"To enrich lives through effective and caring service"

LOS ANGELES COUNTY
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director

SUBJECT: **COMMISSION AGENDA** – November 14, 2007 Meeting

Enclosed is the Agenda for the November 14, 2007 meeting. Also enclosed are the minutes for your Commission's August 8, 2007 meeting and the reports related to Agenda Items 3a, 3b, 4a, 4b, 4c, 4d, 5a, 5b and 6a. The minutes for your Commission's October 11, 2007 are still being prepared and will be provided for your Commission's approval at the December meeting.

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

SW:ks

Enclosures

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

To enrich lives through effective and caring service

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

Stan Wisniewski
Director

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SMALL CRAFT HARBOR COMMISSION

AGENDA
November 14, 2007
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: Meeting of August 8, 2007

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 — (DISCUSS REPORT)

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

4. **OLD BUSINESS**

   a. Proposed Letter to Board of Supervisors Regarding Boat Slip Rental Rate Increases — (LETTER TO BOARD OF SUPERVISORS TO BE ON DEC. 2007 AGENDA)

   b. Dock Condition at Parcel 44 — (DISCUSS REPORT)

   c. Request California Coastal Commission to Hold Its January 2008 Meeting in Marina del Rey — (RECEIVE LETTER)

   d. Chart on Slip Size by Parcel — (DISCUSS REPORT)

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5. **NEW BUSINESS**

a. Approval of Negotiated Rent - Amendment 9 to Lease No. 6051- Parcel 65 (UCLA Boathouse) - Marina del Rey (RECOMMEND TO BOARD OF SUPERVISORS)

b. Request to Lessees to Report on Evictions of Liveaboard Tenants (DISCUSS LETTER)

6. **STAFF REPORTS**

a. Ongoing Activities (DISCUSS REPORT)
- Board Actions on Items Relating to Marina del Rey
- Local Coastal Program Periodic Review – Update
- Regional Planning Commission's Calendar
- Design Control Board Minutes
- Response to Mr. Rizzo's Requests
- DBAW Standards for Slip Construction and Planning Requirements
- Investigation of the Status of Mr. Richard Davidson's Application for Rental of a Slip at Marina Harbor

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

PLEASE NOTE:

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

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

Department of Beaches and Harbors' Website Address: http://marinadelrey.lacounty.gov

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

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

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

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

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

ADA ACCOMMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (310) 305-9590 (Voice) or (310) 821-1734 (TDD).

SMALL CRAFT HARBOR COMMISSION
MINUTES
AUGUST 8, 2007

Commissioners

Harley Searcy, Chairman; Russ Lesser, Vice-Chairman; Albert Landini, Ed.D; Vanessa Delgado, MPA , Christopher Chuang-Lin, PhD

Department of Beaches and Harbors

Stan Wisniewski, Director

Also Present

Thomas Faughnan, Principal Deputy County Counsel; Beverly Moore, MdR Convention and Visitors Bureau; Dusty Crane, Community and Marketing Division; Lt. Roderick Kusch, Sergeant Michael Carriles and Deputy John Rochford of the Sheriff's Department

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

Chairman Searcy called the meeting to order at 9:37 a.m. The Commissioners, staff and members of the public stood and recited the Pledge of Allegiance.

Chairman Searcy moved and Vice-Chairman Lesser seconded a motion to excuse Commissioner Delgado from the meeting. The motion passed unanimously. Commissioner Delgado arrived later in the meeting.

2. APPROVAL OF MINUTES

Public Comment –

Ms. Marino referenced Page 10 of the minutes, second paragraph down. She stated that the discussion regarding the LCP review and the delays associated with the review, are not accurate. The entire paragraph is not very intelligible. She further commented that she did not receive the mailing on this and had just obtained this information last night.

Chairman Searcy asked Ms. Marino if she would like to spend some time correcting the minutes, which relates directly to that portion of her testimony. Chairman Searcy told Ms. Marino to provide her corrections to staff and staff would then have the minutes appropriately reflect that correction.

Ms. Marino replied that she would like to do that.

Chairman Searcy moved and Vice-Chairman Lesser seconded the motion to approve the July 11, 2007 minutes with Ms. Marino's correction to be given to staff. The motion passed unanimously.

3. REGULAR REPORTS

a. Marina Sheriff – Crime Statistics

Lt. Kusch stated that crime in the Marina area has remained fairly static over the last month. He commented that the Sheriff's bicycle team has stayed over the entire summer. The bicycle team has been paying attention to public events and increased patrols in subterranean garages.

Lt. Kusch explained the armed robbery at the Waterside Ralph's fresh faire market. Although this was listed as armed robbery, it was a shoplifting that escalated to a robbery when the staff tried to stop the robber. The robber brandished a knife, threw the items down and ran away. This was coded as a robbery even though it was a petty theft. There is another incident under investigation of a person brandishing a firearm at Dock 44.

Lt. Kusch would like to bring to the public's attention, that there is group(s) that are cutting down the palm trees in the Marina. It is his understanding that this is typically done when people oppose the vegetation that is not native to the area. A fifty foot palm tree is there one moment and gone the next. The Sheriff's Department is asking the public's assistance. If you see work crews hacking down a palm tree, please call the Sheriff's Station with the vehicle license plate number. The palm trees are not being cut up into small pieces and hauled away. This takes heavy equipment to saw down a palm tree in its entirety.

Lt Kusch advised the public that third row seats are being stolen out of Tahoe's, Yukon's and similar expensive vehicles. In case of a theft, the seats are marked. He advised the public that if this happens to one of them, to look on E-Bay or similar sites to see if their seat is being resold. The seats cost approximately three thousand dollars at the dealer.

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

Sgt. Carriles reported there are no significant changes.

Public Comment

Carla Andrus stated she would like to see the year on the reports.

b. Marina del Rey and Beach Special Events

Ms. Crane stated that we are almost through summer and advised the public that Fisherman's Village continues to have its concert series. She further spoke about other beach events and mentioned the new Los Angeles County beach guide and the updated Marina del Rey area restaurant guide. These publications are produced by private sponsorship money in which the Arrowhead Company has been a tremendous sponsor to the Department.

c. **Marina del Rey Convention and Visitors Bureau**

Ms. Moore explained that they are in the process of conducting an audit of the Marina del Rey Convention and Bureau Website to increase traffic to the website. The website has approximately fifty thousand visitors to the site each month.

OLD BUSINESS

a. **County Review of Apartment, Boat Slip and Liveaboard Rental Rates**

Mr. Wisniewski stated during the last Commission hearing, the Commission requested that the slip rent survey be standardized to show all rates by lineal foot. Accordingly, the Department has returned with a revised rent survey by lineal foot for Southern California and Marina del Rey. He further explained the rates in the Marina are consistent and in line with the rates charged at other Southern California marinas.

Chairman Searcy asked what the radius is for the Southern California survey.

Mr. Wisniewski replied sixty miles. The survey covers areas from Ventura to Newport Beach.

Commissioner Landini asked if staff could provide a vacancy report for the Marina.

Mr. Wisnewiski said that staff would happily provide the report.

Commissioner Chuang-Lin asked if some of the harbors had rent control.

Mr. Wisnewiski replied no. The other marinas are under the same price control procedures.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

John Nahas asked to speak prior to the public comment period.

Chairman Searcy stated he would accommodate Mr. Nahas' request to change the Agenda.

However for the record, (prior to this meeting) Mr. Nahas sent an e-mail to the Commission with his information, requesting to speak and advising them of what the presentation would be. In the bi-line line of the e-mail, there is subject line and then next to it, request to speak. In Mr. Nahas' subsequent e-mail that was sent to the world and the press, it contained the same e-mail message, except the subject line was greater with Chairman Seracy's name next to it. Chairman Seracy advised Mr. Nahas he did not appreciate it especially when he is trying to work with him.

ITEM #7

Mr. Nahas complained to Chairman Searcy that he requested the Commission to provide financial statements and appraisals. Further, he requested the documents at the last meeting.

Vice-Chairman Lesser replied that he asked Mr. Nahas to submit all the documentation that he said that he had in advance so the Commission could review it.

Mr. Nahas said all his information was from Beaches and Harbors, so why would he submit things that the Department already had.

Chairman Searcy replied that when he makes a presentation, he is to furnish the materials. Chairman Searcy further explained that the Commission would accommodate him and have photocopies made of whatever he brought.

Mr. Wisnewiski advised the Commission that on the public document table, there is a summary of Mariners Bay gross receipts from 2000 to 2007.

Mr. Nahas said that it was his mistake. He thought the financial documents covering Mariners Bay and the other marinas would have been produced by the County.

Chairman Searcy replied that he had Mr. Nahas e-mail and that Mr. Nahas asked Chairman Searcy to make copies of the Mariners Bay gross receipt summary from 2000 to 2007. Further, Chairman Searcy told Mr. Nahas to begin his presentation.

Mr. Nahas replied that if the Commission is to make recommendations, how could they make those recommendations when they have limited information. If the Commission does not have the original lease agreement and amendments or the amount that Mariners Bay and other marinas are getting in the way of actual gross receipts, how can the Commission really justify the slip rent increases.

Chairman Searcy explained to Mr. Nahas the process of the meetings and recommended that he start with his presentation since this was part of his presentation time.

Mr. Nahas explained that the data in the survey was flawed since it does not include amenities and attributes. The data was not comparable.

Mr. Nahas started his presentation speaking about slip fee increases. He stated Mariner's Bay had fifty percent slip rental rate increases this year and a three point five percent increase every year since 2002. This was unprecedented in Marina del Rey. Mr. Nahas (they) met with Steve Napolitano in which Mr. Napolitano said he was not aware of any increases in his West Los Angeles region. Further, Mr. Nahas stated there have been consistent raises over the last several years at several marinas including Mariners Bay.

Mr. Nahas went to the Department of Beaches and Harbors and found fourteen amendments to the lease. He noted the terminology changed from "fair return on your investment" to "fair market". Mariners Bay Company, last year alone had nine point eight million dollars of gross receipts and one point two million of that went to the County. Mr. Nahas cited how Orange County gave their lessees thirty years leases and they then said goodbye to the lessees when the lease expired. Orange County now has the property and uses a management company.

He explained how fair market value is an oxymoron. If there is no supply then there is no market. With no supply, the marinas have created a leapfrog effect with slip rates. This becomes a very slippery slope between the have's against the have not's. If he cannot afford his boat slip anymore then he cannot afford his boat. Mr. Nahas went over the Mariners Bay gross receipts summary with the public using the projector.

Mr. Nahas (they) discovered Michigan State University as a source for research. The University referred him to Professor Ed Mahoney who came to their assistance. Professor Mahoney gave him

data on public recreation boating and economics. This data showed that fair market value and waterfront property is going to be the highest in the land.

Mr. Nahas then produced a movie that contained boater's comments regarding slip increases. These boaters could not attend the meeting. The movie ran approximately five minutes. (parts of the movie inaudible for transcribing)

Mr. Nahas spoke how the Department of Beaches and Harbors is two months behind in their vacancy reports. He spoke of long ADA compliant gangways at Basin A that could be changed and spoke of the use of hydraulics instead. In addition, four hundred slips from Deauville have been taken off the market for seven years and yet we have more citizens coming in to the Los Angeles area who want boat slips.

Mr. Nahas then spoke about the manipulation at Mariners Bay by increases in the thirds. He felt that didn't make sense and Mariners Bay could have easily raised all the slips at once. Further, he spoke of live-aboard status for all and doctored maintenance reports,

Mr. Nahas spoke about how the Department of Beaches and Harbors Mission Statement does not mention anything about boating. He said it's hard to be put in the position of landlord where you are getting all these increases and the other side where the Department is saying the harbor is all about recreational boating and we will protect the boaters. Further, the Department has allowed the Lessees to have too much power by allowing live-aboard limitations, raising rents and no enforcement of compliance.

Mr. Nahas concluded by commenting that the County should let the leases expire and take the land back from the Lessees. The Marina should remain recreational boating.

Mr. Jim Oates read a letter from Professor Mahoney regarding issues such as public marinas, recreation and fair market value. In the letter, Professor Mahoney explained there is no way to calculate fair market price when it comes to marina slip pricing.

Mr. Oates stated he has a boat at Villa del Mar what he considers is a nice marina, however the condition and rates and some of the other docks are horrendous.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Dorothy Franklin, a slip renter at Bar Harbor had her rent go up from December 2002 to January 2004. The overall increase was $293 a month. She spoke about Basin B and C being out of commission for almost seven years. She said the County forsakes its management responsibilities, which in turn curtails the public's right to the use and enjoyment of our costal resources. Further, she spoke of the lack of public outreach on the County's part.

Buzz Cook, is a slip renter at Mariners Bay who is very much stressed at the rent increases at his facility and that the facilities have not been brought up to standard, citing the bathrooms were shameful.

Nancy Vernon Marino thanked Mr. Nahas for a wonderful presentation and a good investigation. She did not get the mailing and was very upset to find out last that Item #4a was listed as a County review of apartment boat slip and liveaboard rental rates. She stated they do not want a review but an investigation and they want the county to do it. Further, she wants this Commission to do an investigation. Ms. Marino stated to the Commission that Mr. Nahas has brought them a tremendous amount of evidence.

Nancy Marino said the Marina del Rey slip rent survey was not defined. These numbers are not defined. There are two numbers for each one and Mr. Wisniewski thinks that is the range. She said five of the twenty marinas in the survey do not have small slips. That is twenty five percent and that is pretty shameful. She stated Neptune, Marina del Rey Hotel and Marina City Club have not been renovated and asked why are these small boat slips at twenty one dollars, twenty three fifty and twenty seven fifty a foot. Further, the Commission needs to ensure that Beaches and Harbors enforces appropriate rental rates in the Marina to encourage small craft boating and affordability for the average boater.

Nancy Marino asked if the averages on the slip survey had been calculated based on the number of slips per Marina or only on the rates. She questioned why Dock 77 was not on the survey, since they have affordable rates. She stated, the survey is incomplete, has poor information and needs to be improved.

Vice-Chairman Lesser said that Nancy makes an interesting point. The three rents are so out of line compared to everything else and their bottom number, whatever the bottom number means. Vice-Chairman Lesser then asked Mr. Wisniewski if he could try and get an explanation.

Chairman Searcy replied that other wise it seems to be spiking the averages.

Vice-Chairman Lesser replied that those three numbers are so out of line with everything else in the Marina.

Chairman Searcy added that while staff is looking at that, to also look at the methodology question.

Vice-Chairman Lesser added he would also like to know what the top and bottom top numbers represents.

Mr. Wisniewski replied that it does indicate the range, but we will be happy to report back.

Jun Yang is the Marina organizer for the People Organized for Westside Renewal. He wanted to see some oversight in regulations. Mr. Yang also added that we don't understand why it is so difficult for the people in the County of Los Angeles, who live, breath and die here to get any movement in and around the County of Los Angeles. We are asking for a little more transparency and a little more support for the community that we live in and work in.

Carla Andrus spoke about the manipulation of the Marina. She just received a copy of Deauville's lease and noted that Deauville has not been paying their ground rent of thirty two thousand dollars a month for the last seven years. She would like to sit down and write a number of questions and submit those questions to Chairman Searcy regarding the manipulation of Deauville Marina. Deauville Marina has all these slips out of commission. Bar Harbor is getting ready to send out their eviction notices so they may do their renovation. She feels it is only right that these boaters have a first come, first serve opportunity to be invited to the new marina at the same rent that they are paying at Bar Harbor.

Gerald Sobel is a boater who shares a slip at Pier 44. He spoke about his rent increase. He started paying $135 a month and is now paying $235 a month. This increase is over a eight-year period. He complained the high-rise buildings are blocking the wind for boaters.

Eric Kupris is a boat owner who rents a slip at Pier 44. He says that he cannot afford a fifty percent increase and asked for the County to buy his boat.

Rick Horner said this is not private real estate where the goal is the highest and best use of your property. This is almost a public park, where the highest is service for the community, not the highest

value that you can achieve on a square foot of property. He then asked how someone could be a member of the Commission.

Chairman Searcy asked Mr. Faughnan to response.

Mr. Faughnan replied that the positions of the Small Craft Harbor Commission are filled by the Board Offices and there are certain qualifications for each one of these seats.

Chairman Searcy replied that if someone wished to be considered for sitting on this Commission, they should contact the Board of Supervisors.

Mr. Faughnan replied that Chairman Searcy was correct.

Mr. Horner replied that needed to be changed and he felt the Commission needs to have some balance.

Ronnie is a liveaboard at the Bay Club who is unhappy that he had a one hundred and fifty dollar rent increase this year. He said after the rent increase, the Bay Club changed the toilet paper in the bathrooms from two-ply to one ply.

Scott Ganary is a boat slip renter at the Bay Club who complained that things are not being repaired. He mentioned that he arrived one weekend and found no parking but noticed twenty-three unauthorized vehicles with no stickers. He mentioned the Harbormaster at his marina does not work on the weekends. Mr. Ganary presented pictures of the restrooms to the Commission. He also stated the mail drop on the weekend is behind a locked gate. He further mentioned that he has experienced the electricity go out four times. Afterwards, he received a letter from the office that he will be evicted if he is within five hundred feet of the office. The owner will not return his calls.

Howard Minkin is a licensed general contractor and a Marina resident and liveaboard. When he first lived in the Marina, his boat payment, insurance and rent was $1,010.00 and now with no boat payment his rent alone is $1,116.00. He spoke about the need for democracy and balance.

Rudi Pel has been a boater for the last forty years. He said he is afraid he is going to have to sell is boat because of slip increases.

John Rizzo asked why the questions he submitted earlier to staff were never answered.

Mr. Wisniewski replied that this was the first time that he has ever seen these questions.

Mr. Rizzo replied that he came into the office and gave the questions to Donna.

Mr. Wisniewski asked when he handed the questions in and advised him that he would have the response within a week.

