



Date: September 18, 2006
To: Members of the Marine Advisory Commission
From: Mark A. Sandoval, Manager of Marinas and Beaches
Subject: MEETING MINUTES OF SEPTEMBER 14, 2006
MARINE ADVISORY COMMISSION (MAC)

Commissioners Present

Bradley Whyte, Chair
Holly Carpenter, Vice Chair
Randy Crawford
Harry Hutton
Mike Reed
Peter Hogenson
Darlene Ann Gidley
Scott Schaidle
Richard Turrentine

Commissioners Absent

Marine Bureau Personnel

Mark Sandoval, Manager
Vivian Crook, Secretary
Beverly Glavas, Special Projects Officer

City Staff

Tom Keleher, LBPD Sergeant, Marine Patrol
Mark Boone, Chief, Marine Safety, LBFD
Julie Maleki, Analyst, City Council, 3rd Dist.
Dennis Eschen, Manager, Plan. & Devel. Bureau
Richard Dana, Acting Supervisor, Marine Maint.

Guests

Don Cobleigh, LBMBOA
Carla Collado, Grunion Gazette
Ted Kuhn
Carl Kirnbauer, LBMBOA
Joe Nicotera, LBMBOA
George Valdespino
Tammy Holden
Doug Bailey

Chairman Bradley convened the meeting at 2:30 p.m., at the Long Beach Yacht Club.

ROLL CALL

Mark Sandoval called the roll of commissioners and introduced Marine Bureau personnel and City staff.

CONSENT CALENDAR

The August 10, 2006, MAC minutes were reviewed and approved with clarification on page 2, under New Business, third paragraph, first sentence, to read: "...reconfigure the launch ramp ***parking lot...***"

Commissioner Hogenson asked how issues left open during meetings are tracked for follow-through.

Mark Sandoval responded that, when he reviews the draft of the minutes, he notes issues that need further response and reports on their progress at the next meeting. He added that the other divisions do the same, i.e., note the open issues, follow up on them and respond to them during their portion of the meeting. He said that he ensures any issues requiring follow-up are responded to and made part of the next month's report.

Chairman Whyte added that MAC members are to review the reports provided in their package, and then asks questions at the appropriate time during the meeting.

The question was asked if open issues could be noted under Old Business.

Mark Sandoval responded that a lot is discussed at the meeting that he would not consider old business. However, he said that if the MAC wanted to see an item noted under old business the subsequent month, he would put it on the agenda.

Commissioner Turrentine remarked that there are some pretty sophisticated tracking schemes, but with the minutes in front of them, it is easy to go through them and ask questions when needed. He felt that the minutes do a good job as they are.

Commissioner Crawford agreed.

Mark Sandoval said that he could include, as part of the MAC package, a summary sheet of questions that he gleaned from the minutes and their current status.

PUBLIC COMMENT

None

OLD BUSINESS

None

NEW BUSINESS

- Mark Sandoval gave an overview of Mr. Johnsen's slip permit cancellation and explained to the commissioners that the MAC, as an advisory commission, reviews appeals of actions taken by the Marine Bureau and provide the commission's recommendations.

Mark Sandoval explained that he put together a summary of activity relative to the case, a copy of which was also given to the Mr. Johnsen. Essentially, he said, there are a number of issues regarding Mr. Johnsen's permit, i.e., he has been having trouble with his neighbors on the gangway, illegal liveaboard activity has been reported, his permit was cancelled for unseaworthiness, his vessel is in a state of disrepair and has no engines. Mr. Johnsen has been given time to make his boat operable, however as of this date he has not made an appointment for a vessel inspection.

Ron Johnsen appealed to the MAC regarding the cancellation of his slip permit. He stated that he had put his boat in the shipyard two days ago, that one of the engines had been pulled just this morning and the other is scheduled to be pulled tomorrow. He said he wanted more time to repair his boat. He did say he tinted his windows and put a satellite dish on his boat. He also said that he is on his boat a lot, but that he lives with friends. He stated that he does not get along with his neighbor.

