COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

January 23, 2003

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **COMMISSION AGENDA - JANUARY 29, 2003**

Enclosed is the agenda for your meeting of January 29, 2003. Also enclosed are reports related to agenda items 3a, 3b, 4a, and 6a.

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

SW:rrt
Enclosures

Fax: (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292
INTERNET: http://beaches.co.la.ca.us/

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
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AGENDA
SMALL CRAFT HARBOR COMMISSION MEETING
JANUARY 29, 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 November 13, 2002 and December 11, 2002

3. **REGULAR REPORTS**

   a. Marina Sheriff (DISCUSS REPORTS)
      -Crime Statistics
      -Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance
      -Community Dock Watch

   b. Marina Special Events (DISCUSS REPORT)

4. **OLD BUSINESS**

   a. Kingswood Village Apartments--Concerns Raised by Apartment Tenants (DISCUSSION)

5. **NEW BUSINESS**

   None

6. **STAFF REPORTS**

   a. Ongoing Activities (DISCUSS REPORTS)
      -Board Actions on Items Relating to Marina del Rey
      -Design Control Board Minutes

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

7. **COMMUNICATION FROM THE PUBLIC**

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8. **ADJOURNMENT**

PLEASE NOTE: 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 they are 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.

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

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- DECEMBER 2002

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	1	4
Aggravated Assault	2	4
Burglary: Residence	7	8
Burglary: Other Structure	4	4
Grand Theft	8	6
Grand Theft Auto	8	6
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	0	11
Boat Burglary	1	0
Petty Theft	1	8
Total	32	54

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

Source- LARCIS, **Date Prepared** - December 30 2002
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES- DECEMBER 2002

	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										0
Rape										0
Robbery: Weapon							1	1	1	3
Robbery: Strong-Arm		1			1		1		2	5
Aggravated Assault	1	1						2	2	6
Burglary: Residence	6	1					3	2	3	15
Burglary: Other Structure	3	1			1	1	1		1	8
Grand Theft	6	1		1		2		3	1	14
Grand Theft Auto	6	2			1		3	2		14
Arson										0
Boat Theft										0
Vehicle Burglary							2	5	4	11
Boat Burglary				1						1
Petty Theft		1			1	1	3	3		9
REPORTING DISTRICTS TOTALS	22	8	0	2	4	4	14	18	14	86

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

Source- LARCIS, Date Prepared - December 30 2002
CRIME INFORMATION REPORT - OPTION B

Small Craft Harbor Commission
Meeting of November 13, 2002

Minutes

Commissioners: Harley A. Searcy, Chairman
Carole B. Stevens, Vice-Chairperson
Joe Crail
John C. Law
Russ Lesser (Excused Absence)

County: Kerry Gottlieb, Chief Deputy Director
Roger Moliere, Chief, Asset Management Division
Joe Chesler, Chief, Planning Division
Dusty Crane, Chief, Community & Marketing Services Division
Julie Cook, Planner, Planning Division
Alex Kalamaros, Senior Real Property Agent, Asset Management Division
Rick Weiss, Deputy County Counsel
Deputy Paul Carvalho, Sheriff's Department
Sgt. Gary Thornton, Sheriff's Department

1. CALL TO ORDER

Chairman Searcy called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:45 a.m. in the Burton W. Chace Park Community Building, Marina del Rey.

2. APPROVAL OF MINUTES

It was motioned by Commissioner Stevens and seconded by Commissioner Law to approve the October 9, 2002 minutes. The motion was unanimously carried.

3. REGULAR REPORTS

a. Marina Sheriff's Department Report

-- Crime Statistics

Sergeant Gary Thornton presented the Marina del Rey crime statistics.

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

Deputy Paul Carvalho presented the Commission with an update of the Sheriff's enforcement of the seaworthy and liveaboard sections of the Harbor Ordinance.

4. OLD BUSINESS

a. Height Limit Motion

Chairman Searcy stated that the Commission had previously approved a motion on February 13, 2002, recommending height limits on all new development projects in Marina del Rey with the exception of certain projects that were exempted because they were already in progress.

Since then, the Parcel 145 project (location of the Marina International Hotel), which was one of those exempted projects, has been withdrawn. Therefore, the Commission will consider reaffirming its previous height limit motion with the exception that development on Parcel 145 is no longer exempted from its height limit recommendation.

Commissioner Stevens questioned, how far along in the process is Parcel 9, FF. Mr. Weiss commented that the Department is in the process of conferring with and getting directions from the Board of Supervisors on the negotiations of a term sheet for this particular project so that the actual deal negotiated can then be considered by the Board in open session. With respect to the entitlement side, he did not personally know. Certainly it has not been to the hearings before the Regional Planning Commission as yet. That would be the first entitlement hearing that it would experience, which would be preceded by a notice in accordance with County law regarding land use entitlements. Mr. Searcy stated, since that issue has been raised, will notice be made readily available to the entire Marina del Rey community and in what format, for instance, would that be in the Argonaut or is that a requirement? Mr. Weiss said that the planning and zoning code of the county has specific requirements for notice. The notice is done by publication, by mail within a certain radius, and by posting at the site. Certainly that information will be provided to your Commission and the Department will make that information available when they are aware of it to interested members of the community. Mr. Searcy made a specific request from this Commission that it be specifically noticed in the Argonaut. Commissioner Law asked, if the supervisors agree with the basic term sheet, won't it come back before this Commission before the Supervisors finally approve it? Mr. Weiss responded absolutely.

Mr. Searcy stated what he was looking for was public input at the Regional Planning Commission -- that is where they will be discussing issues of height, traffic mitigation, etc., and that's where the public can give input of this nature on a project. Mr. Searcy wants to get the public accustomed to going to the Regional Planning Commission hearings. That's where the Commissioners can put additional conditions. They have more teeth than this body has in terms of putting exactions or impositions on developers.

Mr. Aaron Clark stated that projects are noticed in the Argonaut. In addition, there is a requirement that occupants as well as property owners be notified.

There is a specified foot radius. Posting also occurs on the property, at the public library and, again, in the Argonaut. Commissioner Stevens stated, she would insist that it be in the Argonaut, which everybody does read. Commissioner Stevens also asked what can we do to get the Woodfin project down to 162 feet? Searcy stated that couldn't be done at this time. We have already made our recommendation. Our recommendation is only a recommendation. The body that has that regulatory authority would be the Planning Commission, as well as the full Board of Supervisors. Mr. Weiss stated that was correct, as well as the Coastal Commission in certain instances. Commissioner Stevens understood that we are not a regulatory agency, we are only an advisory committee, but in recalling the presentation of the Woodfin project in front of this body, I remember the gentleman who represented them said that, financially, he couldn't go to 225 feet. I think it really needs to be addressed and I would like to see this Commission recommend to the Regional Planning Commission and Board of Supervisors how much money a developer makes off of his parcels. Commissioner Law stated that he would welcome Commissioner Stevens to the discussion of height limits, but that the Commission viewed this earlier and exempted three projects on the basis they are already in process. I would just assume we do not deal with the Woodfin portion, that we move ahead on the motion that we have before us and if the Commissioner would like to put it on the agenda for the next meeting.

Chairman Searcy indicated the Commission will now consider a motion to recommend that all new development in Marina del Rey not exceed a height limit of 162 feet above grade, with the exception of the following projects that are already in progress: Parcels 9, 10, and FF.

Chairman Searcy then called for public comment.

Rhoda Rich asked the Commission how many apartments are you looking at in these projects. How many individual units are planned in this project? Mr. Searcy stated that to take that question at its fullest and most complete way would require going back to the AMS, the overall asset management strategy, which recognizes the overall envelope and what is permitted under the zoning code and local California Coastal Commission regulations. We can tell you what the limits are as set by the Coastal Commission.

Mr. Moliere stated that there are, as per the 1996 LCP, an additional 2,495 residential units are allowed. Mr. Searcy stated that is the maximum that would be permitted under the LCP of the California Coastal Commission. That's the maximum -- that in no way mandates that we do that many, but answers your question, what's the maximum that could potentially be done legally? That doesn't mean in anyway that we need to do that.

Ms. Rich made the suggestion that when you do have a developer come up and make a proposal on any building, we know how many units he's actually planning.

on building. There shouldn't be voting on these types of properties without any attention to traffic mitigation. I think the real estate law is that every owner has to make disclosures as they know them. I strongly suggest that they put in the possibility of no neighborhood hospital. I think that should be part of the item that the builders are going to be faced with in the Marina.

Mr. Searcy clarified that the Commission's motion is not related to approving any specific development on Parcel 145, but simply recommends (as specifically stated above) that a height limit of 162 feet be placed on any new development in the Marina.

Of motion of Commissioner Law, seconded by Commissioner Stevens, and duly carried with 3, commissioners in favor and 1 abstention from Chairman Searcy, the Commission agreed to recommend that all new development in Marina del Rey not exceed a height limit of 162 feet above grading with the exception of projects that are already in progress at on Parcels 9, 10 and FF.

b. **ABANDONED OIL WELLS IN MARINA DEL REY**

This item was continued.

5. **NEW BUSINESS**

a. **Daniel Freeman Marina Hospital Department Report and Presentation by Department of Health Services**

Ms. Kerry Gottlieb, Chief Deputy Director, Beaches and Harbors, introduced Cathy Chidester, Assistant Director of the Emergency Medical Services Agency (EMSA), who spoke on the current status of Daniel Freeman Marina Hospital.

Ms. Chidester, speaking as a representative of EMSA and not on behalf of the hospital itself, said that when the closure of the hospital was announced the EMSA held a public hearing to examine the impact of the closing and to develop a report for submission to the Department of Health Services. The impact report has not yet been submitted because of pending legal action and the fact that the closure has either been postponed or is being reconsidered by the hospital at this time. The EMSA is not making any public statements at this time as to the development of its impact report.

Chairman Searcy opened the floor to public comment.

Julie Inouye, Coalition to Save our Marina Hospital (SOMH), said that the EMSA should not delay the release of its impact report. She then spoke on the efforts of SOMH and herself to work very closely with the hospital, and its doctors and nurses along with elected officials to keep the hospital open. She said that the hospital is a viable part of the regional health care system and that SOMH is

exploring the option of purchasing the hospital itself. They also are working closely with the California attorney general's office.

Chairman Searcy stated that the Commission has already unanimously gone on record in support of keeping open the Daniel Freeman Marina Hospital and he encouraged the public to give its input to Ms. Inouye.

Ms. Chidester reiterated that the EMSA is not planning to submit its impact report at this time because the hospital owners are not now in the formal process of actually closing the facility.

In response to a question from Mr. John Rizzo, President of the Marina Tenants Association, Ms. Gottlieb said that the Commission was considering this agenda item today in response to community members who were interested in the possibility of establishing a hospital in Marina del Rey. At the last Commission meeting, the Commissioners asked that staff relay to the Board of Supervisors their interest in keeping the hospital open and to explore whether the County should possibly file a lawsuit or join the current lawsuit. The communication is about to be sent out by Department staff.

Mr. Weiss commented on the ability of County Counsel to give its feedback on any potential legal action involving the County and that hospital if requested by the Commission.

Chairman Searcy commented that the Board of Supervisors should be informed of the Commission's strong interest in keeping the hospital open. The public both in the Marina and in surrounding communities has expressed a dire need for these services at that hospital to remain open to the community. He also said that County Counsel could investigate the feasibility of the County joining an existing lawsuit or instituting its own.

In response to an inquiry from Commissioner Law, Mr. Weiss said that the Board of Supervisors has discussed this issue on at least one occasion earlier this year and brought in a motion to direct the Department of Beaches and Harbors to work with the Marina Lessees Association to try to take appropriate action to see what could be done to stop the closure of the hospital.

b. <u>Approval of Negotiated Rental Rates Amendment No. 3 to Lease No. 55624 – Parcel 125R (Marina City Club) – Marina del Rey</u>

Ms. Gottlieb introduced this item and said that it relates to asking the Commission's endorsement of new rental rates that have been negotiated for commercial activity on the Marina City Club premises. The proposed rate increases are in the draft Board letter (copy on file in Commission office) already provided to the Commissioners. Ms. Gottlieb then spoke on the process of negotiating and developing the rate increases. The rental rates have been re-

negotiated for the next 10-year period from 2003 through 2013. In answer to Chairman Searcy's inquiry, Ms. Gottlieb that these rate increases does not involve residential rents but only commercial activity.

Ms. Gottlieb went on to discuss with the Commission how the County's revenue from residential rentals is governed by different agreements that are not the topic of this Board letter and that are already in place. She also discussed with the Commission the actual and potential extent of those rate increases and the corresponding impact on revenues due to the County.

Chairman Searcy opened the floor to public comment:

Rhoda Rich spoke with Ms. Gottlieb and Mr. Moliere on rental rate increases at the Marina City Club, and went on record as saying that the maintenance at the City Club was not very good.

After further discussion, on motion of Commissioner Law, seconded by Commissioner Stevens and unanimously carried, the Commission endorsed the renegotiated rental rates on Parcel 125R (Marina City Club) as contained in the draft letter of November 7, 2002 to the Board of Supervisors (copy on file in Commission office).

c. **Assignment of Leasehold Interest and Amendment to Lease Parcel 64 (Villa Venetia Apartments) – Marina del Rey**

Pending receipt of information from the lessee, this subject will be calendared for a future meeting.

d. **Parcel 95 (Marina West), Parcel 97 (Marina Beach Shopping Center), and Parcel 140 (Admiralty Apartments)**

Roger Moliere stated that he wanted to bring to the attention of the commissioners and public several of the projects that are going to enter the regulatory process. This is a refinement of the design now that they are ready for the regulatory phase.

All of the development in the Marina is based on the Asset Management strategy and redevelopment projects. In recent years it has been based on solicitations either through the RFP process or through the regulatory process. The three projects: parcel 95 LLS, parcel 97 small shopping centers on Washington Blvd., and parcel 140 Admiralty Apartments. The projects are originally recommended to the Small Craft Harbor Commission, and then are given to the Board for approval to enter into exclusive negotiations. Those negotiations have now proceeded to the point where we are nearing the end of the negotiation for contract terms and as this happens the regulatory process begins.

These projects will go to the Design Control Board where they will have a hearing on the concept and design. Assuming passage by the Design Control Board, the next step is to take them to the Regional Planning Commission. Depending on several factors, a separate step may include the Board of Supervisors, if a local coastal plan amendment is required. These projects are totally within the confines of the current LCP.

The area we are talking about here for all three projects is the Marina Beach area. The Marina Beach renovation actually including three different sub sections: the waterfront, the urban resort hotels and the landside of the Marina. The three projects are the Marina Beach Shopping Center, Marina West Shopping Center, and Admiralty Apartments.

Mr. Moliere mentioned that the new Fisherman's Village project would shortly be coming up and probably by December this will be submitted to the Design Control Board.

A copy of the presentation on the Marina Beach renovation is available at the Visitor's Center, the library, our administration building and on the county website.

