THE CYBA NEWS

December 2023 - February 2024

The California Yacht Brokers Association Newsletter

CYBA Annual Dinner 2024

The 2024 Annual Dinner was a smashing success with nearly 100 attendees. The dinner not only is a great evening, but it serves to highlight the accomplishments of the past year and outline the new year. We like to also acknowledge the past presidents and introduce the boards new members as well as honor the outgoing Board Members and President, while introducing the new President, Mark White. We also highlight our Executive Director Ty Mellott. The event, apart from Covid is held every January. It is open to the entire CYBA membership as well as sponsors, friends and family. It has been a tradition since 1975 when the CYBA was formed.

The past year saw some big advances for the CYBA. Our dream of sponsoring a boat show finally came to fruition. We will have the show again in 2024 at the Westpoint Harbor in Redwood City, in May.

We have a series of awards that are presented at the Annual Dinner. This year we introduced a new award titled CYBA GEO Women of the Waterfront Award. This event was primarily the idea of Leilani Wales, Leilani is the Chairwomen of our GEO committee. GEO stands for Growth, Expansion and Outreach. Its function is to reach out to women and all

(cont. on page 4)





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from the PRESIDENT

Mark P. White

Happy New Year and Happy New Term from Mark P. White President.

2025 will be the CYBA's 50th anniversary. The new year started out with an exceptional celebration at the Southwest Yacht Club in San Diego, CA. We recognized some special people at this celebration.

Peter Zaleski, the outgoing President of the CYBA, was acknowledged for his fantastic efforts with the Legal Seminars and the CYBA's return to boat show promotion with the Pacific Sail & Power Boat Show in West Point Marina at Redwood City, CA. We also had two outgoing board members who were thanked for their contributions: Scott McNerny who was our Secretary and Mike McGuire our Treasurer and the highly regarded 2023 Merle B. Parke Award winner. We had our first ever GEO committee Women of the Waterfront Award, and from seven exceptional and deserving nominees, the winner was chosen: Bernadine Trusso from Dona Jenkins Maritime Documentation.

With the outgoing we recognized the incoming; two new members were elected to our CYBA Board of Directors: Jim Murrell with Murrell Yachts and Charles "Chuck" Ullman with Ullman Yacht Sales.

Your new board got right to business with a meeting and set a course for our 2024 year. A course that includes several waypoints of positive influence. In addition to our continual help producing events such as the CYBA Legal Seminar, and the Pacific Sail & Powerboat Show, we are active with the CBC (California Boating Congress) and the MRA and we will be meeting in Sacramento in early March and encourage any member in good standing to join us.

The CYBA is also partnering with some of it's sister associations (IYBA, NYBA, YBAA, etc.) to develop some better practice policies. We are building toward some unity and universal forms to better serve all of our members.

We are also encouraging our membership to expand and diversify with the companies that offer less expensive alternatives to the way we have always done business in the past. Companies like BoatDox.com, BoatsforSale.com, YachtsForSale.com, Yatco.com and YachtBroker.org soon to be rebranded as Yachtr. https://yachtr.com/

Yachtr is today's most technically advanced and comprehensive platform for buying and selling yachts and boats of all sizes.

Yachtr uses the latest MLS technology to provide the most accurate listings in the yachting industry.

Finally the CYBA is looking to partner with some charitable organizations. We recognize there are several that help influence recreational boating and I ask that you reach out to me directly for consideration.

I am very honored and humbled to be your CYBA President. Full speed ahead and Godspeed,

Mark P. White

2024 Northern California Pacific Sail & Power Boat Show

The California Yacht Brokers Association is excited to announce the return of the Pacific Sail & Power Boat Show May 16-19, 2024.

Now in their second year as owners and producers of the show, the CYBA returns the show to the widely acclaimed venue at Westpoint Harbor in Redwood City, California. Westpoint Harbor is the newest full-service yacht harbor in Northern California, located in the southern area of the San Francisco Bay in the heart of Silicon Valley. The venue this year will expand to include more docking opportunities as well as additional on-land booth and display areas overlooking the marina. "We are very excited to expand and enhance the Pacific Sail & Powerboat Show for our second year at the beautiful WestPoint Harbor Marina! More boats, more booths, more food, more FUN!" says Jim Behun, CYBA Show Manager.

In addition to expanded entertainment, educational, boating lifestyle, and dining offerings at the show, those attending will also be able to experience the views, atmosphere and cuisine of the newly opened Hurrica Restaurant and Bar on site. This beautiful eatery is the newest waterside restaurant to be built in Northern California and is sure to gain great reviews from those wanting to drink or dine within the confines of the award-winning marina complex. The restaurant is in the lower level of the newly completed two story marina facility, with the upper level serving as the clubhouse for The Club at Westpoint.

Addressing this year's attendees, CYBA President Mark P. White adds, "We are very excited to have our second annual PS&PBS returning to Westpoint Harbor. With the expansion of the in-water display, more booths, and more seminars there is even more opportunity for both our vendors and our show-goers to meet their needs and expectations. With ample free parking and an amazing service staff, we fully intend for your visit to set the standard for what a modern boat show can provide in fun, entertainment, gathering of knowledge, and of course fulfilling the dream of purchasing a new or used vessel, equipment, and accessories."

The 2024 show is the second edition of the partnership announced in 2021 between Sail America and the California Yacht Brokers Association, who entered into a licensing agreement for the Pacific Sail and Power Boat show wherein the CYBA, as show managers, will eventually acquire full ownership. Both CYBA and Sail America members will receive courtesy exhibitor discounts when participating in the show.

Contact: Ty Mellott
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About CYBA: California was the first state to require brokers and sales personnel to be licensed and bonded. Established in 1975 the efforts of the California Yacht Brokers Association go beyond that which is required by law and offers further protection and services to the consumer. More information can be found at www.cyba.info

About Sail America: Sail America is the trade association for the US sailing industry, providing leadership and a unified voice. Established in 1990 by members of the sailing industry, Sail America has over 200 members representing all segments of the sailing market. For more, visit www.SailAmerica.com

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Annual Dinner… *(cont. from page 1)*

ethnicities to become a member or affiliate with the CYBA. We had seven outstanding candidates. Ultimately the award was presented to Bernadine Trusso of Donna Jenkins Marine.

The Merle Parke Award is presented annually at the CYBA January dinner to an individual who has contributed unselfishly to the boating industry in California. The "Merle Parke" has been presented since 1985 to a who's who of the marine industry. Merle was instrumental in the early

(cont. on page 6)







BREAKING NEWS! Yachtworld Raises Prices, Yet Again!

Numerous brokers and brokerages have been raising the alarm over recent additional pricing increases by Boats Group, the owner of Yachtworld. A number of brokers, suffering from a spate of unexpected rate increases, are decrying this latest move for its arrival during a time of softening boat sales.

Calls for an alternative to the pricey Yachtworld advertising and multiple listing system have been growing across numerous brokerage groups and associations. This latest price increase, reportedly to be at percentage levels deemed unsustainable by some firms, is one in a long list of seemingly random price increases by the Internet site and their London-based corporate equity group.

The CYBA will be monitoring this troubling development and reporting updates in future CYBA Newsletter editions.

Remember to remind those you deal with to "Look for the Logo"

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EU and other Country Vessel Acquisitions. WLG has a worldwide web of VAT, Attorney and Customs experts. Most international transactions utilize the WLG 3 Stakeholder Structure© for the safety and protection of the Buyer. WLG urges you not attempt to use a local US Vessel Purchase Agreement for an international transaction.

Proper Broker and Brokerage Operational Structures. WLG will consult with brokers and brokerages concerning the optimal operational structure from both an income tax, estate tax, and regulatory perspective.

Trust & Estate Planning. WLG will consult with brokers to ensure they personally have trust and/or estate plans in place to protect them and their families. WLG has drafted and administered thousands of trust and estate plans during its 36-year history.

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Annual Dinner… *(cont. from page 4)*

formation of the California Yacht Brokers Association. In 1985 the CYBA Board of Directors dedicated an award to be presented annually to the person in the California marine industry who best embodied

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Annual Dinner… *(cont. from page 6)*

the volunteer spirit and dedication to support the yacht brokerage business. The first winner, naturally enough, was Merle Parke.

(cont. on page 34)







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Maritime Institute & Maritime Publishing - Training & Informing Mariners

Maritime Institute (MI) has been training mariners since 1976. With humble beginnings in a small classroom on Rosecrans Street, Maritime Institute has evolved into the largest provider of maritime training in the U.S., with 5 locations in California, Virginia, Hawaii, and Washington, and over 10,000 student training sessions annually. The company offers over 150 courses that cover all aspects of vessel operations including deck, engineering, life-safety, and even small weapons. In San Diego, the company has over 25,000 SF of training space, including full bridge and engine room simulators, firefighting and damage control trainers, lifeboat trainers, welding & machine shop training, and 15 classrooms with hands-on equipment to provide experiential training by one of our 65 veteran instructors. MI is a certified Global Wind Organization training provider for the offshore wind market and is certified to offer International Yachtmaster (IYT) training for the professional yacht market. www.Maritimeinstitute.com

In 2020, the company created BoaterU™, an educational program for recreational boaters. BoaterU is focused on hands-on instruction in a boat operation & maintenance, with courses covering diesel engines, outboard motors, electrical systems, on-the-water boat handling and celestial navigation. Future courses will include marine weather, electronics, and exterior maintenance. MI also does the On-The-Water boat handling courses for BoatUS Foundation. These courses can provide boat owners with discounts on their insurance, along with greater confidence in vessel handling in close quarters and open water. www.boateru.com

Also in 2020, Maritime Institute created a new division called Maritime Publishing and acquired a number of publications serving the maritime industry, including *Professional Mariner*, *Ocean Navigator*, *Pacific Maritime Magazine*, *Fishermen's News* and most recently, *The Log Newspaper*. Dave Abrams, CEO of Maritime Institute serves as publisher. *The Log* is known to most yacht brokers in California as THE source for boating & fishing news in Southern California. Maritime Publishing is proud to be able to steward this great publication into the future! www.maritimepublishing.com

Looking to the future, Maritime Institute will continue to grow in the training market, adding locations around the country to make training more accessible, while expanding course offering to support both vessel based and shipyard based career paths in the maritime industry. Maritime Publishing will continue to grow

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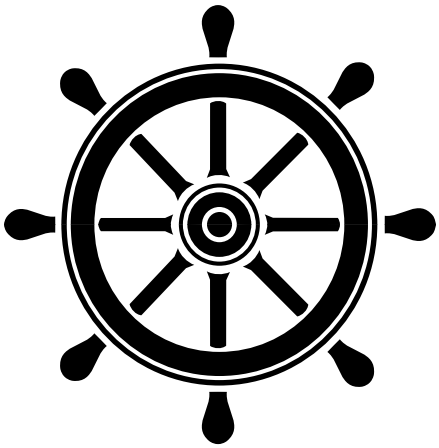
Maritime Institute... *(cont. from page 8)*

both print and digital media, with plans to include more video based offerings to appeal to younger mariners.