Commissioner Crawford gave his recommendations regarding reinstatement of Mr. Johnsen's slip permit. He said Mr. Johnsen's vessel must be seaworthy (he wasn't sure that putting two engines in the boat would do that), Mr. Johnsen needs to provide new insurance in his name covering the value of the vessel, Mr. Johnsen should not be allowed to return to Basin 6, and Mr. Johnsen must provide residence information proving that he lives elsewhere.

Mark Sandoval said that had the unseaworthy issue been the only issue regarding Mr. Johnsen's slip permit, he would not have moved forward with the cancellation. He said he would have given Mr. Johnsen more time if he would have provided proof that he was indeed fixing the boat.

Ron Johnsen said that he was not given any paperwork regarding the alleged illegal liveaboard activity he is being accused of.

Mark Sandoval explained that Mr. Johnsen had already been cancelled because his vessel is unseaworthy. Later, an illegal liveaboard investigation was done and he was found to be illegally living aboard his vessel. There was no reason to cancel his slip permit a second time.

Chairman Whyte stated that, according to Marine Patrol's reports of illegal liveaboard activity, these were not mere accusations. He stated that he has found the Marine Patrol Division's reports to be very accurate over the years.

Ron Johnsen said that he lives with a friend and pays his rent in cash.

Commissioner Crawford responded that Mr. Johnsen should have signed receipts showing proof of this.

There was discussion about the memo provided by the Bureau and various issues that needed more follow through.

Mark Sandoval explained that if a person has been cancelled for illegal liveaboard activity, before they can be reinstated they need to have current insurance on file and have the vessel inspected for seaworthiness. He explained that even though a boatowner may be cancelled for one rule violation, before they can be reinstated the Bureau makes sure there are no other violations occurring. He said he would need to find a way to verify that Mr. Johnsen has another residence.

It was moved by Commissioner Gidley and seconded by Commissioner Hutton that Mr. Johnsen's slip permit be reinstated, with the proviso that he be moved to another gangway, and that he meet all requirements set forth by the Marine Bureau. Commissioners Gidley, Hutton and Carpenter voted in favor; Commissioners Turrentine, Hogenson, Crawford, Shaidle, Reed and Whyte voted against. The motion did not move forward.

Commissioner Shaidle asked Mr. Johnsen how long his vessel had been without working engines.

Ron Johnsen responded that it had been seven months. He said he bought the engines on eBay, but that he could not provide proof of his purchase.

Chairman Whyte suggested that any action be postponed until more information could be provided by Mr. Johnsen, i.e., a receipt for the engines, information regarding his living status (something more than just a phone bill), and an inspection be done on the vessel.

It was moved by Commissioner Crawford and seconded by Commissioner Hogenson, that Mr. Johnsen be given a temporary slip in a location other than Basin 6 until the end of October. Mr. Johnsen is to come before the MAC at the October meeting, at which time he is to provide verification that his vessel is seaworthy, updated vessel insurance, and proof that he has other living arrangements. The motion passed with Commissioners Reed, and Turrentine opposed.

- Dennis Eschen gave a presentation on the conceptual proposal to relocate the Bayshore gaming courts from their current location at Bayshore and Ocean to a proposed location on the south side of Ocean. Funding for this project will be sought in 2009.

Commissioner Shaidle suggested that the Department look at all the CIPs at the same time and come up with a master plan.

Mark Sandoval agreed that his suggestion to prioritize projects when planning development on the beach is a good one. He stated he asked other departments to provide him with their own prioritized list; he then melded all the lists together. However, he explained, new projects keep getting added to the list, changing the priority of the projects. Also, some projects get funded sooner than others. He said that reprioritizing the list as new projects are added is necessary.

