Los Angeles County
Caring for Your Coast
Beaches & Harbors

To enrich lives through effective and caring service

September 4, 2003

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **COMMISSION AGENDA – September 10, 2003**

Enclosed is the September 10, 2003 meeting agenda, together with the minutes from your meetings of May 14, 2003 and August 27, 2003. Also enclosed are reports related to agenda items 3a, 3b, 5a, 5b, 5c and 6a.

Please call me if you have any questions or need additional information.

SW:tlh
Enclosures

13837 Fiji Way • Marina del Rey • CA 90292 ● 310.305.9503 • fax 310.821.6345 ● internet: http://beaches.co.la.ca.us
Stan Wisniewski Director ● **Kerry Gottlieb** Chief Deputy

Los Angeles County
Beaches & Harbors
Caring for Your Coast

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AGENDA

SMALL CRAFT HARBOR COMMISSION MEETING
SEPTEMBER 10, 2003
9:30 a.m.
BURTON W. CHACE PARK COMMUNITY BUILDING
13650 MINDANAO WAY
MARINA DEL REY, CA. 90292

1. Call to Order and Action on Absences

2. Approval of Minutes: Meetings of May 14, 2003 and August 27, 2003

3. **REGULAR REPORTS** (DISCUSS REPORTS)

   a. Marina Sheriff
      -Crime Statistics
      -Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance

   b. Marina del Rey and Beach Special Events

4. **OLD BUSINESS**

   None

5. **NEW BUSINESS**

   a. ADA Compliance at Anchorages (DISCUSS REPORT)

   b. Mosquito Abatement Program (DISCUSS REPORT)

   c. Apartment and Boat Slip Tenant Mediation Committee (DISCUSS REPORT)

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Stan Wisniewski Director • **Kerry Gottlieb** Chief Deputy

6. **STAFF REPORTS** (DISCUSS REPORTS)

   a. Ongoing Activities
      - Board Actions on Items Relating to Marina del Rey
      - Marina del Rey Water Shuttle Service Update
      - Premises Maintenance Inspection Report
      - Design Control Board Minutes

   b. Marina del Rey Convention and Visitors Bureau (PRESENTATION BY EXECUTIVE DIRECTOR OF MdR CVB)

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

PLEASE NOTE:

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code 93-031 relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.

2. The agenda will be posted on the Internet and displayed at the following locations at least 72 hours preceding the meeting date:

   Department of Beaches and Harbors' Website Address: http://beaches.co.la.ca.us

   Department of Beaches and Harbors
   Administration Building
   13837 Fiji Way
   Marina del Rey, CA 90292

   MdR Visitors & Information Center
   4701 Admiralty Way
   Marina del Rey, CA 90292

   Burton Chace Park Community Room
   13650 Mindanao Way
   Marina del Rey, CA 90292

   Marina del Rey Library
   4533 Admiralty Way
   Marina del Rey, CA 90292

Si necesita asistencia para interpretar esta informacion llame al (310) 305-9546.

Small Craft Harbor Commission
Meeting of August 27, 2003
Minutes

Commissioners Present:

Harley Searcy, Chairman
Carole Stevens, Vice-Chairperson
Russ Lesser
Joe Crail

Excused Absences:

John Law

Department of Beaches & Harbors:	Stan Wisniewski, Director Roger Moliere, Deputy Director, Asset Management & Planning Bureau Joe Chesler, Chief, Planning Division Dusty Crane, Chief, Community & Marketing Services Division
Other County Departments:	David Michaelson, County Counsel Captain Sam Dacus, Sheriff's Department Lt. Tracee Edmonds, Sheriff's Department Deputy Paul Carvalho, Sheriff's Department
Also Present:	Beverly Moore, Executive Director, MdR Convention & Visitors Bureau

1. CALL TO ORDER & ACTION ON ABSENCES

Chairman Searcy called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:34 a.m. in the Burton W. Chace Park Community Room, Marina del Rey.

Commissioner Lesser moved and Vice-Chairperson Stevens seconded a motion to excuse Commissioner Law from today's meeting. The motion passed unanimously.

2. APPROVAL OF MINUTES

There wasn't a quorum of Commissioners present today who attended the May 14, 2003 meeting; therefore, Chairman Searcy postponed action on the minutes to the September meeting.

Commissioner Lesser moved and Commissioner Crail seconded a motion to approve the June 11, 2003 minutes. The motion passed unanimously.

Commissioner Lesser moved and Commissioner Crail seconded a motion to approve the July 23, 2003 minutes. The motion passed unanimously.

3. REGULAR REPORTS

a. Marina Sheriff's Department Report

--- Crime Statistics

Lt. Tracee Edmonds reported that there was an overall reduction of crime in the area of theft (residential, vehicle, boat), which had been a rising problem over the last few months, but has now started to decline. She said that one boat was stolen from the Marina, however, determination was made that it was an act of embezzlement rather than theft.

--- **Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance**

Deputy Paul Carvalho reported that two additional boats were disposed of, however, two more boats were impounded. The Property and Evidence Bureau informed him that the grant from the State was approved and the bidding process is complete; therefore, the Sheriff's Department may be able to dispose of some of the vessels within the next few weeks.

Mr. Joe Chesler asked how the Sheriff's Department disposes of larger boats. Deputy Carvalho responded that they're lifted out of the water and placed on a flat bed truck.

b. Marina Special Events

Mr. Wisniewski said the Marina Special Events Report summarizes the Marina del Rey and Beach Special Events for the coming month, including the Marina del Rey Summer Concerts Series, Fisherman's Village Concerts, Hermosa Beach Fall Festival, Santa Monica Twilight Dance Series Free Concert, Santa Monica Drive-In at the Pier, and the City of Los Angeles Triathlon at Venice Beach.

4. OLD BUSINESS

a. Consent to Assignment of Partnership Interest in Marina Pacific Associates, L.P., Approval of Revisions to the Proposed Amended and Restated Lease, Authorization of Exercise of Option as to Revised Amended and Restated Lease and Approval of Agreement Regarding Encumbrance of Leasehold Estates (Parcels 111/112T-Marina Harbor Apartments and Anchorage)

Mr. Moliere reported that Item 4a relates to a previously approved amended and restated lease for Parcels 111T/112T. In order for the new facilities to be built, very large scale and complex financing has to take place and this Consent to Assignment will enable the financing. The three actions needed to facilitate financing are: 1) Reorganization of the structure of the leasehold, which amounts to an assignment of the general partnership interest to create this special purpose entity. There is no change in management. Staff has determined, under the three criteria the Department uses to judge whether assignments are appropriate, that all are met and the management and the financial ability of the lessee to perform under the lease will remain intact; 2) Amendments to the amended and restated lease that would give the lender the ability to step in appropriately should there be a default. Factually, since there is a very onerous reversion provision in the leases, which says that if the improvements are not built as specified, the new term that was granted, the extended term, reverts back to the original term. The lender does not want to lend, in many cases, many, many, millions of dollars, and in some cases, over a hundred million dollars, against a lease that could suddenly revert from sixty years to nineteen years. When lease extensions are granted, it is primarily so that the County gets the benefit of the new facilities; therefore, the reversion provision. Lenders need these new provisions in order to be assured that they will have the ability to step in should there be a default or a bankruptcy so they can take the place of the lessee and complete the construction and prevent reversion of the lease.

Mr. Moliere continued, stating that the third item is the lender agreement. This is a technical necessity to provide a publicly recorded document that establishes the priorities of the lenders should there be evidences of default.

Commissioner Lesser commented that when reviewing the Consent to Assignment and revisions to the lease, he didn't see any way in which the County would be damaged by having it. Mr. Moliere said that the Consent and amendments provide a protection because, if, for any reason, the lessee is

unable to complete the project, the County would have a good, strong lender to come in with the money and resources to resume the project.

Chairman Searcy opened the floor to public comment.

Mr. David Levine, representing the lessees of Parcels 111/112, said, "I just want to take this opportunity to thank the Department and the other parts of the County of Los Angeles that have been involved in putting together what you have before you this morning. This project is now close to fruition after more than five years of hard work and effort on many parties part. I just want to make myself available to answer any questions, should there be any."

Vice-Chairperson Stevens moved and Commissioner Lesser seconded a motion to approve the Consent to Assignment of Partnership Interest in Marina Pacific Associates L.P.; Approval of Revisions to the Proposed Amended and Restated Lease; Authorization of Exercise of Option as to Revised Amended and Restated Lease; and Approval of Agreement Regarding Encumbrance of Leasehold Estate (Parcels 111T/112T – Marina Harbor Apartments and Anchorage). The motion passed unanimously.

5a. <u>Approval of Lease Assignments for Parcel 12R (Deauville Marina) and Parcel 15U (Bar Harbor Marina)</u>

Mr. Moliere reported that Item 5a is a somewhat similar situation to Item 4a, except that in this instance, the point has not been reached where there will be amendments to the restated lease. These relate to the already approved amended and reinstated leases for Parcels 12 and 15. In this case, preparatory to doing the financing, the lessee is going to split the ownership, which is now common, into two separate entities for purposes of enabling the loan and enabling the financing to have both projects go forward. In this case, the guaranty has been retained, which is there already, by Doug Ring, individually, and by the Ring/Miscikowski Trust, to further guarantee the obligation of the two leaseholds. So, both the management and the financial ability of the two leaseholds remains exactly as it was. It is technically a reorganization at this point. At some future date, the Department expects to have similar amendments as were shown in the prior case. This is really a technical reorganization of the lessee into two separate entities to enable financing and construction of the two projects on Parcels 12 and 15, which are, in bulk, about 1,022 new apartments, new promenade, and a number of other improvements that will be made.

Chairman Searcy requested Mr. Moliere to explain the two projects. Mr. Moliere responded that, factually, they have technically been two projects, but had common ownership. They will stay common in the sense that both projects will have to be completed in order to prevent the reversion that he previously explained. There won't be a situation in which the lessee will do one, and say, "Gee, we can't do the other one, but we want to keep the long term on the third." So, there will be a commonality in that sense. Each loan will be something in the neighborhood of $125 million dollars in order to do the construction of all new slips and all the new apartments. There will be an interim term loan to take out one half and a new construction loan on the other half, but the protection to the County remains as strong as before.