Maritime Institute, Maritime Publishing and *The Log Newspaper* are honored to be part of CYBA, and we look forward to supporting the industry in growing the next generation of boaters!



Bill Of Sale Warning

DO NOT PROVIDE YOUR BUYER A COPY OF THE BILL OF SALE PRIOR TO FUNDING!



You just handed over the proverbial keys to the boat if you email or fax a copy of the Bill of Sale to your buyer before all funds have been received or transferred to the seller. That electronic version of the Bill of Sale is FULLY NEGOTIABLE and can be recorded with the USCG or DMV by the buyer.

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KATHI FORD, PRESIDENT

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Tax Liens And An Unforseen Risk Avoided

Upon receipt of an Abstract of Title (lien search) from the USCG it was discovered that the California Dept of Tax & Fee Administration (CDTFA), (formerly known as: State Board of Equalization) had filed two Notices of Claim of Lien (NCL) with the USCG. Having had experience with Claims of Lien placed by the taxing authority, I immediately called the collection department in Sacramento, bypassing the automated phone maze to obtain the amount due to release both liens. Happy to get this information so quickly, I provided the broker with the payoff and keep the boat on track to close on schedule.

Fast forward two days to the morning of closing. I received a very unusual call from the supervisor at the CDTFA to let me know the information they provided was not entirely correct. The NCL that was reflected on the Abstract of Title was for an entirely different boat owned by the seller and the 'amount due bill' (for this specific boat) had not yet been sent to the seller. Also, there would be additional fees due from past due taxes on other property. Talk about having a mild heart attack. She also informed me that unless ALL monies due were received (including those on other boats) they would most likely NOT issue a Satisfaction of Lien for this boat. NOT a good situation! I immediately called the broker to let him know. If bad situation could get worse, it did and fast! The broker told me that a wire had already been sent to the seller and checks cut. Scrambling, he ran at breakneck speed to the bank to see if he could stop the wire or at the very least provide the state with the bank account/wiring information as to where the money had been sent with the thoughts that perhaps they could intercept.

So much can happen five minutes. Good things and bad. Worse can happen in six. The broker immediately bolted to the bank to reverse the wire. One more minute and it would have been ugly. Really ugly.

Even though we avoided a disaster, I am pretty sure we lost a few years off our lives. Had the supervisor from the state called any later than she did, we would be meeting with our attorneys to figure out how to defend ourselves against something completely out of our control. Or so we thought.

The CDTFA emailed the broker a breakdown of the fees to be paid a few days later letting him know the amount to be held out from his trust account to satisfy the lien so that the deal could close; she would follow up with another email that included the forms to be included with the check.

Almost two days later, the broker finally received the forms to be included with payment of the liens. Forms that demanded an additional $350. Followed by a phone call from a supervisor to let me know that they would not be releasing ANY of the liens until ALL funds due were received for all boats currently and previously owned by the seller, totaling almost $13,000. This is where I called in the big guns. I reached out to a maritime attorney for help.

The attorney cited: The argument with respect to tax liens is that the asserted lien is "Non-maritime" since it did not arise out of a maritime transaction. United States v. Flood 247 F. 2d 209 citing a 1939 treatise called Robinson on Admiralty. CDTFA does have a state created lien but that is not a maritime lien and therefore under 46 USC Section 31343 (heading) reference for recording a Notice of Claim of Lien is intended to apply to maritime liens and not liens in general. In other words, federal law has no provision for asserting a tax lien as a maritime lien.

Information in hand, I charged forward and demanded the CDTFA release the NCL immediately.

30 days later I had my releases of lien in hand! Whoo Hoo! Score 1 for the little guy, or girl in my case!

Kathi (Krencik) Ford,
President
Reliable Documentation, Inc.

Lending Associates Is Ready To Sail The Uncharted Waters Of 2024

February 2024 – Chances are that 2024 is going to be an unpredictable one with continued short-term rate adjustments, economic uncertainty, potential disruptions in the global supply chain and let us not forget, a presidential election year. But like any great captain, at Lending Associates we always hope for calm seas however we prepare for unpredictable ones. We have built our company to be resilient and agile to seize opportunities for continued growth, most importantly, to continue to serve our yacht brokers and retail clients with excellent service.

Like many of our CYBA partners, we have survived recessions as well as celebrated unprecedented growth years. What we have learned along the way is how to balance saving for a rainy day while continuing to invest in good people, strong partnerships, and innovative technology. By strategically allocating resources, streamlining our processes, and equipping our employees and our clients with the right tools, we will weather any storm together.

What can we do together to ensure our clients get the boating experience of their dreams in 2024? First, we can help buyers to act quickly when they find the right boat through our loan preapproval process. Second, we can provide customized loan options that will fit their unique financial

(cont. on next page)

Lending Associates... *(cont. from page 10)*

position and needs. Third, we will work to get the most value out of their purchase by focusing on the lowest cost of financing. And last, we will walk hand and hand through the process together, ensuring confidence and transparency for the buyer.

Lending Associates is a proud member and sponsor of the California Yacht Brokers Association. For more information visit www.Lending-Associates.com

Richard Boland Yachts Welcomes George Sikich



After 25 years as owner operator of Kensington Yachts George has decided to close the doors and join Richard Boland Yachts. George Is a Certified Professional Yacht Broker (CPYB) he is a past CYBA president and is a current CYBA board member. He brings a vast knowledge of power & sail vessels and has worked on both coasts.



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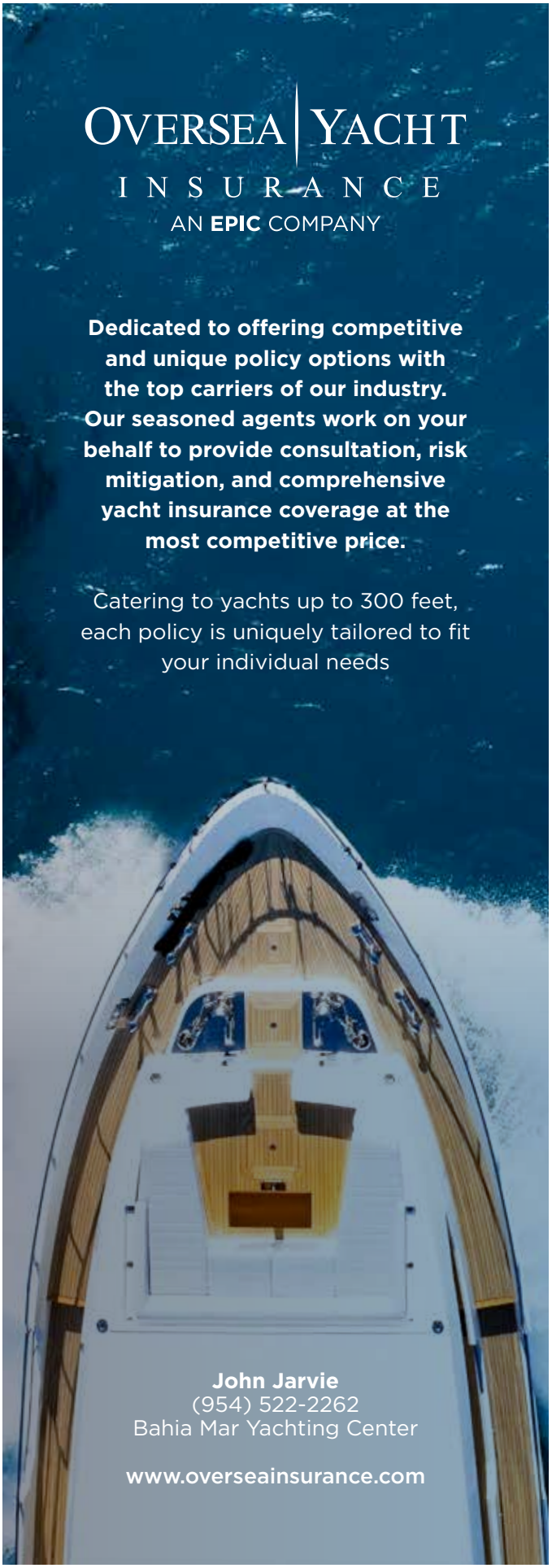

Registration Is Now Open For The California Boating Congress Join Us In Sacramento On March 12-13, 2024

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Annual event is THE must attend conference to meet government officials who impact our industry.

Registration is now open for the 8th Annual California Boating Congress. The Legislative Reception kicks off the event on March 12 followed by the one-day policy conference on March 13 just steps away from California's State Capitol in Sacramento.

State Treasurer Fiona Ma will open the conference on March 13 to discuss programs the State of California offers that can benefit marinas, boating, and water recreation. Attendees will then hear from state legislators and top regulators on issues like insurance, California Air Resources Board regulations, and an economic outlook for the state's marine and waterways industry.