Mr. Rizzo said he has seen this dog and pony show for 32 years. The Commission listened to us in 1975 and they jockey us around. We went to the Board of Supervisors, had three meetings and then came Policy Statement 27. Further, the only way to control the Marina is to look at the return on the investment. The cost to build plus the improvements. He said in his humble opinion, the Lessees are running the Marina by running the Supervisor. They own Don Knabe. Further, Don Knabe gets fifty thousand dollars campaign contributions from Jerry Epstein and Archstone. He also stated the County is losing over one hundred million dollars a year and that is why I don't have my questions answered. He ended by complementing Chairman Searcy on doing a good job.

Ed White has been a boater in the Marina for ten years. His boat slip rent has doubled at the Bay Club. He stated the working class people are getting squeezed out of the Marina.

Deborah Tallent is a resident of the Bay Club. She said that the tenants were forced into a lease since they would have to pay one hundred dollars more per month if they didn't sign a lease. Eight years ago, her slip fee was $135 a month and as of September, her slip fee will be over $600 a month. She stated the bathrooms are as bad as the pictures that were submitted earlier by another tenant.

T. Gray is a longtime Marina del Rey resident who was in the same situation as the last speaker who felt that she was forced into signing a lease. She stated her slip fees have almost doubled at the Bay Club. She asked Mr. Faughnan to see the requirements for becoming a member of the Commission and citied how Santa Monica College has students on their Education Board.

Louis Scaduto said he would appreciate if the survey were broken out to show the private marina versus the yacht clubs and also the management companies in place. He would also like to see the

Averages based on how many slips are in the area. In regards to the Southern California survey, he noticed that a majority of the slips are in a much lower rent profile.

Staff Comment

Mr. Wisniewski advised the public that there is a Marina del Rey slip vacancy chart for May and June 2007 available to the public at the public information table. He explained in the categories of 18 to 25 foot slips, there were 125 vacancies for the month of June. In the categories for 26 to 35 foot slips there were 39 vacancies. It is when you get into the 36 to 50 and 50 and over categories that there were only 6 vacancies.

He felt that there is a statewide if not a national trend for marinas that when they build new slips, the marinas go from a large number of small slips to a fewer number of larger slips, though they do maintain a balance in all of the categories. They do stress the larger slips. It's a matter of economics because the demand that we are not currently meeting is in the 36 and above category. The requirement that we have with the Lessees when they rebuild their slips is that they maintain a ratio that is consistent with the State Department of Boating and Waterways. They have done a study on this very issue and they have recommended ranges of percentages that an anchorage should have in each slip size catalog. The California Costal Commission is aware of that standard and he believes they are using that when they are evaluating the number of slips that are different sizes.

Mr. Wisniewski stated this place is not run by contributions to the Supervisors. He is a paid executive and he makes recommendations to the Board. He has not seen a Supervisor give him direction on a deal point. Every deal that is made in Marina del Rey is verified as being at market pursuant to an appraisal and we are at least achieving market and in many cases, we over achieved. We have some of the toughest leases in the Country.

Mr. Wisniewski stated that in our slip rental rate survey, we survey ten thousand boat slips in Southern California and Marina del Rey falls in line with the rental rates of ten thousand other boats in Southern California. He stated that all of the proponents today would like to see investment defined as original cost. The Board of Supervisors has defined the term investment, as what is the market value is of that leasehold. Mr. Wisniewski said he does not support fifty percent increase as Mariners Bay has done and he has talked to that Lessee. Their fifty percent increase did not bring their rents above what is consider market. He felt that it was unfortunate that the Lessee did fifty percent and he has encouraged all the Lessees to increase slip rental rates in a balanced manner rather than try to

catch up with the market all at one time. Further, he is taking full responsibility for the Mariners Bay increase and it is compliant with the Lease and pursuant to Policy Statement 27.

Chairman Searcy asked how long is left on their lease.

Mr. Wisniewski replied he thought they had asked for a lease extension and the Department came back to them with terms. He thought that Mariners Bay has about twelve years left. The Department explained to Mariners Bay that the Department needed higher percentage rents from them in order to keep the County whole because the County can get this leasehold back in twelve years. Mariners Bay declined to date.

Vice-Chairman Lesser said he was looking at the schedule that the Commission was given and if you add May and June 07 compared to May and June 06, in May and June 06 it shows one million six seventy two and in May and June 07 it shows one million six ninety nine, which is a two percent increase in gross receipts.

Mr. Wisniewski replied that he believed Mr. Nahas prepared the summary. Further, he was not sure if that summary was the total gross receipts of the leasehold or just boat slip rentals.

Chairman Searcy said Mr. Wisniewski could look into it.

Mr. Wisniewski said he would be happy and then Vice Chairman Lesser replied that he wanted to know where was the rest of the money.

Mr. Wisniewski can verify that there was a fifty percent increase at Mariners Bay.

Mr. Wisnewski said that the Department conducts a premises maintenance inspection on the water every six weeks and on the land every eight weeks. He added that if the Lessee is not responsive to correcting the deficiency, the Department issues default notices. He guesses that the Department has issued six to ten notices in the four to five months. In the new leases, we require the Lessees to pay us one hundred dollars per day per violation that they go pass the deadline that the Department sets.

Commissioner Delgado said the two situations that were most prevalent were the Bay Club and Mariners Bay. She asked if the Department had done everything that they can.

Vice-Chairman Lesser commented that the picture of the Bay Club bathroom was disgusting. He asked Mr. Wisniewski if the Lessee does not correct the deficiency and cannot be charged money though the lease, then what can the Department do.

Mr. Wisniewski replied that once the lease default notice goes out, then the lender can enter the game and insist that the violations be corrected.

Vice-Chairman Lesser asked if default notices have gone out to these Lessees.

Mr. Wisniewski replied that he didn't know when those pictures had been taken.

Commissioner Delgado asked that the Commission get some follow up on the bathroom item in the picture.

Mr. Wisniewski said that the Department would be happy to follow up on that specific item, and asked if that item was at the Bay Club?

Commissioner Delgado replied yes.

Commissioner Landini said while there was a great deal said, there was not a lot of focus as to what was said in terms of a call to action. He has summarized what he has heard and has put them into two motions that he would place before this Commission to act on.

1) The County Board of Supervisors call for an independent investigation and audit of boat slip rental rates within Marina del Rey and that the results of that investigation and audit be made Pubic.

Vice-Chairman Lesser replied that audits cost a lot of money and if we already know the rental rates in Marina del Rey, then why do we have to spend money to have an audit.

Mr. Wisniewski replied that the numbers are correct. What are you going to want to use as an investment base. Do you want a Santa Monica style rent control here? He further added the Board of Supervisors decided that Marina del Rey was going to be a market driven structure.

Mr. Faughnan explained the County of Los Angeles does not have rent control provisions for the unincorporated areas. We did have rent control back in the eighties, when the Board determined there was a housing storage but those provisions expired around 1985 and since then, there has been no rent control in Marina del Rey or anywhere else in the unincorporated areas. What we do have in Marina del Rey is a price control provision in the leases which provides the County, specifically the Director the right to determine if the prices are fair and reasonable under the lease given the factors that are set forth in that provision and the Lessees have the right to appeal a determination of the Director to the Board of Supervisors. Your Board only has the right to make recommendations to the Board regarding prices if the Board has actually requested you to do so. You can certainly make recommendations to the Board as we have talked about before. You are an advisory commission to the Board of Supervisors. You can make a motion or recommendation that the Board follows some particular action but the Commission does not have any independent right to review prices or undertake an investigation of price review.

Chairman Searcy thanked Mr. Faughnan and said that he understood. He continued to explain that Deauville was tied up in litigation for several years, which was one of the reasons for the cause of the delay. Some slips were out of commission, some were being refurbished, some had spent the money and they wanted to get their money back, some renters did not receive rent increase for a long time and when they did, they got it all at once. This is creating an issue and a problem and this is something that the Board of Supervisors needs to be aware of. This is part of the Commission's responsibility and asked how do we make them aware of this problem.

Commissioner Landini replied that with the comments that the Director has made, he could withdraw this motion if the Director would be so good as to create something as a motion that the Commission could do.

Mr. Faughnan said that this Commission is a advisory commission to the Board and that the Commission can approve a memo or communication to the Board of Supervisors, which raises the concerns that have been raised from the public; which you believe have validity and should be further investigated.

Chairman Searcy replied that the Commission couldn't just sit and let this pass. We have got to let them know there is a problem. The Commission wants to see something at the next meeting.

Mr. Wisniewski replied that we will draft a report from your Commission to the Board of Supervisors and we will have it at the next meeting.

Commissioner Landini gave his Motion Number #2

2) Board of Supervisors to establish a policy to 1) exclude boat slips from all future leases of County land within Marina del Rey. 2) Establish the Department of Beaches and Harbors as the operator in charge of renting, maintaining, and operating boat slips as current leases affecting the boats slips comes to an end of term. 3) That the Small Craft Harbor Commission be designated as the oversight commission approving slip rental rates for slips directly under County control.

Vice-Chairman Lesser said he would like to get the pros and cons before voting on this motion.

Commissioner Landini replied maybe the best way to handle motion number two is to have the Director to prepare a report that we could look at for transmission to the Board of Supervisors with the pro and cons of all three points.

Vice-Chairman Lesser replied that this sounded great but the County has to maintain and repair the slips when they fall apart. Vice-Chairman Lesser was on the City Council for Manhattan Beach. Manhattan Beach had civil service city employees doing their landscaping. When they brought in private industry in to do the job, the cost went from $450,000 a year to $150,000 a year and private industry did a better job. When Manhattan Beach got rid of the city trash business, everyone saved twenty five percent. Government is not notoriously efficient at doing things.

Commissioner Delgaldo replied that the only thing that she is willing to support is the review of what the pros and cons are.

Chairman Searcy asked Mr. Wisniewski if he had enough time between now and then to do an exhaustive review of the County taking over the operation of the boat slips.

Mr. Wisniewski replied that he didn't think that they were going to end up having an exhaustive review but we'll do the best that we can by the next meeting because this issue has a sense of urgency.

b. Compliant re: Capri Apartments Affordable Unit Rent Overcharges and Refunds

Mr. Faughnan stated that himself and staff from the Community Development Commission met with the Lessee and the Lessee's representatives and that they reached an agreement and understanding on the appropriate rates to be charged for the affordable units and what were not appropriate charges.

The Lessee has prepared information for the CDC to review of what the overcharges are for each individual apartment and the CDC is currently reviewing that information and once they confirm the information is correct, the Lessee will be cutting checks and sending the individuals tenants letters informing them of the appropriate rates and providing them with reimbursement of the overcharge.

Chairman Searcy asked if that would include interest.

Mr. Faughman replied yes.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Nancy Vernon Marino stated that she thought at the last meeting there was an acknowledgement that the lessees had overcharged the tenants and the amounts were pretty much understood. She thought the Commission should recommend that in addition to their money, there should be a penalty

for any more time taken. The overcharging was done illegally to begin with and to just simply give them money back with interest is not adequate in this situation.

Mary Ann Weaver asked Mr. Faughman when is this going to happen.

Mr. Faughman replied the CDC received the information yesterday, as did he. He has not been able to touch base with them, since he is here today. To determine how long the review will take, he doesn't imagine that it will take very long. The Lessee has agreed to send the checks and letters out as soon as they get confirmation from CDC that the numbers are correct.

Ms. Weaver replied that seven tenants including her have gone to the State and that the Lessee is violating State law. The State told her that it should not have taken nineteen months for the County to correct this problem. The gentlemen advised her to put in a complaint and get the State involved.

Carla Andrus stated she was disappointed that the public was not at the CDC meeting. She further stated that she asked Mr. Faughnan if the public could attend and he said, absolutely not. It was important for the public to be at this meeting because something is going on between the County and Goldrich and Kest. There are issues on Parcel 18 that have never been addressed, which is another arrangement between the County and Goldrich and Kest.

Mr. Wisniewski replied that if the Commission is interested, that we could invite the Community Development Commission to a meeting. They receive a fee from Lessees for monitoring the affordable housing issue units in the Marina. Mr. Wisniewski stated he would be interested in them making a presentation to the Commission.

Chairman Searcy replied to please do so.

Chairman Searcy called Mr. Gardner to the table.

Chairman Searcy asked Mr. Faughnan if there was any reason why Mr. Gardner couldn't cut the tenants checks today.

Mr. Faughnan replied there was no legal reason.

Mr. Gardner replied to Chairman Searcy that he told him previously that if they made an error they would fix it. It had taken them a while to get together with CDC, but as promised they did. The calculation that they used which they were initially directed to use was a federal guideline. Those were the rents that we used. We didn't pull them out of the air. When we met with the CDC, they told us we were using state guidelines and they showed us how they made the calculations and we showed them how we made the calculations. Mr. Garner said the only reason that they did not send the checks out was that he did not want the CDC to come back and say the calculation was not correct. Further, within the next couple of days, the residents should receive a check and effective September 1st the tenants will be paying new rents. He is waiting for a phone call back from Mr. Babcock just to clarify that we are on the right track.

Jun Yang said that the tenants have asked for one-year leases and never once have had that opportunity. This is supposed to now go though but if it doesn't, he thinks there should be violations or punishments given to the Lessees.

5. NEW BUSINESS

a. None

6. STAFF REPORTS

a. Ongoing Activities

Mr. Wisniewski suggested given the hour of the day, the Commission receive and file the report unless the Commission had any questions.

Chairman Searcy said he was going to pull the item but would like to go to the Local Coastal Program Periodic Review.

Staff Comment

Mr. Wisniewski said there were about twenty people that spoke before the Commission in San Luis Obispo at their last meeting in July. We identified the issues that were raised and we understand that the Commission will again hear the Marina del Rey periodic review at their October meeting in the Los Angeles area.

Commissioner Landini asked if we would hear any response.

Mr. Wisniewski replied that once the Commission acts, the County has one full year to respond in which the response will go through the Board of Supervisors. The staff report will be brought through this Commission.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Nancy Vernon Marino said the County has already taken more than one year to respond. She stated there was an original draft in June 2005, followed by a one year public comment period in which the County had equal opportunity with the public to submit and language recommendations after which the Commission was supposed to come up with a final draft and have a public hearing to move and vote on that final draft of recommendation. The County for some reason thought it didn't have enough time to respond to that final draft and has had this delayed since July of last time. In the meantime, your Commission, the Department of Beaches of Harbors, the Department of Regional Planning have been moving merrily along with all sorts of projects that have been in violation of the letter of the law of the Costal Commission ordinances, the Specific Plan and many more which are in violation of the spirit of the land use plan. She spoke of a public information request that the County claims is confidential. This was submitted in writing to the Coastal Commission with the request that it be kept confidential. The Commission said no, we can't. It will become public information. The County withdrew it and claims it is confidential.

Jun Yang read a letter into record from Don Klien requesting a state senate investigation regarding boat slips increases.

Carla Andrus asked the Commission to make a public information request for the correspondence between the Director and Andi Culbertson.

Chairman Searcy replied to Ms. Andrus that she needs to put the request into writing.

Mr. Faughnan replied to Ms. Andrus that she needs to submit the request to the Department of Beaches and Harbors and not the Commission.

Chairman Searcy told Ms. Andrus to submit the request to the Department of Beaches and Harbors.

7. COMMUNICATION FROM THE PUBLIC

Katherine Montesano said she is in affordable housing and just received a ninety-dollar increase at the Marina Harbor Apartments. She is on a fixed limited income. She also said they are now reviewing the criteria for 2007.

Commission Searcy asked Mr. Faughnan if staff could look at this matter. We just went through this with Capri Apartments.

Mr. Faughnan replied yes.

Virginia Hardy read a letter that she wrote to Supervisor Knabe about how difficult it is to obtain senior housing.

Nancy Vernon Marino spoke about Sewer System Management Plan Development Schedule. On the third box down under legal authority, item e) enforce any violation of its sewer ordinances. She thinks that is a slip, she thinks they mean enforce the sewer ordinances or enforce penalties for violations of an ordinance. In the next box down, item d) providing preventative activities and tracking work orders. On Panay Way, she would like to know about the runoff diversion project from Mothers Beach over into the sea basin. That project was approved and there was supposed to be four trucks and seventy thousand cubic yards of asphalt removed. After talking to an engineer over there, she found out there has only been one truck and seventeen thousand cubic yards of asphalt removed. If the project was approved at the cost of using four trucks and extra tens of thousands of cubic yards of asphalt, then where is the money? Was it spent? Did it disappear? She would like this tracked and made a part of the official record. She wants an official investigation and for the department to report back to the Small Craft Harbor Commission at the next meeting. She thanked the Commission and asked them to demand a master plan before this Commission gives any approvals for any more projects.

William Vaeszk said the boats are legal second homes and boat owners are getting the shaft. We have to have a legal way to force the County to be more consumer friendly. He feels we should run the marina like a mobile home park.

James Oates spoke about having a better rating system for the boat slip survey.

Mr. Nahas spoke to the Commission about having night and weekend meetings so more members of the public can attend.

Chairman Searcy replied that they would have another night meeting however the last time they had a night meetings everyone left after the development presentation was over.

Lastly, Mr. Nahas commented that you can't give confidential documents to the California Coastal Commission as Los Angeles County did. Mr. Nahas stated he contacted the Coastal Commission and they told him they did not know what was going on when they received the documents. They called their attorneys and the attorneys told the Commission to do nothing and to send it back to Los Angeles County.

Chairman Searcy tried to explain the public information act and tried to tell Mr. Nahas that it is not as cut and dry, as it seems. He advised him to read the public records act and case laws.

ADJOURNMENT

Chairman Searcy adjourned the meeting at 1:23 p.m.

