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

May 8, 2008

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Acting Director

SUBJECT: **COMMISSION AGENDA** – May 14th, 2008

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

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

SHK/ms

Enclosures

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

SMALL CRAFT HARBOR COMMISSION

AGENDA
May 14, 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 April 16, 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)

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

4. **OLD BUSINESS**

   There is no old business

5. **NEW BUSINESS** (RECOMMEND TO BOARD OF SUPERVISORS)

   a. Parcel 53 (The Boatyard) – Approval of Amendment No. 14 to Lease No. 5691 of Arbitrated and Negotiated Rental Rates

   b. Parcel 47 (Anchorage 47) – Approval of Policy for Setting Slip Rents and Liveaboard Charges

6. **STAFF REPORTS**

Ongoing Activities (DISCUSS REPORT)

- Board Actions on Items Relating to Marina del Rey
- Regional Planning Commission's Calendar
- Parcel 77 (Del Rey 77) – Temporary Launch Services
- Design Control Board Minutes

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

PLEASE NOTE:

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

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

   Department of Beaches and Harbors' Website Address: http://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 materi in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinat at (310) 305-9590 (Voice) or (310) 821-1734 (TDD).

SMALL CRAFT HARBOR COMMISSION
MINUTES
April 16, 2008

Commissioners Present
Russ Lesser, Chairman; Christopher Chuang-Lin, PhD

Department of Beaches and Harbors
Santos Kreimann, Acting Director; Kerry Silverstrom, Chief Deputy

County Staff
Thomas Faughnan, Principal Deputy County Counsel; Dusty Crane, Community and Marketing Division; and Lt. Rochford

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chairman Lesser called the meeting to order at 9:41 a.m., and stated the meeting would be informational only, since there was not a quorum present. The Commissioners, staff and members of the public stood and recited the Pledge of Allegiance.

APPROVAL OF MINUTES

Approval of the March minutes was postponed until the next meeting.

REGULAR REPORTS

ITEM 3a: Marina Sheriff – Crime Statistics

Sergeant Carriles stated there were no significant changes from the last report.

Commissioner Lesser commented on the increase in residential burglaries on the East side.

Lt. Kusch commented there is more compliance with respect to liveaboards obtaining permits.

Chairman Lesser opened the floor to public comments.

Mr. John Rizzo commented on the decrease in crime from the 1980's, and spoke about identifying where crimes are being committed.

Mr. John Nahhas spoke about Unlawful Detainers, evictions, and the black market.

Chairman Lesser commented on tracking Unlawful Detainers once they become public, and exploring why the Unlawful Detainer was filed.

Ms. Nancy Marino commented at the last SCHC meeting, a yacht broker witnessed money changing hands to gain a boat slip, and recommended a first come, first served policy for slip rental, as opposed to income criteria.

Chairman Lesser commented on income requirements.

Mr. Faughnan commented that state laws and provisions in the lease address discrimination.

Ms. Carla Andrus commented on black market tactics, a first come first serve policy, and boats on the seawall.

Ms. Kerry Silverstrom spoke about mooring boats and dinghies against the seawall.

Ms. Helen Garret commented that Holiday Harbor and Bar Harbor has boats against the seawall.

ITEM 3b: Marina del Rey and Beach Special Events

Ms. Silverstrom called attention to the Department's Harbor Kayaking Program.

Ms. Garrett spoke about low income housing, overcharged rents at a Goldrich and Kest property, and the lack of long term leases being offered to tenants.

Mr. Jun Yang commented about refund checks the tenants received, and obtaining new leases for tenants expeditiously.

Mr. Faughnan commented the CDC is finalizing the paperwork, and will speak with CDC and the lessee about expediting the paperwork.

Ms. Marino commented the Small Craft Harbor Commission can act by sending the Board of Supervisors various recommendations.

ITEM 5: New Business

Appointment of Santos H. Kreimann as Acting Director of Beaches and Harbors

Chairman Lesser informed the audience that Mr. Kreimann was being sworn in downtown as the Acting Director.

Chairman Lesser also informed the audience that the community will find Mr. Kreimann very responsive and willing to listen, and acknowledged there is some frustration in the community. One fact that will not change is there will always be one project at a time coming up on the agenda, since Marina del Rey will not be redeveloped all at once. In addition, Chairman Lesser asked Mr. Kreimann for various status reports relating to Marina del Rey.

Chairman Lesser opened the floor to public comments.

Ms. Marino stated that meetings with the public need to be properly noticed, and spoke about a master plan, changes in land use, and changing the LCP.

Ms. Sliverstrom commented there is a process for amending the LCP.

Mr. Faughnan stated with respect to LCP amendments, the legal process has been followed.

Mr. Nahhas spoke about the LCP, the California Costal Commission, slip reductions, community planning, and boats along the seawall.

Mr. Darrell Steffey commented the new Director of Beaches and Harbors should have a boating background with management experience, recreational boating should be prioritized, and commented on development and liquid faction.

Mr. David Barish commented on LCP amendments for pending projects.

Captain Victory was introduced as the new commander at the Sheriff's station.

ITEM 6: Staff Reports

Ms. Silverstrom pointed out the tentative schedule for the May 14 Regional Planning Commission meeting is the fuel dock redevelopment.

Mr. Michael Tripp, from the Department of Regional Planning, gave an update on pending projects listed on the handout.

Ms. Silverstrom commented that residential projects are currently on hold pending the formulation of an affordable housing policy in Marina del Rey.

Ms. Marino spoke about the lack of public notice on Jamaica Bay Inn, and the draft EIR.

Mr. Tripp stated the draft EIR has not yet been released to the public.

Mr. Nahhas commented on the slip count in Marina del Rey appearing on the projects report.

Mr. Darrell Steffey commented on the growth of developments, and not looking at revenue as the first priority.

Mr. William Vreszk spoke about relocation of tenants, redevelopment, and unjust and unreasonable displacement of people.

Chairman Lesser spoke about the existence of a relocation plan for displacement of boats.

Ms. Andrus spoke about the California Coastal Commission requiring inclusionary housing, and the draft EIR for Neptune Marina.

Mr. Tripp stated that Public Works will comment on the EIR, and then it will be available for public comments.

Mr. Barish commented on the lease for Parcel 15.

Mr. Faughnan stated, Parcel 15 is not currently in breach of their lease.

Chairman Lesser adjourned the meeting because there was not a quorum present.

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.

<u>Chairman Lesser opened the floor to opponents.</u>

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. 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

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES-APRIL 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	0
Robbery: Strong-Arm	0	2
Aggravated Assault	0	2
Burglary: Residence	2	23
Burglary: Other Structure	2	3
Grand Theft	15	8
Grand Theft Auto	4	6
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	4	12
Boat Burglary	0	0
Petty Theft	3	7
Total	**30**	**63**

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

Source- LARCIS, **Date Prepared –MAY 5, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- APRIL 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	3	9
Burglary: Other Structure	0	3
Grand Theft	1	2
Grand Theft Auto	0	5
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	2	1
Boat Burglary	0	0
Petty Theft	0	6
Total	**6**	**27**

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

Source- LARCIS, **Date Prepared MAY 5, 2008**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES-APRIL 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										0
Robbery: Strong-Arm							1	1		2
Aggravated Assault								1	1	2
Burglary: Residence	2				3		9	5	6	25
Burglary: Other Structure	1	1					3			5
Grand Theft	12	2		1	1	2	2		3	23
Grand Theft Auto	4						5		1	10
Arson										0
Boat Theft										0
Vehicle Burglary	4				2	3	1	6		16
Boat Burglary										0
Petty Theft	2	1					6	1		10
REPORTING DISTRICTS TOTALS	**25**	**4**	**0**	**1**	**6**	**5**	**27**	**14**	**11**	**93**

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

Source- LARCIS, **Date Prepared –MAY 5, 2008**
CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR ORDINANCE
LIVEABOARD COMPLIANCE REPORT
2008

		March	April
Liveaboard Permits Issued	(NEW)	5	2
	(RENEW)	16	4
	Total	21	6
Notices to Comply Issued		34	7

Totals	Last Meeting	Present
Liveaboards:	343	381
Current Permits:	98	136
Expired Permits:	120	137

Total reported vessels docked in Marina del Rey Harbor: **4,690**

Percentage of vessels that are registered liveaboards: **8.1%**

No new citations were issued for violations of 19.12.1110 L.A.C.C. (liveaboard permit) in the months of July and August.

May 8, 2008

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Acting Director

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

MARINA DEL REY EVENTS

MARINA DEL REY OUTDOOR ADVENTURES 2008

Sponsored by the Los Angeles County Department of Beaches and Harbors
Burton Chace Park ♦ 13650 Mindanao Way ♦ Marina del Rey ♦ Ca ♦ 90292

Bird Watching Experience Program
Thursday, May 15 at 4:00 pm
&
Thursday, June 26 at 9:00 am

County-sponsored bird watching walk for adults is a free two-hour walk, which will take place at various sites in the Ballona Wetlands. Meet at the Burton Chace Park Community Room. Participation, parking and transportation to the tour site are free. Pre-registration is a must! **To register, please call (310) 628-2135.**

Harbor Kayaking Program

Saturdays
May 17, June 28, September 27, October 25 and November 22
11:30 am – 1:45 pm

Come and take a kayaking lesson in the Marina del Rey harbor. This two-hour session begins with Los Angeles County Lifeguard kayak and water safety instruction. The group will then have the opportunity to enjoy Marina del Rey's basins. This is a great opportunity for families to have a fun and educational day in Marina del Rey.

Program requires pre-registration. Fees are currently $25 (youths 10 – 18) and $30 (19 or older), but may increase. Fees must be paid upon registering.

Surf Kayaking Program
Saturdays
May 17, June 28, September 27, October 25 and November 22
8:00 – 11:00 am

Los Angeles County Department of Beaches and Harbors is offering a Surf Kayaking Program. Participants will get the opportunity to kayak through the Marina del Rey harbor and head out to the North Jetty, where they will surf the waves aboard sit-on-top kayaks. Los Angeles County Ocean Lifeguards will instruct the outing.

Program requires pre-registration. Fees are currently $25 (youths 10 – 18) and $30 (19 or older), but may increase. Fees must be paid upon registering.

For all Kayaking Programs, please call: (310) 305-9587

Sunset Sailboat Races, Marina del Rey
Wednesday Evenings
April 16 – 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
May, June, July and August

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

FISHERMAN'S VILLAGE WEEKEND CONCERTS
Sponsored by Pacific Ocean Management, LLC
All concerts are from 1:00 – 4:00 pm

Saturday, May 10
JT Ross, playing Harmonica Blues & Jazz

Sunday, May 11
2AZZ1 Body & Soul Band, playing Smooth Jazz, Saxophone & Vocals

Saturday, May 17
Eric & The Diamond Cutters, Neil Diamond Tribute Band

Sunday, May 18
The Kid & Nick Show, playing American Pop

Saturday, May 24
LA CAT, playing Reggae

Sunday, May 25
Swing Syndicate, playing Swing, Standards, Jazz & Blues

Saturday, May 31
Scott Martin & The Latin Soul Band, playing Latin, Soul & Jazz

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

BEACH EVENTS

Fiesta Hermosa
Hermosa Beach
Memorial Day Weekend
May 24-26, 2008
10 am - 6 pm

The annual Memorial weekend of festivities will take place in downtown Hermosa along Hermosa Avenue, Pier Avenue and Pier Plaza. The three-day event, organized by the Chamber of Commerce, will include over three hundred vendors, food booths, children's rides, entertainment stages and a beer garden.