Mr. John Rizzo, president of the Marina Tenants Association, dropped off a letter with the Commission Secretary just before today's Commission meeting began. The letter states the Marina Tenant Association's opposition to a new lease for Bar Harbor and Deauville Marinas. Mr. Rizzo informed the Secretary that he would be unable to attend the meeting, but would like copies of the letter distributed to the Commissioners. Commissioner Lesser asked Mr. Moliere to comment on the letter. Mr. Moliere explained that the lease that is referenced in the letter is not in effect and will come when the lessee exercises the option and puts the new lease into effect. The letter refers to the new

lease's provisions. The letter indicates that one reason for the Association's opposition is "because they have taken away protection of revenue from the County by going to two real estate appraisers instead of three in the former master lease." Mr. Moliere explained that the former lease had a provision that if there was a dispute about rent, there were two appraisers picked and if they disagreed, they would pick a third appraiser and the third appraiser would be the deciding factor. The County has gone away from that system in all of its new leases to a new system, which the County believes is much better. It is baseball arbitration, which is decided by a retired judge. What happens is, each side presents its position and each side normally has an appraiser, so, in fact, there are two appraisers. Instead of having a battle of appraisers and having the matters decided by an appraiser that often has little experience resolving conflicting evidence and is not used to making decisions, it is much in the nature of a court, decided by a retired judge who hears all the evidence. The baseball provision says that the presider decides one or the other and doesn't "split the baby" so to speak. What happens is, there tends to be many more settlements and many more realistic discussions and decisions, because instead of one side saying, "Gee it ought to be $20 million dollars and the other side saying, it's $2 million dollars" and being in confusion because the judge has to pick the better of the two proposals and not some middleground, the likelihood is that both sides are more realistic in their approach and come to an agreement or come down to the real issues rather than having the former kind of plan where an appraiser is at a loss. So, factually, there is that change. The Department believes it is stronger and this has been born out by experience. This has been in many of the new leases for sometime now and has worked out quite well.

The second reason for the Association's opposition, as identified in Mr. Rizzo's letter, is, "The price controls which make the Marina public and protect the users of the Marina have been removed." Mr. Moliere stated that there should have been a price control and it is in all the new leases, but was inadvertently dropped from the Parcel 12/15 lease. He has spoken to the lessee regarding this matter and the provision will be included in the Parcel 12/15 lease amendments when they are submitted to the Commission in the future.

Vice-Chairperson Stevens asked the revenue the County is receiving since Mr. Ring's tenants have all moved. Mr. Wisniewski responded that the County receives minimum rent and it is approximately 75% of the average three years percentage rent.

Chairman Searcy opened the floor to public comment.

Mr. John Davis, speaking on behalf of the Sierra Club, read a statement and submitted it for the record, as follows:

> Honorable Commissioners,
>
> The Director is not enforcing County Policy Statement 25. A result is that the current lessee of Parcels 15U and 12R are in de-facto default of the existing lease due to violation of the maintenance standards required by the lease and by not maintaining continuous use of the County property.
>
> The Lease Extension Agreement is null and void if the applicant is in default, which it clearly is. The Director's dereliction of duty, per Policy Statement 25, does not excuse the de-facto default of the existing lease.
>
> Even if the applicant were not in default, which it is, State lease law requires that the County gain control at the termination of the lease, consider the parcels for other uses, and if it is determined that the parcel should be leased for the same purposes,

to open the bid to the public. This is not happening. The County is avoiding the provisions of State lease laws.

The County has not disclosed to the potential new assignees that the parcel is located in a seismic hazard zone and that it is located at the site of a former oil refinery and is in close proximity to a former sanitary landfill.

The County proposes to violate the judicially created doctrines of Public Purpose and Public Trust.

Marina del Rey is categorically excluded from the California Coastal Zone, and, therefore, the County is acting in an extra-jurisdictional manner by leasing State of California and or lands of the United States.

If the Small Craft Harbor Commission approves this re-assignment, it will clearly interfere and abridge with those rights of ways and easements deeded to the United States.

Therefore, the Sierra Club requests the Small Craft Harbor Commission deny this illegal request by the Los Angeles County Dept. of Beaches and Harbors.

Mr. Davis said that he has a partial copy of the map that shows the location of the former oil refinery, which he submitted to Mr. Chesler sometime ago. Mr. Chesler informed the Commission that he has the exhibits to which Mr. Davis referred. He said that staff reviewed it with the Department of Public Works and it is generally accurate, however, staff previously reported to the Commissioners that geotechnical-related conditions, such as this, did not affect future Marina development. Chairman Searcy clarified that what Mr. Chesler is saying, essentially, is that Mr. Davis was referring to matters that were reviewed by geotechnical experts who determined that there is not a deterrent to any construction.

Vice-Chairperson Stevens asked Mr. Moliere to provide a little more clarity on the Parcel 12/15 lease assignment. Mr. Moliere responded that the lease assignment for Parcel 12/15 is an internal reorganization of the lessee entity splitting the ownership of the two leaseholds into two separate ownership entities, each of which is still guaranteed as it was before by individuals and a trust and it is for the purpose of enabling the financing to build the project. He added that the assignment doesn't change the lease in any way. There are two separate leaseholds, each of which has apartments, each of which has boat slips. They will be built in phases so as not to close both at the same time. Parcel 12 will be built first and, when it is completed, construction will start on Parcel 15. Chairman Searcy said that by having two entities now responsible for the development activities, there is, instead of a $250 million dollar project, two $125 million dollar projects for purposes of the loan. He asked Mr. Michaelson whether all the guarantees still remain. Mr. Michaelson responded "yes."

Commissioner Lesser moved and Commissioner Crail seconded a motion to approve the Lease *Assignments for Parcel 12R (Deauville Marina) and Parcel 15U (Bar Harbor Marina). The motion passed unanimously.*

6. STAFF REPORTS

a. Ongoing Activities Report

Mr. Wisniewski reported that he distributed on the public information table and to the Commissioners a group of exhibits showing dinghy storage racks that were constructed since the last meeting. He

said that at the previous Commission meeting there was public comment about the inability to obtain a dinghy storage rack because of the lengthy waiting list. Staff followed up to see what could be done to resolve the problem. The photos in the exhibits show that six additional dinghy storage racks, containing six spaces each, totaling 36 spaces, have been built. Approximately 100 storage racks are now at Marina Beach and there isn't any additional room at this location for more. Staff examined an area by the launch ramp to install additional racks, however, prior to the installation, staff found out that 29 dinghy storage racks at Marina Beach had become available. As soon as the 29 vacancies are filled, the six racks providing 36 spaces will be placed at the launch ramp. If there is additional demand, other areas around the launch ramp would be used. Mr. Wisniewski commended Mr. Schumaker, Chief of the Facilities and Property Maintenance Division, for constructing the dinghy racks within a 30-day period.

Mr. Wisniewski commented that the Ongoing Activities Report also includes information on Board actions relating to Marina del Rey and the Marina Water Shuttle Service. Since the July meeting was cancelled, there are no Design Control Board minutes.

b. <u>Marina del Rey Convention and Visitors Bureau</u>

Ms. Beverly Moore, Executive Director, MdR Convention and Visitors Bureau, said, "The Visitors Center just rapped up a new project to promote business to Fisherman's Village. We undertook a project in conjunction with the Westchester/LAX Marina del Rey Chamber of Commerce and an organization that has been around for many years that you might have heard of called the Traveler's Aid Society. Traveler's Aid helps incoming visitors who arrive at LAX. They have a station to help tourists in every one of the terminals at the airport. As a result of a series of meetings over the last several months they have now agreed to distribute the Visitors Bureau's tourism brochures at all nine of the stations throughout the airport area. We're thrilled about that. Secondly, we worked with their staff to develop a new version of a suggested site-seeing itinerary to Marina del Rey and Fisherman's Village for incoming visitors, particularly international travelers who are in transient. Those who are here for maybe four hours or more and are waiting for some flight that maybe doesn't leave for six to eight hours from now, can take the time to come down to the Marina. We have a step-by-step suggested itinerary of how to get out of the airport, how to take public transportation down here, or a cab, and then what to see and do in Fisherman's Village. These are now also being distributed at all of the Traveler's Aid stations at LAX. The nice thing about that is the Traveler's Aid Society assists over one million visitors a year at that airport alone. We are continuing our outreach to the media. As you know, that is a very important and cost effective part of our program. Since our last chat here, CNN picked up another national story that included Marina del Rey as part of a travel story that they did, giving us a real nice spot on television again. Recently, the California State Tourism Office included Marina de Rey as part of their most popular drives in Southern California to take. So, we're pleased to be included in that publication."

Ms. Moore distributed copies of the current Convention and Visitors Bureau newsletter. She said, "If you look on the backside, it includes some quotes about Marina del Rey from some recent travel articles that we generated. Now you can start to see what journalists are actually writing about and saying about us these days. As you can see, we're getting a lot more positive than negative statements being written about Marina del Rey than we've had in a long, long time, so I hope you will enjoy those quotes."

Chairman Searcy opened the floor to public comment.

Mr. Davis said, "I'm speaking on behalf of the Sierra Club. Briefly, I think that it would be a very good idea for this Commission to request the Director to provide a Maintenance Report on the periodic inspections of both land facilities and docks in Marina del Rey. The Maintenance Department, I

believe Wayne Shumaker, employs one sole person to conduct...." Chairman Searcy interrupted and asked Mr. Davis to which agenda item his comments pertained. Mr. Davis responded that there "should be a new item and that is inspection reports for docks and landside facilities in Marina del Rey."

Mr. Wisniewski said that staff was providing to the Commissioners, what he believes were, quarterly reports, which summarized maintenance deficiencies by leaseholds over a period of time. Chairman Searcy asked the reason for a quarterly, rather than, monthly report. Mr. Wisniewski responded that the report's submission on a quarterly basis allows staff the time required to prepare it. The quarterly basis also allows the lessee time to complete the deficiency work, however, deficiencies deemed to be fairly significant are addressed right away. Mr. Wisniewski said that he would find out when the next report is due to the Commission and it will be included in the Ongoing Activities Report. If it isn't done by the next meeting, Mr. Wisniewski said he will inform the Commissioners when it will be completed.

Chairman Searcy asked whether the Maintenance Report is sent to members of the public who express interest in receiving it. Mr. Wisniewski responded that staff maintains two mailing lists. One list contains the names/addresses of people to receive the Commission agenda only. The second list contains names/addresses of people that receive the entire Commission packet, which consists of all reports identified on the Commission agenda. Chairman Searcy encouraged members of the public to provide staff after today's meeting with their names/address if they wished to receive Commission material each month. Mr. Wisniewski requested that, so as not to increase mailing costs, members of the public who are interested in receiving the entire Commission packet obtain it from the Internet since all Commission materials are placed there each month.

7. COMMUNICATION FROM THE PUBLIC

Chairman Searcy opened the floor to public comment.