Commissioner Stevens asked if this presentation will be back to the Small Craft Harbor Commission. Mr. Moliere stated that once the lease is negotiated and presented, the lease and the proposed lease will come back before the Commission for their approval, along with the design. Commissioner Stevens questioned how many stories is the Admiralty Apartments? Mr. Moliere stated it would be 45 feet tall, which is a relatively low rise.

Mr. Law asked if the Fisherman Village drawings are the same as what was seen a year and a half ago when it first came to the commission? Mr. Moliere stated it is the same, barring the fact that at that time there was a hotel plan. Mr. Law questioned whether this was a smaller project than the Commission originally saw. Mr. Moliere stated it is smaller in the sense that there is no hotel but it is a larger visitor-serving project, adding 30,000 feet of retail restaurant.

Members of the public were invited to speak.

Rhoda Rich stated that it is important to know that the Admiralty Apartments are going to increase from 64 units to 179 units; therefore, it should be studied to ensure that there would be ample parking and guest parking, and that appropriate traffic mitigation measures are taken.

Mr. Weiss commented that the local coastal plan provides for additional apartment units. Every project that goes through the entitlement process including this one will be required to meet all parking requirements under the

county code and traffic mitigations also are specifically addressed in the local coastal plan.

Mr. Searcy stated that all the items will certainly be subject to the purview of both the Design Control Board and Regional Planning Commission.

Tim Riley, Marina del Rey Lessee Association, stated that the Marina del Rey Lessee Association strongly supports the redevelopment of the Marina particularly when the plans will upgrade the area and bring about a nicer looking Marina.

Carla Andrews questioned whether the height of Admiralty Apartments was set back to widen Admiralty Way in consideration of the LCP. Mr. Moliere stated that this does not have to do with the widening of Admiralty Way. The LCP does not require specific setbacks.

Daniel Ginsburg commented that he was there as an individual resident on behalf of his family's business, Fantasy Yacht. Architecturally it is a great enhancement but for years we needed a more hospitable visitor serving center and it looks like Fisherman's Village is moving in that direction. It is a wonderful to see nice new clean development, new shops, and new energy. In addition, having the park is a nice benefit as well as coming up with proper gateways into the Marina.

Lorett Robins stated that her apartment faces Admiralty Way and daily she sees terrible things happening on that street, such as accidents and people going over the dividers. It is a very hazardous area. Possibly there should be a signal coming out of the Marina City Club.

James Sokolsky, President of MdR News, suggested doing a physical model of Marina del Rey and its planned developments.

Joe Chesler stated that the department has had extensive discussions with the UCLA urban design simulation laboratory. There is a proposal from them for such a model to convey the ideas and changes in the future. The project was deferred last year because of budget constraints and we hope to bring that forward again in the coming years.

Fred Newman, Marina resident, said that he has not heard or seen anything on traffic mitigations. Chairman Searcy stated that there was a meeting on traffic mitigations and that information can be made available to him.

Commissioner Stevens asked at what point in the process of redevelopment does the developer pay into the traffic mitigation? Mr. Chesler stated that is paid at the time of the issuance of the building permit.

Mr. Weiss reminded the Commission and the audience that some second generation development can proceed without the completion of some of the traffic improvements. The plan provides that no more than 50% of the additional entitlements can be built out until certain improvements have been completed.

Mr. Moliere commented that since the passage of the LCP there have been no developments, so all these new ones are at the very beginning. Of all the projects that are being considered we are still below 50%.

Mr. Newman stated that the Marina Hospital and medical facilities are important considerations. Medical facilities, traffic congestion, and crime prevention are the three most important parts of your plans.

6. STAFF REPORTS

a. Ongoing Activities

-- Board Actions on Items Relating to Marina del Rey

Ms. Gottlieb stated the Board of Supervisors approved unanimously the two matters that staff presented at a prior meeting. One of them was a proposed senior citizen facility on Parcel OT, and staff has also received authorization to proceed into exclusive negotiations on Parcel UR.

-- Design Control Board Minutes

There was no discussion on the Design Control Board minutes.

b. Marina del Rey Convention and Visitors Bureau (MdR CVB)

Chairman Searcy asked that staff put on the agenda for the next meeting some appointments that need to be made from this body to that board.

Ms. Moore, Executive Director, updated the activities of the Visitors Bureau.

The publicity efforts continue to get attention for the Marina—during the summer the CVB hosted a writer from Yachting magazine—from that visit, MdR was then featured in the October edition of the magazine—and we were named one of the top 10 Marinas in North America, and the only marina mentioned on the West Coast. We continue to believe the one-on-one outreach to the press is one of the most effective and cost efficient ways of building awareness of this destination. Colored maps have been installed on all of the Community Bulletin boards in the Marina.

Travel into the Los Angeles area is still hurting from the downturn in the economy, particularly the decline in business travel. The Marina Convention and Visitor's Bureau participated in a meeting planners tradeshow in Washington DC. Our local hotels are working together with the Visitors Bureau on a holiday promotion targeted to visiting friends and relatives. Six MdR hotels have unanimously agreed to extend their contractual agreements with the CVB through December 2005.

7. **COMMUNICATION FROM THE PUBLIC**

Commissioner Stevens reported on two articles from the L.A. Times. One spoke about the desire of Westside businesses to break away from the Los Angeles Visitors and Convention Bureau to form a separate bureau for the Westside. The other article stated that the L.A. Convention Bureau is moving forward to obtain increased funding from the federal government and are excluding the Westside and the Marina. Chairman Searcy suggested that there should be something that can be done on the political level.

Neil Glotza, resident of Marina del Rey, employed by Kingswood Village which is in escrow, reported that the new owners are coming in January and everyone will be out with massive increases in rent so they can remodel.

Arthur J. Brenner, resident of Kingswood Village, also stated the new owners will skyrocket the rent.

Commissioner Stevens suggested that the Commission agendize for the next meeting an appearance by the new owners. Mr. Weiss stated that the department has been contacted regarding the proposed assignment of the lessee's interest on that parcel. That is not a consummated transaction. Any assignment of the leasehold interest that the department intends to process will be presented to this Commission as the first order of business, and must be approved by the Board of Supervisors. Chairman Searcy stated that this is something that has not formally come before Beaches & Harbors or the County and certainly not to the Commission as yet. Mr. Weiss stated that it has come to the department for evaluation under the department's policy of considering leasehold assignments.

Commissioner Law asked how long this has been in discussion? Mr. Moliere stated that there has been for the last year or so discussions with the current Kingswood owners about the renovation project, which has nothing to do with the sale.

Commissioner Law asked when this issue would come before the Commission? Mr. Moliere stated possibly in the next two months.

Arthur Roberts commented that there is a lot of concern among the tenants as to what is happening with the building. Since the building is not under rent control is there something the Commission can do to impose rent control? Mr. Searcy stated that would have to be approved by the County. Mr. Weiss stated in respect to residential rents, there

was a point in time when the Marina apartment units were under rent control. That has now terminated. The Board of Supervisors adopted a policy that it will review apartment rents in the Marina to ensure that they are in line with comparable market units.

Mr. Moliere said the Supervisors actually survey both the Marina del Rey and the area and establish the range for comparable apartments, then review any individual complaints or actions to see whether or not the department rent has been set beyond the limits.

Chairman Searcy stated that when this item is agendized, the Commission would request that representatives from the potential entity be at that meeting. Staff will endeavor to make sure that notices get to the Kingswood apartments. Ms. Gottlieb should also ensure that the last two speakers receive notices.
Mr. Weiss stated the Department would notify the lessee that the proposed rental increases are considered by the Department to be out of line. He does not think that the Department had an instance where it required further action.

Chairman Searcy stated if it required any further action, then it would be pursuant to the County's rights under its agreement with that lessee. Mr. Weiss stated it would be in the capacity as a landlord not in a governmental role, because there is no current regulatory rent control in unincorporated County residences.

Commissioner Stevens commented that apartment rates or real estate rates are higher here than on the Westside.

Carla Andrews stated that the renovation should be an investment to the developer not an excuse to raise the people's rent.

8. ADJOURNMENT

The chair moved that the meeting be adjourned at 11:50 a.m. The motion was unanimously carried.

MARINA DEL REY HARBOR ORDINANCE
SEAWORTHY & LIVEABOARD COMPLIANCE REPORT

	November	December
Liveaboard Permits Issued	1	3
Warnings Issued (Yellow Tags)	4	3
Notices to Comply Issued	0	0
Citations Issued		
(19.12.1110 LACC- Failure to obtain a Liveaboard Permit)	0	0
(19.12.1060 LACC- Unseaworthy vessels)	0	0

The following statistics have been accrued from September 22, 1995 through December 31, 2002.

Total Reported Liveaboards By Lessees - 523
Total Liveaboard Permits Issued - 413
Percentage of Compliance - 78.97

547 Warnings have been issued. *(increase + 3 from November)*

525 Are Inactive *(increase of +10 from November)*

240 are no longer listed as registered liveaboards by their anchorage.
118 have vacated their slip.
167 have complied with the ordinance

22 Remain Active *(decrease of -7 from November)*

245 Notices to Comply have been issued. *(same as November)*

244 Are Inactive *(same as November)*

46 have complied with the ordinance. *(same as November)*
30 have been destroyed. *(same as November)*
168 have been removed from the marina. *(same as November)*

1 Remain Active *(same as November)*

Citations Issued

117 Violations 19.12.1110 LACC - Failure to obtain a liveaboard permit. *(same as November)*

Disposition by Culver Municipal Court:

17 cases were dismissed - 2 of these cases have complied - 6 have not complied and are yet subject to another citation. 9 cases were rendered inactive because they are no longer registered as liveaboards. *(same as November)*

15 were dismissed with proof of correction - all 15 cases have been rendered inactive, 6 cases have complied and 9 are no longer liveaboards. *(same as November)*

65 fines were assessed - 25 of these cases have not yet complied and are subject to another citation - 40 cases were rendered inactive, 12 of those have complied and 28 are no longer registered as liveaboards. *(same as November)*

20 bench warrants were issued - 8 cases remain active and are currently being investigated. *(same as November)*

41 Violations 19.12.1060 LACC - Unseaworthy vessel. *(same as November)*

Disposition by Culver Municipal Court:

6 cases were dismissed - 4 of these cases have complied, the other 2 have not and are yet subject to another citation. *(same as November)*

14 fines were assessed - 6 of these cases have complied, the other 6 have not and are yet subject to another citation. *(same as November)*

7 warrants were issued - 0 cases are still active. *(same as November)*

14 active case- *(same as November)*

Number Of Unseaworthy Vessels Demolished

To date, one hundred and thirty five (135) vessels have been removed from the marina for disposal. Fourteen (14) vessels are ready for disposal *(same as November)* and ten (10) are awaiting lien sale procedures *(increase of +3 from November)*.

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

January 23, 2003

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **BEACH AND MARINA DEL REY SPECIAL EVENTS**

FISHERMAN'S VILLAGE
SIXTH ANNUAL TALL SHIP TOUR
JANUARY 28 – FEBRUARY 5

The Hawaiian Chieftain and Privateer Lynx will arrive at Fisherman's Village on Tuesday, January 28. Tall Ship dockside tours will be available weekdays from 4 p.m. to 5 p.m. Dockside tours will also be available Saturday, February 1 and Sunday, February 2 from 10 a.m. to 1 p.m. The cost for dockside tours are $7 per family, $3 per adult, $2 for students/seniors and $1 for children under 12.

Tall Ship Battle Re-enactments will be available Saturday, February 1 and Sunday, February 2 from 2 p.m. to 5 p.m. The cost for public participation is $40 per adult and $20 for children under 12.

Reservations must be made in advance for all programs (except dockside tours) by calling 800-200-5239 (Hawaiian Chieftain) or 949-642-5031 (Privateer Lynx).

WHALE WATCHING
JANUARY 1- MARCH 31

Whale watching tours depart daily from Marina del Rey to observe the migration of gray whales along the Pacific Coast.

For information call 310-822-3625.

FISHERMAN'S VILLAGE WEEKEND CONCERTS
Sponsored by Pacific Ocean Management, LLC
Concerts are from 1 p.m. - 4 p.m.

Saturday, February 1
Scott Sechman & Jamie Browning, playing Acoustic Pop & Rock

Sunday, February 2
Kerry Getz, playing Acoustic Pop & Rock

Fax: (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292
INTERNET: http://beaches.co.la.ca.us/

Saturday, February 8
The New Orleanians, playing Dixieland

Sunday, February 9
Swing Syndicate, playing Swing

Saturday, February 15
Chazzy Green, performing Jazz

Sunday, February 16
Geoffrey Tozer & His Swank Pharaohs, playing Acoustic Funk

Saturday, February 22
La Cat, playing Latin Reggae

Sunday, February 23
Moondance, playing Big Band, R&B, Latin and more

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

SW:mc

Small Craft Harbor Commission
Meeting of December 11, 2002

Minutes

Commissioners: Harley A. Searcy, Chairman
Carole B. Stevens, Vice-Chairperson
Joe Crail (Excused Absence)
John C. Law (Excused Absence)
Russ Lesser

County: Stan Wisniewski, Director
Roger Moliere, Chief, Asset Management Division
Joe Chesler, Chief, Planning Division
Dusty Crane, Chief, Community & Marketing Services Division
Alex Kalamaros, Senior Property Agent, Asset Management Division
Beverly Moore, Exec. Director, Marina del Rey Convention & Visitors Bureau
Lucy Younger, Planner, Planning Division
Rick Weiss, Principal County Counsel
Lieutenant Mario Barron, Sheriff's Department
Deputy Paul Carvalho, Sheriff's Department
Sgt. Gary Thornton, Sheriff's Department

1. CALL TO ORDER & ACTION ON ABSENCES

Chairman Searcy called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:35 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 and Commissioner Crail from today's meeting. The motion was unanimously carried.

2. APPROVAL OF MINUTES

Mr. Stan Wisniewski stated he did not attend the November 13, 2002 meeting; however, Ms. Rhoda Rich attended and is requesting a modification of the minutes to include her comments from that meeting. At the November meeting, there was discussion regarding the Promenade Apartments. In response to the disclosure that the Promenade Apartments' percentage rents were frozen until 2015, the minutes should include Ms. Rich's expression of "total amazement since homeowners have had their ground lease payments raised every year by 8% with no end in sight." Relative to the meeting's discussion of the Tenet Healthcare Foundation's proposal to close Daniel Freeman Marina Hospital, the minutes should include Ms. Rich's suggestion that "any developer seeking approval to build residential or commercial properties should contribute to a fund to establish a first-class medical facility."

Discussion ensued regarding whether a vote could be taken on the November 13 minutes since only two of the Commissioners present today were at that meeting. Mr. Rick Weiss stated that since Commissioner Lesser was absent from the meeting, he cannot vote on the minutes unless he listens to a tape of the entire meeting. Additionally, the Commission's rules provide that any action requires a majority of the Commission, not merely a majority of the quorum.

Chairman Searcy stated the minutes will be revised to include Ms. Rich's comments, however, he deferred action on the minutes until the January 2003 meeting.