For more information please contact the Chamber of Commerce at (310) 376-0951 or visit the website at: www.fiestahermosa.com.

Venice Championship Bodybuilding and Figure Contest
Venice Beach
1800 Ocean Front Walk
May 25-26, 2008

Free Bodybuilding competition on Venice Beach. For more information, visit www.musclebeachvenice.com.

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

May 8, 2008

To: Small Craft Harbor Commission

From: Santos H. Kreimann, Acting Director

Subject: **ITEM 5a – APPROVAL OF NEGOTIATED RENT – AMENDMENT NO. 14 TO LEASE NO. 5691 – PARCEL 53 (THE BOATYARD) – MARINA DEL REY**

Item 5a on your agenda pertains to the County's renegotiated rental rates with Harbor Real Estate Limited Partnership, the lessee of Parcel 53, commonly known as The BoatYard. Amendment No. 14 to the lease is to memorialize the ground lease percentage rental rates established by negotiation and the arbitrator's decision. The Amendment also incorporates changes to the indemnity clause and casualty insurance requirement to conform with the County Risk Management Office's new and more stringent requirements. The adjustment is expected to generate an additional income of $27,578 in fiscal 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:pw
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6315 • internet: http://marinadelrey.lacounty.gov

May 27, 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 ARBITRATED AND NEGOTIATED RENTAL RATES
AMENDMENT NO. 14 TO LEASE NO. 5691
PARCEL 53 (THE BOATYARD)—MARINA DEL REY
(SUPERVISORIAL DISTRICT FOUR)
(4 VOTES)

SUBJECT

This Lease Amendment No. 14 pertains to the Parcel 53 lease (The Boatyard) is to memorialize the ground lease percentage rental rates established by negotiation and the arbitrator's decision.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed lease amendment is categorically exempt under the California Environmental Quality Act pursuant to class 1(r) 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. 14 to Lease No. 5691 – Parcel 53, Marina del Rey, which reflects an arbitrated and negotiated settlement to establish percentage rental rates and to incorporate changes to the Indemnity Clause and Casualty Insurance section of the Lease as recommended by the Risk Management Office of the Chief Executive Office effective for the 10-year period ending February 28, 2012. This rate adjustment is expected to generate an additional income of $27,578 in fiscal year 2008-2009, compared to the 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 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. These leases also provide for binding arbitration should the County and lessees be unable to reach agreement on new rental and insurance levels.

Based on an appraisal commissioned by the Department, we negotiated and reached an agreement with the lessee on all but three categories of percentage rents for Parcel 53 for the ten-year period ending February 28, 2012. Agreement could not be reached on three categories – Office Rentals, Boat Haul Out & Repair, and Do it Yourself Boat Haul Out & Repair. Accordingly, the dispute was submitted to an arbitration panel consisting of three real estate appraisers, as provided in the lease. The following table illustrates all of the rate changes established by negotiation and arbitration:

USE CATEGORY	EXISTING %	NEGOTIATED/ARBITRATED %
Boat Slip Anchorage	25	25
Liveaboards	25	25
Office Rental (Arbitrated)	10	12.5
Boat Sales	1	1
Boat Brokerage	5	5
Miscellaneous Goods	5	5
Telephone/Vending Commissions	25	25
Boat Haul Out & Repair (Arbitrated)	4	5
DIYS Haul Out & Repair (Arbitrated)	4	5
Retail Chandlery	2	2
Wholesale Chandlery	1	1

In addition, the Department agrees to the Lessee's request to apply the Greater Percentage Rule whereby the Lessee would pay the greater of 1% of gross receipts from sales of new or used boats or boat trailers including credits for used items taken in trade as part payment for new items, plus 5% of boat brokerage commissions or other fees earned from boat brokerage; or $0.15 per square foot per month of landside outdoor display area, if any, utilized for sales and/or boat brokerage activity plus rent owed, if any, for office space utilized for sales and boat brokerage activity.

Lastly, the amendment will allow the Lessee to invoice customers for boat repair parts and labor separately which is the Lessee's current practice. This practice was suggested during a leasehold audit. It was recommended that separate invoicing be memorialized within a lease amendment.

The Lessee has agreed to provide 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

Implementation of Strategic Planning 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

Based on Calendar Year 2007 gross receipts, the rate adjustment is expected to yield an additional $27,578 annual rent to the County in Fiscal Year 2008 compared to the old rates.

BUDGET IMPACT

The Amendment will have no impact on the operating budget of the Department of Beaches and Harbors.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Parcel 53 contains approximately 314,421 square feet of area which includes 184,421 square feet of land and 130,000 square feet of water area. The site includes a 17,000 square foot building which houses a marine retail store that conducts boat sales, boat brokerage and related activities. There was a major renovation of the building in 2001 which included seismic retrofit, new roof, new electrical, new HVAC and the build out of West Marine retail store. The service yard contains 103,000 square feet of area. In addition, there are 103 boat slips on site. The 60-year lease between the County and the predecessor in interest to the Harbor Real Estate Limited Partnership (The Boatyard) was executed on June 19, 1962.

The Small Craft Harbor Commission _____ the recommendation that your Board approve the proposed Amendment. County Counsel has reviewed and approved Amendment No. 14 as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed Lease Amendment No. 14 is categorically exempt under the provisions of the California Environmental Quality Act pursuant to class 1(r) 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 copies of Amendment No. 14 and have the Executive Officer of the Board return two executed copies of the Amendment to the Department of Beaches and Harbors and an approved copy of the Board letter.

Respectfully submitted,

William T Fujioka
Chief Executive Officer

Attachments (1)

cc: County Counsel

AMENDMENT NO. 14 TO LEASE NO. 5691

PARCEL NO. 53—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

HARBOR REAL ESTATE LIMITED PARTNERSHIP, a Delaware limited partnership, hereinafter referred to as "Lessee."

WITNESSETH

WHEREAS, County and Lessee's predecessor in interest entered into Lease No. 5691 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 known as Parcel 53, which leasehold premises (the "Premises") are more particularly and legally 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");

WHEREAS, Section 15 of said Lease provides that as of March 1, 1972, and as of March 1st of every tenth (10th) year thereafter (the "Rental Adjustment Date"), the square foot rental and percentage rentals (collectively, the "Adjusted Rentals") shall be readjusted by Lessee and County in accordance with the standards established in said Section 15;

WHEREAS, Section 15 further provides that such readjustments shall be accomplished by agreement of the parties and in the event such agreement cannot be reached, the readjustments shall be settled by submission of the issue to a board of three real estate appraisers in the manner set forth at length in said Section 15;

WHEREAS, the parties have agreed that there shall be no readjustment to the square foot rental;

WHEREAS, the parties were unable to reach agreement regarding the proper adjustments to be made to the percentage rentals for the ten-year period commencing on March 1, 2002 (the "2002 Rental Adjustment Date");

WHEREAS, a duly constituted board of real estate appraisers has rendered its opinion regarding the Adjusted Rentals to be implemented as of the 2002 Rental Adjustment Date and issued its Arbitration Decision, dated August 6, 2002, a copy of which is attached hereto as Exhibit "B" and incorporated herein;

WHEREAS, on the first day of June, 2000, the parties hereto entered into that Amendment No. 13 to the Lease, under the terms of which the provisions of the Lease relating to the payment of rent to the County for any new and used boat sales activities and/or boat brokerage activities undertaken on the Premises were amended;

WHEREAS, the parties hereto wish to include language in the Lease to reflect the original purpose and intent of Amendment No. 13 which was to combine the percentage rents for the new and used boat sales activities and boat brokerage activities before comparing with the per square foot of landside outdoor display area rent and office space rent in order to apply the greater amount for the payment of percentage rent to the County for those activities;

WHEREAS, Section 26 of the Lease provides that the amounts of casualty insurance required to be maintained by Lessee shall be subject to renegotiation at the same time and in the same manner as the amounts of rent under the Lease; and

WHEREAS, the parties have reached agreement with respect to the amount of casualty insurance required to be maintained by Lessee under Section 26 for the ten-year period commencing on the 2002 Rental Adjustment Date.

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. There shall be no amendment to Section 12 (SQUARE FOOT RENTAL) of the Lease for the ten-year period commencing on the 2002 Rental Adjustment Date.

2. Percentage Rental. Commencing as of the 2002 Rental Adjustment Date, subsections (c), (p), (u) and (v) of Section 13 (PERCENTAGE RENTALS) are deemed deleted and the following subsections (c), (p), (t) (1), (t) (2) and (u) are substituted therefore:

"(c) SEVEN AND ONE-HALF PERCENT (7.5%) of gross receipts or other fees charged for the occupancy of structures and other facilities including but not limited to (1) apartments, (2) hotel and/or motel accommodations, (3) house trailers, (4) meeting rooms, (5) rental of land and/or water or facilities for activities not otherwise provided for in this Section such as but not limited to television and/or motion pictures, and (6) parking fees or charges except where such parking fees or charges are collected in conjunction with an activity, the gross receipts from which are required to be reported in a percentage category greater than SEVEN AND ONE-HALF PERCENT (7.5%). TWELVE AND ONE-HALF PERCENT (12.5%) of gross receipts or other fees charged

for offices utilized for banking, financial or investment activities, internal clerical or administrative activities, or business enterprises, real estate and insurance brokerage, legal, medical, engineering, travel agencies, or similar professional services but not to include, however, stores, shops or other commercial establishments, the gross receipts pertaining to which are subject to percentage rentals and specifically required to be reported under other subsections of this Section. TWENTY-FIVE PERCENT (25%) of liveaboard charges over and above slip rental fees imposed by anchorages for the privilege of a boat owner living on his boat;

"(p) FIVE PERCENT (5%) of gross receipts or other fees charged by authorized boat repair yards, including repair, painting, tugboat, salvage and boat pump-out services and similar activities, except that where parts and materials are separately invoiced, they may be reported under Subsections (t)(1) and (t)(2) of this Section;

"(t) (1) TWO PERCENT (2%) of gross receipts or other fees from retail ship chandlery sales;

"(t) (2) ONE PERCENT (1%) of gross receipts or other fees from wholesale ship chandlery sales. Wholesale ship chandlery sales shall consist solely of sales to holders of valid California resale licenses which shall be verified by inclusion of the valid resale license number for each such sale on the corresponding invoice or other sales records retained by Sub–Lessee relating to such sale. All other sales shall be considered retail ship chandlery sales;

"(u) FIVE PERCENT (5%) of gross receipts or other fees from hauling, launching and lay fees for boat owner do-it-yourself activities."

