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Los Angeles County
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

January 5, 2006

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan Wisniewski

SUBJECT: **COMMISSION AGENDA – JANUARY 11, 2006**

Enclosed is the January 11, 2006 meeting agenda, together with the minutes from your meeting of December 14, 2005. Also enclosed are reports related to Agenda Items 3a, 3b, 4a, 5a and 6a.

Please feel free to call me at (310) 305-9522 if you have any questions or need additional information.

SW:tm

Enclosures

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"To enrich lives through effective and caring service"

Los Angeles County Beaches & Harbors — Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

SMALL CRAFT HARBOR COMMISSION

AGENDA
JANUARY 11, 2006
9:30 a.m.

BURTON W. CHACE PARK COMMUNITY ROOM
13650 MINDANAO WAY
MARINA DEL REY, CA. 90292

1. Call to Order, Action on Absences and Pledge of Allegiance

2. Approval of Minutes: Meeting of December 14, 2005

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

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

   b. Marina del Rey and Beach Special Events

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

4. **OLD BUSINESS**

   a. Traffic Mitigation Measures within Marina del Rey Area -- Quarterly Report (PRESENTATION BY JAMES CHON, DEPARTMENT OF PUBLIC WORKS)

5. **NEW BUSINESS**

   a. Consent to Assignment of Leasehold Interest and Amendment to Lease – Parcels 42/43 (Marina del Rey Hotel) – Lease No. 5577 and Consent to Assignment of Leasehold Interest and Amendment to Lease - Parcel 145R (Marina International Hotel) – Lease No. 14404 (RECOMMEND TO BOARD OF SUPERVISORS)

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

   a. Ongoing Activities

      - Board Actions on Items Relating to Marina del Rey
      - Design Control Board Minutes

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

PLEASE NOTE:

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code (Ord. 93-0031 § 2 (part), 1993), relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.

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

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

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

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

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

   Lloyd Taber-Marina del Rey Library
   4533 Admiralty Way
   Marina del Rey, CA 90292

Si necesita asistencia para interpretar esta informacion llame al (310) 305-9547.

ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD), with at least three business days notice.

Small Craft Harbor Commission
December 14, 2005
Minutes

Commissioners Present

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

Excused Absences

Joe Crail

Department of Beaches & Harbors: Stan Wisniewski, Director
Roger Moliere, Deputy Director
Dusty Crane, Chief, Community & Marketing Services Division

Other County Departments: Thomas Faughnan, Principal Deputy County Counsel
Deputy Mike Carrilles, Sheriff's Department

Also Present: Beverly Moore, Executive Director, MdR Convention & Visitors Bureau

1. CALL TO ORDER, ACTION ON ABSENCES AND PLEDGE OF ALLEGIANCE

Chairman Searcy called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:40 a.m. in the Burton W. Chace Park Community Room, Marina del Rey.

Vice-Chairperson Stevens moved and Commissioner Lesser seconded a motion to excuse Commissioner Crail from the meeting. The motion passed unanimously.

The Commissioners, staff and members of the public stood and recited the Pledge of Allegiance.

2. APPROVAL OF MINUTES

Vice-Chairperson Stevens moved and Commissioner Lesser seconded a motion to approve the November 9, 2005 minutes. The motion passed unanimously.

3 REGULAR REPORTS

a. Marina Sheriff

-- Crime Statistics

Deputy Mike Carrilles, Asst. Harbor Master, informed the Commission that Lt. Nelson and Deputy Carvalho were unable to attend the meeting; therefore, Deputy Carrilles would report on the crime statistics.

Deputy Carrrilles reported that there were no significant spikes or trends during the month of November. There were many felony arrests of transients living at the Archstone-Marina Apartment units under construction. The felonies included parole violation, burglary, narcotics and concealed weapons. Archstone's management made

changes at the complex so that it would be difficult to inhabit apartments during the construction phase. Officers will also patrol the vacant areas.

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

Deputy Carrilles reported that two new liveaboard permits were issued for November. There were no new Notices to Comply. The Department is planning to reinstitute its dock-walk program, which will focus on unseaworthy vessels. The Department's database is being revamped so that officers can have more accurate data, keep updated on expired permits and notify dockmasters and boat owners when they need to renew their permits.

b. Marina del Rey and Beach Special Events

Mr. Stan Wisniewski informed the Commission that the report includes information about the Tall Ships at Fisherman's Village that are scheduled from December 15-27 and the Marina del Rey Annual Fireworks Display from December 31 through the New Year. The report also includes the Fisherman's Village Concerts and Beach Events, including the Venice Penguin Swim Club Annual Swim on January 1, 2006 at 11:00 a.m.

c. Marina del Rey Convention and Visitors Bureau (CVB)

Ms. Beverly Moore reported that late last month the Board of Supervisors approved the extension of the CVB's County contract to promote Marina tourism. She expressed the bureau's appreciation for the vote of confidence from the Commission, Board of Supervisors and Department of Beaches and Harbors. The hotels also approved the extension of their agreements with the bureau.

Further, Ms. Moore reported that the CVB is issuing periodic updates to meeting planners in a new easy to read format. The newssheets provide up-to-date information on the Marina's meeting and banquet facilities and can be used in mailings to event planners and as a handout at trade shows and exhibitions. She recently returned from a travel exhibition in Sacramento of meeting officials and trade association executives who are headquartered in the state capitol. Over 750 travel industry suppliers and buyers attended the event and bureau staff met many meeting planners one on one at the show. Additionally, MdR's exhibition was awarded first prize for the best individual booth at the trade show.

4. OLD BUSINESS

a. None

5. NEW BUSINESS

a. Approval of Option for Amended and Restated Lease to Facilitate Redevelopment – Parcels 55, 56S and W (Fisherman's Village) – Marina del Rey

Mr. Wisniewski took a moment to announce that Mr. Roger Moliere accepted a position with the Metropolitan Transportation Authority (MTA) and is leaving the Department of Beaches and Harbors. The December Commission meeting would be his last. Mr. Wisniewski commented that MTA recognized Mr. Moliere's extraordinary negotiating talents and asset management capabilities. It is the MTA's gain and the Department's loss.

Mr. Wisniewski said that he has dealt with many property managers and asset managers in his 30+ years at the Department and Mr. Moliere has the most unique set of talents of any of them. Mr. Wisniewski has thoroughly enjoyed working with Mr. Moliere, has learned a lot from him and will miss him.

Mr. Wisniewski said that Mr. Richard Volpert continues to be the lead project negotiator and the Department will begin recruiting efforts to replace Mr. Moliere.

Chairman Searcy commented that Mr. Moliere is very knowledgeable and it will be difficult filling his shoes. Mr. Moliere will definitely be missed. Chairman Searcy wished him much luck in his new endeavors.

Mr. Moliere informed the Commission that the Fisherman's Village project is long awaited and will be a complete tear down, except for its lighthouse, and replacement with all new facilities. It is principally restaurant and retail and will house significant charter operations. The project involves moving the parking that's now on Parcel 52 and consolidating it on the parcels that are being reconstructed for Fisherman's Village. The action requested is the approval for an option for an extension of the existing lease, adding to the project the adjacent Parcel W, which is now principally parking, and Parcel 55.

Mr. Moliere mentioned Mr. Jack Hollander's, the project architect, attendance and commented that Mr. Hollander would be happy to cover the details and explain some of the design features if needed.

Mr. Moliere said that one aspect everyone would like most about the project is its significant open space and view corridors featuring a large rotunda in the middle and ample guest docks. The Department has tried to promote the ability to come to venues like this with dinghies and small craft and to tie up and use the restaurants and facilities. The project will include a water taxi stop. This project and the new Caruso shopping center will provide two venues to significantly increase visitor serving and livability in the Marina.

Vice-Chairperson Stevens asked whether there are time limits to tear down and reconstruct the property.

Mr. Moliere responded that the developer must receive its entitlements and go through the regulatory process, starting with the Design Control Board, then Regional Planning Commission. The tear down will wait until entitlements are received thus allowing time

to exercise the option and obtain the lease. Simultaneously, the developer will have received its permits for demolition and construction. There are time limits for all the steps and built in discretionary extensions of those because one never knows how long the regulatory process will take for a variety of reasons. The project is within the limits of the LCP (Local Coastal Plan) and doesn't require, except potentially in a minor way, any LCP amendment.

Mr. Moliere explained that by "minor way," he meant that Parcel W is technically now a parking area. A little of the center does incur onto Parcel W. The Department's coastal consultant believes it may not trigger the need for an amendment because it's such a minor incursion that the Coastal Commission might not worry about it. If there were a need, this would be the only LCP amendment necessary. It's within height limits, entitlement limits and use parameters of waterfront overlay.

Vice-Chairperson Stevens asked how long it would take before at least part of the structure is completed.

Mr. Moliere responded that it would take approximately 14-18 months to complete the regulatory process even though it's fairly simplified. Demolition and construction would follow and is estimated to take a little over one year because it is extensive. It will probably be approximately 2-2½ years before the new structure is completed.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Mr. Hans Etter informed the Commission that the LCP preliminary report states that the primary purpose of the Marina is to provide recreational boating opportunities for the citizens of Los Angeles County and protect recreational boating in the Marina. The fuel dock, which the County closed down, is being used as an impound dock. As he understands it, there isn't a Coastal Commission permit for the facility's change of use. Currently, there is a "No Trespassing" sign at the location, but it used to be opened to the public for a fuel dock. It's been closed down for a couple of years thus creating a monopoly for the existing fuel dock.

Mr. Etter said the report also indicates that the facilities should include but not be limited to fuel docks on Parcels 1 and 55 and shouldn't be replaced. With the exception of facilities on Parcels 1, 54, 55 and 56, which should not be displaced, boating facilities may be relocated in conjunction with development as long as the same or larger boating facilities are replaced within the Marina.

Mr. Etter said that as he understands it there is intent to place the charter boats at the fuel dock location and he doesn't understand how this is consistent with public use. He guaranteed there would be lawsuits over this matter.

Ms. Carla Andrus said that the Commission meeting material was received less than seven days before the meeting, yet the public can only speak on the Parcels 55/56S item for three minutes. She said that the Department is requesting a lease amendment without having provided the original lease for a comparative analysis. There hasn't been an adequate amount of time to assess the material. Public Resources Code 30006 requires full public participation, which the public is willing to do. She said that there's been no meaningful review or public access concerning the Parcels 55/56S lease option. It's an unfair practice and a joke of a process to submit the option and review the

architectural drawings without an analysis. The public wants to be involved in the process and if the public doesn't get an understanding, it would be fair for the public to make a formal complaint to the California Coastal Commission.

Ms. Andrus referred to the Parcels 55/56 agreement and noted words such as "fair market rental value," "use of premises," "taxes and assessment," "notice of default," "evidence," "discovery," "project description," etc. She said these items should be addressed so the public can gain an understanding of them.

Ms. Andrus requested copies of the original lease. Mr. Wisniewski responded that Ms. Andrus could visit the Department's office at any time to view the current lease, as it is public information.