3. **REGULAR REPORTS**

a. **Marina Sheriff's Department Report**

--- **Crime Statistics**

Lieutenant Mario Barron, on behalf of the Marina del Rey Sheriff's station, reported the downward trend in staff time is continuing. He also reported that an arrest was made recently of a group of people involved in a gypsy-type scheme. There is no evidence that schemes were perpetrated in Marina del Rey. The group is currently in custody and will be extradited to Illinois.

Lt. Barron reported there was an electrical fire in the Marina del Rey Hotel. Moderate damage was done and there were no injuries or major loss of property.

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

Deputy Paul Carvalho reported there is little activity relative to the enforcement of liveaboard permits and seaworthy vessels. The reason pertains to the number of vessels currently in the impound. There are 14 vessels ready for disposal and 7 more awaiting lien sale procedures. He said the matter has been given to his Department's Property and Evidence Division and its staff will probably develop a procedure, including applying for a grant from the Department of Boating and Waterways, to address the problem. Mr. Wisniewski offered the Department of Beaches and Harbors' assistance in funding half of the disposal cost of the vessels.

b. **Marina Special Events**

Mr. Wisniewski reported the 40th Annual Holiday Boat Parade will be held on December 14, 2002. A fireworks show will kickoff the event at 5:55 p.m. He said the Holiday Boat Parade is the Marina's single largest and most spectacular public event. Thanks to a motion made by Supervisor Knabe, and approved by the Board of Supervisors, the parking fees in Marina del Rey are waived for the entire day, as are the boat launch fees.

Vice-Chairperson Stevens asked how many boats are participating this year. Ms. Dusty Crane responded that, to date, there are 35 boats.

Mr. Wisniewski continued his report, stating that another fireworks display will be held on New Year's Eve, beginning at the 30-second countdown to midnight and continuing until the opening minutes of 2003. Additionally, Fisherman's Village will have weekend concerts throughout December.

4. OLD BUSINESS

a. Height Limit Motion – Parcel 9U (Proposed Site of a 2 Acre Public Park and Woodfin/Time Share Project)

Chairman Searcy informed the Commission that this item was removed from the agenda. Mr. Wisniewski explained the item was placed on the agenda at Vice-Chairperson Stevens' request, however, she supports the height limit on Parcel 9U and doesn't see a need for further discussion on the matter. Vice-Chairperson Stevens commented that she discussed the matter with Commissioner Lesser prior to today's meeting and decided that since the Commission has already approved the height limit, it would be inappropriate to take it away. Mr. Wisniewski said the original exception that was made for the hotel will be honored.

5. NEW BUSINESS

a. Appointment of One Commissioner and One Alternate To the Marina del Rey Convention & Visitors Bureau Board of Directors

Chairman Searcy stated Vice-Chairperson Stevens served as a member of the Marina del Rey Convention & Visitors Bureau's Board of Directors for the 2002 calendar year. Commissioner Joe Crail served as the alternate. Since both appointments will expire at the end of the year, new appointments have to be made.

Chairman Searcy moved and Commissioner Lesser seconded a motion to appoint Vice-Chairperson Stevens to the Marina del Rey Convention & Visitors Bureau's Board of Directors and Commissioner John Law as the alternate for the 2003 calendar year. The motion was unanimously carried.

b. Resolution Approving the Application to the State of California Department of Parks and Recreation for Funding of the Marina Del Rey/Ballona Creek Trail Improvement Project

Mr. Joe Chesler informed the Commission that approval of this agenda item will enable the Department to proceed with the grant application for improvements to the Marina's middle jetty that separates Ballona Creek from the main entrance channel. Mr. Chesler displayed a picture of the area's existing conditions. He explained the intent is to keep the bicycle trail in the present location, but enhance the northerly part of the jetty to provide pedestrian and viewing improvements in Marina del Rey. The project's estimated cost is $2.1 million, and the

Department is requesting a grant in the amount of $879,070 from the State Department of Parks and Recreation under the Recreational Trails Program. The remainder of funding for the project will derive from grant applications the Department is seeking from Proposition 40 allocations as well as the State Coastal Conservancy.

Chairman Searcy opened the floor to public comment:

Ms. Carla Andrus asked the source of funding for this project. Mr. Chesler responded the funding comes from the Recreation and Trails Program, which is administered by the State Department of Parks and Recreation.

Commissioner Lesser moved and Vice-Chairperson Stevens seconded a motion to recommend the Board of Supervisors' adoption of a resolution approving an application to the California Department of Parks and Recreation for Funding of the Marina del Rey/Ballona Creek Trail Improvement Project through the Recreational Trails Program under the Transportation Equity Act for the 21st Century. The motion was unanimously carried.

c. **Approval of Negotiated Rental Rates Amendment No. 8 to Lease No. 5577 Parcel 42/43 (Marina del Rey Hotel) – Marina del Rey**

Mr. Roger Moliere stated this agenda item is a result of the regular dicennial rent renegotiations that are provided in all leases. A review by the Department's economic consultants and staff revealed that almost all of the rates currently charged were at the Marina standard except for the rates charged in the restaurant category. Therefore, staff negotiated a raise in that rate from 3% to 3.5%. Additionally, the lease was brought up to date in terms of the regular triannual adjustment of the minimum rent. Mr. Moliere said a review of the insurance levels indicated they were at optimum levels as provided by the County's Risk Management Office. This results in a relatively minor amendment to bring the one category that was substandard, restaurant sales, up to the Marina standard of 3.5%.

Chairman Searcy opened the floor to public comment. Hearing no public comment, the following motion was made:

Vice-Chairperson Stevens moved and Commissioner Lesser seconded a motion to recommend the Board of Supervisors' approval of negotiated rental rates – Amendment No. 8 to Lease No. 5577 – Parcel 42/43 (Marina del Rey Hotel). The motion was unanimously carried.

d. **Assignment of Membership Interests in Limited Liability Company Parcel 44U (Pier 44) and Parcel 77W (77 Del Rey) – Lease No. 6734 And Lease No. 11140 – Marina del Rey**

Mr. Moliere stated this agenda item is essentially an internal reorganization that is being contemplated by the lessees of Parcels 44U and 77W. He explained that years ago when the property was purchased it was owned 50/50 by CS First Boston Mortgage Capital, LLC and the current owners, Mr. Pashale and Mr. Taban. The County's leases provide that consent of the

County is not necessary for an internal reorganization unless the membership interest transfer exceeds 50%. Factually, this last 1% transfer brings the cumulative transfers up to 50% in terms of the internal reorganization and results in a 50% ownership each for Mr. Pashaie and Mr. Taban, making them the total owners of Parcels 44U and 77W. Mr. Moliere said the Consent to Assignment is requested to acknowledge the final transfer. The transfer does not result in any change in the management and there is no financial impact.

Chairman Searcy asked, for clarification purposes, whether County consent is not required until the transfer exceeds 50%. Mr. Moliere responded this is correct. County consent isn't required until the transfer exceeds 50%. Mr. Weiss explained that the lessee has requested the County's consent as a cautionary measure. The lease does not contain provisions in terms of limited liability companies. Therefore, existing language must be interpreted as applicable.

Chairman Searcy opened the floor to public comment. Hearing no public comment, the following motion was made:

Vice-Chairperson Stevens moved and Commissioner Lesser seconded a motion to recommend to the Board of Supervisors the consent to assignment of membership interests in limited liability company—Parcels 44 (Pier 44) and 77W (77 Del Rey) – Lease Nos. 6734 and 11140 Marina del Rey. The motion was unanimously carried.

e. **Assignment of Leasehold Interest and Amendment to Lease Parcel 64 (Villa Venetia Apartments) – Marina del Rey**

Mr. Wisniewski stated that at the time of the Commission mailing, staff had not completed the financial analysis of this assignment of leasehold transaction. The analysis is now complete and was placed in the Commissioners' binders this morning for their review. He asked Mr. Moliere to explain the transaction to the Commissioners. Mr. Moliere referenced the analysis and explained the transfer is to a limited liability company. The County's consent is required for most assignments and the basis on which approval or denial is made is the financial condition of the assignee, the price to be paid for the leasehold as it relates to the improvements, and the management of the leasehold. He said an extensive review of the proposed leasehold financing has been completed, as well as a review of the proposed management of the leasehold.

Mr. Moliere said the proposed assignee will be funding its LLC with a $3 million capital contribution. It is an entity formed by an existing developer that has 50 or 51 apartment complexes in the Los Angeles area and elsewhere in Southern California. The price paid is $34 million and the financial plan will provide appropriate debt service, not only initially, but throughout the term of the remaining lease. The proposed plan provides for an interim 5-year loan at the end of which time the developer has personally guaranteed an additional $8 million pay down of the loan enabling it to proceed with conventional fully amortized financing. Chairman Searcy asked whether staff is satisfied that the company will have sufficient financial capital to make the $8 million payment. Mr. Moliere responded staff is confident the payment will be made since it is backed by a personal guarantee that is of some substance, as well as the pledge of an interest in a separate project that has an appraised value in excess of the $8

million. A 22-year cash-flow projection was prepared to make sure that throughout the term of the financing there would be appropriate debt coverage and appropriate funds available for the maintenance and operation of the leasehold. Staff recommends approval by virtue of the experience and expertise of the proposed owner and financial structure of the transaction.

Chairman Searcy opened the floor to public comment. Hearing no public comment, the following motion was made:

Vice-Chairperson Stevens moved and Commissioner Lesser seconded a motion to recommend the Board of Supervisors' approval of the assignment of leasehold interest and amendment no. 14 to lease no. 4709--Parcel 64T (Villa Venetia Apartments)-Marina del Rey. The motion was unanimously carried.

f. Parcels 55/56/W (Fisherman's Village)

Mr. Wisniewski stated the proposed project for Parcels 55/56 is scheduled for consideration by the Design Control Board at its December 19 meeting, which is scheduled for 2:00 p.m. in the Chace Park Community Room. He explained the project is being presented today because the Department is committed to obtaining public input in the Marina's development process. Mr. Alex Kalamaros, Senior Property Agent, displayed enlarged site plans at the front of the room. Chairman Searcy commended Mr. Kalamaros for his computer expertise and his willingness to go beyond the call of duty when working on projects.

Mr. Moliere said the semi-final designs for Parcels 55/56 were presented at the November meeting. The final designs are being submitted today and are an improvement on an already good design. He explained that the idea when developing the project was to create an environment where the emphasis is on open-air dining and boutique retail space that would be adjacent to the promenade and feature views of the Marina. He referenced the site plan and pointed out some of its features, such as its open space and view corridors. Mr. Moliere said one of the improvements made on the design is that it provides a significant identity to the Marina. A unique aspect of the plan is a feature that resembles a banner, but is actually a pedestrian bridge connecting two buildings with rooftop restaurant space. The central plaza is also an interesting feature with a very large open space and pedestrian gathering areas. He mentioned that the design for the waterfront portion, including the docks, is now completed and contains a significant number of slips for guest dock visitors. There is also an area for berthing of the Fantasea Two, which will provide a permanent home in an appropriate place on the main channel.

Chairman Searcy announced a short break to give members of the public the opportunity to view the site plans. After reconvening, Mr. Wisniewski informed everyone that pursuant to instructions received from the Board of Supervisors, there is now an executed term sheet with the project's developer and the final lease document preparation for the project will proceed as planned. Chairman Searcy reminded members of the audience that the project will again be discussed at the Design Control Board meeting on December 19 at 2:00 p.m. in the Chace Park

Community Room. Chairman Searcy, on behalf of the Commission, commended staff on the project's progress.

Chairman Searcy opened the floor to public comment:

Mr. Tim Riley, MdR Lessee's Association, said the Association strongly supports this project. He added that it brings a whole new dynamic to the Marina and will attract visitors to an area that has been underutilized for a long time.

6. **STAFF REPORTS**

a. **Ongoing Activities Report**

Mr. Wisniewski reported that three items, Parcel UR/Parcel 41, Parcel OT and Parcel 125R, are recapped in the Activities Report.

Mr. Wisniewski informed members that a new section, entitled "Responses to Issues Raised Under Public Comment," was added to the Activities Report. He said this section will most likely continue to be included in the Activities Report so the public can remain apprised of staff's follow-up actions to issues raised at meetings. One of the issues raised at the November meeting regarded Kingswood Village Apartments. The Activities Report addresses these issues. Mr. Wisniewski commented that staff worked with the existing lessee on a renovation project for the leasehold. Negotiations have broken down regarding how to renovate the high-rise tower. Currently, there is a new interested party, Archstone-Smith, that is in negotiations to purchase the Kingswood property.

Mr. Wisniewski stated another issue raised at the November meeting pertained to converting Kingswood Village Apartments into condominiums. He explained there is a policy that was recommended by the Commission in 1984, and subsequently approved by the Board of Supervisors, that establishes parameters for any condominium conversion in the Marina. The tower at Kingswood would qualify for the conversion, however, Mr. Wisniewski said he would not recommend converting the tower to condominiums.

Mr. Wisniewski continued with the Ongoing Activities Report, stating that as a follow-up to previous discussions on the potential closure of Daniel Freeman Marina Hospital, staff sent a letter to the Board of Supervisors expressing the Commission's concerns. A copy of that letter is attached to the Activities Report, along with a copy of a memo from Mr. Richard Weiss, Principal County Counsel, addressed to the Small Craft Harbor Commission, concerning possible legal actions that can be taken by the County on the proposed closure. Chairman Searcy informed the public that these documents are available on the table near the community room's entrance.

Mr. Weiss stated his office has investigated the legal requirements that Tenet Healthcare Corporation is subject to in order to close the hospital, as well as any potential legal avenues the County might have in respect to that closure. He indicated that, basically, there is no

statutory basis for the County to commence legal action against Tenet to keep a private hospital open. The County has a requirement under State law to conduct an impact analysis and, in doing so, hold a public hearing and prepare an evaluation impact report. Mr. Weiss said the public hearing was held, however, the evaluation impact report has not been done and is awaiting a final decision by Tenet as to the company's intentions. If Tenet plans to proceed with closure, an evaluation impact report will be prepared by the Department of Health Services and will be submitted to the Board of Supervisors and then to the State Department of Health Services.

Chairman Searcy asked what would be done if the State Department of Health Services received an evaluation impact report indicating that the hospital's closure would have a devastating impact on the health and welfare of Los Angeles County residents. Mr. Weiss responded he was not sure what avenues the State would have. The State Attorney General imposed several conditions upon the purchase of the hospital in which, in the event of closure, Tenet must provide another location within a couple of miles for urgent or ambulatory care. In the absence of this, Tenet would have to conduct outreach to low-income communities in the area to inform them of other locations within the general area to receive emergency medical care. As to whether the State can stop the closure, Mr. Weiss said his best estimate is that it would be difficult with respect to a private hospital.

Chairman Searcy asked whether Mr. Weiss has seen the list that Rhoda Rich provided of the law firms that are suing Tenet Healthcare. Mr. Weiss responded he saw the list, however, he is not familiar with the nature of the lawsuits. He commented that the State Attorney General filed an action to stop Tenet from closing when it initially intended to and the State received an injunction from the court. That injunction requires that Tenet fulfill the conditions imposed by the State before it takes further steps to close the hospital.

