



**Date:** February 17, 2015  
**To:** Marine Advisory Commission  
**From:** Elvira Hallinan, Manager, Marina Bureau  
**Subject:** MEETING MINUTES OF FEBRUARY 12, 2015  
MARINE ADVISORY COMMISSION (MAC)

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Commissioners Present

Rick DuRee, Chair  
David Thornburg, Vice Chair  
Eric Peterson  
Mike Schachter  
Ted Kuhn  
Jerry Avila  
Peter Schnack  
Mark Turpin  
Jerry Avila

Marine Bureau Personnel

Elvira Hallinan, Manager, Marine Bureau  
Vivian Crook, Secretary

City Staff

Alan Powder, Capt., Marine Safety/LBFD  
LBPD Sgt. Diana Hohman, LBPD/Marine Patrol Unit  
Officer Janette Lopez, LBPD/Marine Patrol Unit  
Laurie Little, Supervisor, LBSM

Commissioners Absent

Tom Mayes

Guests

Kimothy Smith, boatowner  
Bob Hubbard  
Alfredo Fernandez, LBMBOA  
Bob Vatz, LBMBOA  
Robert Hubbard  
Larry Goodhue

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

**ROLL CALL**

Elvira Hallinan called the roll of commissioners.

**CONSENT CALENDAR**

The January 15, 2015, MAC minutes were reviewed and approved with a change on page two to show the Haynes Plant location as East Second Street/Westminster Avenue.

## **PUBLIC COMMENT**

- Alfredo Fernandez asked for an update on the Haynes Plant shutdown. Elvira Hallinan said that she spoke with Tom Modica of the City Manager's office and Amy Bodeck of the Development Services Department. Amy Bodeck is going to develop a contract with Moffatt and Nichol to have them prepare a study to figure out how often AES turns off their pumps, how the water flows through Alamitos Bay, and what the outcome will be. Alfredo Fernandez said that he searched Heal the Bay history and saw that the plant is down to just two power units running on the old system and the rest are the new gas turbines.

## **OLD BUSINESS**

- Elvira Hallinan reported that the Alamitos Bay Rebuild is on schedule with the completion date set for June 1. She said that she is going before the City Council on March 17 for the \$16.9 million from DBW, and that she is working on the bond issue. Dornbush and Associates are completing their feasibility report, and Morgan and Stanley have said that it is looking very optimistic that the City can bond for \$109 million, which would mean that the Marine Bureau could pay off all the DBW loans and still have enough money to pay for the waterside of the project. She said that she will be meeting with the rating agency, Fitch, on the 20<sup>th</sup> of this month. The City Treasurer is asking for an indicative rating, which will tell if the City is even in the ballpark to continue and acquire a public rating at an investment grade. Right now she is working on the credit presentation. She said that the City is hoping that if we get the investment grade we will go out in March or April to try to sell these bonds. She has spoken with Bellingham Marine Industries (BMI) and has asked them to be ready with their schedule of values. She stated she is trying to keep BMI at the same price that was quoted last year.
- Elvira Hallinan stated that regarding the ABM Fuel Dock, everything is going as planned and the project is scheduled to be completed in May 2015.
- Elvira Hallinan reminded the MAC about completion of the 2013 MAC Annual Report. Chairman DuRee asked the Committees to submit their portion of the report to the Bureau Secretary by March 6.

## **NEW BUSINESS**

- Mr. Kimothy Smith appealed to the MAC regarding the cancellation of his slip permit. Mr. Smith's slip permit was cancelled due to his violation of Marina Rules and Regulations IV. General Regulations E. Dogs: "Dogs must be kept on leash in all public areas in the marinas. Permittees and their guests are required to closely supervise their animals on these premises, and particularly on the ramps, docks and fingers, and pick up the waste in the interest of public safety and sanitation. . ." and III. Marina Slip Permits, A. Cancellation, 1. iv: "for Permittee's use of the Marina facilities which disturbs the peaceful use and occupancy or the public health, safety, peace, welfare and convenience of the users of Marine facilities of the public."

- The LBSM Supervisor gave a summary of the violations and incidents regarding Mr. Smith. She stated that Mr. Smith allowed his dog off the leash and the dog defecated and urinated on the dock and on another boatowner's line, steps and personal possessions. This behavior continued even after several meetings with him and repeated warnings. Mr. Smith admitted that his dog regularly defecated on the dock, urinated on other boatowner's steps, and that the dog was off the leash. He said that he did not want to be cancelled. Elvira Hallinan reported that multiple people at multiple times had complained that Mr. Smith's dog had urinated and/or defecated on the dock, their lines, their steps, their personal belongings. She stated that Mr. Smith had been cancelled before for this very reason and he was given a second chance, warned about the City Ordinance, and told that if he did not keep his dog on a leash and clean up after the dog his slip permit would be cancelled. Chairman DuRee stated that the MAC is charged with the responsibility of making sure that the Rules and Regulations that are agreed to in the City of Long Beach are upheld for every boatowner in every one of the marinas, and that they cannot single out an individual and allow that individual to not comply with the same rules as everyone else. Chairman DuRee stated that the MAC has to look at what is good for the masses as opposed to what is good for a single individual. Some concerns of the Commission were that Mr. Smith had been warned repeatedly about following the Marina Rules and Regulations, and City ordinances that he still disregarded the warnings. Also, there was concern about the potential hostile environment if Mr. Smith were to stay on the dock. The MAC commented that it would be good for Marine Patrol officers to step up their enforcement and cite people with dogs off the leash in the marinas.

