



# CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



2760 N. Studebaker Road, Long Beach, CA 90815-1697  
(562) 570-3100 • FAX (562) 570-3109  
[www.LBParks.org](http://www.LBParks.org)

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**best in the nation**

June 13, 2019

COMMISSIONERS  
MARINE ADVISORY COMMISSION  
City of Long Beach  
California

## RECOMMENDATION

Recommendation to receive supporting documentation into the record, conclude the public hearing, consider the Appeal from Rodolfo Lassalle; and deny the Appeal and uphold the Marine Bureau's decision to terminate Permit No. 1349298 for violation of the Long Beach Marina Rules and Regulations. (District 3)

## DISCUSSION

Per Section 16.08.300 of the Municipal Code, the Manager of the Marine Bureau has the authority to perform all duties to supervise and administer all operations and activities of the Bureau, including overseeing and administering slip permits in Long Beach Marinas. Per the conditions of the slip permit, all tenants of the Long Beach Marinas must abide by the Long Beach Marina Rules and Regulations, and applicable Municipal Code regulations.

Mr. Rodolfo Lassalle has been a Long Beach Marinas customer since October 2019. His vessel is currently located on Dock 22 in the Alamitos Bay Marina.

On June 3, 2019, the Marine Bureau cancelled Permit No. 1349298 for violation of Article III, Section I: Vessels as Place of Abode, of the Long Beach Marinas Rules and Regulations, effective June 19, 2019. Mr. Lassalle requested and was granted the opportunity to appeal. Attached is a staff report and related documentation which outlines the reasons for the cancellation.

## SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,

ELVIRA HALLINAN  
MANAGER, MARINAS AND BEACHES

EH:ts  
Attachments



**Date:** June 3, 2019  
**To:** Elvira Hallinan, Manager, Marinas and Beaches  
**From:** Kimarie Vestre, Supervisor, Alamitos Bay Marina *KV*  
**Subject:** **ILLEGAL LIVE ABOARD DOCUMENTATION/TIMELINE  
LASSALLE, RODOLFO – DOCK 22, SLIP 25**

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**HISTORY/TIMELINE**

10/29/2019 New Permit Issued; 25' 7" vessel in a 25' slip at Alamitos Bay.  
2/21/2019 While completing their daily field work assignments, staff observed Mr. Lassalle's vehicle parked in the lot daily, thus prompting an illegal liveaboard investigation. Mr. Lassalle was potentially in violation of the following:

**III Marina Slip Permits (I) Vessels as Place of Abode: All persons desiring to live aboard vessels berthed or moored within the water areas of the City of Long Beach (excluding the water areas within the Harbor District) shall obtain a live aboard permit from the Manager. A Person shall be deemed to be living aboard a vessel if he or she occupies the vessel and engages in those usual and customary activities associated with a person's residence abode, such as sleeping, preparation of meals, etc., for any period in excess of twelve (12) days in a calendar month.**

5/1/2019  
5/30/2019 Marine Patrol conducted an illegal liveaboard investigation.  
6/3/2019 A review of the documentation clearly illustrated that Rodolfo Lassalle has been living on the vessel.

**RECOMMENDATION**

Cancel the slip permit for illegal liveaboard violation

6/4/2019 Manager approved recommendation to cancel slip. Ms. Vestre contacted Mr. Lassalle and informed him of the cancellation.  
6/5/2019 Mr. Lassalle requested meeting with the Manager.  
6/6/2019 Cancellation letter was mailed to address on file.  
6/7/2019 Meeting with the Manager, Supervisor, and Mr. Lassalle. At the meeting, Mr. Lassalle indicated that he understood that permittees were allowed 20 overnight stays per month. He stated that from this point forward, he would spend his time between nights on the boat, his daughter's apartment and his son's apartment.

**Proof of residency is a requirement when applying for a slip permit. Since residency was in question, the Manager upheld the cancellation.**



# CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE

## MARINE BUREAU

Long Beach Shoreline Marina  
450 East Shoreline Drive, LB, CA 90802  
(562) 570-4950 FAX: (562) 570-1799

Alamitos Bay Marina  
205 Marina Drive, LB, CA 90803  
(562) 570-3215 FAX: (562) 570-3247

Rainbow Harbor/Marina  
200B Aquarium Way, LB, CA 90802  
(562) 570-8636 FAX: (562) 570-8640

June 6, 2019

Rodolfo Lassalle  
6400 Crescent Park E  
Playa Vista, Ca 90042-2340

Dear Mr. Lassalle:

### RE: CANCELLATION OF PERMIT Dock 25 Slip 25

We regret to inform you that your permit for berthing on Dock 22 - Slip 25 is hereby cancelled for violation of Long Beach Marina Rules and Regulations, Section III. (I) Vessel as Place of Abode. This notice is in accordance with the Long Beach Municipal Code, Section 16.08.870 which states: "any permit issued by the director... may be cancelled at any time upon giving five (5) days written notice to the permittee... at the address designated on his permit."

Please be reminded that it is your responsibility to return all keys and parking passes and make sure the slip is vacated and the dock box cleared no later than 12:00 noon on Friday, June 21, 2019. If the vessel has not been vacated from the slip, the Marine Bureau will impound it, and additional fees will be added to your account.

If you should have any questions or require additional information, please contact Kimarie Vestre, Marina Supervisor at (562) 570-3236.