3. Commencing as of the Effective Date, subsection (d) of Section 13 (PERCENTAGE RENTALS) is replaced, in its entirety, with the following:

"(d)(1) For new and used boat sales and boat brokerage activities, the greater of:

A. The sum of:

(i). ONE PERCENT (1%) of gross receipts from new or used boat or boat trailer sales including credits for used items taken in trade as part payment for new items, as reflected in the bill of sale; however, the trade-in allowance for such used item taken in trade may be deducted from the sale price of said used item, provided said used item is sold within one hundred twenty (120) days of the date of the bill of sale which established said trade-in allowance; and

(ii). FIVE PERCENT (5%) of boat brokerage commission or other fees earned from boat brokerage; or

B. FIFTEEN CENTS ($0.15) per square foot per month of landside outdoor display area, if any, utilized for sales and/or boat brokerage activity plus rent

owed, if any, pursuant to subsection (c) for this Section 13, of office space utilized for sales and/or boat brokerage activity."

"(d)(2) Notwithstanding any other provision of this Lease, the monetary amount specified in subsection (d)(1)(B) of this Section 13 shall be adjusted concurrently with each date that either square foot or percentage rent is to be readjusted in any manner pursuant to Section 15 hereof, to the amount that is equal to seventy five percent (75%) of the average monthly rent payable to the County per square foot of land for all parcels leased by the County to third parties within Marina del Rey for which the County receives at least twenty five thousand dollars ($25,000) per year in gross rental income."

4. Commencing as of the Effective Date, subsection (e) of Section 13 (PERCENTAGE RENTALS) is replaced, in its entirety, with the following:

"(e)(1) ONE PERCENT (1%) of gross receipts from the sale of house trailers and trailer cabanas including credits for used items taken in trade as part payment for new items, as reflected in the bill of sale; however, the trade-in allowance for such used item taken in trade may be deducted from the sale price of said used item, provided said used item is sold within one hundred twenty (120) days of the date of the bill of sale which established said trade-in allowance."

"(e)(2) FIVE PERCENT (5%) of commissions or other fees earned from car rental agencies, marine insurance commissions where the sale of insurance is conducted in conjunction with boat sales and/or boat brokerage, telephone service charges, laundry and dry cleaning commissions and other similar activities where earnings are normally on a commission basis when said activity is approved in advance by Director."

5. Reconciliation Rent. The amount owed by Lessee to County representing the difference between (i) the actual rents paid by Lessee under the rental rates in effect prior to the effectiveness of this Lease Amendment from the 2002 Rental Adjustment Date to the Effective Date and (ii) the sum which is calculated to be due for rental rates from the 2002 Rental Adjustment Date to the Effective Date based upon the rental adjustments set forth in this Lease Amendment ("Reconciliation Rent") shall be paid by Lessee to County within ten (10) days following the Effective Date.

6. Indemnity Clause and Casualty Insurance. Commencing as of the Effective Date, the second Paragraph of Section 26 (INDEMNITY CLAUSE AND CASUALTY INSURANCE) of said lease is deemed deleted and is replaced, in its entirety, with the following:

"Section 26 (INDEMNITY CLAUSE AND CASUALTY INSURANCE)

"26.1 Lessee's Insurance. 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.

"26.1.1 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

Lessee may satisfy the above coverage limits with a combination of primary coverage and excess liability coverage as long as (a) Lessee's primary coverage is at least Five Million Dollars ($5,000,000) per occurrence, Five Million Dollars ($5,000,000) annual aggregate, and (b) the combination of such primary coverage and excess liability coverage provides County with the same protection as if Lessee had carried primary coverage for the entire limits and coverages required under this Section 26.1.1.

"26.1.2 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." Lessee also shall provide Garage keeper'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.

"26.1.3 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

"26.1.4 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 Improvements.

"26.1.5For 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.):

"26.1.5.1 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.

"26.1.5.2 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 projects. The products/completed operations coverage shall continue to be maintained for a period to be determined by the County from the date any construction projects are completed and accepted by the Lessee.

"26.1.5.3 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 projects. Such insurance shall include coverage for all "owned," "hired" and "non-owned" automobiles, or coverage for "any auto."

"26.1.5.4 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 projects. This coverage shall also provide an extended two-year reporting period commencing upon termination or cancellation of the construction projects.

"26.1.5.5 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 projects.

"26.2 Provisions Pertaining to Property Insurance. The insurance coverage required in Sections 26.1.4 and 26.1.5.1 shall name the County as an additional insured and any encumbrance holder as loss payee. 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 insured's 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 Record Construction Cost Index for the Los Angeles area, or such substitute index as the parties may mutually agree upon if such index is not longer published or otherwise available, during the period from the Effective Date 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 improvements 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, except as otherwise provided in Section 22 hereof. Any surplus or proceeds after said rebuilding or replacement shall be distributed to Lessee.

"26.3 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, 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. 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 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 Article 9 as if the insurance had been procured on an individual property basis.

"26.4 Additional Required Provisions. Lessee's insurance policies required by this 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 insured's 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 insured's 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 insured's, regardless of any other insurance or self-insurance that such additional insured's 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 insured's, and no failure to comply with the reporting provisions of such policies shall affect the coverage afforded to such additional insured's.

"26.5 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 the average prime rate of interest published in the Wall Street Journal plus one percent (1%) from the date such sums were first advanced until the time payment is received, to County within five (5) business days after Lessee's receipt of written demand therefore.

"26.6 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 72 hours of Lessee's knowledge of such occurrence."

7. 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.

[SIGNATURES ON NEXT PAGE]

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

LESSEE:

HARBOR REAL ESTATE LIMITED PARTNERSHIP, a Delaware limited partnership,

By: _____

Its: _____

COUNTY:

By: _____
Chair, Board of Supervisors

ATTEST:
SACHI A. HAMAI,
Executive Officer of the
Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:
RAYMOND G. FORTNER, JR.
County Counsel

By: _____
Deputy

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

May 8, 2008

To: Small Craft Harbor Commission

From: Santos H. Kreimann, Acting Director

Subject: **ITEM 5b – APPROVAL OF PROCEDURE FOR ANNUAL DETERMINATION OF SLIP RENTS AND LIVEABOARD CHARGES - PARCEL 47 (ANCHORAGE 47) - MARINA DEL REY**

Item 5b on your agenda pertains to the proposed procedure for annual determination of slip rents and liveaboard charges for the Anchorage 47 boat slips. The recommended procedure surveys slip rates in anchorages of similar age in Marina del Rey and calculates the annual slip rate adjustment based on the weighted average. Due to several factors, including that the former lessee's decision not to adjust rates in January as it has in the past, rates for small slips at Anchorage 47 is generally 10% to 25% lower than the weighted averages. To prevent the increase from having a sudden financial impact to the boaters, it is recommended that the initial implementation of the procedure be phased in over a 3-year period.

The attached Board letter contains the full details on the subject matter.

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

SHK:pw
Attachment

13837 Fiji Way • Marina del Rey • CA 90292 • 310.305.9503 • fax 310.821.6315 • internet: http://marinadelrey.lacounty.gov

May 8, 2008

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

Dear Supervisors:

DEPARTMENT OF BEACHES AND HARBORS: APPROVAL OF PROCEDURE FOR ANNUAL DETERMINATION OF SLIP RENTS AND LIVEABOARD CHARGES ANCHORAGE 47 - PARCEL 47 - MARINA DEL REY (FOURTH DISTRICT) (3 VOTES)

SUBJECT

This action is to approve a Department of Beaches and Harbors procedure for annually determining the slip rental rates for the County-operated Anchorage 47, located on Parcel 47, in Marina del Rey and to authorize the Acting Director of Beaches and Harbors to implement the procedure and enter into permits for the use of boat slips at Anchorage 47.

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that the recommended actions are exempt from the provisions of the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(8) and Class 4(j) of the County's Environmental Document Reporting Procedures and Guidelines.

2. Adopt the Resolution Approving Procedure for Annual Determination of Slip Rents and Liveaboard Charges and the Fiscal Year 2008-09 Rate Sheet for Anchorage 47.

3. Authorize the Acting Director of the Department of Beaches and Harbors to implement the Procedure for Annual Determination of Slip Rents and Liveaboard Charges (Procedure) and Fiscal Year 2008-09 Rate Sheet, effective July 1, 2008 and enter into permits for the use of the boat slips at Anchorage 47 at rates consistent with the Procedure and Rate Sheet.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

When the Parcel 47 lease was terminated by the lessee on March 25, 2008, the County assumed operating responsibilities of the Parcel 47 leasehold improvements, including the yacht club building, related structures, and the marina. As a result, the County became the lessor to the existing slip tenants and the Santa Monica Windjammers Yacht Club, whose lease your Board approved March 11, 2008.

The former lessee historically adjusted the slip rental rates effective January 1st every year. Due to the anticipated reversion of the leasehold back to the County, the former lessee did not adjust the slip rates in 2008 and probably was not as diligent as it should have in recent years in its property management efforts, resulting in rates remaining at the bottom of the market ranges and the docks needing more upkeep. The Department was able to come to an agreement with the former lessee to accelerate its maintenance activities and contracted out the major repairs to a professional dock company at lease expiration to raise the condition of the docks to a satisfactory level.

The Department has implemented an extensive program to provide quality service and keep the docks in a safe condition and is requesting approval to adjust the slip rental rates effective July 1, 2008, and every July 1st thereafter, based upon the proposed "ANCHORAGE 47 – MARINA DEL REY, PROCEDURE FOR ANNUAL DETERMINATION OF SLIP RENTS AND LIVEABOARD CHARGES" (Attachment 1 to Exhibit A). The proposed Procedure for Annual Determination of Slip Rents and Liveaboard Charges (Procedure) seeks to establish a fair and transparent methodology for calculating annual adjustments to the slip rental rates in the County-operated Anchorage 47 marina by taking a survey in April from similar market rate marinas in Marina del Rey (excluding Parcel 30 where rates are imputed and not market and Parcels 111/112 and 12 that have brand new docks) and calculating the weighted average rental rate for each size slip found in Anchorage 47.

The results from the current survey (attached as Exhibit B) demonstrate that current Anchorage 47 slip rental rates are well below the weighted average for Marina del Rey. Implementing the Procedure immediately would result in significant slip rental rate increases of 10% to 25% for small slips and an increase in the 20% range for large slips. For the 11 slips of various sizes that are rented at a deep discount to Anchorage 47's already-low rates, the increases are in the range of 48% to 114%. Although the percentage increases across the anchorage appear to be very substantial, the increases in dollar amounts range from $27.41 to $327.50 for one (1) very large 50-foot boat.

To prevent the increases from having a sudden financial impact on the affected slip renters, it is recommended that the initial implementation of the Procedure shall be phased in over a 3-year period whereby the calculated increases for the first year, effective July 1,

2008, shall be equal to one-third (1/3) of the April 2008 weighted average increase in each respective size category; the year two increase, effective July 1, 2009, shall be one-third (1/3) of the increase deferred from 2008 plus the weighted average increase, if any, occurring from April 2008 to April 2009; and the year three increase, effective July 1, 2010, shall be one-third (1/3) of the increase deferred from 2008 plus the weighted average increase, if any, occurring from April 2009 to April 2010. For the period commencing July 1, 2011, and each July 1 thereafter, slip rates shall be adjusted to the weighted averages determined in April of that year. Under this methodology, the first year's increases range from $9 for the small boats to $109 for the 50-foot big boat. The overwhelming majority of boats in this anchorage are small boats ranging from 21' to 35', and this category of boat owners will experience a weighted average increase of $18.21 per month.

