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## PRESIDENT'S REPORT

### It's That Time Again!

By Carl Kirnbauer, President

We started our October 2003 issue of the Gangway Gazette as follows:

"October is the first month of the automatic slip fee increases. It won't be the last. The automatic slip fee increases are based on the local Consumer Price Index (CPI) which is higher than the Federal CPI. The City chose to use the higher rate because that gets more money from you. "Automatic" means that every October, year after year, our slip fees will increase by the amount of the CPI. There is no limit as to how high the CPI rate can go — 5%, 8%, 10% whatever. It is not unreasonable to project that our slip fees could double within 15 years. Welcome to the Long Beach Marinas for the rich."

Some of you might remember that article two years ago. Some didn't care about those small, little increases every year. Most of us couldn't believe that the City would ever allow the slip fees to double within 15 years. However, you might remember that 1500 of us boat owners signed a petition protesting these arbitrary slip fee increases. Your Board dutifully presented all 1500 petitions to the Long Beach City Council. The Council's silence was deafening.

The automatic slip fees increases are bad enough but are also improperly based on the Local CPI (aka regional rates), which is currently 4.8%. You can understand that the local rate will always be higher

than the Federal rate when you realize that the local Southern California cost of housing is used as a component of the CPI. A good question: What does the cost of housing have to do with the setting of slip fee rates?

The City Council is in violation of the Bureau of Labor Statistics guidance, which states that Local (aka regional) rates should NOT be used for escalation clauses because they are based on sparse data and may be incorrect. The California Department of Boating and Waterways (the department that provides the loans for the Marina rebuild) states, "DBW specifies that the U.S. City Average is to be used when determining pricing adjustments". So both the Federal Bureau of Labor Statistics and the DBW state that the City's choice of the local rate is wrong and in violation of regulations.

So what can we do? BOA encourages all boat owners to contact the Mayor and all Councilpersons and demand that the U.S. City Average be used in determining our slip fee increases and not the regional rates. It's not a big cut but it would represent a step in the right direction by the City Council.

### LONG BEACH MARINAS BOAT OWNERS ASSOCIATION'S DEMAND FOR FAIR AND AFFORDABLE SLIP FEES.

1. Public Facility: The Long Beach Marinas are public, environmentally responsible, non-profit facilities, operating under the supervisory organization of the California Department of Boating and Waterways (DBW). The relevant statutory framework is the California Harbor and Navigation Code.

2. Fair is fair: Long Beach Marina permittees should pay fair slip fees based on documented marina costs. The current unfair and arbitrary mechanism is an annual, automatic slip fee increase based on the regional CPI and is totally unrelated to actual Marina costs.

3. Cost-based structure: LBMBOA proposes rates and rate increases that recover the Marina's expenses. The expenses should be organized into annually auditable cost components as follows:

- Long-term financed capital improvements: consists of annualized payments for bond indebtedness to include reductions of slip fee rates to reflect refinancing reductions.
- Operation and maintenance: to include staff, ser-

VICES, supplies and utilities.

The composite annual cost should be spread over the average slip occupancy to derive monthly rates per foot of slip usage. Current permittees should not be forced to pay for benefits to be received by future Long Beach Marina permittees.

4. Reasonable Reserves: The reserve fund should be capped based on historical data to cover reasonable risks of unexpected failures. Excess reserves shall be quantified annually and refunded to the permittees as reduced slip fees.

5. No cost shifting: Slip fees should not support other city functions including other coastal zones expenses such as beach lifeguards, parks and recreation staff, as well as beach and non-marina Pier improvements. The City of Long Beach should not view the Marinas as a profit-making entity and should strive to minimize slip fees while maintaining a high level of service. There should be no temporary reassignments of staff from other City departments to the Marinas' enterprise fund.

We value your comments and most certainly encourage your views as to means to implement the LBMBOA position.

