



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS



STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

March 13, 2003

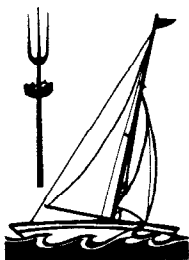
TO: Small Craft Harbor Commission
FROM: Stan Wisniewski, Director *Stan Wisniewski*
SUBJECT: **COMMISSION AGENDA – MARCH 19, 2003**

Enclosed is the agenda for your meeting of March 19, 2003, together with the minutes of February 24, 2003, February 12, 2003, January 29, 2003, December 11, 2002, and November 13, 2002, as well as reports related to agenda items 3a, 3b, 4a, 5a, b, c, d and 6a.

Also enclosed, for your information, are copies of correspondence that I recently received from the public.

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

SW:tlh
Enclosures



COUNTY OF LOS ANGELES

SMALL CRAFT HARBOR COMMISSION

(310) 305-9527



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

AGENDA SMALL CRAFT HARBOR COMMISSION MEETING

MARCH 19, 2003

2:00 p.m.

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

1. Call to Order and Action on Absences
2. Approval of Minutes: Meetings of February 24, 2003, February 12, 2003, January 29, 2003, December 11, 2002 and November 13, 2002
3. **REGULAR REPORTS**
 - a. Marina Sheriff (DISCUSS REPORTS)
 - Crime Statistics
 - Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance
 - b. Marina Special Events (DISCUSS REPORT)
4. **OLD BUSINESS**
 - a. Deauville Marina (Parcel 12R) – Boat Slip Redevelopment Project (DISCUSS REPORT)
5. **NEW BUSINESS**
 - a. Marina del Rey's Recycling Program (PRESENTATION BY GEORGE DE LA O, DEPARTMENT OF PUBLIC WORKS)
 - b. Slip Vacancy Status Report (DISCUSS REPORT)
 - c. Request for Proposals for Development of Boat Storage Facilities on Parcels 52R and GG in Marina del Rey (RECOMMEND TO BOARD)

- d. Request for Proposals for Development of a Water Oriented Entertainment/Retail Center on the Mindanao Peninsula in Marina del Rey in Conjunction with the Expansion of Chace Park (RECOMMEND TO BOARD)

6. **STAFF REPORTS**

- a. Ongoing Activities (DISCUSS REPORTS)
-Board Actions on Items Relating to Marina del Rey
-Marina del Rey Entrance Channel Shoaling
-Design Control Board Minutes
- b. Marina del Rey Convention and Visitors Bureau (PRESENTATION BY EXECUTIVE DIRECTOR OF MdR CVB)

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 93-031 relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.
2. The agenda will be posted on the Internet and displayed at the following locations at least 72 hours preceding the meeting date:

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

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

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

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

Marina del Rey Library
4533 Admiralty Way
Marina del Rey, CA 90292

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

Small Craft Harbor Commission
Meeting of February 24, 2003

Minutes

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

County: Stan Wisniewski, Director
Roger Moliere, Chief, Asset Management Division
Dusty Crane, Chief, Community and Marketing Services Division
Alex Kalamaros, Senior Real Property Agent

Also Present: Allan D. Kotin, Allan D. Kotin & Associates
Richard S. Volpert, Munger, Tolles & Olson

1. CALL TO ORDER & ACTION ON ABSENCES

Chairman Searcy called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:35 a.m. in the Burton W. Chace Park Community Room, Marina del Rey. He announced that since all the Commissioners are present at today's meeting, there is no need for an action on absences. Additionally, there aren't any minutes to approve at this time.

Chairman Searcy informed members of the public that the Commission will immediately proceed with discussion of Item 2a—Approval of Option Agreement for Leases No. 6734 and 11140 Parcels 44U (Pier 44) and 77W (77 Del Rey) – Marina del Rey. He said there will be a staff presentation, Commissioners will ask questions of staff, and prior to taking action, the Commission will take questions from the public.

2. NEW BUSINESS

a. Approval of Option Agreement for Leases No. 6734 and 11140 Parcels 44U (Pier 44) and 77W (77 Del Rey) – Marina del Rey

Mr. Wisniewski welcomed members of the public and thanked them for taking the time to attend today's meeting. He said the Department is recommending the proposed Option Agreement to the Board of Supervisors for the County's purchase, which is essentially the remaining lease term, of Parcel 77W and a portion of Parcel 44U. He referenced an enlarged chart entitled "Asset Management Strategy (AMS) Land Use Designation and Development Zones," which identified Parcel 77W's location. Mr. Wisniewski explained that Parcel 77 abuts Chace Park and is on the south side of Mindanao Way. The portion of Parcel 44 will be a parcel of similar length across the street. The Option Agreement is broken into two sections, which gives the County the opportunity to pick up the land area of Parcel 44, as well as the land and water area

of Parcel 77, for a price of \$4.9 million. The County can also add, for another \$700,000, the water area associated with Parcel 44. The report to the Commission concerning this Option Agreement, which is available on the table near the Chace Park Community Room's entrance, describes the features of the water area at Parcel 44. These features include 159 boat slips - 51 are single slips and 54 are double slips - and 5 are end ties. There is no price for the first year of the Option Agreement. If the County decides to exercise the option at the end of the year, or within a year, the County has up to two years to close. If the County closes after the one-year anniversary date, there is an escalator on the purchase price, which is identified in the report.

Chairman Searcy asked whether the net effect is one that will allow the County to take possession and maximize its flexibility. Mr. Wisniewski responded that Chairman Searcy is correct. Chairman Searcy stated that the Commissioners and members of the public have expressed on previous occasions a strong desire to not lose any of the slips that currently exist. He asked, if Parcel 44's option is exercised, will the County remove the slips. Mr. Wisniewski responded that all boating facilities that are on Parcels 44 and 77 will have to be maintained. The goal is to seek redevelopment of the area through a Request for Proposals (RFP) process. The RFP will need Commission approval before it is made available for bids. The proposals that are evaluated in response to the RFP will be recommended for the Commission's and Board of Supervisors' approvals. He explained what the Department is now doing is setting the stage so that it can maximize its flexibility in planning the Mindanao Way mole road.

Mr. Wisniewski continued, stating that last year the Department entered into a three-year extension on the Santa Monica Windjammers Yacht Club parcel. The Department is seeking to relocate the Yacht Club to Parcel 41 to facilitate an expansion of Chace Park. The Department is also jointly operating the Sea Scout Base with the Sea Scouts, which will fit in with plans to expand Chace Park's facilities and ultimately develop an aquatic center there.

Chairman Searcy asked the Commissioners whether they have questions regarding the Option Agreement. Vice-Chairperson Stevens asked whether Parcel 44 and Parcel 77 are adjacent to Chace Park. Mr. Wisniewski responded that Parcel 77 is adjacent to Chace Park and actually abuts the parking lot there. Parcel 44 abuts Parcel 47, the Santa Monica Windjammers Yacht Club, which abuts Chace Park. Vice-Chairperson Stevens asked whether the Department's intent is to include the parcels in the expansion of Chace Park. Mr. Wisniewski responded that is one of the options. He explained the intent is to seek visitor-serving development in the area, along with an expansion of Chace Park, as well as retention, and the expansion of boating facilities if given the opportunity.

Commissioner Law said Parcel 47 is on a three-year lease with a yacht club the Department hopes to relocate. He asked whether the idea is to use that land for Chace Park's expansion. Mr. Wisniewski responded that Commissioner Law was correct and explained that the additional land will give the Department the flexibility to facilitate an expansion of Chace Park. Commissioner Law asked whether the \$4.9 million purchase price for Parcel 77 and a portion of the landside of Parcel 44 is based on an appraisal. Mr. Wisniewski responded that the \$4.9 million and the \$700,000 are appraised at essentially market, or below market, price.

Commissioner Law asked whether the appraisal was done on behalf of the County. Mr. Wisniewski responded that the appraiser worked for the County.

Commissioner Lesser asked for examples of potential boater facilities that will be expanded or improvements of boater and visitor facilities that are being contemplated. Mr. Wisniewski responded this will be fleshed out in the RFP, which will seek development proposals for the entire area. He added, however, the Department would like to see the expansion of public serving facilities, such as the dry boat storage; expansion of land available for the aquatic center; expansion of Chace Park's parking area; and expansion of visitor-serving retail in the area, something that will meld with Chace Park. Mr. Wisniewski said he needs to speak very generally because he doesn't know what the development community will say is possible, but one of the requirements will be Chace Park's expansion.

Commissioner Lesser asked the purpose of acquiring the slips, which is the \$700,000 option. Mr. Wisniewski responded that the Department believes it may be in the County's best interest to take over and operate those slips because of access to grant and loan money from the State Department of Boating and Waterways. If the Department acquires and operates the slips, market rents will be charged and the slips will remain open to recreational boaters.