Respectfully submitted by:

Maureen Sterling,

Acting Commission Secretary

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- OCTOBER-2007

Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	0
Robbery: Strong-Arm	0	0
Aggravated Assault	0	0
Burglary: Residence	1	4
Burglary: Other Structure	0	1
Grand Theft	1	3
Grand Theft Auto	2	0
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	0	2
Boat Burglary	0	0
Petty Theft	0	0
Total	**4**	**10**

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

Source- LARCIS, **Date Prepared NOVEMBER 1, 2007**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES-OCTOBER 2007

	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape								1		1
Robbery: Weapon										0
Robbery: Strong-Arm										0
Aggravated Assault						1		3	2	6
Burglary: Residence					1		4	7	8	20
Burglary: Other Structure							1		1	2
Grand Theft	3	1		2	1		3	1	4	15
Grand Theft Auto	4				2				3	9
Arson										0
Boat Theft										0
Vehicle Burglary	1					1	2	3	7	14
Boat Burglary				3						3
Petty Theft	4	1								5
REPORTING DISTRICTS TOTALS	**12**	**2**	**0**	**5**	**4**	**2**	**10**	**15**	**25**	**75**

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

Source- LARCIS, **Date Prepared –NOVEMBER 1, 2007**
CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR ORDINANCE
SEAWORTHY & LIVEABOARD COMPLIANCE REPORT
2007

	September	October
Liveaboard Permits Issued (NEW)	**3**	**0**
(RENEW)	**4**	**10**
Total	**7**	**10**
Notices to Comply Issued	**0**	**0**

	Last Meeting	Present
Total Reported Liveaboards:	**368**	**368**
Total Current Liveaboard Permits Issued:	**170**	**175**
Total expired permits:	**85**	**94**
Total Reported Liveaboards without permits:	**113**	**99**

Total reported vessels docked in Marina del Rey Harbor: **4,416**

Percentage of vessels that are registered liveaboards: **8.3%**

No new citations were issued for violations of 19.12.1110 L.A.C.C. (liveaboard permit) or 19.12.1060 L.A.C.C. (un-seaworthy vessel) in the months of July and August.

Number Of Impounded Vessels Demolished

To date, two hundred thirty-one (231) vessels have been removed from the marina for disposal, twenty-six (26) of those in 2007. Currently, four (4) vessels are ready for disposal and eight (8) are awaiting lien sale procedures.

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors
Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director

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

MARINA DEL REY EVENTS

OUTDOOR ADVENTURES 2007

Harbor Kayaking Program
Burton Chace Park, 13650 Mindanao Way
Saturday, November 10
11:30 a.m. – 1:45 p.m.

Come and take the last harbor kayaking lesson of the year in Marina del Rey. This two-hour session begins with Los Angeles County Lifeguard instruction and water safety. The group will get the opportunity to enjoy Marina del Rey's basins. This is a great opportunity for families to have a fun and educational day in the Marina del Rey harbor. Program requires pre-registration. Fees are $25 (youth 10 – 18) and $30 (19 or older). Fees must be paid upon registering.

For registration information call: W.A.T.E.R. at (310) 305-9587.

Surf Kayaking
Burton Chace Park, 13650 Mindanao Way
Saturday, November 10
8:00 – 11:00 a.m.

Los Angeles County Department of Beaches and Harbors is offering the last surf kayaking lesson of the year. Participants will get the opportunity to kayak through 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 $25 (youths 10 - 18) and $30 (19 or older). REQUIRED: Must have attended at least one harbor kayaking session. Fees must be paid upon registering.

For registration information call: W.A.T.E.R. at (310) 305-9587.

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

TREE LIGHTING CELEBRATION

Ritz-Carlton Hotel, 4375 Admiralty Way
Sunday, November 25
5:00 p.m.

The annual dazzling tree lighting ceremony in front of the Ritz-Carlton Hotel, Marina del Rey will take place Sunday, November 25th. Come and see the magnificently decorated tree, Lionel train exhibit and holiday decorations.

For more information call: Ritz-Carlton (310) 823-1700.

TALL SHIPS

Villa del Mar Anchorage, 13929 Marquesas Way, C-Basin
December 6th – 18th

Lady Washington, who played the "Interceptor" in "Pirates of the Caribbean – Curse of the Black Pearl", along with her tour partner, Hawaiian Chieftain, will arrive in Marina del Rey on Thursday, December 6th. Travel back in time aboard the Lady Washington, a reproduction of the great tall ship that sailed in the late 1700's.

There will be battle re-enactment sails and dockside tours open to the public beginning Thursday, December 6th, through Tuesday, December 18th. School aged children will have the opportunity to learn, hands-on, about global trade, navigation, and the life of 18th century sailors through scheduled educational programs. For a special treat, sail with the tall ships during the Holiday Boat Parade, Saturday, December 8th.

For fee schedule and reservations call: Lady Washington at (800) 200-5239 or visit website http://www.historicalseaport.org.

45th ANNUAL HOLIDAY BOAT PARADE

Saturday, December 8, from 6:00 p.m. – 8:00 p.m.

The annual Holiday Boat Parade will soon be here. The theme of this year's parade is "HOLIDAY MAGIC." Fireworks kicking off the start of the parade will be shot off the south jetty at 5:55 p.m. on Saturday, December 8. It is estimated that more than 70 beautifully lighted and decorated boats will participate in the event that is free to the public. Boat owners will compete for numerous prize packages on Saturday evening with the "Best Overall" winning a trip to Tokyo, Japan to judge the illuminated boat parade and contest of Tokyo Bay.

Best spots for viewing the boat parade are Burton Chace Park, located at 13650 Mindanao Way, and Fisherman's Village on Fiji Way where spectators can see and hear the parade free of charge.

Parking is available in County lots throughout the Marina del Rey.

For event information call: The Holiday Boat Parade at (310) 670-7130 or Marina del Rey Visitor Information Center at (310) 305-9545. Please visit www.mdrboatparade.org for detailed information.

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

Saturday, November 10
Moondance, playing Big Band Swing

Sunday, November 11
2 AZZ 1, playing Smooth Jazz

Saturday, November 17
Blue Breeze, playing Smooth Jazz

Sunday, November 18
Sullivan Hall Band, playing Soul & Funk

Saturday, November 24
Kimi Jazz Band, performing Standards & Salsa

Sunday, November 25
Greg Wright Band, playing Reggae, Rock, Pop, R&B

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

BEACH EVENTS

PIER LIGHTING
Manhattan Beach Pier
Saturday, December 1
4:30 p.m. – 6:30 p.m.

Join Manhattan Beach Parks and Recreation at their 18th Annual Pier Lighting Ceremony on Saturday, December 1. Event is free to the public and will include live entertainment beginning at 4:30 p.m. and a special visit from Santa. So come and enjoy the music with family and friends.

For more information call: The City of Manhattan Beach Parks and Recreation Department at (310) 802-5448 or visit www.citymb.info.

SAND SNOWMAN CONTEST
Hermosa Beach Pier
Saturday, December 8
9:00 a.m. – 12:00 p.m.

The weatherman says it's nothing but Sand! Sand! Sand! Bring your family and friends, shovels, scarves and mittens, because in Hermosa Beach they are making SAND SNOWMEN! This unique holiday tradition is open to all ages and abilities. Come early and mark your spot for the best Sand Snowman! Join in holiday games and trivia. Event takes place north of the Hermosa Beach Pier at the shoreline and check-in begins at 8:45 a.m. with sand sculpting beginning at 9:00 a.m.

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

SW:DC:ks

"To enrich lives through effective and caring service"

LOS ANGELES COUNTY
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director

Subject: **ITEM 4a – PROPOSED LETTER TO BOARD OF SUPERVISORS REGARDING BOAT SLIP RENTAL RATE INCREASES**

During the October 2007 meeting, Chairman Searcy agreed to draft a letter for your Commission to send to the Board of Supervisors regarding boat slip rental rate increases in Marina del Rey. Your Commission wanted to submit the letter to the Board in December following receipt of public input by interested parties by November 14, 2007.

To obtain maximum public input, your Commission asked that the prior draft letter be posted on the Department's website for review and comment. We have received a number of comments and proposed draft letters from members of the public as follows:

- A proposed letter submitted by Ms. Nancy Vernon Marino (Exhibit A);
- E-mail comments and a proposed letter from "Stuart Little," via the e-mail address lamariner@gmail.com (Exhibit B);
- An e-mail from Mr. David De Lange, following up on Stuart Little's aforementioned e-mail with additional suggestions (Exhibit C);
- E-mail comments and a proposed letter from Mr. Scott Ganary (Exhibit D);
- E-mail from QueenyHi@aol.com supporting issues raised in Scott Ganary's proposed letter (Exhibit E)
- E-mail from Kurt Yardley, responding to Scott Ganary's proposed letter (Exhibit F).
- Letter from Commissioner Lesser (Exhibit G); and
- Letter from Commissioner Landini dated October 20, 2007 (Exhibit H).

These comments and proposed letters are forwarded herewith for your information. We will calendar Commissioner Searcy's proposed letter for your consideration at the December 2007 meeting.

SW:KS:SK:pw
Attachment (8)

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

EXHIBIT A

Paul Wong

From: Nancyvmarino@aol.com
Sent: Monday, November 05, 2007 6:52 PM
To: beaches@dbh.co.la.ca.us
Cc: lamariner@gmail.com
Subject: Draft of SCHC letter for Nov. 14 meeting
Attachments: DRAFT SCHC to BOS re Slip Fees.doc

Hi, Stan,

Attached is a draft letter for consideration at the November 14, 2007 Small Craft Harbor Commission meeting.

Please confirm to me that copies of this letter will be included with the meeting materials as part of the agenda item on slip fee rental rates that are a continuing item of Old Business, and posted online when the materials are submitted this Wednesday.

Please also forward a copy to each Commissioner.

Thank you.

Together,
We ARE Marina del Rey,

Nancy Vernon Marino

See what's new at AOL.com and Make AOL Your Homepage.

November 5, 2007

TO: Each Supervisor

FROM: Harley Searcy, Chairman
Small Craft Harbor Commission
Marina del Rey

SUBJECT: CONCERNS OVER BOAT SLIP RATE INCRESES AND MAINTENANCE OF BOATER-RELATED FACILITIES IN MARINA DEL REY

This memorandum is to convey to your Board the serious concerns of many boat slip tenants, other boat owners and concerned County residents over the trend of slip fees in Marina del Rey, and the negative impact it will have on the accessibility of boating on an equal basis for all.

For many months now there has been a growing concern expressed at Small Craft Harbor Commission meetings over the "fair market rates" that the County now allows Lessees to charge boat slip tenants in the Marina. Under this new policy, a survey is made of marinas within a 60-mile radius of Marina del Rey, with current list rates for slips of varying boat sizes. The County then allows Marina del Rey Lessees to charge within $2 of the surveyed marinas' average slip fees. The Department of Beaches and Harbors has verified that this is how standards for Lessees are determined.

At our August meeting, members of the boating community made a formal presentation challenging the County's present policy of allowing slip fee increases based on the County's survey. The County's methodology was challenged in several ways:

* the survey does not include information on the condition of the docks or amenities provided
* the survey is of asking prices only, and not the average slip fees collected by a surveyed marina
* the survey is not of all marinas, but only a sampling (albeit a large sample)
* the survey does not discern between public or for-profit facilities

A few other harbors have implemented a similar pricing policy, and other harbors look to Marina del Rey, as the largest small craft harbor, for guidance in setting their own slip rates. This has led to a leap-frogging of slip fees in all marinas. The resulting prices are far from fair or reasonable, and the return on investment to the Lessees is far greater than is warranted by the conditions of the docks and amenities provided to the slip tenants. It was shown that some of the most decrepit docks in Marina del Rey charge among the highest rates.

The most distressing consequence is that, faced with massive slip fee increases of up to 50% and even as much as 64%, many boaters of modest financial means are finding not only their slip tenancy, but their entire investment in a boating lifestyle, in jeopardy. These boaters have less than a month to find additional sources of funds or new accommodations, and they are facing penalties and other charges for court fees from the marina operators if they cannot find either. Liquidation values suffer for boats without available accommodations.

Because no new marinas are being built anywhere along the Southern California coast, there is no supply side to support the "free market" model now in use. In addition, with many older slips being taken out of commission for renovation or replacement, the tremendous upward pressure on slip fees lacks the usual mitigating market forces of new or even constant supply. Many of the new marinas have far fewer smaller slips, with the result that smaller boaters are being squeezed out at a greater rate than any other class of boat. Marina del Rey boating, which is mandated for small craft recreational boating above all else, is being gentrified to average out with Newport Beach or any other private boating enclave, and we risk losing the "entry level" boating experience for Los Angeles County residents as a result.

The perception in this community that boating in Marina del Rey is being gentrified is not without merit. Certain other information also contributes to boaters' concerns: the ability of marina operators to evict slip tenants without cause on 30-day notice; a possible "black market" for slips wherein dockmasters receive off-the-record incentives to evict an existing tenant in favor of another tenant at the same slip fee; and the higher rate of large slip usage by yacht brokers, which skews the occupancy data that supports reduction of small slip accommodations in proposed redevelopment.

Community members want an independent audit of slip fees in Marina del Rey, and an impartial investigation into the current policy of allowing "free market forces" to determine prices where no free market exists. A comparison with Long Beach Harbor, Dana Point Harbor, and City of Santa Barbara policies would be instructive for an appropriate Marina del Rey policy.

Boat slip maintenance is also of great concern to boaters and their guests in Marina del Rey. While the Department of Beaches & Harbors lauds its new lease policy of $100 per day fines for maintenance violations, it has yet to submit a plan for strict enforcement of maintenance on older docks. The fact that the County has allowed slip fee increases to "market rates" without adequate enforcement of safety compliance requirements or improved maintenance adds insult to injury for many of the slip tenants who believe they are personally lining the pockets of marina operators until their late-term leases are renegotiated and the operators are allowed to evict them. The department will give an updated report on compliance at our next hearing. This Commission will continue to monitor enforcement actions of the Department of Beaches & Harbors and make additional recommendations to the department and your Board of additional action(s) as appropriate.

Recommendations:

1) We urge the Board of Supervisors to commission an independent investigation of Marina del Rey slip fee pricing policies, including an audit of Marina del Rey slip fees. Funding for the investigation can be taken from the County General Fund, from a portion of the net revenues contributed thereto by Marina del Rey. We believe the cost of such an investigation is warranted due to the high profile of Marina del Rey harbor, the contribution of recreational boating to the local and County economy, and the contribution of recreational boating to other jurisdictions. Ensuring that County policies support the continued success of small craft recreational boating, as well as its accessibility to Los Angeles County residents, is of utmost importance. We recommend Dr. Ed Mahoney of Michigan State University, a leading expert in recreational boating studies, to oversee such an investigation.

2) The inadequacy of $100/day to motivate multi-million dollar corporations to action is a weakness in the County's new leases that will be a burden primarily to slip tenants when maintenance of newly constructed marinas becomes an issue. We recommend that the County raise that amount to $5,000 per day, but in no event less than $1,000 per day.

HS:NVM

Attachment

C: Each Chief Deputy
County Counsel
Chief Executive Office

From: Stuart Little [mailto:lamariner@gmail.com]
Sent: Tuesday, November 06, 2007 12:01 PM
To: Kerry Silverstrom; Stanley Wisniewski; Don Knabe; don@bos.lacounty.gov; don@bos.co.la.ca.us; Napolitano, Steve; Nancy Marino; nutritwarehouse@yahoo.com; Don Klein; Delange; joates@datasysit.com; lorh@ca.rr.com; Justin Henry; Brad Kayl; lawhotline@aol.com; David Tunno; John Davis; Preston Davis; Tom&Lori Volk
Subject: Draft for Letter to LA County Board of Supervisors

To the Commissioners of the Small Craft Harbor Commission:
c/o Kerry Silverstrom, Department of Beaches and Harbors

We have attached a possible draft for the letter that is being written to the County Board of Supervisors on slip fee increases. Please review the document and let us know if any details need to be added.

We are still collecting data on other slip rates in the area and will present it to the Commission at the November 14th meeting. We will submit the suggested addition to the minutes of the August 8, 2007 meeting within the next couple of days.

Thanks,

LAMariner.com

November 5, 2007

DRAFT

TO: Each Supervisor

FROM: Harley Searcy, Chairman
Small Craft Harbor Commission
Marina Del Rey

SUBJECT: **CONCERNS OVER BOAT SLIP RATE INCREASES**

This memorandum is to inform your Board that boat slip tenants in Marina Del Rey are being subjected to abnormal slip fee increases. Over the past few months, our commission has heard from numerous members of the boating community who have been subjected to increases of up to 64%. It is our objective as an advisory council to recommend that actions be taken immediately to ensure access to our publicly-funded harbor.

The Department of Beaches and Harbors has conducted a survey of slip rates comparing the rates within Marina Del Rey and with other marinas on the coast of Southern California. These rates do not reflect the actual costs boaters are paying but published rates from the lessees' websites based on what they would pay if they were to enter the marina today. The price comparisons do not take into account dock type, age/conditions of docks, facilities, or amenities. One of the highest-priced marinas from the survey, Pier 44, has deplorable dock conditions and has been served with numerous default notices. We have received pictures from boat owners of the docks and the bathroom facilities at Pier 44, Mariner's Bay, Almar and Bay Club and cannot understand how these marinas could even contemplate raising their fees so high.

There is a perception in the Marina that the lessees are engaging in price gouging from the lack of supply of boat slips. The Department of Beaches and Harbors conducts a vacancy report on slips and has verified as of October 8th that there are fewer than seven slips available in the 35' and above category. We have been informed by the public that these slips are not available to the general public and that a "Black Market" has developed due to the limited supply. It is worth noting, that Parcel 15 (Bar Harbor) will be closing their docks in the near future, thus straining the supply even further.

Boat owners are requesting explanations as to why low-cost recreational boating opportunities are no longer provided in Marina Del Rey. They have seen from the Department of Beaches and Harbors survey that their neighbors to the north and south (Long Beach, Santa Barbara, and Dana Point) are following their Local Coastal Programs

and providing low-cost recreational boating. A financial analysis of the offending leaseholds has been demanded by our boating public, along with the enforcement of Policy 27. The Director of Beaches and Harbors, Stan Wisniewski, has declined these requests, stating that the marinas are within reasonable rates and that a financial analysis cannot be conducted in the scope of a commission meeting. He has assured the boaters that the new leases are stronger and the department assesses liquidating damages of $100 per item per day for deficiencies not cured within prescribed time.

The Small Craft Harbor Commission has been flooded with concerns about the change in terminology within the original 60-year leases in the Marina. Many of our citizens don't understand how, why, and when the change from "fair return on investment" by the developer to "fair market price" occurred. A world-renowned expert in the field of Boating Economics from Michigan State University, Dr. Ed Mahoney, has assessed the slip fee increases in Marina Del Rey and states that the Recreational Marine Resource Center (RMRC) does not have any information concerning "fair market pricing" of marinas. The RMRC advises national and state agencies in the United States, Canada, England, Taiwan, Korea and Malaysia. Dr. Mahoney also stated that there is no formula or pricing method employed by marinas. Frequently it is based on some perceptions/ estimate of "willingness to pay" on the part of the marina operator.