Commissioner Reed stated that Long Beach may not have waves, but it does have a dog beach and parasailing, etc. He said the focus needs to be on the positive things you can do in Long Beach, and anything that makes Long Beach a destination place is good.

Mark Sandoval suggested the list be called a “beach development plan,” and cover the beach from downtown to 72nd Place. He said an estimated cost for each development plan should be identified.

Dennis Eschen reported that the Local Coastal Plan’s new director is doing a full plan of the entire City.

It was moved by Commissioner Crawford and seconded by Commissioner Turrentine that a request be submitted for the creation of a beach development plan. The motion passed unanimously

- Mark Sandoval reviewed the Marina Survey Report and said that the Bureau is still receiving very good customer satisfaction ratings. He said that Marine Maintenance shows the lowest ratings, which is to be expected because ABM is falling apart. He said they are doing the best they can to handle the problems that are occurring.

Commissioner Turrentine commented that it would not make sense to spend too much money maintaining the marina when it is going to be torn out and rebuilt.

Mark Sandoval anticipates that the rebuild of Basin 4 in ABM will begin in 2007.

Commissioner Hutton pointed out an error in the report with regard to Marine Safety. The report should show a 91% satisfaction rate for Fire Department rescue boat services.

Chairman Whyte commented that Mark and his staff should be complemented on the 87% satisfaction rate of the management of the marinas.

Mark Sandoval said that he is not aware of any other operation or management of the City that asks one-sixth of their customers how they feel about them. Overall he is very satisfied with the ratings by the customers.

BUREAU MANAGER’S REPORT

Marina Operations Report

Mark Sandoval gave the report for the Marine Bureau Major Accomplishments, the Monthly Fund Budget Report for ABM/LBSM/RBH, the Total Vessels In and Out by Marina, and the Slip Status Report for the month of August.

- Mark Sandoval reported that Rainbow Harbor Marina slips will be used for the boat show this month, and that the boat show will reimburse the Bureau for permittees impacted by relocation from RBH into to LBSM.

Maintenance Operations Report

Richard Dana gave the Marine Maintenance status report for the month of August.

- Commissioner Hutton complimented the Marine Maintenance Report regarding the new format that shows the separation of “marina” and “marine” items.
- Chairman Whyte asked about the locks on the new gates in LBSM.

Richard Dana responded that a purchase order has been issued and that they are waiting for the contract to go through.

Mark Sandoval said that he would follow-up and report on this item next month.

Marine Safety Report

Chief Mark Boone gave the Marine Safety status report for the month of August.

- Mark Boone reported that repair/refurbishment of Lifeguard Headquarters has been in the plans for a long-time now. He said that the building is a historical landmark, however the site itself is not historical and the building could be moved back further from the water's edge.
- Construction will begin on two new rescue boats October 1.
- Marine Safety will take delivery on a new dive vehicle in six to eight weeks.
- Marine Safety will receive \$32,000 from the Department of Boating and Waterways for one diesel engine.

Marine Patrol Report

LBPD Sergeant Keleher reported on Marine Patrol activities for the month of August.

- Sergeant Keleher explained, with regard to Mr. Johnsen's permit, Marine Patrol's procedure for handling illegal liveaboard investigations. He explained that DCCs for illegal liveaboards are done each shift, 24 hours a day. He said that each shift is assigned to an officer and that the boats are checked, the vehicles are checked, and people in the area are questioned. He stated that all Marine Patrol documentations are well done.
- Sergeant Keleher reported that Marine Patrol officers responded to a call of a trespasser on Gangway V in the LBSM, and found two individuals climbing over the gate. One of the individuals said that he was a guest of a boatowner and that he had been living there for a month. It was later found out that he was on parole for armed robbery, burglary, theft, drug possession, possession for sale, and possession of drug paraphernalia. Marine Patrol gained authorization to search his vehicle. Eight needles were found in his vehicle, along with heroin, cocaine, and marijuana. Sergeant Keleher said these individuals live by theft.