Mr. John Davis said, "I'm speaking for the Sierra Club. I think that it is very important for this Commission to understand the process by which some of these proposals by Beaches and Harbors are advanced. There is a particular committee that meets at the Department of Beaches and Harbors to determine whether or not to go forward with something like, perhaps, the leasing of Parcel OT, which is a parking lot. The issue is that it doesn't seem this committee is complying with the Brown Act. Those committee meetings should be made public so the public can also make comments before they reach this Committee. The reason that I say so is because, for instance, Parcel OT, is a perfect example. It is on the top of the former County sanitary landfill. It is unclear whether the County of Los Angeles has disclosed to the potential lessee of that parcel, but this is indeed the case. What that does is it allows the permittee process to begin in a backroom sort of environment without the public available to speak and then it gets to Beaches and Harbors. That process should be opened up early on to the public. In some of these cases, it's going to create a liability for the County because once the entitlement process takes place, then maybe later we will find out that, wow, these guys are going to sue the County because they didn't say there was a dump there. We have dumps, we have oil refineries, we have a plethora of abandoned oil wells. We have two active gas and oil wells. Marina del Rey is in a seismic hazard zone in the Venice quadrangle. Therefore, all projects must comply with the Seismic Hazards Mapping Act. In addition, it's located adjacent to a gas and storage field, which by its very nature is leaky. All other such facilities are located miles and miles from communities. This one is located right here. So, basically, the County really needs to consider all liabilities because it must disclose these items to potential lessees. You can't hide it and if the County hides it, it's going to be just inviting lawsuit after lawsuit. The County can't afford lawsuits. We need to do the job right and we need to do the job right now. In closing, I'd like to make a comment on the County's document regarding ownership of Marina del Rey. It was sophomoric in

nature. It did not include attachments. It would not have met the muster of my ninth grade composition class. It's full of omissions and diversions and it seeks to sum up everything and end it then and there, and it will not end. The County's assertion that it has the same rights that were won in the Supreme Court by Playa Vista proponents does not apply to the County because the County is a constitutional subset of the State of California and submerged lands of the State of California are to be in control of the Lands Commission. The County cannot assert that it is a private landholder for it is not. It is a component of the State and it must interpret its actions under the constitution of the State."

Vice-Chairperson Stevens asked whether the County is part of the Mosquito Abatement District and whether there is spraying in general because of the West Niles Virus. Mr. Wisniewski replied that the County is part of the Mosquito Abatement District and there is spraying. She asked how often the spraying is done. Mr. Wisniewski responded that he didn't know, but would provide a report on the matter next month.

Donald Klein, president of the Coalition to Save the Marina, said that he's speaking on behalf of himself and a gentleman named David Nichols, who is a disabled person who has a boat in the Marina and was unable to appear at today's meeting. Mr. Klein said, "I just wanted to briefly tell you that he has had some problems with access to bathrooms and is unable to go to the office to pay for his rent. He's had a lot of problems. I don't want to go through all of this, but I just want to cover a couple of things. He [David Nichols] says 'there is no parking in Holiday Harbor Marina for disabled boaters. This continues to be unacceptable and non-compliant to ADA standards, however, how would you like to be forced to park your vehicle in a stall with another vehicle so close that you would be forced to wait until the other owner of the vehicle moves so that you can leave because the wheelchair won't fit between the cars? This is unacceptable. I have mentioned this to the dockmaster many times, but the issue falls on deaf ears, yet they want me to continue paying my fees. The second issue is the bathhouse, the bathroom access. There is none. Currently, it is practically impossible for me to even get into the bathhouse to use the restroom or showers because there is no ramp, but a big step. Many occasions I've attempted to enter the facilities only to fall backwards hitting my head on the pavement and falling out of my chair. Needless to say, this is not only quite embarrassing, but emotionally distressful as well. On those occasions when a fellow boater has been able to assist me in getting over the cement ramp, I am then further humiliated once inside the room. I have mentioned the issue to the dockmaster many times only to be told there is nothing we could do. This is unacceptable.' The third and final... is the showers are inaccessible. The toilet stalls, the sinks, mirror and towels, so forth, are not available. He's not able to get into the bathhouse to use the toilet. There are several other things here. I don't want to bring all of these issues up, but there is a real serious problem with Panay Way/Holiday Harbor Marina. I told Mr. Nichols that I would submit this to the Commission for review. Also, I would like to have this set for the agenda at the next meeting to find out what, if anything, has been accomplished."

Mr. Wisniewski said that a report responding to Mr. Klein's issues would be provided next month.

Ms. Carla Andrus said, "I want to address the issue I brought up with you after the last hearing, boat price inquiries. Mr. Moliere gave me a letter, which is my only copy, but I think it should be for the record since I'm responding to that. To be clear on that letter, I'm alleging that there are market manipulations on slip pricing. The Director of Beaches and Harbors should have issued defaults of lease agreements on all marinas whose docks cannot serve the public. For example, Two-Partnership, Mr. Ring, holds two parcels with the County's publicly owned assets, Parcels 18 and 19, Deauville and Bar Harbor. Mr. Ring's docks, as he himself has characterized, are held together by bailing wire. Both the County and Two-Partnership have been found liable for $3.5 million dollars in a wrongful death lawsuit due to the conditions of those docks. These docks should be legally condemned. This property is supposed to revert back to the County. The manipulation starts here.

Instead of a bid and new blood in this degraded Marina, we are giving Mr. Ring, Two-Partnership, an extended lease on top of the current lease that will not expire for another 20 years. This extended lease comes with a 'from now on' policy. While we already have 717 boat slips out of commission, which is also a violation of the lease agreement, the public continues to get eviction notices, devaluation of their boats and a loss of recreational opportunities. You are saying that the market justifies rent increases on docks, which are comparable. Yet our comparable slips are scheduled for demolition. These increases are not in line with the market. How can you raise the rents on dilapidated slips that have for all intent and purposes been condemned? You don't have to go 65 miles to find docks comparable to those at Bar Harbor, Marina Harbor or Tahiti Way. Just go to Deauville. I would request that this Commission and other interested agencies and public interests be invited for a walk of the docks, at your own risk of course, with a signed waiver of personal injury. Let's make it a field trip were everyone is invited in order to excite some serious dialogue on this issue. You require specifics. There are boat owners, I thought they would be here today, I told them that the meeting would be longer, so, perhaps, they won't make it to this meeting. They wanted to talk to you about their rent increases, which are a fact. I do have a list of six specific boats, which actually I'll have to get to you later. I told them that you would promise them no retaliation for their testimonies. A lot of people are scared. That's the kind of environment we live in over here. Leases are being offered as an incentive to pay less for these below standard accommodations. I wonder if these leases are legal on docks scheduled for demolition. The line is drawn. The public does not benefit from this blatant mismanagement. Marina Harbor has already evicted a large number of tenants and now another 150 more eviction notices have been issued. It is the lessees of Marina Harbor that should be given the eviction notice. The public is getting the shaft and the only lives being enriched are those of the developers and the County politicians in their pockets. At the last Small Craft Harbor Commission hearing, Mr. Levine told us that he had slips available in 35', 30' and 25' categories. Are these not the same slips that have already been vacated to accommodate the new slips? Is this a joke? Mr. Levine then takes the opportunity to promote the fallacy that it is the larger boats, 40 to 60 feet, that are in shortage. This was refuted by Deputy Director Deborah Lee of the Coastal Commission. May we see his study?"

Chairman Searcy referenced a letter dated August 11, 2003 from Roger Moliere to Ms. Andrus, which pertained to alleged slip overcharges. In that letter Mr. Moliere stated to Ms. Andrus that she "need only furnish specifics as to the slip(s) in question, including the name of the marina, slip length and price per foot charged and we will undertake an investigation of pricing within a 65-miles radius as well as within Marina del Rey to determine whether the price of the slip(s) in question are appropriate and whether any action is necessary." Chairman Searcy said that Ms. Andrus raised an interesting point in her public testimony when comparing apples to apples. He explained that when appraisal work is done in real estate you want to compare apples to apples. Chairman Searcy asked, if someone is charging $5.00 per foot for something that is pristine and someone is charging $5.00 or $7.00 per foot for something that is substandard, does the County look at the conditions when it assesses whether the prices on leases are where they should be and the public is not being gauged? Mr. Moliere responded that "You have to assume, because you cannot physically look at the great number you need to determine they are kept in serviceable condition. The market itself tends to set rates for brand new slips that are somewhat higher. To the extent that we are able, we do try to determine the age of slips and things like that, but it's almost literally impossible in a survey to try and compare as opposed to a true appraisal. Your point is well taken. To determine these are brand new docks and, therefore, they are somewhat higher. Factually, if you have an older dock, pricing tends to reflect the age. Also, factually, there is a certain level of maintenance in which docks are kept to be open. They have to be safe, certainly, in the Marina, because we have standards that require not only safety, but that the sightliness of the docks be maintained in terms of painting and other things. In terms of an individual judgment on a per dock basis, no, we do not do that."

Chairman Searcy asked whether anything could be done to ensure that lessees are charging only what they should be charging. Mr. Wisniewski responded that staff reviews price structures when a tenant comes to the Department and explains that they have a problem. As Mr. Moliere's letter indicated, if they submit to staff the specific information, staff would be happy to do a review and write back a letter to the tenant.

Chairman Searcy stated that, "Ms. Andrus has indicated she has been in contact with some of these people and unfortunately they are not here. Let's keep this very simple because...otherwise we get this circular movement where the public hears other members of the public saying we got an issue with price gauging. They don't hear the follow-up and we're stating if you have an issue, come in with the specifics, the slip name, the marina name, the slip length, and the price being charged, and provide that information. This is something that has to be done on a specific and particular individual investigation basis. It can't be done just in a broad sense. You will not get the response that you need. It will not be specific enough to find out in fact if someone is violating any of the covenants and conditions that their leases are subject to when they are lessees with the County. So, have those people contact staff with the specifics and they can follow-up specifically. And, any information that you wish to provide to them which would be of assistance with regard to conditions of slips, photographs, etc., I'm sure they are willing to take that...in order to compare apples to apples, as much information as can be supplied will certainly be of assistance." Ms. Andrus asked whether a videotape of the docks should be submitted. Chairman Searcy responded that the Commissioners would not tell the public how to provide information; the public can submit the information in any form it wishes. He emphasized that it is the information, not the format, that is important to Commission members.

Ms. Andrus emphasized the need for a field trip to the docks. Chairman Searcy informed her that the field trip is not a bad idea, but it would have to be coordinated through the Director's office. Mr. Wisniewski informed the Commission that staff would be happy to schedule a tour of any dock facility in Marina del Rey. Chairman Searcy suggested that staff check with each Commissioner to arrange a date/time when all members could participate at the same time.

Mr. Klein, said, "On the issue of apples to apples and oranges to oranges, I'd like to point out that the rate structures that were quoted, and I did this research back in 1984, that the rents in Marina del Rey were based on the low and high rise rents in Beverly Hills and the slip rents in Newport Beach. I would like to point out the apples to apples and oranges to oranges. Newport Harbor is a private harbor, not a public harbor, and the rates charged there should have absolutely nothing contingent with any public harbor whatsoever."

Chairman Searcy responded that he isn't sure what indexes are currently being used now, between 1984 and today, but certainly the methodology used is open. Mr. Wisniewski explained that market rates are looked at within a 60-mile radius. The fact that the Marina is a publicly owned harbor does not mean the rates should be any less than any other harbor; otherwise, you'll have 10 million other residents of L.A. County subsidizing the residents of Marina del Rey. Commissioner Lesser asked whether, as a philosophical matter, we believe that the rest of L.A. County taxpayers should be subsidizing boat owners in the Marina; he answered that he believes the answer is no. Mr. Wisniewski said that the Department's policy statement requires a market rate comparison that is pursuant to Board policy.