The slip fee situation is even further complicated by a fear that boaters may have to express their concerns. They presently are not afforded landlord/tenant rights, and with limited supply, are not going jeopardize their slip by coming forward. As a result of the perceived monopolizing power of the marina operators, boaters face intimidation in protesting the exorbitant rates. Some of the boaters are on fixed incomes and can not absorb the massive increases, or acquire adequate legal representation. Owners are scrambling to sell their boats or suffer from being evicted.

The Commission would like your assistance in providing guidance and a lawful resolution that would bring back some balance in Marina Del Rey. It is increasingly clear that with limited supply and tremendous pressure by the operators to drastically increase prices, the existing boating community in Marina Del Rey is in imminent danger. We will continue to inform the Board of crucial developments in the harbor and serve the interest of the citizens of the County of Los Angeles.

SW:KS:SK:pw

DRAFT

EXHIBIT C

From: David De Lange PhD [mailto:dr.delange@verizon.net]
Sent: Tuesday, November 06, 2007 1:49 PM
To: Stuart Little; Kerry Silverstrom; Stanley Wisniewski; Don Knabe; don@bos.lacounty.gov; don@bos.co.la.ca.us; Napolitano, Steve; Nancy Marino; nutritwarehouse@yahoo.com; Don Klein; joates@datasysit.com; lorh@ca.rr.com; Justin Henry; Brad Kayl; lawhotline@aol.com; David Tunno; John Davis; Preston Davis; Tom&Lori Volk
Cc: Marcia Hanscom
Subject: Re: Draft for Letter to LA County Board of Supervisors

I would add more specifically in the letter to the Board of Supervisors that some current Marina del Rey boat slip pricing practices involve violations of policies set forth in three chapters of the certified Marina del Rey Coastal Program: Chapter 1 (Shoreline Access), Chapter 2 (Recreation and Visitor-serving Facilities) and Chapter 3 (Recreational Boating). The California Coastal Commission both historically and even at present is inclined to apply especially Chapter 1 related policies (on coastal access) rather stringently. I hope that the B.O.S. will be equally respectful of the policies in all 3 LCP chapters, so as to insure, maintain, and encourage widespread public access to low cost recreational boating.

David De Lange, PhD
Executive Director
Coalition to Save the Marina

---- Original Message ----
From: Stuart Little
To: Kerry Silverstrom ; Stan Wisniewski ; Don Knabe ; don@bos.lacounty.gov ; don@bos.co.la.ca.us ; Napolitano, Steve ; Nancy Marino ; nutritwarehouse@yahoo.com ; Don Klein ; Delange ; joates@datasysit.com ; lorh@ca.rr.com ; Justin Henry ; Brad Kayl ; lawhotline@aol.com ; David Tunno ; John Davis ; Preston Davis ; Tom&Lori Volk

Sent: Tuesday, November 06, 2007 12:00 PM
Subject: Draft for Letter to LA County Board of Supervisors

To the Commissioners of the Small Craft Harbor Commission:
c/o Kerry Silverstrom, Department of Beaches and Harbors

We have attached a possible draft for the letter that is being written to the County Board of Supervisors on slip fee increases. Please review the document and let us know if any details need to be added.

We are still collecting data on other slip rates in the area and will present it to the Commission at the November 14th meeting. We will submit the suggested addition to the minutes of the August 8, 2007 meeting within the next couple of days.

Thanks,

LAMariner.com

--
All tyranny needs to gain a foothold is for people of good conscience to remain silent.
Thomas Jefferson

Visit LAMariner.com

-----Original Message-----
From: Scott Ganary [mailto:scott.ganary@740sounddesign.com]
Sent: Tuesday, November 06, 2007 10:40 PM
To: Kerry Silverstrom
Subject: For up coming meeting on slip rate increases

Hi Kerry,

I have attached a letter I am sending to the County Board of Supervisors. I would like the last portion of this letter to be consider by Chairman, Harley Searcy to be add to any recommendations he makes to the Board of Supervisors, staring with:

It is time for the County Board of Supervisors and our Harbor Department to heighten their focus on Marina del Rey and its original intended use. It is time to return this publicly financed resource to the boating public it was intended for.

What the public now needs from their County Board of Supervisors is:

1. An Independent Audit of Slip Rents in MDR 2. A Public Cash Flow Model for MDR 3. A roll back of rent to pre 2005 rates until the Audit is completed

The County Board of Supervisors needs to be reminded that MDR was created by a bond issue voted on by the citizens of LA County for the affordable use of small crafts and for the use of the citizens of LA. It was financed by the citizens of LA County and the federal government - not by the developers.

Thank you for passing this on to Chairman Harley Searcy,

Scott

DRAFT November 6, 2007

Los Angeles County Board of Supervisors
Address

Re: Marina Del Rey Boat Slip Rate Increases

Dear County Supervisors:

I am writing to express my concerns regarding the unjustified slip rate increases in Marina del Rey. The voters of LA County and the federal government paid for MDR to be built for the use of small crafts owners and for the public use. LA County now collects thirty million tax dollars a year from MDR.

MDR was originally built to provide six thousand (6,000) slips, which have now been reduced to only four thousand five hundred (4,500) in service. Four hundred and fifty (450) slips in one marina alone have been out of service for seven years now! The net effect is a 33% reduction in available slips. Imagine what taking 33% reduction to an already finite commodity will do to any market? In and of itself, this shortage has driven MDR boat owners into a rationing, highest bidder, under the table dealing, non-competitive, non-responsive, environment, working very, very well for the marina-apartment owners and developers.

In 2007, the finite space in MDR moved further into an absolute shortage of available slips, creating the perfect storm and cover for the owners of various marinas and apartment developers in MDR. Developers have seized this moment to come to the same collective decision to increase slip rates, regardless of the lack of improvements of facilities over the last forty-five years. They have acted in unison to increase their rates to among highest in Southern California. In addition, with the help of our Harbor Department they have decided that there is no reason at all to show even a façade of any other free market forces in play. They have come to their decisions in the absence of any **official independent audit** that would include comparables within and outside of MDR as to quality of facilities and their amenities.

The only market survey referenced is a thin one provided by the Harbor Department, that showed the current asking price found on the internet and a few survey calls made to other marinas. At this time there has been no **in-depth study or independent audit** of the rates of slip renters in other marinas, showing the actual rates that people have been paying for many years. It only reflects the highest "current asking price" with no details as to market comparables such as overall facility age and quality, electrical capabilities, dock/ slip maintenance, bathroom facilities, parking, security and available amenities, improvements made or lack thereof.

This approach equates to looking at current asking prices for homes currently on the market, then coming back to the neighborhood and adjusting all mortgages of previously sold homes and property taxes to match prices of houses now on the market.

The one and only market force that developers and marina owners are now choosing respond to is very simple: there is a shortage in a finite, publicly financed space called MDR and this shortage trumps all other market forces. The developers no longer need to respond to boater or taxpayer's needs in any way. There is a shortage out there and the developers have gone to the highest bidder mode. When a boater asks, "Why are our rental rates going up 64% with no improvements to our facilities" the attitude of many marinas owners in MDR has been "Move on if you don't like our rent increases". There is no need for developers to upgrade facilities; there is no need to treat boaters and the public with respect. Developer's attitude has now shifted to **" The boaters and the public now work for us".** This is an absolute distortion to the intent of what MDR was built for.

It is time for the County Board of Supervisors and our Harbor Department to heighten their focus on Marina del Rey and its original intended use. It is time to return this publicly financed resource to the boating public it was intended for.

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The County Board of Supervisors needs to be reminded that MDR was created by a bond issue voted on by the citizens of LA County for the affordable use of small crafts and for the use of the citizens of LA. It was financed by the citizens of LA County and the federal government - not by the developers.

Sincerely,

Scott Ganary

From: QueenyHi@aol.com [mailto:QueenyHi@aol.com]
Sent: Wednesday, November 07, 2007 8:52 AM
To: Kerry Silverstrom
Subject: The slip fee fiasco!

Dear Kerry,
I received the letter pasted below and totally support the issues that are raised.
Respectfully,
Dr. Hollander

Los Angeles County Board of Supervisors
Address

Re: Marina Del Rey Boat Slip Rate Increases

Dear County Supervisors:

I am writing to express my concerns regarding the unjustified slip rate increases in Marina del Rey. The voters of LA County and the federal government paid for MDR to be built for the use of small crafts owners and for the public use. LA County now collects thirty million tax dollars a year from MDR.

MDR was originally built to provide six thousand (6,000) slips, which have now been reduced to only four thousand five hundred (4,500) in service. Four hundred and fifty (450) slips in one marina alone have been out of service for seven years now! The net effect is a 33% reduction in available slips. Imagine what taking 33% reduction to an already finite commodity will do to any market? In and of itself, this shortage has driven MDR boat owners into a rationing, highest bidder, under the table dealing, non-competitive, non-responsive, environment, working very, very well for the marina-apartment owners and developers.

In 2007, the finite space in MDR moved further into an absolute shortage of available slips, creating the perfect storm and cover for the owners of various marinas and apartment developers in MDR. Developers have seized this moment to come to the same collective decision to increase slip rates, regardless of the lack of improvements of facilities over the last forty-five years. They have acted in unison to increase their rates to among highest in Southern California. In addition, with the help of our Harbor Department they have decided that there is no reason at all to show even a façade of any other free market forces in play. They have come to their decisions in the absence of any **official independent audit** that would include comparables within and outside of MDR as to quality of facilities and their amenities.

The only market survey referenced is a thin one provided by the Harbor Department, that showed the current asking price found on the internet and a few survey calls made to other marinas. At this time there has been no **in-depth study or independent audit** of the rates of slip renters in other marinas, showing the actual rates that people have been paying for many years. It only reflects the highest "current asking price" with no details as to market comparables such as overall facility age and quality, electrical capabilities, dock/ slip maintenance, bathroom facilities, parking, security and available amenities, improvements made or lack thereof.
This approach equates to looking at current asking prices for homes currently on the market, then coming back to the neighborhood and adjusting all mortgages of previously sold homes and property taxes to match prices of houses now on the market.

The one and only market force that developers and marina owners are now choosing respond to is very simple: there is a shortage in a finite, publicly financed space called MDR and this shortage trumps all other market forces. The developers no longer need to respond to boater or taxpayer's needs in any way. There is a shortage out there and the

developers have gone to the highest bidder mode. When a boater asks, "Why are our rental rates going up 64% with no improvements to our facilities" the attitude of many marinas owners in MDR has been "Move on if you don't like our rent increases". There is no need for developers to upgrade facilities; there is no need to treat boaters and the public with respect. Developer's attitude has now shifted to **" The boaters and the public now work for us".** This is an absolute distortion to the intent of what MDR was built for.

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Sincerely,

Scott Ganary

From: Kurt Yardley [mailto:yardleykurt@yahoo.com]
Sent: Wednesday, November 07, 2007 9:49 AM
To: Kerry Silverstrom
Cc: Stuart Little
Subject: Marina Del Rey Needs to be Given back to the Public that Pays for it

Mr Silverstorm, Marina Del Rey Needs to be Given back to the Public that Pays for it. This has gotten way out of control and as the word is spreading like wild fire. Please do what is in your power to help us rectify this serious injustice. Please read attached letter. Thank You Kurt Yardley 310-866-0585

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EXHIBIT G

TO: SMALL CRAFT HARBOR COMMISSIONERS
FROM: RUSS LESSER

Dear fellow commissioners,

Since I will not be able to attend the September 12th meeting, I thought I would give you my thoughts on the subject that was discussed at length today, and will continue to be discussed next month.

SLIP FEES

For purposes of this discussion, I am assuming that the chart that was passed out showing the slip rates of the marinas within 60 miles of MDR, from Ventura to Dana Point, is correct. I have not independently verified those numbers, but have no reason to believe the county is giving us incorrect data.

Based on that chart, the slip fees charged on the average in MDR are very comparable to those charged in the other marinas in Southern California. Therefore what we have here is a philosophical disagreement.

I believe that if the slip fees in MDR were higher than what it would cost to have a boat in other marinas, then that would be price gouging and the county should step in and require the fees to be reduced.

I also believe that if the slip fees in MDR are lower than it would cost to have a boat in other marinas, then the taxpayers of all of Los Angeles County are subsidizing the boaters in MDR. This subsidy would result in less money going to the county general fund, which would result in less available funds for health care, public safety, and other county services.

Some people disagree with my position. They believe that since the land is owned by the county, and they have been here a long time, they should pay less than they would pay for a comparable slip in another marina. While I can understand why they think that, I believe they are wrong. I also believe almost every resident in Los Angeles county who does not live in MDR would feel the same way I do if asked. And, it is the millions of LA County residents who own the marina, not just the ones who live or have a boat there.

If a ballot measure was put up for a vote by all the residents of LA County that read something like:

Are you in favor of having boaters in Marina Del Rey, a marina owned by Los Angeles County, pay less for their boat slip than they would have to pay in other marinas that are not owned by the county, recognizing that that would result in less money to the county which would result in less funds for health care, public safety and other county services?: Yes or No. My guess is that it would have about a 98% No vote.

PROPOSAL TO LET BOAT SLIP LEASES TERMINATE AND THE COUNTY TAKE THEM OVER

My basic belief is that government is not as cost effective as private industry at providing certain services. Government services should include public safety, defense, social services, environmental protection, parks and land protection, etc. Certain services such as the sheriff, lifeguards, etc. should not be provided by an entity whose goal is to make a profit for the shareholders. For example, there would be a major potential conflict of interest if the sheriff department was a profit oriented company. The fewer officers on duty, the more profit.

Proposing having the county take over the boat slip operation received thunderous applause at the last meeting. However, was the idea really thought out?

BUILDING NEW SLIPS

If the county built new slips, I can guarantee that due to the complex process that government building must go through, the cost would be higher than if private lessees had them built. I saw that many times in my years as an elected city councilman, and on many committees I have been on involving school construction, etc. Just as the current lessees, the county would be entitled to a fair return on the taxpayer's investment, and since the slips would cost more, that would result in higher slip fees.

OPERATING COSTS

I can also guarantee that it would cost the county more to operate the boat slips than it does a private lessee. The cost of labor is higher, and the government pension plans are far more generous than most businesses. Many cities and other governmental entities are struggling with the costs of the employee pensions. Two specific examples of operating cost comparisons I know of from my experience on the Manhattan Beach City Council are landscaping and trash removal. When we changed from civil service city workers to a private landscaping company, the cost went from $400,000 per year to $160,000 per year. When we changed from a city run trash service to a private company, each resident saved between 20% and 30% of their monthly cost.

If the county ran the slips and it cost more to build them, and more to operate them, then the slip prices would have to increase if the taxpayers were to get a fair return on <u>their</u> investment.

It was mentioned that a consideration might be to have the county build the slips and then contract out for management. This might be worth considering if some way could be found to keep the original cost of slip construction under control. This is also very complex and would need a lot of discussion to determine if it were feasible, and how the various responsibilities would work.

MAINTENANCE

The county should insist that with all new leases that there are strong "teeth" in the lease to insure that the leased property will be maintained in a satisfactory way. Some of the examples we were shown at the last meeting were disgusting and totally unacceptable.

On the older leases, I believe the county should take stronger and sooner action to put the lessee in default if the property is not maintained in a satisfactory way.

SUMMARY

Most people I meet and talk to believe MDR is a beautiful facility. I have talked to boaters who have been in a lot of marinas who feel that MDR is definitely better than a lot of them. It is clear that some of our docks and slips are in bad shape and are nearing the end of their useful life. No lessee in their right mind is going to pour a lot of money in a project unless they get an extension of the lease. However, as I stated under maintenance, that doesn't mean they should not do the proper repairs to keep it in a reasonable condition.

I know that much of what I have stated in this letter will not be popular with some people. It would be much easier just to agree with all the people who feel they are being overcharged for their slips, explain there is nothing we can do, and let the Board of Supervisors take the heat. However, I feel it is my responsibility as a Small Craft Harbor Commissioner to be honest with the public and myself and also answer not only to the residents and boat owners of MDR, but to all the residents of Los Angeles County.

I also resent the implication that was stated at the last meeting, that because of my beliefs, that somehow I must have some financial interest in the marina. I have no such conflict. I also am tired of hearing the ongoing statements criticizing Supervisor Knabe, the other supervisors, and the staff of the Department of Beaches and Harbors. I have known many of them for years, and they are honorable people who are doing their best for the residents of the county.

Yours very truly,

Russ Lesser

EXHIBIT H

Albert Landini, EdD
13428 Maxella Ave., 161
Marina del Rey, CA 90292

OCT 22 '07

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

October 20, 2007

Mr. Harley Searcy, Chairman
Small Craft Harbor Commission
c/o County of Los Angeles
Department of Beaches and Harbors
13837 Fiji Way
Marina del Rey, CA 90292

Subject: PROPOSED LETTER FROM SMALL CRAFT HARBOR COMMISSION TO LACO BOARD OF SUPERVISORS REGARDING SLIP RENTAL FEES

Dear Sir

I am writing this letter at your request in an effort to give voice to what I hear as the concerns of many boat owners regarding slip rental rates and slip rental practices within Marina del Rey. While this letter focuses on just the issue of slip rental rates I want to raise the flag to alert you that in the eyes of the public the issue of slip rental rates appears to go hand in hand with the issues of boaters rights and allegations made by the public before the Small Craft Harbor Commission, at its meeting of Thursday, October 11, 2007, of black market or under the counter pay-offs required to obtain or maintain a boat slip in certain yacht anchorages within Marina del Rey.