Our industry's voice is needed now more than ever in California. Join us for the California Boating Congress to help shape legislation and regulations that are facing you and your business.

For more information call Nick Garcia at (916) 215-3621 or email mra@marina.org

Reminder to Please Update The CYBA Contact Info To The Following

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2022-2023 Sold Boats Stats

Sold boats by length, 2022-2023

All values are in USD and represent self-reported sold boat data

North America

Length Group	No. of Boats		Total Value		Avg Sold Price		Avg Days on Market	
	2022	*2023*	*2022*	*2023*	*2022*	*2023*	*2022*	*2023*
<26	14,839	16,053	$735,415,892	$856,051,040	$49,737	$53,353	106	133
26-35	9,117	8,911	$1,069,365,096	$1,118,744,398	$117,945	$126,696	153	172
36-45	5,154	4,561	$1,167,542,835	$1,099,083,544	$227,980	$243,817	189	201
46-55	1,341	1,187	$585,304,280	$573,931,545	$437,180	$490,496	259	221
56-79	603	488	$611,393,473	$661,578,098	$1,013,182	$1,310,194	295	254
80+	156	136	$490,558,705	$634,539,849	$3,128,915	$4,711,109	323	266
Total	**31,210**	**31,336**	**$4,659,580,282**	**$4,943,928,474**	**$153,258**	**$164,025**	**145**	**161**

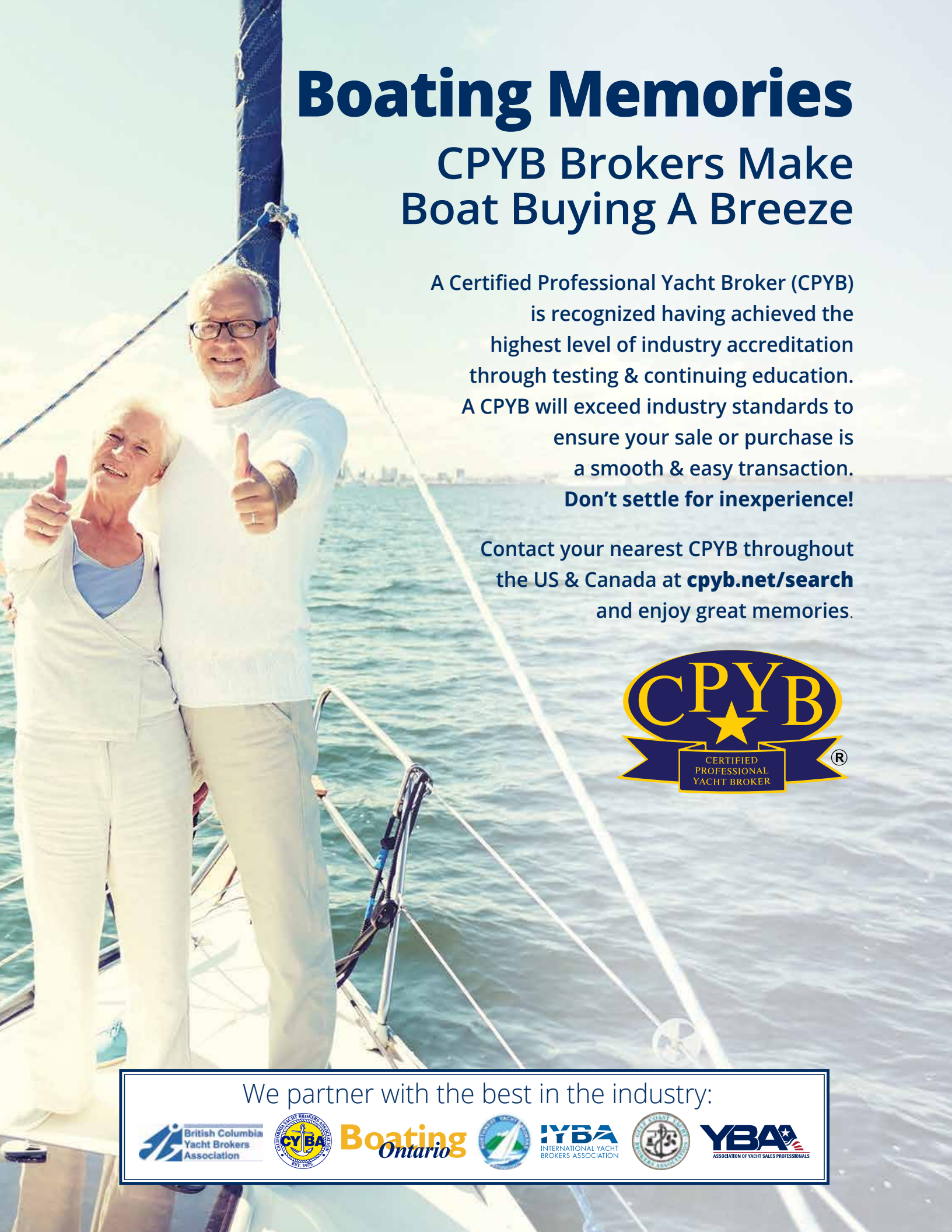
International

Length Group	No. of Boats		Total Value		Avg Sold Price		Avg Days on Market	
	2022	*2023*	*2022*	*2023*	*2022*	*2023*	*2022*	*2023*
<26	7,002	7,393	$1,801,947,608	$1,402,227,700	$266,496	$190,889	225	214
26-35	1,869	1,751	$562,730,574	$464,250,709	$312,587	$287,894	181	208
36-45	1,262	1,201	$473,032,238	$442,888,898	$386,100	$355,597	250	223
46-55	426	380	$343,634,474	$329,911,612	$825,231	$865,294	376	314
56-79	228	191	$459,153,339	$516,222,252	$2,060,969	$2,530,249	476	400
80+	68	78	$297,263,089	$328,357,258	$4,571,203	$4,528,564	570	380
Total	**10,855**	**10,994**	**$3,937,761,321**	**$3,483,858,429**	**$373,226**	**$317,587**	**234**	**223**

California

Length Group	No. of Boats		Total Value		Avg Sold Price		Avg Days on Market	
	2022	*2023*	*2022*	*2023*	*2022*	*2023*	*2022*	*2023*
<26	587	597	$28,199,628	$36,183,309	$47,404	$57,725	119	147
26-35	744	660	$64,207,084	$61,539,313	$85,687	$93,672	123	164
36-45	629	579	$101,789,223	$91,852,066	$161,796	$158,705	153	174
46-55	234	190	$85,060,287	$69,106,922	$360,652	$365,505	202	253
56-79	69	61	$52,917,650	$47,809,250	$781,430	$754,615	226	265
80+	9	11	$9,119,000	$26,765,000	$893,489	$2,019,107	924	290
Total	**2,272**	**2,098**	**$341,292,871**	**$333,255,859**	**$150,572**	**$158,435**	**143**	**173**

(cont. on page 16)



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Sold Boats... *(cont. from page 14)*

Sold Boats by Age Range - Global

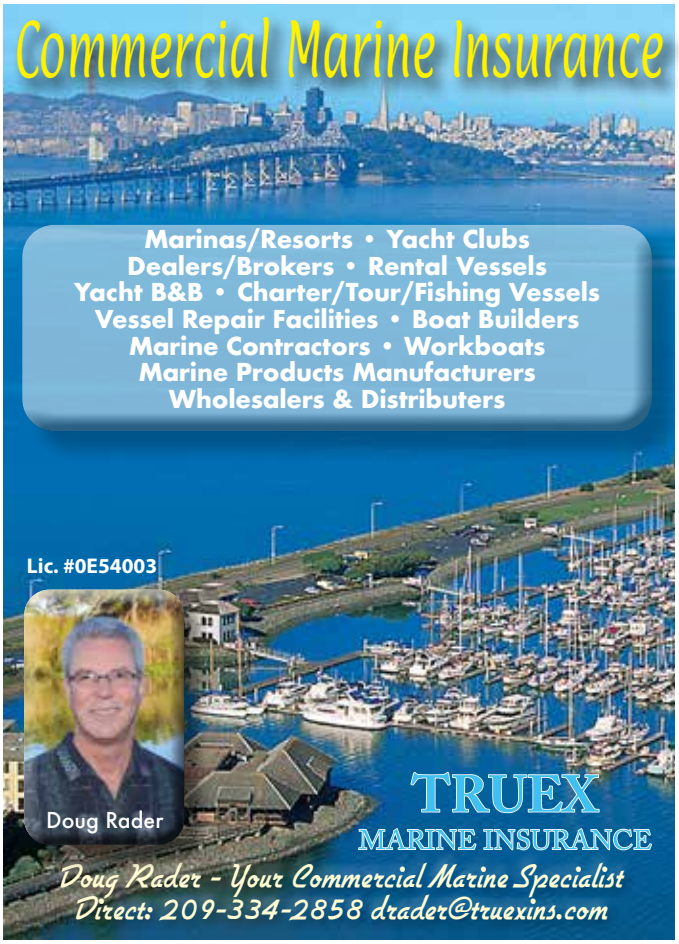
Age Range	No. of Boats		Total Value		Avg Sold Price		Avg Days on Market	
	2022	*2023*	*2022*	*2023*	*2022*	*2023*	*2022*	*2023*
Current Year	4,241	4,888	$713,089,516	$905,757,122	$175,929	$193,436	150	176
1 Year	2,150	2,940	$603,431,845	$740,039,621	$288,861	$262,664	147	213
2 Years	1,698	2,047	$520,082,306	$580,139,008	$324,337	$299,730	143	143
3-5 Years	5,140	5,179	$1,400,949,984	$1,643,344,481	$279,918	$318,173	123	144
6-10 Years	5,435	5,645	$1,494,100,132	$1,570,054,436	$289,586	$290,186	148	149
10+ Years	23,401	21,631	$3,865,687,819	$2,988,452,234	$172,178	$140,808	190	190