Mr. Levine said he would like to address the comments made earlier relative to Marina Harbor. He said, "First, let me say that we do report on vacancies each month. We're required to and we comply with that request. There were indeed vacancies reported last month and the month before in slips that were 35 feet or shorter that were not among those slips that are designated for demolition and reconfiguration reconstruction this coming winter. That addresses one specific point raised by an

earlier speaker. Number two, last month you may recall that during the public comment period there were three boaters who came before this Commission without having the courtesy of having either a conversation with the ownership of Marina Harbor Anchorage or the County of Los Angeles to complain about the lack of availability of slips at Marina Harbor pending the upcoming demolition of the docks and reconstruction of the docks in which they are working. I informed the Department in writing after that meeting that I met with those boaters at the end of that meeting. I went back and met with our anchorage management and essentially the story is this: When we have sent out eviction notices, we've sent them out many, many months in advance and we've sent them out to enable boaters at Marina Harbor either to move within Marina Harbor, if that's possible, or, to seek other slips elsewhere because of the impending construction. I can report to you this morning that the three boaters that came before you last month have all at this point in time now been assured that there will be other slips available for them at Marina Harbor on docks that are not slated for demolition this coming winter. Essentially, we have adhered to the policy, which has been long standing, which is to say that we would do everything possible to accommodate boaters within Marina Harbor and, if not, we give people more than adequate notice of impending construction. The three boaters that came to you last month did not have the courtesy to tell this Commission the truth, which was that they have been assured by our management that if there were additional slips that became available, they would be given the opportunity to move within Marina Harbor. That has indeed become the fact."

Mr. Levine continued, stating, "I think that there is one thing that this Commission ought to be thinking about very seriously, which is to say, is this a Commission or is this Commission an ombudsman for individual problems that are brought to your attention without being vetted through a process which has been established and of long standing? If there is an individual complaint regarding an apartment or a slip, or any other leasehold activity in Marina del Rey, it seems to me that there is a process in place, which is to say that there should be some written notice given to the County of Los Angeles, Department of Beaches and Harbors, to look into the question and respond to the individual complaint. I think it is unfair to the Department. It's certainly unfair to the lessee. And, ultimately it does not work to the advantage of the individual complainant to have people come here every month and say, 'I have in my hand a list of names of people' where those names are not revealed, where it's not fully vetted in terms of information. This is unfair and it's also inappropriate given the established process for individual complaints that have been established in the Marina. I'm happy to come here every month and defend these charges that are made against Marina Harbor because I'm very proud of our long standing activities as a lessee in Marina del Rey. The Commission needs to grapple with this question: how are individual complaints to be handled? We are presumed guilty. It is simply not fair. It's not good for the individuals involved and it is not good for the lessees and it's not good for the County."

Commissioner Crail commented that Mr. Levine has a very good point. He said that within the last couple of years, the Commission has gotten more involved in individual lessee/slip users' arguments and it's a waste of time for everybody. He suggested the reestablishment of the Mediation Committee to address these types of problems. Mr. Wisniewski explained that the Mediation Committee was comprised of volunteers that addressed issues concerning Marina apartment and anchorage tenants. The Committee did not address issues pertaining to rent. He said rent issues were always handled by the Department and tenants with these concerns would be asked to identify them and the Department would respond in a letter. Mr. Wisniewski said he doesn't want to ever be put in the position of stopping members of the public from addressing the Commission.

Chairman Searcy commented that the Mediation Committee is a good idea. Mr. Wisniewski said that the Mediation Committee requires the voluntary cooperation of the tenant and lessee. Chairman Searcy said it would be helpful to have the Mediation Committee's policies and procedures available for the Commission and members of the public. Mr. Wisniewski said that Mediation Committee

information would be provided next month. Chairman Searcy suggested also including a separate informational handout relative to the process.

9. ADJOURMENT

Chairman Searcy adjourned the meeting at 10:39 a.m.

Respectfully submitted,

Toni Minor, Secretary

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES- AUGUST 2003

	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										
Rape										
Robbery: Weapon								3		**3**
Robbery: Strong-Arm	1	2						1	1	**5**
Aggravated Assault	2			1		1		2	3	**9**
Burglary: Residence	1				1		6	4		**12**
Burglary: Other Structure	2				4	1	6	3		**16**
Grand Theft	6	2		5		1	1		1	**16**
Grand Theft Auto	6						3	3	3	**15**
Arson	2									**2**
Boat Theft										**0**
Vehicle Burglary	2	2						1	1	**6**
Boat Burglary				1						**1**
Petty Theft	5	2					4	4	4	**19**
REPORTING DISTRICTS TOTALS	**27**	**8**		**7**	**5**	**3**	**20**	**21**	**13**	**104**

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, **Date Prepared – September 3, 2003**

CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- AUGUST 2003

Part I Crimes	MARINA AREA (RD'S 2760-2763)	EAST END (RD'S 2764-2768)
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	3
Robbery: Strong-Arm	3	2
Aggravated Assault	3	6
Burglary: Residence	1	11
Burglary: Other Structure	2	14
Grand Theft	13	3
Grand Theft Auto	6	9
Arson	2	0
Boat Theft	0	0
Vehicle Burglary	4	2
Boat Burglary	1	0
Petty Theft	7	12
Total	**42**	**62**

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, **Date Prepared** – September 3, 2003
CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR ORDINANCE
SEAWORTHY & LIVEABOARD COMPLIANCE REPORT

	July	August
Liveaboard Permits Issued	4	1
Warnings Issued (Yellow Tags)	0	0
Notices to Comply Issued	0	0

Total Reported Liveaboards By Lessees - 536
Total Liveaboard Permits Issued - 427
Percentage of Compliance - 79

No new Warnings were issued in the month of August.

No new Notices to Comply were issued in the month of August. There are no active cases.

No new citations were issued for violations of 19.12.1110 L.A.C.C. (liveaboard permit) or 19.12.1060 L.A.C.C. (unseaworthy vessel) in the month of August.

Number Of Unseaworthy Vessels Demolished

To date, one hundred and forty (140) vessels have been removed from the marina for disposal. Currently, sixteen (16) vessels are ready for disposal and thirteen (13) are awaiting lien sale procedures.

Los Angeles County
Caring for Your Coast
Beaches & Harbors

To enrich lives through effective and caring service

September 4, 2003

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **ITEM 3b - MARINA DEL REY AND BEACH SPECIAL EVENTS**

FISHERMAN'S VILLAGE WEEKEND CONCERT SERIES
Sponsored by Pacific Ocean Management, LLC
All concerts from 2:00 – 5:00 pm

Saturday, September 13
Nick Pyzow, playing Pop, Folk & Rock

Sunday, September 14
Mike Gealer & Euphoria, playing R&B, Contemporary Jazz & Pop

Saturday, September 20
Julie Mondin & Mark Romano, playing Smooth Jazz

Sunday, September 21
Bob Desena Latin Jazz Band, playing Latin Jazz

Saturday, September 27
Orquestra la Moreno, playing Latin Jazz & Pop

Sunday, September 28
Hammer Smith, playing Jazz

For recorded information call: (310) 823-5411.

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://beaches.co.la.ca.us
Stan Wisniewski Director • Kerry Gottlieb Chief Deputy

CALIFORNIA COASTAL CLEAN UP DAY

Saturday, September 20
9:00 a.m. to 12:00 noon

Join Heal the Bay and tens of thousands of Californians coming together to keep our coasts and inland waterways free of debris. There are over 50 locations in Los Angeles County to choose from and all clean up supplies are provided.

Los Angeles County coordinators
Heal the Bay
California Coastal Commission
Department of Beaches and Harbors
El Dorado Nature Center
City of Santa Monica
City of Culver City
City of Compton
City of Torrance
City of Hermosa Beach
National Park Service
California Wildlife Center

Los Angeles County sponsors
Union Bank of California
Arrowhead Mountain Spring Water
Pacific Palisades Junior Women's Club
Project AWARE

For information & registration call: Heal the Bay at (800) HEAL BAY or
California Coastal Commission at (800) COAST 4U

ZUMA BEACH

17TH ANNUAL NAUTICA MALIBU TRIATHLON
September 13 & 14

The Nautica Malibu Triathlon and a Tot Trot (50-yard and 100-yard dash for kids ages 12 and under) will be held Sunday, September 14 with the Triathlon beginning at 7:15 a.m. and the Tot Trot at 11:00 a.m. at Zuma Beach. The event benefits the Elizabeth Glaser Pediatric AIDS Foundation, a nonprofit organization committed to ensuring better overall medical treatments for children, preventing mother-to-child transmission of HIV and creating a healthier future for children worldwide. In five years the Triathlon has helped to raise over $400,000 for the Foundation.

On Saturday, September 13th beginning at 10:00 a.m. there will be a spectator festival, a sand castle contest, instructional clinics and a climbing wall. Instructional clinics include triathlon biking, wellness and nutrition, training and motivational tips and yoga. Admission is free to the public and registration is required.

For more information call: Michael Epstein Sports Productions, Inc. at (818) 707-8867
or visit their website at www.MESP.com

SANTA MONICA PIER
3M Pharmaceuticals and UCLA Dermatology
FREE Skin Cancer Screenings
September 13 and 14, 9 a.m. to 3 p.m.

After a long summer of burning, peeling and tanning, take a moment to care for your skin down at the Santa Monica Pier. With funding from 3M Pharmaceuticals, credentialed UCLA dermatologists can check over your arms, legs, neck and back and make recommendations as to how to care for your skin in the future. If they spot anything suspicious, you can make an appointment for a more thorough examination at UCLA Medical Center.

Dermatologists will be on hand from 9 a.m. to 3 p.m. on Saturday, September 13 and Sunday, September 14 on the north side of the Pier near the Parking Attendant's booth. In addition to cursory skin checks, the doctors will have literature on protecting your skin from the sun and preventing various forms of skin cancer.

For more information call: Rachel Champau at (310) 794-0777.

SW:DC:mc

Los Angeles County
Beaches & Harbors
Caring for Your Coast

To enrich lives through effective and caring service

September 4, 2003

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director Stan W.

Subject: **ITEM 5a – ADA COMPLIANCE AT ANCHORAGES**

Item 5a on your agenda is in response to your Commission's request for clarification regarding accessibility standards at anchorages that are governed by the *California Building Code*, *Title* 24 and the Americans with Disabilities Act *(ADA)*. A representative from the Department of Public Works-Building & Safety Division will be at your meeting to explain the applicable requirements that are currently enforced by the County for construction of docks, gangways and related waterside facilities.

In addition, a letter, dated August 26, 2003, from Mr. Dave Nicholls was read into the record at your last meeting by Mr. Don Klein. Mr. Nicholls complained to the Commission about lack of compliance with the Americans with Disabilities Act (ADA) at Holiday-Panay Way Marina. By the time of your meeting, the Department will have requested that the lessee, Holiday-Panay Way Marina, L.P., meet with Mr. Nicholls to discuss this matter with him and then advise the Department on how they intend to proceed.