The Department of Beaches and Harbors has reported in a draft of letter for your signature dated October 11, 2007, that:

> " . . . the Department of Beaches and Harbors has conducted survey of slip rental rates comparing the prevailing rates in Marina del Rey with other marinas located within 60 miles of Marina del Rey. These comparisons did not find any incidences of price gouging in Marina del Rey. Specifically, as the September 2007 slip survey information shows, the average slip rates charged for 25', 30', 35' and 45' boat slips in MDR are below the average rates charged at other Southern California harbors for these slip sizes, and although MDR slips in the 40' and 50' categories have a higher average rate than those in other harbors, the Marina del Rey rates for these sizes are well within the rage of rates in other southern California marinas. Nonetheless, the perception persists that marina lessees are engaging in unfair pricing of slips because there is no competition. It is worth noting, as indicated on the attached (not attached hereto) August 2007 slip vacancy report, that there are Marina del Rey slips available in the 18'-25' and 26'-35' category but few vacancies exist for boats 26' and larger. It is anticipated that the 216 new slips coming on the market later this year at Parcel 12 (Esprit) should help improve slip

supplies, in the small slip category where complaint of unfair pricing is the most prevalent. Additionally, the Parcel 12 docks will become available for rental by the end of the year to increase slip supplies and competition."

In the October 16, 2007 issue of The Argonaut newspaper an article titled "Rescheduled Small Craft Harbor Commission meeting hears complaints from boat owners," by Gary Walker, several major points of citizen complaint were identified. The ones I thought most on point with the issue being dealt with herein are:

1. Charges of negligent maintenance of docks, pleas for an independent investigation of boat rental slip fees and a proposal to look into the possibility of a county takeover of private docks in Marina del Rey were the items that stood at the forefront of the Small Craft Harbor Commission meeting Thursday, October 11th.

2. Several owners of boats 35 feet and less have vociferously protested what many consider to be exorbitant increases to their boat slip rates over the last year. They contend that the formula that the county uses to determine the rates is faulty and an independent investigation should be initiated . . .

3. . . . many . . . boaters felt intimidated about speaking out publicly by the lessees who own the docks where their ships are moored.

4. In addition, they allege that the concept of "fair market value" that county officials use as the method of calculating the (slip rental) fees is flawed . . .

5. Wisniewski admitted, . . . "We continue to believe that the Marina del Rey slip rental rates are at market."

6. **Searcy believes that the question of fair market value is one of the key components that have to be addressed regarding the boat slip fees.**

7. **"That's the real issue, " he (Searcy) said. "Everything else flows from that."**

8. Commissioner Al Landini proposed having the commission consider a proposal to have the county assume control of the privately-owned docks in the Marina, which could conceivably result in lower slip rates.

9. Landini said he would like to see a county-operated municipal facility for boat slips - - "not all slips, but certainly a segment of them, and I would point to Long Beach as a way of doing it."

10. Commissioner Russell Lesser disagreed with Landini's approach.

    "I believe that government is inherently inefficient," said Lesser, a former Manhattan Beach city councilman and planning commissioner.

A recent letter to The Argonaut from Donald Klein, President, Coalition to Save the Marina, Inc., states in part that:

> "The boat slip pricing in Marina del Rey has reached a fevered pitch. Recently may boaters have received up to 60 percent increases . . .
>
> The county paid for a slip rice study by Williams-Kuebelbeck in 2004. County Counsel has refused to release this document to the public.
>
> . . . slip pricing was based on slip rates of other marinas within 60 miles. This straw dog attempt to validate these slip rate increases has begun to unravel. If the county is relying on average slip rates being charge by other marinas, how did *they* develop their pricing index? Answer: from other marinas within 60 miles.
>
> The fact is that none of these marinas, including Marina del Rey, can show a valid accounting standard for which boat slip pricing has been derived, other than to say, "well that's what the other marinas are charging." . . ."

In this discussion regarding slip rental pricing there appears to be two points of view. One view seeks to maximize the rental income from all boat slips. This has been called the Return on Value model. The other would see at least some of the boat slips in Marina del Rey treated to some lesser standard than maximizing rents under the fair market model. This has been called the Return on Investment or cost recovery model. The difference in these two approaches can be thought of as being similar to the comparison between municipal golf courses and private country clubs.

Based on the large scale and continuous public testimony before our Commission, regarding high boat slip rental rates, it would seem that our Commission is obligated to put both the Return on Value and the Return on Investment (cost recovery model) before the Board of Supervisors so that they can have an informed discussion on whether or not some portion of the Marina del Rey boat slips should be County operated charging only a cost recovery rate similar to what I believe is being done in Alamitos Bay, while the remainder of Marina del Rey boat slips can continue to be rented under the current lease programs already in place.

It would appear that in the letter to the Board of Supervisors our Commission should give voice to the viewpoint that at least some of the slip rentals should be severed from the land side leases and that these boat slips in Marina del Rey so severed should be County operated, and operated in a cost recovery or return on investment model only and not on a return on value model as they currently are. These slips could come under the direct control of the County as the landside leases to which they are tied come up for renewal or extension.

It can be argued that such a County operation should be at a cost recovery level by Beaches and Harbor similar to the ways such municipal marinas are operated elsewhere. It can be pointed out that the slip rent, as determined by the Department of Beaches and Harbor in its own survey, at Alamitos Bay is indicated to be cheaper than the Marina del Rey average. I believe Alamitos Bay

is a municipal marina.

It would appear that our Commission needs to bring to light the issue that the current role of the County is to maximize the income to the County from slip rentals versus the counter argument that these boat slips should be treated like any other municipal facility/utility, i.e., rented on a cost recovery basis. Also it should be pointed out that some slips will be operated by the County in the near future, but that the Dept of Beaches and Harbor has taken the stand to operate those slips at the same rental rates as the private marinas, i.e., Return on Value versus Return on Investment. At a minimum our Commission should alert the Board of Supervisors that there is a potential to have two types of slips in the future. One set that is private and rented on a Return on Value basis, and a second set that is County operated and rented on a Return on Investment or cost recovery basis.

Thank you for your kind consideration of these points. I would respectfully suggest that a final draft of your letter be made subject to Commission review and that you entertain a vote of support or no support from the Commission as a whole for said letter, allowing dissenting comment to be attached, before it is sent to the Board of Supervisors.

Regards

Albert Landini

Albert Landini, EdD
Commissioner
Los Angeles County Small Craft and Harbor Commission

cc: Stan Wisniewski, Director
Department of Beaches and Harbors

DocName: Slip Rental Issues

"To enrich lives through effective and caring service"

Los Angeles County
Beaches & Harbors
Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director

Subject: **ITEM 4b – DOCK CONDITION AT PARCEL 44 – MARINA DEL REY**

During your Commission's October 2007 meeting, a member of the public raised a concern that the docks at Pier 44 were in an unsatisfactory condition and, therefore, your Commission asked for a report.

We conducted an unscheduled special inspection on October 31, 2007 to assess the condition of the docks. The Lessee, as part of the Department's inspection policy, was thereafter notified of those repairs that needed to be made immediately for safety reasons. The Lessee has satisfactorily addressed those immediate repairs and is now systematically making all other repairs in such a manner so as not to inconvenience boaters.

Additionally, we asked the Lessee to provide information on how much it spent recently on dock maintenance and how it planned to continue with the maintenance regimen. The Lessee responded with the attached letter. Furthermore, a representative of the Lessee will be available for questions during your meeting.

Finally, we are pleased to report that the Lessee has started the process of obtaining the necessary entitlements and permits to replace the docks as part of the Pier 44 redevelopment plan.

Based on our findings, we are satisfied with the Lessee's ongoing effort and progress towards repairs and the ultimate replacement of the Pier 44 docks.

SW:SK:ks
Attachment

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

Pacific Ocean
Management, LLC

November 2, 2007

Sent via Email & US Mail

Mr. Santos Kreimann
Deputy Director
Asset Management & Planning Bureau
County of Los Angeles
Dept of Beaches & Harbors

Re: Pier 44 Boat Slips

Dear Santos,

This letter is meant to clarify the maintenance procedures currently taking place on Pier 44. I will also outline our plan for the upcoming months. In order to illustrate the progress that has been made, I chose the last seven months for comparison purposes. Back in March, 2007 we had five permanent maintenance employees working on our staff. We were able to keep up with most deficiencies; however, we did not seem to be making progress as new issues continuously appeared.

It was at this time that we hired an additional six temporary workers. It takes several months for even a seasoned carpenter to learn to work on floating docks. Over the next several months we experienced a huge learning curve with the new workers. We were waiting for The Dock Company to give us the workers we had requested several months earlier. The Dock Company is very expensive and the quality of their work justifies it. In July of this year we finally received the three full time workers and have had at least three of their workers everyday since that time. The benefit the Dock Company adds is the ability to dive under the docks and help re-position and add float tubs for stability.

At this point, we have our original staff of five maintenance carpenters, six additional temp workers outsourced from a contractor and the Dock Company workers. We always have at least fourteen men on our properties, with 12 being assigned to Pier 44 dock repairs.

In our meeting this Monday, October 29th, we went over the latest deficiency report dated October 2, 2007. In this report we had 97 new deficiencies and 325 outstanding deficiencies for a total of 422. As of the report dated October 31st, 38 of the new items had been repaired and 123 of the outstanding deficiencies had been repaired. Out of the 422 items earlier in the month, 161 have been repaired and removed from our report. We now have 261 deficiency items, as comparison we had 587 deficiencies (new and outstanding) on the 7/11/07 inspection report. This alone is testament to our commitment to repairing the docks to an acceptable condition.

Our plan is to continue to have all supplies needed for both small and large repairs on hand. We will continue with the extra workers for several months. Normally, we

13575 Mindanao Way Marina Del Rey, CA 90292 (310) 822-6866 FAX: (310) 822-4266

place all workers on the same dock. This is necessary because we can't leave the docks open and exposed at night due to the safety hazard. We have figured out a good design for re-building fingers, which is the main problem on the docks. The deficiencies marked immediate along with those we deem safety issues have always been and will continue to be how we prioritize work orders.

We have spent $315,000.00 (see attached) in the seven months ending October 31, 2007. This is above and beyond our in-house worker salaries, workers compensation and normal operating expenses. We are incurring an additional $45,000 / month expense as we diligently use our best efforts to make the docks safe and sturdy. I imagine we need quite a few more months of this intense work program before we will be able to re-assess the situation.

In response to the complaints that Beaches & Harbors has received towards various marinas, we are aware. Attached please find several letters from current tenants on Pier 44. These letters illustrate a different point of view from several of our boater tenants. To the best of our knowledge, we have not evicted a known legal live aboard during 2007; I do not know who made such a claim.

Effective immediately, we have doubled the work hours for our janitorial company which cleans the eight boater bathrooms surrounding Pier 44. We now have two full time janitors, seven days a week for just this Parcel.

In summary, we will continue to use our best efforts to make the docks safe and sturdy. We are willing to discuss and work with any tenant who complains about recent rent increases. Apparently, the tenants are complaining only to the County because we have not experienced any real complaints in this regards. The recent complaints had been relating to bathroom cleanliness and parking lot lighting. We have added several lights to the parking lot over the past couple of months and have increased janitorial services. Our hope is that the increased bathroom cleanliness along with safe and sturdy docks and premises will alleviate any injustice perceived to be taking place on this property.

Please let me know if you would like to discuss in more detail.

Best regards,

Pacific Ocean Management, LLC as agent for
Pacific Marina Venture, LLC

Michael Selden
Controller

cc: Michael Pashaie
David Taban
Jun Dolor
Sal Iannotti
Wayne Schumaker

PACIFIC MARINA VENTURE, LLC
DOCK REPAIRS AND MATERIALS
4/1/07-11/1/07

DATE	VENDOR	REMARKS		AMOUNT
4/1/2007	Doug Mcpherson	Hardware	$	2,515.97
4/1/2007	Doug Mcpherson	Hardware		43.10
4/1/2007	Southland Lumber	Lumber		2,211.25
4/1/2007	Ace Crain	Hoist Certification		680.00
4/4/2007	Doug Mcpherson	Hardware		243.57
4/10/2007	Southland Lumber	Lumber		822.70
4/10/2007	Sherwin Williams	Paint		1,233.62
4/17/2007	Ace Crain	Crane repair		804.98
4/18/2007	The Home Depot	Caulk		39.60
4/18/2007	The Home Depot	Hardware		132.05
4/18/2007	The Home Depot	Lumber		7.89
4/18/2007	The Home Depot	Hardware		51.94
4/18/2007	The Home Depot	Hardware		33.12
4/18/2007	The Home Depot	Spicket		2.93
5/1/2007	Doug Mcpherson	Hardware		819.46
5/9/2007	Dock Company	Down payment for dock repairs		5,000.00
5/15/2007	The Home Depot	Caulk and hardware		70.82
5/15/2007	The Home Depot	Shop supplies		100.64
5/15/2007	Southland Lumber	Lumber		5,272.86
5/15/2007	CLP Resources	Temporary construction		990.00
5/23/2007	Leonicio Zambrano	Temporary construction		1,232.00
5/30/2007	Spacetek Welding	Custom mounting for ramp		500.00
5/30/2007	Leonicio Zambrano	Temporary construction		4,487.00
5/31/2007	Dock Company	Dock repairs		5,000.00
5/31/2007	Dock Company	Dock repairs		1,708.00
6/1/2007	Rubber Supply Co.	Rubber hose		389.70
6/1/2007	CLP Resources	Temporary construction		1,303.50
6/6/2007	Richard Marley	Skid plates		195.23
6/6/2007	Leonicio Zambrano	Temporary construction		4,625.00
6/6/2007	CLP Resources	Temporary construction		2,052.00
6/13/2007	Dock Company	Emergency dock repair		945.00
6/13/2007	Doug Mcpherson	Hardware		2,220.75
6/13/2007	Dock Company	Dock repairs		8,185.00
6/13/2007	The Home Depot	Plywood		61.92
6/13/2007	Home Depot	Paint & Paint Roller		20.95
6/13/2007	Leonicio Zambrano	Temporary construction		2,188.50
6/13/2007	Home Depot	Paint		55.60
6/13/2007	Sherwin Williams	5 Gallon Tuff Trac		7,897.92
6/20/2007	Southland Lumber	Lumber		4,115.67
6/20/2007	Southland Lumber	Lumber		3,377.40
6/20/2007	Doug Mcpherson	Hardware		681.98
6/21/2007	Leonicio Zambrano	Temporary construction		2,145.00
6/21/2007	Leonicio Zambrano	Temporary construction		1,822.50
7/6/2007	Dock Company	Dock repairs		9,315.00
7/6/2007	Dock Company	Dock repairs		1,080.00

PACIFIC MARINA VENTURE, LLC
DOCK REPAIRS AND MATERIALS
4/1/07-11/1/07

DATE	VENDOR	REMARKS	AMOUNT
7/6/2007	Leonicio Zambrano	Temporary construction	3,848.76
7/6/2007	Leonicio Zambrano	Temporary construction	250.00
7/12/2007	Leonicio Zambrano	Temporary construction	2,725.00
7/18/2007	The Home Depot	Hardware	44.40
7/18/2007	The Home Depot	Hardware	22.94
7/18/2007	The Home Depot	Hardware	36.33
7/18/2007	The Home Depot	Hardware	97.78
7/18/2007	The Home Depot	Angle brackets	44.77
7/18/2007	The Home Depot	Caulk	52.80
7/18/2007	Doug Mcpherson	Hardware	2,418.34
7/18/2007	Doug Mcpherson	Hardware	108.25
7/18/2007	Doug Mcpherson	Hardware	966.14
7/18/2007	Southland Lumber	Lumber	1,253.54
7/18/2007	Dock Company	Dock repairs	8,580.00
7/18/2007	Home Depot	Caulking/Paint	64.36
7/18/2007	Leonicio Zambrano	Temporary construction	3,411.48
7/25/2007	Doug Mcpherson	Bumper	1,439.73
7/26/2007	Leonicio Zambrano	Temporary construction	3,825.00
7/27/2007	Dock Company	Dock repairs	8,580.00
8/1/2007	Southland Lumber	Lumber	4,240.69
8/1/2007	Leonicio Zambrano	Temporary construction	3,934.39
8/7/2007	W.W. Grainger	Floor trac	287.40
8/7/2007	Southland Lumber	Lumber	200.26
8/9/2007	Dock Company	Dock repairs	5,000.00
8/9/2007	Dock Company	Dock repairs	3,269.40
8/9/2007	Leonicio Zambrano	Temporary construction	4,150.31
8/10/2007	New Landz	5 Gallon surface	127.27
8/14/2007	Southland Lumber	Lumber	1,948.50
8/14/2007	The Home Depot	Hardware	181.31
8/14/2007	The Home Depot	Saw blades	112.80
8/14/2007	The Home Depot	Shop supplies	69.47
8/14/2007	The Home Depot	Hardware	38.78
8/14/2007	Sherwin Williams	Paint	39.57
8/16/2007	Dock Company	Dock repairs	5,000.00
8/16/2007	Dock Company	Dock repairs	5,000.00
8/16/2007	Dock Company	Dock repairs	1,020.66
8/16/2007	Dock Company	Dock repairs	22,545.00
8/16/2007	Leonicio Zambrano	Temporary construction	4,468.18
8/22/2007	Inglewood Wholesale	Hardware	334.96
8/23/2007	Leonicio Zambrano	Temporary construction	5,688.10
9/1/2007	Leonicio Zambrano	Temporary construction	4,062.00
9/5/2007	Dock Company	Dock repairs	10,350.00
9/5/2007	Southland Lumber	Lumber	2,251.60
9/5/2007	Southland Lumber	Lumber	3,341.33
9/5/2007	Southland Lumber	Lumber	1,092.46

PACIFIC MARINA VENTURE, LLC
DOCK REPAIRS AND MATERIALS
4/1/07-11/1/07

DATE	VENDOR	REMARKS	AMOUNT
9/5/2007	Sherwin Williams	Paint	1,233.62
9/7/2007	Leonicio Zambrano	Temporary construction	4,017.50
9/12/2007	Home Depot	Painting supplies	132.77
9/12/2007	Leonicio Zambrano	Temporary construction	2,875.00
9/15/2007	Dock Company	Dock repairs	12,150.00
9/21/2007	Leonicio Zambrano	Temporary construction	3,650.00
9/25/2007	Leonicio Zambrano	Temporary construction	3,488.00
10/1/2007	Doug Mcpherson	Hardware	1,391.02
10/1/2007	Doug Mcpherson	Bumper Strip	1,108.48
10/1/2007	Doug Mcpherson	Hardware	70.37
10/3/2007	Dock Company	Dock repairs	14,220.00
10/3/2007	Southland Lumber	Lumber	7,031.92
10/3/2007	Leonicio Zambrano	Temporary construction	3,561.00
10/10/2007	Southland Lumber	Lumber	2,075.50
10/10/2007	Doug Mcpherson	Hardware	1,696.81
10/10/2007	Dock Company	Dock repairs	10,890.00
10/10/2007	Leonicio Zambrano	Temporary construction	3,670.00
10/15/2007	The Home Depot	Hardware	183.53
10/15/2007	The Home Depot	Caulk	70.07
10/15/2007	The Home Depot	Hardware	47.84
10/15/2007	The Home Depot	Hardware	60.26
10/15/2007	The Home Depot	Lumber	80.99
10/15/2007	Leonicio Zambrano	Temporary construction	3,136.00
10/15/2007	Sherwin Williams	Paint	179.74
10/25/2007	Doug Mcpherson	Hardware	123.41
10/25/2007	Southland Lumber	Plywood	147.76
10/25/2007	Dock Company	Dock repairs	14,175.00
10/25/2007	Leonicio Zambrano	Temporary construction	3,208.00
11/1/2007	Dock Company	Dock repairs	3,420.00
11/1/2007	Leonicio Zambrano	Temporary construction	3,560.00
		GRAND TOTAL	***$ 314,860.77***

Jun Dolor

From: Beau Buchanan [beaubuchanan@yahoo.com]
Sent: Thursday, November 01, 2007 4:29 PM
To: Jun Dolor
Subject: Thank you for the great work.