- Sergeant Keleher stated that he is an Arrest and Control Techniques Officer. He reported that two Marine Patrol officers have been trained and have received unit citations to teach arrest and control techniques. The two officers are Joe Johnson and Dennis Maury, and they are now teaching at the LBPD Academy.
- Commissioner Hogenson asked if Marine Patrol officers patrol the 72nd Place jetty to keep people off at night. Sergeant Keleher responded that Marine Patrol covers the parking lot, not the jetty. He stated that it is unsafe for a Marine Patrol officer to be out on the jetty at night. He explained that Marine Patrol units are one-man units and that he would not want them walking into a situation alone. He stated that most of Marine Patrol's time is spent in the marinas, but that Marine Patrol officers do work with LBPD's East Division in this area and assist with calls when requested.

Mark Sandoval clarified that the marina tenants pay close to 90 per cent of the cost of the Marine Patrol Division; hence, Marine Patrol officers should be working in the marinas. He said that they might do a little bit of coverage on the beaches and the jetty, but that it really is the LBPD East Division's responsibility to patrol the jetty.

- Sergeant Keleher said that, thanks to Mark Sandoval, the Marine Patrol Division now has an ATV program.

Commissioner Crawford remarked that he had an opportunity to watch them in action and they are effective.

Rules and Regulations Committee

Mark Sandoval commented on a couple of issues that were left open from last month's meeting.

- He said that he had mailed MAC a Marine Maintenance report that shows which pump-outs are new and which ones were not. He also sent the MAC a copy of the weekly report done by Marine Maintenance. He reported that in the LBSM all the pumpouts are new and everything is working. However, in ABM, it is a constant battle to keep pump-outs up and running. The Department has contacted The Department of Boating and Waterways (DBAW) and has asked for funds to put in new pumpouts where there are failing.

- The “Lesson Learned” report (lessons learned from the LBSM rebuild) was emailed to MAC.

The top item on the Lesson Learned report was the solid float construction and what this does to the flow of water in the LBSM. Mark Sandoval asked Tom Shippey, Manager of Marine Maintenance, to meet him at the LBSM (X and Y docks) a week and a half ago to show him what was occurring. However, when they met on site, the water was clear at X and Y docks. They talked to a customer in the area who said that when the docks were new there was more of a problem, but that things seem to be clearing up; which underscores Mr. Sandoval’s belief that, as the marina gets built, the problem areas will change. He said this is still a work in progress. He said that Marine Maintenance staff will go down and, on a dock-by-dock basis, look for problem areas and remove any debris.

- Regarding guest slips in LBSM; Mark Sandoval said he and the Harbormaster in LBSM developed a plan for the use of slips on EE dock as guest slips. They are looking to begin this program after the boat show. He would like to implement this program only on Friday, Saturday and Sunday nights. He feels this would meet the demand for guest slips. He expressed concern that many individuals do not have permanent slips and he does not want these individuals jumping from LBSM to ABM, using up the guest slips. He said this issue would be discussed at the next Operations Committee meeting.
- Commissioner Hogenson asked about the pump out in Basin 8.

Richard Dana said that Marine Maintenance has started removal of the pumpout today, and it has not been determined where or whether a pumpout will be put back into that basin.

- Don Cobleigh asked about reciprocal use of guest slips in both marinas, i.e., allowing ABM permittees to use LBSM guest slips for free.

Mark Sandoval said that he would not want to go full scale with reciprocal use of guest slips by both marinas until after the rebuild is completed. He explained that use of guest slips by permittees is subject to availability, and that paying customers come first. Reciprocal use of guest slips by permittees is on a first-come, first-served basis, with no reservations taken.

Executive MAC

- None.

Operations Committee

- Commissioner Turrentine reported that the committee looked at strategies for reducing the number of slips available, and how they can be filled more quickly.