## KUDOS

John Zunich and Charles Padilla, Senior Electricians at ABM, have been doing an outstanding job at handling the electrical problems at ABM. Some gangways at ABM have 15 amp circuit breakers. 15 amp? Yep. Imagine being below decks on a cold, rainy winter night with a little electric space heater operating. You decide to microwave a cup of water for a spot of tea. Zap! You just blew that puny 15-amp breaker. If you don't plan on freezing, it's out into the cold, wet rain to reset the breaker. So you think that Maintenance can easily replace that breaker, right? Nope. ABM is so old that replacement breakers don't exist. What John and Charles have done is come up with a retrofit so that they can use modern breakers. Much safer and it solves the problem. No more late night trips to go out and reset the breaker. Thanks guys. Your innovative approach is above and beyond the call of duty. Thanks to Ed Betancourt for your consistent support and involvement.

## Sign It and Mail It! This is a Call To Action!

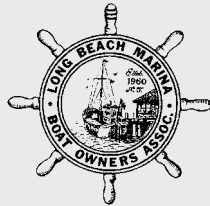
Long Beach Marina Boat Owners Association is helping marina boat owners with a powerful and easy way to have their voices heard by city hall. The proposed annual slip fee increase that is scheduled to take effect in October 2005 is stoppable. Now it is time to write city hall and ask them for a fair increase.

If you don't want an unfair jump in slip fees, here is your chance to have your voice heard in a meaningful way.

Simply sign and mail the letter we are inclosing with this newsletter. It is necessary to have as many letters mailed as possible. The 37 cents we are asking you to spend on a stamp will help to show the city that you do not support an unfair rate increase set for this October. The time to act is NOW.

Address and stamp an envelope with your signed letter. Join your fellow boaters who are demanding a FAIR slip fee.

Address to:  
City Clerk  
Lobby Level  
333 W. Ocean Blvd.  
Long Beach, CA 90802



### Our current officers are:

- Carl Kirnbauer  
President ..... ckirnbauer@aol.com
- Michael Dugan  
Executive Vice President ..... mdugan@westernoverseas.com
- Don Cobleigh  
Liveboard/Security ..... slbyc98@verizon.net
- Dick Barnes  
Secretary ..... dickbarnes@earthlink.net
- CJ Strowbridge  
Treasurer ..... cjinlongbeach@yahoo.com
- David Hanbidge  
Membership Recruitment ..... ghanbidge@AOL.com
- Alfredo Fernandez  
Membership Services ..... cppappa@usa.net
- Walter Van Saun  
Environmental Affairs ..... wvansaun@verizon.net
- Frank Ellsworth  
PR/Communications ..... frankellsworth@yahoo.com
- Harry Hutton  
MAC Finance Committee ..... hutton562@charter.net
- Andrew Sienkiewich  
MAC Facilities Subcommittee ..... andrewsienk@charter.net
- Ryan Berkely  
MAC Rules and Regulations Subcommittee
- Joseph Nicotera

Board Meetings are held on the 2nd Thursday of each month at the Long Beach Yacht Club, 6201 Appian Way at 7:00 PM. All members welcome.

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## Port Pollution Report

By Joseph Towers

This year, the story of the fight against air pollution blowing from the Twin Ports into the Shoreline Marina and the rest of Long Beach, for that matter, is beginning to resemble the story of King Sisyphus. He was, you will recall, the legendary king of Corinth condemned to forever roll a heavy boulder up a hill in Hades only to have it roll down again as it neared the top. That is what appears to be happening to the air pollution abatement efforts in Long Beach and Los Angeles. The boulder is rolling back downhill. The flurry of activity surrounding port air pollution has become muted. In the recent past Los Angeles mayor James Hahn created the Port Community Advisory Committee, the National Resources Defense Counsel and the Coalition for Clean Air prepared hard hitting reports outlining the problem and its consequences, the California legislature approved then Assemblyman Alan Loewenthal's bill, AB 2042 rolling back port air toxic limits, the Long Beach City Council debated approving the expansion of Pier J opposite the Shoreline Marina (your Association filed strong objections denouncing the project in the Corps of Engineer's Environmental Impact Statement proceedings), a final \$60 million settlement was reached between environmental plaintiffs and Los Angeles requiring serious electrification of the 174 acre terminal built for China Shipping and, among other items, even the Port of Long Beach and British Petroleum offered to convert two BP tankers so that they could "plug in" to electrification and shut down their polluting engines while in port.