3. COMMUNICATION FROM THE PUBLIC

Chairman Searcy opened the floor to public comment. Mr. Wisniewski informed the Commissioners that Mr. Richard Volpert, the Option Agreement's lead negotiator with Roger Moliere, is attending today's meeting.

Mr. John Davis stated he is speaking on his own behalf. He submitted a copy of a prepared written statement to staff and read the following portion of it:

I request that you deny this proposal.

The County proposal to spend millions of dollars to buy out the leases in question appears to be an unlawful and unconstitutional gift of public funds to private corporations. The buy out figures are arbitrary with no basis in actual values. Market rate is not the correct standard for public trust lands of the United States and this buy out has not been approved by the Real Estate Division of the Army Corp of Engineers.

One lessee, that of Parcel 77, appears to be in de facto default of its lease in regard to maintenance standards for docks as is spelled out by County Policy Statement No. 25, even if the Directors of Beaches and Harbors fails to enforce the Policy. The dock at that facility has for years apparently been out of conformance with the Minimum Standards for Design and Architectural Treatment in Marina del Rey. Therefore, it is not necessary to spend millions of dollars of hard-earned taxpayer money to purchase a lease that by law should be declared null and void by the Director after a legitimate inspection by the Harbor Engineer.

According to the California Coastal Zone Management Plan (CCZMP), the Los Angeles County and the Los Angeles Recorders Book D296, page 840, the United States of America owns easements and rights of way to Marina del Rey. The CCZMP includes a Government Service Administration inventory of real properties owned by the United States and lists Marina del Rey. That list is to be used to determine federal ownership, not the County Assessor Parcel Records. The County only owns title in fee simple to the Marina, which is encumbered by rights of way and easements deeded to the United States forever and in perpetuity by the Board of Supervisors on November 18, 1958.

Mr. Davis stopped reading his prepared statement and said leases in Marina del Rey do not appear to be consistent with those easements and rights of way deeded to the United States and, therefore, smack of fraud. He requested that his prepared written statement be retained for the administrative record.

Commissioner Lesser inquired whether the whole procedure has a stamp of approval by all of the Los Angeles County Counsels necessary to prove it is 100 percent legitimate and legal. Mr. Wisniewski replied that Commissioner Lesser is correct.

Mr. John Edwards said he may be at today's meeting under false pretenses and Mr. Wisniewski's presentation to the uninitiated, like himself, was somewhat vague. He explained that his particular interest is as a member of the Marina del Rey California League, which is known as the senior citizens of sailing since its members are all over the age of 70. The reason the senior citizen group is able to continue its sailing activities is because the group uses a boat named the "Cal20," a small, inexpensive boat that is cheap to maintain. The boat is kept in dry storage at Dock 77, which provides a wonderful service because the Cal20 cannot be launched at a launching ramp. Mr. Edward explained the reason for this is the deep keel. He said Mr. Weinman provides a wonderful service and the League's main interest is ensuring that the service continues.

Chairman Searcy asked whether the Department's proposal will prevent the utilization of the Dock 77 facilities identified by Mr. Edwards as crucial to his organization. Mr. Wisniewski responded the proposal does not involve development. It will never be the Department's intent to not provide needed facilities, which are a very important part of the harbor. He said if someone informed Mr. Edwards that it is the Department's intent to disrupt his organization's ability to use the facilities, the person is not speaking the truth. Mr. Edwards said he is not the only one who is concerned, but a number of others who are in the same type of situation.

Mr. Edwards said that, in 1990, a similar proposal was made by the County to eliminate the hoist and the Small Craft Harbor Commission approved the proposal. Boaters who utilized the facility marshaled their forces and expressed their opposition to the California Coastal Commission, which defeated the proposal, thus enabling boaters to continue sailing until the present. He reiterated that his organization wants to continue sailing its deep keelboat. Mr. Edwards said the Department should bear in mind that it is dealing with a large group of senior citizens who will have to move on to the rocking chair if they lose the facility.

Mr. Daniel Cohen said he discussed the issue of Marina del Rey's ownership with John Davis. Mr. Cohen informed the Commission that he has documents showing an easement was granted to the federal government and he forwarded these documents to several land title companies that were unaware of them. He said anyone pursuing development in the Marina who does a title check will see who truthfully owns Marina del Rey. Mr. Cohen said he contacted his senator, as well as Congresswoman Harman's office. Her staff assured him that Congresswoman Harman will call for a GEO investigation of the federal project in Marina del Rey to discover what happened to the federal open space and why the County thinks it can remove funds from a federal project that clearly states all funds that are generated by the project are to remain in the project. He asked what happened to the open space and said the Marina is supposed to be a visitor-serving center and wild life refuge, with open space. The federal government built the Marina with federal funds in cooperation with the County, which received its money from a bond issue to build public open space. There was no provision in any of the federal documents to lease the land for high-density apartments, condominiums, etc.

Mr. Cohen said, starting within the next week, or two, the Department will be very busy with fraud suits for the illegal leases that were issued and from people living on the Marina peninsula who will find out the easement covers five blocks of the peninsula and goes east of Lincoln Blvd. The Department will also be busy with GEO investigations by the federal government and may be too busy to proceed with its proposal for Parcels 44 and 77.

Ms. Eleanore Fahey said she is concerned that the Commission will vote on something as nebulous as visitor-serving retail, which sounds a lot like the recently defeated proposal that was going to go at the dry storage area. Ms. Fahey expressed concern that this is a way for the Department to wedge into getting what it didn't get the first time and questioned where the money will come from in this time of budget shortfalls. She said she doesn't like the idea of the County taking possession to maximize its flexibility. Ms. Fahey is also concerned that a parcel, such as Parcel 44, which has done a very bad job of maintaining its boat slips, should be subsidized and bailed out when it has delayed its maintenance for quite sometime.

Mr. David Kirby, West Marine, said Dock 77 provides a nice, well-rounded boating community aspect. He said it seems that as redevelopment is being done, all larger slips are being put in. Mr. Kirby stated if people were to travel throughout the Marina, they would see empty slips that are run down. He asked whether there could be a focus on existing slips rather than destroying existing facilities or creating new ones. There are many small businesses in the Marina; not everyone can afford a big yacht. He questioned how the Department could support the small businesses while at the same time chasing them out because they cannot afford to use the community they work in. Mr. Kirby said the energy needs to be redirected on this issue.

Chairman Searcy said he wished to make a general statement on his own behalf as a member of the Commission for the benefit of the Department's staff and Director. He said other Commissioners can speak for themselves, however, he has heard some of their comments and position on what he is about to say. Chairman Searcy said the Commission will not be entertaining development proposals, should the Parcel 44/77 proposal pass both at the Commission and County Board of Supervisors' levels, that eliminate the type of facilities discussed by the public at today's meeting. A proposal that eliminates these facilities will not

receive Chairman Searcy's personal support, nor does he think it will receive the other Commissioners' support. Chairman Searcy stated these facilities are needed and are the kind of service that brings people into the Marina.

Mr. David Strong, a resident of Portland, Oregon, stated he is a visitor to the Marina during the winter months and keeps his boat here during this time as well. He said when he first arrived in the Marina four years ago, he was amazed at the small number of boat repair facilities and it appears the Parcel 77/44 Option Agreement will eliminate them. Mr. Strong said he didn't see anything in the proposal regarding the repair facilities that would be lost. He uses a trailer to transport his boat and he needs a facility to lift the boat off without having to back it into the water. Mr. Strong asked what the immediate proposal is to retain repair facilities in the Marina. Mr. Wisniewski responded there is an existing repair facility and a dry boat storage facility that would have to be retained in the harbor. He added that the Department will submit, probably at the March meeting, an RFP to solicit development proposals for Parcels 52 and GG, which is for dry boat storage; there will also be a boat repair requirement.

Chairman Searcy asked, in the event there is a change in the location of these facilities, how the Department will address the issue of the existing small businesses that have been serving the community at the present location. Mr. Wisniewski responded that the RFP will address the issue. He added that the County does not intend to enter into the boat repair business. There will be a like-boat repair business provided to ensure that any disruption to the current business is replaced. Chairman Searcy asked whether the current boat repair business will have the opportunity to relocate on the same terms and conditions as the present location. Mr. Wisniewski responded that the business will have the opportunity through the RFP process, which is a competitive process.

Mr. Nicholas Coster said he has a vested interest in a large boat slip. He has a 57' boat and two small boats: one at Dock 77 and one at Dock 44. He is the president of the Challenges Foundation, which services, and has for twenty years, starting at Channel Island's harbor, disabled scuba divers. Mr. Coster requested the Commission to consider the difference between intent and guaranteeing. He cited the example of the Fantasea yacht, which is much taller than 14' and is parked adjacent to Dock 77, and questioned why it is located there since it is not a small boat. Mr. Coster said his appeal is for the small boat owners to not only be considered with intent, but to be guaranteed, and that for service facilities that are so ably run to be allowed to continue.