Commissioner Lesser asked whether anyone is aware of the zoning on the site where the hospital is located. Mr. Weiss responded the property is within Los Angeles City jurisdiction and he isn't aware of its zoning. He believes the zoning may allow use of the site for commercial or institutional purposes.

Chairman Searcy emphasized to the public that the property on which Daniel Freeman Marina Hospital is located falls within the jurisdiction of Los Angeles City. The Commission is basically trying to influence the process for a property that is not a Marina lessee. He explained this does not mean the Commission does not have a significant interest, he just wanted the public to be aware of the limitations under which the Commission is working. Vice-Chairperson Stevens inquired whether anyone is aware of the position taken by Los Angeles City officials on the closure of Daniel Freeman Marina Hospital. Mr. Weiss responded that he recently attended a meeting with a staffmember for Councilwoman Miscikowski on an unrelated matter, and the representative indicated that the Councilwoman's office is concerned about Daniel Freeman Marina hospital's proposed closure and is involved with the issue.

b. Marina del Rey Convention and Visitors Bureau

Ms. Beverly Moore, Executive Director, Marina del Rey Convention and Visitors Bureau (CVB), reported that the CVB has just launched its second off-season holiday promotion. Starting November 15, local hotels are offering incredible deals for area residents over the holidays. The rates will be advertised in the Argonaut and Los Angeles Times.

Ms. Moore continued, stating the CVB has accumulated great numbers for Visitor Information Services. Nearly 14,000 people have been helped so far this year at the Visitors Center compared to 7,400 during this time last year. She said even though business is down in the economy, inquiries from residents, visitors, and prospective visitors continue to rise in the Marina.

Lastly, Ms. Moore stated, the CVB has worked hard to revamp its website, "www.VisitTheMarina.com." The site provides comprehensive information on Marina del Rey and includes information on local events, transportation, meeting facilities, etc. A lot of time was also spent on the site's boating section, which is quite extensive. There is information on the yacht clubs, sailing associations, whale watching, sportfishing, and a huge section called, "Essential Boating and Harbor Information." Chairman Searcy expressed appreciation for Ms. Moore's continued good work.

7. COMMUNICATION FROM THE PUBLIC

Chairman Searcy called for communication from the public:

Ms. Rhoda Rich stated she has been a Marina del Rey resident for thirty years. She expressed appreciation for the discussion regarding Daniel Freeman Marina Hospital and the possibility that it is doomed to closure. Ms. Rich said if people were to use the Internet to review the history of the Tenet Healthcare Corporation, it would curl the hair of those who do not already have curly hair. Tenet Healthcare is fraudulent and illegal and was at one time called National Medical Enterprises and after being sued was required to pay the highest amount in Medicare fraud in the history of Medicare. The government of Australia banished Tenet. She reiterated her suggestion made at the last two meetings that when permission is granted to a developer to build multi-residential or commercial properties in the Marina, the developer is required to contribute to a fund to create and maintain a first-class medical facility.

Ms. Rich said she listened with interest to Ms. Moore's report on www.VisitTheMarina.com, which sounds wonderful, exciting, marvelous. She said to tell people that, God forbid, if someone has a heart attack or their child has an accident on one of their boats, they would have to travel to Inglewood or Santa Monica to obtain medical care. She said she will move to Santa Monica to be near St. John's Hospital; unfortunately, not everyone is able to relocate. Ms. Rich requested that pressure continue to be applied and the issue be included in each month's minutes. This whole issue was the best-kept secret around until a couple of months ago. She again reiterated the need for developers to contribute to the establishment of a medical facility.

Ms. Rich added that the last few developers in the Marina contributed $1 million dollar for traffic mitigation and only widened one corner.

Ms. Rich said the November minutes did not express the fact that the Kingswood Village Apartments were discussed in detail at the last meeting and she mentioned then that the Apartments were the only ones that obtained permission to be converted at the same time as the Marina City Club. She asked why Mr. Wisniewski did not think it would be a good idea to convert Kingswood into a condominium. Mr. Wisniewski responded he is interested in as much public use of the Marina as possible. He expressed his belief that an apartment that is rented month to month or that has an annual lease probably gets more public use than would a condominum. The Marina City Club experience was appropriate for the Marina and he supported it. It was good for those who wanted more permanence in the Marina, but expanding it to additional facilities in Marina del Rey could have a negative impact on public use. Mr. Wisniewski said, as Director of Beaches and Harbors, he would never support converting the tower at Kingswood to condominiums.

Mr. Fred Newman said he brought up the issue of traffic mitigation at the November meeting. Since that meeting, Mr. Newman explained, he has met with the Department's staff and the only issue discussed was the expansion of Admiralty Way and a possible overpass for the Marina freeway. He received the impression that there are no plans and no monies assigned by developers or the County for traffic mitigation. Mr. Newman said his attendance at a Design Control Board meeting was equally dissatisfying. He expressed concern that the County only seems to be increasing rents and new development while the traffic situation gets worse. Long-term Marina residents are being squeezed out and their interests are being disregarded. The Commission, as he understands it, does not have much control, but only tries to mitigate what has been given to it.

Mr. Chesler informed the Commission that he had recently met with Mr. Newman and Barry Kurtz, the Department's traffic consultant. At that time, Mr. Newman was provided a summary of the status of developer fees for Marina transportation improvements. Of the projects currently being negotiated, the County expects the total fees collected to be in the range of $3 million. The actual total accumulated to date is less than $100,000. These funds are not assessed until building permits are issued. Only one project has paid into the fund so far, along with several perimeter projects in the City of Los Angeles. Mr. Chesler explained that the total amount for transportation improvements are not funded solely from developer contributions, but also through the Metropolitan Transportation Authority's Call-for-Projects. Applications for these projects are due January 21, and the Department of Public Works is working diligently to submit applications for regional transportation improvements, including Admiralty Way. Mr. Chesler said all of this information was provided to Mr. Newman, along with a lengthy discussion regarding how developer fees are assessed and applied. Chairman Searcy suggested Mr. Newman meet with Mr. Chesler if additional information is desired.

Chairman Searcy said he was informed that a flyer was distributed among the residents of Kingswood Village Apartments inviting those who have issues related to rent control and other matters to today's meeting. He stated the meeting is a public forum, however, everyone needs

to clearly understand the relationship of the County of Los Angeles to its lessees, which is a landlord/tenant relationship. There is also a secondary landlord/tenant relationship with a very specific, narrow window in which the Commission has limited power. The Commission can only ensure that the rent being charged is in line with the comparable rent in the area. He requested staff to inform the public regarding how to make a complaint if they believe their rent is being gauged. Mr. Wisniewski responded the Department of Beaches and Harbors administers the master lease at Kingswood Village Apartments. There is a control pricing section that provides a price review procedure that anyone can avail him/herself of. The price review is done to ensure the rent requested of the tenant is the market rent. He suggested that tenants send a letter to him, or call him at (310) 305-9522. Since this issue is related to asset management, tenants may also contact Roger Moliere, Chief, Asset Management Division, at (310) 305-9536, or Paul Wong, Chief Property Manager, at (310) 305-9512.

Mr. Howard Posner, Kingswood Village Apartment resident, informed the Commissioners that several Kingswood residents are attending today's meeting because they are fearful that the building is in the process of being sold and there are rumors that their rent can be drastically increased by as much as $1,000-$2,000, with only a 30-day notice. He asked whether the rumors are true. Mr. Wisniewski responded that he did not believe the existing lessee or a new lessee would increase the rents to that degree because tenants would vacant the building, thus hurting the lessee economically. He said any rent charged would have to be that which the market would support.

Chairman Searcy asked whether the County has received a written request to approve an assignee or a sale. Mr. Wisniewski responded staff was advised of a prospective assignee. As he understands it, the lessee is not ready to proceed with an assignment. Mr. Posner asked whether Kingswood Village is in escrow. Mr. Wisniewski responded he doesn't have any evidence that it is in escrow. Mr. Weiss added he is not aware of the building being in escrow. The County was contacted regarding a proposed assignment. He explained that lessees can have assignments considered by the County. The County has limited grounds in which to consider an assignment and is limited to consideration based on commercially reasonable grounds. The Commission's and Board of Supervisors' approvals would be needed for the ownership to change hands. A public hearing would be held by both the Commission and the Board of Supervisors before Kingswood Village Apartments could be sold.

Mr. Posner asked whether the County could control rent increases for existing tenants as a condition of approving an assignment. Mr. Weiss responded this type of condition would be foreign relative to anything previously done by the Board of Supervisors. The Commission could make a recommendation, but the final decision would be up to the Board. The County, as did many entities in the area, had residential rent control in the 1980's. However, the County, and most other entities, terminated residential rent control. In Los Angeles County, the Board of Supervisors has determined that with respect to rent, it is looking for a consideration of rent based upon market rent.

Ms. Lynn Lolley, Kingswood Village Apartments resident, encouraged the County to seriously consider retaining the current rent structure for existing tenants. She said new owners should

not have the unlimited opportunity to profit off the backs of the current tenants. Owners have a right to a return on investment, but she feels the Commissioners should weigh how much, how quickly, and at what cost. Chairman Searcy emphasized that the Board of Supervisors is the only body that has the power to authorize rent controls. The Commission cannot do anything about the rents. Ms. Lolley said she sees no reason to evacuate 600 tenants who have been members of the community for many years just because that's the way it's been done in the past. If the sale is approved, there is no reason not to have the restriction to retain future rents based on past-history.

Mr. Mark Sorkeran, Kingswood Village Apartments resident, said he spoke to Archstone representatives and was informed there were plans to increase the rent in order to get rid of the "riff-raff." He expressed the need for tenants to receive fair treatment and not be evicted just to increase the lessee's pocketbooks.

Ms. Barbara Mesney, Kingswood Village Apartments resident, expressed the sense of community that is shared by residents at Kingswood Village. She informed the Commission there is a rumor that the garden apartments may be demolished and the tower converted into condominums. Residents would only be given a 30-day to 6-month notice to move. Ms. Mesney asked whether the rumor is true. Mr. Wisniewski responded his understanding of any negotiations for a lease extension is for the leasehold to renovate the low-rise units as well as the high-rise tower. He believes at one time there may have been consideration to build another tower and demolish the garden units, however, he doesn't believe this is still being considered. Mr. Moliere said, as has been reported in staff's regular monthly report, there are 623 apartments. The proposed renovation will result in 623 apartments. There has never been an application or request for converting apartments to condominiums and there are no plans for demolishing any of the apartments. Mr. Wisniewski mentioned that when Oakwood Apartments renovated, the renovation was phased in with the existing tenants remaining in their units. Chairman Searcy asked whether Oakwood was able to accomplish its renovations without drastically increasing its rents. Mr. Wisniewski responded that the Oakwood Apartments are not comparable to Kingswood Village. Oakwood has short-term corporate apartments that provide a variety of services for residents and necessarily has a higher rent structure.

Mr. Wisniewski stated when he meets with the Lessees Association he intends to request Kingswood's lessee to provide notification to its tenants or meet with them regarding the lessee's plans. Mr. Wisniewski said he also plans to provide a copy of his Ongoing Activity Report to Kingswood since the report addresses several issues heard today.

Chairman Searcy stressed that it is paramount and imperative that the lines of communication be real clear that these issues are not something that will go unchallenged. He said he hasn't heard a single person at today's meeting assert that the lessee does not have a right to renovate or make a fair return on investment. This discussion is about common sense principles. There is no reason things can't be done in the right way. There is nothing better than having solid tenants and it makes sense to make an effort to retain them. Rent increases should not be about gauging tenants. Chairman Searcy said the Commissioners are in the

same rumor mill situation as the public. He is hopeful this information will be relayed to the lessee or prospective lessee and they will approach it in the right way.

Mr. Sorkeran said he did not express a rumor earlier when he spoke to the Commission. An Archstone representative informed him that the company intends to increase its rents. Chairman Searcy informed Mr. Sorkeran that a statement made to him does not constitute a specific legally mandated written request to the County.

Ms. Susan Thomas, Kingswood Village Apartment resident, stated she is a resident of the Kingswood tower. She asked whether there is a timeframe for tenants to move. Chairman Searcy responded that he doesn't know. He reiterated that the County has not received a written request to approve a sale and the Department is not aware of the property being in escrow.

Commissioner Lesser agreed with Mr. Wisniewski's intent to meet with the lessee to obtain the facts about the lessee's plans. He suggested a good way to relay the information to the tenants might be for them to select a spokesperson from their group. After Mr. Wisniewski obtained the facts from the lessee, he could share them with the spokesperson, who in turn would inform Kingswood's residents. Mr. Wisniewski said there have been a number of occasions in the past when people have shown interest in purchasing a leasehold. Sometimes they went forward with the lease and at other times they did not. Mr. Wisniewski added that he doesn't want to push the lessee in one direction or another in terms of assigning his lease, but merely wants him to answer tenants' questions. He said the tenants are the lessee's lifebloods. They pay fair market rents and the lessee and the County receive their fair market return from those rents. Hopefully, the lessee is interested in ensuring tenants are well informed. Mr. Wisniewski said this issue will be placed on the January 2003 agenda to inform everyone of the lessee's response. Vice-Chairperson Stevens suggested the prospective lessee be invited to Mr. Wisniewski's meeting with Kingwood's current lessee. Chairman Searcy requested Mr. Wisniewski to invite the prospective lessee when he meets with the current lessee.

Ms. Natalie Rifkin, Kingswood Village Apartment resident, shared her concern as a senior citizen regarding the prospect of relocating to a new location. She said the rumors of a tremendous rent increase are frightening because she does not know where she would go or what she would do. Chairman Searcy thanked her for her input and said the Commission will ensure this type of information is passed on.

Ms. Sylvia Youbi, Kingswood Village Apartment resident, stated many Kingswood residents have been there for many years. She expressed her amazement that departmental staff and Commission members are unaware that the property is in escrow when the tenants have constantly been informed of it. The management informed her that it is unable to comment on what is happening or address any of the residents' concerns because Kingswood is in escrow. Ms. Youbi said she would love to remain at Kingswood because she enjoys her quality of living and would support modest increases, if necessary, that are imposed to pay for renovation purposes.

Ms. Patricia Allen, Kingswood Village Apartment resident, stated she attended today's meeting because there is such a lack of information given to tenants. Ms. Allen said she was informed that everything relies on whether the land contract is renewed. She asked what is happening with the land contract at this point. Ms. Allen added she was also informed plans were proposed by the current ownership of Kingswood that were denied and that additional plans were proposed by Archstone for consideration. Mr. Wisniewski responded that Marina del Rey's lessees operate leaseholds pursuant to contracts with the County of Los Angeles. Originally, there were sixty-year leases, and in most cases there is somewhere in the order of 20-25 years left on those leases. The Department has previously been in negotiations, pursuant to authorization from the Board of Supervisors, for a lease extension with Kingswood. There are generally two different kinds of lease extensions that the Department will consider. One is a long-term lease extension that generally requires raising facilities and replacing them with new structures, and a short-term lease extension, which is the case with Kingswood, which would require a substantial renovation of existing leasehold facilities. The Department has not to date been able to come to agreement with Kingswood on the extent of its renovation program. The issue primarily revolves around the tower and what can be done with the tower. He personally has not been satisfied with the extent of the renovation the lessee has proposed. Preliminary discussions have been held with Archstone and its representatives were informed of the Department's concern regarding the tower. The Department does not have an executed term sheet for lease extension with the existing lessee or with Archstone. There is no contractual relationship with Archstone.