Unfortunately, much of this activity has come to nothing, is meaningless or has disintegrated. We all know the story of how Governor Schwarzenegger vetoed AB 2042 after the California Chamber of Commerce and the Pacific Maritime Association said it would be "bad for business." (Never mind about the health of children and the elderly suffering lung mortalities and morbidities). The Los Angeles \$60 million settlement began to come apart with the almost comical revelation that China Shipping had never been clued in to the fact that they would have to spend over \$300K per ship to provide electrical input (they have over 100 ships). And the Port of Long Beach's willingness to electrify two tankers can only be called a public relations stunt that isn't even a drop in the bucket. Electrification or "cold-ironing" is the 800-pound gorilla in the living room because all authorities agree that that the major part of airborne diesel particle pollution comes from docked ships running their diesel engines. Electrification is also the most costly fix because it involves bringing a power source dockside and retrofitting a ship for shoreside power so it can turn off its pollut-

ing diesels. As an aside, I had a telephone conversation with the Port's public relations representative the other day and asked him to tell us what specific electrification projects the port was now planning or building. The silence was deafening. Meanwhile, on 21 June 2005, Hahn's committee had its final meeting and went out of existence, leaving 68 recommendations on the table that have never been implemented and may be ignored by the new mayor, Mr. Villaraigosa, who unlike Hahn, is not a resident of San Pedro and doesn't have a councilperson sister who represents San Pedro.

Clearly, we must seize the forward momentum. Our boating community, particularly the Shoreline community, must provide leadership in the quest for clean air. We cannot afford, like King Sisyphus, to let the boulder roll down the hill. In 2005 the Los Angeles port alone pumped over 1600 tons of particulate matter smaller than 10 microns into the air, much of it consisting of carcinogenic diesel dust. The cancer risk at Shoreline Marina is, according to government studies, 20 times greater than normal. We can uniquely translate these numbers into our daily lives because we are eyeball witnesses to

what is happening. When we go down to our boats moored at Shoreline we see the crust of black crud covering our pristine white yachts. We know our lungs probably look like our boats, only we can't hose the stuff off.

If you are a Shoreline permittee and a resident and hopefully, a voter, of Long Beach you should be in contact with your councilperson and you should tell him or her that you demand clean, breathable air - now.

## Shoreline Marina New Constuction Collecting Debris?

It seems that the new docks at Shoreline are causing a huge problem. The docks do not appear to have adequate room between the floats to permit debris to float through. This results in debris being trapped between the boat and the finger or gangway. If this is a problem for you, we had best try to correct it NOW prior to completion of the construction. Please email your comments to us at [www.lbmboa.org](http://www.lbmboa.org), or write us at LBMBOA, P.O. Box 2212, Seal Beach, CA 90740. We need your input to show

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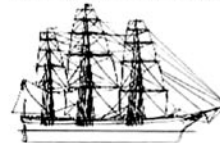
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your concern if we expect to get the attention of the Marine Bureau.

## Marine Stadium Dry Boat Storage: Good and Bad News

The Marine Bureau's rental moratorium is over. All spaces are now available - many are taken. Eligible rigs are up to 25 feet, including boat, trailer and motor. Unfortunately last winter, thieves took several trailer boats. Be diligent: use a strong trailer locks that can't be cut and take note of people you see inside the gate. Wouldn't it be nice if the marine patrol had an unimpaired view of your trailer boat through a fence that didn't adorn an opaque blue tarp? Join LBBOA to voice your concerns. Let's do our best to keep this valuable boating asset a success.

## Alert: Seaport Marina Development Threat

It appears that a developer is trying to build a huge development on the site of the existing Seaport Marina Hotel without due notification to the homeowners

at Marina Pacifica, the permittees at ABM, or residents of the other communities from Belmont Shore to Leisure World. The developer plans to build 425 residential units on top of a shopping center. A 50-foot maximum height is projected. The rule of thumb is one story for every ten feet. Therefore, we can expect a 5 story high complex. Then it would be reasonable to expect that all the vacant land in the area will be sold for use as high-rise developments. So much for our marina ambiance.