Chairman Searcy commented that the public has further opportunity to provide input concerning the Parcels 55/56S project and participate in the public process at the Design Control Board, California Coastal Commission, Regional Planning Commission and Board of Supervisors' meetings.

Commissioner Lesser commented that the Fisherman's Village project is definitely needed, given the fact that the existing development has reached the end of its economic life. The project will enhance the area and generate a lot more revenue for the County. It's a win-win situation for everyone.

Chairman Searcy mentioned that today is not the first time the architectural drawings were exhibited at a Commission meeting; they in fact were shown at a previous meeting.

Commissioner Lesser moved and Vice-Chairperson Stevens seconded a motion to recommend Board approval of the option for the amended and restated lease to facilitate redevelopment at Parcels 55, 56S and W (Fisherman's Village). The motion passed unanimously.

6. STAFF REPORTS

a. Ongoing Activities Report

Mr. Wisniewski reported that at the November 29, 2005 Board of Supervisors meeting, the Board approved the amendment with the MdR Convention and Visitors Bureau to extend the term of its agreement for five years. This item was previously considered and recommended by the Commission.

Further, Mr. Wisniewski reported that the LCP periodic review hearing won't occur in January 2006. As he understands it, the hearing will probably be scheduled in April or May 2006. The Coastal Commission will apprise the department of the date.

Relative to Parcel 20 (Capri Apartments), Mr. Wisniewski reported that the lessee had requested to pay an in-lieu fee rather than provide ten on-site low-income units. At its November 2005 meeting, the Commission went on record to oppose payment of the in-lieu fee. The Department of Regional Planning, Community Development Commission, and Beaches and Harbors submitted a joint report to the Regional Planning Commission that recommended against payment of the in-lieu fee. At the Regional Planning Commission's second hearing on the matter in November, the Parcel 20 lessee

withdrew its request for the in-lieu fee and will now provide the on-site low-income units as originally planned.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Mr. Hans Etter said that the Capri Apartments lessee uses signage that isn't approved by the Design Control Board. He said this is a common practice by the lessees and he suggested that staff conduct an inventory to determine which signs are legal in the Marina. Some of the existing signage in the Marina adds to the pollution and some are in places that interfere with the intersections.

Mr. Etter said that the Sheriff's dock inspection of unseaworthy vessels isn't appropriate, as none of the officers are qualified to determine whether a vessel is seaworthy.

Ms. Andrus said that not having an LCP periodic review hearing until April or May 2006 provides the Department an opportunity to conduct the four workshops that were recommended by the Coastal Commission. These workshops are overdue and could provide an assessment of what has already occurred in the Marina and its future. It would also be a wonderful opportunity to revisit the mission or vision statement for the Marina and clarify the Department's role.

Ms. Andrus said that Goldrich and Kest is required to provide units from every floor plan, which is part of the Mello Act requirements. She hopes that other developers realize how important the public views this issue. Fair and reasonable rates rather than market rates are what should be insisted on. Affordable housing units might be provided, but they're like leftover crumbs from market rate units after hundreds of people have been displaced. These people are given the crumbs of affordable housing and they're made to beg for the crumbs. She is hopeful the public doesn't have to struggle with every developer on a case-by-case basis, but the public will do it if needed.

7. COMMUNICATION FROM THE PUBLIC

Mr. Fred Newman said that in August 2004, the Planning Division approved in principal the mixed-use project plans in the Palawan Way and Admiralty Way area. He asked staff to provide an update on these plans.

Mr. Moliere responded that he believed Mr. Newman was referring to the mixed-use project on Parcels 33 and NR. This project was presented to the Commission last spring and went before the Design Control Board for conceptual approval. In the interim, the Department worked on documentation for the option and lease and there has been some redesign work. There has been no further public presentation, but there is likely to be one within the next 30-60 days, as the option and lease are being completed and new design work is being completed as well. He expects the plans would be presented to the Commission and Design Control Board within the next 60 days.

Chairman Searcy assured the public that it would be notified about these meetings through the normal channel of communication, including the Argonaut.

Mr. Newman said he agrees that the Regional Planning Department is supposed to address traffic issues; however, when he approached that department, he never received real answers and was told that the traffic issues were being studied.

Mr. Newman asked whether the Department of Beaches and Harbors has any responsibility for traffic issues. He hasn't seen any traffic improvements but he was told years ago that there would be an Admiralty Way expansion. He asked how long traffic would be studied and how long would the Department wait before doing something about the matter.

Mr. Moliere commented that traffic mitigation was discussed many times with Mr. Newman, who was told that each development project requires a traffic study. There are master plans as well for the Admiralty and Marina Freeway projects, which are available at the Department of Regional Planning.

Mr. Etter questioned how the Commission could take action on agenda items when it's only had five minutes to review them. He commented that the Parcels 55/56S amended lease agreement is a couple of hundred pages in length and he doesn't believe the Commissioners have read it and know its implications.

Mr. Etter also mentioned that there are supposed to be five members on the Small Craft Harbor Commission yet only three members attend the meetings on a regular basis. He asked which districts do the absent Commissioner and vacant seat represent.

Chairman Searcy responded that Commissioner Crail (representing the Fifth District) was unable to attend today's meeting. There is a Third District vacancy on the Commission.

Mr. Etter suggested that Board offices be informed about the absenteeism and the vacant position. He said the situation is shameful, as each Board district should be represented at the meetings.

Chairman Searcy commented that the Commission addressed this matter with staff. He encouraged Mr. Etter to voice his concerns to the Board offices as well.

Further, Mr. Etter commented that it's useless for the Commission to rubberstamp projects. Commission members should take time to review material, allow the public some time to review it then discuss the item at the next meeting. As it currently stands, the community will have to take the County and developers to court, as the Commission only represents the County. The Commission doesn't care what the public says.

Mr. Steve Weinman informed the Commission that Ms. Julie Schaller (former Archstone-Marina Apartment tenant) was unable to attend the meeting and asked him to read her letter (Attachment A) pertaining to the orange-color tap water she submitted at a previous Commission meeting. Ms. Schaller wanted to know whether the Department's staff tested the water.

Mr. Moliere responded that the Department checked on the status of the water and it was found to be fine. Staff has no reason to disbelieve Ms. Schaller; however, there was no information provided of when the water sample was taken or from where it was taken. The Department has not received any other complaints concerning Archstone's tap water and staff has taken no further action.

Vice-Chairperson Stevens commented that Archstone is not the only complex with orange water. She believes this water comes from rusted pipes. Vice-Chairperson

Stevens said it would be helpful if staff requested the Health Dept. to investigate the matter.

Mr. Moliere responded that the Department of Health Services checked the water at Archstone-Marina Apartments and found no pollutants.

Chairman Searcy commented that perhaps the investigation should not only be limited to Archstone.

Mr. Wisniewski said that when the Department receives complaints, it requests the appropriate agency to investigate.

Mr. Weinman said that Mr. Ted Faute, Mr. Hunter Von Leer and Mr. Tom Cook, who all attended previous meetings, would like to know the pricing that would be in effect at Almar's dry rack storage. Other members of the public would also like to know the pricing.

Mr. Weinman noted that at the November meeting staff didn't know the pricing. He recalled, however, that the Department's Requests for Proposals include pro forma invoices that identify prices. Mr. Weinman questioned whether this information is available.

Mr. Moliere responded that there was a pro forma that projected prices. It is available at Beaches and Harbors for viewing upon request. Almar's actual project is approximately 1½ to 2 years away and pricing will be finalized by that time.

Mr. Weinman said that boaters at Dock 77 would like to know whether there is a blue print or artist's conception of the planned amenities at the Dock 77 location.

Mr. Moliere responded that there are no plans for a wholesale move of Parcel 77. The project would replace in kind any mast-up storage spaces now available at Parcel 77. The new dry storage and mast-up facility will be constructed at Parcels 52 and GG and the amenities there will be many and far greater than currently exists at Parcel 77and will include picnic areas, community meeting rooms and refreshment facilities.

Mr. Wisniewski added that Parcel 77 would be included in the Burton Chace Park expansion. There will be an extensive public hearing process when the plans are finalized. This process will be similar to the way the Department handled the Marina Beach area plans for which the urban planning consultant conducted community outreach, etc.

Ms Dina Novak, former Archstone-Marina Apartments tenant, gave the Commission an update on what occurred when she moved from the Archstone-Marina Apartments. She said that she had obtained an apartment at the complex but it fell through. Ms. Novak requested additional time from the management and was refused. She called the corporate headquarters and was told that management wished to file an eviction against her, but told her not to worry because it would be dismissed without prejudice. Ms. Novak asked her friend as well as another attorney about this action and was told that dismissal without prejudice is bad news and Archstone can reopen it at any time in the future. Ms. Novak said that she wasn't going to rely on Archstone's words. The company's e-mail came on September 20 informing her that she would be evicted and

the process would start on September 21. She had found another apartment and told Archstone of her plan to move on October 13. She was looking at 23 days without having a home and she chose to move.

Ms. Novak said that the way in which she was treated was vindictive and unnecessary just because she decided not to stay and not to pay 50% more in the complex. The treatment was harsh and she didn't deserve it in any way shape or form. Ms. Novak hopes the Commission won't allow any of the other developers to treat tenants in this way. She ended up having to spend thousands of dollars living in hotels, thousands of dollars that she didn't have.

Commissioner Lesser mentioned that Commission members received copies of several news articles forwarded by the Commission secretary. One of the articles indicated that Coalition to Save the Marina has filed eight lawsuits in the past five years and currently has five outstanding lawsuits. He questioned what happened to the remaining three lawsuits.

Commissioner Lesser also commented that he respects America's legal system, which allows people to file lawsuits for any reason whether or not a case has merit. The Commission never hears about the outcome of the Coalition's lawsuits and he asked whether it has prevailed in any lawsuit against the County.

Mr. Faughnan responded that he's not aware of Coalition to Save the Marina prevailing in any of the lawsuits against the County.

8. ADJOURNMENT

Chairman Searcy adjourned the meeting at 10:18 a.m.

Respectfully submitted,

Toni Minor
Commission Secretary

December 12, 2005

To: Small Craft Harbor Commission

From: Julie Schaller

Since this is the last meeting of '05, I would like to know the outcome of the question I asked at the August meeting regarding the safety of the water at the (formerly Kingswood, now Archstone complex). I brought in dirty water samples that were taken from over a year period and asked the commission to check on this for me. I was assured that they would and was asked to give Mr. Moliere my telephone number at the end of the meeting so I could be notified of the findings.

It is very peculiar to me that I never did receive a phone call from him, but instead I received a phone call from the Archstone office stating that they received a call from Beaches and Harbor requesting my phone number so that they could call me because.... "You filed some kind of complaint". I told the office that they had my permission to give him my phone number. Still, I received no call.

