To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

July 10, 2008

TO: Small Craft Harbor Commission

FROM: Kerry Silverstrom for Santos H. Kreimann, Acting Director

SUBJECT: **COMMISSION AGENDA** – July 16, 2008

Enclosed is the Agenda for the July 16, 2008 meeting. Also enclosed are the minutes for your Commission's March 12, 2008 and May 14, 2008 meetings. In addition, please find the reports related to Agenda Items 3a, 3b, 5a, 5b and 6a.

I wish to use this opportunity to advise you that Commissioner Christopher Lin has submitted his resignation notice to Supervisor Michael Antonovich and will no longer serve on the Commission. We appreciate Commissioner Lin's past service to the Commission and wish him well.

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

SHK/ks

Enclosures

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

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SMALL CRAFT HARBOR COMMISSION

AGENDA
July 16, 2008
9:30 a.m.

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

1. Call to Order and Pledge of Allegiance

2. Approval of Minutes: March 12, 2008 and May 14, 2008 Meetings

3. **REGULAR REPORTS**

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

   b. Marina del Rey and Beach Special Events (PRESENTATION BY DUSTY CRANE)

4. **OLD BUSINESS**

   There is no old business

5. **NEW BUSINESS**

   a. Parcel 75W (Marina Professional Building) – Approval of Amendment No. 11 to Lease No. 11525 - Renegotiated Rental Rates and Insurance Coverage (RECOMMEND TO BOARD OF SUPERVISORS)

   b. 2008 Departmental Fee Revisions and New Fees (RECOMMEND TO BOARD OF SUPERVISORS)

6. **STAFF REPORTS**

   a. Ongoing Activities (DISCUSS REPORT)
      - Board Actions on Items Relating to Marina del Rey
      - Regional Planning Commission's Calendar
      - Marina del Rey South Entrance Dredging Project
      - Redevelopment Project Status Report
      - Parcel 15 – Bar Harbor – Alleged Breach of Contract
      - Update on Leases for Capri Apartment Tenants

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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://marinadelrey.lacounty.gov

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 (310) 305-9590 (Voice) or (310) 821-1734 (TDD).

SMALL CRAFT HARBOR COMMISSION
MINUTES
March 12, 2008

Commissioners Present
Russ Lesser, Chairman; Vanessa Delgado, MPA, Vice-Chairman; Albert Landini, Ed.D; Christopher Chuang-Lin, PhD; Albert DeBlanc, Jr.

Department of Beaches and Harbors
Stan Wisniewski, Director; Santos H. Kreimann, Deputy Director

County Staff
Thomas Faughnan, Principal Deputy County Counsel; Dusty Crane, Community and Marketing Division; and Lt. Kusch from the Sheriff's Department

CALL TO ORDER, ACTION ON ABSENCES AND PLEDGE OF ALLEGIANCE

Chairman Lesser called the meeting to order at 9:38 a.m. The Commissioners, staff and members of the public stood and recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Lesser opened the floor to public comments.

A motion was made by Vice Chair Delgado and Seconded by Chairman Lesser to approve the February 2008 minutes. This motion was unanimously approved.

REGULAR REPORTS

ITEM 3a: Marina Sheriff – Crime Statistics

Lt. Kusch announced the retirement of Captain Mary Campbell, called attention to a robbery at a restaurant and a burglary at Oakwood Apartments. Lt. Kusch advised the public to keep doors locked.

Lt. Kusch gave the Liveaboard report, and commented the numbers in the report are accurate. A discussion followed about bringing illegal liveaboards into compliance by obtaining a permit.

Mr. Michael Shockly, a liveaborad in Dolphin Marina, commented the Sheriff's Department does not return calls in a timely manner.

Mr. John Davis commented on the legality of liveaboards and the U.S. Constitution.

Mr. David Delange spoke about a grand theft from his car.

Mr. Hans Etter commented on liveaboard permits.

Mr. R. Goldbrier, a yacht broker, spoke about safety and seaworthiness of boats.

A representative from the Coast Guard Auxiliary offered to inspect boats to ensure boats are safe, and asked about the requirements for a boat to be labeled as a liveaboard.

Lt. Kusch replied the Sheriff's Department looks for flame arresters, personal floatation devices, ventilation, bell or whistle, visual distress signals, marine sanitation device, and fire extinguishers. This does not equate to seaworthiness.

Mr. John Nahhas commented on slip fee increases, evictions, unlawful detainers, low income and fixed income residents.

Mr. Etter commented it is a conflict of interest for the Sheriff's Department to perform a survey on the seaworthiness of a boat.

Mr. Davis commented on a statewide ordinance for the seaworthiness of boats.

Mr. David Levine, President of the Marina Del Rey Lessees Association, commented on how well the Sheriff's Department performs its job, there is no precedent in state law for liveaboards or slips to be considered the same as apartment tenants, and the Commission has been provided misleading information.

Chairman Lesser commented the percentage of liveaboards has not changed for many years.

Chairman Lesser introduced the newest Commissioner, Mr. Albert DeBlanc Jr.

Commissioner DeBlanc commented he was familiar with the area, as he was a sergeant with LAPD and was assigned to the Venice area prior to practicing law.

ITEM 3b: Marina del Rey and Beach Special Events

Dusty Crane reported on opening day for yacht clubs, as well as the beginning of sunset races. In addition, there is a schedule for bird watching activities. Fisherman's Village continues to have concerts. Hermosa Beach has a surf contest and boomerang activities.

ITEM 4a: View Remaining Video Presentation Regarding January 2008 Coastal Commission Meeting.

Mr. Nahhas resumed showing his presentation beginning at minute 7 of the video.

Chairman Lesser opened the floor to public comments.

Mr. Davis commented on Robert's Rules of Order, and acting on the findings of the Coastal Commission.

Ms. Marino stated the Commissioners heard verbatim comments of the Coastal Commissioners.

Mr. Steve Cordova stated the Small Craft Harbor Commissioners can use their discretion in determining what all residents of the County of Los Angeles want.

Mr. Gotlieb commented there is a statement in the Coastal Act that states when there is a contradiction; the interpretation will be made in favor of protecting the environment and views.

ITEM 4b: Parcel 21 (Holiday Harbor) – Approval of Option for Amended and Restated Lease to Facilitate Redevelopment

Mr. Wisniewski gave a brief overview of the project, and commented staff has taken the position that when an anchorage is rebuilt in Marina del Rey, it is important to rebuild according to the market conditions at the time and projected to the next 20-30 years. Market conditions clearly indicate more slips over 35 feet are needed. It is hoped that the Coastal Commission will adopt an approach that is responsive to the market.

Mr. Kreimann provided a Powerpoint presentation of the proposed project.

Commissioner Landini asked if the Small Craft Harbor Commission approved the larger slip mix, would the Coastal Commission still have the opportunity to reject the proposal.

Mr. Wisniewski replied in the affirmative.

Commissioner Landini asked if the Board of Supervisors approved the concept of this proposal.

Mr. Wisniewski replied the business deal points were approved along with a slip count of 87 slips. In addition, it has been demonstrated by countless studies that the demand for slips 40 feet and above is not being met. Also, in the near future, a proposal for dry storage will be coming before the Commission. Mr. Wisniewski further commented that the new leases have modern provisions that the leases of the 1960's did not have, such as clause for participation in sale proceeds, penalty for not making timely repairs, and requirement sinking fund to replace facilities.

Chairman Lesser opened the floor to the applicant.

Mr. Sherman Gardner, representing the applicant, stated he held a meeting with the boaters and explained he tried to achieve a balance with larger slips. The reduction in slips is approximately 38%. Powerboats and sailboats were also addressed. The vacancies are in the 20 foot and 25 foot slips. The 20 and 25 foot boats can be put into dry storage; however, a larger boat can not be put into dry storage. Both larger and smaller slips were accommodated. The plan for displaced boats is to phase construction, relocate a displaced tenant to other marinas, and not rent vacant slips close to the start of construction.

Commissioner DeBlanc commented about putting waivers in slip leases in order to retain double slips.

A representative from Bluewater Design Group offered to answer questions regarding the slip configuration, and answered questions about the slip size required for varying lengths of powerboats and sailboats.

Vice Chair Delgado asked about the displacement plan. Mr. Kreimann responded the displacement plan would have to be approved prior to the exercise of the option.

Chairman Lesser opened the floor to proponents.

Mr. Davis recommended approval of the project only if it was consistent with the rule of due process.

Mr. Greg Schem commented about the importance of meeting the market demand, and most boaters do not like double boat slips.

Mr. Larry Koch stated he is in favor of the project, and lengthening the fairway reduces the amount of available slips.

Mr. Rick Ruskin commented G & K has done a good job of determining what their tenants' needs are, and is opposed to double slips.

Mr. Cordova has attended two meetings relating to this project, and stated the lessee has done an excellent job in accommodating the needs of the County and fully supports the project.

Mr. Bob Nahm sells boats, operates marinas and dry storage facilities. Mr. Nahm stated the trend is to store boats 25 feet and under on dry land, and larger slips are needed to accommodate the larger boats.

Mr. Tony Clark is a liveaboard in Dolphin Marina. Mr. Clark wishes to upgrade to a larger boat, but can't because there aren't enough large slips. Mr. Clark stated he is in favor of this project.

Mr. Mike Dubois has a 45 foot slip in Dolphin Marina, and acknowledges there is a shortage of large slips.

Mr. Goldbrier is a yacht broker, and stated there is a critical situation in Marina del Rey because there is a shortage of large slips.

Mr. Michael Shockley has been a liveaboard at Dolphin Marina for the last eight years, and doesn't understand why there is a concern about taking away smaller slips, since there is an oversupply of slips 25 feet and under.

John (last name inaudible) has lived in the marina for the last 15 years, and repairs boats. He stated there is a need in Marina del Rey for slips between 40 and 55 feet, and fully supports the project.

Mr. Wayne Miller owns a 40 foot boat and a 27 foot boat. Mr. Miller stated many of his friends are unable to get a 40 foot slip, but have no problem getting a 25 foot slip. Mr. Miller believes there is a need for larger boat slips in Marina del Rey.

Ms. Sandy Lamare has been in Dolphin Marina for 12 years, and stated there is a shortage of large slips.

Mr. David Levine voiced his support for this project. Mr. Levine cited studies that confirm market demand has shifted from small slips to large slips.

Mr. Isaac Hakim, Vice President of the Marina del Rey Lessee's Association and lessee at Parcel 7, stated there is a very large demand for boat slips that are 40 feet and above, with 150 people waiting for the large slips. In addition, there is zero demand for boat slips that are 24 feet and below.

Mr. Dale Dodge stated it is very difficult to find large slips in Marina del Rey.

Mr. Michael Crayoun stated there is a demand for boat slips that are 40 feet and greater. Boats that are 30 feet or less can be put on a trailer and placed in dry storage.

Chairman Lesser opened the floor to opponents.

Ms. Andrus spoke about widening double slips, rejection of slip tenants, manipulation of the market, and low cost recreation.

Mr. Etter spoke about the lease extension fee, the availability of larger boat slips at Esprit I, slip reductions and parking.

Mr. Rudy Pell used ceded time from Mr. Carlos Rodriguez to show a six minute video about the concerns of boaters in Holiday Harbor.

Mr. John Rizzo, President of the Marina Tenant's Association, commented about the amount of money generated in the marina, campaign contributions, and read a paragraph posing questions about the transaction.

Mr. Bill Vreszk spoke about an income study of large and small slips, and the Coastal Commission.

Commissioner DeBlanc asked if there is any information on the economic impact of owners of different sized boat slips.

Ms. De De Odette spoke about a boat owner, bringing flexibility into the process, and promoting boating.

Ms. Marino spoke about a letter to the Board of Supervisors, the proposed new project on Parcel 21, and the need for a master plan.

Mr. Gottlieb suggested the process be followed, spoke about the process avoiding existing law, and errors on maps.

Mr. Delange spoke about a view that is protected by the LCP.

Mr. Barish commented that Marina del Rey is public land which is not market driven, there is no independent study on slip vacancy rates, and the administration building is not an approved land use on Parcel 20.

Mr. Jun Yang, representing POWER, stated there is an artificial shortage of small slips, asked about the displacement plan for Parcel 21, and read a letter from a tenant.

Mr. Nahhas handed out an addendum and quickly read a Powerpoint presentation.

Chairman Lesser opened the floor to the applicant.

Mr. Gardner stated the Commission heard from 17 boaters who stated they needed larger slips, and two owners stated they had extra twenty foot slips.

Commissioner DeBlanc commented about Mr. Yang's statement that there is an artificial shortage of 20 foot boat slips in the marina.

Mr. Kreimann read the January 2008 vacancy report which indicated 116 total vacant slips, of which 77 vacancies were 25 feet and below.

Chairman Lesser called for a discussion among the Commissioners.

Commissioner Landini commented on the mix of slips, parcel identification, market demands of boat slips, Coastal Commission findings, finance aspects of the lease, Design Control Board, and Regional Planning.

Commissioner Delgado commented about the effort of the Small Craft Harbor Commission to balance the different interests, and the original plan of 92 slips keeps that balance in mind.

Chairman Lesser commented the Coastal Commission will make the final decision on this project, opined on what the Coastal Commission might do, and further commented on redevelopment in the marina and a lawsuit filed by the Coalition to Save the Marina.

Commissioner Landini made a motion to approve, Seconded by Vice Chair Delgado. The motion was unanimously approved.

ITEM 5: Regional Planning Report on Coastal Commission's periodic Review of the Marina del Rey LCP

Mr. Ron Hoffman from the Department of Regional Planning spoke about a statement he made at the Coastal Commission meeting in Marina del Rey in January 2008. Mr. Hoffman stated at the Coastal Commission meeting that the Department of Regional Planning would conduct a community meeting in late February or early March following the Coastal Commission's final action on the periodic review. At this point, the Coastal Commission has not yet issued a final action. Once the Coastal Commission makes a final action, the Department of Regional Planning will begin the community outreach program.