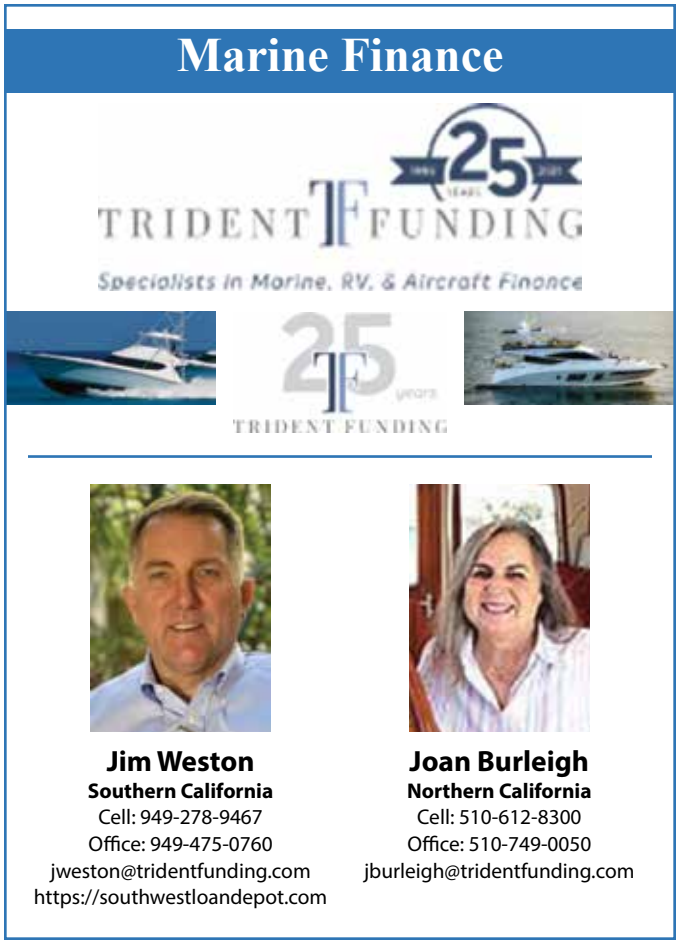
Summary

Overall, global boat sales in 2023 were relatively flat (+1%) compared to 2022. The < 26' length group was the primary driver of sustaining the YoY growth, with 7% more sales in 2023 than in 2022. Further accelerating performance of the < 26' segment was a decrease in the average price (-18%) of boats sold in 2023, providing a counterbalance to the price points for larger boats averaging 15% higher than in 2022.

As new inventory production normalized - and in some cases, scaled back - in 2023 following the demand surge of the pandemic, sales for newer boats (less than 10 years old) grew YoY in 2023. Specifically, boats 1 to 2 years old saw the highest growth rates, likely driven by more days on the market and diminished prices compared to 2022. Current year models reported in soldboats.com showed healthy YoY growth, even as prices were up 10% and boats stayed on the market nearly a month longer than in 2022.

In conclusion, the global boat sales landscape in 2023 stayed on a steady course, signaling resilience amid normalizing demand, economic uncertainty, and rising costs. While these headwinds will carry into 2024, industry thought leaders agree that the boating industry's long-term health looks good.





Legislative Update

Beau Biller
CYBA Lobbyist

With the New Year, the California Legislature returned last week to start the second year of its two-year session. The new year brought about new change in the legislature – which always makes it more exciting around the State Capitol. Most notably there is a changing of the guard in both houses that will result in shuffling of committee memberships, leadership positions, and the innerworkings of each respective house.

Last year, Robert Rivas (D-Salinas) was elected Speaker of the Assembly. Right before the new year, he made changes to committee assignments and is settling in for what is likely several years at the helm. As with any new Speaker, his earliest and most ardent supporters have been rewarded with leadership and prime committee posts. In early February, Senator Mark McGuire (D-North Coast) will take over as President Pro-Tempore of the Senate. You can expect shuffling of committee assignments and leadership positions when he is formally installed on February 5. Currently the legislature is dealing with left-over bills from last year that must be dealt with in January while at the same time introducing new legislation that will have to be acted on prior the August 31.



The lobby team will review the new legislation for potential impacts on MRA members. Similarly, we've combed through the Governor's newly released state budget proposal for impacts and changes at the Department of Parks and Recreation and Division of Boating and Waterways (DBAW). In our monthly meetings with Division staff, we understand no major changes are expected, but last year you may recall the Department of Finance proposed a fee increase almost without warning so we will remain on guard.

DBAW's latest report is no formal action on a comprehensive budget proposal to deal with Harbor and Watercraft Revolving Fund. In my experience, that could be subject to change given the state's $37 billion projected budget shortfall. Given the Governor's budget release, the legislature's respective Budget Committees will start their work to make adjustments ahead of the May Budget Revision. They will then cobble together the budget that must pass by June 15, 2024.

(cont. on page 18)





***Legislative Update**... (cont. from page 17)*

Last year you might recall the Department of Finance proposed a sticker increase late in the process without other tax increment reforms. That proposal was met with stiff opposition from the recreational boating community and never made it into an actual bill. The Harbor and Watercraft Revolving Fund should be solvent for another year with the changes in beach erosion funding and Aquatic Invasive Species reductions, but without the General Fund support that DBAW currently utilizes, I expect a fee increase to be proposed in the not-so-distant future.

In addition to the scrutiny of bills and budget items there are impacts related to regulatory changes and market trends that we plan to address at the annual CBC March 12-13, 2024 in Sacramento. Your MRA team has been working hard on a robust agenda so you can hear from the California Air Resources Board staff on proposed recreational vessel emission reduction plans and the implementation of the Commercial Harbor Craft regulations and dockside changes. We expect dozens of legislators and administrative leaders to attend the event and we need you to share your thoughts with policy makers about the challenges our industry will face in the next year. Sign up today for the 8th Annual California Boating Congress below.

As always, please reach out to me directly if I can be of any help.

Legisplaning

By Dean West

This column is the first in an occasional series discussing the CYBA's legislative and advocacy activities written by Advocacy and Legislative Committee Chairman and CYBA Past President, Dean West.

There is no such word as "legisplaning." I made it up to put a handle on the act of defining/explaining topics of regulatory, legislative, or community/industry advocacy to individuals (such as the reader) who may or may not have any interest whatsoever in hearing/reading it. However, listen to me enough on these topics, and I'll alarm you into being a regular follower, if not an eventual advocate!

We live, recreate and work in a beautiful state, albeit one with a notable list of challenges. First and foremost, in our one-party governed state, is the propensity for Sacramento bureaucrats to foist unexpected and often inexplicable regulation and legislation on Californians. With no significant pushback from an opposition party, the super-majority is able to rain down any number of unneeded, unwanted and often unforeseen obstacles onto our efforts to conduct our businesses in a free and open marketplace. As a result, your CYBA maintains a vigilant awareness, that results in our observing and involving your association in these matters of state. The Advocacy and Legislative Committee, as well as your Board of Directors and your executive Director, spend an inordinate amount of our (volunteer) time, trying to stay ahead of the game, striving to be able to effectively look out for our CYBA members, our clients, and the recreational boating industry in California as a whole.

In return for our vigilance, we ask our membership (in particular), and the Boating public (in general), to pay attention as much as you can to what is going on in the state as regards recreational boating. We urge you to respond to our occasional requests for assistance, to read our publications and emails, and to engage with us regarding our concerns for the industry and our activities to preserve boating access and a robust boat sales and support industry in California.

There are currently many potential areas of concern for our industry and our state's boaters.

In no particular order they are:

Gov. Newsome's Pathways to 30x30: Accelerating Conservation of California's Nature (30 x 30) https://www.californianature.ca.gov/pages/30x30

NOAA's North Atlantic Right Whale Vessel Speed Rule Assessment, https://www.noaa.gov/news-release/noaa-proposes-new-vessel-speed-regulations-to-protect-north-atlantic-right-whales, and our most-pressing concern, the huge problem of Abandoned and Derelict Vessels, https://www.slc.ca.gov/abandoned-vessels-program/

We will be examining and discussing these topics in future issues of the CYBA News. Please take time to read up on them, and don't hesitate to email me if you have questions, or if you would like to join in the fight to stay informed, vigilant, and proactive. The CYBA Board asks that you go to: https://www.boatingunited.org/ and sign up to receive updates on issues that demand industry reaction.

I encourage your feedback on this Legisplaning column. If you would like further information, or would like to lend your support, please e-mail me at legislation@cyba.info.

About the author: Dean West is owner/broker for Dean A. West Marine Enterprises. He is Chairman of the CYBA's Advocacy and Legislation Committee and of the CYBA'S Ethics Committee, a CYBA Past President and current Board Member.

CYBA Representation In The CPYB Program

By Jeff Merrill, CPYB

I'll say it again. The best thing I did to further my yacht broker career was to study for and pass the CPYB examination. This has opened countless doors and afforded me fantastic networking opportunities across the country. CPYB standards of excellence is reciprocated. When you are doing a deal with a CPYB, even if it is somebody you have never worked with before, there is a underlying confidence that business will be conducted in a trustworthy and ethical manner.

The CYBA is represented at the national level on the CAC (Certification Advisory Council) by three brokers (Nick Friedman, CPYB, Mik Maguire, CPYB and Jeff Merrill, CPYB) as well as our executive director, Ty Mellott. The amount of information shared between the leaders of these associations is outstanding. The CPYB program requires continuing education, and that alone helps me and my fellow CPYBs stay on top of our games as yacht brokers. Want a sneak peek? Go to CPYB.net

I have just completed my first year as chairman of the CAC, a job I take very seriously. I'm proud to say we continue to add new professionals to the program by offering them the knowledge and prestige that comes with the ultimate yacht broker credential.

The CAC annual in-person meeting was held in Fort Lauderdale, Florida this past November. We reviewed 2023 and planned for 2024. There are additional opportunities for current CPYB's to earn continuing education credits, through webinars, exam study sessions, and live events.