Even though, these meetings are public, I resent the fact of informing the business that I am lodging a complaint against, in what seems to be an intimidation tactic. I do not know how else to consider this given the fact that I personally gave Mr. Moliere my phone number at the close of the meeting AND I am listed in the Marina del Rey phone book. So with that said, I would like to know what exactly was found out about the orange water.

Sincerely,

Julie Schaller

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES- DECEMBER 2005

	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							1			1
Robbery: Weapon							1	3		4
Robbery: Strong-Arm									2	2
Aggravated Assault	1								1	2
Burglary: Residence	2				1		2	4	3	12
Burglary: Other Structure	2	1		1	1					5
Grand Theft	6	1		2			2			11
Grand Theft Auto	4	3						2		9
Arson										0
Boat Theft										0
Vehicle Burglary	4	1				1	2	4	1	13
Boat Burglary										0
Petty Theft	1		1			1		1		4
REPORTING DISTRICTS TOTALS	**20**	**6**	**1**	**3**	**2**	**2**	**8**	**14**	**7**	**63**

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

Source- LARCIS, **Date Prepared** – January 3, 2006

CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- DECEMBER 2005

Part I Crimes	MARINA AREA (RD'S 2760-2763)	EAST END (RD'S 2764-2768)
Homicide	0	0
Rape	0	1
Robbery: Weapon	0	4
Robbery: Strong-Arm	0	2
Aggravated Assault	1	1
Burglary: Residence	2	10
Burglary: Other Structure	4	1
Grand Theft	9	2
Grand Theft Auto	7	2
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	5	8
Boat Burglary	0	0
Petty Theft	2	2
Total	30	33

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

Source- LARCIS, **Date Prepared – January 3, 2006**
CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR ORDINANCE
SEAWORTHY & LIVEABOARD COMPLIANCE REPORT

	November	December
Liveaboard Permits Issued	2	2
Warnings Issued (Yellow Tags)	0	0
Notices to Comply Issued	0	0

Total Reported Liveaboards By Lessees - 583
Total Liveaboard Permits Issued - 475
Percentage of Compliance - 81

No new Warnings were issued in the month of December.

No new Notices to Comply were issued in the month of December.

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

Number Of Impounded Vessels Demolished

To date, one hundred and eighty three (183) vessels have been removed from the marina for disposal. Currently, seven (7) vessels are ready for disposal and twelve (12) are awaiting lien sale procedures.

"To enrich lives through effective and caring service"

Los Angeles County
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

January 5, 2006

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan Wisniewski

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

MARINA DEL REY

FISHERMAN'S VILLAGE WEEKEND CONCERTS
Sponsored by Pacific Ocean Management, LLC
Concerts are from 1:00 p.m. - 4:00 p.m.

Saturday, January 14
Chris Ho Band, playing Jazz

Sunday, January 15
Susie Hansen Band, performing Latin Jazz on Violin

Saturday, January 21
Gents, playing Old School R&B

Sunday, January 22
Kid & Nik Show, playing Americana Pop

Saturday, January 28
XTown Traffic, playing Funk & Soul

Sunday, January 29
Bob Desena, performing Latin Jazz

For more information call: Dee Lavell Gilbert at (310) 822-6866.

BEACH EVENTS

There are no beach events this month.

SW:DC:mc

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Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

January 5, 2006

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

SUBJECT: **AGENDA ITEM 4a – TRAFFIC MITIGATION MEASURES WITHIN THE MARINA DEL REY AREA – QUARTERLY REPORT**

Item 4a on your agenda is a quarterly report on traffic mitigation measures within the Marina del Rey area provided by the L.A. County Department of Public Works, Traffic and Lighting Division. Mr. James Chon of that agency, who spoke on the subject at your October 2005 meeting, will discuss the report and be available to answer questions.

The attached report identifies traffic improvement projects that are completed, proposed and under construction.

SW:tm
Attachment

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TRAFFIC MITIGATION MEASURES

TRAFFIC IMPROVEMENTS
IN THE MARINA DEL REY AREA

COMPLETED

1. Automated Traffic Surveillance and Control System for all of the signalized intersections along Admiralty Way from Via Marina to Fiji Way (MDR Local Coastal Plan Category I).

2. Admiralty Way at the SBBT Crossing: Public Works installed a marked pedestrian crosswalk with pedestrian signals to the SBBT crossing of Admiralty Way. This measure will improve pedestrian access between Admiralty Park and the Library. (Completed 9/05)

3. Admiralty Way/Mindanao Way: Public Works installed a marked crosswalk with pedestrian signals to the south leg of Admiralty Way to allow pedestrians to cross all four legs of the intersection. (Completed 8/05)

4. Admiralty Way sidewalk reconstruction and left turn storage improvement for the Ralph's Market (Parcel 50) renovation. (Completed 9/05)

5. Via Marina: Public Works extended the existing concrete raised center median from approximately 216' to 325' south of Old Harbor Lane and relocated new speed/curve warning signs on Via Marina to enhance speed control and safety measures. (Completed 11/05)

6. Fiji Way: An Engineering and Traffic (E&T) survey is being conducted on Fiji Way as requested by the West L.A. California Highway Patrol. Preliminary indications are that the current posted speed limit will remain the same. The route should be Board adopted in December 2005.

7. Lincoln Blvd/Mindanao Way Intersection Improvement: Add a separate northbound right-turn lane on Lincoln Blvd.

8. Lincoln Blvd/Culver Blvd interchange improvement: Southeast ramp is modified to allow northbound from Culver Blvd and Lincoln Blvd. (Completed summer of 2005)

9. Bluff Creek Road (Teal St) from Lincoln Blvd to Centinela Ave. was constructed by Playa Vista. The connection at Lincoln Blvd is expected to be completed in 2006.

10. Lincoln Blvd transit system: Add 5 buses to Santa Monica Big Blue Bus; Install Bus Priority System for Lincoln Blvd; and install Internal Shuttle System. (Completed 2005)

COMPLETED TRAFFIC IMROVEMENTS IN THE MARINA DEL REY AREA

--- NEW ROADS

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GIS SERVICES

PUBLIC WORKS

FEET 2400

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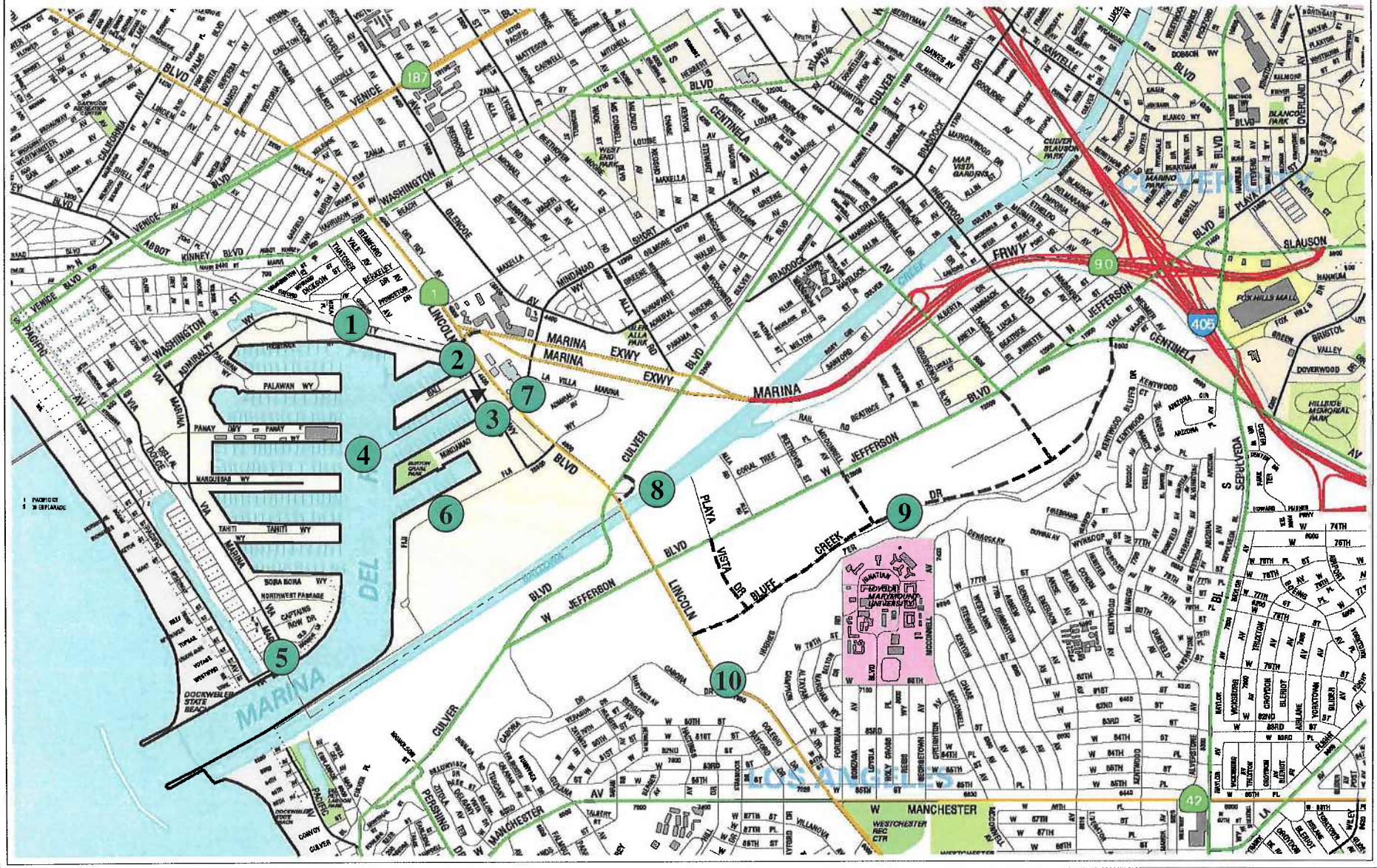

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*PROPOSED TRAFFIC IMPROVEMENT PROJECTS

1. Marina Expressway (SR-90) Connector Road to Admiralty Way Project: Extend SR 90 to Admiralty Way at grade. (Caltrans 2011)

2. Admiralty Way Improvement Project: For either 5 lane alternative or 5/6 lane alternative. (County 2011)

3. Admiralty Way/Via Marina Intersection Realignment Project: Make Admiralty Way a continuous loop road with Via Marina becoming the stem of the "T." (County 2011)

4. Admiralty Way/Palawan Way Intersection Improvements: Restripe northbound Palawan Way to provide a separate right turn lane to Admiralty Way and restripe southbound on Palawan Way to provide into a second left-turn lane. (County 2011)

5. Palawan Way/Washington Street Intersection Improvement: Reconstruct Palawan Way at Washington Street to provide dual left-turn lanes instead of right-turn lane. (County 2011)

6. Admiralty Way/Mindanao Way Intersection Improvement: Add an exclusive northbound right-turn lane. (County 2011)

7. Lincoln Blvd/Fiji Way Intersection Improvement: Add second left-turn lane on Fiji Way. (County 2011)

8. Lincoln Blvd/Bali Way Intersection Improvement: Widen southbound on Lincoln Blvd for a right-turn lane.

9. Fiji Way Gap Closure of the South Bay Bicycle Trail: relocate the bicycle route from an on-road bikeway along Fiji Way to south of and adjacent to Fiji Way in the right of way previously known as Area A of Playa Vista. The Fiji Way portion of the SBBT would then be an off-road Class I bicycle path similar to most of the SBBT. (County 2011)

10. Marina Water Shuttle. (County 6/2006)

11. Centinela Ave. Widening from Ballona Creek to Culver Blvd: Add third northbound lane. (PV II 2010)

12. Jefferson Blvd Widening from Beethoven Street/Centinela Ave.: Add fourth travel lane in the eastbound. (PV II 2007)

13. Sepulveda Blvd Widening from Playa/Jefferson/Green Valley Circle: Add a third southbound lane. (PV 2007)

14. SR 90/Slauson Ave. Intersection Improvement: Add a third left-turn lane from westbound Slauson Ave. to SR 90. (PV 2007) Pending Culver City approval.