Vice Chair Delgado asked if there is a timeline for that action.

Mr. Hoffman replied there is no timeline available now.

Chairman Lesser opened the floor to public comments.

Mr. Delange commented he filed a lawsuit on behalf of the Coalition To Save The Marina that led to the hearing of the LCP by the Coastal Commission in January 2008, and spoke about input from the public prior to the findings becoming final.

Chairman Lesser stated the Coastal Commission received input from the public, and Coastal staff is working on the findings.

Vice Chair Delgado asked how Regional Planning holding meetings does not accomplish the goal of public input.

Mr. Delange responded the County never provided the opportunity for community input prior to the process that led to the Commission's recommendations.

Mr. Nahhas stated the community planning process should begin immediately, commented on remarks made by Coastal Commissioner Burke and advance notification of meetings.

Mr. Davis stated Mr. Delange did not file the lawsuit mentioned earlier. Mr. Davis filed the lawsuit along with the Coalition to Save the Marina. In addition, Mr. Davis spoke about Robert's Rules of Order, and a false statement made by Regional Planning.

Mr. Faughnan summarized the procedure for implementing the Coastal Commission's recommendations and responding to the Coastal Commission's recommendations.

Ms. Nancy Vernon Marino commented the Small Craft Harbor Commissioners do not need to wait six months for the final recordation of the Coastal Commission's findings, and the Commission should listen to community input.

Mr. Dan Gotlieb read a paragraph about reduction of slip sizes at Parcel 21.

Mr. David Barish commented on the delay of the Coastal Commission findings, the planning process, applications to Regional Planning, and project status.

Mr. Rick Ruskin commented on the Coastal Commission's decision based on public input, the County's concern with income derived from projects, suggested the County hold quarterly meetings with boaters to determine local community needs, and recalled having asked Mr. Wisniewski five years ago what his plan was for the community.

Mr. Wisniewski responded the master plan is the LCP, and the business strategy for developing projects is in the Asset Management Strategy.

Mr. Etter commented that less than 5% of the Asset Management Plan is devoted to recreation, a cumulative review of all projects is needed, and spoke about the budget of the Department of Beaches and Harbors.

Ms. Andrus commented a master plan is needed, and the Asset Management Strategy needs to be reconsidered.

ITEM 6: Staff Reports

Mr. Wisniewski welcomed Commissioner DeBlanc, stated there were no Marina del Rey matters scheduled before the Regional Planning Commission, and spoke of the date changes to the Small Craft Harbor Commission meetings. Included in Staff Reports is a report on minimum requirements for liveaboard status, pricing for liveaboards per Policy 27, and Mr. Faughnan will discuss The Brown Act and Small Craft Harbor Commission rules.

Mr. Faughnan stated the Brown Act requires the public be given an opportunity to speak. The new speaking procedure introduced by the Chairman is consistent with the Brown Act. The Brown Act also allows the Commission to adopt reasonable rules regarding how the public addresses the Commission.

Commissioner Lesser stated going forward, the procedure will be to have the applicant make a presentation, any other proponents speak, then the opponents will have the opportunity to speak, and finally the applicant only will have a chance for rebuttal.

Chairman Lesser opened the floor to public comments on item 6.

Ms. Marino stated there should be better communication from the Department of Regional Planning, and asked to have a representative from the Department of Regional Planning attend the Small Craft Harbor Commission meeting. Ms. Marino also commented on the Brown Act.

Ms. Gina Clinshock stated her lease was ending March, 31, 2008, and her rent would increase from $1,430 per month to $1,555 per month. In addition, Ms. Clinshock stated she had not heard about the status of her application she filed with Esprit I.

Mr. Davis commented on the Board of Supervisors and Policy Statement 27.

Commissioner Landini asked Mr. Davis to write a letter to the Small Craft Harbor Commission outlining his concerns.

Mr. Davis further commented on liveaboards, the Brown Act, and the Design Control Board.

Mr. Barish asked about the Bar Harbor lease.

Chairman Lesser opened the floor to public comments.

Mr. Rizzo commented about the bird sanctuary, the parking lot that G&K will develop, and financial matters.

Mr. Etter stated he thought it was inappropriate for Chairman Lesser to talk about the settlement between G&K and Coalition to Save the Marina, spoke about the fuel dock on Parcel 56, and the budget at the Department of Beaches and Harbors.

Mr. Davis commented the Coalition to Save the Marina was bought off by the settlement from G&K., spoke about the Brown Act, Policy Statement 27, stated the SCHC has no jurisdiction over the entrance to Marina del Rey, and mentioned there is no coastal development permit on file at the Coastal Commission for the Admiralty Apartments sewer.

Mr. Kreimann stated the Department is investigating Mr. Davis' claim.

Chairman Lesser stated he didn't believe there was a Brown Act violation, and County Counsel concurred.

Mr. Nahhas complained about not having enough time to speak, and was disappointed at the Commission's decision regarding Parcel 21.

Chairman Lesser commented that he has been very lenient with Mr. Nahhas in granting him additional time to speak.

Mr. Barish commented on vacant slips and the data provided by lessees.

Ms. Marino spoke about the certified LCP, the Department's Asset Management Strategy, and the recreational use of Marina del Rey.

Brian (last name unintelligible) a yacht broker, stated there is a shortage of slips, and alleged that some yacht brokers pay a dockmaster between $5,000 - $8,000 to ensure their clients have a boat slip after purchasing a boat.

Ms. Andrus stated some of her neighbors were moved to other marinas, and she is unable to get a slip in another marina.

Ms. Jill Peterson, staff of Pacific Ocean Management, wished to correct a statement made at the last SCHC meeting by Nancy Marino. Ms. Marino stated that Joni's Coffee Roaster located at the Marina Beach Shopping Center received a 50% rental increase with no improvements performed to the interior. Ms. Peterson stated the 50% increase was an untrue statement, is a matter of public record, and the last two increases for Joni's Coffee Roaster were an increase of 4%, per the terms of the lease. In addition, POM paid for a new ADA bathroom, electrical wiring and plumbing in the café.

Ms. Marino responded the information she received came from Joni at Joni's Coffee Roaster.

ADJOURNMENT

Chairman Lesser adjourned the meeting at 2:31 p.m.

Respectfully submitted by:

R. L. Frisch
on behalf of the Commission Secretary

SMALL CRAFT HARBOR COMMISSION
MINUTES
May 14, 2008

Commissioners Present
Russ Lesser, Chairman; Vanessa Delgado, MPA, Vice-Chairman; Albert Landini, Ed.D

Department of Beaches and Harbors
Santos H. Kreimann, Acting Director

County Staff
Thomas Faughnan, Principal Deputy County Counsel; Dusty Crane, Community and Marketing Division; Beverly Moore, Executive Director, Marina del Rey CVB; Sergeant Tony Gonzales and Deputy Rochford from the Sheriff's Department.

CALL TO ORDER, ACTION ON ABSENCES AND PLEDGE OF ALLEGIANCE

Chairman Lesser called the meeting to order at 9:42 a.m. The Commissioners, staff and members of the public stood and recited the Pledge of Allegiance.

ACTION ON ABSENCES

Chairman Lesser asked why there has to be a motion to excuse a Commissioner's absence. Mr. Faughnan replied if a Commissioner has too many unexcused absences that could be grounds for dismissal from the Commission. Mr. Faughnan stated he would explain the ordinance regarding unexcused absences at the next meeting.

A motion was made by Commissioner Landini and Seconded by Vice Chair Delgado to excuse the absences of the two Commissioners. This motion was unanimously approved.

APPROVAL OF MINUTES

Chairman Lesser opened the floor to public comments.

Mr. John Nahhas commented the March minutes did not reflect a movie presentation that was shown by two boaters, and commented an addendum Mr. Nahhas submitted was not included as an attachment to the minutes.

Mr. Faughnan stated the minutes are supposed to reflect the actions taken by the Commission, not everything said at the meeting. However, it is within the prerogative of the Commission to include any relevant materials in the minutes.

Chairman Lesser stated the Commission would not get into the position of attaching every addendum to the minutes, which can be reviewed in the Commission's files.

Mr. John Rizzo commented the minutes are too short to convey the substance of a topic being discussed.

A motion was made to withdraw a prior motion to approve the March minutes, and hold the minutes for approval to the next meeting.

A motion was made by Chairman Lesser and Seconded by Vice Chair Delgado to approve the minutes from the April 16 meeting. This motion was unanimously approved.

REGULAR REPORTS

ITEM 3a: Marina Sheriff – Crime Statistics

Sergeant Tony Gonzales spoke about the crime statistics on the waterside. He called attention to the increase in grand theft activity. By the end of May, the Sheriff's bicycle patrol will be operational, which should reduce grand theft incidents.

Chairman Lesser opened the floor to public comments.

Mr. Rick Ruskin commented on the lack of stop signs at the Waterside Shopping Center parking lot.

Mr. Rizzo asked that the form used by the Sheriff to report crime statistics list the locations of the crimes, which would enable trends to be spotted.

Mr. Nahhas asked Mr. Faughnan if he had a chance to look into a method that would allow the lessees to report unlawful detainers to the Commission.

Mr. Faughnan stated the Department sent out letters and forms to the lessees to report unlawful detainer actions.

Chairman Lesser commented he would like to see a 13 month rolling average of crime statistics.

Deputy Rochford commented there was an increase in permits. However, the actual number of liveaboards is still way higher and that does not correspond to the number of permits issued.

ITEM 3b: Marina del Rey and Beach Special Events

Dusty Crane reported on the increase in activities due to the onset of summer. Activities include bird watching, harbor kayaking program, sunset sailing races, Fisherman's Village concerts, and the Venice body building contest. On May 23rd, the beach shuttle will run on Friday, Saturday and Sunday.

In addition, Ford Motor Company will provide the Los Angeles County Lifeguards with 45 hybrid vehicles. Mr. Kreimann and Chairman Lesser acknowledged the hard work of Dusty and her staff in securing the 45 vehicles through a sponsorship with Ford.

ITEM 3c: Marina del Rey Convention and Visitors Bureau

Beverly Moore reported on the ongoing media relations program. The Convention and Visitors Bureau pitches stories to various media and invites the media to tour and write about Marina del Rey. Recently, Fortune Small Business magazine designated Marina del Rey as the number four place to launch a small business in the U.S. In addition, L.A. Brides Magazine published a front page feature on weddings in Marina del Rey. Also, as a result of the outreach to the American Sailing Association, Marina del Rey will receive a two page spread in the summer edition of the magazine.

ITEM 4: Old Business

There was no old business.

ITEM 5a: Approval of Parcel 53 (the Boatyard) amendment number 14.

This item pertains to a decennial rent adjustment that was completed in February 2002, however, the document was never executed. The lessee has been paying the proper rent since 2002, and the Department wants to memorialize the agreement at this time.

Commissioner Landini asked for clarification on the percentage rent schedule, and Mr. Kreimann provided an explanation to Commissioner Landini.

Chairman Lesser opened the floor to public comments.

Mr. Nahhas suggested the Commission ask for a performance evaluation of lessees for other rent negotiation items that will come before the Commission.

A motion was made by Vice Chair Delgado and Seconded by Commissioner Landini to approve item 5a. This motion was unanimously approved.

ITEM 5b: Approval of policy for setting up slip rents and liveaboard charges for Parcel 47.

This item pertains to adopting a methodology to increase the slip rates of Parcel 47 to be in the average market range. Currently, the slip rates are in the lower portion of market rates.

Mr. Kreimann showed a Powerpoint presentation of the methodology used to establish the proposed slip rates.

Commissioner Landini asked for additional information regarding how the weighted average was calculated.

Vice Chair Delgado commented that a lot of thought went into creating the methodology.

Mr. Kreimann stated that comments made at this meeting will be incorporated into the Board Letter that will be sent to the Board of Supervisors.

Chairman Lesser opened the floor to public comments.

Mr. Nahhas asked for seated time, provided by Lynne Shapiro. Chairman Lesser granted Mr. Nahhas six minutes to speak.

Mr. Nahhas commented that 'similar age' of docks has not been brought up previously. However, there are other items that should be considered, such as amenities and proximity. Mr. Nahhas spoke about value, driving performance, and using a cost recovery model.

Mr. Rizzo stated that 90% of the problems in the marina is due to market pricing and spoke of the County getting a fair return on the land.

Mr. Ruskin commented it is important to consider the amenities at the different marinas, and spoke about a possible increase in abandoned boats in the 20' to 25' range due to the state of the economy.

Mr. Darrell Steffey commented the marina's focus should not only be to consider revenue to the County, but also to maximize the availability of accessible, affordable boating and recreational activities to the public. Mr. Steffey suggested the Commission and Department should, prior to increasing slip fees, reevaluate the pricing of boat slip fees and rental fees charged by marine operators, require all marina

operators to submit a report on how they arrived at the slip rental rate, and conduct slip rate comparisons.

Mr. Dave Macnamera told the Commissioners he was evicted from his end tie slip at Marina City Club for no reason. Mr. Macnamera fought the eviction in court, and lost the case. Currently, his boat is moored at the transient dock for seven days. Chairman Lesser asked that background information on this case be reported at the next meeting.

Mr. David Levine, president of the Marina del Rey Lessees Association, spoke about the concept of fair market value, price controls, opined that the concept of cost recovery is inappropriate, and voiced support for the methodology the County is proposing for Parcel 47 slip pricing.

Mr. Eric Chumsky spoke about fair market values of slips, the supply of slips, the value of liveaboards to the marina, and maintenance fees.

Ms. Carla Andrus spoke about subsidizing slips, an artificial shortage of slips, and ADA compliance.