In December I returned to Fort Lauderdale to present the Vincent Petrella Chairmans Award at the IYBA/YBAA summit. This is the East Coast equivalent

(cont. on page 20)





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of our very popular CYBA legal seminar with interesting subjects and a variety of knowledgeable speakers.

Seminar topics included: pre-purchase surveys, forms update, professional practices, an entertaining session called, "What would I tell my younger self?" which included some key veterans in the industry. E-signing (including electronic notarization), the auction option as an alternative to traditional yacht sales, an insurance segment and a long awaited announcement that IYBA expects to launch the industry owned yacht brokerage retail facing website for consumers called "YachtR.com". The day wrapped up with the keynote speech presented by former NFL professional head football coach, Mike Smith.

It was my honor to present the CAC Chairmans award to Brian Commette, CPYB, of Northrup and Johnson. Brian is a past president of YBAA, past chairman of the CAC, and a founding member of the CPYB program. It is inspiring to work with all so many great brokers from all over North America, and I thank you for the privilege of allowing me to represent the CYBA.

If you are interested in learning more about the CPYB program, please feel free to get in touch with me, Nick or Mick. It's never too late to better yourself and if you are a career yacht broker, I truly believe that becoming a CPYB is the single most important thing you can do to improve your business.





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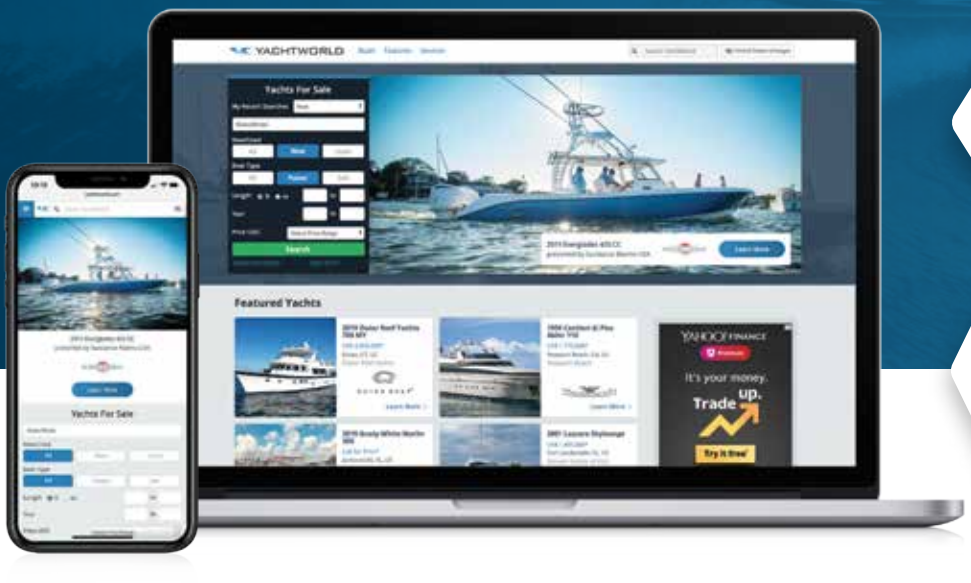

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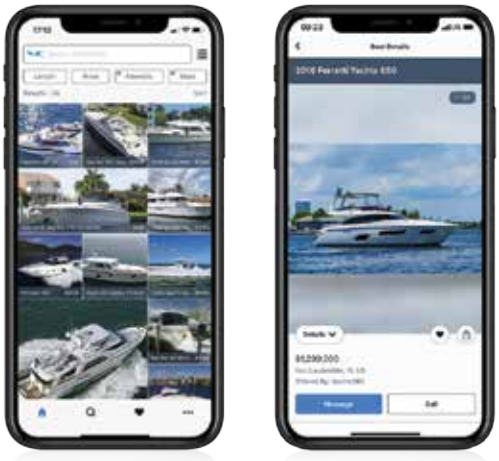

4.7 out of 5
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Holiday Paddleboard Parade For Toys For Tots

On December 3, Kim Dumas along with Denison Yachting hosted a fun and festive paddleboard event benefiting Toys for Tots. It was a beautiful, Southern California sunny day with calm waters. In the spirit of the holiday and the season of giving, each paddler was asked to bring an unwrapped toy. One by one, Santa's showed up to the Denison office where they launched their paddleboards from the dock.

The first stop on the parade was the San Diego Yacht Club which was holding their annual Operation Helping Hand event supporting military families. There were a lot of kiddies there enjoying the holiday festivities so you can imagine their surprise as they looked out to see a swarm of Santa's paddling toward them.

After posing for photos and putting smiles on the faces of the children and their parents, the Santa's paddled to the Southwestern Yacht Club and then across to the Silvergate Yacht Club and the hotels lining Shelter Island where they heartily entertained the many onlookers. Ho ho ho! Who's in for next year?







Forms Corner

By Nick Friedman

No matter what delivery system you man use for your forms, whether CYBA's RightSignature with the ShareFile storage and organization system, YachtCloser, IYBA's new BoatDox, YachtsForSale.com or other. The CYBA forms are the only set of documents specifically designed for California. They are the only forms that offer CYBA arbitration.

As long as you are CYBA members, your access to these California forms are guaranteed. Currently several Listing Agreement changes have just been reviewed by Tom Russell, our of counsel and originator of the forms. These address clarity in paragraph four regarding commission calculation and some new verbiage addressing the need for client authorization regarding decisions with cooperating brokerages. Some recommendations of his will be incorporated and then the proposed changes will be reviewed by the Division of Boating and Waterways. Upon their approval we will incorporate the changes and move on to the Purchase Agreement.

It is the goal of the CYBA to have the most advanced and specifically California targeted forms available and serve you, our brokerage community. It is worth knowing that the RightSignature/ShareFile program offered by Citrix through the CYBA has an automated file storage component that will build a robust electronic storage system easily combining e-signed and wet signed documents.

Suggestions are always welcome at forms@CYBA.info





San Diego Broker's Forum Annual Christmas Party

The 2023 Annual Christmas Party and Canned Food Drive was held at a new venue for the first time since the closing of our beloved Fiddler's Green Tavern, and what a gala event it turned out to be!

A much-anticipated waterfront event for nearly 20 years, each December we are so blessed to have this opportunity to come together and celebrate the holiday season. Guests this year were treated to libations and freshly cooked Paella, accompanied by live music poolside at the welcoming Safe Harbor Sunroad Marina. The weather cooperated nicely, and with the warm fire pits and heat lamps, the outdoor venue made for a pleasant and enjoyable evening for all. Joining together in celebration were over 150 revelers from all facets of our waterfront community, including yacht brokers and salespeople, boat yards, insurance and finance companies, marina personnel and many others.

Of great pride and satisfaction was the collection of over 400 lbs. of canned food for the San Diego Food Bank, allowing the partygoers to give back to our community, and to help provide holiday food for our less fortunate neighbors. We know there to be great appreciation by the recipients, for this timely and needed support.

I want to extend my sincere appreciation to all those generous sponsors, who provided the donations needed to continue this wonderful waterfront community tradition.

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- Law Offices of Paul S. Trusso, APC
- Dona Jenkins Maritime Document Service, Inc.
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- Chuck Hovey Yachts
- South Coast Yachts, Inc.
- Marine Group Boat Works, LLC
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- Maritime Institute/Log Newspaper
- Jerry Hall & Lydia Raynoha
- Ullman Sails San Diego
- Joni Geis
- Peter Zaleski
- Randy Spicer
- Fraser Yachts California







2024 CYBA Board Of Directors And Officers

The 2024-2025 California Yacht Brokers Association Board of Directors were installed mid-January with newly elected Board Members Dean West, James Murrell and Charles Ullman succeeding retiring Board Members Mik Maquire, Scott McNerney and Russ Carrington. Returning Directors Nick Friedman, Wayne Goldman, George Sikich, Leilani Wales, Mark P. White, and Peter Zaleski round out the new Board.

Elected officers for 2024 are:

- President – Mark P. White
- Vice President – Dean West
- 2nd Vice President – Leilani Wales
- Treasurer – Past President Peter Zaleski
- Secretary – James Murrell and
  Assistant Secretary – Charles Ullman

Appointed & Returning Committee Chairs:

- Advocacy & Legislation Chair – Dean West
- Annual Dinner Chair – Leilani Wales
- Arbitration Chair – Dennis Moran
- Boat Show Chair – Mark P. White
- CYBA Newsletter Editor – George Sikich
- Ethics Chair – Dean West
- Forms Chair – Nick Friedman
- GEO Chair – Lelani Wales
- Legal Seminar Chair – Peter Zaleski
- Membership Chair – Wayne Goldman
- Sponsorship Chair – Scott McNerney

Introduction of the new Board, along with industry-bestowed commendations were made at the CYBA Annual Dinner, held this year at the Southwestern Yacht Club in San Diego, which proved to be a great success wherein members and guests alike enjoyed conversation, dinner, Association programming, and entertainment.

Awards presented during the dinner were bestowed upon: Mik Maguire and Scott McNerney for Appreciation of Service to the BOD; Past President award to Peter Zaleski; the highly esteemed 2022 Merle B. Parke Award to Mik Maguire; and the first annual GEO Women of the Waterfront Award went to the deserving Bernadine Trusso of Dona Jenkins Maritime Document Service.

In other business, the date for the 2024 Yacht Sales and the Law Seminar was announced that it will be held on October 9th, 2024.



Past President & Treasurer – Peter Zaleski, Secretary – James Murrell, Wayne Goldman - Director, President Mark P. White, 2nd Vice President – Leilani Wales, Nick Friedman - Director, Charles Ullman – Director, Vice President Dean West & Executive Director Ty Mellott. (not pictured George Sikich – Director)

Bay Area Restaurant With "Great Gatsby" Yacht, Opens Just In Time For The CYBA 2024 Pacific Sail & Power Boat Show

Arrival by boat. Waterfront views. A floor-to-ceiling jellyfish aquarium. Have you ever wanted to dine like the millionaire Jay Gatsby from F. Scott Fitzgerald's "The Great Gatsby"? Pretty soon, you'll get your chance.