Chairman Searcy stated it is his understanding that the Fantasea yacht is at a temporary location and will be relocated since it is not currently at the optimum location. He asked whether any firm steps, such as renegotiations, have been taken toward relocation. Mr. Wisniewski responded that the County has entered into and executed a term sheet with the lessee of Fisherman's Village and the adjacent County Parcels 55 and W. The intent is to locate Fantasea One in the water area adjacent to those parcels. Chairman Searcy asked the estimated date for the relocation. Mr. Wisniewski responded the relocation will occur with the redevelopment of Parcels 55/56. There is no timeline, but the Department plans to proceed as quickly as it can. When the California Coastal Commission granted a temporary permit for the Fantasea to be located at its current site on Parcel 77, Mr. Wisniewski expressed that the best,

optimum, and permanent location for Fantasea One has to be on the main channel in the Marina.

Ms. Kazan, a local State Farm Insurance agent, said she insures a lot of boats in the area and has experienced a significant number of clients relocating their boats from the Marina to other areas because measures, such as increased rates and reduced dock space, have been implemented. The only dry dock facility in town, Dock 77, is literally being pushed out of business and is fighting to stay in business on an hourly basis. Ms. Kazan said she is sure the intention is good to maintain the facilities, but people are reviewing the proposed measures and those who are small boat owners (within the 25' range) with boats in dry dock, like herself, only have the option to move to a much smaller boat or to a much larger boat. Dock 77 is doing a great job of serving the community, but is being pushed out of the business. Ms. Kazan said the message that boaters, who work all week and look forward to launching their boats a couple of times during the week, receive is that they should forget about using their boats and seek alternative activities, like taking their families for a stroll in the park. She said what the County is proposing on paper sounds good, but is impractical. The community and local people utilizing the facilities are being hurt, as well as local businesses that rely on small boaters.

Commissioner Lesser asked Ms. Kazan which specific proposals are driving the boaters away. Ms. Kazan responded there was earlier discussion about maintaining the current facilities. She said within the timespan of ten more Commission meetings, the facilities will no longer exist. Commissioner Lesser asked Mr. Wisniewski whether there is a County proposal to reduce boater facilities. Mr. Wisniewski responded that there is no proposal to reduce boater facilities.

Chairman Searcy said there is a tremendous disconnect between the public's perception of what will happen and the County's intent. It's unfortunate. He informed staff that the community does not believe the County's plans will not result in a loss of slips or closing of the boat repair facility. The public's doubt may be reflective of past events, of which he is unaware, when there were attempts to eliminate a key portion of the launch facility, such as the hoist. Chairman Searcy said this is not the County's present intent and such a proposal will not receive the Commission's approval. He emphasized that the Commission hears the public's concerns and there is no intent of closing Dock 77.

Mr. Jeff Sokolsky, a small boat owner, informed the Commission that he moved to the Marina approximately three years ago and is from Chicago. He took time off from work today because he has a 25' boat and the only dock he could find to service it was Dock 77. Mr. Sokolsky said he wants to ensure that such a facility continues since it is the only place he could keep his boat and get it serviced.

Mr. Jimmy Stathis, Dock 77 tenant, said that even more people would have attended today's meeting if it were held at a time when people could come. He uses his boat, enjoys it, and has been at Dock 77 for over 25 years. Mr. Stathis said that if he estimated there to be 144 boats at Dock 77, that figure could be multiplied by 20 to calculate the number of people who enjoy the boats. He referred to a statement he believed was made earlier about the Department planning to look for boats in dry storage. He asked why the Department would look for slips if there weren't plans to eliminate Dock 77. Chairman Searcy responded that services will not be

removed until they are replaced at another location. Existing services will continue until they are available at another location; this should not be considered a loss, but a relocation. Mr. Wisniewski stressed that if there is doubt in anyone's mind the Department would not protect boater facilities, and the Department clearly wants to protect boater facilities, please know that the Department could not get a development proposal through the CCC, which is a wonderful watchdog over boater facilities in the Marina, as is the Department. The Department has never, ever proposed eliminating boater facilities in the Marina. Mr. Wisniewski expressed concern that a lot of misinformation has been spread to members of the audience, which he finds disappointing. He said he will try to clarify things today.

Mr. Hunter Von Leer stated he has been a boat owner in the Marina for 30 years and a renter at Dock 77 for about 10 of them. The County and the State have parks from San Francisco to San Diego. All along the beaches, there are barbeque areas and picnic areas. The Marina is the last place that boaters can have their boats launched with a hoist facility. Mr. Von Leer said Dock 77 has deteriorated since the new leaseholder took over the lease several years ago. This issue was addressed repeatedly with the Commission and when tenants complained about the docks, the docks were finally condemned. Under the rules of the lease, the docks are supposed to be maintained and, if they aren't, the lessee is supposed to be cited within 30 days to repair them or the County is supposed to repair them and charge the lessee. Mr. Von Leer said when complaints were made before the Commission about the Fantasea yacht and the dock's deterioration, the tenants' water was shut off so that they couldn't wash their boats or flush their engines. Dock 77 is the only slip within the entire Marina in which this occurred. When the press was notified, it contacted the County and the lessee was forced to turn the water back on. When tenants complain, their rents are raised. The rents have been raised three times. The hoist operator's rent increased from \$460 to \$3,000, forcing the operator to double the cost for tenants to launch their boats. Tenants now pay as much at Dock 77 to launch their boats and keep them there as it would cost to rent a slip.

Mr. Von Leer continued, stating that the record identifies the Fantasea yacht as 15' tall, which is obviously a lie, yet the yacht continues to remain at its current location. Instead of making the lessee repair the docks, the Commission gave him permission to tear the slips out. Consequently, there isn't an area for larger boats to tie up. In addition, the parking lot is rented to the public and to the studios. All of this adds up to corporate raiding. Lessees come and take up a lot of parcels and eliminate anything that can't produce revenue. He said it's sad the public appears before the Commission over and over again with the belief the Commission represents the community, only to find out the Commission is in a multimillion negotiation with the exact same people who are being complained about.

Chairman Searcy explained that many people might not understand the Department is in a situation of having leased, approximately 40 years ago, a variety of parcels to lessees who then became landlords, in some cases, with many members of the audience as their tenants. There is something called landlord/tenant law and Mr. Von Leer expressed a classic case of what is referred to in landlord/tenant law as retaliatory eviction type measures. Under the County's lease with the lessee, retaliatory eviction-type measures are not allowed and is a violation of the lease. The County has a procedure in which the tenant, who can be accompanied by his/her attorney, meets to discuss the lessee's retaliatory actions against the tenant. He emphasized

that the County is not the tenant's landlord. In general, if a landlord turns off a tenant's water, it is a retaliatory eviction measure, just like an apartment owner changing a tenant's locks.

Mr. Ray Collins said he is a 15 year resident of Marina del Rey and keeps a boat at Dock 77. He referred to Mr. Wisniewski's earlier statement that the CCC is a watchdog group. Mr. Collins said the Department submitted a report that the Fantasea yacht was 14' and the CCC granted a permit. The Coastal Commissioners, with the exception of one member, did not question the report. The permit was granted even though there is danger to children kayaking in the yacht's vicinity. The CCC also passed a proposal to eliminate 460 slips on Marquesas Way, which is where Mr. Collins resides. When he wanted to put his boat in the water, Mr. Collins contacted three surrounding marinas, and found one with a 28' slip available. He said that Mr. Wisniewski proposed to the CCC, relative to the elimination of the small craft slips, that a dry rack storage system be used, however, some boaters said they don't want their boats stored in a rack.

Mr. Collins referenced staff's earlier statement that facilities will be replaced either at the existing location or a new location, rather than eliminated altogether. He asked where are the 466 slips that were eliminated three months ago. He said that slips are disappearing and are not available to the public. Mr. Collins said if the Option Agreement passes and the County has control of the parcel, it's obvious that the Commission, which has to act like it cares about the small boaters, however, when millions of dollars are involved, he doesn't believe he can trust the Commission. Mr. Collins stated he has trust issues because it's hard to trust. If this proposal passes, he would like to see in advance the services and contracts already preset and certain things replaced.