In addition to slip rents, Marina del Rey anchorages generally charge a 55% Liveaboard premium to boaters who wish to use their vessel as a place of residence; this premium is a factor of the individual slip rents. The former lessee of Anchorage 47 also charged a similar 55% premium for the liveaboard privilege but established a maximum limit (ceiling) of $200 per month. This practice is similar to giving subsidy to the larger boat owners, which currently only benefits a total of three (3) owners The Department has considered the immediate elimination of the ceiling; however, a sudden removal of the ceiling would result in a substantial increase to these affected owners and may be financially disruptive to them. Therefore, it is recommended that the ceiling is increased by twenty percent (20%) annually until 2011, and thereafter, there shall be no limit on the Liveaboard Charge.

The attached Rate Sheet (Attachment 2 to Exhibit A), establishes the slip rental rates effective July 1, 2008, and indicates how the liveaboard charge will be applied, which is consistent with the manner described above.

Implementation of Strategic Plan Goals

This recommendation furthers the County's Strategic Plan Goals of "Service Excellence" and "Fiscal Responsibility", as revenue from the weighted average slip rents will ensure adequate funding is available for professional management and maintenance of the Anchorage 47 docks for enjoyment by boaters as well as future replacement of the docks.

FISCAL IMPACT/FINANCING

This recommendation will result in an increase of approximately $163,000 in annual gross revenue to the County once the rates for all size categories are adjusted to the weighted averages of the same sized slips in comparable marinas in Marina del Rey.

Operating Budget Impact

The Procedure will have no impact on the operating budget of the Department of Beaches and Harbors, as the projected revenue has been factored into the Department's FY 2008-09 Proposed Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The County is now the owner/operator of the Anchorage 47 marina in Marina del Rey. The Department of Beaches and Harbors which manages the property wishes to have a clear and defined method with which to make annual adjustments to the slip rental rates and to ensure that those slip rental rates are reasonable within the local market and without being subsidized by the public.

At its meeting of May 14, 2008, the Small Craft Harbor Commission _____ the recommendations to approve the slip fee increase and the Procedure for annual adjustment of the slip rental rates. County Counsel has reviewed the Resolution and the standard slip rental permit for use at Anchorage 47 as to form.

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

ENVIRONMENTAL DOCUMENTATION

The proposed Procedure to establish a methodology for annual adjustment of slip rents is exempt from the provisions of the 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 necessary supply, equipment and material costs for on-going operations, and for capital projects to maintain service, including but not limited to future dock replacement.

Authorization for the Director to enter into permits for the use of boat slips at Anchorage 47 is categorically exempt from the provisions of CEQA pursuant to Class 4(j) of the County's Environmental Document Reporting Procedures and Guidelines, which exempts permits, licenses and leases on County-owned property.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The increased revenue will allow the Department to ensure adequate funds are available for annual appropriation to maintain the facilities in safe and good repair.

CONCLUSION

Attached are two copies of the proposed Resolution. Return one executed copy to the Department of Beaches and Harbors, along with a copy of the approved Board letter, retaining one executed copy of the Resolution for your files.

Respectfully submitted,

William T Fujioka

SHK:KS:PW:gb

Attachments (3)

c: County Counsel

EXHIBIT A

RESOLUTION APPROVING PROCEDURE FOR ANNUAL DETERMINATION OF SLIP RENTS AND LIVEABOARD CHARGES AND FISCAL YEAR 2008-09 RATE SHEET FOR ANCHORAGE 47—MARINA DEL REY

WHEREAS, the County of Los Angeles (County) has become the owner of the Parcel 47 leasehold improvements and the de facto lessor to the existing slip tenants at the Anchorage 47 marina. and

WHEREAS, the Department of Beaches and Harbors has implemented an extensive program to provide quality service and keep the docks at Anchorage 47 in a safe condition and has requested approval to adjust the slip rental rates effective July 1, 2008, and every July 1st thereafter, based upon the proposed "Anchorage 47 – Marina Del Rey, Procedure for Annual Determination of Slip Rents and Liveaboard Charges" (Procedure) (Attachment 1); and

WHEREAS, the proposed Procedure seeks to establish a fair and transparent methodology for calculating annual adjustments to the slip rental rates in the County-operated Anchorage 47 by taking a survey in April from similar market rate marinas in Marina del Rey and calculating the weighted average rental rate for each size slip found in Anchorage 47; and

WHEREAS, the Fiscal Year 2008-09 Rate Sheet (Attachment 2), establishes the slip rental rates effective July 1, 2008, and indicates how the liveaboard charge will be applied, which is consistent with the Procedure; and

WHEREAS, such fees are necessary to meet operating expenses, including employee salaries and benefits and necessary supply, equipment and material costs for on-going operations, and for capital projects to maintain service, including but not limited to future dock replacement; and

WHEREAS, the increased fees are in the public interest and welfare; and

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

The Fiscal Year 2008-09 Rate Sheet for Anchorage 47 is hereby approved and the Anchorage 47 – Marina Del Rey, Procedure for Annual Determination of Slip Rents and Liveaboard Charges is hereby adopted and the Director of Beaches and Harbors is directed to adjust slip rates at Anchorage 47 on the July 1st of every year hereafter in accordance with the Procedure.

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

ATTACHMENT 1

ANCHORAGE 47 – MARINA DEL REY
PROCEDURE FOR ANNUAL DETERMINATION OF SLIP RENTS AND LIVEABOARD CHARGES

Slip rents and liveaboard charges are adjusted and a Rate Sheet is published to be effective July 1st of each year. The Rate Sheet is to be displayed at a prominent location on the premises. All existing slip rental permittees will be notified of the new rates once they are established.

Procedure for Setting Rates

It is the intent of the County of Los Angeles to establish the rental rates for boat slips currently available at Anchorage 47 based upon the weighted average of rents existing at comparable anchorages in Marina del Rey.

For the purpose of determining the weighted average rates for use in establishing rents for the existing boat slips located at Anchorage 47, the following Marina del Rey leaseholds, Parcels 7, 8, 10, 13, 15, 18, 20, 21, 28, 41, 42, 44, 125, and 132 are considered to be comparable parcels (Comparable Parcels) because of the similar age and condition of these marinas. Following is the specific calculation methodology:

1. In April of each year, rents for each slip size category existing at the Comparable Parcels are gathered and entered into the following table (an example for a 25' slip) to determine the per lineal foot weighted average rent (PLFWA).

Comparable[1] Parcels (A)	Rent Per Lineal Foot (B)	Number of 25' Slips in the Comparable Parcel (C)	Percentage Weight (D) = (C ÷ X)	Per Lineal Foot Weighted Average (E) = (B) x (D)
7	$13.80	8	0.0092	$0.03
10	10.50	84	0.0970	$1.02
15	12.25	93	0.1074	$1.32
18	12.76	152	0.1755	$2.24
20	12.76	50	0.0577	$0.75
21	12.76	46	0.0531	$0.68
41	8.50	59	0.0681	$0.58
42	12.84	93	0.1074	$1.38
44	13.4	216	0.2494	$3.34
53	12.50	28	0.0323	$0.40
125	13.40	12	0.0139	$0.19
132	11.45	25	0.0289	$0.33
Total Comparable Slips (X)→		866		
Result: Per Lineal Foot Weighted Average (PLFWA) rent →				$12.34

[1]. For parcels where a 25' slip is not available, the rate for a slip closest to the size is used. If there is smaller closest size and a larger closest size exist, the average of the two is used; i.e., if the rate for 24' is $10 and the rate for 26' is $11, the average of $10.5 is used for calculation.

2. A PLFWA rent is determined for each of the following slips sizes: 25', 30', 35', 40' and 50' using the same methodology described above.

3. The Anchorage 47 slip rates shall be based on the following schedule:
   - The rate for 25' is applicable to slips from 21' to 29'
   - The rate for 30' is applicable to slips from 30' to 34', except for the 33' premium slips fronting the main channel
   - The premium 33' slips are rented at a 15% premium to the 30' rate
   - The rate for 35' is applicable to slips from 35' to 39', except for end ties
   - The rate for 40' is applicable to slips from 40' to 49'
   - The rate for 50' is applicable to slips 50' or larger and all end-ties

4. The final slip rent shall be determined by the formula: Rent = PLFWA x Slip length or overall boat length, whichever is greater.

Phase-in Period

In light of the fact that the former operator has not maintained a competitive rate structure and a one-time adjustment to the weighted average may represent a substantial increase, it is the County's intent to adjust the rates to the weighted averages for the first year in three (3) annual increments as follows:

- For the period commencing July 1, 2008, slip rates shall be increased by one-third (1/3) of the April 2008 weighted average increase in each respective size category. For purposes of illustration only, if the weighted average rent for a slip in a specific size category represents a $210 increase, the actual increase will be limited to one-third of the amount, or $70 (the other two thirds shall be applied to second and third years' adjustments).

- For the period commencing July 1, 2009, slip rates shall be increased by one-third (1/3) of the April 2008 weighted average increase in the size categories, plus the weighted average increase, if any, occurring from April 2008 to April 2009.

- For the period commencing July 1, 2010, slip rates shall be increased by one-third (1/3) of the April 2008 weighted average increase in the size categories, plus the weighted average increase, if any, occurring from April 2009 to April 2010.

- For the period commencing July 1, 2011, and each July 1 thereafter, slip rates shall be adjusted to the weighted averages determined in April of that year.

Liveaboard Charge

The Liveaboard Charge shall be a 55% surcharge above the basic slip rent, consistent with the Department's Policy Statement No. 27. In consideration of the maximum limit of $200 placed on Liveaboard Charges by the former operator, the maximum limit of $200 will be raised by twenty percent (20%) annually until 2011, and thereafter, there shall be no limit on the Liveaboard Charge.