A new restaurant from some highly capable players behind San Francisco's Waterbar, Epic Steak and Mersea hopes to elicit these vibes of grandeur when it opens in Redwood City later this month. But it's not just for those seeking the opulence of New York's Roaring Twenties.

Hurrica Restaurant and Bar, at 150 Northpoint Court in Westpoint Harbor, is conceived of as a celebration of the Bay Area boating community, seafood and live-fire cooking. Located on an industrial tip of the Peninsula where Cemex still has a sand and gravel operation as well as a cement business, the draw to the area is the Westpoint Harbor. Whether you own a yacht, a skiff or a kayak, or just enjoy dipping your feet in the water, Hurrica will be an entirely new restaurant concept that hasn't been seen before in the Bay Area, according to co-founding partner MeeSun Boice.

"Most yacht clubs fall into two branches. You are either the fancy, expensive yacht club and the members drive the food, or you're a smaller yacht club with no food," Boice told SFGATE in a Zoom interview. "Hurrica is a commercial restaurant, not a restaurant owned by a yacht club, which is unique."

Translation: This will be a great place to eat fresh seafood no matter who you are.



Named after the *Hurrica V* yacht, a 60-foot "English gentleman's classic sailing yacht" that is turning 100 this year and made an appearance in 2013's "The Great Gatsby" starring Leonardo DiCaprio, the restaurant plans to offer everything from a kombu-wrapped 1.5-pound lobster to pan-roasted black cod. You'll even be able to get coffee delivered to your docked boat. Other dishes will include a Hurrica burger on a house-baked parmesan-crusted bun, beer-battered fish and chips and a shellfish chowder, according to Justin Baade, executive chef and partner.

The above article is a re-print from SF Gate.

Eight Bells



Dona B. Jenkins

Born: 12/20/1931 in Eufaula Oklahoma
Died: 12/21/2023 at the age of 92. In her home in San Diego, CA
Married to John T. Jenkins on May 30, 1954. John Died in July of 2010.
Dona started working with the Coast guard civil service in 1959, San Francisco, CA
My Father (John T. Jenkins) was transferred to San Diego in 1965
Karen Williams, their only child was born in San Francisco in 1955

Dona went to work with the Coast Guard in San Diego. She started as the Licensing Officer for all the fishermen. She was later promoted to Documentation officer. When Regan was in office, he closed many Coast Guard offices. San Diego was closed, and she was offered the documentation officer position in Long Beach, CA which she declined and took an early retirement. In 1983 she opened Dona Jenkins Maritime Documentation, Inc. in June of 1983. Her daughter Karen joined her in February of 1984. Dona was respected by the boating industry. Many remembered her kindness during her years with the Coast Guard. I think that is one of the reasons the business did so well. Dona and Karen were the founding members of AVDA. Karen was the first Secretary/Treasurer of AVDA then the vice President.

Karen Williams (Donna's daughter) ran the business for a number of years after Donna retired. Dona and her husband, John, sold the business to Paul and Bernadine Trusso in June 2007. Bernadine and Paul were thoroughly trained by Donna and Karen who maintain the business in the fashion Donna would want to this day.

Donna Jenkins was an industry pioneer and will be greatly missed.

Women Of The Waterfront Award

From the Chairwoman of CYBA GEO
Regarding The Women of the Waterfront Award

First, I want to congratulate Bernadine Trusso for winning the very first CYBA GEO 2023 Women of the Waterfront Award. A very well-deserved award.

Our 49th CYBA Annual Dinner at SWYC on January 13, 2024, was one of the best events I have attended. This event marked the recognition of outstanding women in the waterfront industry. The winner was awarded by the CYBA GEO Committee with the 2023 Woman of the Waterfront Award. It was an amazing turn out and thanks to all who attended.

I appreciate all the CYBA members who voted for their nominee and for recognizing these entrepreneurial women for their dedication and commitment to our marine industry. The Nominees were:

Allison Lehman of Swiftsure Yachts
Bernadine Trusso of Dona Jenkins Maritime Document Service, Inc.
Joni Geis of Sterling Associates
Kim Dumas of Denison Yachting
Leilani Wales of AGL Yacht Sales, Inc
Susan Nufer of Silver Seas Yachts
Tracey Feinberg of Sun Country Marine Group.

This year we will be voting for the 2024 Women of the Waterfront Award, so start thinking who your nominee will be this year, to be awarded at our Annual Dinner in January 2025.

GEO is looking for sponsors to our upcoming MeetUp events. Please call 360-621-4682

I wish you all the best of 2024.



Membership Report Q3, 2023

From Wayne Goldman

Currently, we have 415 members, with 2 new applicants in process. We increased 3 members this quarter. We have surpassed the 400 member milestone, but there are many California licensed brokers and salesmen that are still not CYBA members. Please mention the benefits to anyone you know that is not a member.

Benefits of CYBA include:

- Standard contracts and forms
- Working with fellow CYBA members
- Arbitration & Mediation committee
- Code of Ethics
- Education
- Social networking activities
- Close working relationship with the Division of Boating & Waterways
- Legislation
- CYBA newsletter
- CYBA website
- CYBA name recognition
- Working with peer organizations
- Boat shows

Please mention the benefits to anyone you know that is not a member.

Currently, we have 415 total members broken down as follows:

- Master Brokers: 120 (-2)
- Active Brokers: 44 (no change)
- Associate Salespeople: 194 (+3)
- Affiliates: 46 (+1)
- Affiliate Individuals: 1 (no change)
- Administrators: 10 (+1)

There are 292 Licensed Brokers and 28 Associate Brokers in California. 50% are CYBA members. There are 655 Licensed Salespeople in California, approximately 28% are CYBA members.

Let's continue to bring these numbers up. Any

(cont. on page 32)

Richardson Bay Authority Defeats Lawsuit Over "Anchor-Out" Boat Removals

By Krissy Waite

A federal judge has dismissed a lawsuit arguing that the Richardson's Bay Regional Authority does not have legal standing to police the water. The judge found no merit in an argument by plaintiff Robert Roark, an anchor-out who lives on the bay, that he has a constitutional right to anchor there. "To the extent Roark is alleging a stand-alone constitutional entitlement to anchor where he chooses, the United States' constitution does not confer a blanket right to anchor in Richardson's Bay," wrote Judge William Orrick of the U.S. District Court for the Northern District of California. Despite a law that prohibits boaters from anchoring in the bay for longer than 72 hours, many have lived on their vessels there for decades. The number of anchor-outs swelled to 240 in 2016. Today there are about 40. .

The agency enforces a 72-hour anchoring limit for new vessels, and plans to remove all anchor-outs from the bay by October 2024. A housing and vessel buyback program, as well as a permitting process, have been implemented in order to get boats off the bay. A settlement with the San Francisco Bay Conservation and Development Commission requires that all illegally anchored vessels be removed by Oct. 15, 2026. The area is home to extensive eelgrass beds, an essential fish habitat. The beds reduce coastal erosion and ocean acidification, sequester carbon and provide habitat for commercially, recreationally and ecologically important marine life, according to experts. Years of vessels anchoring, often illegally, have resulted in extreme damage, according to the state.

Brad Gross, executive director of the Richardson Bay agency, said the ruling was expected, but noted that it was the first time these points have been reviewed by a judge. He said the arguments Roark asserted were the same talking points the agency has heard for years. "We've always known and it's been our opinion exactly what the judge said," Gross said. "And we've been operating from that position since the beginning. But it's never been given to a court. It's never been adjudicated or given to a judge.

Finally, we have a judge who has given an opinion that sets the position that we've always had." Enforcement will continue to ramp up, he said. "We want them to take their possessions and go where it's legal to be," Gross said. Roark also alleged that federal laws prevented the local authority from governing the area. "I agree that no regulation or federal authority identified by Roark preempts the authority of RBRA to control anchorages in Richardson's Bay," Orrick wrote in the ruling, which was issued Dec. 1. "Instead, the federal regulations he identified establish Richardson's Bay as a 'special anchorage area' and direct mariners to comply with the RBRA's Permit Scheme." Roark argued that the agency's permit program is unconstitutional because it is impossible to comply with; it violates the Fourth Amendment by allowing warrantless searches; and it conflicts with the Fifth Amendment because permits can be revoked without due process. In relation to the warrantless searches, the judge referenced cases in which authorities are allowed to tow or impound vehicles that are a hazard to the public's health or safety, or illegally parked. The judge found all of Roark's claims to lack understanding of the law and dismissed them. "The defects identified above that lead to dismissal as a matter of law cannot be cured by alleging further facts," Orrick wrote. "Based on inapplicable legal theories or on facts he has admitted, each claim fails." The decision can be appealed. Roark, who represented himself in the case, could not be reached for comment.



Witches & Warlocks Paddleboard Food Drive

By Kim Dumas

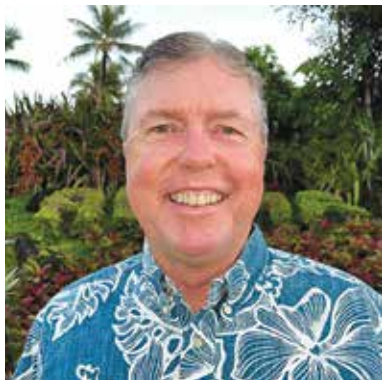
On October 29, Denison Yachting hosted the 3rd Annual Witches & Warlocks Paddleboard & Food Drive. Everyone met at the Denison docks where they could launch their paddleboards and kayaks. Each year, our coven continues to grow and cast its spells on the yacht clubs and boaters in the Shelter Island Basin. As you can imagine, it is quite a spectacle to look out on the water to see a large congregation of witches and warlocks descending towards you cackling and riding their paddle brooms. This year, we collected a carload of non-perishable food which was donated to the San Diego Rescue Mission. Thanks to all who participated and look forward to an even larger gathering next Halloween.