**It was moved by Commissioner Turpin and seconded by Commissioner Kuhn that the MAC uphold the Marine Bureau's decision to cancel Mr. Kimothy Smith's slip permit. The motion passed with Commissioner Schachter abstaining from the vote.**

- Chairman DuRee reassigned the MAC Sub-Committees.

Facilities Committee: Commissioners Jerry Avila, Mark Turpin, Tom Mayes

Operations Committee: Commissioners Mike Schachter, Ted Kuhn, Peter Schnack

Finance Committee: Commissioners Eric Peterson, David Thornburg

- Elvira Hallinan suggested that since there are a lot of new commissioners onboard, and because over the past few years the MAC has been mainly focused on the rebuild, that the MAC meet with her to acclimate the new commissioners and to discuss what the commission would like to accomplish and what direction they would like to go into the future. The Commissioners agreed and will set a meeting in the near future.

## **MARINE BUREAU MANAGER'S REPORT**

### **Marina Operations Report**

- Elvira Hallinan stated that a slip report was not provided because at this time she has everything on lockdown due to the rebuild. She explained that she will be emptying out the rest of Basin 2 and a portion of Basin 3 to allow for the dredge equipment to come through and dredge before the permit expires at the end of October. She said she needs to ensure that there are slips available for over 200 permittees who will be displaced while Basin 2 is being rebuilt. Once the permittees are in place, and after review of slips needed for the continuation of the rebuild, staff will fill any open slips from the Waiting List.

### **Marine Maintenance**

- Elvira Hallinan reported that former Manager Ramon Arevalo has retired and that Hurley Owens is now serving as Acting Manager for the Maintenance Operations Bureau. She said that the Marine Bureau now has a new Superintendent of Marine Maintenance, Cory Forrester, and she will introduce him at next month's meeting. Cory has been doing inspections for the last month and has a list of all the boatowner restrooms in need of new roofing. He will try to get four of the ten roofs done this year. He is having his staff re-paint all the restrooms and trash enclosures, and he is working on the fire suppression system in LBSM.

### **Marine Safety Operations**

- Captain Powder gave the report for Marine Safety. He said that this last month was a busy month for Lifeguards. A new Rescue Boat Operator was hired and Lifeguards are now in the process of hiring three Marine Safety Officers. Lifeguards assisted 32 vessels, rescued 9 vessels, handled 1 boat fire in LBSM, responded to 5 fire investigations, answered 14 medical calls, responded to 9 pollution calls, and preformed 10 emergency pump-outs.
- Larry Goodhue asked for a review of the ordinance for Marine Stadium. He would like the ordinance to make it clear that there is no swimming allowed. Chairman DuRee asked about enforcement in this area and Captain Powder responded that this has been an ongoing issue. Chairman DuRee said the Commission could develop language that may be more appropriate as far as the activity is concerned. He said Lifeguards have been fighting this battle for a long time and regardless of what the language in the ordinance says it still comes down to enforcement capability. Chairman DuRee said that he would assign this item to the Operations Committee for review.

### LBPD - Marine Patrol Unit

- LBPD Sergeant Hohman reported that two new officers have almost completed their training. Marine Patrol is still down two officers.
- Sergeant Hohman said that Marine Patrol will be going out to bid for a Jeep Wrangler and a truck. These vehicles will assist Marine Patrol in beach enforcement.
- Sergeant Hohman stated that during the month of January Marine Patrol Officers conducted 35 arrest, responded to 51 calls for service, handled 1,800 officer initiated calls, issued 49 parking citations, and 3 traffic citations.
- Sergeant Hohman reported on the locking mechanism in the beach restrooms. She stated that from October to January, 49 misdemeanor cites were issued. Since the locks have been switched out there is no longer a problem with the homeless breaking and entering the restroom.

### Executive MAC

- All items covered.

### Operations Committee

- No meeting held.

### Facilities Committee

- No meeting held.

### Finance Committee

- No meeting held

### **COMMENTS FROM THE AUDIENCE**

- A boatowner in the audience thanked the MAC for supporting the Bureau Manager's decision in the cancelation of the slip permit of the boater who did not follow the Rules and Regulations with regard to his dog. He said that as a boatowner living aboard his vessel in the marina he experienced a similar situation where a boatowner on his gangway did not follow the rules and did not care what mess his dog made.

### **COMMENTS FROM COMMISSIONERS**

- Commissioner Avila thanked the Commissioners for attending the Dock 10 Opening Ceremony. He said that it was brought to his attention that Dock 10 is not wheelchair accessible. There are boaters who have ADA compliant vessels. Elvira Hallinan said that she will be speaking with Eric Lopez, Tidelands Special Projects Officer, regarding this issue.
- Commissioner Avila reported that yesterday he had a tandem bike, a mountain bike, fishing poles and gear stolen from inside his boat. He had his items locked and bolted. He said that there is a lot of activity in this area (LBSM, Dock GG) and he asked if there could be a step up in security in this area and stated that better lighting at the restroom in the area would be helpful. Elvira Hallinan said that she will be bringing up the issue of more and better enforcement in this area with Sergeant Hohman at their next meeting.

### **ADJOURNMENT**

Meeting adjourned at 4:15 p.m. The next meeting is set for **March 12, 2015, at 2:30 p.m.** at the **Long Beach Yacht Club.**

cc: George Chapjian, Director of Parks, Recreation and Marine  
City Clerk