SW:JJC:KS:lhp

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Stan Wisniewski Director • **Kerry Gottlieb** Chief Deputy

Los Angeles County
Beaches & Harbors
Caring for Your Coast

To enrich lives through effective and caring service

September 4, 2003

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **ITEM 5b -- MOSQUITO ABATEMENT PROGRAM**

Item 5b on your agenda is in response to your Commission's request for further information regarding mosquito abatement activities in Marina del Rey. During our investigation, Department staff contacted the Los Angeles County West Vector Control District (District), whose responsibility it is to manage and control vectors, such as mosquitoes, on a region-wide basis.

Attached, for your information, is some helpful information regarding the overall purpose, responsibilities, and coverage of the District. My staff spoke with Mark Brooks, District Field Operations Manager, and was informed that the District basically handles monitoring and complaints for any type of arthropod (insect) vector, but no vermin. For mosquitoes, the public can call the District and report biting incidents or to report possible breeding areas of standing fresh water (ponds, gutters, etc.). The District does not spray or fumigate areas, but rather focuses on killing the larvae before they mature through the use of biological or chemical control agents. When a breeding source is found, a technician will determine the best method of treatment. The preferred method of control is the use of the biological control agents. The main biological control agent for mosquito larvae is the introduction of mosquito fish (*Gambusia*). If the source cannot support *Gambusia*, District staff will then use chemical larvicides to control mosquitoes before they develop into adults. These larvicides are safe to the environment and are species specific.

The only large area of standing water in the Marina is the Oxford Flood Control Basin (Basin), located between Admiralty Way and Washington Blvd. The District inspects the Basin annually, but it is not considered to be a potential risk because its physical characteristics (i.e., Basin size, wind waves, and mixing) prevent the formation of stagnant water that supports the formation of mosquito larvae.

For further information, the District can be contacted at (310) 915-7370, or you can visit their website, at <http://www.lawestvector.org/>.

SW:JJC:lhp
Attachments

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://beaches.co.la.ca.us
Stan Wisniewski Director • Kerry Gottlieb Chief Deputy

Los Angeles County West Vector Control District

About the Los Angeles County West Vector Control District

The Los Angeles County West Vector Control District (District) was formed in 1944 and contained about 5 square miles. Over the next 56 years, there have been a number of annexations into the District. The District covers approximately 600 square miles, contains 23 cities and unincorporated territory of the County of Los Angeles, and provides services for 2,866,000 people. This makes the District the second largest vector control district in the state of California by population served.

The District includes the cities of Agoura Hills, Beverly Hills, Calabasas, Culver City, El Segundo, Hawthorne, Hermosa Beach, Hidden Hills, Inglewood, Lawndale, Lomita, the westerly portion of Los Angeles City, Malibu, Manhattan Beach, Palos Verdes Estates, Rancho Palos Verdes, Redondo Beach, Rolling Hills, Rolling Hills Estates, Santa Monica, Torrance, West Hollywood, Westlake Village, and unincorporated territory of the County of Los Angeles. The District is governed by a Board of Trustees. Each city and county within the boundaries of the District may have representation on the Board. This is an example of government by local representation.

Vector control is necessary on a continuous routine and area-wide basis to protect the health and enhance the economic development, recreational use, and enjoyment of outdoor living.

With the emergence of new diseases and vectors locally (Lyme disease, mosquito-borne encephalitis, & Africanized honeybees) and nationwide (Dengue hemorrhagic fever in Texas and the West Nile virus throughout the nation), surveillance work and control measures have taken top priority throughout the United States. Reducing and controlling the number of vectors, that are able to spread and amplify these diseases or inflict pain or injury, is the focus of vector-borne communicable disease programs.

Presently, the District's main focus is the surveillance and control of mosquitoes and Africanized honeybees, along with the monitoring of ticks and Lyme disease.

While impossible to eliminate all mosquitoes, numerous methods are employed to keep their numbers as low as possible. Vector control districts employ an integrated management program to reduce mosquito populations and keep the diseases they can transmit under control. Surveillance includes intensive field monitoring, laboratory testing, and research studies on the newly emerging and previously known mosquito-borne diseases. Control methods include a myriad of procedures. Among them are public education, the elimination of standing water, and the use of a variety of environmentally sensitive biological controls, including mosquitofish.

During the 1983 mosquito season, two cases of St. Louis encephalitis (SLE) were reported in Los Angeles County, of which one resided in the geographical boundaries of the District. This marked the first record of SLE in Los Angeles County since the 1940's. In 1984, an epidemic of SLE occurred; sixteen cases and one death were reported. Both St. Louis encephalitis (SLE) and Western Equine encephalomyelitis are now endemic in Los Angeles County with local wild bird populations serving as the reservoir for these viruses.

In 1998 the first tick in Los Angeles County known to carry Lyme disease was found in the Santa Monica Mountains. Since then, there have been ten (10) pools of ticks from locations within the District that have also tested positive for Lyme disease. The tick that has the potential to carry the infectious agent for Lyme disease, the western black-legged tick (*Ixodes pacificus*), can be found throughout mountainous and rural areas within the District.

In November 1998, the first Africanized honeybee (AHB) colony was discovered in Lawndale, a city within the District's boundaries. By April 6, 1999, the entire 4,083 square miles of Los Angeles County was declared colonized. The District currently receives over 700 service requests per month for AHB hive and swarm removal during the spring, summer, and fall.

VECTOR SURVEILLANCE AND CONTROL PROGRAMS

Education

An essential program of the District includes educating the public about the life cycle of the mosquitoes, ticks and bees, diseases carried by these vectors, property owners' responsibilities, and functions of the District. General public education is accomplished

through the use of informational brochures, fact sheets, city bulletins, public speaking engagements, informational booths at local fairs and public service announcements.

District staff has distributed thousands of pamphlets on mosquitoes, Africanized honeybees, Lyme disease, and other vectors. Additionally media and service group packets and videos describing services of the District, backyard breeding, bee preparedness and other vector-borne diseases have been widely distributed. Public service announcement tapes are routinely distributed to all local cable stations and written public service announcements are distributed to local radio stations.

District staff has implemented an education program in the public and private elementary schools. The District conducts mosquito control, bee, and tick education problems education program through a cooperative effort with the teachers. The District provides each class with student and teacher workbooks, puzzles, book marks, necessary slides, videos and visual aids. District staff trains the teachers and encourage them to administer the program yearly as part of their science education.

The District has indoctrinated the residents of the District to coexist with the Africanized honeybees utilizing cable television, lectures, and community bulletins. The District has been the lead agency in training and coordinating fire departments, police departments, and 911 systems throughout the District. The education program includes speaking engagements at schools, clubs, other organizations, and businesses.

Prevention

The primary goal of the District is the control of mosquitoes by preventing them from breeding. Although this is more time consuming, more difficult to accomplish, and more costly over a short time span than other control methods, a preventative program will be more cost-effective to the District over the years. The District is now becoming involved in the review and make recommendations on environmental impact reports that will prevent the construction of areas (sumps, improperly graded channels, etc.) that may support the breeding of mosquitoes and other vectors.

Another important aspect of prevention is education of the residents through contact with field staff. When staff inspects an area, a notice will be left to inform the resident that a technician has been present and will list the findings and the action taken. District staff will make every effort to personally speak to the residents to explain the need for mosquito control activities.

Staff also provides education to residents on how to bee proof their home and surrounding area in an attempt to decrease "home sites" for the Africanized honey bee.

Control

Although District staff attempt to eliminate breeding sources, the need for biological and chemical control of mosquitoes is necessary. The District has been divided into zones which are routinely inspected and treated. Each zone has been assigned a technician who inspects known sources, answers service requests, and searches for new sources associated with the request.

When a breeding source is found that cannot be permanently abated, the technician will determine the best method of treatment. The preferred method of control is the use of biological control agents. The main biological control agent used by the District is the mosquito fish, *Gambusia affinis.*

If the source cannot support *Gambusia affinis,* staff will then use larvicides to control mosquitoes before they emerge as adults. The District treats sources with either Bti or Altosid Liquid Larvicide (methoprene). Both of these chemicals are safe to the environment and target specific.

Africanized honeybee swarms and nests are removed when requested by citizens or emergency response units who feel their safety or the public's safety is in jeopardy. After the swarm and/or nest is removed, technicians will set remnant bee traps, if necessary, to collect those bees that were away from the nest. The remnant bee trap will be baited with a pheromone that attracts bees. The technician will return the following day and remove the remaining bees.

Surveillance

Besides being nuisances, mosquitoes may transmit a number of communicable diseases. The diseases of most concern in the Los Angeles County West Vector Control District are St. Louis encephalitis (SLE) and Western Equine encephalomyelitis (WEE). Since there are no cures or vaccines available for humans, surveillance for the presence of virus and controlling mosquitoes are the best methods for reducing the potential for human disease. The two main components of the District's mosquito surveillance program are sentinel chicken serology and the collection of mosquitoes.

Sentinel chicken serology is performed by placing chickens in an area over a long period of time and testing their blood for the presence of antibodies to SLE and WEE viruses. The District maintains 18 flocks of chickens located strategically throughout the District. The chickens are bleed once ever two weeks during the months of April through October. Blood samples are processed and tested in the District's laboratory. By performing these tests "in-house", the District is able to sample more often and obtain results within 48 to 72 hours. Therefore, the presence of virus activity is identified earlier. Confirmation samples are sent to the State Laboratory for quality control. The results obtained from these tests are used to increase inspections and control measures in the areas where virus is present.

Collecting adult mosquitoes can provide several important pieces of information. When traps are set at specific locations over a time period, or in response to service requests, increases in the mosquito population can be detected. Once these mosquitoes are identified, control measures can be directed towards those species which feed on man and may transmit SLE and WEE viruses. These mosquitoes can also be tested for the presence of virus. The detection of virus in a mosquito which feeds on man indicates a true potential for human disease, and immediate control measures can be implemented. Trap collections not only determine where control measures are needed, but also determine the effectiveness of control measures which are in place. Mosquitoes that are capable of transmitting SLE and WEE viruses are pooled and sent to the State Viral and Rickettsial Laboratory for testing.

Staff sample and identify bee collections using the Fast Africanized Bee Identification System (FABIS). The District also has an active yellow jacket surveillance and control program. During the year 2000, the District will begin conducting in-house microscopic identification of the Lyme disease borrelia in ticks via IFA technology.

The District also identifies arthropods for residents of the District and for physicians. Surveillance of other vectors and diseases may be conducted at a future date. Future surveillance of vectors may include, but is not limited to, spiders, rats and fleas. Future surveillance of diseases may include, but is not limited to, plague, hantavirus, murine typhus, West Nile virus, and Dengue hemorrhagic fever.

ECONOMICS

Vector-related problems decrease property values, affect residents, and lower the overall economic potential of a community.