ATTACHMENT 2

FISCAL YEAR 2008-09 RATE SHEET

ANCHORAGE 47 – MARINA DEL REY
FOR SLIP RENTAL – EFFECTIVE JULY 1, 2008

Regular Slips	Weighted Average Per Foot Rate	Monthly Rent[1]
21'	$12.34	$233.71
25'		$290.14
26'		$301.61
30'	$13.89	$369.58
33' (Premium Slips)	$15.97	$489.04
35'	$15.57	$472.93
40'	$17.91	$624.20
44'	$17.91	$687.35
End-ties & Specials	**Weighted Average Per Foot Rate**	**Monthly Rent[1]**
39'	$20.27	$698.84
40'		$716.93
42'		$752.78
50'		$795.17
56'		$1057.48
59'		$1147.09
69'		$1236.71
74'		$1326.33
Wall-ties	**Weighted Average Per Foot Rate**	**Monthly Rent[1]**
21'	$12.34	$177.05
25'		$211.47
26'		$219.61
30'		$268.91

LIVEABOARD CHARGES

- Liveaboard charge is 55% above the basic slip rent
- Current maximum cap of $200 per month shall be lifted by 20% per annum until the cap is eliminated

[1]. Includes one-third 1/3 the total increase with the remainder of the increase deferred to two future years

ANCHORAGE 47 - MARINA DEL REY									EXHBIT B
RESULT OF RATE SURVEY - APRIL 2008									
		Parcel 47	Marina del Rey						
Counts	P47 Slip Sizes (rounded)	Current 2007 (rate/foot)	Weighted Average	% increase		Current Rent	Total Increase	2008 Increase (1/3)	July 08 Rent
4	21'	10.52	12.34	17%		221.00	38.14	12.71	233.71
55	25'	11.24	12.34	10%		281.00	27.41	9.14	290.14
9	26'	11.23	12.34	10%		292.00	28.84	9.61	301.61
76	30'	12.13	13.89	14%		346.00	70.73	23.58	369.58
17	33' (Premium slips)	14.24	15.97	12%		470.00	57.13	19.04	489.04
10	35'	12.48	15.57	25%		437.00	107.78	35.93	472.93
6	40'	14.45	17.91	24%		578.00	138.60	46.20	624.20
1	44'	14.47	17.91	24%		637.00	151.04	50.35	687.35
Counts	End Ties (ET) & 50' or larger	16.75	20.27	21%					
1	39', ET	14.82	20.27	37%		653.00	137.53	45.84	698.84
1	40' (G402), ET	16.75	20.27	21%		670.00	140.80	46.93	716.93
2	42' (G208, G401), ET	16.75	20.27	21%		703.50	147.84	49.28	752.78
1	56' (G202), ET	15.58	20.27	30%		872.48	262.64	87.55	960.03
1	59' (G1201), ET	16.75	20.27	21%		988.25	207.68	69.23	1057.48
2	64' (G1001, 1401), ET	16.75	20.27	21%		1,072.00	225.28	75.09	1147.09
1	69' (G801), ET	16.75	20.27	21%		1,155.75	242.88	80.96	1236.71
1	74' (G1601), ET	16.75	20.27	21%		1,239.50	260.48	86.83	1326.33
Counts	Slips Rented at Deep Discounts, Compared to P47's Already-Low Rates								
2	21'	6.48	12.34	91%		136.00	123.14	41.05	177.05
2	25'	6.52	12.34	89%		163.00	145.41	48.47	211.47
4	26'	6.50	12.34	90%		169.00	151.84	50.61	219.61
2	30'	6.50	13.89	114%		195.00	221.73	73.91	268.91
1	50' (G204)	13.72	20.27	48%		686.00	327.50	109.17	795.17
1	46' (use for dinghy storage)	N/A							

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

May 14, 2008

TO: Small Craft Harbor Commission

FROM: Santos H. Kreimann, Acting Director

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

BOARD ACTIONS ON ITEMS RELATING TO MARINA DEL REY

At its meeting held on May 6, 2008, the Board of Supervisors instructed the Chief Executive Officer, Acting Auditor-Controller, the Acting Director of Beaches and Harbors and County Counsel, to develop contracting policies and procedures appropriate for the production and presentation of entertainment events such as the Marina del Rey Summer Concert series, that are funded in part through sponsorship agreements or private funding and return to the Board in the fall after the summer season is over with recommendations to be implemented prior to the 2009 Marina del Rey Summer Series; and in the interim, authorize the Acting Director of Beaches and Harbors to enter into such contracts and vendors agreements as are necessary, in keeping with past practice, to ensure quality entertainment will be a part of the 2008 Marina del Rey Summer Concerts, with the County's share of costs not to exceed $150,000 and authorize the Acting Auditor-Controller to make payments pursuant to such contracts and vendor agreements.

REGIONAL PLANNING COMMISSION'S CALENDAR

The Regional Planning Commission has on its tentative May 14, 2008 agenda the application of Del Rey Fuels, LLC for a Conditional Use Permit (CUP) and a Coastal Development Permit (CDP). The CUP is for the sale of beer and wine for off-site consumption, and the CDP is for development of a 1,400 square foot structure (accessory to the waterside fueling station) that will replace the existing 900 square foot structure.

The Regional Planning Commission has on its tentative June 3, 2008 agenda the application of a Conditional Use Permit for the sale of beer and wine for on-site consumption at a new restaurant, Sugarfish, located at the Waterside Shopping Center at 4768 Admiralty Way, Marina del Rey.

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On the same June 3, 2008 agenda, the Commission has the application of a Conditional Use Permit for the sale of a full line of alcoholic beverages for on-site consumption at a new restaurant, The Counter, located at the Waterside Shopping Center at 4768 Admiralty Way, Marina del Rey.

Notice of Public Hearings attached.

PARCEL 77 – DEL REY 77 – TEMPORARY LAUNCH SERVICES

On April 23, 2008, we discovered that the Parcel 77 lessee had abandoned the premises. Promptly after cleaning and securing the premises, the County arranged to have the hoist (crane) inspected. The contractor, CraneVeyor Corp., found extensive rust on the structural boom and gussets and a test detected a 6" flex at the tip of boom. Consequently, the contractor determined that the crane was not fit for service. While an assessment is being made to determine whether the crane can be fixed or if a new crane needs to be purchased, the Department has made arrangements with Seamark to launch all the boats at their current facility located at the G Basin until a crane is functional at Parcel 77.

A press release has been issued to inform the public of the change in operators, and a letter has also been sent to everyone who has rented a boat storage space on Parcel 77. Boaters who want to launch their vessels from Parcel 77 Monday through Saturday can contact Seamark at (310) 301-8303. For Sunday launching, boaters may contact Seamark no later than Saturday by 2:00 pm to arrange to have vessels placed in the water by Saturday night. These boaters can use and return their boats on Sunday to the water area where the boats were launched and Seamark will retrieve them for storage on Monday. Seamark is open Monday to Friday 8:00 am to 4:30 pm; Saturday 9:00 am to 2:00 pm; and closed on Sunday.

DESIGN CONTROL BOARD MINUTES

The minutes from the Design Control Board meeting for February and March 2008 are attached for your review.

SHK:PW:ms
Attachments

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

NOTICE OF PUBLIC HEARING

Bruce W. McClendon FAICP
Director of Planning

PROJECT NO. R2005-02284-(4)
CONDITIONAL USE PERMIT CASE NO. 200700211-(4)

Notice is hereby given that the Hearing Officer will conduct a public hearing concerning this land use proposal on Tuesday, June 3, 2008 at 9:00 a.m. in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

CONDITIONAL USE PERMIT: To authorize the sale of a full line of alcoholic beverages for on-site consumption at a new restaurant **(The Counter)** in an existing shopping center located in Marina del Rey.

LOCATION OF SUBJECT PROPERTY: The subject property is located at the NE corner of Fiji Way and Admiralty Way, in the unincorporated area of Marina del Rey and within the Playa del Rey Zoned District.

This case does not affect the zoning of surrounding properties. If you are unable to attend the public hearing but wish to send written comments, please write to the Hearing Officer, 320 West Temple Street, Los Angeles, California 90012. If you challenge a County action in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Hearing Officer at, or prior to, the public hearing.

This project has been determined to be categorically exempt from the environmental reporting requirements of the California Environmental Quality Act (CEQA).

Case materials are available for review between 7:30 a.m. and 5:30 p.m., Monday through Thursday **(closed on Fridays)** in the offices of the Department of Regional Planning, Hall of Records, Room 1362, 320 West Temple Street, Los Angeles, California 90012. Selected materials are also available on the Regional Planning website at http://planning.lacounty.gov/case.htm and at the following location beginning May 3, 2008:

Lloyd Taber-Marina del Rey County Library
4533 Admiralty Way
Marina del Rey, CA 90292
(310) 821-3415

Additional information concerning this case may be obtained by telephoning **Mr. Michael Tripp** at (213) 974-4813 between 7:30 a.m. and 5:30 p.m., Monday through Thursday. **Our offices are closed on Fridays.** Callers from North County areas may dial (661) 272-0964 (Antelope Valley) or (661) 253-0111 (Santa Clarita) toll free and then request a connection to 974-4813.

"Este es un aviso de una audiencia pública de acuerdo al Decreto de la Protección del Medio Ambiente de California. El proyecto que se considera por el Condado de Los Angeles es un Permiso de Uso Condicional para autorizar la venta de bebidas alcohólicas en un restaurante en Marina Del Rey. La audiencia pública para considerar esté proyecto tendrá lugar el día 3 de Junio, 2008. Si necesita más información, o si quiere este aviso en español, por favor llamé al Departamento de Planificación al (213) 974-6466."

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

Department of Beaches and Harbors
APR 30 '08
Info | Act
Director
Chief Deputy Director
Deputy Director
Executive Assistant
Admin. Services
Asset Management
Facilities Property Mtce
Community Services
Planning

NOTICE OF PUBLIC HEARING

PROJECT NO. R2005-02137-(4)
CONDITIONAL USE PERMIT CASE NO. 200800041-(4)

Notice is hereby given that the Hearing Officer will conduct a public hearing concerning this land use proposal on Tuesday, June 3, 2008 at 9:00 a.m. in Room 150, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Interested persons will be given an opportunity to testify.

CONDITIONAL USE PERMIT: To authorize the sale of beer and wine for on-site consumption at a new restaurant **(Sugarfish)** in an existing shopping center located in Marina del Rey.

LOCATION OF SUBJECT PROPERTY: The subject property is located at 4722 1/4 Admiralty Way, in the unincorporated area of Marina del Rey and within the Playa del Rey Zoned District.

This case does not affect the zoning of surrounding properties. If you are unable to attend the public hearing but wish to send written comments, please write to the Hearing Officer, 320 West Temple Street, Los Angeles, California 90012. If you challenge a County action in Court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Hearing Officer at, or prior to, the public hearing.

This project has been determined to be categorically exempt from the environmental reporting requirements of the California Environmental Quality Act (CEQA).

Case materials are available for review between 7:30 a.m. and 5:30 p.m., Monday through Thursday **(closed on Fridays)** in the offices of the Department of Regional Planning, Hall of Records, Room 1362, 320 West Temple Street, Los Angeles, California 90012. Selected materials are also available on the Regional Planning website at http://planning.lacounty.gov/case.htm and at the following location beginning May 3, 2008:

Lloyd Taber-Marina del Rey County Library
4533 Admiralty Way
Marina del Rey, CA 90292
(310) 821-3415

Additional information concerning this case may be obtained by telephoning **Mr. Michael Tripp** at (213) 974-4813 between 7:30 a.m. and 5:30 p.m., Monday through Thursday. **Our offices are closed on Fridays.** Callers from North County areas may dial (661) 272-0964 (Antelope Valley) or (661) 253-0111 (Santa Clarita) toll free and then request a connection to 974-4813.

"Este es un aviso de una audiencia pública de acuerdo al Decreto de la Protección del Medio Ambiente de California. El proyecto que se considera por el Condado de Los Angeles es un Permiso de Uso Condicional para autorizar la venta de cerveza y vino en un restaurante en Marina Del Rey. La audiencia pública para considerar esté proyecto tendrá lugar el día 3 de Junio, 2008. Si necesita más información, o si quiere este aviso en español, por favor llamé al Departamento de Planificación al (213) 974-6466."