Dear Jun,
Now that I have returned as a tenant in the Pier 44 marina, I would like to take this opportunity to thank you and your staff for the very professional and considerate attention I have received over the past few years.
I am impressed with how you have been able to repair and maintain the marina and docks in a clean, safe and orderly manner.
I am particularly grateful for how you have succeeded in controlling and protecting the premises with regards to undesirable transients and trespassers to retain a secured and quiet environment.
Being a dock master is certainly not easy, but you have done a commendable job that deserves the gratitude of everyone in the marina.
Thank you for the great work.
Cordially,
Beau Buchanan
[818] 559 3676
Berth# G2637

To whom it may concern,

My wife and I have been tenants at pier 4 for over ten years, during this period there have been various dockmasters and as the condition of the docks declined the crime rate rose.

The Dolers, working with the sheriffs department and the tenants, has been the only one finally able to bring things under control. We are now able to enjoy our boat and would not hesitate to rent in another marina in which Mr. Dolers was the dockmaster.

As a recently retired sheriff I understand the problems he faced.

If you have any questions please feel free to call me at

(310) 822-9710

Bernard Castillo

G 2627D

10/31/07

To Whom it may concern,

I have been renting a dock space for the past 3-4 years from Pier 44. I am writing to comment on the dock situation and the overall condition of Pier 44. My parents have rented boat slips in MDR for the past 20 years, from many different operators. Pier 44 has been a great place to keep my boat. The Marina does have operations which have more amenities, however, I chose to rent here for several reasons: 1) I feel the location and safety in this Marina is far better than most. 2) In the past six months, the dock condition has drastically improved. 3) Management is very responsive to requests and issues raised. I would like to say Thank you! Keep up the Great work!!

Sincerely,

Bryan Reed
G-1828S
(909) 225-1238

October 31, 2007

To Whom It May Concern,

I am a liveaboard tenant at Pier 44 and have been a tenant for 11 years. I am writing to comment on the living situation and the status of the docks on Pier 44. Over the last 10 months, I have noticed a tremendous amount of dock maintenance/repairs. The crew of workers spent a good month or so fixing the fingers and mainwalks. The condition has gone from poor shape to sturdy and safe. The difference is night and day from what they used to be. I have been in most marina's here in MDR, and believe Pier 44 is becoming one of the better "older" docks in the Marina.

Also, the management of Pier 44 had been very aggressive to clean up the marina from undesirable characters. Thanks to them, it is now peaceful and quiet.

For any questions about this matter, I can be reached at 310-749-3138. Thank you.

Sincerely,

Agostinho Calheiros
Tenant
Slip G2017

"To enrich lives through effective and caring service"

LOS ANGELES COUNTY
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director

Subject: **ITEM 4d – CHART ON SLIP SIZE BY PARCEL**

Pursuant to your Commission's request, attached is a chart which reflects the number of slips and sizes by parcel in Marina del Rey.

SW:KS:SK:mr
Attachments (1)

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COUNT PER SLIP SIZE AND PER PARCEL SUMMARY SHEET

Parcel Number/ Name	COUNT PER SLIP SIZE 12 ft.	17 ft.	18 ft.	20 ft.	21 ft.	22 ft.	23 ft.	24 ft.	25 ft.	26 ft.	27 ft.	28 ft.	29 ft.	30 ft.	31 ft.	32 ft.	33 ft.	34 ft.	35 ft.	36 ft.	37 ft.	38 ft.	40 ft.	42 ft.	43 ft.	44 ft.	45 ft.	46 ft.	47 ft.	48 ft.	50 ft.	51 ft.	52 ft.	53 ft.	54 ft.	56 ft.	57 ft.	58 ft.	59 ft.	60 ft.	62 ft.	65 ft.	67 ft.	70 ft.	72 ft.	77 ft.	80 ft.	82 ft.	86 ft.	90 ft.	94 ft.	100 ft.	106 ft.	TOTALS per Parcel
Parcel 1-Union Oil Fuel Docks																																																						0
Parcel 111 & 112-Marina Harbor				6					113					31					15				37								9							2		32	3	7		20	2		13			2				292
Parcel 7-Tahiti Marina										8		50		30		8		36			1	5	36			10		1		8							21																	214
Parcel 8-Islander Marina												12		66			14	1	77			12	33	7				9																										231
Parcel 10-Neptune Marina								14		70		10		50		4		16				4	16																															184
Parcel 12-Deauville Marina																			33				55	9			60				46					18				8				7										236
Parcel 13-Villa del Mar																33				33			40			18	18				36											8												186
Parcel 15-Bar Harbor Marina							5		93			2		27			2		34			1	17		1		17				16																							215
Parcel 18-Dolphin Marina		2		28	10		8		152	4		6		56	2	19			20	2		12	25			10	16				18			11			7		15			1												424
Parcel 20-Tradewinds Marina					4				48	3				44			2		19	1			8			8																												137
Parcel 21-Holiday Harbor Marina	1		4	62		1	8		46			8		42								1	9				1																											183
Parcel 28-Mariners Bay												22		147			16		82	12		16	64				1			2	7																							369
Parcel 30-Del Rey Yacht Club			1				4		22			9		65			10		50			3	19	12	1		16			2	16		7	4		14	17	8				3				4								287
Parcel 33-Charter Connection																																																						0
Parcel 125-Marina City						1			12		2	1		109		4			89		3		57				9		10	1		10					3			5														316
Parcel 132-California Yacht Club									25					11		26		1	34	11			70			9	21	9			23					2				2	2	4		1			2							253
Parcel 41-Catalina Yacht Anchorage		3		35		4			59		1			11		3			31		1																																	148
Parcel 42/43-Marina del Rey Hotel						14			93		16			94	4	12			66		2		33				1		2		6					1		1				1		1					1			1		349
Parcel 44-Pier 44			2	16		39		216		2		18		36		13		32	13	10																																		397
Parcel 47-S.M.Y.C. Marina							2		54			5		74			17	1	12				7			1																												173
Parcel EE-Burton Chace Park									1							11											1													10														23
Parcel 77-Del Rey 77												14																																										14
Parcel 52-Dock 52 (Charter/Fishing)																																																						0
Parcel 53-Yamaha					4				28	2				22	2				36				9																															103
Parcel 54-Windward Yacht Center													2	2							4	6	13			7				5		4			6					4														53
Parcel 56-Fisherman's Village																																								1				6								1	1	9
TOTALS per Slip Size:	1	5	7	147	18	59	27	230	746	89	19	157	2	917	8	133	61	87	611	69	11	60	548	28	2	63	161	19	12	18	177	14	7	15	6	35	48	11	15	62	5	24	0	35	2	4	15	0	1	2	0	2	1	4,796
	12 ft.	17 ft.	18 ft.	20 ft.	21 ft.	22 ft.	23 ft.	24 ft.	25 ft.	26 ft.	27 ft.	28 ft.	29 ft.	30 ft.	31 ft.	32 ft.	33 ft.	34 ft.	35 ft.	36 ft.	37 ft.	38 ft.	40 ft.	42 ft.	43 ft.	44 ft.	45 ft.	46 ft.	47 ft.	48 ft.	50 ft.	51 ft.	52 ft.	53 ft.	54 ft.	56 ft.	57 ft.	58 ft.	59 ft.	60 ft.	62 ft.	65 ft.	67 ft.	70 ft.	72 ft.	77 ft.	80 ft.	82 ft.	86 ft.	90 ft.	94 ft.	100 ft.	106 ft.	

"To enrich lives through effective and caring service"

LOS ANGELES COUNTY
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director SWisniewski

Subject: **ITEM 4c – REQUEST CALIFORNIA COASTAL COMMISSION TO HOLD ITS JANUARY 2008 MEETING IN MARINA DEL REY**

During the October 2007 meeting, your Commission requested that the Department prepare a letter for the Chairman to send to the California Coastal Commission, urging the Commission to consider holding the meeting at which the Marina del Rey Local Coastal Program periodic review will be discussed in the Marina del Rey proper, so maximum input from the general public and interested parties can be obtained. We understand the matter is being scheduled for the January 2008 Coastal Commission meeting.

The attached letter was duly executed by the Chairman and mailed to the California Coastal Commission on October 22, 2007.

SW:SK:ks
Attachment (1)

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"To enrich lives through effective and caring service"

Los Angeles County Beaches & Harbors
Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

October 22, 2007

Mr. Peter Douglas, Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

Dear Mr. Douglas:

MARINA DEL REY LOCAL COASTAL PROGRAM PERIODIC REVIEW

The Los Angeles County Small Craft Harbor Commission (SCHC) has been informed that the California Coastal Commission (CCC) is scheduled to consider the Marina del Rey Local Coastal Program (LCP) periodic review at its next meeting to be held in the Los Angeles/Orange County area on January 9-11, 2008.

As this topic is of paramount importance to the Marina del Rey community, we respectfully request this item be considered without delay and that the subject meeting be held in Marina del Rey so that maximum input from the general public and other interested parties on this critical report can be obtained.

We appreciate your thoughtful consideration of our request, and we look forward to you holding your January 2008 meeting here in Marina del Rey.

Very truly yours,

Harley Searcy, Chairman
Los Angeles County Small Craft Harbor Commission

HS:SW:SHK:tm

c: Jack Ainsworth, Deputy Director, California Coastal Commission

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Los Angeles County
Beaches & Harbors
Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director

Subject: **ITEM 5a – APPROVAL OF NEGOTIATED RENT – AMENDMENT NO. 9 TO LEASE NO. 6051 – PARCEL 65 (UCLA BOATHOUSE) – MARINA DEL REY**

Item 5a on your agenda pertains to the County's renegotiated rental rates with The Regents of the University of California, the lessee of Parcel 65, commonly known as the UCLA Boathouse. The attached Board letter contains 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.

SW:ks
Attachment

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

November 8, 2007

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 NEGOTIATED RENT
AMENDMENT NO. 9 TO LEASE NO. 6051
PARCEL 65R (UCLA BOATHOUSE) – MARINA DEL REY
(FOURTH DISTRICT)
(3 VOTES)

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. 9 to Lease No. 6051 pertaining to the readjustment of rents for a 10-year term ending February 28, 2017. The Amendment reflects a negotiated settlement based on an appraisal to increase the total annual rent from $13,759.32 to $16,000 per year with a Consumer Price Index (CPI) increase commencing March 1, 2012.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

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

Based on an appraisal from an outside appraiser, we have negotiated an increase in annual rent to $16,000. Consistent with the appraisal, the annual rent will be adjusted on March 1, 2012, to reflect any positive change in the CPI index. The annual rent cannot be less than $16,000.

Implementation of Strategic Plan Goals

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

FISCAL IMPACT/FINANCING

Annual revenue from Parcel 65R will increase from the current rent of $13,759.32 to $16,000 effective March 1, 2007. Effective March 1, 2012, the minimum rent will thereafter be adjusted to reflect any increase in the CPI between 2007 and 2012. If the CPI decreases, the annual rent will remain at $16,000 through the end of the current renegotiation period, or February 28, 2017. The Lease also requires the lessee to pay retroactive rent in the approximate amount of $1,120.32.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Parcel 65R, commonly known as the UCLA Boathouse, contains approximately .21 acres of water and .61 acres of land and is improved with a 5,000 square foot boathouse building and approximately 1,444 square feet of modular buildings used as offices, classrooms, maintenance areas, and equipment storage space. The 60-year lease between the County and the lessee was executed in 1962.

The Small Craft Harbor Commission at its meeting of November 14, 2007 _____ the recommendation that your Board approve the Amendment to the Lease. County Counsel has reviewed and approved the Amendment as to form.

ENVIRONMENTAL DOCUMENTATION

The proposed Lease Amendment No. 9 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)

Approval of the renegotiated annual rent will increase annual rents due the County.

CONCLUSION

Please have the Chairman of the Board of Supervisors sign all copies of the Amendment and have the Executive Officer of the Board return two executed copies to the Department of Beaches and Harbors for distribution.

Respectfully submitted,

William T Fujioka
Chief Executive Officer

Attachment

c: County Counsel

t

AMENDMENT NO. 9 TO LEASE NO. 6051

Parcel No. 65R--Marina del Rey

THIS AMENDMENT TO LEASE is made and entered into this _____day of _____, 2007 (the "Effective Date"),

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

AND **THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, hereinafter referred to as "Lessee."**

WITNESSETH:

WHEREAS, County and Lessee entered into Lease No. 6051 under the terms of which County leased to Lessee that certain real property located in the Marina del Rey Small Craft Harbor, County of Los Angeles, State of California, now commonly know as Parcel 65R, which leasehold premises (the "Premises") are more particularly described in Exhibit "A" attached to and incorporated in said lease, as amended (the lease and all amendments are collectively hereafter referred to as the "Lease"); and

WHEREAS, Section 15 to said Lease provides that as of March 1, 1967, and as of March 1st of every tenth (10th) year thereafter (each such date is hereafter referred to as a "Rental Adjustment Date"), the rates for all categories of percentage rent, and liability insurance requirements shall be readjusted by Lessee and County in accordance with the standards established in said Section 15; and

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 binding arbitration in the manner set forth at length in said Section 15; and

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

WHEREAS, the parties hereto have determined that there shall be no adjustment to any category of percentage rental, no adjustment to the amounts of casualty insurance, and have

reached agreement with respect to the minimum annual rent for the ten (10) year period commencing on March 1, 2007 (the "2007 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.** Commencing as of the 2007 Rental Adjustment Date, the first paragraph of Section 12 of the Lease is amended to read as follows:

> "The total annual rent for the use of the Premises for each of the first five consecutive years of the 10-year period commencing with the 2007 Rental Adjustment Date shall be SIXTEEN THOUSAND DOLLARS ($16,000). The total annual rent for the use of the Premises for the remaining five consecutive years of the readjustment period commencing March 1, 2012, shall be Sixteen Thousand Dollars ($16,000) adjusted for any positive percentage change in the All Urban Consumers, All Items Index of the Los Angeles, Riverside, Orange County Consumer Price Index (1982-1984 = 100), published by the United States Department of Labor, Bureau of Labor Statistics (the "Index"). In order to determine the percentage change in the Index, the figure shown on the Index published for a date on or most recently before March 1, 2007 (the "Beginning Index"), shall be subtracted from the Index published on or most recently before March 1, 2012. The difference shall be divided by the figure shown on the Beginning Index, and the result shall be the percentage change. If the percentage change in the Index is positive, it shall be multiplied by Sixteen Thousand Dollars ($16,000), and the resultant figure shall be added to Sixteen Thousand Dollars ($16,000), with the sum of these two figures being the total annual rent for the remaining five years commencing March 1, 2012. However, if there is no percentage change in the Index or if the percentage change in the Index is negative, the adjustment just described shall not be made, and the total annual rent shall remain fixed at Sixteen Thousand Dollars ($16,000)."

2. **Retroactive Rent.** The amount owed by Lessee to County representing the difference between (i) annual rent payable by Lessee under the rental rate in effect prior to the effectiveness of this Lease Amendment from the 2007 Rental Adjustment Date to the Effective Date and (ii) the annual rent payable from the 2007 Rental Adjustment Date to the Effective Date based upon the rental adjustment set forth in this Lease Amendment shall be paid by the Lessee to the County within 30 days of the Effective Date.

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

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

Dated:_____, 2007

COUNTY OF LOS ANGELES

By:_____

Chairman, Board of Supervisors

ATTEST:

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

By:_____
Deputy

LESSEE:

THE REGENTS OF THE UNIVERSTIY OF CALIFORNIA

By: J R Brandt 8/29/07

Its: Director - UCLA Real Estate

APPROVED AS TO FORM:

RAYMOND J. FORTNER, JR.
County Counsel

By:_____
Deputy

LEGAL DESCRIPTION

Marina Del Rey
Lease Parcel No. 65R

Parcel 901, in the County of Los Angeles, State of California, as shown on Los Angeles County Assessor's Map No. 88, recorded in Book 1, pages 53 to 70 inclusive, of Assessor's Maps, in the office of the Recorder of said county, and that portion of Parcel 900, in said county, as shown on said map, within the following described boundaries:

Commencing at a point in that certain 550 foot radius curve in the southeasterly boundary of said Parcel 900 distant southwesterly thereon 156.00 feet from the northeasterly corner of said last mentioned parcel, a radial of said curve to said point bears South 60°04'29" East; thence North 60°04'29" West along said radial 93.00 feet to the true point of beginning; thence northeasterly along a straight line which bears at right angles to said radial 75.00 feet; thence southeasterly in a direct line to a point in said southeasterly boundary distant northeasterly thereon 25.00 feet from said radial; thence southwesterly along said southeasterly boundary 50.00 feet; thence westerly in a direct line to a point in the southwesterly prolongation of said straight line distant southwesterly thereon 75.00 feet from said true point of beginning; thence northeasterly along said southwesterly prolongation 75.00 feet to said true point of beginning.