Obvious economic losses due to mosquitoes biting include loss of weight by livestock, illness, or loss of life by disease or physiological reaction in man and domestic animals, or simply intolerable nuisance levels. Such factors can destroy the economy in large areas, greatly reduce productivity, and drive many residents away. When exposed to high vector annoyance, livestock fail to feed and gain weight profitably.

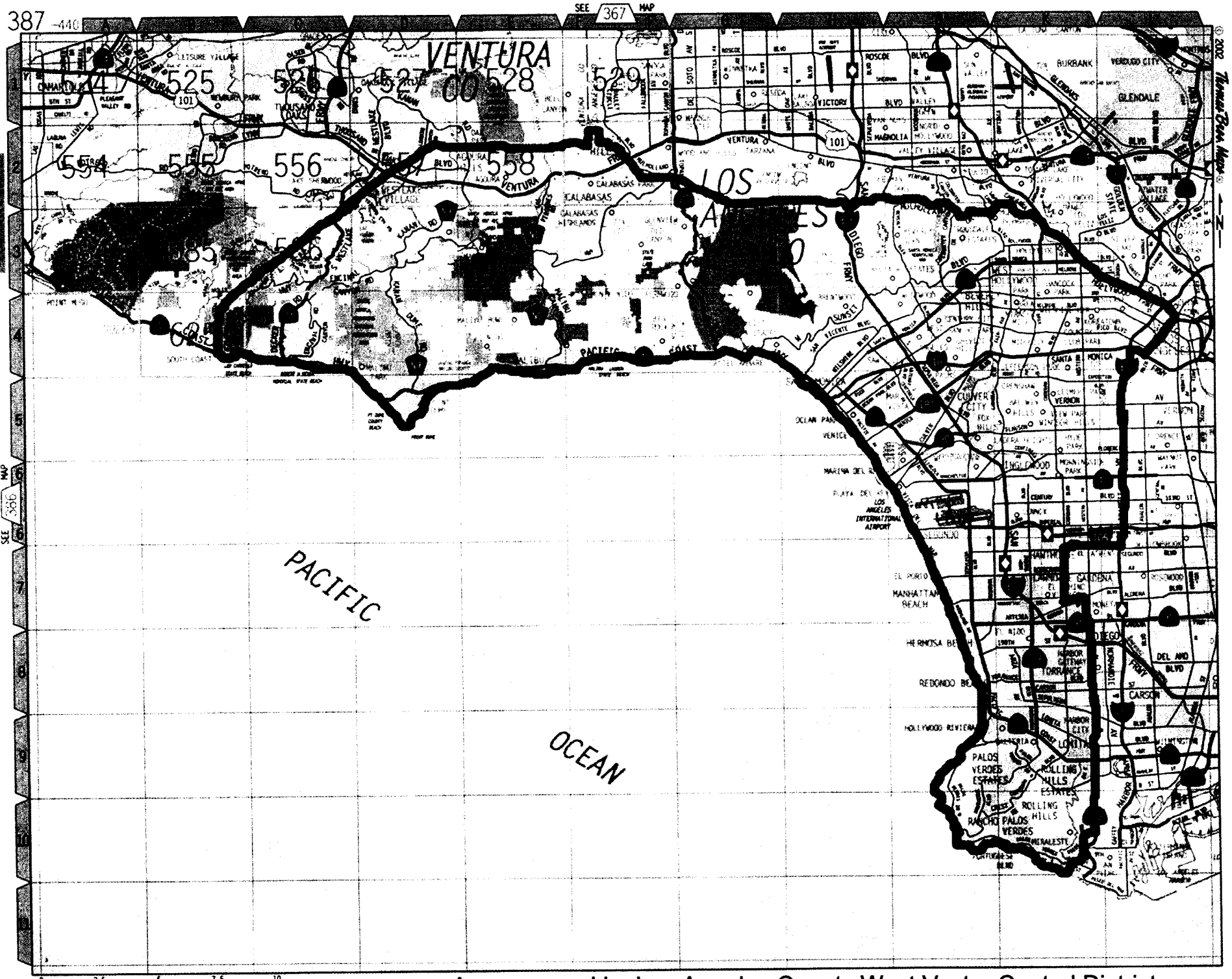
The previous incidence of malaria in many countries so debilitated the population that national productivity was reduced to 40% of estimated capacity due to this mosquito transmitted disease.

The enormous cost of medical care and the loss of life where vector-borne diseases are prevalent represent significant economic loss. One study examined the economic burden imposed on residents of Massachusetts who had survived Eastern equine encephalitis infections. Transiently affected persons mainly required assistance of direct medical services; the average total cost per case was $21,000. Those who suffered persistent sequelae remained at home and seemed likely to live a normal life span, but without gainful employment. The cost associated with persistent sequelae, which included medical expenses, education, institutionalization, and loss of income, was approximately $3 million per case. Major losses may occur to recreational interests, tourist trade, real estate and land development, and to other associated local business, when an area gets a reputation for being infested with vectors.

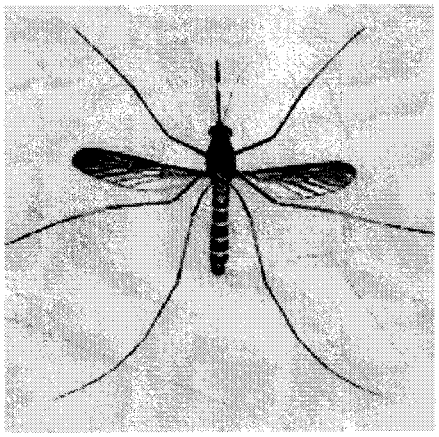
INFORMATION OR SERVICE REQUEST

BACK HOME NEXT

Send mail to rsaviskas@lawestvector.org with questions or comments about this web site.



Area covered by Los Angeles County West Vector Control District



Los Angeles County West Vector Control District

WEST NILE VIRUS INFORMATION!

To Report a Mosquito or Bee Problem Call: (310) 915-7370

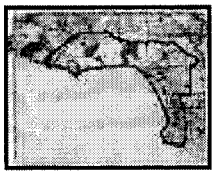
This site is designed to educate the public about vector-transmitted diseases, vector related injuries, and about the services the Los Angeles County West Vector Control District provides. Feel free to browse through our site and learn about encephalitis, Lyme disease, Africanized honeybees, and a variety of other vector-borne diseases and vector related problems. We will be adding additional components to this site, so check back frequently for updates. Also, you may forward any comments or questions to the address listed on the bottom of the page.

Cities Served by the District

Agoura Hills	Inglewood	Redondo Beach
Beverly Hills	Lawndale	Rolling Hills
Calabasas	Lomita	Rolling Hills Estates
Culver City	Los Angeles City*	Santa Monica
El Segundo	Malibu	Torrance
Hawthorne	Manhattan Beach	West Hollywood
Hermosa Beach	Palos Verdes Estates	Westlake Village
Hidden Hills	Rancho Palos Verdes	Los Angeles County*

(*Only portions of Los Angeles City and Los Angeles County are within the District boundaries- Please call for further information)

Click on map for areas covered by our District



What is a Vector?

"Vector" means any animal capable of transmitting the causative agent of human disease or capable of producing human discomfort or injury, including, but not limited to, mosquitoes, flies, other insects, ticks, mites, and rats, but not including any domesticated animal.

Contact Information

Telephone (310) 915-7370

FAX (310) 915-9148
Postal Address 6750 Centinela Ave., Culver City, CA 90230
E-mail General Information: rsaviskas@lawestvector.org

Click Here For A Map Of Our Location

If you are a resident of the L. A. County West Vector Control District:

Call (310) 915-7370 or Click Below for:
Service, Information, or to Request a District Representative to Speak at an Event.

INFORMATION or SERVICE REQUEST

NEXT

You are visitor #
21522
since May 10, 2001

Los Angeles County
Caring for Your Coast
Beaches & Harbors

To enrich lives through effective and caring service

September 4, 2003

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director Stan Wisniewski

Subject: **ITEM 5C – APARTMENT AND BOAT SLIP TENANT MEDIATION COMMITTEE**

This responds to our Commission's request for background on mediation services available for Marina apartment and boat slip tenants.

Historically, the Department has offered these services to Marina del Rey apartment and boat slip tenants for all matters not involving rental rates. As you know, we offer review of rental rates through a provision in the Marina master lease. Many years ago, we had separate mediation committees for apartment tenants and boat slip tenants with a monthly report to your Commission summarizing cases considered.

Involvement in the mediation process required the cooperation of the lessee and tenant, and while decisions were non-binding, there were many issues resolved by this service.

While I cannot recall the last request for mediation, it is a service that remains available. However, rather than reinstitute mediation committees under the Department of Beaches and Harbors, the County Department of Consumer Affairs will provide its mediation services free of charge. Background on Consumer Affairs' mediation services is attached and a representative of Consumer Affairs has been invited to make a presentation on this subject at your October 8, 2003 meeting.

Please let me know if you need any additional information.

SW:be
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://beaches.co.la.ca.us
Stan Wisniewski Director • **Kerry Gottlieb** Chief Deputy

Settle Your Dispute Without Going to Court

LOS ANGELES COUNTY
Department of Consumer Affairs
Dispute Settlement Service

It's Free

It's Easy

It Works

Call (213) 974-0825
or
Visit our Office
8:00 a.m. to 4:30 p.m. weekdays

500 West Temple Street, Room B-96
Los Angeles, CA 90012 - 2706

The Dispute Settlement Service is funded by the County of Los Angeles Dispute Resolution Program Special Fund

Try Mediation First

- Settle your dispute without having to go to court.
- Play an active role in resolving your dispute.
- Work with a trained mediator, so that both sides reach an agreement.
- Mediate for free. No cost to either side.
- Preserve your rights. If you cannot resolve your dispute, you can still take your case to court.

Mediation available for disputes involving

- vendors and consumers
- two or more businesses
- landlords and tenants
- neighbors

This service does not mediate cases involving criminal acts, medical or legal malpractice, family law including divorce, or governmental agencies but may be able to refer you to an agency that will assist you.

Save time

Save court costs

Avoid the risk of losing in court

LOS ANGELES COUNTY
BOARD OF SUPERVISORS

Gloria Molina
Yvonne Brathwaite Burke
Zev Yaroslavsky
Don Knabe
Michael D. Antonovich

Los Angeles County
Beaches & Harbors
Caring for Your Coast

To enrich lives through effective and caring service

September 4, 2003

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **ITEM 6a - ONGOING ACTIVITIES REPORT**

BOARD OF SUPERVISORS' ACTIONS ON ITEMS RELATING TO MARINA DEL REY

At its September 2, 2003 meeting, the Board of Supervisors approved and authorized the Chair to sign the Consent of County of Los Angeles to Assignment of Partnership Interest in Marina Pacific Associates, L.P. from the existing general partners, CMR, Inc. and the Epstein Family Trust, to Marina GP, LLC as sole succeeding general partner; approved and authorized the Chair to execute the Agreement Regarding Encumbrance of Leasehold Estate; approved Revisions to the proposed Amended and Restated Lease Agreement to modify provisions relating to lender protection issues, lender cure of lease defaults, and leasehold operation and transfer after foreclosure; authorized exercise of the Option to Amend Lease Agreements based upon the Restated Lease with the Revisions, and authorized the Chair to execute the Restated Lease upon presentation by the Director; and found that actions are exempt from the California Environmental Quality Act.