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

To enrich lives through effective and caring service

Los Angeles County
Department of Beaches & Harbors

Santos H. Kreimann
Acting Director

Kerry Silverstrom
Chief Deputy

MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD

February 28, 2008

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

Members Present:	Susan Cloke, Chair, First District Peter Phinney, A.I.A., Vice-chair, Fourth District Simon Pastucha, Third District Tony Wong, P.E., Fifth District
Members Absent:	David Abelar, Second District
Department Staff Present:	Santos H. Kreimann, Deputy Director Charlotte Miyamoto, Chief, Planning Division Ismael Lopez, Planner Teresa Young, Secretary
County Staff Present:	Tom Faughnan, Principal Deputy County Counsel Michael Tripp, Department of Regional Planning
Guests Testifying:	Donald Sibbett, RRM Design Group Greg Schem, Harbor Real Estate Beverly Moore, MdR Convention & Visitors Bureau Dusty Crane, LA County Beaches & Harbors Russell Barnard, Douglas Barnard Incorporated Marianne Liggett, TGP, Incorporated Paul Stoakes, Stop Sign & Design R. Malinowski, Goldrich & Kest Murray Lowe, Marina Beach Marriott Helen O'Neal, MdR Resident Hans Etter, MdR Resident Shatha Odish, Caruso Affiliated Oscar Perla, RHL Design Group

1. **Call to Order, Action on Absences and Pledge of Allegiance**
Ms. Cloke called the meeting to order at 6:50 p.m. New DCB member, Mr. Simon Pastucha, was introduced. Mr. Pastucha led the Pledge of Allegiance.

2. **Approval of Minutes**
Mr. Phinney (Wong) moved to approve the minutes with the removal of the word not in the second paragraph on page 12 of 12 for December 13, 2007. {Unanimous consent}

3. **Design Control Board Reviews**

A. **Parcel 75 – Marina Professional – DCB #07-018**
Approval of the record of the DCB January 17, 2008 action for conditional approval of signage for Marina Professional

Ms. Cloke asked staff for an update and Ms. Miyamoto reported that Sign #1, approved for installation by the Board, had been installed.

Mr. Phinney then reported he met with the building owner and their signage contractors at the building. They walked the site, carefully assessing the existing signage. Mr. Phinney informed the owner he would make a few sketches that would provide some alternatives. The sketches should be ready the next week or so, after which Mr. Phinney will forward to the building owner along with the Board members for review.

Mr. Phinney (Wong) moved to approve DCB #07-018 as submitted. {Unanimous consent}

B. **Parcel 50 – Waterside Marina del Rey – DCB #07-020**
Approval of the record of the DCB January 17, 2008 action for conditional approval of signage for Calidora Skin Care.

Mr. Phinney (Wong) moved to approve DCB #07-020 as submitted. {Unanimous consent}

C. **Parcel 49M – Marina del Rey Convention & Visitors Bureau – DCB #07-021**
Approval of the record of the DCB January 17, 2008 action for repainting and re-landscaping the MdR Visitor Center

Mr. Phinney (Wong) moved to approve DCB #07-021 as submitted with one minor change regarding the spelling of *Cuphea*. {Unanimous consent}

D. **Parcel 140 – Admiralty Apartments – DCB #07-022**
Approval of the record of the DCB January 17, 2008 action for approval of signage for Admiralty Apartments.

Mr. Phinney (Wong) moved to approve DCB #07-022 as submitted. {Unanimous consent}

E. **Parcel 28 – Mariners Bay – DCB #07-023**
Approval of the record of the DCB January 17, 2008 action for approval of repainting Mariners Bay.

Mr. Phinney (Wong) moved to approve DCB #07-023 as submitted. {Unanimous consent}

F. **Parcel 50 – Waterside Marina del Rey – DCB #08-002**
Approval of the record of the DCB January 17, 2008 action for approval of signage for sugarFish by sushi Nozawa.

Ms. Cloke asked if anyone remembered the closing time.

Ms. Miyamoto replied 11:00 p.m.

Mr. Phinney (Wong) moved to approve DCB #08-002 as submitted with the change to include the closing time as 11:00 p.m. {Unanimous consent}

4. **Old Business**

A. **Marina Design Guidelines – Briefing by Donald Sibbett, RRM Design**
Mr. Sibbett gave a briefing and a slide presentation overview of the RRM Design.

Ms. Cloke commented she had no image to go with Mr. Sibbett's words and had no idea where RRM was going with the Guidelines. She asked to go over each of the slides.

On the Parks and Piers slide Ms. Cloke spoke about the need to talk about the role of parks in the Marina, and resident, boater, and visitor populations it would serve. Questions to be explored include who we serve: what we want; what are the goals; are the exiting parks needed; do we have enough park space; and are we within national standards for park space and population. More fully describe the idea of adding additional overlooks and mini-parks at the end of the mole roads. Consider a bird sanctuary with walking paths for the Oxford Basin. Identify the opportunities, constraints, and problems with connectivity for people between Admiralty Park and the surrounding community. Provide strong images and visual characteristics for identifying opportunities and constraints for each park within Marina del Rey.

Ms. Cloke asked where RRM is in the process.

Mr. Sibbett replied the Guidelines are a work in progress and about half way done. The Parks and Piers chapter is not yet completed. The goal is to have language that defines what the parks are, what the intentions are, who the audiences to be served are, and what the visual characteristics of the parks are.

Ms. Cloke asked the Board members to limit their comments to only technical questions about what was presented, and offer any suggestions. They can also make any closing statement.

On the "Results of Key Stakeholder Interviews" slide, Ms. Cloke stated the original purpose of the marina was for recreational boating. This element should be highlighted in every aspect of the design guidelines. She asked if the Eclectic Architecture vs. Theme section will encourage design freedom or focus on a specific theme such as Santa Barbara and Carmel? She asked that this concept be more fully developed. At a minimum, the architectural language should emphasize relationship with the marina. It should also describe sustainability, landscape and color palette choices, and opportunities for creating storm water gardens, if the water table permits.

Ms. Cloke stated the Gateway Signage element should not be limited to a sign that simply states "Welcome to Marina del Rey". It should include thoughtful consideration of an appealing visual entrance at an appropriate scale that captures a "sense of place" for visitors and residents alike.

Ms. Cloke accepted that landscape, lighting, and sustainability will be included in each element as it impacts all components. Also, way finding signage should be included as part of the Gateway and Landmarks element.

Mr. Wong asked about Mindanao not being considered a primary gateway.

Ms. Cloke thought the Task Force should review all gateway designations and return with a more fully developed definition for primary, secondary and tertiary gateway classifications including a discussion on scale and visual elements. Gateway elements should create a "sense of place". The Task Force should consider a change in "gateway" nomenclature to "sense of place". Also, the Guidelines should include the painting of building addresses on street curbs to assist residents and visitors with way finding along the mole roads and main thoroughfares.

Ms. Cloke said the streetscape along Lincoln and Washington Boulevard should be different than adjacent streetscape to more effectively identify a "sense of place" for Marina del Rey and highlight to commuters and travelers that something different, something special is happening here.

Ms. Cloke cautioned about littering the landscape with too many visual elements.

Mr. Wong wanted to have confirmed that the correct mole road designations used in the Local Coastal Program are being used in Design Guidelines in order to avoid impacts on building heights, set backs, etc.

Ms. Cloke asked that the Guidelines adopt as many green street standards and sustainability principles as practical including tree canopies and best storm and water management practices. Also, Pedestrian and Bicycle Safety should be reviewed and

discussed as part of the Guidelines as well as how these elements connect visually to the marina and ocean.

As for waterfront walks, Ms. Cloke would like to see a continuous waterfront path from one side of the marina to the other as the overarching design principle included in the Guidelines – although some secure and commercial areas may not be appropriate for public access.

Mr. Pastucha wanted the Guidelines to identify water taxi and bus stops in order to show relationships to pedestrian walkways and all non-auto means of transportation.

For the Site & Buildings section, Ms. Cloke would like to add public buildings to the list. Also, include guidelines for the use of monument signs.

Mr. Pastucha wants to have explored the legal limits of phasing out of non-conforming pole signs.

Public Comments
Mr. Schem, a member of the Task Force, stated a continuous path along the water may not be practical and that a bikepath should be built on the southeasterly side of Fiji Way.

Ms. O'Neal, who said was a 36-year Marina resident, thanked the Board for the job they were doing.

Ms. Cloke closed the public comments.

B. Parcel 49M – Marina del Rey Convention & Visitors Bureau – DCB #07-021-B
Further consideration of repainting and landscaping the MdR Visitor Center.

Ms. Moore gave a brief overview of the project.

Mr. Barnard said they had selected a white that was soft in nature and would compliment the building. The trim color will be going on all elements except the trim around the tower windows. The tower is white except for the walkway around it and the ladder to it.

Mr. Pastucha suggested the door remain brown.

Ms. Cloke received confirmation from Mr. Barnard that both the rear and front main doors would be brown, with the side door remaining sage.

Ms. Liggett said the landscaping around the rose garden had changed from the African boxwood presented last month, to *Cuphea*. She added that the bench and shade trees request be further reviewed by the County.

Public Comments
None

Ms. Cloke (Phinney) moved to approve DCB #07-021-B with the condition that the main front and rear doors remain brown. {Unanimous consent}

Ms. Cloke asked Mr. Barnard to ensure the wood on the door was in good condition.

C. **Parcels 18 and 20 – St. Tropez, Monte Carlo & Capri Apartments – DCB #08-001**
Further consideration of permanent signage for apartment buildings.

Ms. Miyamoto gave a brief overview of the project.

Ms. Cloke asked Ms. Miyamoto what other signs existed on the building other than what was being discussed.

Ms. Miyamoto said there were currently no business identification signs.

Ms. Cloke asked what happened to the address signs that were on the St. Tropez fascia board.

Mr. Malinowski said they would place the addresses on the curb, as the Board had suggested.

Ms. Cloke called for Public Comments.

Public Comment
No Public Comments

Ms. Cloke noted that the applicant needed the word "apartments" so people would not think they were condominiums.

Mr. Phinney complimented Mr. Malinowski on the latest design. He suggested the word "apartment" be raised on the fascia face with "St. Tropez" placed above the face. He also added that the bar would be removed and the words "Apartments" and 'St. Tropez" be painted yellow.

Mr. Malinowski asked if he could fix the drawings accordingly and e-mail them to Mr. Lopez.

Ms. Cloke asked County Counsel whether Mr. Malinowski would be in compliance with what was asked.

Mr. Faughnan said it would be acceptable for the drawings to be provided to staff via e-mail and forwarded to the Board.

Mr. Phinney (Wong) moved to approve DCB #08-001 with the following conditions: {Unanimous consent}

- **Removal of gray bar behind the word "APARTMENTS";**
- **The word "APARTMENTS" to be placed on the fascia face and in letters colored the same yellow as "St. Tropez";**
- **"St. Tropez" lettering to be placed above the fascia and over the word "APARTMENTS"**

Ms. Cloke gave closing remarks to Ms. Miyamoto, asking her to forward a copy of the renderings to her by e-mail as soon as they arrive.

5. New Business

A. Parcel 141 – Marina Beach Marriott – DCB #07-019
Consideration of valet signage and parking lot bollards

Ms. Miyamoto gave a brief overview of the project.

Ms. Cloke asked about the dimension for the "valet parking only" sign.

Mr. Lowe said he was not sure at this point what size the letters were.

Mr. Wong asked if it was a permanent sign.

Mr. Lowe said the sign was movable based on the flow and volume of traffic.