* Projected completion dates

PROPOSED TRAFFIC IMROVEMENTS IN THE MARINA DEL REY AREA

NEW ROADS

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GIS SERVICES

PUBLIC WORKS

FEET 2400

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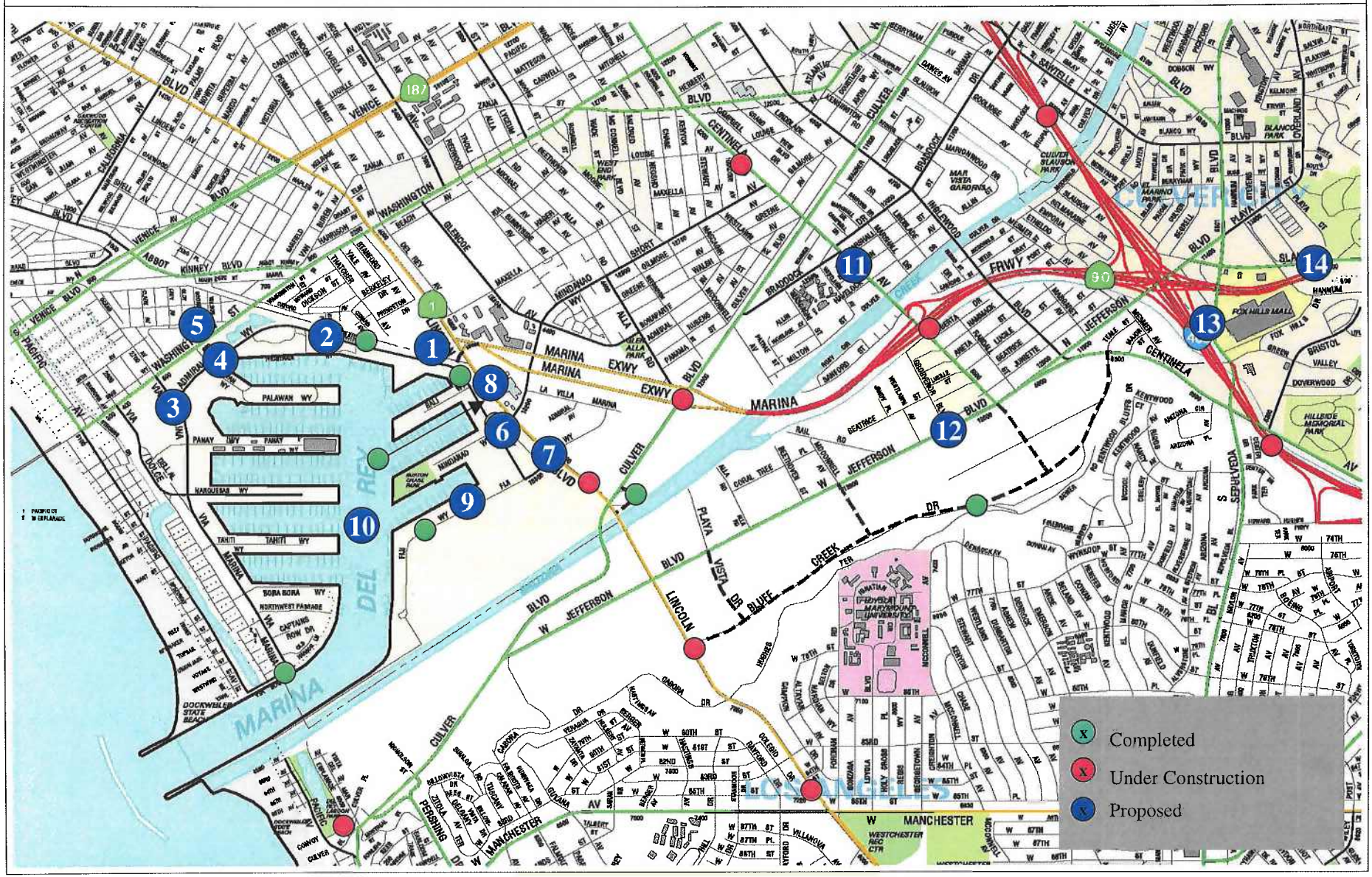

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***UNDER CONSTRUCTION**

1. Lincoln Blvd from Bali Way to 83rd Street: Add third through lanes in each direction. (Caltrans mid 2007)

2. Lincoln Blvd from 83rd St to La Tijera: Add 3rd northbound lane. (Caltrans 2007)

3. SR 90/Culver Blvd Interchange: Grade separation over SR 90 and interchange construction. (Caltrans Fall/2006) Plant establishment will take one more year.

4. SR 90/Centinela Ave. Interchange: Widen Centinela ramps, modify signals at the interchange, and construction of soundwalls along the north side of the Marina Freeway between Centinela Ave. and Ballona Creek. (Caltrans Winter/2006)

5. San Diego Freeway HOV Lanes from I-10 to SR 90: Construction of 3.6 miles of HOV lanes northbound and southbound on I-405. The construction will also include soundwalls for noise mitigation. (Caltrans Fall 2007)

6. San Diego Freeway HOV Lanes from SR 90 to SR 105: Construction of HOV lanes northbound and southbound on I-104. Soundwalls will be constructed for noise mitigation. (Caltrans Winter 2006)

7. Centinela Ave. widening: Two lanes in each direction and left-turn channel. (L.A. City 2006)

8. Lincoln Blvd/Bluff Creek intersection: Construct the intersection with signal. (L.A. City 2006)

9. Vista del Mar: Widen at Culver Blvd to facilitate left turns on Culver Blvd to Vista del Mar. (PV I 2006)

* Projected completion dates.

TRAFFIC IMROVEMENTS UNDER CONSTRUCTION IN THE MARINA DEL REY AREA

--- NEW ROADS

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GIS SERVICES

PUBLIC WORKS

FEET 2400

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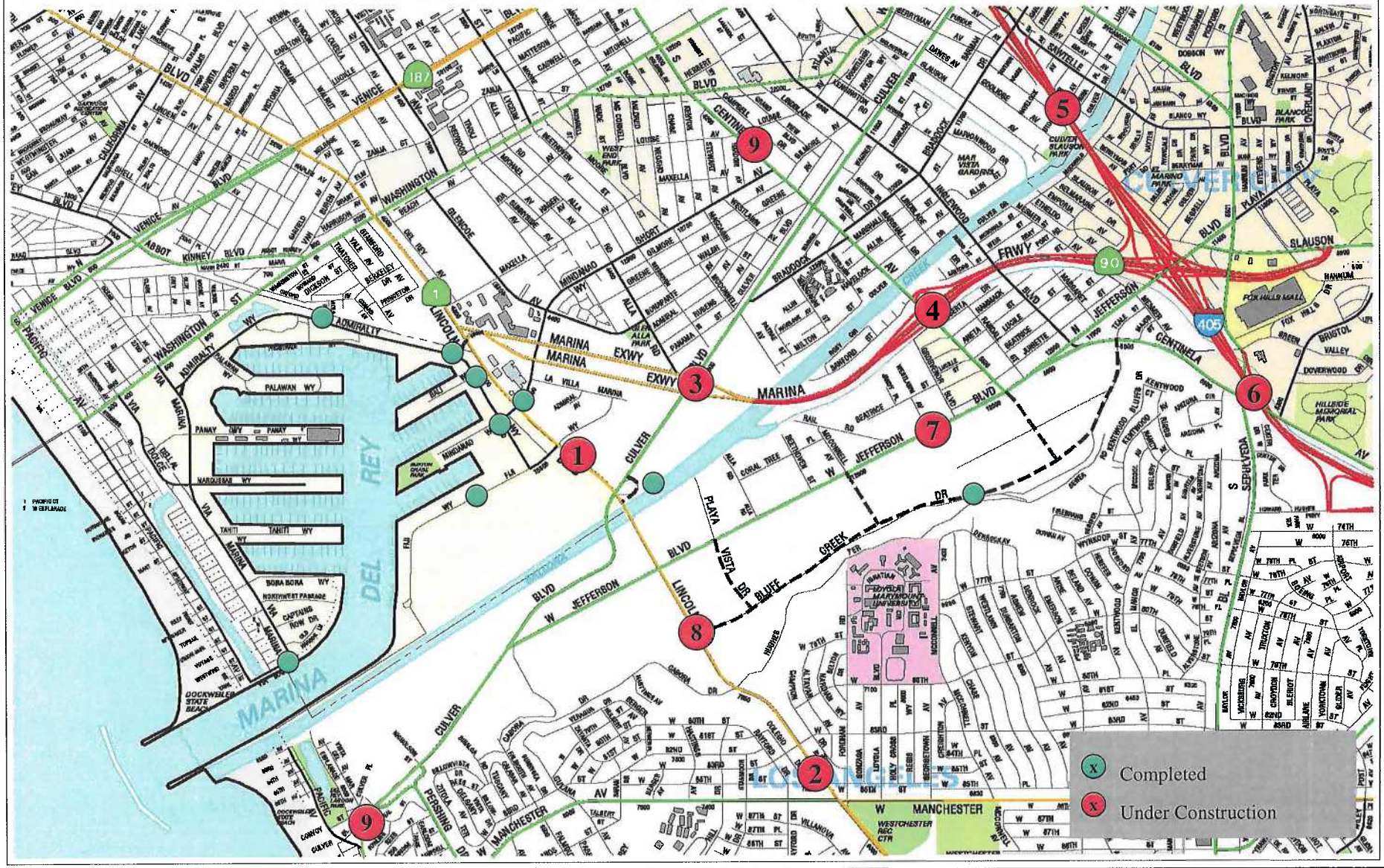

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"To enrich lives through effective and caring service"

Los Angeles County Beaches & Harbors

Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

January 11, 2006

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director Stan Wisniewski

Subject: **ITEM 5a – ASSIGNMENT OF LEASEHOLD INTEREST AND AMENDMENT TO LEASE – PARCELS 42/43 – MARINA DEL REY HOTEL – LEASE NO. 5577**
ASSIGNMENT OF LEASEHOLD INTEREST AND AMENDMENT TO LEASE – PARCEL 145R – MARINA INTERNATIONAL HOTEL – LEASE NO. 14404

Item 5a on your agenda relates to the assignment of and a related lease amendment to the Parcels 42/43 lease and to the assignment and a related lease amendment to the Parcel 145R lease. The proposed assignment of Parcels 42/43 is from MGC Marina del Rey International, a California general partnership, to IWF MDR Hotel, L.P., a California limited partnership. The proposed assignment of Parcel 145R is from MGC Marina del Rey International, a California general partnership, to IWF Marina View Hotel, L.P., a California limited partnership. The attached Board letter and exhibits provide details relating to the assignments and amendments. Your concurrence with my recommendations to the Board is requested.