Also, at the September 2, 2003 meeting, the Board of Supervisors awarded and instructed the Chair to sign the contract with Kinnetic Laboratories, Inc. at a cost not to exceed $219,850, to conduct the Marina Beach Water Quality Improvement Project – Phase 1; and authorized the Director to increase the contract sum not to exceed 20% during the term of the contract should the requirements of the study increase.

These items were previously considered and recommended by your Commission.

MARINA DEL REY WATER SHUTTLE SERVICE SUMMARY

The Marina del Rey Water Shuttle was operated on weekends and holidays from May 16, 2003, through Labor Day, September 1, 2003. The shuttle operated from 5:00 pm to 10:00 pm Fridays, and 10:00 am to 10:00 pm on Saturdays, Sundays and holidays, with the exception of special events. For the Thursday night Classical Concert Series, the shuttle hours were 5:00 pm to 11:00 pm. For the Saturday Pop Series, the shuttle operated from 11:00 am to 11:00 pm.

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Stan Wisniewski Director • Kerry Gottlieb Chief Deputy

The shuttle ferried passengers throughout the Marina, with stops at Fisherman's Village, Burton Chace Park, the Marina Fire Station and Marina (Mother's) Beach. Operating with two vessels, the new service enriched the Marina waterfront experience by offering the public expanded water access at an affordable price; the cost per passenger was $1.00 for three stops.

Throughout its 16-week run, the 2003 Water Shuttle program hosted **13,329** boardings, for a weekly average of **833** passengers. The attached chart indicates ridership of the shuttle by date.

The Department recently received a grant from the California Coastal Conservancy and has hired the firm of Transportation Management & Design, Inc. to evaluate the performance of the past two pilot projects and to recommend program enhancements for implementing a permanent water shuttle service next year. Further progress reports will be provided to the Commission as that work effort advances.

LEASEHOLD PREMISES MAINTENANCE INSPECTION PROGRAM

As a follow up to your Commission's interest, this is our report on the leasehold premises maintenance inspection program for the period April 1 – July 31, 2003. Our next report, covering the period August 1 – November 30, 2003, will be on your January, 2004 agenda.

INSPECTION PERIOD	DOCKS		LANDSIDE		LEASE VIOLATION DEFICIENCIES	
	Major	Minor	Major	Minor	No. of Notices Sent	Number of Deficiencies
Apr. 1, 2003-May 31, 2003	845	44	145	117	4	62
Jun. 1, 2003-Jul 31, 2003	855	25	145	45	16	618

As noted, the table is broken down to reflect whether the deficiencies are dock-related or related to buildings and other land-based facilities. Additionally, the deficiencies are broken down to show their severity. (For example, cracked dock panels, dry rot on dock panels and listing dock fingers are serious deficiencies. Peeling paint from dock gangways, minor damage to dock boxes and weeds growing along the bulkhead are examples of minor deficiencies.) Finally, the number of deficiencies noted in each period are the cumulative total of all leaseholds' new and outstanding deficiencies present at a point in time.

The "Lease Violation Deficiencies" category in the above table lists the number of notices sent to lessees who have not fully cured cited deficiencies during the time period specified in our maintenance inspection reports. In such cases, a "pre-default notice" is sent, informing the lessee that unless all such deficiencies are immediately corrected, the Department will issue a notice of lease default within 10 days. In all cited cases, the lessees have since either corrected or initiated action to correct the cited deficiencies. We have found that the majority of the deficiencies cited in our pre-default notices are due to permitting issues that can add several additional months to the time it takes to repair or replace existing facilities to standards acceptable to the department. In such cases, we monitor progress to assure that the lessees are making continued and timely efforts to obtain needed permits and complete the required work and that, in the interim, the premises remain safe.

Our inspection program requires that dock facilities with deficiencies in the previous year be inspected every eight weeks, while those without deficiencies in the previous year are inspected every twenty-four weeks. Landside facilities with deficiencies in the previous year are inspected every sixteen weeks, while those without are inspected every twenty-four weeks.

Dockside and Landside Deficiencies

In this four-month cycle, there was an increase in the number of major dockside deficiencies due to permitting issues. The permitting process can add three additional months to the time it takes to repair or replace existing facilities to standards acceptable to the Department and the Los Angeles County Department of Public Works.

Lease Violation Deficiencies

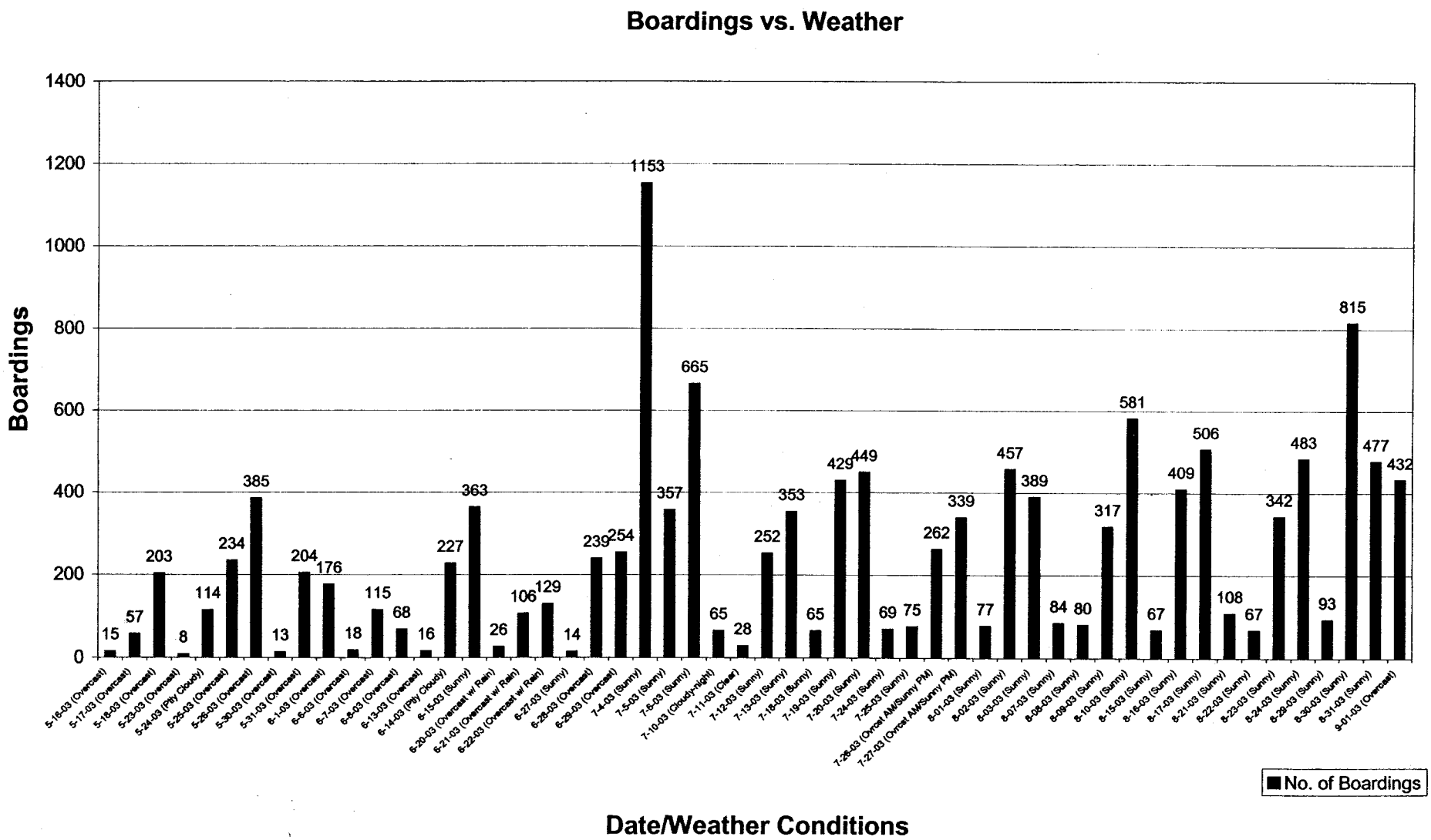
Notice of Default—none issued.

We believe that our Premises Maintenance Inspection Program is continuing to have a very positive impact on maintenance of our Marina del Rey leaseholds. Please let me know if you have any questions.

DESIGN CONTROL BOARD MINUTES

The draft minutes for the Design Control Board meeting of August 21, 2003 are in your packet.

SW:be
Attachment


Boardings vs. Weather
Boardings
1400
1200
1000
800
600
400
200
0
15
57
203
8
114
234
385
13
204
176
18
115
68
16
227
363
26
106
129
14
239
254
1153
357
665
65
28
252
353
65
429
449
69
75
262
339
77
457
389
84
80
317
581
67
409
506
108
67
342
483
93
815
477
432
5-16-03 (Overcast)
5-17-03 (Overcast)
5-18-03 (Overcast)
5-23-03 (Overcast)
5-24-03 (Pty Cloudy)
5-25-03 (Overcast)
5-26-03 (Overcast)
5-30-03 (Overcast)
5-31-03 (Overcast)
6-1-03 (Overcast)
6-6-03 (Overcast)
6-7-03 (Overcast)
6-8-03 (Overcast)
6-13-03 (Overcast)
6-14-03 (Pty Cloudy)
6-15-03 (Sunny)
6-20-03 (Overcast w/ Rain)
6-21-03 (Overcast w/ Rain)
6-22-03 (Overcast w/ Rain)
6-27-03 (Sunny)
6-28-03 (Overcast)
6-29-03 (Overcast)
7-4-03 (Sunny)
7-5-03 (Sunny)
7-6-03 (Sunny)
7-10-03 (Cloudy-night)
7-11-03 (Clear)
7-12-03 (Sunny)
7-13-03 (Sunny)
7-18-03 (Sunny)
7-19-03 (Sunny)
7-20-03 (Sunny)
7-24-03 (Sunny)
7-25-03 (Sunny)
7-26-03 (Ovrcst AM/Sunny PM)
7-27-03 (Ovrcst AM/Sunny PM)
8-01-03 (Sunny)
8-02-03 (Sunny)
8-03-03 (Sunny)
8-07-03 (Sunny)
8-08-03 (Sunny)
8-09-03 (Sunny)
8-10-03 (Sunny)
8-15-03 (Sunny)
8-16-03 (Sunny)
8-17-03 (Sunny)
8-21-03 (Sunny)
8-22-03 (Sunny)
8-23-03 (Sunny)
8-24-03 (Sunny)
8-29-03 (Sunny)
8-30-03 (Sunny)
8-31-03 (Sunny)
9-01-03 (Overcast)
No. of Boardings
Date/Weather Conditions

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MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD

August 21, 2003

Department of Beaches and Harbors
Burton Chace County Park
Community Building – 13650 Mindanao Way
Marina del Rey, CA 90292

Members Present:	Susan Cloke, First District, Chair Jackie Ignon, Fourth District, Vice Chair David Abelar, Second District
Members Absent:	Tony Wong, Fifth District Katherine Spitz, Third District
Department Present:	Joe Chesler, Chief, Planning Division Julie Cook, Planner LaTrina Hancock, Secretary
County Staff Present:	Dave Michaelson, County Counsel Kevin Johnson, Regional Planning
Guests Present:	Doris Sorensen, Pacific Ocean Management Daniel Nofal, Daniel's Bicycle & Rentals Dave Brockman, EDAW Robin Perkins, Selbert Perkins Design Julius Obeme, Thai Garden Restaurant Stefano Baccianella, Sapori Italian Restaurant

---

1. Call to Order and Absences
   Ms. Cloke called the meeting to order at 2:20 p.m. Ms. Ignon led the Pledge of Allegiance. Ms. Ignon (Abelar) moved to excuse Mr. Tony Wong and Ms. Katie Spitz from today's meeting.