Mr. Joe Blackburn stated he has lived in the Marina for six years. He commended the Commission for a much more civil, respectful process than he has witnessed in the past. He reminded the Commission that the boaters voted a bond issue for a small craft harbor for recreational boating for the public's convenience. He said he fears the Commission is still the piano players in the developer's whorehouse and needs to really listen to today's process and how fervently the public cares about its Marina. The public wants to work in concert with the Commission to develop the Marina in a way that will serve everyone's interest, maximize revenues to the County of Los Angeles, and fulfill the dream that this Marina can fulfill. He commented that, with all due respect, Mr. Wisniewski's nose must be growing today because of what Mr. Wisniewski said previously about doing nothing to reduce boater services. Mr. Blackburn said he has seen the Burton Chace Park Community Room filled with 200 irate people over the issue of developing an Entertainment Retail Center on the launch ramp and creating a tiny launch ramp elsewhere. He said if that isn't a reduction of boater services, he doesn't know what could be. Mr. Blackburn asked the Commission to go the extra mile. He said the Commission has an interested and dedicated public that wants to fulfill the dream. Mr. Blackburn encouraged the implementation of the Local Coastal Program's public hearings to receive the public's input and proceed with the dream in a unified way. He wants the piecemeal fighting of one another stopped, as well as the adversarial role that serves no one's interest and is counterproductive.

Mr. Ray Haulder stated he is a Pioneer Skipper and has owned several sailboats, ranging from 8' to 28', all of which lie within the range of small vessels. He said he was also a skipper with

the Coastguards during WWII and has experience with the development of waterfront areas here and in the Orient. He commended the Commission for its efforts, promises, and apparent understanding of the small boat owner's situation. He requested the Department to consider in its planning, the space on which the vessels are brought to the hoist and pulled away from the hoist. Mr. Haulder explained that the space is not safe during the weekend traffic period and there have been considerable problems with enough dock space. Chairman Searcy asked, in the event the proposal goes forward, whether Mr. Haulder would like to see an expanded footage. Mr. Haulder responded that he would like to see an expanded footage alongside where the vessel can be put either waiting for or preparing to sail. Chairman Searcy asked how much additional footage is needed. Mr. Haulder responded that approximately 250% of the length of any vessel that's about to be tied up is needed. This allows for maneuvering space without interfering with other vessels. Additionally, it would not hurt to have an auxiliary hoist at Dock 77 in case the first one breaks down. Mr. Haulder said there are over one million small boat owners in California and the Marina is laughed at by other harbors who see it as a Mickey Mouse operation relative to the capacity of the facilities. There isn't enough hoist space for the visitors. Chairman Searcy asked whether staff understands Mr. Haulder's suggestions. Mr. Wisniewski responded that he understood.

Mr. Curt Perose said it is not a good idea to relocate Dock 77. There is such convenience in exiting the freeway with a boat and a trailer and driving into a well-positioned place like Dock 77. It is one of the last places where the little guy can have the convenience of trailering his boat in and lifting it with a crane into the water. Mr. Perose said he has visited many harbors up and down the coast and has never seen one that's so efficient. A person can bring his/her boat into Dock 77 and it's in the water within 10 minutes. He said a great mechanic is also available and commended Mr. Weinman for his repair work. Mr. Perose commented that, relative to Chace Park's expansion, it seems big enough and its parking lot is already adequate. He said that most things don't improve when the County handles them; some private businesses do a better job. Commissioner Law said he agreed with Mr. Perose's assessment of the County. He said the County leases space to private investors, who, in turn, provide for small business uses that are here. So, the model advocated by Mr. Perose is one that was adopted by the County many years ago.

Mr. Greg Hill said he's had his 21' boat at Dock 77 for approximately 10 years. The main point that he wanted to convey today concerns Steve Weinman. Mr. Hill said that Mr. Weinman has done a great job for the people who have their boats at Dock 77. Mr. Hill lived in New York for 1 ½ years while his boat remained at Dock 77 and felt totally secure with it being there. He said his understanding of the Department's plans is that if Dock 77 is replaced or relocated, there would be no guarantee that Mr. Weinman would run the business. Mr. Weinman has built up the business and for the County to arbitrarily switch him isn't fair. Mr. Weinman has worked very hard and has earned Mr. Hill's trust. Mr. Hill said his boat is his passion and has given him a lot of joy over the last 10 years. He emphasized the need for the Department to consider Mr. Weinman in its plans and solicit his input during the planning process.

Mr. Gene Grant said he is a boater at Dock 77. He asked where Dock 77 would be relocated if it is relocated. Chairman Searcy emphasized that the proposal on today's agenda does not authorize the closure of Dock 77 or the relocation of Dock 77 or Mr. Weinman. Chairman

Searcy said he hopes such events never come to pass. Proposals regarding Dock 77 will possibly be made in the future and Chairman Searcy encouraged public attendance and participation at future Commission meetings. Mr. Grant said he is in favor of whatever benefits the harbor facilities and opens it up to more utilization. He also supports the County's efforts to have additional facilities, such as the activities occurring at the Explorer base, which conducts training for first-time boaters on the weekends.

Mr. Steve Weinman, who runs the hoist facility at Dock 77 and repairs boats, referenced a comment made earlier that there is no decrease in boating services. He referred to Doug Ring's parcel and said it's been sitting empty for six months. Mr. Weinman questioned the amount of money lost during this time, as well as the number of boaters that were displaced that will never return. Mr. Weinman said his friend, who is an electrician, relocated to San Diego. He asked why the Department plans to take Dock 77 away from the lessee when the lessee has increased Dock 77's profitability. When Mr. Weinman moved to Dock 77, his rent was \$350/month, four months later it was \$2100/month, and the rent increased again less than a year later to \$3100/month. Mr. Weinman said he has received termination notices and the last one was on February 28. He doesn't have a lease because the lessee doesn't know what the County wants to do. Mr. Weinman said when he received the first termination notice, his technician found another job. When he received an eviction notice, another employee he had hired also left. Mr. Weinman said he would like to see an increase in revenue at Dock 77. Currently, he's paying \$3100 per month, which is not really a bad price, however, Mr. Weinman commented that it's difficult to run a competitive business in the Marina when you're a small business. Mr. Weinman expressed appreciation for the support shown to him today.

Chairman Searcy commented he is receiving a good knowledge base from the public and there are experts in attendance today whose input would be of benefit when the Department is drafting its RFP.

Ms. Alison Bono said she and her husband have a boat in dry storage at Dock 77. Ms. Bono said she did not know about today's meeting until Mr. Weinman contacted her. Her husband could not join her at the meeting because he had to go to work. She expressed concern that the public is not given ample notification about meetings. Ms. Bono said her boat cannot be towed and the only option is to ask Mr. Weinman to move it and hoist it into the water. She and her husband reside in the Hollywood Hills and have nowhere to store their boat at home. If the boating services change, Ms. Bono said, they will have to sell the boat, which they don't want to do. She asked the date of the next meeting, which is information Ms. Bono could not locate when searching the Internet. Ms. Bono asked, if today's proposal is approved, how the public will be notified in the future. Mr. Wisniewski responded that the Small Craft Harbor Commission (SCHC) meeting agendas are posted at the Department's Administration Building, 13837 Fiji Way, Burton Chace Park, and the Marina del Rey Convention and Visitors Center, which is at the intersection of Admiralty Way and Mindanao Way. The agenda is also on the Department's Internet site, which is identified at the bottom of the Department's stationery. It's in the Argonaut newspaper, and mailed to the library. Mr. Wisniewski explained that he doesn't know whether the library actually posts the agendas; staff contacted the library today to get clarification. If the library is not currently posting meeting agendas, the Department will request the library to do so.

in the future. He said posting of the agendas at the various locations represent a pretty broad outreach to the community.

Ms. Bono disagreed with Mr. Wisniewski's statement that the Department is conducting a broad outreach. Ms. Bono said she doesn't come to the Marina all of the time and doesn't have the opportunity to go to the Visitors Center. Mr. Wisniewski suggested she look for the agenda on the Department's Internet site. Ms. Bono said she searched the Internet, but could not locate the meeting notification. Mr. Wisniewski offered to put Ms. Bono and members of the audience on the SCHC mailing list. He requested that they give their names and addresses to his secretary or Mr. Moliere. Chairman Searcy reiterated to attendees that anyone who wishes to ensure they receive meeting notifications should provide their names and addresses to staff.

Mr. Ridell said he has a boat at Dock 77 and asked whether meeting notifications could be posted at Dock 77 and Dock 44 so that people have the opportunity to attend meetings. He said the facility at Dock 77 cannot be replaced as far as senior citizens like himself are concerned. Mr. Ridell added, if the Commission is serious about providing another facility, it should demand that the facility be built before Dock 77 is touched and he'd like such an assurance in writing. Chairman Searcy said it will be in writing and, as he understands it, this will be one of the conditions of the development proposals. If a developer proposes relocating or expanding the facility in place, it will be done in such a way that there is no service interruption.