SW:RM:AK:ST

Attachments

13837 Fiji Way • Marina del Rey • CA 90292 ● 310.305.9503 • fax 310.821.6345 ● internet: http://beaches.co.la.ca.us

"To enrich lives through effective and caring service"

Los Angeles County
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

January 17, 2006

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

CONSENT TO ASSIGNMENT OF LEASEHOLD INTEREST AND AMENDMENT TO LEASE – PARCELS 42/43 – MARINA DEL REY HOTEL – LEASE NO. 5577
CONSENT TO ASSIGNMENT OF LEASEHOLD INTEREST AND AMENDMENT TO LEASE – PARCEL 145R – MARINA INTERNATIONAL HOTEL - LEASE NO. 14404
(4th DISTRICT)
(4 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed assignment of Lease No. 5577 affecting the leasehold interest in Parcels 42/43 and the proposed Amendment No. 8 to Lease No. 5577 for Parcels 42/43 are categorically exempt under the California Environmental Quality Act pursuant to classes 1 (r) and 4 (j) of the County's Environmental Document Reporting Procedures and Guidelines.

2. Approve and authorize the Mayor of the Board to execute the attached Consent to Assignment of Lease for Parcels 42/43 from MGC Marina del Rey International, a California general partnership, to IWF MDR Hotel, L.P., a California limited partnership.

3. Approve and authorize the Mayor of the Board to execute the attached Amendment No. 8 to Lease No. 5577 for Parcels 42/43, 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.

13837 Fiji Way • Marina del Rey • CA 90292 ● 310.305.9503 • fax 310.821.6345 ● internet: http://beaches.co.la.ca.us

4. Find that the proposed assignment of Lease No. 14404 affecting the leasehold interest in Parcel 145R and the proposed Amendment No. 8 to Lease No. 14404 for Parcel 145R are categorically exempt under the California Environmental Quality Act pursuant to classes 1 (r) and 4 (j) of the County's Environmental Document Reporting Procedures and Guidelines.

5. Approve and authorize the Mayor of the Board to execute the attached Consent to Assignment of Lease for Parcel 145R from MGC Marina del Rey International, a California general partnership, to IWF Marina View Hotel, L.P., a California limited partnership.

6. Approve and authorize the Mayor of the Board to execute the attached Amendment No. 8 to Lease No. 14404 for Parcel 145R, 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.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

MGC Marina del Rey International is the lessee of Parcels 42/43, site of the Marina del Rey Hotel, as a result of a previous assignment approved by your Board on March 13, 2001. MGC Marina del Rey International wishes to assign its interest in Parcels 42/43 to IWF MDR Hotel, L.P. MGC Marina del Rey International is also the lessee of Parcel 145R, site of the Marina International Hotel, as a result of a previous assignment approved by your Board on March 13, 2001. MGC Marina del Rey International wishes to assign its interest in Parcel 145R to IWF Marina View Hotel, L.P. Marina del Rey leases provide that the County's consent is required on most assignments and that such consent may not be unreasonably withheld. Department policy provides that the County's approval or denial of any assignment shall be based on one or more of the following: a) the financial condition of the assignee; b) the price to be paid for the leasehold as it relates to development or potential development thereon; and c) the management of the leasehold by the assignee being in the best interest of the Marina overall.

Assignment and Amendment of Lease – Parcels 42/43

Our review has found that: a) the assignee, IWF MDR Hotel, L.P., is a single asset entity formed and adequately capitalized to own and operate the project; b) the sale price of $22,350,000 is within market standards; c) the parent company of the assignee, Pacifica Hotel Investors, LLC, and its parent company, Invest West Financial Corporation, a California corporation, have the prerequisite experience in acquiring, developing, refurbishing and managing hotel properties similar to the subject leasehold,

having owned or managed over 30 hotels and currently operating 20 hotels consisting of 1,680 rooms, including the Jamaica Bay Inn in Marina del Rey (Parcel 27).

Assignment and Amendment of Lease – Parcel 145R

Our review has found that: a) the assignee, IWF Marina View Hotel, L.P., is a single asset entity formed and adequately capitalized to own and operate the project; b) the sale price of $10,150,000 is within market standards; c) the parent company of the assignee, Pacifica Hotel Investors, LLC, and its parent company, Invest West Financial Corporation, a California corporation, have the prerequisite experience in acquiring, developing, refurbishing and managing hotel properties similar to the subject leasehold, having owned or managed over 30 hotels and currently operating 20 hotels consisting of 1,680 rooms, including the Jamaica Bay Inn in Marina del Rey (Parcel 27).

Implementation of Strategic Plan Goals

The leasehold assignments and amendments are consistent with the County's goal of "Service Excellence", in that while maintaining appropriate management of the leaseholds and appropriate protection of County interests, they allow the transfer of the leasehold interests to accommodate completion of a bona fide financial transaction.

FISCAL IMPACT/FINANCING

There is no financial impact to the County as a result of the proposed assignments and amendments.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On March 1, 1962, the County entered into a 60-year lease for the premises known as Parcels 42/43, the Marina del Rey Hotel. On March 21, 2001, your Board approved an assignment of this leasehold interest to MGC Marina del Rey International, a California partnership. Parcels 42/43 encompass approximately 6.23 acres of land and approximately 8.90 acres of water and are improved with a 160-room hotel and a 349-slip marina.

On December 31, 1968, the County entered into a 60-year lease for the premises known as Parcel 145R, the Marina International Hotel. On March 21, 2001, your Board approved an assignment of this leasehold interest to MGC Marina del Rey International, a California partnership. Parcel 145R encompasses approximately 2.07 acres of land and is improved with a 134-room hotel.

The most recent maintenance inspection of Parcels 42/43 was completed on October 19, 2005 and that of Parcel 145R was completed on November 28, 2005. These inspections identified certain items requiring repair and maintenance. The Department has reviewed with the proposed assignees the existing maintenance deficiencies of each leasehold, as well as repair requirements to bring them to Marina standards. The proposed assignees have specifically committed, as a condition of the Department's consent to the assignments, to assume the lease obligations to maintain the leaseholds in accordance with all maintenance, repair and improvement requirements. The proposed assignees have agreed to assume responsibility for each parcel's outstanding lease and rent obligations and other lease obligations that may have arisen from the date of the last audit.

At its meeting of January 11, 2006, the Small Craft Harbor Commission is scheduled to consider the Director's recommendations to approve the proposed assignments and amendments. We will advise your Board of the Commission's action prior to your Board's consideration of the Director's recommendations. County Counsel has approved the documents as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed assignments and amendments are categorically exempt under the California Environmental Quality Act pursuant to classes 1 (r) and 4 (j) of the County's Environmental Document Reporting Procedures and Guidelines.

CONTRACTING PROCESS

Not applicable.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no impact on other current services or projects.

CONCLUSION

Attached are three copies of the Consent to Assignment of Lease for Parcels 42/43, three copies of Amendment No. 8 to Lease No. 5577 for Parcels 42/43, three copies of the Consent to Assignment of Lease for Parcel 145R, and three copies of Amendment No. 8 to Lease No. 14404 for Parcel 145R. Please authorize the Mayor of the Board of Supervisors to execute three copies of each Consent and three copies of each Amendment and authorize the Executive Officer of the Board to acknowledge the Mayor's signature and return two executed copies of each Consent and two copies of each Amendment to the Department of Beaches and Harbors.

Respectfully submitted,

Stan Wisniewski
Director

Attachments (4)

c: Chief Administrative Officer
County Counsel

SW:RM:AK:ST

CONSENT TO ASSIGNMENT OF LEASE

The COUNTY OF LOS ANGELES ("**County**"), lessor under that certain Lease No. 5577, dated March 1, 1962, as amended ("**Lease**"), applicable to those certain premises commonly known as Parcels 42 and 43, Marina del Rey Small Craft Harbor, described in Exhibit A, attached hereto and incorporated herein by this reference, does hereby consent to the assignment of said Lease by the present lessee, MGC Marina del Rey International, a California general partnership ("**Assignor**"), to IWF MDR Hotel, L.P., a California limited partnership ("**Assignee**"), in accordance with that certain Assignment of Lease and that certain Acceptance of Assignment of Lease prepared in connection with the proposed assignment contemplated thereby (the "**Assignment**"). It is further understood and agreed that the County's consent to the Assignment is subject to the following express conditions:

A. This Consent to Assignment shall be voidable by the County, until and unless the Assignment is complete and irrevocable in all respects within sixty (60) days of the date of execution on behalf of the County of this Consent to Assignment of Lease.

B. This Consent to Assignment is contingent upon Assignee's assumption and agreement to perform the obligations and liabilities of the lessee under the Lease in accordance with the provisions of the Acceptance of Assignment of Lease being executed and delivered by Assignee concurrently herewith. Nothing herein shall limit the County's ability to pursue remedies against either Assignor or Assignee, at the County's option, for obligations of the lessee created prior to this Assignment, by the terms, covenants and conditions of said Lease.

C. The Assignment, having once become complete and irrevocable in all respects, shall thereafter be fully binding upon Assignee whether or not Assignor and Assignee have entered into a separate agreement or understanding to which the County is not a party and which provides for or otherwise purports to affect the Assignment, and whether or not in such event any party thereto alleges, claims or otherwise shows or proves that there has been a breach, default, violation, or termination of any such separate agreement.

D. Assignee shall not make any further assignment or sublease of the Lease, nor any portion thereof, without the written consent of County as lessor having first been obtained thereto in accordance with, and to the extent required by, the provisions of the Lease.

Dated this _____ day of _____, 2006.

COUNTY OF LOS ANGELES

By:_____
Mayor, Board of Supervisors

ATTEST:

VIOLET VARONA-LUKENS,
Executive Officer of
the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy

EXHIBIT A

Legal Description

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 42

Parcels 717 and 718, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said county.

Reserving and excepting therefrom unto the County of Los Angeles easements for sanitary sewer, fire access, storm drain and harbor utility purposes over those portions thereof designated on said map to be reserved by said county for such purposes.

DESCRIPTION APPROVED
AUG 3 1 1961
JOHN A. LAMBIE
County Engineer
BY ..... DEPUTY

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 43

Parcels 719 and 720, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said county.