Mr. Steffey spoke about slip fee increases and maximizing profits.

Chairman Lessor asked for comments from the Commissioners.

Commissioner Landini commented that state legislation has to be changed to get renter protection for boat slip rentals, and asked that a cost recovery model be considered as an alternative to market rate pricing.

Mr. Kreimann stated one of the changes that will be made to the Board Letters will be to incorporate comments of differing viewpoints, ensuring the Board is fully aware of alternatives.

Vice Chair Delgado voiced support of the methodology presented.

Chairman Lesser commented the proposal presented is fair to taxpayers and slip renters.

A motion was made by Chairman Lesser and Seconded by Vice Chair Delgado to approve item 5b, with the proviso that a statement be added in the Board Letter stating a cost recovery option. This motion was unanimously approved.

ITEM 6: Staff Reports

There is an issue relating to the concert series with the business practices of the entertainment industry and the County. The Board passed a motion to allow production of the concerts to move forward, and asked the Department for input on new policies and procedures to reconcile the business practices of the entertainment industry and County.

The fuel dock proposal will be heard at Regional Planning, as well as other items including applications for the sale of alcoholic beverages.

The former operator at the Parcel 77 hoist abandoned operations. The Department made emergency arrangements with Seamark to launch and haul boats for tenants at Parcel 77 dry storage.

There are no meeting minutes for the Design Control Board.

Chairman Lesser opened the floor to public comments.

Ms. Lynne Shapiro commented that residents who live on Via Marina were not properly noticed about the sewer project. This project will affect 1000 residents for one year, and the project should be placed on the beach, not Via Marina.

Mr. Kreimann stated the City of Los Angeles will meet with the County to get easements for the project, and offered to provide the dates and locations of public meetings so affected residents will have the opportunity to participate.

Mr. Mike Leneman commented that he sells trailerable folding trimaran boats and is unable to secure rental space in Mast-Up Storage.

Mr, Kreimann stated due to the width of the trimaran boats, it is not possible to place these boats inside the storage row. However, certain exterior spaces were identified as being wide enough to accommodate trimaran boats. Chairman Lesser asked the Department to look into the matter and determine if anything can be done to accommodate the trimaran boats.

Mr. Ruskin commented on Mast-Up Storage and the proposed construction of additional storage.

Ms. Helen Garret spoke about the tenants at Capri Apartments not yet having leases. Mr. Kreimann explained he had discussions with the Community Development Commission and Mr. Gardner regarding the status of leases for the tenants at Capri Apartments, and was told that rent credit letters were mailed out to the tenants.

Mr. Rizzo spoke about corruption at a hospital and in the marina. Mr. Rizzo also mentioned the following points: make the meeting minutes more detailed, have the Sheriff provide historical crime data, the park to be built for the last 27 years being a disgrace, information from the Department of Beaches and Harbors being received on a timely basis, availability of the agenda for the Commission meeting one week in advance, leases in the marina not being transparent, and redoing the Coastal Plan.

Mr. Bill Vreszk requested details about an article that appeared in the Argonaut newspaper regarding an alleged breach of contract by Mr. Ring and Bar Harbor.

Mr. Kreimann responded that the Department met with Mr. Ring, who stated the project will move forward. Another meeting was being arranged with Mr. Ring to determine the next steps.

Mr. David Barish stated Mr. Ring is in breach of section 5.5.4 of the lease.

Chairman Lesser asked the Department for a report on the status of the alleged breach of the lease for Bar Harbor.

Mr. Nahhas stated the Commission is broken, and has historically provided bad information and bad recommendations. The Sunset Review Board is the County's way of assessing how the Commission functions; Mr. Lin was absent four of the last nine months, and Mr. DeBlanc has been absent twice out of the last three months. The Commission is receiving biased and filtered information from the Department of Beaches and Harbors.

Mr. Nahhas also stated he didn't think Chairman Lesser was functioning properly, as evidenced by Chairman Lesser's comment; "County came up with a system that is overly fair."

Chairman Lesser responded that was his opinion.

Mr. Nahhas stated he told the County Board of Supervisors about a yacht broker who gave cash to a dockmaster to procure a boat slip for his clients. Mr. Nahhas also spoke about 50% slip price increases and 50% reductions in boat slips, and that the Commission has not figured out what is going on. Mr. Nahhas said, after speaking with Mr. Steve Napolitano, that a boating representative would be at the Commission meetings. Mr. Nahhas also stated the Commission needs to have qualified members who know something about boating and waterways.

Mr. Goldbrier stated there is nothing wrong with double wide boat slips.

Mr. Steffey clarified the slips in Anchorage 47 were owned and managed by a separate business entity, which had both yacht club members and the public as slip tenants, and had nothing to do with yacht club fees.

Mr. Steffey also spoke about 16 year old Zack Sunderland, who is planning a solo trip around the world in a 36' sailboat.

Mr. Ruskin commented that Chairman Lesser is fair, and spoke about all leased property being owned and managed by the County.

Chairman Lesser stated the government is inefficient at construction and redevelopment.

Ms. Particia Ray spoke about violation of her civil rights, selective enforcement, and discrimination.

Chairman Lesser stated the Commission has no authority over this matter, and suggested Ms. Ray hire an attorney.

ADJOURNMENT

Chairman Searcy adjourned the meeting at 12:05 p.m.

Respectfully submitted by:

R. L. Frisch on behalf of the Commission Secretary

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- MAY 2008

Part I Crimes	MARINA AREA (RD'S 2760-2763)	EAST END (RD'S 2764-2768)
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	2
Robbery: Strong-Arm	1	3
Aggravated Assault	2	1
Burglary: Residence	3	18
Burglary: Other Structure	1	1
Grand Theft	8	7
Grand Theft Auto	3	5
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	3	21
Boat Burglary	0	0
Petty Theft	8	4
Total	29	62

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

Source- LARCIS, **Date Prepared –JUNE 2, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- MAY 2008

Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	1
Robbery: Strong-Arm	1	0
Aggravated Assault	0	0
Burglary: Residence	1	9
Burglary: Other Structure	0	1
Grand Theft	0	1
Grand Theft Auto	0	1
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	3	6
Boat Burglary	0	0
Petty Theft	1	0
Total	**6**	**19**

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

Source- LARCIS, **Date Prepared JUNE 2, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES- MAY 2008

	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape										0
Robbery: Weapon							1		1	2
Robbery: Strong-Arm		1			1			2		4
Aggravated Assault	1	1						1		3
Burglary: Residence	3				1		9	4	4	21
Burglary: Other Structure	1						1			2
Grand Theft	5	2		1			1	2	4	15
Grand Theft Auto	3						1		4	8
Arson										0
Boat Theft										0
Vehicle Burglary	3				3	6	6	1	5	24
Boat Burglary										0
Petty Theft	5	2	1		1	1			2	12
REPORTING DISTRICTS TOTALS	**21**	**6**	**1**	**1**	**6**	**7**	**19**	**10**	**20**	**91**

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

Source- LARCIS, **Date Prepared –JUNE 2, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- JUNE 2008

Part I Crimes	MARINA AREA (RD'S 2760-2763)	EAST END (RD'S 2764-2768)
Homicide	0	0
Rape	1	0
Robbery: Weapon	0	2
Robbery: Strong-Arm	0	1
Aggravated Assault	1	1
Burglary: Residence	3	10
Burglary: Other Structure	0	4
Grand Theft	20	10
Grand Theft Auto	4	1
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	10	5
Boat Burglary	1	0
Petty Theft	6	8
Total	**46**	**42**

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

Source- LARCIS, **Date Prepared –JULY 1, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- JUNE 2008

Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	0
Robbery: Strong-Arm	0	1
Aggravated Assault	0	0
Burglary: Residence	0	3
Burglary: Other Structure	1	2
Grand Theft	0	5
Grand Theft Auto	0	0
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	0	2
Boat Burglary	0	0
Petty Theft	0	2
Total	**1**	**15**

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

Source- LARCIS, **Date Prepared JULY 1, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES- JUNE 2008

	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	1	2
Robbery: Strong-Arm							1			1
Aggravated Assault	1							1		2
Burglary: Residence	2			1			3	2	5	13
Burglary: Other Structure					1	1	2			4
Grand Theft	12	6		2			5	3	2	30
Grand Theft Auto	3	1						1		5
Arson										0
Boat Theft										0
Vehicle Burglary	5	5					2		3	15
Boat Burglary				1						1
Petty Theft	1	5				2	2	2	2	14
REPORTING DISTRICTS TOTALS	**24**	**17**	**0**	**5**	**1**	**3**	**15**	**10**	**13**	**88**

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

Source- LARCIS, **Date Prepared –JULY 1, 2008**

CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR
LIVEABOARD COMPLIANCE REPORT
2008

Liveaboard Permits Issued		
	May	June
New permits Issued:	2	5
Renewal Issued:	19	17
Total:	21	22
Notices to Comply Issued:	3	19

Totals:	May	June
Liveaboard:	352	342
Current Permits:	144	136
Expired Permits:	94	95
No Permits:	114	111

Total reported vessels in Marina del Rey Harbor:	4690
Percentage of vessels that are registered liveaboards	7.29%

Wednesday, July 09, 2008

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

July 10, 2008

TO: Small Craft Harbor Commission

FROM: Kerry Silverstrom for Santos H. Kreimann, Acting Director

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

MARINA DEL REY EVENTS

THE MARINA DEL REY SUMMER CONCERT SERIES 2008

Presented by Arrowhead Mountain Spring Water
July 10 through August 30, from 7:00 pm – 9:00 pm
Waterside at Burton Chace Park, 13650 Mindanao Way

Classical Thursdays

July 10

The brilliant young cellist, Marek Szpakiewicz, praised by critics for his "expansive vision and immense authority, without technical limitation" joins Maestro Frank Fetta and the Marina del Rey Summer Symphony as soloist in Edward Elgar's celebrated *Cello Concerto*. The Orchestra is heard in works by Paul Hindemith, Francis Poulenc and Maurice Ravel.

July 24

"A Night at the Opera" showcases finalists and winners from the Loren L. Zachary National Vocal Competition in arias and ensembles from best-loved operas. Maestro Frank Fetta conducts the Marina del Rey Summer Symphony.

August 7

Maestro Fetta and the Marina del Rey Summer Symphony present an evening of symphonic music, some of it familiar and some new to these concerts. Included are works by Dmitri Shostakovich, Claude Debussy, Maurice Ravel, George Gershwin, and one of Ottorino Respighi's most exciting masterpieces, *Roman Festivals*.

August 21

Maestro Fetta and the Orchestra welcome one of this series' most popular pianists, John Novacek, who will appear as soloist in two of the best-loved works in the piano repertoire, George Gershwin's *Rhapsody in Blue* and Sergei Rachmoninoff's 2nd *Piano Concerto.*

Pop Saturdays

July 19

Melissa Manchester, one of the most compelling singer/songwriters in contemporary music, brings her fabulous voice and Grammy-winning songs to Marina del Rey in a first appearance at these concerts.

August 2

Steve March Tormé, a consummate entertainer and a stylish intelligent singer, performs with a 9-piece band, his own songs and many of the extraordinary arrangements penned exclusively for his father Mel, in his debut appearance at the Marina del Rey Summer Concerts.

August 16

The 5th Dimension, who have performed and recorded, with their distinctive sound, some of the greatest hits in American pop music history, will appear with their band, to sing some of the many songs that have made them six-time Grammy award winners with 14 gold records.

August 30

Dame Cleo Laine, called by the Los Angeles Times "the greatest all-round singer in the world" and Sir John Dankworth, recognized as one of the world's most outstanding musicians, return to the Marina del Rey Summer Concerts with their flawless renditions of songs from jazz to Broadway.

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

For concert information call: The Marina del Rey Visitor Center at (310) 305-9545.

MARINA DEL REY WATERBUS

Through September 1, 2008

For fun on the weekend, ride the Marina del Rey WaterBus. Park your car and ride the WaterBus for a unique water's-eye view of Marina del Rey. Seven boarding stops throughout the Marina offer opportunities to shop or dine in one of the most beautiful Southern California residential and tourist areas. Bikes and strollers welcome on board, no pets allowed. Fare is $1.00 per person, one way. Season passes are available for $30.00.

Through *September 1*
Fridays: 5:00 pm – midnight
Saturdays: 11:00 am – midnight
Sundays: 11:00 am – 9:00 pm

Holiday Schedule
Labor Day: 11:00 am – 9:00 pm

Marina Summer Concert Schedule
Thursday, July 10: 5:00 pm – midnight
Thursday, July 24: 5:00 pm – midnight
Thursday, August 7: 5:00 pm - midnight
Thursday, August 21: 5:00 pm - midnight

WaterBus attendants will arrange for land taxi service for passengers needing special assistance to any WaterBus boarding stop for the $1.00 fare.

Boarding locations are:

Marina "Mother's" Beach (ADA accessible)
4101 Admiralty Way

Burton Chace Park (ADA accessible)
13650 Mindanao Way

Dolphin Marina (ADA accessible)
13900 Panay Way, Dock Gate #C-200

Esprit 1, (ADA accessible)
13900 Marquesas Way, Dock Gate B-416

Fisherman's Village
13755 Fiji Way

Waterfront Walk (ADA accessible)
4433 Admiralty Way, Fire Station #110

Marina Harbor (ADA accessible)
13928 Tahiti Way, Dock Gate #A-2200

Ample parking is available at nearby Los Angeles County lots for a reasonable fee.

For information call: Marina del Rey Visitor Center at (310) 305-9545.

OLD FASHIONED DAY IN THE PARK

Burton Chace Park
13650 Mindanao Way
Sunday, July 27
10:00 am – 3:00 pm

This annual event offers vintage yachts to tour, antique and classic cars and motorcycles to view, ship models and modelers to admire, vintage steam engines to watch, and FREE steam launch rides in the harbor to enjoy. The event is free and open to the public.