Mr. Tim Riley, Marina del Rey Lessee's Association, said it's unfortunate when a situation arises of misinformation that creates a climate of distrust. Mr. Riley said he believes the Commission has stated quite clearly today that the boating interests and uses will be protected. Everyone needs to look at the Option Agreement as a piece of a larger puzzle for the Marina and what the County and the Department are trying to achieve. One commendable goal is increasing the park facilities at Chace Park. People need to look at the visitor-serving nature and component of the expanding park that will be used by the public. The Department is always keeping its eye on the ball and how the CCC views various development proposals. The Department is considering using the untouched portion of Parcel 44 for a hotel in the future, which is a visitor-serving use. Plans for the adjacent parcel did not receive approval, but will again be submitted with the intent to create other opportunities for visitor-serving retail. When looking at the overall picture, the Option Agreement becomes an important part of improving the Marina and creating more visitor-serving uses. Mr. Riley commended the Department, the Commission, and the Board of Supervisors, for their careful consideration of ways to improve the area and protect the interests of the boating public.

Mr. James Sokalski, MdR News, said there is a credibility problem and lack of trust. He explained that, understandably, the development process is fluid, especially in the early stages when the RFPs are being formulated and there are efforts to track developers who will meet certain criteria. Most of the public doesn't understand this and needs information early on and to be educated about how the process works in order to feel that its interests will be protected. Mr. Sokalski said he understands events often occur in the interest of expediency, but it seems like there's a basic lack of valuing of the user input, particularly boater input. He informed the Commissioners that he attended the October 9, 2001 CCC meeting, which Mr. Wisniewski and

some of his staff and developers attended. Three permits were being presented for CCC approval, two of which resulted in the loss of 650 boat slips, 35' and less, and three marinas. At that hearing, Mr. Wisniewski announced the Department's plans to build a dry stack storage, indicating it would be at Dock 77. On May 14 of last year, in which the first and only SCHC evening meeting of which Mr. Sokalski is aware occurred, Mr. Moliere presented a slide show depicting a 4-story, dry-stack storage facility at Dock 77. That replacement facility was promised as an offset for the loss of 657 boat slips at Deauville, Bar Harbor, and Marina Harbor. Mr. Sokalski said if the project doesn't go forward, the public has been misled or there's been some change of which the public isn't aware. The public is angered when it sees an Option Agreement, not in the form of a workshop soliciting public input, but as an agenda item requesting Commission recommendation to the Board of Supervisors for approval. Clearly, a decision has already been made since there is substantial County effort to see the proposal through.

Mr. Sokalski continued, stating that he has specific information and material that has been carefully prepared to make the case for the public's "right to participate," which is a quote from the Public Resource Code Section 30006 of the California Coastal Code. Several legal counsels, including the California Coastal Commission, have expressed that this Resource Code applies fully to the SCHC meetings and all of the Marina that lies within the local coastal zone and is under Los Angeles County's Local Coastal Program. It has not been defined yet by any court and has been subject to a lawsuit filed by MdR News and Mr. Sokalski against Doug Ring, Bar Harbor, and Deauville Marinas, and is now in appellate court and has not been answered. Mr. Sokalski said, therefore, no one knows yet, what is meant by the "right to participate." The Resource Code's Section 30006 says further that the public should be afforded the widest opportunity to participate.

Mr. Sokalski said the notification for today's special meeting exemplifies the problem regarding the notification process. He heard about today's meeting because it was announced at the February 12, 2003 meeting. Mr. Sokalski said he and others contacted Julie Cook in the Planning Division to find out whether she was aware of the meeting to discuss Dock 77 and Pier 44. She told him and the other callers, as of Monday and Tuesday of last week, she wasn't aware of it. He then spoke to Toni Minor, the Commission's Secretary, who informed him that the press was notified, on what he thinks was Tuesday, agendas were posted on Wednesday, and the mailing sent Thursday. He received his mailing on Saturday. Mr. Sokalski said the notices were inadequate and the Argonaut newspaper, which is published on Thursday, mentioned the special meeting in an article, rather than as a separate announcement. Mr. Sokalski submitted copies of the Argonaut for the administrative record. He explained that for people to find out about the meeting would have required them to think about picking up an Argonaut newspaper and reading every page to see if there was notification of a special meeting somewhere in the paper. If, after reading the Argonaut, a person wanted information regarding the special meeting, as well as some type of interaction with County staff, the person would have contacted the Department first thing Friday morning and discovered that the Department was closed Friday-Sunday.

Mr. Sokalski said the public essentially had no opportunity to ask questions and would have had to rely on the grapevine or dig through the Internet to find out about the special meeting.

However, if the public wasn't made aware of the special meeting in the first place, it certainly wouldn't search the Internet to try and find information about it. The notification, particularly for today's meeting, wasn't keeping with the spirit and the letter, in his opinion, of Public Resource Code Section 30006, which grants the public the right to participate. Mr. Sokalski distributed copies of letters from the public expressing concern regarding public participation and meeting notification. Chairman Searcy asked Mr. Moliere whether a copy of the letters will go on the administrative record. Mr. Moliere responded that the copies would go on the administrative record. Mr. Sokalski also introduced for the administrative record, documents that were produced by the Department for the meeting.

Mr. Wisniewski encouraged members of the public who wish to receive information regarding the SCHC meeting to contact the Commission's recording secretary. He added that information is available on the Department's website. Vice-Chairperson Stevens said that when the Department's staff relocates, it is difficult for her to find the staff person's new telephone number. She requested that an updated Department telephone roster be given to each Commissioner, as well as be made available in the Marina del Rey library and the Department's administration building. Mr. Wisniewski responded that the roster could also be made available on the Department's website. Chairman Searcy requested that a Commission icon that links to its meeting agendas also be placed on the Department's homepage.

Mr. Sokalski introduced to the administrative record, and for distribution, a package that begins with a document entitled, "A Boat Work Conflict Chronolgy," which discusses his experience with public participation in the last two years, beginning February 5, 2001, when he first became involved in the Marina. He said the document illustrates the lack of responsiveness by the County government's members to the concerns he raised. He also distributed a letter addressed to the Commission, which outlines in detail other aspects of what the right to fully participate could mean. Mr. Sokalski said he's asking for the Commission to both seriously consider what full participation means and to talk to the people and see if there are halfway steps that can be taken to move in that direction. This is not about stopping development, but including people in the process. Mr. Sokalski said he is hopeful the Commission reads the letter and he will be acting on it if no response is received. When a response wasn't received last year, Mr. Sokalski said it was necessary to file three lawsuits. Chairman Searcy assured Mr. Sokalski that the materials will be reviewed and the Commission welcomes his input. Chairman Searcy said he doesn't personally take kindly to someone threatening to sue him if he doesn't do what is expected. He will, however, read the letter with an open mind. Chairman Searcy commented that it isn't about any one individual, but the community's and boater's needs, including those that are youth, at-risk groups, small boaters and senior citizens. The Commission will try to balance the community's needs. Mr. Sokalski explained that he isn't threatening the Commission, but has been simply trying, after two years, to make a case for the value of public input. He said he is a patient guy, but, after two years, found it necessary to file a lawsuit. Mr. Sokalski said he is hopeful there's another way to address the matter. Chairman Searcy said the Commission will review his materials and he understands that Mr. Sokalski is simply trying to exercise a right that hasn't been defined. He added that the Commission plans to do a variety of things, including conducting evening meetings in the future.

Mr. Mike Fernandez said he has a boat at Dock 77 and took the time to attend today's meeting because there was a perception that Dock 77 was at risk. He said he takes seriously the Commission's efforts to upgrade Marina del Rey and make it a more vibrant part of Los Angeles County. He said after having his boat in Newport Beach for a number of years, he saw that it was a large part of the Orange County community and Newport Beach has always made sure there were facilities for small boaters. Mr. Fernandez said the Marina has something very positive going on and it's difficult to find people who support boat operators like they support Mr. Weinman. The Department has a chance to do something positive by working with Mr. Weinman. Mr. Fernandez said Mr. Weinman is living with a level of uncertainty that is unbelievable and it is very difficult to proceed with a business when there's that level of uncertainty. He said it is very positive that members of the community took the time to contribute their input at today's meeting and he submitted letters to staff expressing support for Mr. Weinman.

Commissioner Lesser asked Mr. Fernandez what he was told would transpire at today's meeting. Mr. Fernandez responded he was told there was some effort to try to pull back the Dock 77 lease. Commissioner Lesser asked him whether he now sees that what he was told wasn't true. Mr. Fernandez responded that he hears what Commissioner Lesser is saying, but it's obvious that there is suspicion. Commissioner Lesser said someone or some group has spread misinformation and the Commission recently had a similar experience regarding one of the Marina's apartment complexes. Mr. Fernandez said at least today's meeting provided the Commission an opportunity to flesh out the misinformation and provide the truth to the community. The process has been helpful and the Commission has achieved something good by clearing up things.