Mr. Wisniewski continued, explaining when a negotiation gets far enough along and there is general agreement on all of the terms, the Department develops a term sheet, which is a summary document that is eventually embodied within a 100+page lease. The term sheet is discussed with the Board in closed session, where staff is given instruction on how to proceed. The Department has not reached this point with Kingswood. Chairman Searcy stated it is the time between the term sheet's development and meeting with the Board of Supervisors in closed session that the public needs to understand how to impact this process and insert themselves. He emphasized that the Board of Supervisors is the final authority in this entire process. Mr. Wisniewski said if the term sheet is agreed to by the Board, a lease document is prepared and submitted to the Commission in public session and then submitted to the Board of Supervisors in public session. This is the lease extension process. If the current lessee wants to transfer his interest in a leasehold, which has 22 remaining years in the case of Kingswood, it has to enter a formal process. As yet, this process has not gotten off the ground with Kingswood because the Department does not have documentation regarding Archstone's plans or even if there is a deal between Archstone and Kingswood. When the Department receives the necessary documentation, staff will analyze the financial and management aspects and make a recommendation to the Board of Supervisors. This is the assignment process and is a public process.

Mr. Wisniewski cited Villa Venetia Apartments as an example of a current assignment that underwent a rigorous review and was discussed by the Small Craft Harbor Commission in an open public session. Open public session is the time for people to share their concerns. The Board of Supervisors also discusses the issues in public session, which is another opportunity

for people to express their concerns. He said he doesn't remember a time when the discussion of an assignment has attracted such a large group of people as those appearing at today's meeting. Mr. Wisniewski attributed the large turnout to a major breakdown in communication. He said that almost everything expressed today is a rumor without much basis in fact.

Ms. Allen asked why Kingswood hasn't applied for a long-term lease since it is considering major renovations. Mr. Wisniewski responded that he would not recommend a long-term lease extension unless all of the facilities are torn down. In the case of Kingswood Village, it doesn't appear to make economic sense to demolish all of the buildings. It makes more sense to renovate and give Kingswood a short-term extension.

Ms. Maureen Wiggens, Kingswood Village Apartment resident, questioned why all of Kingswood's buildings have to be demolished in order for the lessee to receive a long-term lease. Mr. Wisneiwski responded it is not economically justifiable for the lessee to be given a long-term lease. Tearing down the apartments and building brand new ones is a much more significant investment than an extensive renovation and requires a longer amortization. Ms. Wiggens asked which area within a 60-mile radius of Marina del Rey would be used when comparing Kingswood's rental rates. Mr. Wisneiwski responded he doesn't know what the current lessee or Archstone would do. However, Department staff would look at rental rates for apartments in oceanfront or harbor locations.

Commissioner Lesser asked the average rental rates. Ms. Wiggens responded she doesn't know. Chairman Searcy said this information will be obtained by staff because it is something the Commission will want to know if the matter is brought before members at a later time. The Commission will want to know what is going on and will be careful to note its concerns that any renovations and rent increases be kept within what is legally permissible at a comparable market rate. Ms. Wiggens asked whether the Marina has an affordable housing policy. Mr. Wisniewski responded that as projects are developed in Marina del Rey, and where buildings are raised and built new, there is an affordable housing component. A number of projects are in the process of receiving regulatory approval providing for low-income senior citizen units. Low-income family units must also be included as well. Developers also have the opportunity to pay an in-lieu fee and have the low-income senior citizen or family units built elsewhere.

Relative to the discussion on affordable housing, Commissioner Lesser said the subject is complex and involves designating a percentage of an apartment complex as low-income housing. He commented he doesn't like the concept of two people living next door to each other with one person paying $2,200 and the other person paying $600 for similar units. Commissioner Lesser said that, hypothetically speaking, if a new developer came into the Marina, bought every apartment building and decided to make them very luxurious, the fair market value to get a decent return would be $20,000 a month. This would change the demographics of the Marina, which Mr. Lesser doesn't believe would be in a positive way. He added that Kingswood is a moderate income complex. If the developer's idea is to transform it into a luxury complex, a large portion of the Marina's demographics will change.

Commissioner Lesser asked how much control the County has in deciding that it does not want to disrupt approximately 600 people and is willing to take a little less rent to maintain the current level of income. Mr. Wisnewiski responded that at the time an assignment is proposed, economic projections are examined to determine if there is adequate debt service so the project can be maintained. He said staff is grounded in ensuring that commercially reasonable standards are used when reviewing an assignment and approving it. Those commercially reasonable standards would cause the Department to look at what the lessee intends to do with the renovation of the project and generally what the rent levels would be. This is a policy decision. Ultimately, the Department will make a recommendation to the Commission and the Board of Supervisors will take an action on the recommendation. Staff examines all factors before a recommendation is brought before the Commission and Board of Supervisors.

Ms. Wiggens expressed some doubt that the Kingswood residents who attended today's meeting have made an impact. Chairman Searcy informed her that the residents have made an impact. He encouraged them not to return home thinking that they wasted their time. Ms. Wiggens asked for a recommendation on how the residents should proceed. Commissioner Lesser suggested the residents obtain more information before proceeding. Chairman Searcy said that when the Department receives the lessee's proposal, the issue will be placed on the Commission agenda for consideration. The public can view the Commission agenda in The Argonaut and it will be posted at various locations, including the Chace Park Community Room and Department of Beaches and Harbors' Administration Building on Fiji Way. He said when the item is placed on the agenda, the lessee and/or his representatives will attend the meeting. Ms. Wiggens commented that prior to today's meeting, Kingswood's residents gathered to discuss their concerns. Kingswood's management would not allow members to use the complex's recreation room because of the nature of the meeting.

Ms. Clare Frank, Kingswood Village resident, expressed how much she loved living at Kingswood and her concern that she may no longer be able to afford to do so if the rents are increased. Ms. Frank commented that she cannot obtain concrete answers regarding the management's plans for the property. Chairman Searcy said that Mr. Wisniewski will meet with the lessee and, hopefully, obtain information. He encouraged Mr. Wisniewski to also specifically request that the lessee stop making the mistake of not informing residents of his plans. Mr. Wisniewski said until he hears from the lessee, he doesn't know what the lessee's efforts have been. He will encourage the lessee to be very communicative with the tenants.

Mr. Steve Cooperman, Kingswood Village resident, stated that after hearing the Commission's discussion of fair market value for rent, he believes a disservice is being done to the community and is not in the public's good. The version of fair market rent that's being discussed means the rents will shoot up to an astronomical level. He requested clarification on an earlier comment made by staff regarding rent control in Marina del Rey. Chairman Searcy responded that rent control existed in the 1980's in the Marina and other sections of Los Angeles. Currently, the Marina does not have rent control, however, this doesn't mean rent control can't be reestablished. The decision to establish rent control must come from the Board of Supervisors.

Mr. Cooperman continued, stating that he lives at Kingswood in a one-bedroom apartment and paying upwards of $1,500 per month is not a rent control situation. It's a lot of money and the prospect of increasing this amount of rent is ridiculous. He referenced staff's earlier discussion about not approving a new lease for Kingswood unless it received a facelift. Mr. Cooperman said he doesn't understand why Kingswood needs a facelift. It appears that the facelifts occurring in the Marina result in a steady increase of rents, thus making it impossible for an average person to afford them. He added the only people who seem to be considered for affordable housing are senior citizens and those classified as low-income. People who don't fall within these categories are left out.

Mr. Cooperman asked how much time will tenants be given to move if the building is sold and renovated. He questioned whether there is a legal mandate and if so, is relocation assistance provided. Mr. Weiss responded that if the building was renovated and people were forced to terminate their tenancies, landlord/tenant law, which is controlled by the State of California, proscribes the time period that a landlord must allow a tenant to terminate his/her tenancy. Until a specific proposal is considered and approved, the extent of renovation required is unknown. Mr. Wisniewski added that on a number of occasions the units are renovated upon vacancy, which mitigates the impact on tenants.

Commissioner Lesser asked the time period involved if the lessee proceeded with an assignment, lease extension and renovation plans. Mr. Wisniewski responded that the renovation plan, with the exception of the towers, is in final form and the estimated time period involved is probably be 3-6 months. Therefore, tenants would not be affected for a minimum of 3-6 months. Mr. Wisniewski reiterated that in most cases units are renovated upon vacancy. He added that a lot of the rumors that are circulating are not based on economic facts, which any investor in the leasehold would use to guide his/her investment. Chairman Searcy clarified that the lease extension or assignment process is not a fast process and can take anywhere between 3-6 months. There have even been occasions when such transactions lasted for years.

Mr. Cooperman stated that he lives in building 7, which is above the tennis courts on Via Dolci at Kingswood Village. He is continually awakened by noise coming from the Beaches and Harbors' maintenance facility that is at that location. Mr. Cooperman requested the name of a contact person to inform about this disturbance. In response, Mr. Wisniewski requested Mr. Cooperman to speak to Mr. Moliere after today's meeting.

Mr. Justin Beck, Kingswood Village Apartment resident, cited an incident that occurred recently at Kingswood that exemplifies its management's lack of communication with tenants. He said the Fire Department conducted a fire drill at the complex and one of the activities involved a helicopter hovering over the tower with a rope hanging from it and three men climbing down the rope. Mr. Beck was relieved when he was informed by a fireman about what was going on. However, many of the tenants did not know that a fire drill was occurring because the management did not give them advance notification.

Ms. Carla Andrus asked whether there are structural deficiencies at Kingswood. Mr. Moliere responded he is unaware of any structural deficiencies at Kingswood. She questioned why there are proposed renovations at Kingswood. Chairman Searcy responded that the Department has not received any documentation about Kingswood's renovation plans. Ms. Andrus commented that she doesn't believe it is fair to charge for renovations when maintenance is something that should be kept up all along. Chairman Searcy said he hasn't heard any complaints about maintenance issues at Kingswood, the tenants just want to know the management's plans. Ms. Andrus said, relative to an earlier comment made about management wanting to rid the complex of riff-raff, some of the Marina's boaters were also considered riff-raff and the Department of Beaches and Harbors, in its efforts with the Coastal Commission, was successful in eliminating certain slips and people.

8. ADJOURNMENT

Chairman Searcy expressed appreciation to the Kingswood residents for their input at today's meeting. He said he looks forward to seeing many of them again when the issue is discussed at a future Commission meeting.

Chairman Searcy adjourned the meeting at 12:00 noon.

Respectfully Submitted,

Toni Minor
Commission Secretary

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

January 23, 2003

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **KINGSWOOD VILLAGE APARTMENTS**

At your December 2002 meeting, you heard comments from a large number of apartment tenants at Kingswood Village concerning the prospective sale of the Kingswood leasehold to Archstone Communities and rumors of prospective rent increases, condominium conversion, tenant evictions to facilitate the remodeling, etc. I advised that I would meet with the lessee to gain perspective on issues raised by the tenants and then schedule my report for consideration at your next meeting.

I met with the lessee representative, Mr. Steve Massman, as well as with Mr. George Lloyd of Archstone and requested a letter from Mr. Massman explaining his response to the issues raised. The lessee's January 23, 2003 letter is attached. Additionally, I have asked Mr. Massman to appear at the January 29 Commission meeting to fully discuss issues raised by tenants. Mr. Massman will be at you meeting.

I find that Mr. Massman's attached letter satisfactorily addresses issues raised by the tenants and look forward to discussing this matter with your Commission, Mr. Massman and Kingswood tenants at the January 29 meeting.

SW:cec
Attachment

Fax: (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292
INTERNET: http://beaches.co.la.ca.us/

KINGSWOOD VILLAGE MARINA
4157 VIA MARINA
MARINA DEL REY, CALIFORNIA 90292
(310) 822-3439

Department of Beaches and Harbors
JAN 23 '03

	Info	Act
Director		
Chief Deputy Director		
Deputy Director		
Executive Assistant		
Admin. Services		
Asset Management		
Facilities Property Mgt		
Community Services		
Planning		

January 23, 2003

Stan Wisniewski, Director
County of Los Angeles
Department of Beaches and Harbors
13837 Fiji Way
Marina del Rey, CA 90292

Re: Kingswood Village Marina
Parcel 102S

Dear Stan:

There are several facts that I want to explain to you and the commissioners, regarding the Kingswood Village Marina apartment community. As discussed last week, we have discovered that two tenants living at Kingswood Towers have been disseminating false and misleading information and spreading untrue rumors to other residents in the building. One of the two individuals who have spreading the false information is on an unlawful detainer for non-payment of rent and is awaiting the Sheriff to move him out. The false information consisted of posted notices in the hallways and elevators telling the tenants that the garden buildings were going to be demolished, the tower building was going to be converted to condominiums and rents were going to dramatically increase based on length of tenancy, past rental history, past maintenance and repair records, and complaint and compliance records. The instigators went on to tell the tenants that if they could somehow stop the change of ownership that none of these things would take place and the way to stop the change from taking place would be for as many people as possible to show up at the public hearings and complain.

The instigators even went so far as to create a forged letter from Archstone on a fake Archstone stationary in order to instigate further unrest at the building. Please review the attached letter from Archstone saying that the original letter was not sent by anyone affiliated with or employed by Archstone.

The management at Kingsweood has delivered a letter to each tenant explaining that the building is in the process of being sold and that many false rumors are circulating about

what will happen and what the true facts are. The letter went on to answer four of the most prominent rumors, namely *(1) that the building will not be converted to condominiums (2) the building(s) will not be demolished (3) the exterior and interior of the buildings will be remodeled but tenants will not be asked to leave during this process and finally (4) rental rates will be adjusted to market rates comparable apartments in the Marina del Rey area, when the remodeling is complete.* The letter provided them with four web sites to visit as a source to check market rents in the area.

For your convenience I have enclosed a copy of the following;

- *The false Archstone letter that was posted*
- *Kingswood's notice of false letter*
- *Kingswood's letter to all tenants*
- *Archstone's confirmation that the first letter was not sent by Archstone.*

Sincerely,

Stephen Massman

Stephen Massman

Archstone-Smith

9200 East Panorama Circle, Ste 400 Englewood, CO. 80112 Tel: 303-708-5959

December 27, 2002

Kingswood Village Apartments
4143 via Marina Apt. 818
Marina del Rey, Ca. 90292

OWNERSHIP CHANGE AND OCCUPANCY NOTICE

This letter is to inform you of the ownership change pending on the property known as Kingswood Village. It is our intention to refurbish and remodel the tower apartments as soon as escrow closes. Although we will not be refurbishing all the apartments simultaneously, we have developed a plan that will satisfy the City Council requirements and meet our timeline objectives. This approved plan was reviewed by the current master lessee and approved based on information provided by them.
A proprietary list of criteria was formed to determine the staging of development implementation.
A partial list follows:
Length of tenancy
Remodel history
Directional facing
Rent payment record
Maintenance and repair record
Complaint and compliance record

Three categories, A, B, and C, represent the priority phase of development.
All units designated Category A, will be given 30 days notice to vacate their apartment for refurbishing.
All units designated Category B, will be given 90 days notice to vacate their apartment for refurbishing.
All units designated Category C, will be given 180 days notice to vacate their apartments for refurbishing.
This notice is in compliance with LACC code in the jurisdiction of Los Angles County.

