affiliate Members.

Notes:

- KKMI New affiliate – After allowing CYBA to host the YachtWorld Seminar - Nick Friedman suggested a formal thank you letter from Mik Maguire.
- Send Thank You to Brad Avery, for allowing us to use Nordic Star for our meeting.

BOARD ELECTIONS: The Following 5 Seats are coming up for election/re-election:

- Nick Friedman – Running for re-election.
- Anita Petersen – Not Running.
- Dennis Moran – Running for re-election.
- Tony Faso – Running for re-election.
- Mik Maguire – Running for re-election.

Must have list of people running for election by December 1st. Mik Maguire will send an email to the board with the final list.

FORMS: Nick Friedman: status of forms upgrades, meeting with Yatco, eSignature meeting in the coming days with Adobe to evaluate CYBA needs.

New contractor is working on forms: Modifications currently working: -1st block permission level, simplification of indexing, working on hybrid form allowing you to populate form online as well as fill in form (handwritten) Initial listing only.

-Also adding a disappearing paragraph in the agreement regarding minimum commissions.

-Working on doing a disappearing section for tax proration vs. not prorating.

Discussion: (Mik) How can membership get input/feedback regarding forms? EMAIL Nick Friedman.

Mik, Jeff & Tony Met with Steve Meyers with Yatco in FLIBS who presented their new system.

BREAK FOR LUNCH: 12:40 pm.
MEETING CALLED BACK TO OR-

DER: 1:10 pm.

LEGISLATION: Bill Krauss: (call to Mik during meeting), gave updates on legislative issues he was monitoring and promised a “year end” report.

Tony Faso went to legislative meeting October 3rd. There is potential for additional membership – California boating congress is scheduled for 2/28/18 in Sacramento. Looking for a keynote speaker – Possibly Dean West? The big talk is that Parks has decided to leave Boating and Waterways alone as far as structure. Other big Topic: Various commissions that Parks meeting with and there are a couple spots available on commissions. One of which is a recreational. one with boats and one parks. Parks and Recreational Commission seats may be available. Should CYBA try and get someone in there? Is that a conflict? Mik to get with Dean to see if he would be interested in joining the committee.

MRA: Marine Recreation Association – Good Meeting, Mik and Dean attended as CYBA delegates and carried the issues of the day to the organization. A presentation was made regarding taxation relief and California’s unfriendly attitude to transiting vessels. A state ‘use tax’ cap was discussed (as in Florida and New Jersey).

BOAT SHOWS/EVENTS: January 25 – 28th – San Diego Sun Road

Boat Show. CYBA will have a booth at the show. Don Abbott & Jeff Merrill intend to work the booth at the show.

NEWSLETTER:

To Jeff/Don by December 12th. Remaining issue for the year. Director’s input (assignments were given by Jeff to all).

LEGAL/ARBITRATION: Jeff Merrill - YBAL (Yacht Broker Association Leaders) – Conference call December 5th.

Legal seminar... new chair? (Anita’s offer to coach).

Status of Dean West’s conversation with Cris Wenthur re: Jr. associates take care of this.

We need a date for Seminar decided ASAP.

NEW BUSINESS:

Sponsorship Program – 2017 we had a great response. Currently we are reaching out for renewals and new Sponsors for 2018.

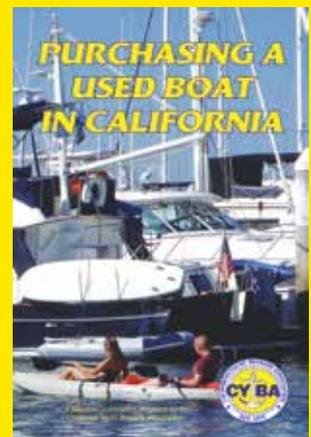
CPYB: Materials and group test dates in Northern & Southern California need to be set.

February 28th - Apex Group will be increasing their consulting fees.

NEXT MEETING: Annual Meeting & Dinner – January 13th.

ADJOURNED: Motion to adjourn Peter Zaleski Nick Friedman 2nd. Meeting adjourned: 2:38 pm.

Your CYBA Board of Directors believe this is an excellent resource for used boat buyers. You can download the booklet in PDF format from the CYBA.info website or order the hard copies from Don Abbott.



A Food Drive Disguised As A Party?

By Dean A. West

Once again, the 7th Annual San Diego Broker's Forum Christmas Party & Food Drive raised the question – which was more successful, the party or the canned food drive? With over 400 pounds of canned food graciously donated by the Forum Christmas party attendees and destined for the San Diego Food Bank, the case could be made that this effort to aid the needy families of San Diego, tilted the success meter in favor of the food drive!

Not to be diminished, the party aspect of the night's activities was again a highlight of the Holiday Season. Demonstrating their superior hosting skills, the management and staff at Fiddler's Green Restaurant on Shelter Island dazzled the nearly 250 brokers, lenders, insurers, marina & boatyard staffs, attorneys and other waterfront business folks with a seemingly endless parade of mouth-watering hors d'oeuvres and holiday spirit-inducing cocktails.

This year's celebration was

tempered by the absence of our dear friend and supporter, Steve Rock, who continues to convalesce from recent health woes. The beloved restaurateur was toasted by many who proclaimed that it just wasn't the same, without our fellow CYBA member there calling the shots and greeting the attendees. Next year, Steve!

Owing to generous support from a vast array of enthusiastic contributors, this year's sponsorship continued the tradition of a fully hosted holiday party, where the waterfront can come together in celebration of the Holiday Season and the winding down of 2017.