Ms. Cloke thought the sign was very substantial for an informational sign, and said the scale was larger than other such signs in the Marina.

Ms. Cloke said staff would need to look at the issues of the language of the signage, circulation and safety, and resolve the issues in a general timeframe.

Mr. Kreimann said staff would work with the applicant and come back with answers relative to traffic and circulation patterns, scale of signage and information provided in the sign.

Public Comments
Ms. O'Neal did not like the look of the sign.

Mr. Etter concurred with Ms. O'Neal.

Ms. Cloke closed Public Comments.

Ms. Cloke (Phinney) moved to approve DCB #07-019 for a 60-day period for the existing unauthorized sign with the condition that staff work with the applicant regarding circulation, alternate solutions, sign design, verbiage and size of graphic. {Unanimous consent}

B. **Parcel 33 – The Organic Panificio – DCB #08-003**
Consideration of new tenant identification signage and exterior modifications.

Ms. Miyamoto gave a brief overview of the project.

Mr. Stoakes also gave a brief overview of the project.

Ms. Cloke asked about the monument sign on the corner.

Mr. Stoakes said the sign would be removed.

Ms. Cloke asked about the sign on the fascia of the building and if the sign material was actually copper.

Mr. Stoakes replied it was a copper coating with a Patina acid wash.

Ms. Cloke asked if there was a sample of the Patina.

Mr. Stoakes replied yes and commented that this is a very good presentation of the fascia plate to the sign.

Mr. Phinney said it was actually aluminum.

Mr. Stoakes said it was aluminum with a galvanized copper fascia to achieve the acid wash.

Ms. Cloke said it was a computer generation of the color, not an actual sample.

Mr. Stoakes said it was from the manufacturer.

Ms. Cloke wanted an actual sample to see the material.

Public Comments
Ms. O'Neal said she liked the sign that was selected.

Mr. Etter said he did not like the yellow color.

Ms. Cloke (Phinney) moved to approve DCB #08-003 with the following conditions: {Unanimous consent}

1. **Remove the awning and roof sign board; and**
2. **Applicant to return in thirty days with a revised signage program.**

C. **Parcel 50 – Waterside Marina del Rey – DCB #08-004**
Consideration of signage and exterior modifications for BCBG Maxazria

Ms. Miyamoto gave a brief overview of the project.

Ms. Cloke asked where the entrance was.

Mr. Perla said the main entrance was the double doors.

Ms. Cloke asked about a blade sign.

Mr. Perla said the blade sign would be underneath the new canopy right, above the landscaping.

Ms. Cloke asked about the signage hours of illumination.

Mr. Perla confirmed the following business hours:
Monday – Thursday 10:00am – 7:00 pm
Friday - Saturday 10:00 am – 8:00 pm
Sunday 11:00 am – 6:00 pm

Mr. Perla added that the rear signage would be lit from dusk to 11:30 pm.

Ms. Cloke asked if the business was open until 11:30 pm.

Mr. Perla replied no.

Ms. Cloke asked how bright the illumination was on the rear sign.

Mr. Perla said they're usually 35 watts and the rear sign will produce a halo effect on the wall. The front side of the sign itself has an 8-inch thick metal plate along the sign.

Mr. Phinney asked whether or not the blade sign was illuminated.

Mr. Perla said no.

Public Comments
Mr. Etter said he liked the sign.

Ms. Cloke closed the Public Comments.

Ms. Cloke (Phinney) moved to approve DCB #08-004 as submitted. {Unanimous consent}

6. **Staff Reports**
All reports were received and filed.

Public Comments
Mr. Etter expressed concerns about night meetings.

Public Comment closed.

Meeting adjourned at 10:10pm

Respectfully Submitted,

Teresa Young
Secretary for the Design Control Board

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

MINUTES OF MARINA DEL REY DESIGN CONTROL BOARD

March 20, 2008

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

Members Present:	Susan Cloke, Chair, First District Peter Phinney, A.I.A., Vice-Chair, Fourth District Simon Pastucha, Third District
Members Absent:	David Abelar, Second District Tony Wong, P.E., Fifth District
Department Staff Present:	Stan Wisniewski, Director Santos Kreimann, Deputy Director Charlotte Miyamoto, Chief, Planning Division Ismael Lopez, Planner Teresa Young, Secretary
County Staff Present:	Tom Faughnan, Principal Deputy County Counsel Michael Tripp, Department of Regional Planning
Guests Testifying:	Chuck Colby, The Organic Panificio Paul Stoakes, Stop Sign & Design Lauren Rank, Department of Regional Planning Melissa Brizee, Department of Regional Planning Tim Riley, MdR Lessee's Association Pat Younis, The Bridge Group

1. **Call to Order, Action on Absences and Pledge of Allegiance**
Ms. Cloke called the meeting to order at 2:15 p.m. and led the Pledge of Allegiance.

2. **Approval of Minutes**
Approval of January minutes postponed to the end of the meeting.

3. **Design Control Board Reviews**

   A. **Parcel 49M – Marina del Rey Convention & Visitors Bureau – DCB #07-021-B**
   Approval of the record of the DCB February 28, 2008 action f
   re-landscaping the MdR Visitor Center

Mr. Phinney (Pastucha) moved to approve DCB #07-021-B as submitted. {Unanimous consent}

B. **Parcels 18 and 20 – St. Tropez, Monte Carlo & Capri Apartments – DCB #08-001**
Approval of the record of the DCB February 28, 2008 action for conditional approval of signage

Mr. Phinney (Pastucha) moved to approve DCB #08-001 as submitted. {Unanimous consent}

C. **Parcel 141 – Marina Beach Marriott - DCB #07-019**
Approval of the record of the DCB February 28, 2008 action for conditional approval of valet signage and parking lot bollards

Mr. Phinney (Pastucha) moved to approve DCB #07-019 as submitted. {Unanimous consent}

D. **Parcel 33 – The Organic Panificio – DCB #08-003**
Approval of the record of the DCB February 28, 2008 action for conditional approval of the signage and exterior modification

Mr. Phinney (Pastucha) moved to approve DCB #08-003 as submitted. {Unanimous consent}

E. **Parcel 50 – Waterside Marina del Rey – DCB #08-004**
Approval of the record of the DCB February 28, 2008 action approving signage and exterior modifications for BCBG Maxazria

Mr. Phinney (Pastucha) moved to approve DCB #08-004 as submitted. {Unanimous consent}

4. **Old Business**

A. **Parcel 33 – The Organic Panificio – DCB #08-003-B**
Further consideration of new tenant identification signage

Ms. Miyamoto gave a brief overview of the project.

Ms. Cloke asked for the signs to be presented one at a time and added that removing the word "Restaurant" on sign A-1 would make a consistent sign program.

Mr. Colby agreed and added that he placed the word "Restaurant" at the Board's request from the previous meeting.

Ms. Cloke said the logo Organic should be centered and asked the Board for feedback.

Mr. Pastucha agreed with the unification of the signage. He asked Mr. Colby if he was trying to identify the "Café" in addition to the restaurant.

Mr. Colby said he acted on the Board's request to place "café" and restaurant on the signage.

Mr. Pastucha asked Mr. Colby if he had any concerns about removing the words "Restaurant" and "Café".

Mr. Colby said no and added that are two separate driveways.

Mr. Phinney asked if calling it Panificio was acceptable.

Mr. Colby replied yes.

Ms. Cloke asked for the logo to be centered.

Mr. Phinney (Pastucha) moved to approve DCB #08-003-B, sign A1-2 green border with the word "Restaurant" removed and the logo and the text centered vertically on the sign. {Unanimous consent}

Ms. Cloke asked Mr. Colby to ensure the sign is 10 feet high.

Mr. Colby said he would double check.

Ms. Cloke asked if the signs were measured.

Mr. Stoakes replied the sign is 12 feet.

Ms. Cloke stated they were reviewing sign B and asked if there was another design option.

Mr. Stoakes said the third option has a height difference only.

Mr. Colby said they proposed the lowest possible, which is 10 feet above grade.

Ms. Cloke said the Board will move to accept the sign B-1 with the removal of "Café" with the logo centered on the sign. She added that illumination had yet to be discussed.

Mr. Phinney expressed his concerns for the lowered height design.

Mr. Colby suggested cutting the top off the poles.

Ms. Cloke agreed.

Mr. Phinney said the excess poles were unnecessary.

Mr. Phinney (Pastucha) moved to approve DCB #08-003-B, Sign B1 with the green border option, remove the word "Café", center the logo and the text, and cut the unnecessary tops off both of the poles. {Unanimous consent}

Ms. Cloke asked for details of the illumination.

Mr. Stoakes said each one-foot space is occupied by one fluorescent lamp composed of high output industry standard lighting. He added that both Signs A and B will have the same intensity.

Ms. Cloke asked about the hours of operation.

Mr. Colby stated the Café side will be open from 6:00 a.m. until 7:00 p.m. or 8:00 p.m.

Mr. Phinney said to Ms. Cloke to suggest the hours of operations.

Ms. Cloke said sunset to 8:00 p.m. for the Café and sunset to 10:00 p.m. for the Restaurant.

Mr. Colby said if the Restaurant bar is open later he would not like the light off.

Ms. Cloke asked for hours on the bar.

Mr. Colby said the bar would close at 2:00 a.m. Friday and Saturday.

Ms. Cloke said the Café sign is to go off because there is a relationship between the water and the Café sign.

Mr. Phinney asked for the signs to be referred to as A & B.

Mr. Colby said he was referring to Sign B and agreed with 8:00 p.m. for Sign B but wanted sign A to stay on until 2:00 a.m.

Mr. Phinney asked if Sign A was the sign closest to the beach.

Ms. Cloke replied no. She said Sign B is closest to the water and Sign A is only visible from Admiralty and added that the view from the water is blocked by the building.

Mr. Colby said he would like to keep Sign A on during operation until 2:00 a.m. for the bar unless no patrons were present and suggested Tuesday through Saturday no later than 2:00 a.m., Monday and Sunday no later than 10:00 p.m.

Ms. Cloke asked staff about existing restaurants hours of operation within the Marina.

Mr. Kreimann noted that most restaurants close at around 10:00 p.m. during the week and 2:00 a.m. on weekends.

Ms. Cloke (Pastucha) moved to approve the hours of illumination as follows:

- **Sign A (restaurant) – Monday through Thursday until restaurant closes or 10:00 p.m., which ever is earlier; Friday and Saturday until restaurant closes or 2:00 a.m., which ever is earlier.**
- **Sign B (café) – Illuminated until restaurant closes or 8:00 p.m. which ever is later. {Unanimous consent}**

Ms. Cloke asked Mr. Colby if the material samples provided for the wall sign (Sign C) will be used, not Patina.

Mr. Colby stated it is a finished product brought from the manufacturer and asked the Board to choose the design they felt was the most appropriate.

Mr. Phinney asked Mr. Colby if he prefers the color provided over the counter.

Mr. Colby said that the material would not look good with the glow.

Ms. Cloke asked Mr. Colby for more details on the illumination.

Ms. Colby said it was low voltage and the design is cut out.

Ms. Cloke asked if all Sign C options have the same dimensions and asked for a motion of approval.