Unit # 818, has been designated as Category A.

Additional information will be provided in the near future to assist in a smooth transition for all parties. If you wish to return to your current unit after the 60 day refurbishment period, we will offer you first right of refusal under the new lease contract.

Please do not contact our office at this time. You will be provided more detailed information and contact numbers in our next notice.

The upcoming transition will provide an upgraded living community which will provide more security and amenities in concert with the master plan for redevelopment of the Marina del Rey region.

HAPPY HOLIDAYS
HAPPY NEW YEAR

NOTICE OF FALSE LETTER

The management at Kingswood Village Marina has been informed that a letter on Archstone-Smith letterhead was recently distributed to some of the tenants.

The letter is a fraud---and was intended to mislead the tenants.

Archstone-Smith sent out no such letter. Attached is Archstone's denial that the letter came from them.

Sincerely,

The Management at
Kingswood Village Marina

ARCHSTONE

Archstone Communities
One Spectrum Pointe Drive, Suite 225
Lake Forest, California 92630
Telephone (949) 455 4500
Fax (949) 206 1494
archstonesmith.com

December 30, 2002

Mr. Stephen Massman
Kingswood Village Marina, LLC
4157 Via Marina
Marina Del Rey, CA 90292

RE: Ownership Change and Occupancy Notice

Dear Stephen:

We have received a copy of notice of ownership change and occupancy, dated December 27, 2002, which was sent to residents at Kingswood Village Marina. The notice was created by an individual or individuals not affiliated with or employed by Archstone-Smith. We do not endorse any of the language contained in this document.

Please advise the residents at Kingswood Village Marina that a detailed letter will be sent by the current management, which will address many questions regarding the proposed renovation.

Sincerely,
ARCHSTONE-SMITH OPERATING TRUST

George D. Lloyd

George D. Lloyd
Vice President Acquisitions

cc: Carrie Brower, Tom Reif

KINGSWOOD VILLAGE MARINA

4157 VIA MARINA
MARINA DEL REY, CALIFORNIA 90292
(310) 822-3439

January 3, 2003

Dear Resident,

As many of you know we are in the final process for the sale of Kingswood Village Marina and the assignment of the underlying ground lease to Archstone-Smith, a national owner and operator of apartment communities. Many rumors have been circulating about what will happen to the buildings and to you as a resident. I hope this letter will set the record straight.

As a condition to the assignment and extension of the ground lease, the new owner is required to upgrade the property to standards mandated by the County of Los Angeles. Final renovation plans are complete and will be presented to the county at either January or February, Small Craft Harbor Commission meetings, and then to the board of supervisors for the County of Los Angeles.

Kingswood Village Marina will undergo and extensive renovation, which will include changes to the exterior and interior appearances of all buildings and common areas, as well as work to building systems, including elevators and parking structures. Because a full property renovation is required, many residents have expressed concerns regarding the future of the property and Archstone's plans. Archstone-Smith will communicate with residents on a frequent basis once the sale is completed. Based on ongoing discussions with Archstone-Smith, I can share with you my understanding of what Archstone-Smith's plans are.

Archstone-Smith will not convert any portion of Marina Tower into condominium units. The entire property will continue to operate as a rental apartment community.

Archstone-Smith does not plan to demolish any portion of the property during renovation process, nor will they require existing residents to relocate solely because of construction associated with the renovation. Interior renovations will occur only after a unit has been vacated or turned. Unit interiors will not be disturbed during the renovation of exterior buildings and common areas. The complete renovation of the property is projected to occur over a two to three year period.

Market rents in the future will be based on rents charged at comparable properties in the immediate Marina del Rey area. For information on the market rents charged at apartment properties in Marina del Rey please consult online rental sources such as Apartments.com, Homestore.com, ForRent.com, and ApartmentGuide.com.

Archstone-Smith is a leading real estate operating company focusing on long-term ownership and operation of multifamily communities in markets throughout the United States. Archstone-Smith has a strategic national presence with 225 garden communities and high-rise properties, representing a total of 79,489 units, including 2,117 units under construction as of September 30, 2002. For more information on Archstone-Smith please visit their website at Archstonesmith.com

It is our sincere hope that we have been able to address some of your concerns and appreciate your patience during this difficult process.

Sincerely,

The management at
Kingswood Village Marina

COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

January 23, 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 the December 17, 2002 meeting of the Board of Supervisors, the Board gave its approval and authorization to the Chair to sign the Consent to Assignment of Lease for Parcel 64T from Tuxedo Real Estate Limited Partnership, a Delaware Limited Partnership, to Villa Venetia Apartments, LLC, a Delaware Limited Liability Company; also approve and authorize the Chair to sign Amendment No.14 to Lease Agreement No. 4709, which defines changes in management and ownership of a limited liability company that will be considered an event of assignment under Section 22 of the Lease; and find that the proposed amendment to lease agreement is exempt from the California Environmental Quality Act.

At the December 17, 2002 meeting, the Board of Supervisors also approved and adopted the resolution authorizing submission of a Recreation Trails Program grant application to the State Department of Parks and Recreation requesting $879,070 in State funding, with a required 20% local match, for the Marina del Rey/Ballona Creek Trails Improvement Project estimated at a total project cost of $2,197,673; and authorizing the Director to execute all documents pertaining to the acceptance of the grant; also find that action is exempt from the California Environmental Quality Act.

Your Commission had previously considered and recommended Board approvals of each of these actions.

DESIGN CONTROL BOARD MINUTES

The approved minutes for the Design Control Board meeting of December 19, 2002 are in your packet.

SW:tlh

Fax: (310) 821-6345
(310) 305-9503 13837 FIJI WAY, MARINA DEL REY, CALIFORNIA 90292
INTERNET: http://beaches.co.la.ca.us/

MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD

December 19, 2002

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 Katie Spitz, Third District Tony Wong, Fifth District
Department Present:	Joe Chesler, Chief, Planning Division Julie Cook, Planner LaTrina Hancock, Secretary
County Staff Present:	Rick Weiss, Office of the County Counsel Frank Meneses, Department of Regional Planning
Guests Present:	Tim Riley, Executive Director, Lessee's Association Carla Andrus, resident, Marina del Rey James Sokalski, President, Marina del Rey News Shannon Smith, Marina Waterside Center Aaron Clark, Christensen, Miller, et al Jack Hollander, architect, Hollander & Associates Pat Younis, The Bridge Group

1. Call to Order and Absences
Ms. Cloke called the meeting to order at 2:06 p.m. Mr. Wong led the Pledge of Allegiance.

The agenda was re-arranged so that the more complex items would be heard late in the meeting. The approval of the minutes and Board Reviews were deferred until the meeting.

2. Old Business

A. Parcel 50 – Cingular Wireless and MS2 Communications, Inc. at Marina Waterside Shopping Center (DCB #02-028)
Ms. Cook presented the Staff Review in which the applicant has applied for approval of signage for *Cingular Wireless* and *MS2 Communications*. The proposed signage is comprised of internally illuminated channel letters, 12 feet long and 19 inches high mounted on the existing teal-green color sign band. The proposed sign will have the *Cingular* orange splat logo and the words "Cingular" and "MS2" in illuminated channel letters with white Plexiglas faces and painted black returns. The word "Wireless" will have a non-illuminated face fabricated with ¼-inch high letters made of black painted aluminum.

At last month's meeting the Board suggested that the applicant make some modifications to keep the sign band from appearing cluttered. The applicant made appropriate changes by simplifying "MS2 Communications" to "MS2" with the same letter construction as the word "Cingular."

Shannon Smith, Property Manager for the Marina Waterside Shopping Center, reiterated to the Board that the sign had been modified to meet the requirements of the Board.

Public Comment
None

Mr. Wong (Abelar) moved to approve the sign as submitted. Motion passed unanimously.

3. New Business

A. Parcels 55, 56 and W- Redevelopment of Fisherman's Village (DCB #02-029)
Ms. Cloke asked Mr. Weiss to review the applicants submittal parameters. Mr. Weiss gave a brief summary in which he discussed the role of the Board regarding development projects. In order for the proposed projects

to move forward to the Department of Regional Planning they must be reviewed by the DCB. At this point the proposed projects are in a developmental stage and have not been subject to any design modifications. The Local Coastal Plan (LCP) provides the Board with the authority to consider and grant conceptual approval to basic guidelines of the project and specifically authorizes the Board to retain jurisdiction for the project for a more specific design criteria, which is generally developed later in the entitlement process (signage, landscape, etc.).

Ms. Cook presented an overview of redevelopment plans for Fisherman's Village. The project plan calls for complete redevelopment of the parcel with new landside and waterside improvements, including significant waterfront public amenities and parking facilities. With the exception of El Torito's Restaurant and the Lighthouse, all structures will be demolished. Following redevelopment, the building square footage will be 48,600 square feet, an increase of 16,000 square feet. Proposed improvements include eight new buildings, a parking structure, four surface parking lots (one which includes subterranean parking), a circular stage partially overhanging the water, fountain, merry-go-round, children's play area, entertainment plaza, entrance promenade leading to the improved waterfront promenade and new docks.

Landside Improvements

Building 1

Building 1 will be a 2-story restaurant structure, with the second floor extending over Building 2. Outdoor dining, overlooking the marina, will be provided adjacent to the promenade and on the second floor.

Building 2

Building 2 will be a 2-story structure, with the first floor retail and the second floor serving the restaurant of Building 1. The retail spaces will face and be accessible to the waterfront promenade.

Building 3

Building 3 will be a 2,500 sq. ft., 1-story arcade, built around a merry-go-round. Together, these structures are designed to be colorful and provide a focal point. A central, multi-color spire will serve as a roof cover to the merry-go-round and arcade. A children's play area will be adjacent, which will have supervising staff available.

Building 4, 5 and Entry Plaza

Buildings 4 and 5 will be 2-story structures with decks. Together, they will form the main entry and plaza for the new Fisherman's Village. The grand entrance, finished with decorative paving, will directly link the Fiji frontage with the waterfront promenade, both visually and physically.

Water fountains will be located on each side, with the entrance opening to a large, circular amphitheater and the waterfront promenade. A stage will be provided at the center of the plaza to allow for various musical performances.

Restaurant uses are proposed for the second story of Buildings 4 and 5. Besides the upstairs, outdoor dining, portions of the decks will be used as observation areas for the public. The applicant proposes a nautical theme, with flag masts and colorful flags along the perimeter of the deck. A curved bridge will improve pedestrian circulation by connecting the second level of the buildings and providing an architectural backdrop for attractive signage.

Building 6
El Torito's Restaurant will have its exterior renovated to blend with the new development. A prominent tower is proposed at the center of the building, facing the water.

Building 7 & 8
Buildings 7 and 8 will be 1-story structures, located on Parcels 55 and W, which will extend Fisherman's Village northerly. According to the applicant, a large courtyard and fountain are proposed between Buildings 7 and 8 to add ambiance and a resting place for visitors. A kiosk will be located in this area.

Building 9
Building 9 will serve as a full service, major restaurant with panoramic views of the harbor.

Parking
Parking for Fisherman's Village will be provided in four areas. Of the 730 parking spaces, 143 will be provided by surface parking lots, 300 in the subterranean lot and 287 in the parking structure. A 3-story parking garage with rooftop parking will be provided on the south side of the site. Surface will be provided in several areas, visible from Fiji Way. An underground parking garage will be provided on the north side of Parcel W to accommodate boaters and valet parking.

The building elevation plans show various design details such as arched windows, balconies, general landscaping, lighting, etc. that will examined during the post-entitlement review by the DCB.

Westside Improvements
Waterside Plans

All of the docks at Parcels 55 and 56 are slated for removal and replacement. The dock will be reconfigured, with a similar mix of vessel sizes. A dinghy craft will allow existing Marina boating tenants to navigate Fisherman's Village to utilize the proposed restaurants.

Circular Promenade Platform
A circular promenade platform will be supported by concrete piles and a concrete girder system, with drop-in concrete panels providing the foundation of the walking surface. These drop-in panels would be designed with lifting lugs that would allow removal, in case that seawall maintenance was required.

Dock Removal Plan
Fingers will first be disconnected from the main walks. Small, motorized construction boats will be used by crewmembers to access the various areas to be demolished, and to tow the floating dock sections to a centralized staging location within the project boundary. Care will be taken to prevent debris from falling into the bay and floating "debris catchers" will be deployed when falling debris is unavoidable. Debris that may fall into the water will be promptly retrieved and disposed of.

Demolition Effort
It is expected that piles can be removed at a rate of six to ten per day. At this extraction rate, it is anticipated that the barge would need no more than one week of intermittent access into the main channel. Navigational aids, buoys and lights will be installed per Coast Guard requirements. This will assure safe access within all channels during the construction process.

Mitigation Measures to Limit Turbidity During Pile Removal
Acceptable State of California procedures to limit turbidity in the bay, caused by pile removal, include the use of floating siltation curtains. These curtains are employed around the work area and reduce and/or prevent the turbulence from crossing the curtains into the navigation channels or other marina areas. Such curtains will be employed if deemed necessary.

New Dock System
The applicant has not yet selected a proprietary or custom-built dock system. Quality concrete, wood and/or composite dock systems are being considered. The docks will be accessed by both standard and ADA-compliant gangway systems. Docks will be assembled in place in the basin.

Pile Manufacture and Installation
All piles will be pre-stressed concrete. Design of these piles will be based on recommendations of a soils consultant, based on the soils report to be provided, and will include loading based on established marina guidelines and practice.

Installation Completion – Utility Systems
Once piles and docks are installed, utility systems will be routed and connected to utility stations at each slip. Accessories will then be installed such as dock boxes, cleats, rub strips, etc. At this time, standard and ADA gangway access systems will be installed.

Upon the applicant's post-entitlement return to the DCB, complete promenade improvement details must be provided. This includes specifications and where appropriate and available, samples of materials for paving, fencing, street furniture, lighting, etc. Full details should be provided on all amenities. Complete landscaping and signage plans should be submitted at this time.

The Department recommends conceptual approval of DCB #02-029 with the following three conditions:

1) Post-entitlement DCB review: the applicant will provide full project design details for the buildings, promenade, landscaping, signage, etc., as discussed in the staff review;

2) Landside improvements permit: during the entitlement process at the Department of Regional Planning, the Department of Beaches and Harbors shall review and approve, prior to approval by the RPC:
    a. the demolition and trucking plan; and
    b. to ensure the implementation of Best Management Practices to minimize the volume, velocity and pollutant load of stormwater leaving the developed areas of the site, the applicant must provide a drainage and polluted runoff control plan, prepared by a licensed civil engineer, for the on-site roadways, turnouts and parking areas;

3) Waterside improvements permit: For the waterside improvement plans, the applicant shall obtain the following:
    a. approval from the Department of Beaches and Harbors marine engineer prior to filing for a Coastal Development Permit with the Coastal Commission, and U.S. Army Corps Of Engineers;

b. to ensure the continuous availability of water uses for the public, the applicant must assist their fishing charter and dinner/special event charters with temporary relocation during construction.