For information call: Jim Buttz at (626) 335-8843 or the Marina del Rey Visitor Center at (310) 305-9545.

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

Saturday, July 12
Ilyana G & Her Latin Band, playing Latin Jazz

Sunday, July 13
Susie Hansen, playing Latin Jazz

Saturday, July 19
Spare Time, playing Smooth Jazz

Sunday, July 20
Mar'ja, playing Blues, R & B, Standards

Saturday, July 26
LA Cat, playing Reggae

Sunday, July 27
Floyd & the Fly Boys, playing Rhythm & Groove

For information call: Pacific Ocean Management at (310) 822-6866.

SUNSET SAILBOAT RACES, MARINA DEL REY
Wednesday Evenings
Through September 3, 2008

Spectators enjoy these races waterside along the promenade or from the comfort of one of the water-view restaurants from 5:30 pm (sailboats leaving the harbor) to 8:00 pm (race finishes at California Yacht Club).

BLUEWATER SAILING SUMMER SOLING REGATTA
Thursday Evenings
July and August

Enjoy these races in the Marina del Rey harbor from 6:00 pm to 9:00 pm.

BEACH EVENTS

BEACH SHUTTLE
Through September 1, 2008
Fridays and Saturdays from 10:00 am – 10:00 pm
Sundays and Holidays from 10:00 am – 8:00 pm
Marina del Rey Thursday Summer Concerts from 5:00 pm – 10:00 pm

Catch a free ride on the Beach Shuttle to and from Playa Vista, Marina del Rey and Venice, and enjoy the surf, sand, and surroundings of Marina del Rey in a hassle-free and relaxing way. Beach shuttle operates weekends and during the Thursday Summer Concerts, which begin July 10th.

For information call: Marina del Rey Visitor Center (310) 305-9545 or Playa Vista Guest House (310) 745-5200. Brochure available at http://beaches.lacounty.gov.

CALL TO THE WALL LONGBOARD SURFING CONTEST

Malibu Surfrider Beach
23200 Pacific Coast Highway, Malibu
July 12 and July 13, 2008
6:00 am – 4:00 pm

The Malibu Boardriders Club, a non-profit organization helping children with cancer, presents the "Call to the Wall" Surf Festival. Over 300 surfers will compete in this club vs. club competition. There will also be a paddleboard race and tent displays. Event sponsorship revenue will benefit children of Camp Ronald McDonald for Good Times, a cost-free camp for children with cancer and their families.

For information visit website http://www.malibuboardriders.com.

TWILIGHT DANCE SERIES

Santa Monica Pier
Thursdays, through August 28
7:00 pm - 10:00 pm

The annual Twilight Dance Series, presented by the Santa Monica Pier, is back. FREE concerts are held every Thursday night from now through August 28 on the Santa Monica Pier west parking deck.

July 10
Spanish Harlem Orchestra,
playing Salsa

July 17
Victoria's Secret Pink
PINKapalooza with special
musical performances

July 24
Bachata Roja Legends
playing Dominican classic cabaret

July 31
Michelle Shocked with Mike Farris
Sanctified Americana

August 7
Oliver Mtukudzi and Rocky Dawuni
Afro Pop from Zimbabwe and Ghana

August 14
Carmen Consoli, Juana Molina and
Samantha Crain
Indie Pop Singers/Global Songstresses

August 21
Peter & Gordon with
Gerry & the Pacemakers
The British Invasion once again

August 28
Toots & the Maytals
Jamaican Reggae Legend

For information call: Santa Monica Pier at (310) 458-8901 or visit website www.SantaMonicaPier.org.

GLOW

Santa Monica Beach and Pier
July 19, 2008
7:00 pm – 7:00 am

Dusk to Dawn art and entertainment festival on the beach and pier. Free to the public.

For information call: Rosalind Napoli (310) 339-4115.

SUNSET CONCERTS AT THE BEACH

City of Hermosa Beach
Sundays, July 20 through August 3, 2008

City of Hermosa Beach will have free Sunday concerts at the beach beginning July 20 through August 3. Concerts begin at 6:00 p.m. until sunset on the south side of the Hermosa Beach Pier. Bring a picnic dinner, a lawn chair or a blanket to wind down the weekend with a free concert at the beach.

July 20	**July 27**	**August 3**
Hodads 6:00 pm – 8:00 pm	Michael Sullivan 6:00 pm – 6:30 pm	Kevin Misajon 6:00 pm – 6:30 pm
	Carlos the Tribute (Tribute to Carlos Santana) 6:30 pm – 8:00 pm	Fabulous Jivebombers (Tribute to the Rat Pack) 6:30 pm – 8:00 pm

For information call: The City of Hermosa Beach Community Resources Department at (310) 318-0280.

SO. CAL. FOUNDATION FOR CHILDREN - BEACH VOLLEYBALL TOURNAMENT

City of Hermosa Beach
July 26, 2008

This tournament raises funds for educational and athletic scholarships for underprivileged youth.

For information call: The City of Hermosa Beach Community Resources Department at (310) 318-0280.

2008 INTERNATIONAL SURF & HEALTH FESTIVAL

Friday, August 1 - 7:00 pm
Saturday, August 2 - 6:45 am
Sunday, August 3 - 7:30 am

Sponsored by Arrowhead Mountain Spring Water, Ford Motor Company, the Chambers of Commerce and Cities of Hermosa Beach, Manhattan Beach, Redondo Beach and Torrance and the Los Angeles County Department of Beaches and Harbors

The International Surf & Health Festival is an exciting series of events that include the Los Angeles County Lifeguard Championship Competition, surfing, body surfing, sand soccer, paddleboard, volleyball, sand castle design contest, two-mile beach run and health fair by the sea. Event viewing is free with participation fees for some of the events.

For a complete schedule of events and dates, visit http://www.surffestival.org.

FESTIVAL OF THE CHARIOTS

Venice Beach
August 3, 2008
10:00 am

Parade begins at 10:00 am at Santa Monica Civic Center and ends at Ocean Front Walk at Venice Beach with the festival, free food and entertainment.

For information call: (310) 837-8147.

THE GILLIS VOLLEYBALL INVITATIONAL
Dockweiler Beach
August 9-10, 2008
8:00 am

Volleyball tournament and beach bash on Dockweiler Beach between Imperial and Grand.

For information call: (310) 337-0601.

BEACH VOLLEYBALL
Manhattan Beach
Sundays – 2:00 pm and Wednesdays – 5:00 pm

Come join in on FREE Beach Volleyball every Sunday afternoon and Wednesday evening during Daylight Savings time. Look for the bright pink nets just south of the Manhattan Beach Pier.

SHK:DC:ks

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

June 10, 2008

To: Small Craft Harbor Commission

From: Kerry Silverstrom for Santos H. Kreimann, Acting Director

Subject: **ITEM 5a – APPROVAL OF AMENDMENT NO. 11 TO LEASE NO. 11525 – RENEGOTIATED RENTAL RATES AND INSURANCE COVERAGE – PARCEL 75W (MARINA PROFESSIONAL BUILDING) – MARINA DEL REY**

Item 5a on your agenda pertains to approval of Amendment No. 11 to the lease for Parcel 75 (Marina Professional Building), which will increase the square foot and office space rental rates, as well as insurance coverage. The rates are as negotiated based upon an outside appraisal The increases in insurance coverage, as well as changes to the indemnity clause and casualty insurance provisions, are to conform with new and more stringent requirements of the Chief Executive Office's Risk Management Branch. The adjustment is expected to generate an additional income of $9,700 in Fiscal Year 2008-2009 compared to the old rates.

The attached Board letter contains full background information with respect to the accompanying amendment.

Your Commission's endorsement of the recommendation to the Board of Supervisors, as contained in the attached letter, is requested.

SHK:ks
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6345 • internet: http://marinadelrey.lacounty.gov

August 19, 2008

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

Dear Supervisors:

DEPARTMENT OF BEACHES AND HARBORS
APPROVAL OF AMENDMENT NO. 11 TO LEASE NO. 11525
RENEGOTIATED RENTAL RATES AND INSURANCE COVERAGE
PARCEL 75W (MARINA PROFESSIONAL BUILDING) – MARINA DEL REY
(SUPERVISORIAL DISTRICT FOUR)
(4 VOTES)

SUBJECT

This Board letter requests approval of a Marina lease amendment that provides for increased office space percentage rental rates as negotiated for Parcel 75W (Marina Professional Building) based on an outside appraisal, as well as of a new square foot rental rate and insurance coverage.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed lease amendment is 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 Chair of the Board to sign the attached Amendment No. 11 to Lease No. 11525 – Parcel 75W, Marina del Rey, which provides for (1) the adjustment of square foot rental, (2) the adjustment of percentage rental rates for office space, and (3) an increase in general liability insurance coverage as negotiated pursuant to an appraisal for the 10-year period ending August 31, 2017. The increased office space rental rate is expected to generate an additional income of $9,700 in Fiscal Year 2008-09 compared to former rates.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

All Marina del Rey leases provide for the periodic review of leasehold rents and liability insurance coverage to ensure that the rental rates payable to the County are maintained at current fair market levels and that the amount of general liability insurance is adequate to protect the County's interests. County rents are typically computed as the greater of either a fixed minimum rent or the total of varying percentages of the lessee's gross receipts from the leasehold's uses.

The Parcel 75W lease requires adjustment of rents on September 1, 1997 and every tenth anniversary thereafter. The lessee has agreed to a graduated increase in the percentage rent for office rentals as identified on the table below without the need for arbitration.

CATEGORY	CURRENT RATE	PROPOSED RATE	FROM	TO
Office rentals	12%	13.0% 13.5%	9/1/2007 9/1/2009	8/31/2009 8/31/2017

The proposed rates are within the range of comparable office rentals as determined by the Department's commissioned appraisal. All other categories of percentage rents shall remain unchanged.

The proposed lease amendment (Amendment) also provides that the square foot rental (also known as minimum rent) will henceforth be adjusted on the first day of September of every third year, as measured from the 2007 Rental Adjustment Date, to an amount equal to 75% of the average annual rent payable by the lessee to the County over the prior three years.

The lessee has also agreed to increase the general liability insurance to a combined single limit of not less than $20 million, up from the existing $5 million combined single limit. Such limits have been approved by the Chief Executive Office's Risk Management Branch. Additionally, the Amendment incorporates changes to the indemnity clause and casualty insurance provisions to conform to the Risk Management Branch's new and more stringent requirements.

Implementation Of Strategic Plan Goals

The recommended action will provide additional rent to the County in furtherance of the County Strategic Plan Goal of Fiscal Responsibility.

FISCAL IMPACT/FINANCING

The execution of the Amendment is projected to yield an additional $9,700 annual rent to the County in Fiscal Year 2008-09 compared to the old rate. The Amendment will increase annual minimum rent from $114,765 to $147,828, based on 75% of the average annual rent payable by the lessee to the County over the three years prior to September 1, 2007.

Operating Budget Impact
The recommended actions will increase the Marina Budget Unit of the Department's FY 2008-09 Operating Budget by an estimated $9,700 in annual rent. This estimate was not included in the Department's FY 2008-09 Adopted Budget, but will be included in FY 2008-09 Supplemental Changes.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Parcel 75W, commonly known as the Marina Professional Building, is improved with a three-story medical office building, consisting of 39,050 square feet gross building area, and a free-standing pharmacy building consisting of 1,134 square feet. The leasehold currently occupies 52,026 square feet of land in Marina del Rey. The 60-year ground lease between the County and lessee was executed in 1966.

This Amendment has been approved as to form by County Counsel. At its meeting of July 16, 2008 the Small Craft Harbor Commission _____ the Director's recommendation that your Board approve and execute the proposed Amendment.

ENVIRONMENTAL DOCUMENTATION

The proposed Amendment is categorically exempt under the provisions of the California Environmental Quality Act pursuant to Classes 1(r) and 4(j) of the County's Environmental Document Reporting Procedures and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no impact on current services from your Board's approval of this Amendment.

CONCLUSION

Please have the Chair of the Board of Supervisors sign all three copies of the Amendment No. 11 and have the Executive Officer of the Board return two executed copies to the Department of Beaches and Harbors for distribution and one copy of the Board letter.

Respectfully submitted,

WILLIAM T FUJIOKA
Chief Executive Officer

Attachments (1)

c: County Counsel
Beaches and Harbors

t

AMENDMENT NO. 11 TO LEASE NO. 11525

Parcel No. 75W--Marina del Rey

THIS AMENDMENT TO LEASE is made and entered into this _____day of _____, 2008 (the "Effective Date"),

BY AND BETWEEN	**COUNTY OF LOS ANGELES hereinafter referred to as "County,"**
AND	**DEL REY PROFESSIONAL ASSOCIATION, a general partnership, hereinafter referred to as "Lessee."**

WITNESSETH:

WHEREAS, County and Lessee's predecessor in interest entered into Lease No. 11525 under the terms of which County leased 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, now commonly know as Parcel 75W, which leasehold premises (the "Premises") are more particularly described in Exhibit "A" attached to and incorporated in said lease, as amended (the lease and all amendments are collectively hereafter referred to as the "Lease"); and

WHEREAS, Section 15 of said Lease provides that as of September 1, 1997, and as of September 1st of every tenth (10th) year thereafter (the "Rental Adjustment Date"), the rates for square foot rental and all categories of percentage rentals, and liability insurance requirements (collectively, the "Adjusted Rentals") shall be readjusted by Lessee and County in accordance with the standards established in said Section 15, and

WHEREAS, Section 15 further provides that Adjusted Rentals may be determined by Lessee and County by mutual agreement at any time; and

WHEREAS, the parties have agreed to adjust the square foot rental for the ten-year period commencing on September 1, 2007 (the "2007 Rental Adjustment Date"); and

WHEREAS, the parties were able to reach a mutual agreement regarding the proper adjustments to be made to the percentage rentals for the ten-year period commencing on the 2007 Rental Adjustment Date; and

WHEREAS, the parties have reached agreement with respect to the amount of liability insurance required to be maintained by Lessee for the ten-year period commencing on the 2007 Rental Adjustment Date; and

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

1. **Square Foot Rental.** Commencing as of the 2007 Rental Adjustment Date, the first paragraph of Section 12 (SQUARE FOOT RENTAL) of the Lease is amended to read as follows:

"Effective September 1, 2007 and every three years thereafter, the annual square foot rental for the whole of the Premises shall be readjusted to equal seventy-five percent (75%) of the annual average of all rents payable by the Lessee under Section 13 of the Lease for the immediately preceding three-year period, provided that no adjustment shall result in a decrease of the square foot rental."