Reserving and excepting therefrom unto the County of Los Angeles easements for sanitary sewer, fire access, and harbor utility purposes over those portions thereof designated on said map to be reserved by said county for such purposes.

DESCRIPTION APPROVED
AUG 3 1 1961
JOHN A. LAMBIE
County Engineer
BY ..... DEPUTY

CONSENT TO ASSIGNMENT OF LEASE

The COUNTY OF LOS ANGELES ("**County**"), lessor under that certain Lease No. 14404, dated December 31, 1968, as amended ("**Lease**"), applicable to those certain premises commonly known as Parcel 145R, Marina del Rey Small Craft Harbor, described in Exhibit A, attached hereto and incorporated herein by this reference, does hereby consent to the assignment of said Lease by the present lessee, MGC Marina del Rey International, a California general partnership ("**Assignor**"), to IWF Marina View Hotel, L.P., a California limited partnership ("**Assignee**"), in accordance with that certain Assignment of Lease and that certain Acceptance of Assignment of Lease prepared in connection with the proposed assignment contemplated thereby (the "**Assignment**"). It is further understood and agreed that the County's consent to the Assignment is subject to the following express conditions:

A. This Consent to Assignment shall be voidable by the County, until and unless the Assignment is complete and irrevocable in all respects within sixty (60) days of the date of execution on behalf of the County of this Consent to Assignment of Lease.

B. This Consent to Assignment is contingent upon Assignee's assumption and agreement to perform the obligations and liabilities of the lessee under the Lease in accordance with the provisions of the Acceptance of Assignment of Lease being executed and delivered by Assignee concurrently herewith. Nothing herein shall limit the County's ability to pursue remedies against either Assignor or Assignee, at the County's option, for obligations of the lessee created prior to this Assignment, by the terms, covenants and conditions of said Lease.

C. The Assignment, having once become complete and irrevocable in all respects, shall thereafter be fully binding upon Assignee whether or not Assignor and Assignee have entered into a separate agreement or understanding to which the County is not a party and which provides for or otherwise purports to affect the Assignment, and whether or not in such event any party thereto alleges, claims or otherwise shows or proves that there has been a breach, default, violation, or termination of any such separate agreement.

D. Assignee shall not make any further assignment or sublease of the Lease, nor any portion thereof, without the written consent of County as lessor having first been obtained thereto in accordance with, and to the extent required by, the provisions of the Lease.

Dated this _____ day of _____, 2006.

COUNTY OF LOS ANGELES

By:_____
Mayor, Board of Supervisors

ATTEST:

VIOLET VARONA-LUKENS,
Executive Officer of
the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM

RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy

EXHIBIT A

Legal Description

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 145R

Those portions of Parcels 494 to 499 inclusive, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said County, within the following described boundaries:

Beginning at the intersection of a curve concave to the north, having a radius of 20 feet, tangent to the straight line in the southwesterly boundary of said Parcel 496 and tangent to the straight line in the southeasterly boundary of said last mentioned parcel with a line parallel with and 4 feet northwesterly, measured at right angles, from the straight line in said southeasterly boundary; thence northeasterly along said parallel line 41.00 feet; thence southeasterly at right angles from said parallel line 4.00 feet to said last mentioned straight line; thence northeasterly along said last mentioned straight line and along the southeasterly lines of said Parcels 497 and 498 a distance of 211.00 feet to the easterly corner of said Parcel 498; thence northwesterly along the northeasterly lines of said Parcels 498 and 499 a distance of 350.00 feet to a line parallel with and 10 feet southeasterly, measured at right angles, from the northwesterly line of said Parcel 499; thence southwesterly along said last mentioned parallel line to the beginning of a curve concave to the east, having a radius of 50 feet, tangent to said last mentioned parallel line and tangent to the straight line in the southwesterly boundary of said Parcel 494; thence southerly along said last mentioned curve 78.54 feet to said last mentioned straight line; thence southeasterly along said last mentioned straight line, the southwesterly line of said Parcel 497 and along the straight line in the southwesterly boundary of said Parcel 496 a distance of 269.50 feet; thence northeasterly at right angles from

the straight line in said last mentioned southwesterly boundary 2.00 feet; thence southeasterly parallel with said last mentioned straight line 19.21 feet to said 20 foot radius curve; thence easterly along said 20 foot radius curve 9.53 feet to the point of beginning.

Together with a right of way for ingress and egress to be used in common with others over those portions of the southwesterly 12 feet of Parcels 500 and 501, as shown on said map, which extend from the southeasterly line of said Parcel 501, northwesterly to the southeasterly line of the northwesterly 10 feet of said Parcel 500.

Reserving and excepting unto the County of Los Angeles a right of way for ingress and egress to be used in common with others over those portions of the northeasterly 12 feet of said Parcels 498 and 499, which extend from the southeasterly line of said Parcel 498, northwesterly to a line parallel with and 10 feet southeasterly, measured at right angles, from the northwesterly line of said Parcel 499.

Also reserving and excepting unto the County of Los Angeles a right of way for walk purposes to be used in common with others over those portions of the southeasterly 3 feet of said Parcels 496, 497 and 498, which extend from the northeasterly line of said Parcel 498, southwesterly to the northeasterly line of that certain parcel of land described as Parcel D in resolution, for Admiralty Way, recorded as Document No. 3149, on March 22, 1967, in Book D3591, page 377, of Official Records, in the office of said Recorder.

Also reserving and excepting unto the County of Los Angeles a right of way for walk purposes to be used in common with others over those portions of said Parcels 494, 496 and 497, within the following described boundaries:

Beginning at the northeasterly terminus of said 50 foot radius curve in the northwesterly, westerly and southwesterly boundaries of above described parcel of land; thence southeasterly along a radial of said 50 foot radius curve 3.00 feet; thence southwesterly, southerly and southeasterly along a curve concentric with said 50 foot radius curve to a radial of said 50 foot radius curve at the southeasterly terminus thereof; thence southeasterly parallel with the southwesterly line of said Parcel 497 to the northerly boundary of that certain parcel of land described as Parcel E in above mentioned resolution,

for Palawan Way; thence westerly, northwesterly and southwesterly along the northerly, northeasterly and northwesterly boundaries of said last mentioned certain parcel of land to the straight line in the southwesterly boundary of said Parcel 496; thence northwesterly, northerly and northeasterly along the southwesterly, westerly and northwesterly boundaries of above described parcel of land to the point of beginning.

Also reserving and excepting unto the County of Los Angeles a right of way for access and harbor utility purposes over that portion thereof designated on said map as an easement to be reserved by said County for such purposes.

DESCRIPTION APPROVED
February 6, 1970
JOHN A. LAMBIE
County Engineer

By _____ Deputy

AMENDMENT NO. 8 TO LEASE NO. 14404
PARCEL NO. 145R – MARINA DEL REY SMALL CRAFT HARBOR

THIS AMENDMENT TO LEASE is made and entered into this ___ day of _____, 2006 ("**Effective Date**").

BY AND BETWEEN

COUNTY OF LOS ANGELES,
hereinafter referred to as "**County**",

IWF MARINA VIEW HOTEL, L.P.,
a California limited partnership,
hereinafter referred to as "**Lessee**"

WITNESSETH

WHEREAS, County and Lessee's predecessor in interest entered into Lease No. 14404 under the terms of which County leases to Lessee's predecessor in interest that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, commonly known as Parcel 145R, which leasehold premises (the "**Premises**") is more particularly described on Exhibit "A" attached hereto and incorporated herein (the lease and all amendments thereto are collectively referred to herein as the "**Lease**"); and

WHEREAS, Section 22(C) of the Lease provides that subject to enumerated exceptions, Lessee may not assign all or any part of its interest in the Lease without the prior written consent of the County, and that for purposes of said Section 22(C), the change in one or more general partners in a limited partnership and the sale, assignment or transfer of fifty percent (50%) or more of the stock in a corporation which owns, or is the general partner in a partnership which owns, the leasehold constitutes an event of assignment; and

WHEREAS, in consideration of the County's approval of the transfer of the Lease to Lessee, the parties desire to amend Section 22(C) of the Lease to define what changes in management and ownership of a limited liability company shall be considered an event of assignment under said Section.

NOW, THEREFORE, in consideration of the mutual agreements, covenants, and restrictions contained herein, the parties, and each of them, agree as follows:

1. **SUBLEASES, ASSIGNMENTS, AND SUCCESSORS**. Commencing as of the Effective Date, Section 22(C) of the Lease is amended by adding subsection (3) immediately after subsection (2) to read as follows:

"(3) The change in one or more of the managing members in a limited liability company which owns the leasehold, except by death of a managing member and his or her replacement by a vote of the remaining members, or the sale, assignment, or transfer of fifty

percent (50%) or more of the ownership interest in a limited liability company which owns, or is the general partner in a partnership which owns, the leasehold."

2. Except as herein specifically amended, all terms, conditions, and provisions of the Lease shall be and continue to remain in full force and effect and are unmodified, and each of the parties hereto reaffirms and re-acknowledges its respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused this Amendment No. 8 to Lease No. 14404 to be subscribed by the Mayor of said Board and attested by its Executive Officer, and the Lessee has executed the same.

IWF MARINA VIEW HOTEL, L.P., a California limited partnership

By: IWF MARINA VIEW, LLC,
a California limited liability company, its general partner

By: Invest West Financial, LLC,
a California limited
liability company, its sole member

By: _____
Matthew D. Marquis,
Vice President

COUNTY OF LOS ANGELES

By: _____
Mayor, Board of Supervisors

ATTEST:

VIOLET VARONA-LUKENS,
Executive Officer of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

By: _____
Deputy

EXHIBIT "A"

Legal Description

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 145R

Those portions of Parcels 494 to 499 inclusive, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said County, within the following described boundaries:

Beginning at the intersection of a curve concave to the north, having a radius of 20 feet, tangent to the straight line in the southwesterly boundary of said Parcel 496 and tangent to the straight line in the southeasterly boundary of said last mentioned parcel with a line parallel with and 4 feet northwesterly, measured at right angles, from the straight line in said southeasterly boundary; thence northeasterly along said parallel line 41.00 feet; thence southeasterly at right angles from said parallel line 4.00 feet to said last mentioned straight line; thence northeasterly along said last mentioned straight line and along the southeasterly lines of said Parcels 497 and 498 a distance of 211.00 feet to the easterly corner of said Parcel 498; thence northwesterly along the northeasterly lines of said Parcels 498 and 499 a distance of 350.00 feet to a line parallel with and 10 feet southeasterly, measured at right angles, from the northwesterly line of said Parcel 499; thence southwesterly along said last mentioned parallel line to the beginning of a curve concave to the east, having a radius of 50 feet, tangent to said last mentioned parallel line and tangent to the straight line in the southwesterly boundary of said Parcel 494; thence southerly along said last mentioned curve 78.54 feet to said last mentioned straight line; thence southeasterly along said last mentioned straight line, the southwesterly line of said Parcel 497 and along the straight line in the southwesterly boundary of said Parcel 496 a distance of 269.50 feet; thence northeasterly at right angles from

the straight line in said last mentioned southwesterly boundary 2.00 feet; thence southeasterly parallel with said last mentioned straight line 19.21 feet to said 20 foot radius curve; thence easterly along said 20 foot radius curve 9.53 feet to the point of beginning.