Accurate Listings

By Jeff Merrill, CPYB



I am reminded quite often that a yacht sale can't happen without first having a signed listing agreement. Knowing what the seller is offering and then having a detailed, accurate description is essential to assist with the sales process.

Getting a listing and preparing it for market is one of our main duties and needs to be treated as the priority it is.One of our primary roles as yacht brokers is to provide information. We are trusted and relied upon for our product knowledge and our understanding of how contracts work including negotiations. There are a lot of details to manage.

With good information we can provide an invaluable service to our clients to help them understand what they're selling from the selling side and what they are purchasing from the buying side. To me, our jobs are not as much selling as it is connecting and guiding.

You owe it to your seller to create a fresh write up with accurate details. Please avoid the temptation to dust off the old listing and make minor adjustments. This isn't fair to you, the seller, or the buyer. Too much can change with a boat over time and even minor inaccuracies in a write-up can lead to major misunderstandings.

Your reputation as a yacht broker is reflected in how much time you spend creating accurate listings and then representing your seller and working with your fellow yacht brokers and clients.

I recently represented a buyer on a boat listed with what I always believed to be a reputable brokerage. The boat was located 200 yards from the brokerage office. The photos showed the dinghy with the cover on, no photos of the tender or outboard. At the survey, the cover came off and the outboard installed was not the brand and model advertised. I talked my buyers back into reality, but it is ridiculous to me that the listing broker got something like that so wrong. A five-minute walk from his desk and a peel back of the cover I could have saved thirty minutes of time doing damage control. Has this ever happened to you?

More than once, I have been the victim of plagiarism by a peer. It's very discouraging, and frankly insulting. I don't view it as "imitation or flattery". The CYBA Code of Ethics has a clause regarding plagiarism. Take pride in doing your own work and strive to improve.

Think about your reputation when you write up a listing. Start with a fresh sheet of paper and get on board the boat to record current information. Don't rely on a previous write up. Don't make it the seller's responsibility to do your job, get aboard, see for yourself, take photos, and double check your work to confirm that you have the correct details.

Take the time up front to get the details right. This will save you time in the long run.

The listing advertises the boat you are representing (and you!). The listing should help a buyer determine their interest level and a fair price to offer. A good surveyor will use your write up to serves as the vessel inventory during the survey.

The CYBA Would Like To Thank Our Sponsors

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About CCA California

Our Objective

To conserve, promote and enhance the present and future availability of coastal resources for the benefit and enjoyment of the general public.

About CCA

The Coastal Conservation Association (CCA) was initially created in 1977, after drastic commercial overfishing along the Texas coast had decimated redfish and speckled trout populations. A group of recreational anglers gathered to create the Gulf Coast Conservation Association. Only four years later, gill nets along the Texas coast were outlawed and both red drum and speckled trout were declared game fish.

The successful conservation movement that started with the "Save the Redfish" campaign got the attention of anglers across the Gulf and by 1985, chapters had formed all along the Gulf Coast. CCA continued to grow within the South- and Mid-Atlantic regions in the 1990s, and now have chapters formed up and down the West Coast. There are now 19 states with 226 local chapters that have a growing membership of 126,000 members.

Our Story

The Coastal Conservation Association of California (CCA CAL) was created in 2015 when recreational anglers and outdoor enthusiasts grouped together to work for the conservation and enhancement of our marine resources and coastal environments.

Today, we are working to protect not only the health, habitat and sustainability of our marine resources, but also the interests of recreational saltwater anglers and their access to the resources they cherish and use on a daily basis.

COASTAL CONSERVATION ASSOCIATION OF CALIFORNIA

CCA CAL

WWW.CCACALIFORNIA.ORG

What We've Done For Anglers In California

- Continue to fight against fishing tackle and lead bans
- Fought to keep Bluefin from becoming listed as an Endangered Species
- Continue to fight against destructive fishing gear that hurts our resources
- Protect against unfair fishing regulations
- Continue to support and expand finfish hatchery programs
- Continue to fight for artificial and restoration reefs
- Support programs to increase fishing opportunities

Attention all interested Yacht Brokers and Salespersons:

CERTIFIED PROFESSIONAL YACHT BROKER (CPYB)

~ STUDY SESSION AND TESTING ~

Contact Jeff Merrill or Nick Friedman for next study session & exam.

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

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

For complete information, including study materials, applications, and required qualifications, please visit the National Yacht Broker Certification website at www.cpyb.net. 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:

SO-CAL
Jeff Merrill, CPYB
Jeff Merril Yacht Sales, Inc.
949-355-4950
jeff@JMYS.com

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 @ 925-588-8929.

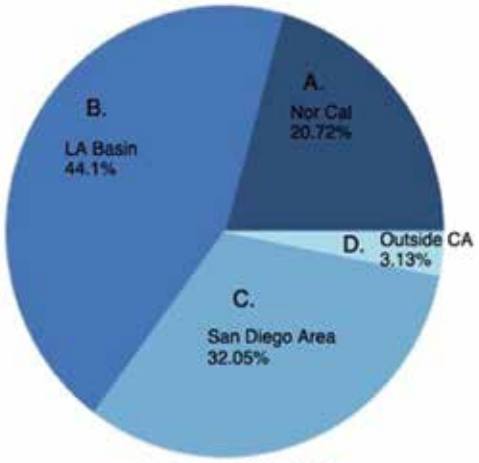
Membership Report... *(cont. from page 27)*

licensed Yacht Broker or Salesperson should be a CYBA member. Please help us increase these numbers.

You can reach me at 510-759-8481 if you have any questions.

Wayne Goldman
CYBA Membership Chairman
membership@cyba.org

CYBA State Demographics of Membership January 6, 2024



A. Northern California 86
B. LA Basin 183
C. San Diego 133
D. Outside of CA 13

Membership Information

For complete list of CYBA Member Benefits, please see our separate Member Benefits page at CYBA.info. Be sure to read the CYBA's Code Of Ethics and By-Laws as well.

Membership Rates:

Master Member
(Owner - Broker of Record):
Initiation Fee $200
Yearly Dues $348
Total $548

Broker
(Working for a Master Member):
Initiation Fee $50
Yearly Dues $48
Total $98

Salesperson
(Working for a Master Member):
Initiation Fee $50
Yearly Dues $48
Total $98

"Nothing Left" After California Yacht Club Fire

Residents mourn loss of a beloved spot

In an instant, an overnight seaside blaze engulfed decades' worth of boating trophies, historical artifacts and cherished memorabilia at the California Yacht Club in Marina del Rey on Monday.

Fire crews attempted to control the blaze as heavy smoke and flames consumed the two-story building. By the time they had subdued the fire two hours later, only the skeletal remnants of the clubhouse were left standing.

John Myers, senior vice president of the club, said the blaze had been reported by an employee working late in the clubhouse Monday night. The fire spared the remainder of the facilities on the ground, including the docks and the yachts moored there. But the clubhouse, and particularly its second floor, was all but wiped out.

"We are working closely with the Los Angeles County Fire Department in their investigation of the cause of the incident and will share those findings when they become available to us," Myers said.

Members are left mourning, comparing the loss to the death of a loved one.

Jennifer Dakoske Koslu awoke in Rancho Mirage at 5:30 a.m. Tuesday, before the sun had risen, to find her phone inundated with text messages from club members.

The first message she read simply stated, "The CYC is gone."

"As soon as I opened my phone, it went to a link on the Citizen app and saw a video of the club burning. I was shocked," Dakoske Koslu said.

For the last 24 years, Dakoske Koslu and her family have been dedicated members of the CYC, whose clubhouse is a few miles away from their home in Playa del Rey. She said it is where her children have grown up, familiarizing themselves with every inch.

"I remember taking my son there on the Fourth of July when he was just 3 weeks old. It was the first place we went with him as a newborn," Dakoske Koslu said.

She and her husband biked to the club in the aftermath of the fire, greeted by the charred remains of the building on Wednesday afternoon.

"The destruction is unbelievable. It's clear that the fire was burning intensely on the second floor," Dakoske Koslu said. "There's nothing left."

The second floor once housed a collection of the club's prestigious racing trophies, kept on display for members and visitors. The fire melted all but a single salvageable California Cup. Most notably, the priceless King of Spain Trophy, acquired in 1929 from King Alfonso XIII, was lost.

Additionally, the club lost cherished photographs of every past commodore, a significant position within a yacht club. Members said they didn't know if anyone had digitized the images of the commodores or of the club's founders.



"We would tell yachting stories at the bar around lots of memorabilia, and the yachting artifacts behind the bar are all gone now," Tom Materna said. "The yacht club provided us a facility for the off-the-water celebrations after hard-fought competition on the water."

The CYC dates to the early 1920s, started by boat owners from the Los Angeles Athletic Club and other yacht clubs. The Board of Harbor Commissioners approved the first clubhouse in 1922, designed by famed architect Edwin Bergstrom, co-designer of the Pentagon.

In 1965, the yacht club submitted a proposal for an all-encompassing $1-million, two-story, 10,000-square-foot clubhouse on four acres off Admiralty Way. Members envisioned a state-of-the-art facility with 170 boat slips, a guest dock, a small boat hoist and a dry land storage facility for boats. The clubhouse that resulted was dedicated on June 10, 1967.

Then-Commodore William A. DeGroot Jr. told The Times that the triangular parcel of land on which the clubhouse still sits is a "perfectly logical place for a club facility, and a commanding view down the main channel of the marina."

Though the building has historical significance to its members, it does not have a historic designation, according to Linda Dishman, president of the Los Angeles Conservancy.

"We are deeply saddened by this tragedy and so grateful for the outpouring of support from the community and our members," Myers said. "CYC has been a beacon for the nautical community for the past 101 years."

Materna, 68, first found out about the fire through Facebook as friends posted videos and photos of the damage Tuesday morning. Then he began receiving calls and text messages from friends.

