

**APPROVED**  
SEP 06 2006

REPORT OF GENERAL MANAGER

NO. 06-256

DATE September 6, 2006

BOARD OF RECREATION  
and PARK COMMISSIONERS

C.D. 15

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: CABRILLO MARINE AQUARIUM - LETTER OF AGREEMENT WITH ROYAL POLARIS SPORTFISHING, INC., TO RETAIN THE ROYAL POLARIS FISHING VESSEL FOR A WHALE-WATCHING EXCURSION TO BAJA, CALIFORNIA- FEBRUARY 25 THROUGH MARCH 5, 2007

J. Combs \_\_\_\_\_  
H. Fujita \_\_\_\_\_  
S. Huntley \_\_\_\_\_  
B. Jensen \_\_\_\_\_

J. Kolb \_\_\_\_\_  
F. Mok \_\_\_\_\_  
\*K. Regan [Signature]  
M. Shull \_\_\_\_\_

Robert Jensen (for)  
General Manager

Approved [Signature]

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve the proposed Letter of Agreement with Royal Polaris Sportfishing, Inc., (Royal Polaris) substantially in the form on file in the Board Office, allowing Cabrillo Marine Aquarium to charter the Royal Polaris fishing vessel for the 33rd annual sea-going expedition to San Ignacio Lagoon to view Pacific gray whales on the southern most leg of their migration from the Alaskan Bering Sea;
2. Appropriate \$55,330 from Department 88 Fund 301, Municipal Recreation Program (MRP) 035M for chartering the Royal Polaris fishing vessel from February 25 through March 5, 2007;
3. Find that in accordance with Charter Section 1022, the Department does not have available in its employ personnel with sufficient expertise to provide the aforementioned services and that it is more feasible and economical to secure the services by contract;
4. Find that the use of competitive bidding would be undesirable and impractical because the Royal Polaris is one of very few boats that are allowed access to San Ignacio Lagoon by the Mexican government, the captain and crew of this boat have successfully led the trip for many years, and the vessel is the only sportfishing boat of adequate size and quality to comfortably accommodate the passengers of this trip;

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5. Direct the Board Secretary to transmit the Letter of Agreement to the Mayor's Office for review in accordance with Executive Directive No. 3 and to the City Attorney for review and approval as to form; and,
6. Authorize the Board President and Secretary to execute the Letter of Agreement on behalf of the Department subsequent to receiving necessary approvals.

### SUMMARY:

Cabrillo Marine Aquarium has sponsored the annual "Meet the Friendly Whales of Baja" trip for the past 32 years. For more than 27 years, the vessel chartered for this trip has been the Royal Polaris, berthed at Fisherman's Landing in San Diego, California.

After departing Cabrillo Marine Aquarium by bus, passengers are taken to San Diego to board the 113-foot Royal Polaris and begin the experience of a lifetime. During their nine-day trip, passengers will explore the pristine coastal environments, diverse geological formations and native vegetation of Baja. Elephant seals, sea lions, dolphins and marine birds will be within close up camera range. The highlight of the trip for many is viewing whales at arms length from skiffs in San Ignacio Lagoon. Each year, a limited number of adventurers are permitted by the Mexican government to enter San Ignacio Lagoon on special tours. The Cabrillo Marine Aquarium Baja trip attracts passengers from across the country and furthers the Aquarium's international reputation as one of the finest teaching aquariums. The primary goal in sponsoring the Baja trip is to further Cabrillo Marine Aquarium's mission of promoting knowledge, appreciation, and conservation of the marine life of Southern California.

### FISCAL IMPACT STATEMENT:

Funds to pay for the charter are advanced from and reimbursed to Cabrillo Marine Aquarium's MRP Fund 301, Department 88, Account 035M. The Baja trip is offered by the Aquarium to the public at a cost of \$2,195 per person, and the funds received are deposited into this MRP account. Passengers pay in advance with an initial deposit to reserve their seat followed by two more payments due in October and January. Charter expenses are paid in advance installments by the Aquarium to Royal Polaris which is typical for the charter vessel industry. These payments are due in October, November, December and January. The Royal Polaris can accommodate 30 passengers in addition to the Cabrillo Marine Aquarium team of professional guides. The Team Leader for this trip is the Cabrillo Marine Aquarium Program Director and is assisted by the Aquarium's Education Curator. Also on the passenger manifest are three to four volunteers who possess expertise in the fields of geology, botany, ornithology and marine biology. Cabrillo Marine Aquarium employees will be paid their normal salary and will be provided with food and accommodations throughout the nine-day trip. The volunteer experts will not receive financial remuneration, but will be provided room and board.

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In the event of last minute cancellations that cannot be filled from a waiting list of paying passengers, Cabrillo Marine Aquarium will offer passage to Cabrillo Marine Aquarium staff or volunteers who can contribute an in-kind service or can cover the cost of their food and permits. Selection will be made by the Program Director and Aquarium Administrator. Last year's Baja trip netted the Aquarium \$7,217.98, after covering voyage costs of aquarium staff and volunteers. The net funds help cover the cost of a full-time Clerk Typist, funded through MRP fees.

This report was prepared by Mike Schaadt, Acting Director, Cabrillo Marine Aquarium.