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

DESCRIPTION APPROVED
August 25, 1966
JOHN A. LAMBIE
County Engineer

By [signature] Deputy

"To enrich lives through effective and caring service"

LOS ANGELES COUNTY
Caring for Your Coast
Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 8, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director

Subject: **ITEM 5b – REQUEST TO LESSEES TO REPORT ON EVICTIONS OF LIVEABOARD TENANTS**

During your October 2007 meeting, a member of the public shared her observation that despite the statistic showing the number of liveaboards was on an uptrend, she believed many evictions were taking place. Your Commission, therefore, requested the Department to encourage the Marina lessees to advise of such evictions on a voluntary basis.

Attached for your information is the Department's letter to all Marina del Rey lessees requesting that they submit a form to the Department each time an Unlawful Detainer action is filed against a liveaboard tenant. We will provide your Commission a monthly report to the extent such information is provided.

SW:SK:ks
Attachment

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

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors
Caring for Your Coast

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 6, 2007

Each Marina del Rey Lessee
Business Address
Marina del Rey, CA 90292

Dear Lessee:

RECORD OF EVICTION OF LIVEABOARDS IN MARINA DEL REY

During the October 2007 Small Craft Harbor Commission meeting, the Commission members directed the Department of Beaches and Harbors to request that the lessees submit monthly information on liveaboard evictions initiated by lessees on a monthly basis.

Accordingly, we are requesting your cooperation in reporting to the Department each time an Unlawful Detainer suit is filed against a liveaboard tenant. We ask that you fill out the attached form and submit it to the Department each time you commence an eviction proceeding against a liveaboard tenant. Thank you in advance for you voluntary cooperation in complying with this request.

If you have any questions, I can be reached at (310) 305-9512.

Very truly yours,

STAN WISNIEWSKI, DIRECTOR

Paul Wong, Chief
Asset Management Division

SW:SK:pw

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REPORTS on EVICTION of LIVEABOARD TENANTS

Parcel _____

Leasehold Name _____

Date of this Report _____
(mm dd yy)

This is to inform you that we are taking legal action to evict a liveaboard tenant.

Details are as follows:

- Liveaboard Tenant Name _____
- Slip Number _____
- Reason for Eviction:
  - ☐ No Cause
  - ☐ Failure to pay rent or other monetary obligation
  - ☐ Repeated violation of rules
  - ☐ Other (explain) _____
    _____

To enrich lives through effective and caring service

November 7, 2007

LOS ANGELES COUNTY
Department of Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director

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

BOARD ACTIONS ON ITEMS RELATING TO MARINA DEL REY

The term sheets for Parcels 95S/LLS and Parcels 10R/FF were approved by the Board in closed session on October 23, 2007.

LOCAL COASTAL PROGRAM PERIODIC REVIEW—UPDATE

A letter sent to the California Coastal Commission asking it to conduct its January 2008 meeting at which the Marina del Rey Local Coastal Program periodic review will be discussed is attached.

REGIONAL PLANNING COMMISSION'S CALENDAR

There is no Marina del Rey matter scheduled for consideration by the Regional Planning Commission during the rest of calendar year 2007.

DESIGN CONTROL BOARD MINUTES

As the October 2007 Design Control Board meeting was cancelled, there are no minutes.

RESPONSE TO MR. RIZZO'S REQUESTS

A copy of the Department's response to one of Mr. John Rizzo's two requests is attached. Mr. Rizzo's other request pertains to the issue of affordable housing. The County's Chief Executive Office is the lead agency on this matter and will respond to Mr. Rizzo's question, along with answers to other questions raised about affordable housing, which is expected in December 2007.

DBAW STANDARDS FOR SLIP CONSTRUCTION AND PLANNING REQUIREMENTS

A two-sided complete copy of the Guidelines for Marina Berthing Facilities, published by the California Department of Boating and Waterways, is being provided to each Commissioner. However, in an effort to conserve natural resources and protect the environment, only a summary of the Guidelines is being provided to the public. Anyone with the need for the entire 132-page document can download it free of charge from the following web address: www.dbw.ca.gov/techdocs/marinaguide.aspx.

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INVESTIGATION OF THE STATUS OF MR. RICHARD DAVIDSON'S APPLICATION FOR RENTAL OF A SLIP AT MARINA HARBOR

Staff contacted Mr. Richard Davidson to obtain additional information pertaining to his slip rental application being rejected and, thereafter, contacted the lessee's on-site management to discuss the issue. Mr. Davidson's application was previously approved by lessee's office staff but rejected by its former Dockmaster, who was concerned about the age of the boat. We were able to help bridge the communication gap, and the lessee's current Acting Dockmaster agreed to rent Mr. Davison a slip. Mr. Davidson is now a slip tenant at Marina Harbor.

SW:SK:ks

Attachments (3)

To enrich lives through effective and caring service

LOS ANGELES COUNTY
Department of Beaches & Harbors

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

November 6, 2007

Mr. John Rizzo, President
Marina Tenants Association
4015 Via Marina, B309
Marina Del Rey, CA 90292

Dear Mr. Rizzo:

RESPONSES TO QUESTIONS POSED AT THE SMALL CRAFT HARBOR COMMISSION MEETING OF AUGUST 8, 2007

We are in receipt of your letter and have the following responses to each of your questions set forth therein:

(1) The last appraisal made on a leasehold containing apartments was for Kingswood Village Apartments. The appraisal which is dated December 31, 2003 was used to inform the County's negotiation of a lease extension on the subject property. The appraisal concluded that the County's lease fee interest upon completion of the proposed improvements and at occupancy stabilization was $18.9 million. The appraisal also confirmed that the return to the County that results from granting the ground lease extension is equivalent to, or greater than, fair market value of the County's lease fee interest in the property.

The last appraisal prepared for a leasehold containing boat slips was for Tahiti Marina. The appraisal is dated October 21, 2002 and was conducted for the sole purpose of adjusting minimum rent and rental percentage rates to reflect fair market values.

(2) The County receives minimum and percentage rents on gross receipts from the lessees based on the types of improvements located on the leasehold and the types of activities authorized by the lease. Since rental percentage rates are renegotiated pursuant to the terms of each lease, the percentages may vary from leasehold to leasehold.

(3) Individual leaseholds are generally reappraised every ten years for the purposes of rent readjustment in accordance with the terms and conditions of each ground lease, and when the County is negotiating either a lease extension or a new lease.

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(4) The next appraisals for Kingswood Village and Tahiti Marina are scheduled for December 2013 and October 2012 when the minimum rent and rental percentage rates are due for readjustment.

(5) The Marina is 403 acres of water and 401 acres of land of which 155 acres of water and 253 acres of land, respectively, are leased to private developers. The remainder of the property consists of open water, recreation and open space land, and public facilities. We obtain appraisals for leased properties as explained in (3) above.

(6) In 1979 and 1980 the Department refused to approve rent increases of the lessee controlling the following parcels: 8, 42 and 43, 44, and 77.

(7) Please see the response to question 6, above.

(8) The County's interpretation of the controlled prices provision of the ground leases is contained in Policy Statement No. 27 (Revised), dated December 12, 1984. Return on investment is discussed on pages 2-3 of the Policy Statement, which is enclosed.

Very truly yours,

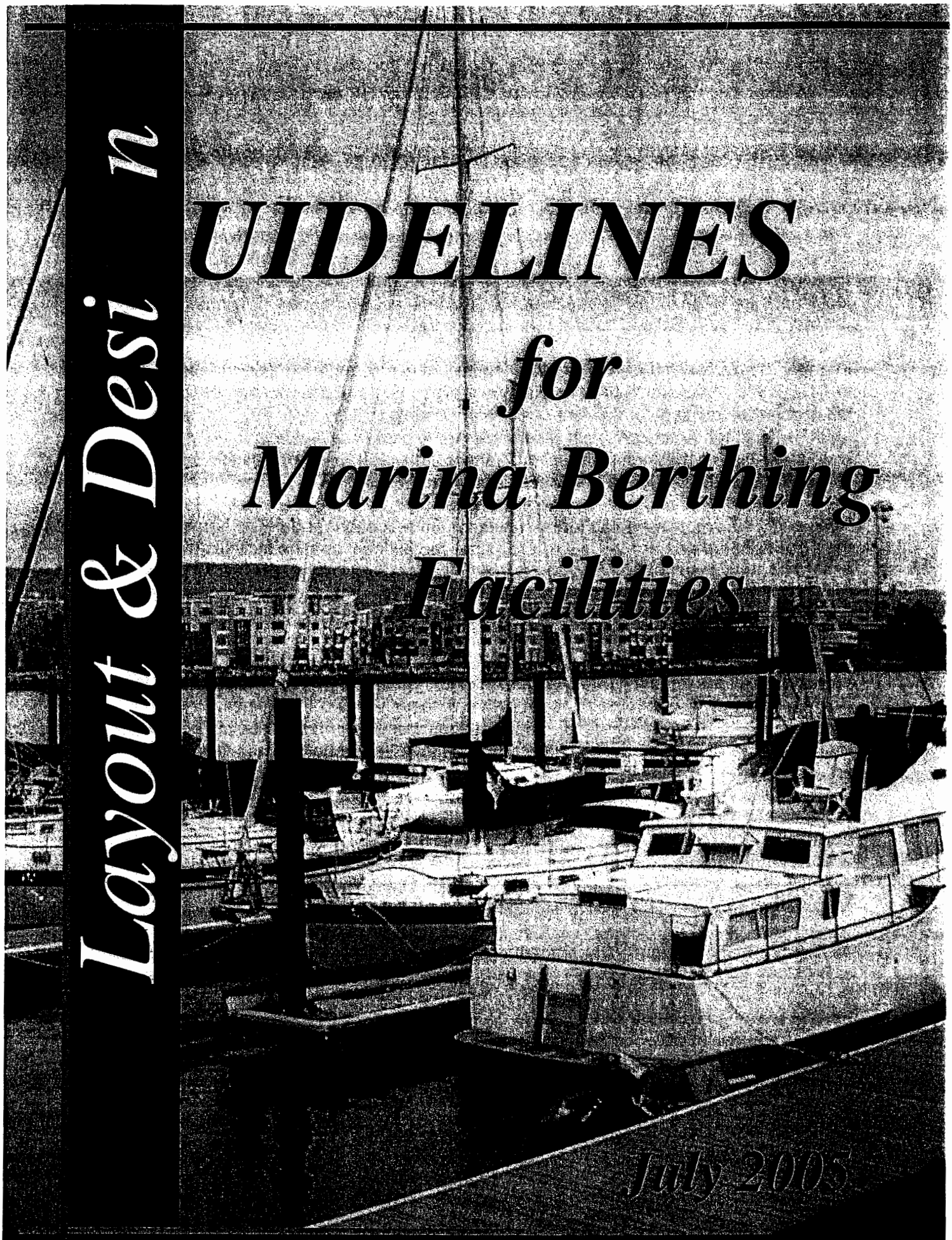
STAN WISNIEWSKI, DIRECTOR

Santos Kreimann, Deputy Director
Asset Management & Planning Bureau

SW:SK:PW:tm
Enclosure

Layout & Design

GUIDELINES for Marina Berthing Facilities



July 2005

~ Arnold Schwarzenegger, Governor, *State of California* ~
~ Mike Chrisman, Secretary, *Resources Agency* ~
~ Raynor Tsuneyoshi, Director, *Department of Boating and Waterways* ~

PREFACE

The engineering staff of the California Department of Boating and Waterways (DBW), Division of Boating Facilities, began writing marina berthing guidelines in the 1960s. Used over the years in the Local Assistance Loan Program, the guidelines provide technical assistance in the development of California public marinas. Originally brief and rudimentary, the guidelines have grown in scope and sophistication over the years.

The first "official" edition was dated 1968 and was incrementally revised and expanded in 1972, 1976, 1980 and 1984. The planned revision for 1988 was put on hold pending the anticipated passage of the Americans with Disabilities Act (ADA) which occurred in 1990. In 1991 the Americans with Disabilities Act Accessibility Guidelines (ADAAG) were published by the Architectural and Transportation Barriers Compliance Board (ATBCB, popularly known as the Access Board) in Washington D.C. Unfortunately, ADAAG Section 15, designated to address accessibility to recreational facilities, was "reserved" (left empty) pending further research, investigation, and public hearings by the Access Board and its staff. ADAAG 15.2 for recreational boating facilities was eventually published in 2002. In 2004, ADAAG was merged with guidelines from the 1968 Architectural Barriers Act (ABA), creating a new document known as ADA-ABA, now under review for approval by the U.S. Department of Justice. This set the final stage for the publication of the 2005 edition.

Working under the direction and supervision of Mr. Steve Watanabe, P.E., Chief of the Boating Facilities Division, the principal author of these GUIDELINES is Mr. Bill Curry, Supervising Civil Engineer (retired). Bill first began working on guidelines in 1968 for the Department of Harbors and Watercraft, which became the Department of Navigation and Ocean Development in 1969, and finally the Department of Boating and Waterways in 1979. Over the past 37 years, Bill worked with Department staff and marina professionals throughout California in pursuit of excellence in the crafting and application of guidelines. A well-deserved word of thanks is extended to those persons, agencies and organizations that participated in the process of guidelines development over the years, and to the current Boating Facilities Division staff who reviewed and commented on several drafts of this latest guideline document.

As Director of the California Department of Boating and Waterways, I extend my thanks to Bill Curry for his diligent work in producing this document. It will benefit engineers, architects, contractors, officials, marina owners and operators, and the recreational boating community statewide. Therefore, as a capstone for his distinguished career, I dedicate the ***2005 Layout & Design GUIDELINES for Marina Berthing Facilities*** to Bill Curry, P.E. (Retired) for the California Department of Boating and Waterways.

Raynor Tsuneyoshi

Raynor Tsuneyoshi, Director
California Department of Boating and Waterways

Special Acknowledgment
Department of
Boating and Waterways Staff

Cover by:
Sumer Boling

Graphics by:
Ken Newby

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INTRODUCTION

The primary purpose of the Layout and Design GUIDELINES for Marina Berthing Facilities is to provide technical assistance and direction in the planning, design and construction of marina berthing facilities funded under the various Local Assistance and Capital Outlay Programs administered by the Department of Boating and Waterways, Resources Agency, State of California. The GUIDELINES address typical conditions and are not intended to be all inclusive or absolute. Unique site conditions and circumstances may require special analysis, applications and design considerations not addressed herein.

The information in the GUIDELINES is useful for recreational boating facility issues in general, and will be helpful to anyone involved in the development of both new and altered boating facilities.

The GUIDELINES do not address site selection considerations for proposed new marinas, site considerations for expansion of existing ones, environmental practices, fish cleaning stations, boat engine oil recovery facilities, recycling, or permitting issues. Those matters are beyond the scope of this document.

In the presentation of layout and design criteria, the following convention is used:

- criteria printed in "standard type" are recommended general criteria; and
- criteria printed in "***bold italics***" are mandatory minimum safety or barrier-free access criteria.

It is recognized that in certain isolated instances, the application of mandatory minimum safety and accessibility criteria may not be feasible, desirable or even possible. A better alternative may exist that will not jeopardize safety or accessibility, and is judged to be equal to or better than the mandatory criteria presented herein. Deviations from the mandatory minimum criteria will be considered on a case-by-case basis jointly by the project owner, staff of the Department of Boating and Waterways, and the permitting agency(s) issuing the building permit(s). Individual project owners/operators will bear the responsibility to clearly document the rationale for any deviation(s).

It is not intended that deviations from either the recommended general criteria or the mandatory minimum safety and access criteria be used to justify wholesale departures from the advice, direction, experience and criteria presented herein. To varying degrees, the GUIDELINES represent the collective experience and wisdom of boaters, harbor masters, manufacturers, material suppliers, designers, engineers, consultants,

contractors, marina owners and operators, government officials, and various other persons and groups representing both public and private interests compiled over a period of four decades from the 1960s into the early 2000s. The intent is that the GUIDELINES will be a reliable guide for the layout and design of marina berthing facilities.

The GUIDELINES may be viewed and/or downloaded from the Department's web page as indicated below. However, it is requested that the GUIDELINES be used as a complete document, and not be edited, altered or changed in any way from its officially published form.

www.dbw.ca.gov

Should you wish to submit comments, corrections or suggestions to be considered in future editions of the GUIDELINES, or obtain hard copy of this current edition, contact the Department via the Internet, or as indicated below.

California Department of Boating and Waterways
Boating Facilities Division
2000 Evergreen Street, Suite 100
Sacramento, California 95815-3888

☎ (888) 326-2822

COMMENTARY FLAGS

Throughout Sections B - G, the "C" symbol in a **double-framed blue box** seen in the right margin will be seen to the right of particular sections and sub-sections. This is a "flag" indicating that commentary is provided in Appendix A on the particular subjects flagged. The commentary headings in Appendix A cite the section and sub-section references, thus providing a two-way reference system.

SECTION A
DEFINITIONS

Color Key to Definitions:

- Definitions in **bold red print** are headings for a sub-set of related definitions.
- Definitions in **bold blue print** preceded by a √ symbol are part of a sub-set.
- Definitions in **bold black print** are stand-alone definitions.