Together with a right of way for ingress and egress to be used in common with others over those portions of the southwesterly 12 feet of Parcels 500 and 501, as shown on said map, which extend from the southeasterly line of said Parcel 501, northwesterly to the southeasterly line of the northwesterly 10 feet of said Parcel 500.

Reserving and excepting unto the County of Los Angeles a right of way for ingress and egress to be used in common with others over those portions of the northeasterly 12 feet of said Parcels 498 and 499, which extend from the southeasterly line of said Parcel 498, northwesterly to a line parallel with and 10 feet southeasterly, measured at right angles, from the northwesterly line of said Parcel 499.

Also reserving and excepting unto the County of Los Angeles a right of way for walk purposes to be used in common with others over those portions of the southeasterly 3 feet of said Parcels 496, 497 and 498, which extend from the northeasterly line of said Parcel 498, southwesterly to the northeasterly line of that certain parcel of land described as Parcel D in resolution, for Admiralty Way, recorded as Document No. 3149, on March 22, 1967, in Book D3591, page 377, of Official Records, in the office of said Recorder.

Also reserving and excepting unto the County of Los Angeles a right of way for walk purposes to be used in common with others over those portions of said Parcels 494, 496 and 497, within the following described boundaries:

Beginning at the northeasterly terminus of said 50 foot radius curve in the northwesterly, westerly and southwesterly boundaries of above described parcel of land; thence southeasterly along a radial of said 50 foot radius curve 3.00 feet; thence southwesterly, southerly and southeasterly along a curve concentric with said 50 foot radius curve to a radial of said 50 foot radius curve at the southeasterly terminus thereof; thence southeasterly parallel with the southwesterly line of said Parcel 497 to the northerly boundary of that certain parcel of land described as Parcel E in above mentioned resolution,

for Palawan Way; thence westerly, northwesterly and southwesterly along the northerly, northeasterly and northwesterly boundaries of said last mentioned certain parcel of land to the straight line in the southwesterly boundary of said Parcel 496; thence northwesterly, northerly and northeasterly along the southwesterly, westerly and northwesterly boundaries of above described parcel of land to the point of beginning.

Also reserving and excepting unto the County of Los Angeles a right of way for access and harbor utility purposes over that portion thereof designated on said map as an easement to be reserved by said County for such purposes.

DESCRIPTION APPROVED
February 6, 1970
JOHN A. LAMBIE
County Engineer

By _____ Deputy

AMENDMENT NO. 8 TO LEASE NO. 5577
PARCEL NOS. 42 AND 43 – MARINA DEL REY SMALL CRAFT HARBOR

THIS AMENDMENT TO LEASE is made and entered into this ___ day of _____, 2006 ("**Effective Date**").

BY AND BETWEEN

COUNTY OF LOS ANGELES,
hereinafter referred to as "**County**",

IWF MDR HOTEL, L.P.,
a California limited partnership,
hereinafter referred to as "**Lessee**"

WITNESSETH

WHEREAS, County and Lessee's predecessor in interest entered into Lease No. 5577 under the terms of which County leases to Lessee's predecessor in interest that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, commonly known as Parcels 42 and 43, which leasehold premises (the "**Premises**") is more particularly described on Exhibit "A" attached hereto and incorporated herein (the lease and all amendments thereto are collectively referred to herein as the "**Lease**"); and

WHEREAS, Section 22(C) of the Lease provides that subject to enumerated exceptions, Lessee may not assign all or any part of its interest in the Lease without the prior written consent of the County, and that for purposes of said Section 22(C), the change in one or more general partners in a limited partnership and the sale, assignment or transfer of fifty percent (50%) or more of the stock in a corporation which owns, or is the general partner in a partnership which owns, the leasehold constitutes an event of assignment; and

WHEREAS, in consideration of the County's approval of the transfer of the Lease to Lessee, the parties desire to amend Section 22(C) of the Lease to define what changes in management and ownership of a limited liability company shall be considered an event of assignment under said Section.

NOW, THEREFORE, in consideration of the mutual agreements, covenants, and restrictions contained herein, the parties, and each of them, agree as follows:

1. **SUBLEASES, ASSIGNMENTS, AND SUCCESSORS**. Commencing as of the Effective Date, Section 22(C) of the Lease is amended by adding subsection (3) immediately after subsection (2) to read as follows:

"(3) The change in one or more of the managing members in a limited liability company which owns the leasehold, except by death of a managing member and his or her replacement by a vote of the remaining members, or the sale, assignment, or transfer of fifty

percent (50%) or more of the ownership interest in a limited liability company which owns, or is the general partner in a partnership which owns, the leasehold."

2. Except as herein specifically amended, all terms, conditions, and provisions of the Lease shall be and continue to remain in full force and effect and are unmodified, and each of the parties hereto reaffirms and re-acknowledges its respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused this Amendment No. 8 to Lease No. 5577 to be subscribed by the Mayor of said Board and attested by its Executive Officer, and the Lessee has executed the same.

IWF MDR HOTEL, L.P., a California limited partnership

By: IWF MDR Hotel, LLC,
a California limited liability company, its general partner

By: Invest West Financial, LLC,
a California limited
liability company, its sole member

By: _____
Matthew D. Marquis,
Vice President

COUNTY OF LOS ANGELES

By: _____
Mayor, Board of Supervisors

ATTEST:

VIOLET VARONA-LUKENS,
Executive Officer of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.,
County Counsel

By: _____
Deputy

EXHIBIT "A"

Legal Description

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 42

Parcels 717 and 718, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said county.

Reserving and excepting therefrom unto the County of Los Angeles easements for sanitary sewer, fire access, storm drain and harbor utility purposes over those portions thereof designated on said map to be reserved by said county for such purposes.

DESCRIPTION APPROVED
AUG 31 1961
JOHN A. LAMBIE
County Engineer
BY ..... DEPUTY

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 43

Parcels 719 and 720, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said county.

Reserving and excepting therefrom unto the County of Los Angeles easements for sanitary sewer, fire access, and harbor utility purposes over those portions thereof designated on said map to be reserved by said county for such purposes.

DESCRIPTION APPROVED
AUG 31 1961
JOHN A. LAMBIE
County Engineer
BY ..... DEPUTY

"To enrich lives through effective and caring service"

Los Angeles County
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

January 5, 2006

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director Stan W.

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

BOARD OF SUPERVISORS ACTIONS ON ITEMS RELATING TO MARINA DEL REY

At its December 20, 2005 meeting, the Board of Supervisors awarded and instructed the Mayor to execute three-year contracts with Los Angeles Conservation Corps and California Conservation Corps to provide for the contractors to employ at-risk youth for as-needed repair, maintenance and improvement projects within Marina del Rey and County-owned/operated beaches, at an aggregate annual County cost not to exceed $300,000 for all maintenance projects, effective upon Board approval, with two one-year extension options.

Also at its December 20, 2005 meeting, the Board approved and instructed the Mayor to sign the option granting to Gold Coast Village, LLC, upon fulfillment of stated conditions, the right to extend the term of its existing ground lease on Parcel 56S (Fisherman's Village) by 39 years and granting a new coterminus lease for adjacent Parcels 55 and W. Your Commission previously considered and recommended to the Board approval of this option.

At its December 13, 2005 meeting, the Board approved the exercise of the County's options to terminate Lease No. 6734 as to a portion of Parcel 44U and Lease No. 11140 as to Parcel 77W in its entirety, at a total cost of $5.6 million, plus interest accruing at prime rate as of February 26, 2004, requiring the Department to return to the Board within six months for approval of the actual purchase transaction prior to closing. Your Commission also considered and recommended this item to the Board.

DESIGN CONTROL BOARD MINUTES

The draft minutes from the December 14, 2005 Design Control Board meeting are attached.

SW:tm
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://beaches.co.la.ca.us

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MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD
SPECIAL MEETING

December 14, 2005

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

Members Present:	Katherine Spitz, Third District, Vice-Chair David Abelar, Second District Peter Phinney, Fourth District
Members Absent:	Susan Cloke, First District, Chair Tony Wong, Fifth District
Department Staff Present:	Roger Moliere, Deputy Director Paul Wong, Chief LaTrina Perry, Secretary
County Staff Present:	Tom Faughnan, Principal Deputy County Counsel Russ Fricano, Regional Planning Department
Guests Testifying:	Nadia Lustman, Café Mermaids Ed Gardner, National Sign Company Roz Walker, Marina del Rey resident

1. **Call to Order, Action on Absences and Pledge of Allegiance**
Mr. Phinney called the meeting to order at 2:24 p.m. Ms. Spitz (Abelar) moved to excuse Ms. Cloke and Mr. Wong from today's meeting. Mr. Abelar led the Pledge of Allegiance.

2. **Design Control Board Reviews**
Mr. Phinney asked Mr. Faughnan for guidance in continuing the last four items since only one Board member was present who attended the November meeting. Mr. Faughnan advised the Board that this issue has been raised before, along with the minutes. Mr. Faughnan felt that one Board member would be sufficient who was present and could attest to the accuracy of the item. In particular with the minutes, if there is some inaccuracy that is discovered later on by someone else who attended the meeting, a motion can always be made to amend the minutes. Mr. Faughnan expressed concern that we have had a large number of items that have been backlogged because of this issue and those items need be moved forward.

A. **Parcel 27 – Jamaica Bay Inn – DCB #05-020**
Approval of the record of the DCB's October 2005 action for conditioned approval of major hotel renovations.

Ms. Spitz (Abelar) moved to approve as submitted. Motion passed unanimously.

B. **Parcel 62 – Sheriff's Department – DCB #05-024**
Approval of the record of the DCB's October 2005 action for approval of one temporary banner for a six-month period.

Ms. Spitz (Abelar) moved to approve as submitted. Motion passed unanimously.

C. **Parcel 20 – Capri Apartments – DCB #05-025**
Approval of the record of the DCB's October 2005 action for conditioned approval of one temporary banner for a six-month period.

Ms. Spitz (Abelar) moved to approve as submitted. Motion passed unanimously.

D. **Parcel 50 – Maison d'Optique at Waterside Marina – DCB 05-026**
Approval of the record of the DCB's October 2005 action for approval of one sign. Staff will attach a photo to this review.

Mrs. Spitz (Abelar) moved to approve as submitted. Motion passed unanimously.

E. **Parcel 111/112 – Marina Harbor – The Villa – DCB #05-013-C**
Approval of the record of the DCB's November 2005 action for approval of the permanent leasing office sign and 45-day approval of the flag signs and pennants.

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Mr. Abler (Phinney) moved to approve as submitted. Motion passed unanimously.