Mr. Von Leer said it is so simple to solve the public notification problem. As a landlord, he is required to notify his tenants anytime there's a decision that impacts them. Likewise, tenants at Dock 77 can receive meeting notifications in their monthly bills. Dock 77's lessee could be requested to include meeting notifications with the bills so that they can be given to everyone who is affected everytime there is a meeting. He said the writer from Western Outdoors News didn't receive the special meeting notice until Friday. Mr. Von Leer said he thought he heard during earlier discussion today that the Department wants Dock 77 and a portion of Parcel 44 to enlarge and encompass the park and for more parking at the park. Chairman Searcy clarified that the Department wants to maintain flexibility and there are a variety of things that will be considered. Mr. Wisniewski stated that, clearly, one of the goals is to provide additional facilities for Chace Park. An aquatic center is one of the Department's desires. The Department's desires, as reflected in the RFPs, will be marked distinctively and will inform developers that if they have proposals for redevelopment in this area, they must document how they intend to manage boater facilities and to enhance boater facilities. This would be a significant element in evaluating any development proposals. Chairman Searcy stated these elements can be referred to as "threshold criteria."

Mr. Wisniewski stated it's not only about requiring developers to replace what has been disrupted, but also requiring the enhancement of boater facilities, while at the same time enhancing Chace Park. Chairman Searcy said if a developer submits a proposal that leaves out threshold criteria (meaning offering the same facilities, including easy access, either at the

existing location or an alternate location) and offers, what the developer thinks is a better idea that would generate more revenue, the developer should be rejected as non-responsive. Mr. Wisniewski said if he was a proposer, the first thing he would do is talk to Mr. Weinman to see if there's a way to bring him in with any kind of development proposal he may have. He added that there needs to be people, like Mr. Weinman, who have credibility and experience in the community providing boater services.

Ms. Fahey asked where the money would come from to purchase Parcels 77 and a portion of 44. Chairman Searcy clarified that these existing leases have, respectively, 20 and 23 years remaining. Mr. Wisniewski responded that the funding would come from either lease extension fees that will be received from other developers or the Marina ACO fund, which has a balance that can be utilized for these purposes.

Commissioner Lesser said that years ago when he was mayor of Manhattan Beach there was a Chrysler dealership that went out of business on Pacific Coast Hwy and a proposal was submitted to build a Residence Inn at that location. 200 irate residents appeared at the council meeting to oppose the proposal. Once the Inn was built, however, people thought it was the best thing ever. Commissioner Lesser said this story illustrates that people fear change, which is hard for everyone. People know what they have now and are afraid that something will be done to destroy what they have. He said that what would happen if the Commission approves the Option Agreement is the County will have an option to exercise the option; nothing changes. If the RFP is issued and proposals are submitted that aren't any better than what currently exists, the County will not exercise the option, and it isn't out of any money and nothing changes. Chairman Searcy asked Mr. Volpert whether an RFP could be issued prior to exercising an option on the basis of having the vested right to exercise the option. Mr. Volpert responded that Chairman Searcy is correct. Commissioner Lesser stated that proposals may be submitted that enhance facilities and today's Option Agreement merely starts the process. In essence, no one will know if things can be made better unless the Department is given an opportunity.

Commissioner Law said he agrees with what Chairman Searcy and Mr. Wisniewski indicated in terms of the RFP. He said he would like the RFP to address the specific problem of small slips being lost. His view is that if there are a certain number of slips under 35', they should remain there. He wants to ensure there are at least as many slips that reflect the existing size parameters that are presently there. Commissioner Law said he would like a status report and a project schedule on the Ring development, which identifies when the docks will be completed. Commissioner Law added that although he was not a Commission member when the project was originally adopted, what he heard and saw about the development after joining the Commission, lead him to think it was fine. At the time, he didn't understand the amount of time that would transpire after allowing the developer to do all the slips at one time at some point in the future rather than doing the slips piece-meal. Commissioner Law said the boaters have a very legitimate question and a legitimate interest in why there are so many vacant slips. He would like to see, and give the public the opportunity to understand, when the problem will be resolved. Chairman Searcy asked whether Commissioner Law wished the item placed on the March agenda and Commissioner Law responded that he did. Mr. Wisniewski said he will invite the lessee, Mr. Doug Ring, to the next meeting.

Commissioner Crail said he doesn't agree with setting the number or size of slips the same as they are today. This decision should be left up to the lessee because there's no need to have small slips if the public isn't using them. Commissioner Law said he recalls there was either a request for a study, or a study being done, on the availability of small slips in the Marina. He would like to see an inventory and a vacancy study completed as soon as possible so the Commission can make an informed judgment. Commissioner Law said he has heard comments from people at meetings about the lack of available slips and he would like to see the facts. Mr. Wisniewski said when the Department submits the next RFP, which it hopes to do at the March meeting, it will also provide a slip inventory status report.

Vice-Chairperson Stevens said she is woefully confused after listening to today's input. She explained that she initially believed the Department's plans were a good thing, but has since learned there is tremendous outrage among the boaters in the community. Vice-Chairperson Stevens said she is above all a firm believer that it is the Commission's duty to service the small boater. The Marina is a small craft harbor and that's what the law says it has to be. Vice-Chairperson Stevens said she believed the Department's plans were good because she thought the intent was to have things as they were, but the inclusion of hotels and small businesses into today's discussion has made her reconsider her position. If the Department is asking for certain amenities, even if they qualify as public-serving and satisfies the Public Resource Code, Vice-Chairperson Stevens said she hears a need that the public has for storage and she doesn't want to see a hamburger stand where there are stacks of boats stored. She wants to be reassured that a hotel won't be constructed on Parcel 44 since there are already enough hotels in the Marina. She, and members of the public, need to feel reassured that there will always be a Mr. Weinman and that the hoist and the things that make life work for the public will be there. Vice-Chairperson Stevens said the discussion about relocating the yacht club and other facilities makes her worry about the convenience of access for boaters. She would like to have more clarification as to whether boaters will still be able to use the hoist and put their boats in dry storage. Vice-Chairperson Stevens asked whether boater's services will remain and will they be asked for in the RFP. Mr. Wisniewski responded that the services will remain and are asked for in the RFP.

Commissioner Lesser said he will personally vouch for the fact that he will not vote for an RFP that has a reduction of boater services, a hoist, or anything else. The other Commissioners expressed their agreement with him. Mr. Wisniewski assured him that staff would not recommend such an agreement.

Commissioner Law moved and Commissioner Lesser seconded a motion to approve the Option Agreement for Leases No. 6734 and 11140 Parcels 44U (Pier 44) and 77W (77 Del Rey) - Marina del Rey. The motion passed unanimously.

3. COMMUNICATION FROM THE PUBLIC

Mr. Raymond Genet requested assistance with a problem he's having at the Chace Park transient docks. Mr. Genet said he has spoken to Dusty Crane, Chief of the Community and Marketing Services Division, regarding the matter, but his problem still isn't resolved. He

explained that he has a boat and was refused by Chace Park's manager, Jose Mata, when trying to use the transient docks. Mr. Genet said he was a paid tenant at the docks a few months ago, but when he returned, he was not allowed access to the 4-hour dock. He is currently anchored at Ballona Creek and has a mooring in Catalina. Mr. Genet requested the right to keep his boat at the transient dock for the 7-day time limit that is allowed everyone.

Mr. Wisniewski said the Commissioners have heard comments at previous meetings regarding management of the transient dock facility. He explained that there's been difficulty over the last few months managing the use of the facility for its intended purpose, which is for visitors who are true visitors, rather than people who want to use it for a permanent mooring space. The Department reserves the right to refuse service to anyone who has abused his/her use of the transient docks. Mr. Wisniewski said the kind of users currently patronizing the transient docks are keeping others from using it for its intended purpose. They use intimidation tactics and the Department has had to hire night security and request the Sheriff's Department to monitor the area. He said the transient docks are managed for those people who want to use it for its intended purpose, which is to visit Marina del Rey. In reference to Mr. Genet's statement that he was anchored at Ballona Creek, Mr. Wisniewski suggested that he obtain a slip in the Marina since it is inappropriate to be anchored in Ballona Creek. He encouraged people not to anchor in Ballona Creek. Mr. Wisniewski said the Department is working with the Sheriff's Department and the Coast Guard to find out what can be done to eliminate the boats anchored there since it presents a navigational problem.

Chairman Searcy suggested that Mr. Genet meet with Mr. Wisniewski after today's meeting to further discuss the problem he's having at Chace Park.

Ms. Patricia Raye stated that she addressed the Commission at previous meetings regarding her problems with Jose Mata, the manager of Chace Park. Ms. Raye said she is developing a report on the problems she has encountered. Ms. Raye informed the Commission that Mr. Mata accused her boyfriend of illegally mooring his boat, which Ms. Raye said isn't true. She said that she had a slip previously with Deauville Marina until it closed. Subsequently, she tried to obtain a slip at Dolphin Marina and was refused. She recounted an incident in which Mr. Mata spoke to her boyfriend's mother and caused her physical distress. Chairman Searcy asked Ms. Raye whether she and her boyfriend could meet with both Mr. Wisniewski and Mr. Moliere after today's meeting. Ms. Raye responded that her boyfriend can't meet after today's meeting because he must remain on his boat out of fear it may be taken away if he leaves it since he isn't allowed at Chace Park. She continued, recounting a recent experience in which Sheriff's deputies searched her boat. Ms. Raye believes she is being blackballed and harassed. She said the transient docks aren't just for transients, but for people who reside in the community. Ms. Raye questioned Mr. Mata's authority to decide who can and cannot use the transient dock. She asked whether it is legal for Mr. Mata, a County employee, to have his own boat docked in the harbor. Chairman Searcy responded that he doesn't have any information about who and who doesn't have boats in the harbor.