Examples:

accessible
√ accessible boat slip
boarding float

---

accessible	unless otherwise noted in context, accessible means barrier-free elements in a marina, i.e. accessible boat slip
√ accessible boat slip	that portion of an accessible pier, main pier, finger pier, or float where a boat is berthed
√ accessible route	a continuous unobstructed path connecting all accessible elements and spaces of a marina, including such features as parking access aisles, curb ramps, crosswalks at vehicular ways, walkways, ramps, lifts, gangways, boat slips, main walkways, marginal walkways, fingerfloats, boarding piers, boat launch ramps, etc.
berth	a delineated water surface mooring area, delineated by either floating or fixed dock structures, for the purposes of embarking, disembarking, and the wet storage of a recreational boat (aka *boat slip* or *boat dock*)
√ covered berth	a berth that is provided with a roof system to protect a berthed boat from the sun and weather
√ single berth	a berth designed to accommodate one (1) berthed boat, with a fingerfloat on each side of the berthed boat
√ double berth	a berth designed to accommodate two (2) berthed boats, with a fingerfloat on only one side of each berthed boat

boarding float	a platform-type structure, either floating or fixed, stationary or adjustable; located on, along side of, or near a boat launch ramp; designed for short-term moorage of boats, and to facilitate pedestrian access to and from boats in the water; synonymous with **boarding pier**
boarding pier	a portion of a pier where a boat is temporarily secured for the purpose of embarking or disembarking Note: This is the official definition used in federal accessibility guidelines; synonymous with **boarding float**
boat launch ramp	a sloped paved surface designed and constructed for launching and retrieving trailered boats and other water craft to and from a body of water
boat slip	see **berth**
bull rail	a low-level continuous rail along the edge of a dock, berth or pier in or over the water, intermittently blocked up to provide clear passage of boat mooring lines between the bottom of the rail and the deck surface, the purpose of which is securement of a boat; sometimes also used as a safety curbing to prevent people, carts and equipment from going over the edge of a dock, berth or pier
bulkhead	a vertical (or near vertical) structural wall constructed along a shoreline to retain soil as an extension of the upland, and provide a near-shore required water depth
channel	a natural or artificially dredged route on a river, bay, sea or ocean, delineated for the safe passage of boats
√ **entrance channel**	a watercourse, external to a marina, through which boats travel between a marina and a water body where the primary boating activities occur
√ **interior channel**	a watercourse, within a marina, through which boats travel between an entrance channel and a fairway(s)
cleat	an object used (1) to secure a boat line, or (2) to provide improved traction on a gangway deck
√ **dock cleat**	a raised horn-like piece of hardware fastened along the edge of a boat dock for the purpose of securing a boat

√ **gangway cleat**	a narrow flat bar, or series of bars, attached to the deck of a gangway to provide improved traction for pedestrians, particularly at steeper gangway slopes
cross slope	see **slope**
design high water	a selected high water level elevation (determined on the basis of local long-term hydrographic and/or tide data, and site-specific factors) used to design safe and durable marinas in waterways subject to infrequent extreme high water levels (extreme high tides, floods, etc.)
design low water	a selected low water level elevation (determined on the basis of local long-term hydrographic and/or tide data, and site-specific factors) used to design safe and durable marinas in waterways subject to infrequent extreme low water levels (extreme low tides, droughts, etc.)
dock	a platform, either floating or fixed, provided in a marina for the wet storage of a boat and pedestrian access to and from the boat
dump station	a facility located in a marina on docks, or on shore, specifically designed to receive sewage from portable toilets carried on vessels.
edge protection	generally refers to a raised curb or bull rail provided along the edge of an accessible dock, berth or pier to prevent a person with a disability from accidentally going over the edge and into the water
fairway	a watercourse, within a marina, by which boats travel between interior channels and marina berths
fingerfloat	see **walkway**
freeboard	the vertical distance from the water surface to the top of the deck of floats, docks, piers, etc., measured under various loading conditions, i.e. dead load only, live load plus dead load, etc.
fuel dock	a dedicated structure, or a delineated area on a larger pier, dock, bulkhead, or similar structure, that is specifically used for the dispensing of boat fuel (aka *marine service station*, *fuel dispensing facility*, or *fueling station)*

fuel storage tank	a storage structure (i.e. tank) that contains boat fuel in storage for dispensing
gangway	a variable slope structure that provides pedestrian access between a point on land and a floating dock that moves up and down through a range of rising and falling water levels
√ **gangways, series of**	two or more gangways connected by a landing(s) that collectively provide a single route of access to a floating dock as per the definition of a gangway; the length of a series of gangways does not include transition plates
√ **dedicated gangway**	a gangway that provides access to a single main walkway
guide pile	see **pile**
guardrail	see **railing**
handrail	see **railing**
harbor	a natural, or constructed, place of shelter, protection, refuge and safety for boaters as well as their necessary boats, docks, piers, goods and/or services
holding tank	any retention system on-board a boat designed and operated to receive and hold sewage, and be periodically emptied at approved pumpout sites
main walkway	see **walkway**
marina	a recreational boating facility on a coastal or inland waterfront that provides facilities and services for the wet and/or dry storage of boats, as well as embarking and disembarking of boat operators and passengers
marine power center	an enclosed assembly that houses electrical outlets, circuit breakers, fused switches, fuses, and/or watt-hour meters
marginal walkway	see **walkway**
mean higher high water (MHHW)	a tidal datum determined on the basis of the average of the higher high water heights of each tidal day observed over a protracted period of time known as the National Tidal Datum Epoch

mean lower low water (MLLW)
a tidal datum determined on the basis of the average of the lower low water heights of each tidal day observed over a period of time known as the National Tidal Datum Epoch

mooring pile see pile

parking space delineated space in marina parking area for the parking of vehicles of various types

√ **single-vehicle parking space**
a delineated parking space for a single vehicle, including passenger cars, trucks, vans, and motorcycles

√ **recreational vehicle parking space**
a delineated single vehicle parking space that is wider and longer than conventional single vehicle spaces in order to accommodate a single large vehicle known as a recreation vehicle (RV)

parking space, accessible

√ **accessible single-vehicle space**
a marina parking space for a single vehicle that is designated by a sign and a pavement marking, and is reserved for use by a person who displays an approved placard or license plate sticker on their parked vehicle

√ **accessible van vehicle space**
the same as a single-vehicle space except it is marked as "van accessible" and is wider than a single-vehicle space; van vehicle spaces are designated and reserved for barrier-free use, but are not designated for the exclusive parking of vans

pier a structure extending over the water and supported on a fixed foundation (fixed pier), or on flotation (floating pier), that provides access to the water

pile a long slender structural member, typically of wood, concrete, steel or plastic construction, driven into the bottom of a marina basin to secure and guide docks

√ **guide pile** a pile that holds marina floating docks on location, and allows the docks to rise and fall with changing water levels

√ **mooring pile**	a pile at the entrance to and in the center of a double berth, to which the berthed boats may be secured
pumpout station	a facility that pumps out and receives sewage from a Type III marine sanitation device (holding tank) on-board a boat
√ **Type III MSD**	a holding tank installed on-board a boat to receive and retain untreated sewage for shore-based disposal, transfer to an authorized mobile unit, or discharge beyond the 3 mile offshore limit except within federally designated No-Discharge Areas
railing	
√ **handrail**	a railing on a stairway, ramp, walkway or gangway, for pedestrians to grasp with their hand(s) for support
√ **guard rail**	a railing system, including a top rail, located along the edge of an elevated walking surface for the purpose of minimizing the possibility of an accidental fall from the walking surface to a lower level; same as **safety rail**
√ **safety rail**	same as **guard rail**
ramp	a pedestrian walkway on an accessible route, with a constant running slope greater than 1:20 (5%) but not greater than 1:12 (8.33%), a maximum rise of 30 inches, and a maximum cross slope of 1:50 (2%)
rode	the line or chain that connects a buoy to an anchor
safety rail	see **railing**
service float	a floating structure equipped to supply oil, fuel, water, sewage pumpout, and other related services to boats
shall	"***shall***" indicates mandatory minimum safety requirements, and barrier-free access requirements (see explanatory comments regarding this format convention in the Introduction, page iii)
should	"should" indicates a recommendation, i.e. that which is advisory but not mandatory
slip	see **berth**

slope	the inclination of a dock, gangway, or walkway component measured as the tangent (vertical / horizontal) of the angle between the component surface and a level reference line
√ **cross slope**	the slope of the deck of a floating walkway or fingerfloat, measured perpendicular to the primary direction of travel
√ **longitudinal slope**	the slope of the deck of a floating walkway or fingerfloat, measured parallel to the primary direction of travel
toe plate	a sloping plate, hinged to the lower end of a gangway, that provides a smooth transition between the variable slope gangway and the deck of a floating dock
transition plate	a sloping plate, hinged to the upper and/or lower end of an accessible gangway, that provides a smooth transition between the gangway and a floating dock or landing

Note: The term **transition plate** is exclusively used with reference to barrier-free access to marina gangways, and does not refer to various types of plates that span between adjacent sections of floating docks, boarding floats, etc.

walkway	
√ **fingerfloat**	a finger-like floating structure typically attached perpendicular to a main walkway, that together define the length and width of a berth, provide direct pedestrian access to and from a boat in the berth, provide for the secure mooring of a boat in the berth, and may support the provision of various utility services
√ **main walkway**	a floating structure to which fingerfloats are attached to define individual berths and to provide pedestrian access between the berths and a marginal walkway or shore
√ **marginal walkway**	a floating structure that provides pedestrian access between two or more main walkways and shore, and may serve as a platform for lighting, fuel stations, sewage pumpout facilities, lift stations, and utility lines
toilet fixture	toilet (water closet), urinal, and/or lavatory in a marina
waler	a structural member(s) fastened along the edges of a dock system to hold it together, provide stability, and protect the flotation pontoons and utilities

NOTES

SECTION B
WATER AREAS

B1. General

B1.1 The design depths and widths of various water areas within a recreational boat marina must take into consideration the sizes and types of boats expected to use the marina, wave action, currents, water level fluctuations, levels of seasonal boat traffic, silt deposition rates and anticipated frequencies of dredging in order to maintain the minimum design depths over projected dredging intervals, usually measured in years. Recommended design depths are exclusive of site-specific requirements for additional depths necessary to store estimated silt accretion that occurs between scheduled dredging intervals.

B2. Channel Design Criteria

B2.1 Design depths for a specific marina must be based on a design low water elevation established on the basis of a low water datum for the area or reliable long-term extreme low water data obtained from federal, state and local water authorities. Such information should include low tide levels, lowest recorded water depths, etc., in salt water or fresh water locations as required.

B2.2 Required minimum depths below design low water must be objectively determined on the basis of the type (power or sail), length and draft of the boats expected to be berthed in a marina, or specific sections within a larger marina.

The table below provides minimum water depths below design low water, but does not address additional depths that may be necessary for silt deposition storage between periodic dredging operations.

Table B - 1 Minimum Channel Widths and Depths

Channels: →	Entrance Channel	Interior Channel
Minimum Bottom Width:	75 ft	75 ft
Minimum Depth Below Design Low Water:	3 ft below deepest draft boat or 5 ft, whichever is greater	2 ft below deepest draft boat or 4 ft, whichever is greater

B3. Fairway Design Criteria

Table B - 2 Minimum Fairway Widths and Depths

Fairways →	Without Side-Ties	With Side-Ties
Minimum Width	1.75 L_b L_b = length of longest berth ***perpendicular*** to the fairway.	1.50 L_{bb} L_{bb} = length of longest boat side-tied ***parallel*** to fairway.
	If boats longer than the berths will be allowed to overhang into the fairway, L_b should be considered to be the length of the boats.	The minimum width of the fairway does not include the width of the side-tie berth. See Tables B - 5 and B - 6 for powerboat and sail boat berth widths.
Minimum Depth	Same as for Interior Channels See Table B - 1	

B4. Berth Design Criteria

B4.1 Berth Length and Water Depth

Table B - 3 Minimum Berth Depth

Berth Length (feet)	Minimum Berth Water Depth (feet)	
	Powerboats	Sailboats
Up to 45 ft	6 ft	6 ft
Up to 55 ft	8 ft	8 ft
Up to 65 ft	8 ft	10 ft
Over 65 ft	Site Specific Determination	

B4.1.1 The values shown in Table B - 3 reflect only the minimum depth requirements for berths of various length ranges. These minimum water depths must be applied with reference to site specific historic low water level data such as tide tables for coastal marinas, and hydrographic records for river and lake marinas.

B4.1.2 For the purpose of these guidelines, the berth length is considered to be the actual length of the dock or pier that defines the berth, i.e. the length of fingerfloats.

B4.1.3 In cases where the berth length cannot be determined, as in the case of a long dock without fingerfloats, each 40 feet will be considered as a berth, particularly for the purpose of determining the total number of berths in a marina to compute the required minimum number of accessible berths. See Section B5.1.1.

B4.2 Single Berths

B4.2.1 Minimum Single Berth Widths

See Table B-4 below, where:

L_{sb} = length of single berth
W_{sbp} = width of single berth for powerboat
W_{sbs} = width of single berth for sailboat
ln = $\log^n$

Table B - 4 Minimum Single Berth Widths

Application ↓	Minimum Widths of Single Berths (feet)	
	Powerboats	**Sailboats**
Design Work	$W_{sbp} = 8 \ln L_{sb} - 14$ ft	$W_{sbs} = 6.5 \ln L_{sb} - 10.5$ ft
Useful for Preliminary Layout and Planning Work	$W_{sbp} = (L_{sb} / 4) + 6$ ft $- R_{pb}$ R_{pb} = Reduction Factor for powerboats = 0.20 ft per ft of berth length under 30 ft and 0.125 ft per ft over 40 ft	$W_{sbs} = (L_{sb} / 5) + 5.5$ ft $- R_{sb}$ R_{sb} = Reduction Factor for sailboats = 0.125 ft per ft of berth length under 30 ft and 0.075 ft per ft over 40 ft.
	Note: The widths of recreational boat berths are generally based on average boat beams + 2 feet.	

B4.2.2 The equations for design work will probably be used most of the time for both planning and design work. However, the equations for preliminary layout and planning work should not be disregarded. They can be memorized and used in the field without the aid of a table or a calculator, and are a valuable aid in computing potential berth widths "in your head" when on site and in meetings. As shown for both powerboats and sailboats in Table B - 5 and Table B - 6 respectively, the two types of equations give similar results.

Table B-5 Single Berth Widths for Powerboats

Single Berth Widths for Powerboats 0.20 ft reduction per ft below 30 ft 0.125 ft reduction per ft above 40 ft					
Berth Length (ft)	Width Design Formula 8 ln L_b - 14 (ft)	Preliminary Layout & Planning Width Reduction			Recommended Berth Width (ft)
		$(L_b / 4) + 6.0$	- R_{pb}	= Reduced Width (ft)	
16	8.2	10.0	-2.8	7.2	7.0
18	9.1	10.5	-2.4	8.1	8.0
20	10.0	11.0	-2.0	9.0	9.0
22	10.7	11.5	-1.6	9.9	10.0
24	11.4	12.0	-1.2	10.8	11.0
26	12.1	12.5	-0.8	11.7	12.0
28	12.7	13.0	-0.4	12.6	12.5
30	13.2	13.5			13.5
32	13.7	14.0			14.0
34	14.2	14.5			14.5
36	14.7	15.0			15.0
38	15.1	15.5			15.5
40	15.5	16.0			16.0
42	15.9	16.5	-0.25	16.25	16.0
44	16.3	17.0	-0.50	16.50	16.5
46	16.6	17.5	-0.75	16.75	16.5
48	17.0	18.0	-1.00	17.00	17.0
50	17.3	18.5	-1.25	17.25	17.0
52	17.6	19.0	-1.50	17.50	17.5
54	17.9	19.5	-1.75	17.75	17.5
56	18.2	20.0	-2.00	18.00	18.0
58	18.5	20.5	-2.25	18.25	18.0
60	18.8	21.0	-2.50	18.50	18.5
62	19.0	21.5	-2.75	18.75	18.5
64	19.3	22.0	-3.00	19.00	19.0
66	19.5	22.5	-3.25	19.25	19.0
68	19.8	23.0	-3.50	19.50	19.5
70	20.0	23.5	-3.75	19.75	19.5
72	20.2	24.0	-4.00	20.00	20.0
74	20.4	24.5	-4.25	20.25	20.0
76	20.6	25.0	-4.50	20.50	20.5
78	20.9	25.5	-4.75	20.75	20.5
80	21.1	26.0	-5.00	21.00	21.0

Table B-6 Single Berth Widths for Sailboats

Single Berth Widths for Sailboats 0.125 ft reduction per ft below 30 ft 0.075 ft reduction per foot above 40 ft					
Berth Lengths (ft)	Width Design Formula 6.5 ln L_b - 10.5 (ft)	Preliminary Layout & Planning Width Reduction $(L_b / 5) + 5.5 - R_{sb}$ = Reduced Width (ft)			Recommended Berth Widths (ft)
16	7.5	8.7	-1.75	6.95	7.0
18	8.3	9.1	-1.50	7.60	7.5
20	9.0	9.5	-1.25	8.25	8.5
22	9.6	9.9	-1.00	8.90	9.0
24	10.2	10.3	-0.75	9.55	10.0
26	10.7	10.7	-0.50	10.20	10.5
28	11.2	11.1	-0.25	10.85	11.0
30	11.6	11.5			11.5
32	12.0	11.9			12.0
34	12.4	12.3			12.5
36	12.8	12.7			13.0
38	13.1	13.1			13.0
40	13.5	13.5			13.5
42	13.8	13.9	-0.15	13.75	14.0
44	14.1	14.3	-0.30	14.00	14.0
46	14.4	14.7	-0.45	14.25	14.5
48	14.7	15.1	-0.60	14.50	14.5
50	14.9	15.5	-0.75	14.75	15.0
52	15.2	15.9	-0.90	15.00	15.0
54	15.4	16.3	-1.05	15.25	15.5
56	15.7	16.7	-1.20	15.50	15.5
58	15.9	17.1	-1.35	15.75	16.0
60	16.1	17.5	-1.50	16.00	16.0
62	16.3	17.9	-1.65	16.25	16.5
64	16.5	18.3	-1.80	16.50	16.5
66	16.7	18.7	-1.95	16.75	17.0
68	16.9	19.1	-2.10	17.00	17.0
70	17.1	19.5	-2.25	17.25	17.5
72	17.3	19.9	-2.40	17.50	17.5
74	17.5	20.3	-2.55	17.75	18.0
76	17.6	20.7	-2.70	18.00	18.0
78	17.8	21.1	-2.85	18.25	18.5
80	18.0	21.5	-3.00	18.50	18.5

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