Mr. Phinney asked about the black sign can, copper exterior and the black color inside.

Ms. Cloke said it would be like a stencil.

Mr. Phinney said he understood.

Ms. Cloke commented on the samples provided and said that color #327 blended with the sign proposal as a package.

Ms. Cloke (Pastucha) moved to approve DCB #08-003-B, Sign C with the Melrose #327 design and color with same hours of illumination as Sign A. {Unanimous consent}

Ms. Cloke asked Mr. Faughnan about legal requirements for placement, dimensions and numbers for the parking signs.

Mr. Faughnan asked if she meant in addition to Marina guidelines.

Ms. Cloke said she meant enforcement guidelines.

Mr. Faughnan replied he was not aware of any state code requirements but would look into it.

Ms. Cloke asked Regional Planning about any requirements.

Mr. Tripp said he did not know of any specific guidelines. He added while working with Zoning Enforcement, if the signs did not have the code, they were not considered legal signs.

Mr. Colby said the signs have to be visible.

Ms. Younis said there are codes that state the sign needs to be in a certain location, the letters be a certain size, the sign must cite the codes and if it is a tow-away sign, a telephone number must be provided.

Ms. Cloke asked staff if six signs were required and if having less was possible.

Mr. Kreimann said he did not know the answer to the question but would find out.

Mr. Faughnan said if cars will be towed, proper notice has to be provided along with the code and phone number.

Mr. Phinney added that the "No Parking" issues could be accomplished with fewer than six signs.

Ms. Cloke suggested having three signs due to two entrance driveways in the parcel. The green color should also replace the red.

Mr. Phinney said he would prefer the red. He also stated that the actual size of the text is important and that the 21" x 24" dimension may be kept.

Ms. Cloke asked if the existing signs would be re-faced.

Mr. Colby replied yes.

Ms. Cloke asked Mr. Colby if he knew the exact name of the green color.

Mr. Stoakes said the technical number that matches that color is 360C.

Mr. Phinney (Pastucha) moved to approve DCB # 08-003-B, parking signs, with the following conditions:

- **The red "Customer Parking Only" is to be rendered in black.**
- **The rest of background to be rendered in 360C instead.**
- **Only three signs be installed and to be placed at applicant's discretion away from the entrances. {Unanimous consent}**

Public Comments
None

5. **New Business**

A. **Los Angeles County's Green Building Program**

Laura Rank and Melissa Brizee from the regional Planning Department Green Building Program were introduced by Ms. Miyamoto. Ms. Brizee gave an overview of the County's Green Building Program, which is a joint effort by the Departments of Regional Planning, Public Works and Parks and Recreation.

Ms. Brizee emphasized the main components of the program, which consist of three ordinances:

- Green Building
- Low Impact Development
- Drought-Tolerant Landscaping

Public Comments
None

Mr. Pastucha asked about the living document for ongoing flexibility.

Ms. Brizee said the idea behind a third party system is to have the burden of updating the documents on a regular basis. This way it is a living document in terms of low impact development, created by Public Works. She added that as new technologies become available, they can continue to update it without actually amending the ordinances each time. She also stated the ordinance is for clarification purposes.

Mr. Pastucha stated the City of Los Angeles is undergoing the same process. He asked for Regional Planning Commission discussions about the County's specific standards in each geographic region.

Ms. Brizee said they have a draft list of approved plans for the Drought-Tolerant Landscaping ordinance, which is made up of native and drought-tolerant plants for all of LA County. She said the Commission thought it would be better to draft standards that fit within each area, which mentions plants that can grow near the coast versus a drier climate in other County areas. She also stated the palette was organized by specific areas, with a map depicting contour zones.

Mr. Pastucha said the Marina is developing Design Guidelines that may help for consistency purposes.

Ms. Cloke commended Ms. Brizee and asked if the County going to abide by these standards in parks, streetscape and public buildings.

Ms. Brizee said the County will be implementing a LEED silver certification for buildings of 10,000 square feet and larger.

Ms. Cloke asked about the Department of Public Works streetscape and public urban runoff.

Ms. Brizee said the Watershed Management Division is working with Parks and Recreation to identify areas where they can maintain runoff in park areas throughout the County.

Mr. Phinney said this process may be applied to Burton Chace Park.

Mr. Pastucha asked if Ms. Brizee mentioned that Public Works was creating a Green Manual different from the set of their normal standards.

Ms. Brizee replied yes and said it would be specific for low impact development.

Mr. Pastucha asked if they are doing anything for their street standards.

Ms. Brizee said during the October 16, 2007 BOS meeting, the Board of Supervisor's set up a standard for them to implement related to streets.

Mr. Pastucha asked for information on this the next time they return.

Ms. Cloke asked about items available on-line.

Ms. Brizee said items were available on-line but only consisted of a draft and a plant list, which only encompassesed natives at this time.

Mr. Phinney commended the applicant and added that an expedited permit process could be one of the perks that could be offered for people pursuing sustainable strategies.

Ms. Brizee stated that is a viable option, but the Department is low on staff.

Public Comments

Mr. Riley expressed his concerns regarding costs as a result of this program's implementation. He also suggested looking for incentives as provided by other jurisdictions.

Ms. Brizee stated that the Department had surveyed other jurisdictions and is looking at several incentives such as density bonuses, decreased setbacks, decreased permit fees and expediting projects processing. She added they can make presentation to the Lessee's Association.

Approval of Minutes (taken out of Agenda order)

Ms. Cloke (Phinney) moved to approve the January 17, 2008 DCB minutes with several corrections to be made. {Unanimous consent}

6. **Staff Reports**

All reports were received and filed.

Public Comments

None

Ms. Cloke (Phinney) moved to adjourn the DCB meeting {Unanimous consent}

Adjournment

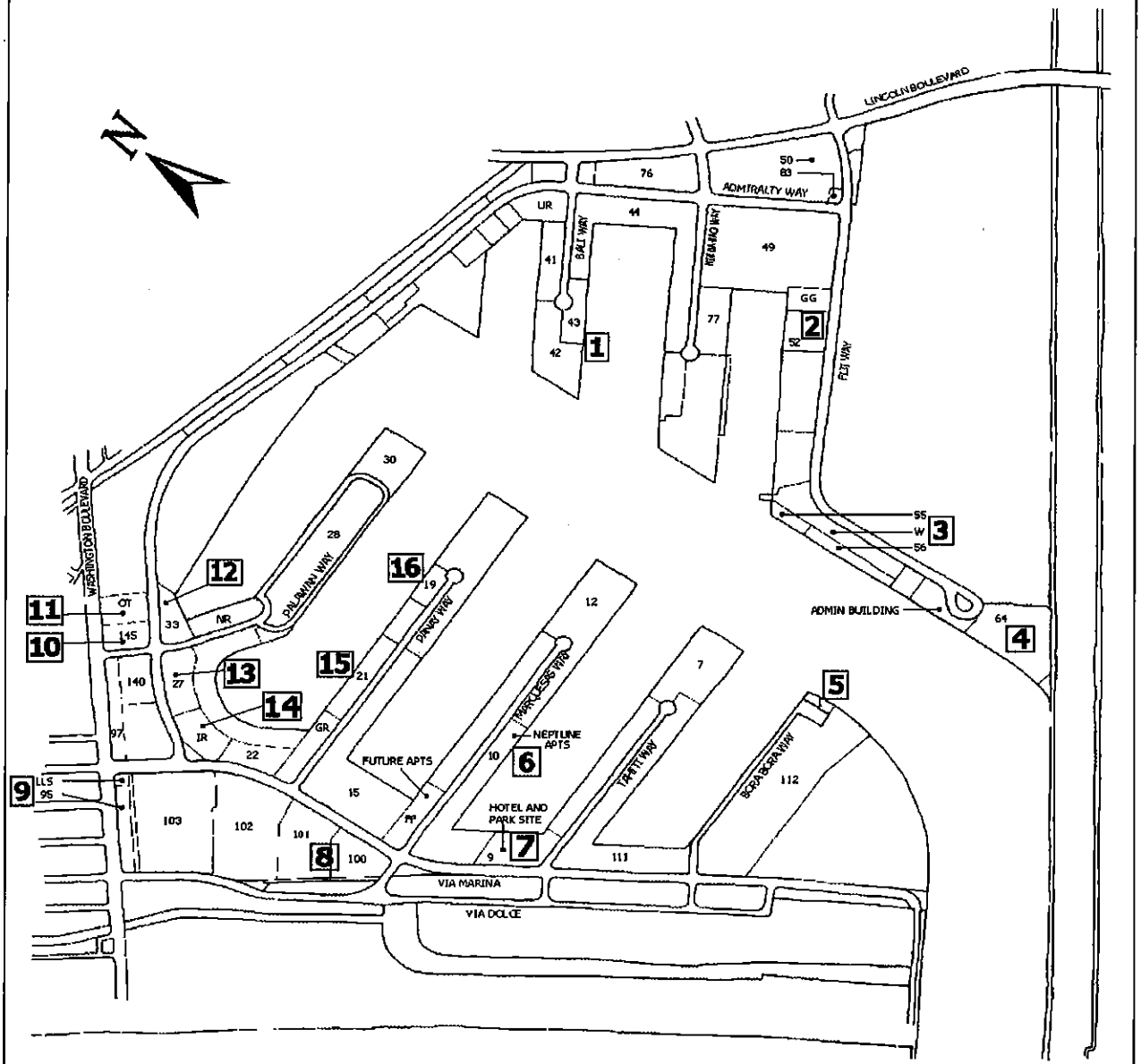
Meeting adjourned at 4:05 pm

Respectfully Submitted by:

Teresa Young
Secretary for the Design Control Board

Marina del Rey Redevelopment Projects
Descriptions and Status of Regulatory/Proprietary Approvals
As of May 7, 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	52/GG -- Boat Central/ Pacific Marina 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 hearing set for May 14, 2008	
6	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
7	9 -- Woodfin Suite Hotel and Vacation Ownership/ Woodfin Hotels	Mark Rousseau	* 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
8	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	
9	95/LLS -- 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 LLS	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	
10	145 - Marina International Hotel/ Pacifica Hotels	Dale Marquis/ Mike Barnard	* Complete renovation	No changes	Proprietary -- term sheet under negotiation Regulatory -- to be determined	
11	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 in process Regulatory -- DCB conceptual approval August 2005; Regional Planning application filed May 2006, awaiting hearing date	LCP amendment to allow proposed use Parking permit for senior care facility Parking permit to allow some replacement public parking off site
12	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 -- 121 public parking spaces to be replaced on site, 70 public parking spaces to be replaced off site	Proprietary -- lease documents in process and economic terms being negotiated Regulatory -- DCB concept approval August 2004; revised project pending DCB consideration	LCP amendment to allow proposed use Parking permit to allow some replacement public parking off site
13	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	
14	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
15	21 -- Holiday Harbor Courts/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	<u>Phase 1</u> * 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 <u>Phase 2 (Parcel C)</u> * 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 replacement spaces from OT and Parcel 20 boater parking	<u>Phase 1</u> Proprietary -- lease documents in process Regulatory -- DCB conceptual approval obtained August 2005; Regional Planning application (landside) filed July 2006 <u>Phase 2 (Parcel C)</u> 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
16	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