F. **Parcel 50 – Marmi at Waterside Marina – DCB #05-027-C**
Approval of the record of the DCB's October 2005 action for conditioned approval of one sign.

Mr. Abelar (Spitz) moved to approve as submitted. Motion passed unanimously.

G. **Parcel 131 – Café del Rey – DCB #05-028**
Approval of the record of the DCB's November 2005 action for conditioned approval of new landscaping.

Ms. Spitz (Abelar) moved to approve as submitted. Motion passed unanimously.

H. **Parcel 97- The UPS Store at Marina Beach Shopping Center – DCB #05-029**
Approval of the record of the DCB's November 2005 action for conditioned approval of one sign and continuance of a second sign.

Mr. Abelar (Spitz) moved to approve as submitted. Motion passed unanimously.

3. **Old Business**

A. **Marina ("Mother's") Beach Strategic Plan**
A night meeting has been scheduled for Thursday, January 26, 2006 at 6:30 p.m.

Mr. Moliere explained this would be the subject of the night meeting, which will allow for more public input. He said the Department plans to take that public input along with the investigation done by both the Department and the design professional and return again, in February or March, with a more refined plan.

Public Comments (none)

Board Comments

- Ms. Spitz asked if the Board could add an agenda item to that meeting. The item would be the extension of the Marina 90 Freeway.
- Mr. Moliere said this would be a regular meeting and the agenda can reflect any other items as well.
- Ms. Spitz asked when is the proper time to make the request.
- Mr. Moliere stated he would take the request now and will make a note to include that as an agenda item.

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- Mr. Phinney said he understood there is a consultant working on the Marina 90 Freeway extension and asked that the consultant attend the meeting.

- Mr. Moliere said the Department's consultant, Barry Kurtz, would be an appropriate person to have at the meeting.

- Mr. Phinney asked if Mr. Kurtz could attend and make a brief presentation.

- Mr. Moliere stated Mr. Kurtz could attend.

- Mr. Phinney said the presentation doesn't need to be elaborate as the Board is anticipating a large amount of public comment on "Mother's" Beach. Mr. Phinney said this would be a good time to share the current thinking on the Marina Freeway.

4. New Business

A. Parcel 21 – DCB #05-030 – Café Mermaids at Holiday Harbor

Consideration of an awning, signage on the awning, painted concrete and potted plants.

- Mr. Moliere said the main question staff had was in relation to the size of some of the lettering on one of the awnings, which was not apparent from the submission as being of an appropriate size or necessary scale. He understands the applicant is here and has the actual samples with her and perhaps the easiest way would be to have the applicant explain. There is also a slide presentation that will show some of the individual details.

- Ms. Lustman said she originally wanted to put the name on the awning and now has refurbished the awning. She didn't realize at the time of applying she could have a name on the awning and a separate sign. She guessed at the size of the sign, but now has three samples, which she presented to the Board. She only needs one sign but thought two would be great and she is willing to come back in January with exact details.

  She has had a sandwich board sign for the past five years that she puts up and removes daily. When County staff came to the café to see the awning, they stated she was not allowed to have the sandwich board. She has taken a picture of the sandwich board and asked the Board that anything it could approve would be helpful.

  Ms. Lustman explained Café Mermaids is a fast food place/juice bar and there is nowhere else on the beach that people can get a sandwich, smoothie or ice cream. She would like to at least have a temporary sign during the summer to

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let the public on the beach know they don't need to spend a lot of money to get a sandwich or soda, as the other restaurants are the sit-down type.

- Mr. Moliere explained to the Board the location of the café, which is located at the most southerly end of Mother's Beach.

Board Comments

- Mr. Phinney asked if there are plans for a new parking structure and fitness center on Parcels 20 and 21.

- Mr. Moliere said the plan is to relocate all of the parking on Parcel GR, which will leave space for concessions on the lower level of the parking structure. Mr. Moliere explained the main part of the application was for the awning, painting of the floor and some potted flowers and plants. The only portion of the proposal that staff was not clear on was the size of the signage and lettering. The sandwich board was asked to be brought in because it was not part of the original submission and should be brought before the Board for approval.

- Mr. Abelar asked when staff anticipates the structure being torn down.

- Mr. Moliere said the business deal should be before the Board of Supervisors in approximately one month and then will go through its full regulatory process and obtain permits. His guess is a minimum of 18 and more likely 24 months before an action is taken there.

- Mr. Phinney asked in terms of Regional Planning is there any reason why it need be concerned with the signs that are before the Board today in terms of size and quantity based on the lease space?

- Mr. Fricano replied he has not had the opportunity to review the sign plans in detail. The planning staff will take a look at the signs when they are submitted to his Department. At the current time, he would like the Design Control Board's input.

- Ms. Spitz asked Ms. Lustman if she was requesting a two-hour parking sign.

- Ms. Lustman replied the County staff turned down the sign.

- Ms. Spitz asked if any parking sign was under consideration in this submittal.

- Ms. Lustman replied no, however she created a sign today for the Board's input. She was wondering if something similar could possibly be approved.

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- Mr. Phinney asked if it is likely the individual tenant's name in the case of a restaurant or regional tenant could be placed on a mole road sign.

- Mr. Moliere believed the Department is tending away from that and, instead, using international signs. Signage indicating things available rather than indicating tenants would make it simpler. It's unlikely there be will individual tenant names as there are now, and more likely there would be international signs, such as a knife and fork, for example.

- Mr. Abelar was concerned about the height of the sign blocking the vision of the public coming in and out of the parking lot.

- Mr. Paul Wong gave a brief description of the premises, stating there was seven and one-half feet of clear passage between the canopy and the walkway fence after installing the awning.

Public Comment (none)

Board Comments

- Mr. Phinney felt the sandwich board was terrific and encourages the applicant to make it larger and have two signs as long as they are waterproof, maintained and taken in every night. He would also encourage the applicant to consider having a blade sign on the corner that would be visible from Panay Way and from the parking lot and he would shape it like a mermaid. Mr. Phinney asked Ms. Lustman why repaint, as the floor has already been painted green?

- Ms. Lustman said she would like to build up polyurethane on the floor for easier maintenance without having to use a hose to rinse the floor, which leaves water drops on the awning glass. Ms. Lustman said she is willing to paint the floor any color.

- Mr. Phinney suggested spattering the floor with a second and third color. He also encouraged Ms. Lustman to include in her proposal lighting on her mermaid sign. The lighting should be directed on the sign and not to the sky and when she makes her proposal, give the Board specific hours when lighting will be turned on and off.

Ms. Spitz (Abelar) moved to approve DCB #05-030 as submitted with staff conditions:

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1. **Per the Department's condition, the applicant provided a scaled rendering of the signage with enlarged lettering and additional information regarding the "sparkly" treatment of the letters at the meeting;**
2. **The awning signage to be kept in a "like new" condition;**
3. **The applicant to provide paint touch-up to the painted concrete floor; and**
4. **The applicant to obtain signage approval from the Department of Regional Planning.**

Motion passed unanimously.

Mr. Phinney encourages the applicant to come back at the next or subsequent meeting of her choosing with a proposal for a blade sign at the corner and also that the Board approve the existing sandwich board and an additional sandwich board.

B. **Parcel 97 – Marina Beach Shopping Center – DCB #05-031**

Consideration of tenant signage for 1) Frankie & Johnnie's New York Pizza; 2) Wolf's Liquor; 3) Joni's Coffee Roasting Café; 4) Noah's; 5) Pet Spa; 6) Cleaning Baron; 7) Talk of the Town Hair & Nails; and 8) First Coastal Bank.

- Mr. Moliere explained this is a multiple submission pursuant to sign criteria for the Marina Beach Shopping Center, which had previously been approved. Additional information had been requested on the blade signs. The Board, at last month's meeting, had before them a request for one blade sign. This request came from another tenant and there was some confusion about size and color. Mr. Moliere then explained the use of a color matching system.

- Mr. Gardner explained all the blade signs will be in the color patina and the wall signs will be in the corporate colors and have the Marina Beach Shopping Center Logo. All the signs will be in reverse channel letters with white neon, clear back with UL approval and a halo effect. The colors and sizes are per the sign criteria. There are some corporate colors being used, such as United Parcel Service (Brown), First Coastal Bank (Blue) and Noah's (Blue). All the tenants' colors will be done in a flat finish.

Board Comments

- Mr. Phinney asked if the stucco background color varies from location to location.

- Mr. Gardner replied all stucco background on the buildings is of a cream color.

- Mr. Abelar asked if the size of the signs is the same.

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- Mr. Gardner said the blade signs are 3 feet by 18 inches and explained signs would be centered and have a uniform height of 8 feet 2 inches.

- Ms. Spitz asked if each tenant has a sign on the fascia and a blade sign.

- Mr. Gardner said yes.

- Ms. Spitz asked if the font use for each individual tenant is the same on all the blade signs but different on the overhead fascia signs.

- Mr. Gardner said the font is the same on all the individual owner stores and the font on the corporate stores will match the store's corporate logo.

- Mr. Phinney asked to clarify that on the blade signs the fonts and color (patina) are all the same.

- Mr. Gardner said yes.

Public Comment (none)

Board Comments

- Mr. Phinney had a question for County Counsel. In the case of the Waterside Shopping Center, the Board approved each individual tenant sign one at a time. He asked if that was necessary because this was one comprehensive package under a single number. Can we give just a blanket approval for all of this?

- Mr. Faughnan responded by saying he believed so, as long as all the signs are in the submittal.

- Mr. Gardner said there are some vacancies, and when they are leased out, they will be brought in separately.

- Mr. Faughnan replied that would be acceptable.

Mr. Abelar (Spitz) moved to approve DCB #05-031 as conditioned. The applicant must have signage reviewed by the Regional Planning Department. Motion passed unanimously.

5. Staff Reports

A. Temporary Permits Issued by the Department

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- Mr. Moliere said the first temporary permit is historical. Staff found Capri Apartment signs had been placed without permission of the Department. Staff did give permission for two separate temporary signs through the date of December 12th, 2005, permission having been given on a retroactive basis commencing when staff thought the signs originally went up.

- The Sapori Restaurant permit is actually for a patio tent through the holiday season. It is mainly weather protection for outdoor dining.

- The Waterside Shopping Center "Now Open" signs come down in a couple of days.

- Permit was granted for a temporary tent for The Cheesecake Factory through December 23rd, 2005.

B. Ongoing Activities Report
- This report was discussed and filed.

Mr. Phinney asked if the Marina del Rey Boat Parade went well. Mr. Moliere responded by saying the Boat Parade was very successful. The parade had fifty entries including two boats, which carried live musical bands.

6. Comments from the Public

- Roz Walker commented that although the matter was already discussed, she would like to request the January agenda include the proposed extension of the Marina Freeway and widening of Admiralty Way.

- Mr. Moliere responded that her request echoed the Board's request and the matter has been noted and will be on the agenda.

7. Adjournment

Meeting adjourned at 3:20 p.m.

Respectfully Submitted,

Maureen Sterling