2. Approval of Minutes from June 19, 2003 and DCB Review #03-010
   Item deferred until the end of the meeting.

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Old Business

4B. Parcel 51 – Department of Beaches & Harbors - (DCB #03-009)
An interim park plan for Parcel 51 was rejected by the DCB at its April 2003 meeting. The Department was instructed to provide a "water amenity", use native plants and hydroseed mixture for landscaping, and use plantings as barrier elements, rather than fencing. The interim park plan is designed to be simple in nature, easy to maintain, provide an attractive landscape features, minimal public use, and be able to be implemented relatively quickly.

Mr. Brockman, EDAW, and Ms. Robin Perkins, Selbert Perkins Design, presented of both the proposed interim park plan and future Marina Gateway plan for Parcel 51.

Ms. Ignon inquired as to other tree specimens that had been considered, to which Mr. Brockman mentioned the Torre Pine and the Catalina Ironwood. The Aleppo Pine *(Pinus halepensis)* was chosen because it would survive longer and is more manageable. Ms. Ignon reminded staff and the design team, that because the proposed park is so close to the wetlands, the sterility of the grasses is very important. Ms. Ignon was pleased with the color contrast, the movement of the plant materials in the wind and the simple inexpensive interim layout.

Ms. Cloke asked the design team to explain, in more detail and with an emphasis on native plants, the plant pallet proposed for the park. Mr. Brockman explained the only California native plant being used for this project is the *Agave* because it is durable and not invasive to the wetlands and can be removed later and replanted with plants that have more of a long-term scheme. Ms. Cloke felt that it would be counter productive to plant trees or grass that may not be the foundation of the park.

Mr. Abelar asked how long is the interim term will be for the park. Mr. Chesler advised that the site is still subject to continued ongoing monitoring requirements imposed by the State Water Resources Control Board, therefore, the interim scheduling is responsive to the need for continued access to these well sites and some funding is also being deferred. Implementation of the full plan should begin in about two years.

Public Comments
None

Ms. Cloke suggested putting bollards around the park area instead of a fence, which would also be less expensive. Mr. Chesler advised the Board that because there is a problem with the "homeless" in the proposed park area the

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fence would be a more useful form of a deterrent. Mr. Brockman explained that everything except for the fence and the trees would be removed once the park is finally completed. Ms. Cloke asked why the drainage flow is being routed toward the street. Mr. Brockman replied that he would look for a better solution for the drainage flow. Ms. Cloke asked staff to look into a different and less expensive type of light standard such as uplighting.

Ms. Cloke advised staff to contact Ms. Katherine Tyrell, Playa Vista, regarding the plant pallet proposed for the park to make sure that they are not harmful to the wetlands area. Ms. Cloke asked about the affect in terms of birds, etc. if the proposed trees were changed to Iron Wood trees. Mr. Chesler advised that both types of trees would provide nesting habitat for birds, including herons.

Ms. Cloke (Ignon) moved to approve the interim park with the following conditions:

1. **Use Iron Wood trees instead of Pine trees;**
2. **Remove the proposed light standard and use uplighting;**
3. **Staff and the Design Team must discuss monitoring wells and grading keeping the maximum amount of stormwater out of sight with the Regional Water Quality Control Board concerns regarding;**
4. **Staff must show the revised interim park plan to Katherine Tyrell, to ensure that the plant palette will not be harmful to the wetlands to the south;**
5. **All the plants used must be non-invasive; and**
6. **Staff and the Design Team must prepare a list of conditions for the maintenance of the trees and grasses.**

Motion passed unanimously.

The Gateway Plan was discussed, with each Board Member given a chance to comment.

Ms. Ignon expressed concern about the use and cost of water and requested that both be evaluated. Ms. Ignon requested that the final plant plan use some native materials and include a butterfly habitat with plant materials.

Mr. Abelar expressed concern about park use, suggested a water fountain be placed in the park and questioned what shade elements or structures would be included. Mr. Brockman explained the park is not a formal or active park because of its location, but a place to make a short stop along the bike path. Mr. Brockman advised that the Design Team will look into a drinking fountain and that trees will provide shade rather than a structure in the park.

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Ms. Cloke is concerned about the use of benches in the interim park and suggested using large rocks that people can sit on, which is more park-like. For the Gateway Concept, Ms. Cloke suggested a more comprehensive plan, with priority on fun things for children and adults in the community, rather than art. Everything proposed by the Design Team should provide multiple purposes and should provide opportunities for all.

New Business

3A. Parcel 56 – Thai Garden at Fisherman's Village – (DCB #03-011)
Approval of two (2) awnings with signage.

Doris Sorensen, Pacific Ocean Management, advised the Board that the applicant's signage is already up at the location because of miscommunication between management and the lessee. The lessee, Julius Obeme, agreed that he did not know that the sign could not be put up without Design Board approval.

Mr. Abelar was advised that the awning for the sign is the same one used for the previous tenant.

Public Comments
None

Mr. Abelar (Ignon) moved to approve the sign as recommended by Staff, with the conditions that the words, *Thai Food*, be removed on both awning signs and that the window display facing the parking lot be made more presentable. Motion passed unanimously.

3B. Parcel 56 – Sapori Italian Restaurant at Fisherman's Village – (DCB #03-012)
Approval of two (2) awnings and three signs.

Stefano Baccianella, Sapori Italian Restaurant, explained his request for multiple signage. Ms. Cloke is concerned about the design consistency of the signs at the location and advised that the signs would look better if they were all shorter in height and longer in length.

Ms. Sorensen explained that the signs/awnings were not installed by Mr. Baccianella, but by his partner who disregarded being informed that all signage requires DCB approval.

Public Comments

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None

Ignon (Abelar) moved to approve signs a, b and c. The applicant must redesign signs d and e, shortening them to 2 or 2 ½ feet in height. The applicant must return to the Board with the revised signs. Motion passed unanimously.

Old Business

4A. Parcel 56 – Daniels Ice Cream at Fisherman's Village – (DCB #02-017)
Time extension of three (3) months for two (2) previously approved signs.

Daniel Nofal, Daniel's Ice Cream, advised the Board that he does not have permanent signage and wants signs to help identify his business until Fisherman's Village incorporates a signage program.

Ms. Cloke asked Staff to find out if Coney Island has received approval for all of the signage at their location. Ms. Cloke also asked Ms. Sorensen what happened to the Boards request for a signage program for Fisherman's Village. Ms. Sorensen advised the Board that because Fisherman's Village has a variety of businesses, it is hard to come up with one type of signage program that would fit all of the businesses.

Mr. Sorensen was advised by the Board to meet with Staff regarding the signage problem at Fisherman's Village.

Public Comments
Pat Younis, The Bridge Group, agreed that signage for Fisherman's Village is an ongoing problem and agreed that the applicant should be able to have two exterior signs.

Ms. Cloke (Abelar) moved to allow the applicant to have both existing signs until a sign program has been approved for Fisherman's Village (within three years). Motion passed unanimously.

The Board advised Ms. Sorensen to consult with Staff and develop a signage program for Fisherman's Village within three years with a status update in six months.

4C. Parcel 113 – Mariner's Village Apartments – (DCB #03-005-A1)
Approval of modified tree replacement condition.

Ms. Cloke (Ignon) moved to approve four 24" box trees, Iron Wood trees, to be located at Parcel 51, the new Gateway interim park. Motion passed unanimously.

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Ms. Cloke advised Staff of an oil spill near the LMU Boathouse that had occurred earlier in the week. Mr. Chesler was not aware of the oil spill and advised, for future reference, that the Coast Guard, the Harbormaster and Beaches & Harbors Staff should be notified. Ms. Cloke asked staff to take any Coast Guard information brochures to the LMU Boathouse.

Ms. Cloke complained about the smell at the Oxford Basin. Mr. Chesler advised the Board of regular complaints received regarding the Oxford Basin and the he will forward complaints to the Department of Public Works regarding this problem.

5. Report from the Chief of Planning

A. Temporary permits
Two temporary permits issued: Warehouse Restaurant for a special event and Marina Fuels for a charity event.

B. EDAW – Urban Design Update
Partial report given at today's meeting by EDAW and Selbert Perkins, MdR Design Team. Staff and the Design Team hope to complete the draft Urban Design Guidelines by the end of the year and will have public workshops for public input. The Department has authorized EDAW to move forward with the Chace Park master plan efforts and the Board will soon be engaged in this process.

C. Marina Water Shuttle
The Marina Shuttle's last day of operation is Labor Day, September 01, 2003. Currently, there have been over 10,500 boardings. The Department is in the RFP Process to find a consultant for a study to evaluate the 2003 pilot and a permanent Water Shuttle for Marina del Rey. Beaches and Harbors received a $55,000 grant for the consultant study.

D. Marina Redevelopment Update
To date, there are three requests for proposal for large-scale redevelopment possibilities in the Marina. Staff is interfacing with Regional Planning regarding physical and design issues. There is no actual date when the scores from the evaluation team will be received because of the complexity of the projects.

6. Election of Officers
Item held until all Board Members are present

2*. Approval of the Minutes from June 19, 2003, and DCB Review #03-010
*Ms. Cloke directed that the Minutes and Reviews follow the Chiefs Report.

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Abelar (Ignon) moved to approve DCB Review 03-010 with the revised changes. Motion passed unanimously.

The minutes from June 19, 2003 will be held until the next meeting.

7. Public Comments
Pat Younis, representing the Westchester/LAX Marina del Rey Chamber of Commerce, was appointed to be the official representative between the Chamber and the DCB and advised that she would like to also have an opportunity to have input in the EDAW process. She will gladly advise the Chamber of any issues that may arise to help with possible solutions.

Meeting adjourned at 4:40 p.m.

Respectfully Submitted,

La Trina Hancock-Perry
Design Control Board Secretary