"Everybody woke up in the morning and realized we'd lost a significant part of the sailing community,"

(cont. on page 34)

"Nothing Left"... *(cont. from page 33)*

Materna said.

His connection to the club dates back nearly 52 years, to when he was just 16 years old. After spending 30 years sailing professionally with Hobie Cats, mainly racing catamarans — a watercraft with two parallel hulls of equal size — he recently served as a crew member on other club members' racing yachts.

The CYC is pivotal in the boat racing community, organizing and hosting events such as the Optimist National Championship and Junior Olympic trials, Materna said. He fondly remembers the hundreds of people from across the globe converging on the marina for similar events.

The main topic among members now is what's next for the club. Dakoske Koslu noted that the club's ownership changed over the last few years, and many are unsure and concerned about the club's continuation after the fire.

The club relocated to the marina in 1967, leasing the land it sits on from the county.

"I don't think the county has really valued the contributions of the California Yacht Club as an important part of the Marina. They value Trader Joe's because it's more money for them," Dakoske Koslu said.

Dakoske Koslu said she's seen numerous small marine-oriented businesses displaced from the marina, making way for more commercialized developments such as Trader Joe's and Recreational Equipment Inc.

The above is a *Los Angles Times* re-print

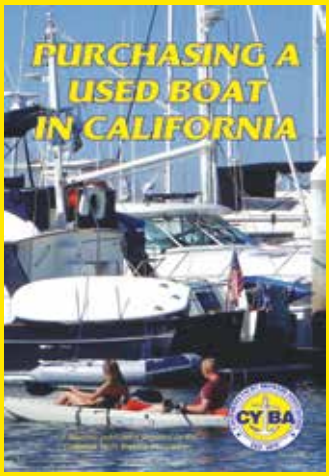
Annual Dinner"... *(cont. from page 7)*

Since then, the Merle Parke award has become one of the most prestigious honors that the CYBA can bestow upon an individual and the list of previous winners is a who's who of the California marine industry.

Each year a committee consisting of the previous year's winner, the CYBA President and the CYBA Executive Director select the most deserving honoree. An engraved plaque is presented to the winner at the CYBA Annual Dinner held in January of each year. The 2022 award went to Mik Maguire of Richard Boland Yachts. Mik has been instrumental in so much for the CYBA, from Past President, to Treasurer, Newsletter Editor, and instrumental in the boat show. Congratulation's Mik!

Please check our CYBA website (cyba.info) for updates and our calendar.

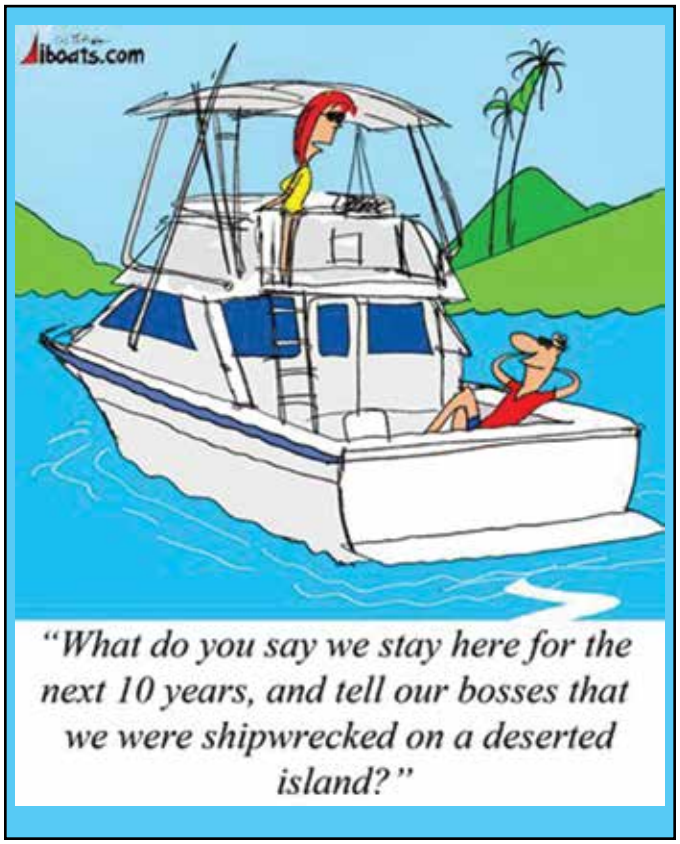
Happy and prosperous New Year!



Buying A Used Boat?

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:
Ty Mellott
Ty@cyba.info



CYBA Board Of Director's Meeting

11/14/2023 Held over zoom

President Peter Zaleski called the meeting to order at 9:04 a.m.

Board Members present: Peter Zaelski, Dean West, Scott McNerney, Mik Mcguire, Nick Freidman, Lelani Wales, George Sikich, Wayne Goldman, Mark White

Executive Director: Ty Mellott

Boat Show Manager: Jim Behun

Guest: Lou Mencuccini SMY Yachts

Approval of minutes: Scott approved last month's minutes

Boat Show: Jim Behun - Pacific Sail and Power Boat Show May 16-19 -Working with a new tent vendor, should have a higher quality, more cost effective option. Looks like $300 cost for a 10 X 10.

Pricing as follows:

Booth: $1150 Member, $1345 Non-Member

Corner Booth: $1250 Member, $1445 Non-Member

Bulk (not covered): $7.50 sq. ft. Member, $8.00 sq. ft. Non-Member

In-Water: $35 per foot Member, $45 per foot Non-Member

In-Water Multihull: $35 per foot Member, $53 per foot Non-Member

Lisa Chapman would like to head up seminars, and Jim will develop a contingent plan for inclement weather.

Treasurer: Mik sent P&L and Balance Sheet to board before the meeting. One member has a credit on the books for unreimbursed expenses and he will put it towards membership dues for next year. We turned a $3,800 profit on the legal seminar. Right Signature has just been renewed for $6,000 and we should break even on this investment when the dealers sign up for it. There was discussion about liquidating some association assets, like the generator and some power cords. Ty may have a member interested, and will follow up.

Correspondence: Ty mentioned that a couple of members changed brokerages. There are currently two arbitration cases with fees paid. Dennis Moran, currently our arbitration chairman would, like to step down and is hoping that the board can find a replacement. There was some discussion if being an attorney would be a positive for the position, however, someone is needed soon.

Ty has been in contact with Mark Amaral from Sail America about the Boat Show. Also, Ty reached out to JR Means to see if Bahia Corinthian Yacht Club is interested in hosting the 2024 Legal Seminar. Mik mentioned that we used to have a legal seminar in Northern Ca. and it might be wise to have one up North. Old CYBA Forms will be discontinued in December, Ty is working with our IT guy, Goran, to see if he can make them transferrable for brokers who still need them.

Membership: Wayne announced that we are up to 412 members with 7 more pending.

Ethics, Legislation and Advocacy: Dean didn't have much to report, however, he feels the best way to keep boating and our organization alive is to get to know your local politician. Even a small donation can help you get their ear, so you can discuss legislation with them to help our industry.

Sponsorship: George reported that Sunset Yacht Insurance is a new sponsor, also CRC expressed interest.

GEO: Lelani did not have a meet-up last month, and she is still looking for a sponsor for a November or December meeting.

Dinner: Pete reported that we are set with the Southwestern Yacht Club on Saturday, Jan. 13th in San Diego. Lelani volunteered to help.

Forms: Nick Freidman showed us a copy of the forms and there was one paragraph that generated discussion. "A commission also shall be due and payable, at the last asking price. If, within one (1) year after expiration of the Listing Period, the Vessel is sold, traded, exchanged, to anyone who, during the Listing Period , communicated with Broker or cooperating about the Vessel. (No commission shall be due or payable to Broker under the immediately preceding sentence if the transaction is subject to a commission agreement with another broker.) Broker shall provide a list of known prospective buyers with whom Broker communicated about the Vessel during the Listing Period within fifteen days of expiration of the Listing Agreement."

Mark made a motion to strike this paragraph from the new form, and Dean 2nd. After some discussion, the board considered turning over to legal before ruling. However, Mark made another motion to strike this from the new form, Scott 2nd, and the motion passed 4 yeah, 1 nea, 1 abstain. So motion passed to strike this paragraph from the new forms.

There was lots of discussion on the old forms, and

(cont. on page 36))

CYBA BoD Meeting... *(cont. from page 35)*

the pricing that brokers who needed access to these forms would be charged.

Succession: Lou Mencuccini from SMY Yachts gave the board a brief bio, as he is running for a board position next year. He has been in the Yacht business for 20 years, and has served on numerous boards in the past in a variety of different industries.

Old Business: None

New Business: None

Meeting adjourned by President Peter Zaleski at 11:05 a.m.

Respectfully submitted,
Scott McNerney-Secretary

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Calendar Of Events

February 14, 2024, 9:00 a.m.
Board of Directors Meeting
Zoom

March 12, 2024, 5:30 p.m.
California Boating Congress Kick-Off Reception
Brasserie Du Monde
1201 K Street, Sacramento, CA

March 13, 2024, 8:30 a.m.
8th Annual California Boating Congress
Capitol Events Center
1020 11th Street, Sacramento, CA

March 19, 2024, 9:00 a.m.
Board of Directors Meeting
Zoom

April 18 – 21, 2024
Newport Beach International Boat Show
Lido Marina Village
Newport Beach, CA

April 19, 2024, 10:00 a.m.
Board of Directors Meeting
Lido Marina Village
Newport Beach, CA
Location TBD

May 15, 2024, 10:00 a.m.
Board of Directors Meeting
Westpoint Harbor
Redwood City, CA

May 16 – 19, 2024
Pacific Sail & Power Boat Show
Westpoint Harbor
Redwood City, CA

October 9, 2024
27th Annual CYBA Legal Seminar
Loaction TBA Soon

January 10-12, 2025
CYBA Annual Dinner Weekend
Location TBA