The Broker's Christmas party is looked forward to each year, and never fails to impress and to bring cheer and camaraderie to the San Diego waterfront community. The following sponsors should be recognized: Oversea Insurance, Wenthur Law Group, San Diego Marine Exchange, Trident Funding, Newcoast Financial, Sunroad Marina/Sunroad Boat Show, Big Bay Yachts, Inc., Cabrillo Yacht Sales,

South Coast Yachts, Inc., Dona Jenkins Maritime Documentation Service, Inc., Joni Geis, Law Offices of Paul Trusso, Northrop & Johnson, Seacoast Bank, Pantaenius America Ltd., Bayside Funding, Fraser Yachts California, Sail San Diego, Kona Kai Marina, Harbor Island West Marina, O'Brien Marine /Ullman Sails, Shelter Island Marina Inn, J W Hall Yacht Sales, Twoomey Marine Yacht Sales, Yachtfinders/Windseekers, YachtDoctor, Ensign International Yacht Brokerage, California Yacht Sales, Boy Scout of America, Vincent Krivanek, Steve Dexter, Dean West, Susanne Kirkman, Carl Levitz, Clark Hardy.

This event couldn't be done without the generous support of financial contributors, the amazing donations of canned food from the party goers, the photographic prowess of Joni Geis, the tireless efforts of Forum moderator Jim Johnson, and the good hearts and gentle people of Fiddler's Green!

See you again in December of 2018!





Welcome Aboard New Members 4th Quarter 2017

The CYBA Board would like to welcome aboard the following new members, we look forward to your involvement with your Association. Please feel free to call on any of us in the future should you need our assistance.

**Joel Romero / California Coast Yachts
Master Member**

Sponsored by:
Brian Hovey @ Chuck Hovey Yachts
Neal Esterly @ Neal Esterly Yacht Sales

**Edward Dalsey / Breakwater Yacht Sales
Sales Associate**

Sponsored by:
Bill Middleton @ Breakwater Yacht Sales

**Ben Rifkin / Rifkin Yacht Sales
Master Member**

Sponsored by:
Mik Maguire @ Richard Boland Yacht Sales
Peter Zaleski @ Alexander Marine

**Melba JK Hale / Bay Yachts Inc.
Sales Associate**

Sponsored by:
Marc Bay @ Bay Yachts Inc

**Patricia M D'Anna / Silver Seas Yachts
Sales Associate**

Sponsored by:
Jerry Reeck @ Silver Seas Yachts

**Curtis Albro / Vaughn Allen Yacht Sales
Sales Associate**

Sponsored by:
Vaughn Allen @ Vaughn Allen Yacht Sales

**Dan Van Zanten / Sail San Diego Yachts
Master Member**

Sponsored by:
Jim Johnson @ Chuck Hovey Yachts
Tom Nuxoll @ California Yacht Sales International

**Greg Wilkinson / Alexander Marine
Sales Associate**

Sponsored by:
Ray Prokorym @ Alexander Marine

**Patrick Rogers / Mariners Yacht & Ship Brokerage
Sales Associate**

Sponsored by:
Michael O'Connor
Mariners Yacht & Ship Brokerage

**Tim Wiest / Tim Wiest Yacht Sales
Master Member**

Sponsored by:
Mark Miner @ Rubicon Yachts
Tony Faso @ Delta Marine Services & Sales

CYBA Brokers, please note that when asked to sponsor another Broker Master Member, Broker Associate or Sales Associate's membership application, you are the first person in the vetting process of that application.

Please feel free to call or email me directly if you would like more information or have a colleague you would like to propose for membership.

Mark Rentziperis – CYBA Membership Chair – brokermark1@gmail.com or 949.533.6505

Favorite quotes

“Only those who dare to fail greatly can ever achieve greatly.” - Robert F. Kennedy

“Whether you think you can, or you think you can't – you're right.” - Henry Ford

“Do **SOMETHING!** Even if it's wrong!” - Conrad Ludlow

Calendar

January 13	CYBA Annual meeting – Newport Beach, CA	March 3 – April 11	ARC Pacific Rally – LA-Cabo-Marquesas
January 13	CYBA Annual Dinner and Awards– Newport Beach, CA	March 7 – 11	Fishing Tackle and Boat Show – Long Beach, CA
January 18 – 21	Los Angeles Boat Show – Fairplex, Pomona, CA	March 8 – 11	Sacramento Boat Show
January 18 – 21	Sportsmen's Exposition – Sacramento, CA	March 9 -14	MEXORC
January 25	San Diego Yacht Brokers Forum 11:30 -Fiddler's Green	March 22 – 25	Fishing Tackle and Boat Show – Del Mar, CA
January 25 – 28	Sunroad Boat Show – San Diego, CA	March 22	San Diego Yacht Brokers Forum 11:30 -Fiddler's Green
February 22	San Diego Yacht Brokers Forum 11:30 -Fiddler's Green	April 12 – 15	Pacific Sail and Power Boat Show – Richmond, CA
February 27	Spring legislative meeting 10:00 Sacramento, CA	April 19 – 22	Newport Boat Show – Newport Beach, CA
February 28	California Boating Congress - Sacramento, CA	April 26	San Diego Yacht Brokers Forum 11:30 -Fiddler's Green
March 2 – 9	San Diego to Puerto Vallarta Race	April 27 – 29	Newport to Ensenada Race – NOSA.