2. **Percentage Rental.** Commencing as of the 2007 Rental Adjustment Date, subsection (c) (ii) of Section 13 (PERCENTAGE RENTALS) is deemed deleted and the following subsection (c) (ii) is correspondingly substituted therefore:

"(c) (ii) THIRTEEN PERCENT (13%) [for the period from September 1, 2007 through August 31, 2009] and THIRTEEN AND ONE-HALF PERCENT (13.5%) [for the period from September 1, 2009 and thereafter] of gross receipts or other fees charged for the occupancy of offices utilized for banking, financial or investment activities, internal clerical or administrative activities of business enterprises, real estate and insurance brokerage, legal, medical, engineering, travel agencies, or similar professional services (collectively, "Offices"), but not to include, however, stores, shops or other commercial establishment, the gross receipts pertaining to which are subject to percentage rentals and specifically required to be reported under other subsections of this Section."

3. **Retroactive Payment.** Lessee shall pay to County, within ten (10) days following the Effective Date, for the period between the 2007 Rental Adjustment Date and the actual date of payment (the "Retroactive Period"), the difference between (i) the actual rents paid by Lessee under the rental rates in effect prior to the effectiveness of this Amendment from the 2007 Rental Adjustment Date to the Effective Date, and (ii) the rents that should have been paid in accordance with the new rental rates as determined ("Retroactive Payment").

4. **Insurance Provisions.** Commencing as of the Effective Date, Sections 25, 26, 27 and 28 of said Lease are deleted in their entirety and the following substituted therefor:

"25. **INDEMNITY CLAUSE.**

Lessee shall at all times relieve, indemnify, protect and save harmless County and its Boards, officer, agents, and employees from any and all claims and liability, including expenses incurred in defending against, the same, for the death of or injury to persons or damage to property, including property owned or controlled by or in the possession of County, and of its officers, agents or employees, that may in whole or in part arise from or be caused by (a) the operation, maintenance, use or occupation of the herein demised premises by Lessee, (b) the acts, omissions or negligence of Lessee, its agents, officers, employees or permittees, or (c) the failure of Lessee to observe and abide by any of the terms or conditions of this lease or any applicable law, ordinance, rule or regulation; the obligation of Lessee to so relieve, indemnify, protect and save harmless County, and each of its Boards, officers, and employees, shall continue during any periods of occupancy or of holding over by Lessee, its agent, officers, employees or permittees, beyond the expiration or other termination of this lessee.

26. **INSURANCE REQUIREMENTS.**

Without limiting Lessee's indemnification of County, during the term of this Lease Lessee shall provide and maintain the following insurance issued by companies authorized to transact business in the State of California by the Insurance Commissioner and having a "general policyholders rating" of at least A-VII (or such higher rating as may be required by an encumbrance holder) as set forth in the most current issue of "A.M. Best's Key Rating Guide" or an equivalent rating from another industry-accepted rating agency.

26.1. General Liability insurance (written on ISO policy form CG 00 01 or its equivalent) and endorsed to name County as an additional insured, with limits of not less than the following:

General Aggregate:	$ 20 million
Products/Completed Operations Aggregate:	$ 20 million
Personal and Advertising Injury:	$ 10 million
Each Occurrence:	$ 10 million

26.2. Automobile Liability insurance (written on ISO form CA 00 01 or its equivalent) with a limit of liability of not less than $2 million for each accident and providing coverage for all "owned", "hired" and "non-owned" vehicles, or coverage for

"any auto." If valet parking or any parking services is provided on premises, Lessee also shall provide Garagekeeper's Legal Liability coverage, (written on ISO form CA 99 37 or its equivalent) with limits of not less than $3 million for this location.

26.3 Workers Compensation and Employers' Liability insurance providing workers compensation benefits, as required by the Labor Code of the State of California and for which Lessee is responsible, and including Employers' Liability coverage with limits of not less than the following:

Each Accident:	$1 million
Disease - policy limit:	$1 million
Disease - each employee:	$1 million

26.4 Intentionally left blank.

26.5 Commercial Property Insurance covering damage to the premises, including improvements and betterments, from perils covered by the Causes-of-Loss Special Form (ISO form CP 10 30), excluding earthquake, and including Ordinance or Law Coverage, written for the full replacement value of the property, with a deductible no greater than $250,000 or 5% of the property value, which ever is less, and also including business interruption, including loss of rent, equal to two (2) years annual rent, with proceeds payable to Lessee and County as their interests may appear and utilized for repair and restoration of the premises and any improvements thereon.

26.6 For construction projects, including any alterations or restoration, on the premises, Lessee or Lessee's contractor will provide the following insurance (County reserves the right to determine the coverage and coverage limit required on a project by project basis.):

26.6.1 Builder's Risk Course of Construction to insure against damage from perils covered by the Causes-of-Loss Special Form (ISO form CP 10 30). This insurance shall be endorsed to include ordinance or law coverage, coverage for temporary offsite storage, debris removal, pollutant cleanup and removal, testing, preservation of property, excavation costs, landscaping, shrubs and plants and full collapse coverage during construction (without restricting collapse coverage to specified perils. This insurance shall be written on a completed-value basis and cover the entire value of the construction

project, including County furnished materials and equipment, against loss or damage until completion and acceptance by Lessee.

26.6.2 General Liability. Such insurance shall be written on ISO policy form CG 00 01 or its equivalent with limits as required by the County for the construction project(s). The products/completed operations coverage shall continue to be maintained for a period to be determined by the County from the date the construction project(s) are completed and accepted by the Lessee.

26.6.3 Automobile Liability. Such coverage shall be written on ISO policy form CA 00 01 or its equivalent with a limit of liability as required by the County for the construction project(s). Such insurance shall include coverage for all "owned," "hired" and "non-owned" automobiles, or coverage for "any auto."

26.6.4 Professional Liability. Such insurance shall cover liability arising from any error, omission, negligent or wrongful act of the contractor and/or licensed professional (i.e. architects, engineers, surveyors, etc.) with limits as required by the County for the construction project(s). This coverage shall also provide an extended two-year reporting period commencing upon termination or cancellation of the construction project(s).

26.6.5 Asbestos Liability or Contractors Pollution Liability insurance, if construction requires remediation of asbestos or pollutants. Such insurance shall cover liability for personal injury and property damage arising from the release, discharge, escape, dispersal or emission of asbestos or pollutants, whether gradual or sudden, and include coverage for the costs and expenses associated with voluntary clean-up, testing, monitoring and treatment of asbestos in compliance with governmental mandate or requests. If the asbestos or pollutant will be removed from the construction site, asbestos or pollution liability is also required under the contractor's of subcontractor's Automobile Liability Insurance. Contractor shall maintain limits as required by the County for the construction project(s).

26.7 Provisions Pertaining to Property Insurance. The insurance coverage required in Section 26.5 shall name the County as an additional insured and any encumbrance holder as loss payee. Subject to Section 25, upon the occurrence of any loss, the proceeds of property and builder's risk insurance shall be held by County in trust for the named insureds as their interests appear, and shall be disbursed by County on a monthly basis to pay for work completed in accordance with then-prevailing industry custom and practice; provided, however, that if the

insurance proceeds received with respect to a loss are less than $500,000 (as adjusted to reflect any increase in the Engineering News Construction Cost Index ("ENR Index") for the Los Angeles area (or such substitute index as the parties may mutually agree upon if such index is no longer published or otherwise available), during the period from the effective date of this Amendment No. 11 through the date of the loss), the encumbrance holder shall have the right to hold and disburse such proceeds to pay the renovation and repair of any improvements on the premises in accordance with the terms of the loan agreement or deed of trust with Lessee's encumbrance holder. In the event of a loss, Lessee shall be obligated to rebuild or replace the destroyed or damaged buildings, structures, equipment, and improvements, in accordance with the procedures set forth hereinabove for the initial construction. Subject to Section 25, any surplus or proceeds after said rebuilding or replacement shall be distributed to Lessee.

26.8. General Insurance Requirements. Subject to the immediately following grammatical paragraph, a duplicate policy or policies (or certificates of insurance) evidencing the insurance coverage required under this Section 26, in such form as shall be reasonably acceptable to County, shall be filed with Director no later than the effective date of this Amendment No. 11, provided that the evidence of the insurance coverage required under Section 26.1.5 shall be required to be delivered by Lessee prior to the commencement of any construction project(s). All certificates of insurance shall (a) specifically identify the Lease; (b) clearly evidence all coverages required under the Lease; (c) identify any deductibles or self-insured retentions exceeding $25,000; and (d) evidence all other requirements under this Section 26. The policy or policies of insurance shall provide that such insurance coverage will not be canceled or reduced without at least thirty (30) days prior written notice to Director or ten (10) business days in case of cancellation for failure to pay the premium. At least ten (10) business days prior to the expiration of such policy, a certificate showing that such insurance coverage has been renewed shall be obtained by Lessee and filed with Director.

In lieu of submitting a copy of the policy or policies evidencing the above insurance, Lessee may submit in a form reasonably acceptable to County a certificate of insurance.

Any insurance coverage may be issued in the form of a blanket policy insuring other properties, in form, amount and content reasonably satisfactory to County such that such coverage provides the same protection as required under this Section 26 as if the insurance had been procured on an individual property basis.

26.9. Additional Required Provisions. Lessee's insurance policies required by Section 26 shall be for a term of not less than one year and shall additionally provide:

(a) that County and its respective Board of Supervisors and members thereof, and County's officers, agents, employees and volunteers, shall be named as additional insureds under any liability insurance policy or policies;

(b) that the full amount of any losses to the extent property insurance proceeds are available shall be payable to additional insureds notwithstanding any act, omission or negligence of Lessee which might otherwise result in forfeiture of such insurance;

(c) in any property insurance policy, a waiver of all right of subrogation against County and its respective Board of Supervisors and members thereof, and County's officers, agents, employees and volunteers with respect to losses payable under such policies;

(d) in any property insurance policy, that such policies shall not be invalidated should the insured waive, prior to a loss, any or all right of recovery against any party for losses covered by such policies;

(e) the property and commercial general liability insurance policies shall provide coverage on a primary and non-contributory basis with respect to the additional insureds, regardless of any other insurance or self-insurance that such additional insureds may elect to purchase or maintain;

(f) that losses, if any, shall be adjusted with and payable to Lessee, County and encumbrance holders, if any, pursuant to a standard mortgagee clause;

(g) that such policies shall not be suspended, voided, canceled, reduced in coverage or in limits or materially changed without at least thirty (30) days prior written notice to County and all encumbrance holders or ten (10) business days in case of cancellation for failure to pay the premium;

(h) that the commercial general liability insurance shall apply separately to each insured against whom a claim is made, except with respect to the overall limits of said insurer's liability; and,

(i) that the property and commercial general liability insurance policies shall contain no special limitations on the scope of protection afforded to the additional insureds, and no failure to comply with the reporting provisions of such policies shall affect the coverage afforded to such additional insureds.

26.10 Notification of Incidents, Claims or Suits. Lessee shall report to County any accident or incident on or about the premises which involves injury or property damage which might reasonably be thought to result in the filing of a claim or lawsuit against Lessee and/or County. Such report shall be made in writing within seventy-two (72) hours of Lessee's knowledge of such occurrence.

27. **FAILURE TO PROCURE INSURANCE.**

If Lessee fails to procure or renew the herein required insurance and does not cure such failure within five (5) business days after written notice from County, in addition to the other rights and remedies provided hereunder, County may, at its discretion, procure or renew such insurance and pay any and all premiums in connection therewith. All monies so paid by County shall be repaid by Lessee, with interest thereon at an annually compounded rate of interest equal to the lesser of (a) ten percent (10%) per annum or (b) the average daily variable prime rate of interest published in the Wall Street Journal, plus three percent (3%) per annum (Applicable Rate), to County within five (5) business days after Lessee's receipt of written demand therefor; provided however, the Applicable Rate shall in no event exceed the maximum rate of interest which may be charged pursuant to any applicable codes, laws rules, regulations, statutes, resolutions, ordinances, covenants, conditions and restrictions of the County, State, the United States of America, the California Coastal Commission and/or any other governmental or quasi-governmental entity (Applicable Laws). In the event that the Applicable Rate exceeds such maximum rate of interest, then the Applicable Rate shall be deemed the maximum rate permissible under Applicable Laws.

28. **RENEGOTIATION OF INSURANCE REQUIREMENTS.**

The insurance requirements of Sections 26 and 27 shall be subject to renegotiation at the same time and in the same manner as the amounts of rent hereunder."

5. **Miscellaneous.** 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 reacknowledges its respective obligations under the Lease as amended hereby.

IN WITNESS WHEREOF, County has, by order of its Board of Supervisors, caused this Amendment to Lease to be subscribed by the Chairman of said Board and attested by the Executive Officer thereof, and the Lessee by its duly authorized representative, has executed the same.