Mr. Sokalski submitted correspondence to the Commission pertaining to the public's right to participate and explained he was requested to submit the material by a person who wanted to speak today, but had to leave the meeting early. Mr. Sokalski said that Commissioner Law

made an interesting point earlier regarding the need for a vacancy study on the number of available slips in the Marina. He pointed out that earlier during the meeting, he submitted to the Commission, as part of the record, the opening and reply brief regarding a lawsuit against Doug Ring. Half of it deals with full public participation and the bulk of the rest deals with slip counts, vacancy studies, and such, prepared by consultants that were hired by Mr. Ring and the Department of Beaches and Harbors. These documents address issues that provide good groundwork. He requested the opportunity for the public to be involved. He said the consultants cited 17 marinas in the marketing study and vacancy report when, in fact, there were 26 applied by the Director later. This exclusion of a large number of marinas fuels the lack of trust. A clear, accurate accounting that can be verified by the public would be very useful.

8. **ADJOURNMENT**

Commissioner Lesser moved and Vice-Chairperson Stevens seconded the motion to adjourn the meeting at 11:53 a.m. The motion passed unanimously.

Respectfully Submitted,


Toni Minor
Commission Secretary

Small Craft Harbor Commission
Meeting of February 12, 2003

Minutes

Commissioners Present

Harley A. Searcy, Chairman
John C. Law
Russ Lesser

Excused Absences

Carole Stevens, Vice-Chairperson
Joe Crail

County: Stan Wisniewski, Director
Roger Moliere, Chief, Asset Management Division
Lt. Mario Barron, Sheriff's Department
Sgt. Gary Thornton, Sheriff's Department
Deputy Paul Carvalho, Sheriff's Department

1. CALL TO ORDER & ACTION ON ABSENCES

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

Commissioner Lesser moved and Commissioner Law seconded a motion to excuse Vice-Chairperson Stevens and Commissioner Crail from today's meeting. The motion was unanimously carried.

2. APPROVAL OF MINUTES

A majority of Commissioners present at a past meeting is required to approve past minutes and such a majority is not present today; therefore, Chairman Searcy postponed action on the November 13, 2002, December 11, 2002, and January 29, 2003 minutes until the March meeting.

3. REGULAR REPORTS

a. Marina Sheriff's Department Report

--- Crime Statistics

Lt. Barron reported that he reviewed the crime statistics between December 2002 and January 2003 and found there is a decrease in overall crime from December to January. He explained the decrease isn't unusual because there is less activity in the Marina as the months get colder. Lt. Barron said because of the recent news reports about a crime increase, the Sheriff's Department made some comparisons between the Marina and its surrounding area and found that communities surrounding the Marina did actually experience an increase in crime. He said the Marina, however, has an overall low crime rate. Although the Marina does not have a gang problem, areas that do have these and other crime problems surround it. Consequently, the Department has begun meeting with the Pacific Division and Westside Chiefs of Police on a

monthly basis to strategize about possible connections between crimes in the Marina and those occurring in the surrounding areas. Lt. Barron said these meetings have been very successful.

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

Deputy Paul Carvalho reported the fleet of impounds has increased to 26 vessels, most of which are ready for disposal. The Sheriff's Department's Property and Evidence Division is developing a bid package to obtain funding for the vessels' disposal. Deputy Carvalho said he doesn't know how long this process will take, but will keep the Commission posted on the Department's progress. Chairman Searcy referenced Deputy Carvalho's written report, which indicates that 548 warnings were issued to liveboards. Of the 548 warnings, 10 remain active and 538 are inactive, which are identified as follows: 240 are no longer listed as registered liveboards by their anchorage; 131 have vacated their slip, and 167 have complied with the ordinance. Chairman Searcy asked at what point will those on the inactive list be reclassified or removed from the warning category. Deputy Carvalho responded that the report identifies historical data accrued from 1995 to the present. This information was requested of the Sheriff's Department years ago when the report was initially created.

Commissioner Lesser referred to the 10 active warnings and asked whether notices to comply would replace the warnings if they were issued. Deputy Carvalho responded that notices to comply would replace the warnings. Commissioner Lesser asked whether the one active notice to comply that's identified on the report will result in either the boater's compliance or his/her vacating the slip. Deputy Carvalho affirmed that the boater will comply or vacate the slip. Chairman Searcy said future reports should, rather than provide historical data, include what is being done on an active basis. He said the Commission wants to know about resolutions and liveboards that are still a problem.

b. **Marina Special Events**

Mr. Wisniewski reported that the Marina's February activities include whale watching and weekend concerts at Fisherman's Village.

4. **OLD BUSINESS**

None.

5. **NEW BUSINESS**

a. **Approval of Amendment No. 12 to Lease No. 7580 Parcel 18R (Dolphin Marina Apartments) – Marina del Rey**

Mr. Wisniewski informed the Commission that the proposed amendment will provide a water taxi slip on the main channel at Dolphin Marina in lieu of the requirement for the newly approved Parcel 20 lease, which is controlled by the same lessee, to provide a guest/water taxi slip. The Board of Supervisors previously approved the Parcel 18 lease extension in 1992, before the Department had the concept of employing a water taxi system in the Marina. The idea is to run the water taxi system on the main channel at the end of all the mole roads. Dolphin Marina is located at the end of a mole road. The County was negotiating with the principal, Mr. Jona Goldrich, for a lease extension on Parcel 20. Rather than obtain a guest slip on Parcel 20, which is not at the end of a mole road, a switch to Parcel 18 was made to provide a superior

location for the water taxi on the main channel at Parcel 18, with the added bonus that the slip is compliant with the Americans with Disabilities Act (ADA).

In the interim, prior to implementing a full water taxi program, the Department is planning a pilot program for a water bus. Mr. Wisniewski stated it is the Department's goal to have the water bus pilot system in place for Memorial Day through Labor Day 2003. There are four potential sites for the pilot water bus program and a Request for Proposals is now available. The proposed contract will be brought before the Commission by April.

Chairman Searcy opened the floor to public comment:

Mr. Donald Klein, President, Coalition to Save the Marina, expressed his opposition to the Parcel 18 amendment, stating that it will result in the elimination of prime boat slips. He said he isn't convinced that the existing plan for the water taxi is viable. Parcel 20's lessee stated in the administrative record when the Local Coastal Program (LCP) was being changed that commercial and residential functions on mole roads are not very compatible. Mr. Klein questioned the credibility of the Parcel 18 Board letter's statement that "increased economic activity in Marina del Rey resulting from the establishment of a water taxi system will more than offset losses in County." Mr. Klein said he doesn't know how the losses will be offset since there are no vending machines or other revenue generating items. Mr. Wisniewski responded that the boat slip will continue to be available on a daily or weekly basis until a water taxi system is in place. The water taxi program that will be implemented this summer is a further expansion of the pilot program that was started last summer to determine the viability of a water taxi system. The public warmly embraced the pilot program.

Mr. Wisniewski said, pursuant to the Marina's Asset Management Strategy (AMS), which was adopted by the Board in 1997, one of the driving forces behind redeveloping Marina del Rey was to open it up to increased public use and make it a more user-friendly venue, not just to visitors, but boaters and people residing in the Marina. Clearly, a water taxi system is an element of that in most harbors throughout the world and attracts a high level of excitement, resulting in increased use and revenue, thus offsetting the loss. Chairman Searcy asked would direct revenue be generated from the water taxi system. Mr. Wisniewski responded it is too soon to say. He said that he senses, at best, the water taxi system will pay for itself. The real benefit of a water taxi system is to create something for visitors, boaters, and residents to use. One of the concepts of the AMS is to make the Marina more of a water-based community where people are utilizing the Marina's incredible asset, which is its water.

Mr. Klein said he is unconvinced that the Department's plan is reasonable. He said it is likely the water taxi system will be funded by taxpayer money. Mr. Klein asked whether there is a specific period of time the water taxi will operate before it's determined that the system is not effective. He said he doesn't see where the funding will come from unless the Department charges a fee for the taxi service. Mr. Klein added that approval should not be given for Parcel 18 and Parcel 20, which appear to be joined together, until the issue of insufficient boater parking is addressed. He said a letter was sent to Mr. Joe Chesler in November 2002, stating there is a deficit in boater parking in the Panay Way development zone. The letter was also forwarded to the Department of Regional Planning's enforcement division and its staff member, Mr. Frank Meneses, responded. Thus far, Mr. Chesler has not responded to the letter.