Sincerely,

Elvira Hallinan  
MANAGER, MARINAS AND BEACHES

Cc: Certified Mail (return receipt requested) 7017  
Regular Mail  
Posted Vessel Dock 22 Slip 25  
Permit file

7017 3360 0000 8172 9657

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL® RECEIPT</b>	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a> ®.	
<b>OFFICIAL USE</b>	
Certified Mail Fee \$	Postmark Here
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy) \$	
<input type="checkbox"/> Return Receipt (electronic) \$	
<input type="checkbox"/> Certified Mail Restricted Delivery \$	
<input type="checkbox"/> Adult Signature Required \$	
<input type="checkbox"/> Adult Signature Restricted Delivery \$	
Postage \$	
Total Postage and Fees \$	
Sent To	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



# CITY OF LONG BEACH MARINE BUREAU

DEPARTMENT OF PARKS, RECREATION AND MARINE

Alamitos Bay Marina (562) 570-3215  
Long Beach Shoreline Marina (562) 570-4950  
Rainbow Harbor/Marina (562) 570-8636

Permit #: 1349298

Slip/Mooring#: 22-25

Slip Length: 25ft 0 in

Permittee Information	Permit for Slip	Vessel Information	
Name: RODOLFO LASSALLE	CF #: CF 8753 FF*	Doc #:	
Residence: 6400 CRESCENT PARK E	Boat Name: <del>THANKS MICKEY</del>	Overall Length: 27 ft 7 in	
City/State: PLAYA VISTA CA 900942340	Deck length: <del>FOGGY</del>	Draft: Type: Sail	
Phone: (323)533-3068	Beam: 8 ft 0 in	Davits: Other:	
Bus. Name: RETIRED	Bow Spirt:	Material: Fiberglass	
Address:	Swim Step:	H.P.: 5	
City/State: CA	Builder: CALJENSEN	Seaworthy Inspection: Yes	
Bus. Phone:	Name Engine: HONDA	Bureau LOA: 0 ft 0 in	
Boat Phone:	# of Motors: 1		
Cellular Phone: (323)513-6808	Fuel Type: GASOLINE		
Pager			

### Remarks:

10/29/18/ TC. NEW PERMIT. NON-COMMERCIAL, NON-LIVEABOARD. NO CHARTERS OR AIR B & B'S. NO COMMERCIAL ACTIVITY. CONDITIONAL PASS - MUST REPAIR NAV. LIGHTS & HAVE OPERATIONAL BILGE PUMP AND PASS REINSPECT IN SLIP BY NOV. 12, 2018. PARTNERSHIP NOT VALID UNTIL SON JAVIER IS ON INSURANCE. *Complete*

Liveaboard: NO

Rules & Regulations & Parking info issued. Copy of current Registration & L.O.A. sheet & photo all on file.

Partner(s):

The undersigned, having applied for a permit to berth/moor the above-described vessel at the Long Beach marinas, acknowledges that the granting of permission to use and occupy slip/mooring number as shown above does not and shall not be construed as the grant, conveyance or transfer of an interest in real property; that neither this permit nor any interest herein may be transferred except in accordance with the provisions of the Long Beach Municipal Code and the Long Beach Marina Rules and Regulations, and that the undersigned's use and occupancy of slip/mooring number 22-25 may be terminated by the Manager of the Marine Bureau after notice to the undersigned of the undersigned's failure to observe and comply with the provisions of the Long Beach Municipal Code and the Rules and Regulations, policies and procedures ("applicable regulations") governing and controlling the administration and operation of the Long Beach marinas. The undersigned further acknowledges that he/she has read and understands the applicable regulations and that the applicable regulations are subject to change. The undersigned in his/her use and occupancy of the assigned slip/mooring, agrees to comply with and be bound by the applicable regulations now in force and as hereafter changed. The undersigned certifies that the information set forth above is true and correct and that the situs of his/her vessel is and shall be the City of Long Beach.

### Special Conditions:

Waiver: The Permittee waives all claims for damage to persons and/or property sustained by Permittee on or about Permittee's vessel or within the Alamitos Bay Marina, Long Beach Shoreline Marina or the Rainbow Harbor/Marina resulting from oil operations conducted on Island Grissom, and neither the City of Long Beach nor any of its officers, employees, or contractors shall be liable for any such claim for damage to persons and/or property. All property belonging to Permittee located at said marinas shall be there at the risk of Permittee, and the City shall not be liable for damage thereto nor theft or misappropriation.

**NOTICE OF CANCELLATION MUST BE RECEIVED IN WRITING BY THE FIFTH (5TH) DAY OF A CALENDAR MONTH IN ORDER TO BE EFFECTIVE ON THE LAST DAY OF THAT MONTH.**

DATE: 10/29/2018

Signature: *[Signature]*

### MARINE BUREAU USE ONLY

Permit Type: Original  
Monthly Permit Fee: \$330.71  
Security Deposit: \$306.11  
Liveaboard Fees: \$0 Per Month  
Key Deposit: \$52.00  
Invoice #: 168780  
Total Fees: \$688.82

Effective Date: 10/29/2018  
Original Date: 02/22/2018

Received By: Tina Cox

Approved: *[Signature]*  
(Marina Supervisor/Agent/In)

Approved: *[Signature]*  
(Marina Superintendent/Manager)