



August 11, 2022

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 Kimberly Wilson; and deny the Appeal and uphold the Marine Bureau's decision to terminate her permit for violation of Long Beach Marina Rules and Regulations effective August 21, 2022. (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.

Ms. Kimberly Wilson has been a Long Beach Marinas customer since March 2013. Her vessel is currently located on Dock Q, Slip 08 in the Shoreline Marina.

On June 30, 2022 the Marine Bureau moved to cancel her permit for violation of Article III, Section A-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 the Marina facilities or public; of the Long Beach Marinas Rules and Regulations. Per Municipal Code 16.08.330 Ms. Wilson has the right to appeal cancellation of her permit. Ms. Wilson requested and was granted the opportunity to appeal. Ms. Wilson has been found to be in violation of the following Long Beach Marinas rules and regulations:

III Marina Slip Permits (A) Cancellations: By City: The Manager may cancel and terminate any permit upon five (5) days' written notice to the Permittee for Permittee's failure or refusal to comply with (i) provisions of the permit, including, without limitation, nonpayment of slip fees, (ii) any provision of



Chapter 16.08 of the Long Beach Municipal Code, (iii) these Marina Regulations, or **(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 the Marine facilities or the public.** Notice shall be deemed served within twenty-four (24) hours of the time said notice is deposited in the United States Postal Service, if mailed by first-class or certified mail, postage prepaid, to Permittee's address as designated on the permit. The notice shall specify the applicable provision of the permit, Municipal Code, Marina Regulations, or Marine Bureau policies with which the Permittee has failed or refused to comply, the date and time on or before which Permittee is to vacate the slip, and the cancellation date. Permittee shall be liable for all slip fees accruing prior to the date of cancellation.

IV (N) General Regulations - Parking Lots: Boat owner parking is for passenger vehicles that do not transport persons for hire. This includes station wagons, sedans, vans, and sport utility vehicles. Parking passes shall be provided to boat owners within the guidelines/policies set by the Marine Bureau as required by availability at each marina. Under no circumstances shall the parking lots be utilized for long term storage of a Permittee's vehicle. Current vehicle registration is required prior to issuance of a boat owner parking pass.

IV. (N) (10) General Regulations – Parking Lots: All vehicles must be moved every seventy-two (72) hours per Long Beach Municipal Code 10.30.070. Permittees requesting extended parking, due to trips beyond the seventy-two (72) hour requirement, may inquire with the Marina office for potential extended parking accommodations, understanding such requests are subject to review and administrative approval.

Attached is a staff report and related documentation which outlines the reasons for this permit cancellation.

**SUGGESTED ACTION:**

Approve recommendation.

Respectfully submitted,



ELVIRA HALLINAN  
MANAGER, MARINAS AND BEACHES

EH:ts  
Attachments





**Date:** July 29, 2022  
**To:** Elvira Hallinan, Manager, Long Beach Marinas  
**From:** Todd Leland, Marine Operations Superintendent  
**Subject:** **RECOMMENDATION TO CANCEL SLIP  
WILSON, KIMBERLY – DOCK Q, SLIP 08**

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**HISTORY / TIMELINE**

3/22/2013 New **Non-Liveaboard** Permit Issued to Ms. Wilson for a 26'0" Powerboat in a slip at Long Beach Shoreline Marina.

During the course of her permitted status at the Long Beach Marinas, both Marine Patrol and Long Beach Police Department units have been dispatched to respond to issues relating to Ms. Wilson and or her son Dustin Bumsted. Between April 13, 2019 to July 3, 2022, officers have responded to nineteen calls for service.

The calls for service included law enforcement responses to potential family dispute, battery, forgery, theft, stolen vehicle, unwelcome subject at location, burglary and verbal dispute.

4/13/2019	First call for service – Shoreline Marina
3/02/2020	Second call for service – Shoreline Marina, Dock Q
4/19/2020	Third call for service – 300 E. Shoreline Drive
4/25/2020	Fourth call for service - Shoreline Marina, Dock Q
8/11/2020	Fifth call for service - Shoreline Marina
8/12/2020	Sixth call for service – Shoreline Village
8/21/2020	Seventh call for service - Shoreline Marina, Dock Q
2/08/2021	Eighth call for service - Shoreline Marina
4/22/2021	Ninth call for service - Shoreline Village
8/22/2021	Tenth call for service - Shoreline Marina, Dock Q
9/19/2021`	Eleventh call for service – 421 Park Avenue
12/20/2021	Twelfth call for service 1206hrs - Shoreline Marina, Dock Q
12/20/2021	Thirteenth call for service 1843hrs - Shoreline Marina
2/11/2022	Fourteenth call for service – 621 E. 6 <sup>th</sup> Street

5/09/2022	Fifteenth call for service - Shoreline Village
5/18/2022	Sixteenth call for service - Shoreline Marina, Dock Q
6/25/2022	Seventeenth call for service – 411 E. Shoreline Drive
6/27/2022	Eighteenth call for service - Shoreline Marina, Dock Q
6/30/2022	Notice of Cancellation mailed and posted to vessel
7/03/2022	Nineteenth call for service - Shoreline Marina

This consistent disturbance of the peaceful use and occupancy or public health, safety, peace, welfare and convenience of the users of the Marina facilities prompted a cancellation of permit notice on June 30, 2022.

On July 17, 2022, Ms. Wilson requested and was granted a hearing before the Marine Advisory Commission for a review of the cancellation.

Ms. Wilson is in violation of the following:

III Marina Slip Permits (A) Cancellations: By City: **The Manager may cancel and terminate any permit upon five (5) days' written notice to the Permittee for Permittee's failure or refusal to comply** with (i) provisions of the permit, including, without limitation, nonpayment of slip fees, (ii) any provision of Chapter 16.08 of the Long Beach Municipal Code, (iii) these Marina Regulations, **or (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 the Marine facilities or the public.** Notice shall be deemed served within twenty-four (24) hours of the time said notice is deposited in the United States Postal Service, if mailed by first-class or certified mail, postage prepaid, to Permittee's address as designated on the permit. The notice shall specify the applicable provision of the permit, Municipal Code, Marina Regulations, or Marine Bureau policies with which the Permittee has failed or refused to comply, the date and time on or before which Permittee is to vacate the slip, and the cancellation date. Permittee shall be liable for all slip fees accruing prior to the date of cancellation.

### **RECOMMENDATION**

Effective August 21, 2022, cancel the slip permit for violation of Marina Rules and Regulations pertaining to 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 the Marine facilities or the public.

TL:kv

Attachment

C: Todd Leland, Superintendent, Marine Operations  
Permit File