Jack Hollander, architect, Hollander & Associates, explained the architecture of the project in more detail. He noted that the arcade, merry-go-round, and the play area would be created for families to bring their children. Courtyards will be created overlooking the water. The lighthouse will be beautified so that it will look like a lighthouse. The project will also provide two man-made lakes and other water features.

Ms. Cloke stated that the Board would be focusing their attention on the fundamental organizing principles of the project. Ms. Cloke also advised the applicant that there would be limited conversation regarding the design and that the issues discussed today would be the site planning, parking organization, overall building massing, environmental issues, issues on how people use the Marina, and the basic architectural design.

Ms. Spitz questioned the underground parking in relation to the water table. Mr. Hollander explained that project would require digging 8 feet below ground. The Board felt that the underground parking would not be a good idea and that the applicant may have to re-approach the underground parking idea. Ms. Cloke advised the applicants that they would need to have section drawings showing the water table at low and high tide and a hydrogeology report so that the Board can fully understand the project.

Mr. Aaron Clark, consultant for the applicant, advised the Board that the applicant feels that there is some level of engineering that would allow the underground parking to happen. Mr. Wong explained to the applicant that the Boards main concern is the style of elevation for the project and that Regional Planning would handle the technical issues. Mr. Chesler advised the Board that the elevations of the project concurred with what the applicant is proposing.

Ms. Spitz questioned the tandem parking provisions. Mr. Clark advised that the applicant would have to obtain parking permits, but did not know the actual number of tandem parking spaces that are being proposed. Mr. Hollander added the tandem parking would be for tenants and boaters not visitors. Mr. Abelar questioned the possibility of the applicant using the parking lot across from Fisherman's Village. Mr. Chesler explained the parking lot in question is being leased month-to-month, from Playa Capital, and should not be considered a long-term solution to the onsite parking.

Ms. Ignon expressed concerns regarding the view corridors. Using renderings, Mr. Hollander explained the view corridors of the project. Mr. Clark added that some angle-view corridors are being proposed, but that an authorization from the Director of Planning would be required.

Ms. Ignon questioned the boat slips for the project. Mr. Pashaie advised the Board that the boat service would be the same and the slips would increase from two to four transient boat slips for visitors.

Ms. Ignon questioned development rights of the project being borrowed from neighboring parcels. Mr. Clark explained that there are sufficient entitlements for the project but Beaches and Harbors has allocated the entitlements to another project in the Marina. In order for the project to be completed, the applicant would have to use residential entitlements from the adjacent zone. Mr. Weiss added that the proposed reallocation of development entitlements would require the consent of the Board of Supervisors and the Coastal Commission.

The Department proposes to allocate some of the commercial entitlements to another project. There is nothing to prevent the Department to plan ahead for the allocation and to propose the reallocation. Ms. Cook also added the project may also require additional allocations for restaurant seating. Mr. Weiss also advised the Board that the applicant does not need to borrow from the adjacent residential development in order to convert residential entitlements to commercial.

Board Comments/Concerns

Ms. Cloke advised the applicant that she does not feel comfortable approving this project until she understands the ground water and engineering issues. Ms. Cloke advised that she appreciates the promenade concept, which enhances the Marina, and likes the children's play area. Ms. Cloke expressed the following concerns/comments: adequate parking, convert lighthouse base into a marine museum or something that relates to boating, provide opportunities for visitors to have experiences other than commercial, location of the Fantasy One vessel in relation to the LMU Boathouse, allow the community rowing clubs to use the vacant dock and an excessive amount of hardscape. Ms. Cloke feels that the hardscape of the project is unacceptable and advised the applicant to address the valet parking issues.

Ms. Spitz was concerned regarding the architectural language and advised the applicant that the project should look more water related. She questioned the landscape, materials and the proposed lagoons requiring the expensive use of water. Ms. Spitz suggested using fountains, which are more personalized. Ms. Spitz was also concerned about the bike lane and

driveways and advised the applicant that considerations regarding both should be incorporated into their plans to ward off traffic hazards.

Mr. Abelar advised the applicant that the project should be more "Marina-like".

Ms. Ignon advised the applicant that she was pleased regarding the use of open space. She likes the idea of keeping the buildings low and close to the water, the variation of the roof line and advised the applicant to use the lagoon areas in a different way.

Mr. Wong was pleased with the project concept and suggested letting it go to the next step, subject to the Boards conditions being addressed.

Ms. Cloke felt that the project should have a "village" look and suggested that the water features should make water more integral into the project design with more water recreational opportunities.

Public Comments
Tim Riley, Executive Director, Marina Lessee's Association, is pleased with the proposed project. Mr. Riley also submitted his written comments regarding the project. (comments are attached)

James Sokalski, President, Marina del Rey News, commented on boater concerns and suggested including boater community input regarding the Fisherman's Village project. Ms. Cloke advised Mr. Sokalski, if needed, he can contact the developer with questions or send written comments to Beaches and Harbors planning staff.

Pat Younis, The Bridge Group, represented Rick Oeffinger, owner of Marina del Rey Sport Fishing, who is supportive of this project but is concerned regarding needs of the community and the sport fishing patrons be remembered, including parking and centralized ticketing etc. Ms. Cloke advised Ms. Younis that the Board is only concerned regarding site planning issues.

Ms. Ignon (Spitz) moved to continue the applicants proposed submittal for 30-days so that the applicant can return with answers to the Boards concerns and other information, which includes: underground parking, section showing water at low and high tide, fluctuation and distance, stormwater issues and mitigations, incorporation of hardscape and landscape, bike lane questions, and permeable soil and view corridor definition. Motion passed unanimously.

Break at 4:05 p.m.
Reconvened at 4:14 p.m.

4. Report from County Counsel

A. Response to Board questions regarding traffic and CEQA (verbal status report)

Mr. Weiss reported on the environmental review process for the two Marina road improvement projects, how the Board can participate in the process and the scope of the Board's authority with respect to the road projects. The two road extension projects are the State route 90 extension and the widening of Admiralty Way. In terms of the road improvement projects, the Local Coastal Program (LCP) does not proved specific guidance as to the DCB's authority.

The DCB is vested with significant authority in the design, control and approval of new development in the Marina. The LCP primarily addresses development in the context of development of structures and buildings primarily on the private leasehold parcels but doesn't limit it as such. The DCB is vested with the responsibility of insuring new development is consistent with *Specifications and Minimum Standards of Architectural Treatment and Construction*. These standards do not have any specific guidance with respect to Department of Public Works (DPW) road improvement projects.

Per the LCP, the DCB's authority to review proposed development is subject the to focus of ensuring the identity and accessibility of the Marina as a public boating and recreational facility. The DCB's authority includes consideration of access, circulation and visual impacts. There is nothing in the Marina, at some level, that does not affect these issues. However, the LCP also provides, with respect to road projects, that DPW is to determine the types of mitigation measures and traffic improvements that are most appropriate to address the traffic impact for Marina projects. The LCP contemplates DPW being the primary department having authority in the design of road improvement projects. With respect to engineering issues and road safety issues, DPW is primarily responsible. The LCP identifies Admiralty Way as a scenic highway and particular attention is paid to ensure that it continues as a scenic highway even with enhancement.

Mr. Weiss advised the DCB, with respect to the decision as to whether a road improvement project should be implemented, the scope of the road improvement project, and whether or not a lane should be added is not the DCB's determination. Mr. Weiss noted that it is within the purview of the

DCB to review the decisions that are made to encourage that road improvement projects are done in a way that is most sensitive to the overall concept of the marina; taking into consideration visual aspects, continuity and accessibility. The LCP is full of concerns regarding preserving the ecology and environmental safety of the Marina. But also, one of the other major goals of the LCP is to enhance and approve accessibility, not only along the shore, but also to the shoreline, including enhancement of the circulation system.

With respect to the two specific road improvement projects and the CEQA (California Environmental Quality Act) process, Mr. Weiss consulted with DPW and the information given to the Board is based on discussions with DPW. Neither project has commenced the formal environmental review process.

The SR90 extension project most likely will involve a joint CEQA and National Environmental Policy Act (NEPA) review because it will involve state funding as well as federal funding. The Admiralty Way project will probably be a project subject to CEQA. A Project Study Report (PSR) had been authorized and in the process of completion for the SR90 project. The PSR is a conceptual study that DPW will use to try to make the project eligible for the upcoming "Call for Projects" cycle that is being handled by the MTA. DPW intends to retain an environmental consultant to assist in preparing the environmental documents for both of the projects, which has not occurred. Once a consultant is retained, the initial step would be to determine the appropriate type of environmental document for each project. The Department may assume or conclude that an Environmental Impact Report (EIR) is necessary and may jump right to preparing an EIR; otherwise, under CEQA, an Initial Study would have to be prepared. In the course of preparing an Initial Study, the County, as lead agency, would be required to contact any responsible and trustee agencies. "Responsible Agencies" are agencies other than the lead agency that have discretionary approval authority over the project. A "Trustee Agency" is a state agency that has, through it charters, some control over an environmental area that is covered by the project. The DCB is not a responsible agency, but rather an arm of the lead agency. However, the lead agency is free to consult with other interested individuals.

Mr. Weiss suggested that a letter be written on behalf of the Board, from the Department, asking that the DCB be allowed to participate and be made aware of the status of the road projects, so that the members of the DCB can participate if they chose to do so. Once a decision is made that an EIR is necessary, assuming that this is the conclusion, then the lead agency is required to prepare notice of preparation, which is a notice to all responsible and trustee agencies that the lead agency has elected to

prepare an EIR and is seeking input from other parties as to what the scope of the EIR should be. CEQA also provides that other interested individuals that have asked to be notified are also entitled to receive notice and may provide input that may be considered by the lead agency. Once this process is completed, the lead agency prepares a draft EIR. Once a draft EIR is completed, DCB, there will be a notice of public circulation for public and agency review. At this point, the DCB would be free to submit comments to the lead agency regarding any concerns or issues that the DCB feels are germane regarding the environmental impacts of the project. The SR90 would be essentially the same - other than there may be some additional procedural requirements in connection with NEPA that may provide more or additional notification requirements.

Ms. Spitz asked Mr. Weiss if the DCB could request to be considered a trustee agency. Mr. Weiss advised that the DCB could not be a trustee agency because a trustee agency is a state agency. Mr. Weiss also added that in the course of an EIR, if required, the agency is required to consider a reasonable range of alternatives including the "no project" alternative.

Mr. Weiss advised the DCB that the LCP Amendment that was adopted in 1996 specifically contemplates the widening of Admiralty Way to five lanes within the existing right-of-way as an expected project in order to accommodate the authorized second generation development. The LCP also considers the potential need for a sixth lane. Mr. Weiss felt that there is a lot of misunderstanding based upon comments at the public meetings of DCB and Small Craft Harbor Commission (SCHC) on the idea of widening Admiralty Way, which was considered as part of the LCP. Widening Admiralty Way is not a requirement, but will have to be completed if the County is going to taking advantage of the additional development entitlement that is authorized in the Marina. **The second-generation development contemplated in the LCP Amendment could not have been approved unless there was a demonstration that sufficient traffic mitigation measures could be implemented to accommodate that development. Widening Admiralty Way is a category one improvement and is part of the equation in the LCP as it is now.**

Ms. Cloke asked Mr. Weiss to advise the DCB when the documents are issued and to write a letter regarding the Boards interest in participating in the process. Mr. Weiss advised Ms. Cloke that he along with Staff advise the Board of any documents or meetings **and for Mr. Weiss to draft a letter to be put on the DCB agenda for approval.** The letter would be asking for notification of the information that was reported by Mr. Weiss.

Mr. Weiss also advised the DCB, that before it took a position on the projects that the matter should be agendized so that all concerns and positions could be expressed. Ms. Cloke asked if the responsible agency would have to respond to issues/comments submitted by the DCB. Mr. Weiss advised that the lead agency would have to respond to all environmental issues and comments received. Mr. Weiss also advised that if there were other traffic mitigations that can accommodate the traffic impacts that are associated with the development that the County elects to go forward with, then they would have to be considered and evaluated as part of the environmental process.

Ms. Ignon is interested in the agency checking into other alternatives that may be used. Ms. Cloke asked the reason for the widening of Admiralty Way. Mr. Weiss advised that it is needed to address **Marina project specific traffic impacts, which are category one mitigations in the LCP, and also to help address sub-regional traffic impacts, which are category three mitigations in the LCP.** A portion of the reason that Admiralty Way needs to be widened is to address sub-regional traffic, which is traffic along the Lincoln Blvd. corridor.

5. Approval of Minutes from November 21, 2002 and DCB Reviews #02-022, #02-023, #02-024, #02-025,1 #02-026 and #02-027

Ms. Ignon (Spitz) approved the November 21, 2002 minutes with the recorded corrections. Motion passed unanimously.

Ms. Spitz (Abelar) moved to approve DCB Review #02-022 with the recorded corrections. Motion passed unanimously.

Ms. Spitz (Ignon) moved to approve DCB Review #02-023 as submitted. Motion passed unanimously.

Ms. Ignon (Spitz) moved to approve DCB Review #02-024 as submitted. Motion passed unanimously.

Ms. Spitz (Abelar) moved to approve DCB Review #02-025 with the recorded corrections. Motion passed unanimously

Mr. Abelar (Ignon) moved to approve DCB Review #02-026 as submitted. Motion passed unanimously.

Ms. Ignon (Abelar) moved to approve DCB Review #02-027 as submitted. Motion passed unanimously.

6. Report from the Chief of Planning

A. Marina (Mother's) Beach WQIP (verbal status report)
Mr. Chesler advised the Board that the bids for this project did not receive any response and the bids will go out again in February 2003.

B. Project Completion Updates (verbal status report)
Nothing to report

C. Urban Design Update (verbal status report)
Staff tried to schedule a joint workshop with the SCHC, but was unable to do so due to scheduling difficulties. It is Staff intent to receive the final deliverables from EDAW the early part of January 2003, and Staff will reschedule the joint workshop.

D. Pending Marina del Rey Tour (verbal status report)
Due to scheduling difficulties, Staff was unable to arrange a tour Marina del Rey in December 2002. Staff will try to reschedule for January 2003 or as soon as possible. The public is invited to join the tour. Ms. Cloke suggested that Staff call her when the January 2003 agenda is finished to see if there would be time for the tour. Ms. Spitz also suggested possibly having a second meeting in January 2003, with notice.

E. Proposed Marina del Rey Traffic Improvements (verbal status report)
(see item 4A-Report from County Counsel)

7. Public Comments – Public comment within the purview of this Board (three minute time limit per speaker)
Mr. Sokalski requested Mr. Weiss report be included in the minutes.
Mr. Weiss advised the Board that he would assist in the draft of the minutes regarding item 4A so that they will reflect his report.