A two level underground parking structure was planned but the water table is too high so only one level is possible. Anyone want to guess where the overflow parking is going to go? How about the City-owned parking lot across from the Seaport Marina Hotel? That's right. The same parking lot that is host to the Farmers Market every Sunday morning and is especially vital to permittees at ABM.

The intersection at 2nd and PCH will be hugely impacted. It's already a nightmare partly because it's one of the few intersections in the State that cannot be accessed from any direction without crossing a bridge.

There are already shopping centers on three of the four corners at 2nd and PCH. A fourth shopping center/residential complex seems excessive and redundant. Of course, the City of Long Beach is drooling over the thought of the increased revenues. Stay alert. We'll keep you informed. If you are interested in helping prevent this development, please contact: Angela Reynolds, Environmental Officer, City of Long Beach. (562) 570-6357. E-mail: Angela\_Reynolds@longbeach.gov. It is her job to hear your concerns and complaints and take responsive action.

## Apply or Re-new Membership NOW!!!!

Please make sure that you have joined Long Beach Marinas Boat Owners Association membership. There's power in having a united voice support your needs and concerns as a boat owner in the Long Beach marinas. For just \$20 a year, you receive important news about the focus and actions of Long Beach City that may impact you. Keep apprised of timely topics like:

- Proposed annual, automatic slip fee increase of 4.8%
- LNG Terminal – safety and ocean access issues
- Elimination of pump-out stations
- Major development and parking reduction in the marinas
- Maintenance concerns
- And much more....

Remember...Just because you receive this newsletter does NOT mean that you are a member. It is mailed to all marina boat owners. Your annual \$20 dues help cover the expense of keeping this newsletter published for everyone.

## The Children's Clinic Charity Regatta sparks BOA membership

A successful Pancake Breakfast and Swap Meet at the ABM the weekend of July 12th benefited the Children's Clinic and also brought attention to the Long Beach Marina Boat Owners Association (BOA). Concerned boat owners were given a chance to join the organization as they learned how the group is fighting for their shared concerns. Carl Kirnbauer, president of BOA said "All boat owners have a stake in the future of our marinas" and he urged boat



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owners to get involved by joining the LBMBOA.

The issues facing the marinas are impacting boat owners today more than in past years. Currently issues of escalating dock fees and the rebuilding the marina have boat owners looking to be heard and BOA is the voice they are using.

The LBMBOA is actively seeking membership to join and support their opposition to the automatic 4.8% slip fee increase this October. BOA is also concerned about such issues as the proposed LNG Terminal

that will directly affect boat owners in downtown's Shoreline Marina. Environment and oversight of the marina rebuild are other major focuses that BOA is actively monitoring.

### Letters to the Editor:

We encourage your participation by writing us and sharing your concerns as a boat owner in Long Beach. This is the best place in the world for boating yet we still have local issues that effect pleasure boating. Write letters to the editor and share your

thoughts on OUR Marina. Are you getting your money's worth? Let us know what's on your mind. By email you can write frankellsworth@yahoo.com

### Come Meet us! LBMBOA BOARD MEETINGS

1st Thursday of each month at 7:00 PM, starting in January, 2006. NO DECEMBER 2005 MEETING. Long Beach Yacht Club, 6201 Appian Way Guests, as usual, are always welcome!