COUNTY OF LOS ANGELES

By:_____

Chair, Board of Supervisors

ATTEST:

SACHI A. HAMAI
Executive Officer–Clerk of the
Board of Supervisors

By:_____
Deputy

LESSEE:

DEL REY PROFESSIONAL ASSOCIATION,
a general partnership

By: [illegible]

Its: General Partner

4.30.08

APPROVED AS TO FORM:

RAYMOND J. FORTNER, JR.
County Counsel

By:_____
Deputy

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

July 10, 2008

To: Small Craft Harbor Commission

From: Kerry Silverstrom for Santos H. Kreimann, Acting Director

Subject: **ITEM 5b – APPROVAL OF 2008 DEPARTMENTAL FEE REVISIONS AND NEW FEES**

Item 5b on your agenda pertains to a request to the Board of Supervisors to approve revisions to fees and implement new fees charged by the Department of Beaches and Harbors, effective September 1, 2008. Changes to the Department's fees and the new fees, as listed in the schedule attached to the Board letter as Attachment A, are warranted based on a comprehensive review and cost analyses of services provided by the Community and Marketing Services Division.

Your Commission's endorsement of the recommendation to the Board of Supervisors, as contained in the attached letter, is requested.

SHK:ks
Attachment

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To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors
Caring for Your Coast

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

June 24, 2008

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

Dear Supervisors:

DEPARTMENT OF BEACHES AND HARBORS:
2008 DEPARTMENTAL FEE REVISIONS AND NEW FEES
(THIRD AND FOURTH DISTRICTS)
(3 VOTES)

SUBJECT:

Request to approve revisions to fees and implement new fees charged by the Department of Beaches and Harbors, effective September 1, 2008. Changes to the Department's fees and the new fees, as listed in the schedule attached as Attachment A, are warranted and appropriate based on a comprehensive review and cost analyses of services provided by the Community and Marketing Services Division.

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the recommended action is exempt from the provisions of the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(8).

2. Adopt the attached Resolution approving the schedule of the Department of Beaches and Harbors' Community and Marketing Services Division fees, effective September 1, 2008, based on Consumer Price Index increases for the Los Angeles, Riverside and Orange County areas and/or comparable with other public agency fees.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Department of Beaches and Harbors (DBH) has completed a comprehensive review of the Community and Marketing Services Division fees it charges for services. Recent surveys and cost analyses indicate that adjustments to these fees are warranted

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and appropriate. Additionally, fees need to be authorized for new services. A schedule of these fees, including current and proposed fees, is included as Attachment A.

The Dockweiler RV Park fees were last revised in 2004, and all other existing fees were implemented in 1984 through 1997. DBH intends for the fees to be implemented as of September 1, 2008, all of which were reviewed to determine whether they are reasonable, consistent with the Consumer Price Index increases for the Los Angeles, Riverside and Orange County areas, and/or comparable with other public agency fees. The results are reflected in our recommendations.

Implementation of Strategic Plan Goals

Increased and new fees will promote and further the Board-approved Strategic Plan Goal of Fiscal Responsibility, by strengthening the County's fiscal capacity through increased revenue and recovery of a portion of the costs of the services provided. The proposed fee increases and new fees will also enable DBH to continue to meet the Strategic Plan Goal of Service Excellence, by providing the general public with high quality beach and recreational services.

FISCAL IMPACT/FINANCING

It is anticipated that the proposed fees will increase DBH's annual revenue by a minimum of $300,000 and will be utilized to fund general Beach operating cost increases.

Operating Budget Impact

The recommended action will increase Beach operating revenue by an estimated $300,000 in FY 2008-09. This estimate was included in the DBH's FY 2008-09 Proposed Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

BURTON CHACE PARK

Kayaking Class/Tour

DBH provides two classes, Harbor Kayaking and Surf Kayaking. The two-hour Harbor Kayaking class begins with Los Angeles County Lifeguard kayak and water safety instruction and then allows participants to enjoy the Marina's basins. The three-hour Surf Kayaking class provides participants the opportunity to kayak through the Marina harbor and head out to the North Jetty, where participants surf the waves aboard sit-on-top kayaks.

It is recommended that a kayaking class registration fee be implemented at Burton Chace Park in the range of $30 to $35 based on the age of the participant. The class fee is comparable with fees charged by others as documented in Attachment B.

Kayaking Rentals

It is recommended that kayaking rental rates be established as detailed in Attachment A, which are comparable with the rates charged by other agencies as documented in Attachment C.

DOCKWEILER RV PARK

Full Hook Ups/Pets/More than Four Guests

It is recommended that the rates for full hook-ups, pets and more than four guests be increased as noted in Attachment A. The RV Park reopened in March 2007 after completion of major renovations to the facility. With the completion of the renovation, each of the RV Park's 117 spaces is now equipped with full electricity, water and sewage hook-ups to accommodate Recreational Vehicles up to 37 feet in length. In addition, restroom facilities and the RV Park office have been renovated and are now in compliance with ADA requirements. Other RV Park amenities include picnic tables, laundry facilities and hot showers. At the RV Park, visitors can enjoy beachfront views, use the fire pits on the beach, hang glide off nearby bluffs, or bike along the 22-mile South Bay Beaches coastline bike path. The proposed increases will be used to partially defray operating costs and bring the rates charged at the updated RV Park facility in line with the rates charged by comparable facilities as documented in Attachment D.

Extra Vehicle Fee

It is recommended that the extra vehicle charge be increased from $6.75 per car to $7 per car during the summer season, which begins on the Saturday before Memorial Day and ends the last Sunday of September. This recommended increase is consistent with the summer daily parking rate currently charged at the adjacent day use parking lot.

Reservation Fee

It is recommended that the reservation fee be increased from $7 to $10 to provide for additional staff needed to staff the reservation line. The additional one night's deposit is designed to deter customers from not honoring their reservation, but will be refunded if cancellation occurs seven or more days in advance of the reservation date.

Early Check-in Fee

It is recommended that a $17 early check-in fee be established to strengthen RV Park controls, provide a service to Park patrons, and to maximize RV Park usage. Currently, early check-in is not allowed and RV Park patrons must wait in the adjacent day use parking lot until the check-in time. The $17 fee is equal to one-half of the winter daily rate for a back row space.

Sewage Dumping Fee

It is recommended the sewage dumping fee be increased from $5 to $10. The sewage dumping fee charge is for non-RV Park patrons. This service is not provided at other RV Parks in the area. The sewage-dumping fee has not been increased in over ten years.

THE W.A.T.E.R. PROGRAM

In 1986, DBH established the Water Awareness, Training, Education and Recreation (W.A.T.E.R.) Program. The W.A.T.E.R. Program is a youth outreach program with the goal to educate the County's youth in organized activities that provide skills, knowledge, and personal experiences in ocean and beach safety. Special effort is made to recruit youth with limited access or opportunities to engage in harbor and beach activities.

Initially, DBH offered only two W.A.T.E.R. programs: Sailing Camp and the Junior Lifeguard program. Subsequently, the Fire Department took over the Junior Lifeguard program, and DBH developed and offered additional programs, including Surf Camp, Dolphin Camp, and Ocean Sports Camp.

The cost to operate the various programs, including personnel and supplies, has increased an average of 11% each year over the past five years. DBH's current marketing agreement with Verizon subsidizes most program costs; however, an additional subsidy by DBH is necessary to maintain current service levels and to offer financial aid to families when needed (DBH uses the same financial aid standards as the Department of Public Social Services' Food Stamps Eligibility Guidelines). For instance, the cost to operate the W.A.T.E.R. Program in 2006-07 was $732,918, with program fee collections of $59,380 and marketing program subsidies of $502,000.

It is recommended that Consumer Price Index increases in program fees be implemented to bring fees more current in order to alleviate continued increased program costs, while continuing to ensure the programs remain affordable with financial aid available when needed.

PERMITS

Special Events

Special events are activities conducted by outside agencies, organizations, or the public, using DBH beach and harbor facilities. Examples of special events are as diverse as weddings, parties, picnics, corporate events, volleyball tournaments, camps, surf contests, and private lessons.

The current permit fee for a special event is $150, plus 10% to 25% of the gross receipts generated by the event. It is proposed that the base fee be increased to $200, which will more closely provide DBH with reimbursement for the administrative staff time needed to issue a special event permit. The percentage of gross receipts fee will not change. This permit fee is within the range of fees charged by other agencies as documented in Attachment E. This fee was last updated in 1984.

Administrative Parking Permit Fee

It is recommended that a fee for custom parking permits be established in the amount of $50 based on the significant increase in requests for custom parking permits for Special Event Permit holders that must be reviewed and approved by DBH personnel.

Public Hearing Requirements

Public hearing notice requirements of Government Code Section 6062a have been satisfied and public hearing requirements of Government Code Section 66018, for fee increases and new fees, will be satisfied by this action.

The five members of the Beach Commission in attendance at the Commission's May 28th meeting considered these fee revisions and new fees and voted unanimously in support of the recommended fees. The Small Craft Harbor Commission will consider the fee revisions and new fees at its July 16th meeting, and its action will be reported to your Board prior to your consideration of this item.

ENVIRONMENTAL DOCUMENTATION

The proposed fee changes and new fees are statutorily exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(8), upon your Board's finding that such fees are necessary to meet operating expenses, including employee salaries and benefits and/or necessary supply, equipment and material costs.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The fee adjustments and new fees are not expected to have a significant impact on the use of affected facilities or services.

CONCLUSION

Please return one copy of the adopted stamped letter to the Department of Beaches and Harbors.

Respectfully submitted,

Santos H. Kreimann, Acting Director

SHK:ks

Attachments (6)

c: Executive Officer, Board of Supervisors
Beaches and Harbors

RESOLUTION APPROVING VARIOUS FEES FOR BEACHES AND HARBORS PROGRAMS

WHEREAS, Los Angeles County ("County"), through its Department of Beaches and Harbors ("DBH"), has completed a comprehensive review of the Community and Marketing Services Division fees it charges for services at its facilities and proposed new fees; and

WHEREAS, recent surveys and cost analyses indicate that adjustments to existing DBH fees and the proposed new fees are warranted and appropriate for cost-recovery purposes; and

WHEREAS, it is in the County's interest to maintain the high standards expected by the public at DBH facilities; and

WHEREAS, the County has reviewed a market survey and analysis of the new fees and proposed fee increases and finds these new fees and fee increases to be appropriate; and

WHEREAS, these fees do not exceed the cost of the services provided by the County; and

WHEREAS, these new fees and fee increases will help offset operating costs; and

WHEREAS, the additional funding is in the public interest and welfare; and

WHEREAS, pursuant to California Government Code Section 50402, the County has the authority to charge for use of park and recreational facilities and services it offers at these facilities as may be provided by resolution of the governing body; and

WHEREAS, the County has conducted a noticed public hearing on the new fees and proposed fee increases; and

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California, as follows:

The Los Angeles County Department of Beaches and Harbors may make the adjustments to the fees it charges at its facilities and implement new fees as outlined in "Attachment A" entitled "2008 Community and Marketing Services Fee Revisions".

The foregoing resolution was adopted on the _____ day of _____, 2008, by the Board of Supervisors of the County of Los Angeles and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-Clerk
Of the Board of Supervisors of the County of Los Angeles

By: _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy

Department of Beaches and Harbors
2008 Community and Marketing Services Fee Revisions

TYPE OF FEE	CURRENT FEE		LAST CHANGED	PROPOSED FEE		SURVEY INFORMATION	ADDITIONAL ANNUAL REVENUE
COMMUNITY AND MARKETING SERVICES DIVISION							
Burton Chace Park							
Harbor Kayaking & Surf Kayaking Class/Tour 10 – 18 years old 19 years or older	New Fee		N/A	$30 $35		Attachment B	*
Kayak Rentals 1 – 4 hours 4 hours Daily	New Fee		N/A	Single $10/hour $30 $40/day	Double $15/hour $45 $55/day	Attachment C	*
Dockweiler RV Park	SUMMER	WINTER		SUMMER	WINTER		
Front Row w/ hook-up	$32.00	$28.00	2004	$45.00	$38.00	Attachment D	$91,320
Middle Row w/ hook-up	$30.00	$26.00	2004	$43.00	$36.00		$79,350
Back Row w/ hook-up	$28.00	$24.00	2004	$41.00	$34.00		$96,845
Extra Vehicle Charge	$6.75	$5.00	Post 1991	$7.00	No Change		$5,795
Pets	$2.00		2004	$3.00			$4,885
More than 4 guests	$2.00/person		2004	$3.00/person			**
Reservation Fee	$7.00			$10.00 + 1 night's deposit			**

* This is a new fee, therefore additional revenue cannot be estimated.
** Additional revenue cannot be estimated at this time.

Department of Beaches and Harbors
2008 Community and Marketing Services Fee Revisions

TYPE OF FEE	CURRENT FEE	LAST CHANGED	PROPOSED FEE	SURVEY INFORMATION	ADDITIONAL ANNUAL REVENUE
Cancellation Fee	1st day's fee if not cancelled within 7 days before reservation date.	2004	No Change	N/A	N/A
Early Check-in Fee	New Fee	N/A	$17.00	Attachment D	*
Group Rate Discount	10%	1989	No Change	N/A	N/A
Dumping Fee	$5.00	1996	$10.00	N/A	$9,000
W.A.T.E.R. Program					
Sailing Camp	$100	1987	$115	N/A	$1,200
Surf Camp	$120	1989	$135		$2,250
Dolphin Camp	$125	1991	$140		$2,385
Ocean Sports Camp	$135	1997	$150		$1,525
Permits					
Special Events	$150 + 10% – 25% of gross receipts	1984	$200 + 10% – 25% of gross receipts	Attachment E	$17,770
Special Event Parking Permits	New Fee	N/A	$50	N/A	*
Total Annual Additional Revenue					**$312,000**

* This is a new fee, therefore additional revenue cannot be estimated.
** Additional revenue cannot be estimated at this time.