Meeting adjourned at 5:00 p.m.

Respectfully Submitted,

La Trina Hancock
Design Control Board Secretary

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Respectfully Submitted,

La Trina Hancock
Design Control Board Secretary

Marina del Rey
Lessees Association

C/o Mr. Timothy C. Riley, Executive Director
4040 Vineland Avenue, Suite 108
Studio City, California 91604
Telephone: 818-487-6784; FAX: 818-487-6760

DESIGN CONTROL BOARD
December 19, 2002

Item #3 - Parcels 55, 56 and W

The existing Fisherman's Village, situated in one of the Marina's most beautiful locations, is regrettably underutilized. A widely shared goal of patrons of the Marina is to revitalize an area that will serve to draw more visitors, while also providing dining, entertainment and retail opportunities for local residents. This prime scenic spot is most deserving of the redevelopment plans contemplated for the new Fisherman's Village. It proposes the kind of attractive uses that will make the Marina the desirable destination it should be. The Marina del Rey Lessees Association is proud to endorse these redevelopment plans as a necessary step in fulfilling the objective of a more beautiful and user-friendly Marina.

Marina del Rey
CONVENTION & VISITORS BUREAU
CALIFORNIA

2002 Bureau Achievements

Press and Publicity Efforts

Aggressive media outreach strategy and program was implemented, including:

- One-stop full-service center for the travel media
- Four fact sheets and background features written
- 140 images developed for new photography library;
- Nine news releases distributed;
- Newsletter developed exclusively for travel media.

22 travel media hosted on familiarization tours to Marina del Rey.

47 placements in newspapers, magazines and TV generated,

CVB-generated placements reached a record 9.5 million readers (potential visitors) (plus 2 million reached in conjunction with MDRCVB/LACVB promotion), including:

- *LA Times Weekend Escape* column featured Marina del Rey in a ½ page article on the destination in late July.

- *Yachting* Magazine named Marina del Rey as one of top 10 Marinas in North America as a result of a CVB- hosted visit in June.

- *CNN Headline News* featured Marina del Rey as part of their "Summer Weekend Escapes" series.

Inclusion of Marina del Rey attractions for the first time in State of California tourism publications, with over 1 million pieces distributed.

Update and expansion of Marina del Rey coverage in 25 US published travel guides to California.

4701 Admiralty Way Marina del Rey, CA 90292 www.VisitTheMarina.com tel: 310~306~9900 fax: 310~306~6605

Web Site Development

A web site was established on www.VisitTheMarina.com. which has generated over 347,000 hits and 38,000 unique visitors.

Hotel Promotions

Coordinated first collaborative off-season campaign with local hotels for special holiday hotel promotion, targeting visiting friends and relatives, generating 612 room nights.

Coordinated local hotel participation in off-season LACVB promotion. 428 room nights were booked in conjunction with that promotion. In addition, Marina del Rey publicity coverage in major newspapers, exceeding 2 million readers.

Community Bulletin Boards

"You Are Here" four-color locator maps designed to help visitors were installed on public bulletin boards throughout the marina. The maps include hotel and restaurant locations in addition to local attractions and landmarks.

Travel Industry Sales

Travel Industry Sales Kit was developed which includes a four-color destination overview geared to meeting and event planners coupled with hotel sales sheets for each hotel in Marina del Rey.

Group Dining Directory was created to promote group capability of local hotels, restaurants and cruise companies.

Exhibited as a destination at five travel industry tradeshows in 2002, with hotel sales staff joining a destination booth for the first time. Conducted one-on-one contact with 223 meeting planners and tour operators at the following shows:

- California Travel Market (foreign tour operators)
- Affordable Meetings West
- Destinations Showcase
- Southern California Meeting Planners International
- Affordable Meetings NationalConducted direct mailings to over 2,450 pre-registered planners in advance of all tradeshows.

Visitor Information Services

First-time aggressive marketing of center services generated significiant increases in visitation and phone calls to the center. 2002 inquiries totaled 14,403, compared to 8,061 in 2001, an 79% increase, despite area wide decreases in tourism.

Conducted total reorganization of visitor center services, including customer service training, and overall of all visitor information retrieval systems.

Initiated first time on-going training program and fam tours for visitor center staff.

Visitor Publications

A new corporate logo was developed and finalized for the Visitors Bureau to be used in all printed materials and promotional programs for the industry.

75,000 new visitors map and guides to the Marina were developed and consequently distributed at over 100 locations including all 10 California State Welcome Centers.

Handouts for visitors have been developed and distributed on:

- Marina del Rey hotels
- Los Angeles County Beaches
- Private Charters in the Marina
- Public Boat Tours, Rentals and Excursions
- Marina del Rey Calendar of Events
- Restaurants in Marina del Rey

Advertising

Launched first travel trade campaign geared to meeting planners May through September 2002. Titled, "When Your Next Meeting Needs More than One Point of View", the ads featured Fisherman's Village, luxury yachts, and outdoor dining. Exposure on this campaign totaled 125,000 impressions.

In July, 2002, the "Helmsman Group Sales Guide" brochure was inserted into "Association News" magazine to over 3,000 meeting planners in California and Arizona. The editorial in the publication included strong feature on Marina del Rey.

Placed consumer destination awareness ads in State of California Official Tourism Guide and LA Inc (LACVB) publications, generated an additional 675,000 impressions, and generated 265 BRC consumer inquiries and 667 e-mail inquiries.

Community & Industry Relations

Provide monthly updates to the Small Craft Harbor Commission.

Provide monthly update to Harbor Committee and Trade and Tourism Committees of Chamber of Commerce

Appointed ex-officio director of Chamber of Commerce and provide monthly update.

Hosted Marina del Rey Visitors Booth at the Annual In-Water Boat Show. 700 people stopped by the booth.

Hosted meeting for commercial boating companies operating in the marina to create a networking opportunity, educate them on the role of the Visitors Bureau, and collect resource information on their company's services.

Executive Director actively participates as a member of the Board of Directors of the California Travel Industry Association, the strongest and most influential travel industry coalition in California.

Executive Director serves as a member of the Marketing Advisory Committee for the California State Tourism Office.

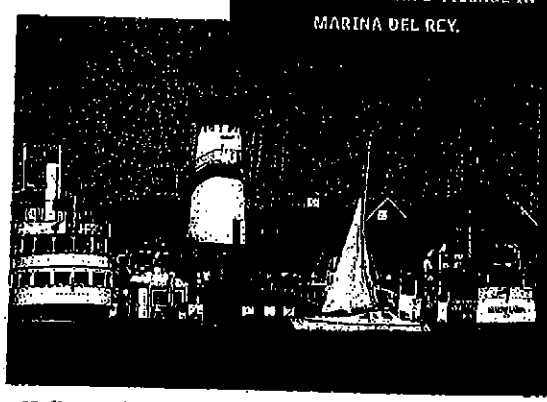
los angeles county

The flash of Hollywood, plus countless communities with small-town charms

The greater Los Angeles area, which stretches from the Antelope Valley California Poppy Reserve in the north to Santa Catalina Island in the south, is the repository of every grandiose vision, no matter how extraordinary, that comes under the heading "California dream." This is where people come to liberate, stimulate, and even re-create their lives. Brunch at a beachside café in Venice and you can watch some of these individualistic spirits parade by on roller skates. It's also where they go for a night on the town, in places such as 2nd Street in Long Beach.

Other parts of the sprawling metropolis are equally soul-inspiring. Downtown you will find not one but two branches of the Museum of Contemporary Art. In between them is the ornate Bradbury Building, whose interior skylit lobby and creaking elevator set the mood for that quintessentially futuristic vision of Los Angeles in the movie *Bladerunner*. Moving west, one comes upon the stellar Hollywood Bowl, where on any given evening you might hear the booming cannons of Tchaikovsky's 1812 Overture or James Taylor crooning "Fire and Rain." And then there's the incomparable Getty Center, which sits perched over Brentwood like the modern-day temple to the arts that it truly is.

The county shows off its diversity gastronomically as well as culturally. There's a rich, vibrant Asian community in the San Gabriel Valley, where you can dine on the finest steamed pork cakes and salted duck eggs this side of Hong Kong. Portuguese heritage is celebrated in the little mom-and-pop cafes of San Pedro—longshoremen working at adjacent Los Angeles Harbor frequently start their days off with linguica and scrambled eggs. And throughout the city, from Santa Monica to San Fernando, Pacoima to Pasadena, Mexican and Central American taquerias and antojito restaurants prove that tacos and tamales, the most conventional examples of Southern California cuisine, can be unconventional treats.



RIGHT: NEW COMPLEX AT HOLLYWOOD AND HIGHLAND. BOTTOM: FISHERMAN'S VILLAGE IN MARINA DEL REY.

Los Angeles, you see, is a feast for the senses, so the only way to properly appreciate it is to sample a little bit of everything. Explore the city's roots along colorful Olvera Street, or go back even further in time with a stop at the La Brea Tar Pits, where sticky, bubbling tar trapped mastodons and other prehistoric creatures long before humans appeared on the scene. In Hollywood, celluloid history reigns along the legendary Walk of Fame, with its 1,800-plus speckled sidewalk stars, and at Mann's Chinese Theater, home of countless famous hand- and footprints. And then a few blocks south are the palm-lined boulevards of Beverly Hills. The fashions along Rodeo Drive are as eye-popping as the price tags, but, hey, this is L.A., baby.

Los Angeles HOLIDAY INN BRENTWOOD/BEL-AIR
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🚬🍸🍽🏊🏋 211 Rooms $99-$250

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♿NS🍴🏊SD 40 Rooms $69-$199

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🚬✈🍸🍽🏊 157 Rooms $119-$139

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♿🍸🏊NS🏊 56 Rooms $59-$110

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🚬♿NS🏊 70 Rooms $49-$60

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los angeles county

The flash of Hollywood, plus countless communities with small-town charms

The greater Los Angeles area, which stretches from the Antelope Valley California Poppy Reserve in the north to Santa Catalina Island in the south, is the repository of every grandiose vision, no matter how extraordinary, that comes under the heading "California dream." This is where people come to liberate, stimulate, and even re-create their lives. Brunch at a beachside café in Venice and you can watch some of these individualistic spirits parade by on roller skates. It's also where they go for a night on the town, in places such as 2nd Street in Long Beach.

Other parts of the sprawling metropolis are equally soul-inspiring. Downtown you will find not one but two branches of the Museum of Contemporary Art. In between them is the ornate Bradbury Building, whose interior skylit lobby and creaking elevator set the mood for that quintessentially futuristic vision of Los Angeles in the movie *Bladerunner*. Moving west, one comes upon the stellar Hollywood Bowl, where on any given evening you might hear the booming cannons of Tchaikovsky's 1812 Overture or James Taylor crooning "Fire and Rain." And then there's the incomparable Getty Center, which sits perched over Brentwood like the modern-day temple to the arts that it truly is.

The county shows off its diversity gastronomically as well as culturally. There's a rich, vibrant Asian community in the San Gabriel Valley, where you can dine on the finest steamed pork cakes and salted duck eggs this side of Hong Kong. Portuguese heritage is celebrated in the little mom-and-pop cafes of San Pedro—longshoremen working at adjacent Los Angeles Harbor frequently start their days off with linguica and scrambled eggs. And throughout the city, from Santa Monica to San Fernando, Pacoima to Pasadena, Mexican and Central American taquerias and antojito restaurants prove that tacos and tamales, the most conventional examples of Southern California cuisine, can be unconventional treats.

RIGHT: NEW COMPLEX AT HOLLYWOOD AND HIGHLAND. BOTTOM: FISHERMAN'S VILLAGE IN MARINA DEL REY.

Los Angeles, you see, is a feast for the senses, so the only way to properly appreciate it is to sample a little bit of everything. Explore the city's roots along colorful Olvera Street, or go back even further in time with a stop at the La Brea Tar Pits, where sticky, bubbling tar trapped mastodons and other prehistoric creatures long before humans appeared on the scene. In Hollywood, celluloid history reigns along the legendary Walk of Fame, with its 1,800-plus speckled sidewalk stars, and at Mann's Chinese Theater, home of countless famous hand- and footprints. And then a few blocks south are the palm-lined boulevards of Beverly Hills. The fashions along Rodeo Drive are as eye-popping as the price tags, but, hey, this is L.A., baby.

LEFT: DONNA CARROLL; RIGHT: DAVID ZANTZ

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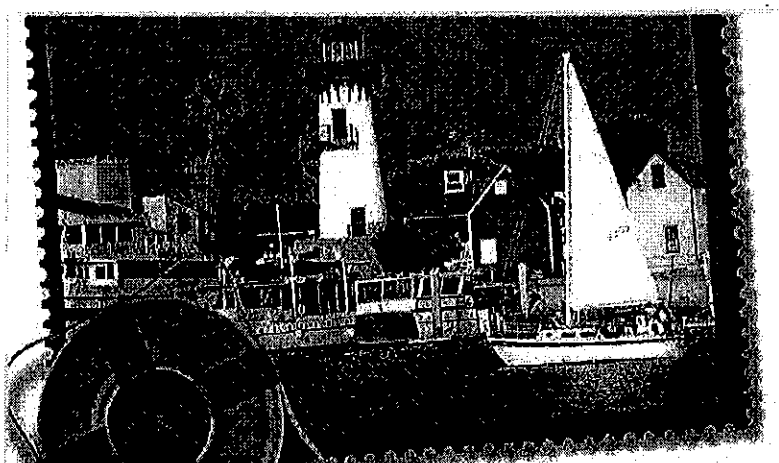

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COUNTY OF LOS ANGELES

SMALL CRAFT HARBOR COMMISSION
(310) 305-9527

Harley A. Searcy, Chairman
Carole B. Stevens, Vice-Chairperson
John C. Law
Russ Lesser
Joe Crail

January 6, 2003

TO: Small Craft Harbor Commission

FROM: Rosemary Taylor, Commission Secretary

SUBJECT: **SMALL CRAFT HARBOR COMMISSION MEETING SCHEDULE FOR YEAR 2003**

The Commission regularly meets at 9:30 a.m. on the second Wednesday of each month. Please note that the meeting date for January has been changed to the last Wednesday of the month.

January 29

February 12

March 12

April 9

May 14

June 11

July 9

August 13

September 10

October 8

November 12

December 10

/rrt

13837 FIJI WAY • MARINA DEL REY • CALIFORNIA 90292

SMALL CRAFT HARBOR COMMISSION MEETING

[redacted]

SPEAKERS

JANUARY 29, 2003

PRINTED NAME	BUSINESS/ ORGANIZATION	ADDRESS
John Rizzo	Marina Tenants Assn	P.O. Box 10174
Stephen Massman	Kingswood	4157 Via Marina
David Naftalin	MTA Atty	3872 Edenhurst Ave LA 90039
Bev Moon	MDRCVB	
Rhoda Rich	President	4270 Prom Way #225
Carla Andrews		
Lynn Lolly		
Patricia Raye	Sm. Craft Owner	Boat - Evening Star
Al Lehman		PO Box 10087 MDR