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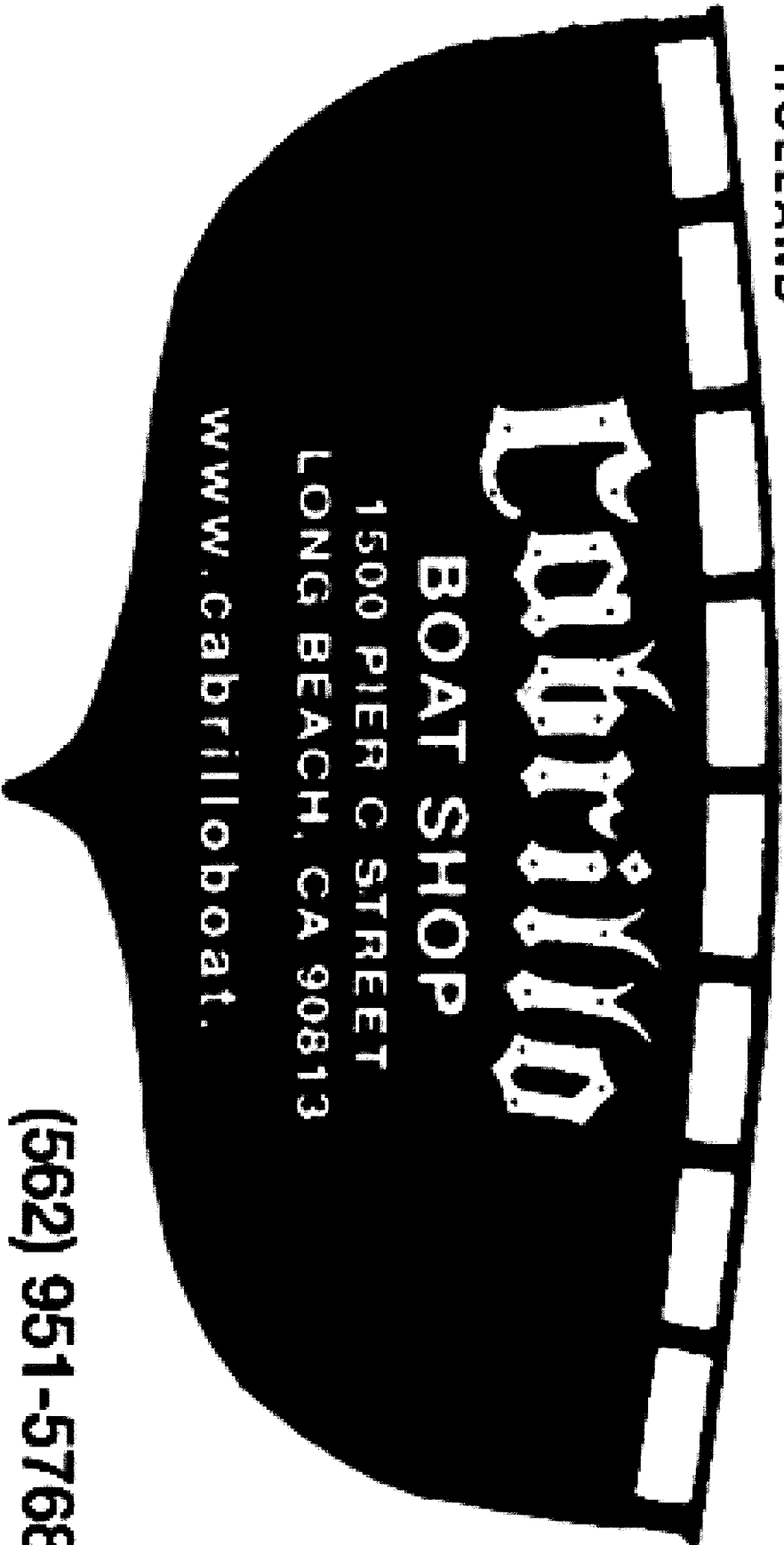
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- Mail to the address indicated on the bottom portion of the form.

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City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Business/Day Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Home/Evening Phone \_\_\_\_\_ E-mail Address \_\_\_\_\_

Boat Name \_\_\_\_\_ CF or Document # \_\_\_\_\_

Boat Length \_\_\_\_\_ Power \_\_\_\_\_ Sail \_\_\_\_\_

Slip Number \_\_\_\_\_ Gangway: \_\_\_\_\_ Live aboard? \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_

Yacht Club Memberships: \_\_\_\_\_

Vessel Assist \_\_\_\_\_ Boat/US \_\_\_\_\_ Other \_\_\_\_\_

We know you want to get involved. Please sign up to participate with us in one or more of the following areas of interest:

- Dock Captain    Security    Environment    Public Relations    Ways and means    Gangway Gazette
- Live Aboard Issues    Special Projects    Communications    Political Action Committee

Annual Membership is \$20.00. Please make check payable to LBMBOA and send it with this application to: LBMBOA, P.O. Box 2212, Seal Beach, CA 90740.

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