Mark Sandoval said that he talked with the Harbormaster in LBSM and discussed taking a closer look at how they call for slips. He said he would provide the Operations Committee a description of how they do it now, what time limits they have, and then set a meeting at LBSM with the Harbormaster. Mark said that roughly half of the people on waiting list do not have a boat when they are called, are not immediately ready to accept a slip, and a number of phone calls are necessary to explain their options.

Facilities Committee

- Commissioner Reed reported that the Aqua Link Coastal Permit should be ready next summer.
- Jack Nichol Park construction is scheduled to begin October 19, and should be completed by May 2007.
- A seismic retrofit study has been completed on the Belmont Plaza Pool. Commissioner Reed explained several possible options; the least expensive would be to leave it as an open pool.

Dennis Eschen said the decision needs to be made whether to keep the pool competitive or use it as a recreational swim pool.

- Commissioner Reed talked about the Seaport Marina Draft Environmental Impact Report, which came out about a month ago. He stated that the MAC's primary concern is how this project will impact the marina and its facilities.

Commissioner Hutton reviewed a resolution drafted by the committee outlining traffic and parking problems with this project, and how the marina and its facilities will be impacted. He said that the plan for the Lennar Seaport Marina Project will impose limitations on access to marina assets. He said that an overall traffic roadway design for the area should be commissioned, and that any such design should produce an "A" rating traffic flow for a number of future years.

Commissioner Reed asked for input from the MAC on the proposed resolution, and said he felt the MAC should make some kind of statement on this issue.

Commissioner Crawford said that the MAC cannot control what they do on their land as long as they meet code.

Chairman Whyte stated that he was concerned about the MAC overreaching their purview. He is concerned about losing credibility over something the MAC cannot control. He said that the MAC members should give their opinion on issues that affect the marinas. And he said that as a private citizen any commissioner could make a comment on this issue, however, they cannot make a comment as a private citizen through the MAC.

Commissioner Reed remarked that the Planning Commission meets on October 21, and he felt that the MAC should submit something.

Commissioner Hutton said that what he was trying to propose was that someone who knows what they are doing sit down and come up with a comprehensive traffic plan for the whole area, and not do a patchwork job. He asked that this issue be put on the agenda for next month.

Mark Sandoval remarked that in his notes he had written that the Lennar Group would come back before the MAC in October. He did not think it wrong to question how the project will impact the marina tenants through that intersection. He feels this questioning is legitimate. However he questioned whether the MAC will lose credibility by calling out an "A" traffic rating. He does not believe that the MAC needs to get specific. Maybe the message they want to deliver is: do not reduce parking spaces in the marina parking lot, do not impact the traffic flow in the marina parking lot, do not impact the traffic flow on Marina Drive, and do not impact the traffic flow on PCH and Second Street because it impacts the marina customers.

Mark Sandoval said that he felt having one or more of the commissioners at next Thursday's Planning Commission meeting would be prudent.

Finance Committee

- Commissioner Hutton reported that the expenditures and revenues are on track. He reviewed a breakdown on how the marina spends its money on maintenance. He said that a great deal of marina money is spent on facility and custodial maintenance.

COMMENTS FROM THE AUDIENCE

- Don Cobleigh asked how the Lennar Project will affect the bike and pedestrian path on Marina Drive. Commissioner Crawford offered to get together with Mr. Cobleigh after the meeting and show him a map he was issued on the project that shows the bike path location.

COMMENTS FROM COMMISSIONERS

- Mark Sandoval stated that next month's MAC meeting will have to be on the third Thursday of the month, as he will be away at a conference the second week in October.

It was decided that the ExMAC meeting would stay the same (October 4); the Facilities Committee meeting would stay the same (October 10); the Operations Committee meeting would move to October 18; and the MAC meeting would move to October 19.

ADJOURNMENT

Meeting adjourned at 5:00 p.m. The next meeting is set for October 19, 2006, at 2:30 p.m. at the Long Beach Yacht Club.