County of Los Angeles
Department of Beaches and Harbors
Fee Survey – Harbor Kayaking & Surf Kayaking Class/Tour
March 2008

Location	Name of Rental Company	Type of Class	Number of Hours/ Class	Cost per Person
Newport Beach	China Cove Kayak Adventures, Inc.	Guided Tour	Various	$39.00+
Marina del Rey	UCLA Marina Aquatic Center	Sunset/Full Moon Paddle	2 Hours	$35.00
		Birding by Kayak, Level I	3.5 Hours	$30.00
		Marina Kayak Tour, Level I	3 Hours	$20.00
		Sea Kayaking I	4 Hours	$130.00
		Sea Kayaking II	4 Hours	$130.00
		Sea Kayaking III	4 Hours	$130.00
		Sea Kayaking IV	4 Hours	$150.00
Santa Barbara	Paddle Sports of Santa Barbara	Santa Cruz Island Tour	Full Day	$184.00
		Coastal Trips	2.5 Hours	$85.00
		Sea for Yourself Classes	Full Day	$50.00
		Introduction to Sea Kayaking	Full Day	$100.00
		Kayak Surf Classes	3 Hours	$75.00
San Diego	Aqua Adventures	Sea Kayaking 1	7 Hours	$115.00
		Kayaking Basics	3 Hours	$60.00
Range of Comparables		**$20.00 - $85.00 Up to 3.5 Hours** **$39.00+ - $150.00 4 Hours** **$50.00 - $184.00 Full Day**		

County of Los Angeles
Department of Beaches and Harbors
Fee Survey – Kayak Rental Rates
March 2008

Location	Name of Rental Company	Type of Kayak Rental	Rental Rate	Equipment Included
Catalina Island	Joe's Rent-A-Boat	Single Kayak Hourly 4 Hours Double Kayak Hourly 4 Hours	 $15.00 $45.00 $20.00 $60.00	Life vest Back rest Paddle
Catalina Island	Descanso Beach Ocean Sports	Single Kayak Hourly ½ Day Daily Double Kayak Hourly ½ Day Daily	 $16.00 $35.00 $48.00 $24.00 $52.00 $64.00	Life vest Back rest Paddle
Malibu	Malibu Surf Shack	Single Kayak Hourly Daily Double Kayak Hourly Daily	 $15.00 $35.00 $20.00 $50.00	Life vest Paddle
Marina del Rey	UCLA Marina Aquatic Center	All Fees are Daily Touring Kayak Sit on Top Single Sit on Top Double	 $25.00 $25.00 $30.00 + $5.00/Guest	Life vest Paddle Wetsuit
Santa Barbara	Paddle Sports of Santa Barbara	Single 2 hours 4 hours Daily Tandem 2 hours 4 hours Daily	 $20.00 $30.00 $40.00 $30.00 $40.00 $50.00	No equipment included
Dana Point Harbor	Up Sports on Water	Hourly Rate	$25.00	Life vest Paddle

Location	Name of Rental Company	Type of Kayak Rental	Rental Rate	Equipment Included
Huntington Beach	Malibu Sports	Single Kayak 3 hours Daily Double Kayak 3 hours Daily	 $8.00 $35.00 $14.00 $45.00	Life vest Paddle
Range of Comparables		**Hourly** **3 – 4 Hours** **Daily**	**Single** **$10.00 - $25.00** **$8.00 - $45.00** **$25.00 - $48.00**	**Double** **$15.00 - $24.00** **$14.00 - $60.00** **$30.00 - $64.00**

County of Los Angeles
Department of Beaches and Harbors
Fee Survey - RV Parks
March 2008

RV PARK *	SUMMER **	WINTER **
Chula Vista RV Park	$51.50 - $67.00	$45.00 - $59.00
More than 4 guests	$3.00 per person	$3.00 per person
Extra Vehicle	$3.00	$3.00
Pets	$1.00	$1.00
Cancellations	$5.00	$5.00
Reservations	One night's deposit	One night's deposit
Bolsa Chica State Beach RV Park	$34.00 - $44.00	$29.00 - $39.00
Additional Vehicle	$4.00 - $14.00	$4.00 - $14.00
Cancellations	$7.00	$7.00
Reservations/Changes	$7.50	$7.50
Sunset Vista RV Park		
Front Row/Back Row	Not open during the	$60.00
Cancellations	summer months	One night fee
Newport Dunes RV Park	$64.00 - $185.00	$55.00 - $96.00
Extra Vehicle	$3.00	$3.00
Pets	$2.00	$2.00
Cancellations		
48 hour notice	$25.00	$25.00
Less than 48 hour notice	1st Night's stay	1st Night's stay
Golden Shore RV Park	$50.00 - $62.00	$50.00 - $62.00
More than 4 guests	$2.00 per person	$2.00 per person
Cancellation Fee	$10.00 - $75.00	$10.00 - $75.00
Reservations	One night's deposit	One night's deposit
Dogs	$1.00/night	$1.00/night
Malibu Beach RV Park	$62.00 - $95.00	$37.00 - $55.00
More than 2 guests	$5.00 per person	$5.00 per person
Extra Vehicle	$10.00	$10.00
Pets	$3.00	$3.00
Cancellations	$20.00	$20.00
Jalama Beach County RV Park	$20.00 - $30.00	$20.00 - $30.00
Extra Vehicle	$10.00 per person	$10.00 per person
Pets	$3.00	$3.00
Pismo Sands RV Park	$42.00 - $50.00	$35.00 - $46.00
More than 4 guests	$4.00 per person	$4.00 per person
Extra Vehicle	$4.00	$4.00
Cancellations	$10.00	$10.00
Pets	$40.00 per month	$40.00 per month
Pismo Coast Village RV Park	$45.00 - $51.00	$36.00 - $39.00
More than 6 guests	$2.00 per person	$2.00 per person
Cancellations/Refunds	$10.00	$10.00
Range of Comparables	**$20.00 to $185.00**	**$20.00 to $96.00**

* RV Parks are listed geographically from south to north.
** Fees are per day, unless otherwise specified.

County of Los Angeles
Department of Beaches and Harbors
Fee Survey - Beach/Harbor Use Permits
March 2008

City or Municipality	Type of Permit	Fee Specifications	Processing Fee
City of Santa Monica	Beach Parking Lot	- Application Fee - Permit Fee	$50 - $200 $2,000 - $8,000
City of San Diego	Special Event Permit	- 75 - 150 people - 151 - 300 people - 301 - 1,000 people - 1,000 + people	$175 - $350 $250 - $450 $600 - $800 $1,000 - $1,250
City of Redondo Beach	Beach Use - Seaside Lagoon	Day Parties (150 people) - 10 a.m. - 4 p.m. (each from 151 to 300) - Each additional person to capacity Day/Night Parties - 10 a.m. to Midnight (each from 151 to 300) - Each additional person Night Parties - Monday - Thursday 6 p.m.-10 p.m. (each from 151 to 300) - Each additional person Day & Night Parties (Exclusive Use of Lagoon) - Friday - Sunday 6 p.m.-12 p.m. (each from 151 to 300) - Each additional person	$250 minimum $3.00/person $1.75/person $1,000 minimum $3.75/person $1.75/person $450 minimum $3.00/person $1.75/person $700 minimum $3.00/person $1.75/person
State of California Parks & Recreation	Beach Use	- 0 - 50 people - 51 - 100 people - 101- 150 people - 151-200 people - 200 + people	$125 $175 $225 $275 $275 + $2/person
County of Orange	Special Events	Non Refundable Deposit Permit Fees	$65 $65 - $291
Range of Comparables		**Beach Use** **Special Events**	**$125 to $1,000** **$65 to $1,250**

NOTICE OF PUBLIC HEARING
PROPOSED FEE INCREASE AND NEW FEES

Notice is hereby given that a public hearing will be held by the Board of Supervisors regarding increases to the Department of Beaches and Harbors' Community and Marketing Services Division fees and new fees, effective September 1, 2008. The new fees and proposed fee increases are to assist in covering beach and Marina operating cost increases and to maintain the high standards expected by the public at Department facilities. If the new and proposed fee increases are not adopted, the Department of Beaches and Harbors will need to reduce services, as maintaining current service levels is dependent upon the additional revenue to be received due to the fee increases and new fees.

Said hearing will be held on **July 22, 2008 at 9:30 a.m.** in the Hearing Room of the Board of Supervisors, Room 381B, Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

The Board of Supervisors will consider and may adopt the fee schedule. Further, notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call (310) 577-9274.

Si no entiende esta noticia o si necesita mas informacion, favor de llamar a este numero (310) 305-9576.

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

July 10, 2008

TO: Small Craft Harbor Commission

FROM: Kerry Silverstrom for Santos H. Kreimann, Acting Director

SUBJECT: ITEM 6a – ONGOING ACTIVITIES REPORT

BOARD ACTIONS ON ITEMS RELATING TO MARINA DEL REY

At its meeting held on July 1, 2008, the Board of Supervisors, after a public hearing, approved the recommendations to adjust slip rates at Anchorage 47 to Marina del Rey's weighted average over a three-year period and to incrementally eliminate the rate cap on the liveaboard charge.

At its June 24 meeting, the Board of Supervisors approved an increase in the annual sewer service charge for the Marina Sewer Maintenance District (District) of $70 per sewage unit, from $120 to $190, to offset increased treatment and disposal costs from the City of Los Angeles and rising operational and maintenance costs for the District.

On its May 20 agenda, the Board approved Phase II of the Marina del Rey Boathouse Refurbishment Project, which predominantly involves bringing the second and third floors of the facility into compliance with the Americans with Disabilities Act.

Also on the May 20 agenda, the Board authorized a lease amendment for Parcel 65R (UCLA Boathouse) for a ten-year term ending February 28, 2017, which readjusted the total annual rent from $13,759 to $16,000 per year, with a Consumer Price Index increase to commence on March 1, 2012.

On May 13, the Board approved a two-year agreement for the operation of the Marina del Rey Summer Shuttle Service, with two one-year renewal options, using up to $50,000 per year for the operation of the Shuttle Service from Fourth Supervisorial District's Proposition A funds.

At its May 6 meeting, the Board approved the Sewer System Management Plan (SSMP) for the Marina Sewer Maintenance District as developed by the County's Department of Public Works. As the operator of the Marina sewer system, the Department of Public

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Works was required to develop and present an SSMP to the Board for approval by May 9, 2009 pursuant to State Water Resources Control Board Order No. 2006-0003. A copy of the Marina Sewer Maintenance District SSMP can be found by accessing the Board of Supervisors' Statement of Proceedings (http://search.co.la.ca.us/bossop/) and putting in the date 05/06/2008; once the May 6, 2008 agenda has been accessed, click on "See Supporting Document" after scrolling down to item #68.

REGIONAL PLANNING COMMISSION'S CALENDAR

There are no Marina del Rey matters scheduled for consideration by the Regional Planning Commission.

MARINA DEL REY SOUTH ENTRANCE DREDGING PROJECT

The United States Army Corps of Engineers (Corps) has designed a dredging project to remove a tip shoal area in the south entrance of the Marina del Rey harbor. This project will dredge about 52,000 cubic meters of contaminated sediment using a hydraulic dredge. The extracted sediment will be pumped via a pipeline to a temporary sand separation plant set up on a public parking lot at Dockweiler Beach. This plant will use technology to separate the sand from other contaminated materials, thus producing beach quality sand for placement on local beaches. The much smaller amount of contaminated fine material remaining will be trucked to an inland landfill.

If the proposed dredging project is approved by the California Coastal Commission at its August 2008 meeting, the Corps hopes to commence this dredging project in September 2008. Once begun, the complete operation should last 10 to 14 weeks, with navigation in the south entrance waters only being impacted for a portion of that time.

This dredging project will only remove a portion of the contaminated sediment in the south entrance, as adequate federal funding was not appropriated for the Corps to perform a full dredging this year. Thus, the Corps will need to undertake another dredging project in future years to fully remove all of the sediment buildup in the south entrance. Nevertheless, the Corps wanted to proceed with the more limited project at this time to test the use of the sand separation plant on a large-scale basis. Depending upon the success of this technology when used on substantial quantities of contaminated sediment, this process could well have a positive impact nationwide.

REDEVELOPMENT PROJECT STATUS REPORT

The attached Marina del Rey Redevelopment Projects, Description and Status of Regulatory/Proprietary Approvals report provides an update on the status of the negotiated redevelopment projects.

Small Craft Harbor Commission
July 10, 2008
Item 6a

DESIGN CONTROL BOARD MINUTES

The minutes from the April, May and June Design Control Board meetings have not yet been approved. They are scheduled for consideration by the Design Control Board at its July 17 meeting.

PARCEL 15 – BAR HARBOR – ALLEGED BREACH OF CONTRACT

Mr. David Barish voiced his concern that the Parcel 15 lessee may be in breach of the extended lease due to late commencement of construction. We have reviewed the relevant extended lease, and it appears based upon the contemplated development plan that the lessee will be unable to complete construction of the Parcel 15 project by the outside construction completion date of June 29, 2009 as required by the amended lease. Therefore, the Department is actively working toward a mutually beneficial solution that ensures lease compliance. Should a mutually acceptable solution be agreed upon, a lease amendment will be presented to your Commission for recommendation prior to its consideration by the Board of Supervisors. Should the parties not reach agreement, we will report back to your Commission on whatever course of action the County determines to pursue with respect to this matter.

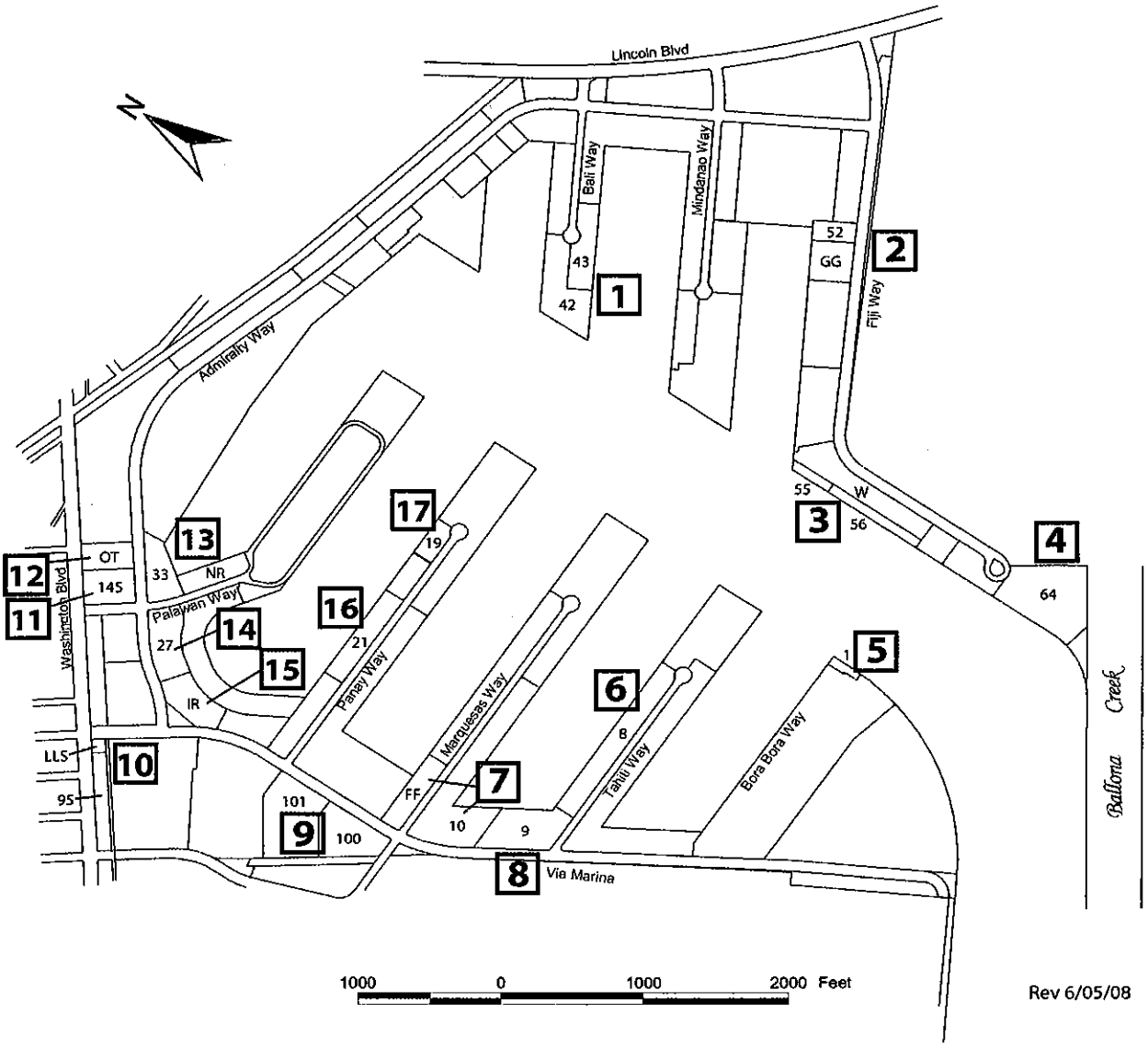
UPDATE ON LEASES FOR CAPRI APARTMENT TENANTS

At the last Commission meeting, Helen Garrett asked for the Commission's assistance in securing leases for certain tenants at Capri Apartments. Mr. Kreimann, Acting Director of the Department of Beaches and Harbors, investigated the delay in providing new leases to the tenants at Capri Apartments. Ultimately, Mr. Kreimann was successful in negotiating a solution with the lessee, and the affected tenants received their new leases.

SHK:ks
Attachment (1)

Marina del Rey Redevelopment Projects
Descriptions and Status of Regulatory/Proprietary Approvals
As of July 8, 2008

Map Key	Parcel No. -- Project Name/Lessee	Lessee Name/ Representative	Redevelopment Proposed	Massing and Parking	Status	Regulatory Matters
1	42/43 - Marina del Rey Hotel/ Pacifica Hotels	Dale Marquis/ Mike Barnard	* Complete renovation	No changes	Proprietary -- Term sheet under negotiation Regulatory -- To be determined	
2	32/GG -- Boat Central/ Pacific Marine Development	Jeff Pence	* 367-vessel dry stack storage facility * 30-vessel mast up storage space * Sheriff boatwright facility	Massing -- 70' high boat storage building partially over water and parking with view corridor Parking -- All parking required of the project to be located on site, public parking to be replaced on Parcel 56	Proprietary -- Term sheet approved by BOS on July 2006; SCHC approved Option March 2007; BOS approved Option May 2007 Regulatory -- DCB, on May 2007 (continued from March 2007 meeting; April meeting cancelled) DISAPPROVED project. Regional Planning application in preparation.	LCP amendment to allow proposed use and to transfer Public Facility use to another parcel
3	55/56/W -- Fishermans Village/ Gold Coast	Michael Pashaie/ David Taban	* 132-room hotel * 65,700 square foot restaurant/retail space * 30-slip new marina * 28 foot-wide waterfront promenade	Massing -- Nine mixed use hotel/visitor-serving commercial/retail structures (eight are 1 or 2-story and one 60' tall hotel over ground floor retail/ restaurant), parking structure with view corridor Parking -- All parking required of the project to be located on site; must include parking for adjacent Parcel 61 lessee (Shanghai Reds) and replacement parking from Parcel 52	Proprietary --Lease documents approved by BOS December 2005 Regulatory -- DCB hearing May 2006, item continued; approved in concept July 2006. Regional Planning application filed May 2007	Shared parking analysis
4	64 - Villa Venetia/ Lyon Capital	Frank Suryan/ Mark Kelly	* 479-unit residential complex (includes 263 apartments and 216 condominium units) * 3,000 square-foot accessory retail space * 18-slip marina with water taxi slip * 28 foot-wide waterfront promenade and parkette	Massing -- Three buildings, two that are 140' tall, consisting of 11-12 floors of residential and 2 above-ground parking levels, and the third that is 84' tall, consisting of 6 floors over raised podium and plaza level with expansive covered parking Parking -- All parking required of the project to be located on site	Proprietary -- Term sheet under negotiation Regulatory -- DCB conceptual approval October 2006; Regional Planning application filed December 2006	Affordable housing
5	1 -- Marina del Rey Landing/ Harbor Real Estate	Greg Schem	* New fuel dock facility with high-speed pumps and automatic payment * 3,300 square-foot dock mart and restrooms * New marina with 10 slips and transient berths * Public promenade and public view decks	Massing -- 1-story structure on the dock and on landside, each 19' tall Parking -- All parking required of the project to be located on site	Proprietary -- Lease documents approved by BOS May 2006 Regulatory -- DCB conceptual approval May 2007; Regional Planning application filed January 2008. RP Commission approved CDP and CUP on May 14, 2008.	
6	8T -- Bay Club / Decron Properties Corp.	Mark Wiesenthal	*Building refurbishment, no new construction *Docks will be reconstructed	No changes	Proprietary -- Term sheet under negotiation Regulatory -- Will be going to DCB on July 17, 2008	
7	10/FF -- Neptune Marina/ Legacy Partners	Jim Andersen	* 526 apartments * 161-slip marina + 7 end-ties * 28 foot-wide waterfront promenade * Replacement of public parking both on and off site	Massing -- Four 55' tall clustered 4-story residential buildings over parking with view corridor Parking -- 103 public parking spaces to be replaced off site	Proprietary -- Term sheet approved by BOS August 2004; lease documents in process Regulatory -- DCB approval in concept June 2006; Regional Planning application filed November 2006	LCP amendment to allow apartments on Parcel FF Parking permit to allow some replacement public parking off site Replacement of Parcel FF open space Affordable housing
8	9 -- Woodfin Suite Hotel and Vacation Ownership/ Woodfin Hotels	Mark Roussou	* 19-story, 288-room hotel (152 hotel rooms and 136 timeshare suites) * 5-story, 332-stall parking structure * New public transient docks * 28 foot-wide waterfront promenade * Wetland park	Massing -- 19-story hotel with 5-story parking structure, 225' tall, on northern half of parcel with view corridor and wetland park on southern half Parking -- All parking required of the project to be located on site	Proprietary -- Term Sheet approved by BOS February 2007 Regulatory -- DCB initial hearing May 2006, item continued; approved in concept June 2006; Regional Planning application filed November 2006	Timeshare component Wetland
9	100/101 - The Shores/ Del Rey Shores	Jerry Epstein/ David Levine	* 544-unit apartment complex * 10 new public parking spaces	Massing -- Twelve 75' tall 5-story residential buildings Parking -- All parking required of the project to be located on site plus 10 public beach parking spaces	Proprietary -- Lease extension Option approved by BOS December 2006 Regulatory -- Regional Planning approval June 2006; BOS heard appeal February 2006; continued to March 2007 where project was approved	
10	95/LS -- Marina West Shopping Center/ Gold Coast	Michael Pashaie/ David Taban	* 72-unit apartment complex * 10,000 square-foot restaurant * 22,400 square-foot commercial space * Gateway parkette on Parcel LS	Massing -- One 42' tall retail building, three 60' tall mixed-use residential/retail buildings and parkette Parking -- All parking required of the project to be located on site	Proprietary -- Term Sheet approved by BOS October 2007 Regulatory -- DCB initial hearing May 2006; item then on June, July, and September agenda; conceptual approval granted November 2006	
11	145 - Marina International Hotel/ Pacifica Hotels	Dale Marquis/ Mike Barnard	* Complete renovation	No changes	Proprietary -- Term sheet under negotiation Regulatory -- To be determined	
12	OT -- Admiralty Courts/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	* 114-unit senior care facility * 3,000 square feet of retail space * Replacement public parking both on and off site * Public accessway from Washington to Admiralty	Massing -- One 5-story residential (senior) building over ground-floor retail and parking, 65' tall Parking -- All required project parking to be located on site; 92 public parking spaces to remain on site, 94 public parking spaces to be replaced off site near Marina Beach	Proprietary -- Term sheet approved by BOS August 2005; lease documents to be considered by BOS on July 15, 2008. Regulatory -- DCB conceptual approval August 2005; Regional Planning application filed May 2006	LCP amendment to allow proposed use Parking permit for senior care facility Parking permit to allow some replacement public parking off site
13	33/NR -- The Waterfront	Ed Czuker	* 292 apartments * 32,400 square-foot restaurant/retail space * Rooftop observation deck * Replacement public parking both on and off site	Massing -- Three 5-story mixed use residential/retail buildings (two 44' tall and one 61' tall) with view corridor Parking -- All required project parking to be located on site; 69 public parking spaces to be replaced on site.	Proprietary -- Lease documents in process and economic terms being negotiated Regulatory -- DCB concept approval August 2004; revised project to DCB on August 28, 2008	LCP amendment to allow proposed use Parking permit to allow some replacement public parking off site
14	27 -- Jamaica Bay Inn/ Pacifica Hotels	Dale Marquis/ Mike Barnard	* 69 additional hotel rooms * Renovate balance of property * Marina Beach Promenade	Massing -- 4-story, 45' tall, hotel expansion with view corridor Parking -- All parking required of the project to be located on site	Proprietary -- Lease documents approved by BOS May 2006 Regulatory -- DCB conceptual approval obtained October 2005; Regional Planning application filed December 2005 and Commission approved August 2007. Plancheck application filed	
15	IR -- Marriott Residence Inn/ Pacifica Hotels	Dale Marquis/ Mike Barnard	* 147-room hotel * Replacement of public parking both on and off site * Marina Beach Promenade	Massing -- Two hotel buildings above parking, 45' tall, with view corridor Parking -- 197 public parking spaces to remain on site, 20 or 89 public parking spaces to be replaced off site depending on intersection project	Proprietary -- Lease documents approved by BOS Oct 2006 Regulatory -- DCB approved in concept February 2006; Regional Planning application in preparation	LCP amendment to allow proposed use Parking permit to allow some replacment public parking off site
16	21 -- Holiday Harbor Courts/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	Phase 1 * 5-story, 29,300 square-foot mixed-use building (health club, yacht club, retail, marine office) * 87-slip marina * 28 foot-wide waterfront promenade and pedestrian plaza Phase 2 (Parcel C) * Westernmost portion of land to revert to County for public parking	Massing -- One 56' tall commercial building with view corridor Parking -- All parking required of the project to be located on site, including 94 replacemnt spaces from OT and Parcel 20 boater parking	Phase 1 Proprietary -- Lease documents to be considered by BOS on July 15, 2008 Regulatory -- DCB conceptual approval obtained August 2005; Regional Planning application (landside) filed September 2006 Phase 2 (Parcel C) DCB hearing March and April 2006, item continued	CDP for landside from Regional Planning CDP for waterside from Coastal Commission Parcel 20 CDP amendment from Regional Planning to transfer Parcel 20 Phase 2 (6,025 sf yacht club, 2,300 sf office space, 231 parking spaces) to Parcel 21
17	19 -- Administration Building/ Department of Beaches and Harbors (Alternate sites being considered)	N/A	* 26,000 square-foot County administration building	Massing -- One 56' tall building consisting of 2 floors office space over 3 parking levels Parking -- All parking required of the project to be located on site	Proprietary -- Lease documents in process with Parcel 20 lessee for parcel reversion Regulatory -- DCB agenda May 2006 and November 2006; DCB workshop held January 2007	See Item #2 above

Note: Height information for projects will be shown as information becomes available.

PROJECT STATUS REPORT - KEY