The Parcel 18 Board letter states that "the guest/water taxi dock at Parcel 18R provides a superior location on the main channel and with facilities currently compliant with the ADA." Mr.

Klein said the Coalition to Save the Marina is definitely supportive of accessibility for disabled people, however, Mr. Klein said he is unaware of any ADA codes that have been approved. He questioned whether ADA codes have been approved. Chairman Searcy asked Mr. Weiss whether he could provide information on ADA and how it applies to docks. Mr. Weiss responded that, although generally familiar with ADA requirements, in terms of specific application to dock systems, he will have to report on the issue at the March Commission meeting. Mr. Wisniewski clarified that in the event the Commission approves the Parcel 18 amendment, the Department will not postpone submitting the letter to the Board pending Mr. Weiss' report back on ADA rules, but will proceed to the Board of Supervisors. Chairman Searcy agreed and stated that Mr. Weiss' report is a separate matter and will respond to Mr. Klein's question regarding ADA codes.

The Parcel 18 Board letter states that "the creation of a Reserved Slip on Parcel 18R will result in that slip no longer being available for monthly rental from which the County receives about \$2,700 per year." Commissioner Lesser asked, in addition to the loss of revenue, what is the worst downside to the plan. Mr. Wisniewski responded that he doesn't believe there will be a \$2,700 loss since such a loss would be based on the assumption that the lessee would not use the slip for transient purposes on a daily or weekly basis. It is a prime slip and would continue to be used by the lessee. Commissioner Lesser commented that there doesn't seem to be any economic downside then since there won't be a loss of revenue and the upside is that the water taxi system can be something really special and neat. He asked if the water taxi system would be discontinued if it doesn't work out. Mr. Wisniewski responded that Commissioner Lesser is correct. He added that the Department will know more at the end of the summer season.

Commissioner Lessor moved and Commissioner Law seconded a motion to approve Amendment No. 12 to Lease No. 7580 Parcel 18R (Dolphin Marina Apartments) – Marina del Rey. The motion was carried unanimously.

6. STAFF REPORTS

a. Ongoing Activities Report

Mr. Wisniewski reported there were no Board of Supervisors' actions on items relating to Marina del Rey between January 29 and February 12, 2003. Additionally, the draft minutes for the Design Control Board meeting of January 16, 2003 were included in the Commissioners' packets.

Mr. Wisniewski informed the Commission of the need to schedule a special meeting on either February 24 or February 25 to discuss an upcoming business item. These are the dates that the Chace Park Community Room is available. After some discussion, the Commissioners determined that they will be available to meet on Monday, February 24 at 9:30 a.m. Mr. Wisniewski informed the public that the meeting will be held on Monday, February 24 at 9:30 a.m. in the Chace Park Community Room. He said one, or, perhaps, two business items will be discussed. The Argonaut will be notified so that the agenda can be published in the newspaper. Mr. Rizzo asked the name of the items that will be discussed. Mr. Wisniewski responded that one of the items is an option for the County's purchase of Parcel 77 and a portion of Parcel 44, which connects with the County's efforts to expand visitor-serving uses and Chace Park's expansion. Other business items may crop up and added to the agenda. Mr. Weiss was asked whether the meeting is a special meeting or a regular Small Craft Harbor Commission meeting. Mr. Weiss responded that the February 24 meeting will be a special meeting since it won't be

held on the date and time of a regularly scheduled meeting. He said there is a Brown Act procedure for special meetings that staff will follow with respect to notification.

Chairman Searcy asked Mr. Weiss whether the Commission will be able to discuss only the special meeting's agenda items or could regular staff reports be included. Mr. Weiss responded that according to the Brown Act, the Commissioners are required only to discuss the special meeting's agenda items, which can be limited to one or two topics. Mr. Wisniewski suggested that the agenda be limited and any additional items be addressed at the March 12 meeting. Chairman Searcy agreed and confirmed that the agenda will contain only one item, which is the County's purchase of Parcel 77 and a portion of Parcel 44.

Mr. James Sokalski, MdR News, requested that the Commission's meeting material be made available on the Department's website. Chairman Searcy asked whether meeting material is typically made available on the website. Ms. Toni Minor, the Commission's recording secretary, responded that the agenda is the only material currently available on the website. Chairman Searcy asked Mr. Weiss whether there are any problems relative to placing the documents on the website. Mr. Weiss responded that there aren't any problems with making the documents available. In fact, the Board of Supervisors provides its weekly meeting agenda and supporting documents on the Board of Supervisors' website. Chairman Searcy requested the Department to regularly place the Commission's meeting agenda, as well as all of its reports, on the Department's website.

Ms. Carla Andrus asked why the special meeting is being held in February rather than March. Mr. Wisniewski responded that the Department wants to proceed with Marina development and there are occasions when a special meeting is needed. Ms. Andrus commented that she believes the Department is moving too quickly and a moratorium on negotiations should be done at this point.

b. Marina del Rey Convention and Visitors Bureau

Ms. Beverly Moore was absent from today's meeting and there was no report.

7. COMMUNICATION FROM THE PUBLIC

Chairman Searcy opened the floor to public comment:

Ms. Patricia Raye, a boat owner, informed the Commissioners that she attended the meeting last month to request assistance with a problem she was having with the Burton Chace Park Director, Jose Mata. Ms. Raye said she is attending today's meeting because Mr. Mata continues to prevent her from mooring her boat at Chace Park and he has obtained assistance in his efforts from the Sheriff's Department. The Sheriff's Department regularly tickets her and she has been unsuccessful in finding a slip for her boat. Ms. Raye said she believes that she is being harassed and treated like a criminal.

Commissioner Law asked whether there was follow up after the January meeting when Ms. Raye requested assistance with her problems at Chace Park. Mr. Wisniewski responded that he suggested Ms. Raye speak to Mr. Moliere following the January meeting. Mr. Moliere then explained to the Commission that he gave Ms. Raye his business card and suggested that she contact him to obtain information on slip vacancies. Ms. Raye has not yet contacted Mr. Moliere. Chairman Searcy asked the size of Ms. Raye's boat. Ms. Raye responded that her

boat is 25 feet. He suggested that Ms. Raye speak to Mr. Moliere after today's meeting. Ms. Raye responded that she will contact Mr. Moliere.

Mr. Sokalski requested that the Commission's special meeting be held in the evening because it would be a better time for boaters and others who are directly impacted. He said Public Resource Code Section 30006 grants the public the right to fully participate in matters effecting coastal planning and development. The code also states the public should be afforded the widest opportunity to participate. Mr. Sokalski said this matter will be discussed before the appellate court for clarification and applies to the Commission's activities that effect local development. He requested that the Commission take a broader view, perhaps, not using the Brown Act as the sole text for public involvement.

Mr. Steve Weinman, who runs the hoist at Dock 77's repair facility, requested the Commissioners to conduct an evening meeting since the last evening meeting had excellent participation. Mr. Weinman said he has seen a trend to downsize the Marina in respect to the number of boats that are here and he doesn't know what steps are being taken to provide other facilities for the boats that are displaced. Mr. Wisniewski said the Option Agreement doesn't result in a decrease in boating facilities. Any boating facilities at Dock 77 would necessarily have to be replaced. Mr. Wisniewski explained the intent is to increase and improve boater facilities as well as visitor-serving facilities in Marina del Rey. The Department is not interested in decreasing the facilities and Mr. Wisniewski said he would not make a recommendation to the Board of Supervisors that would negatively impact boating. Mr. Weinman said he hears what Mr. Wisniewski is saying, but he has seen people selling boats because they can't keep up with the changes in the facilities.

Ms. Carla Andrus requested that a moratorium be placed on negotiations. She said she doesn't believe negotiations can continue without a review. Without a review, the public does not have the opportunity to give input. Ms. Andrus said she requested the dates of review workshops from Mr. Chesler. Ms. Andrus also requested Mr. Chesler to provide her with the California Coastal Commission's (CCC) and Beaches and Harbors' correspondence relative to this issue. She asked whether the Commission could request a moratorium. Mr. Weiss responded that the Commission could not consider the issue today since it's not on the agenda. Ms. Andrus requested that the issue of a moratorium or workshop review be placed on the February 24 special meeting agenda.

Chairman Searcy asked Mr. Weiss to provide clarification on Ms. Andrus' reference to a review workshop. Mr. Weiss responded that he believes Ms. Andrus is referring to the CCC's current review of Marina del Rey's Local Coastal Program (LCP). The CCC is supposed to engage in a five-year review of local coastal programs everywhere. He said he doesn't have information concerning workshops; people who have inquiries should contact the CCC. Mr. Weiss said the pendency of the CCC's review does not legally preclude the County from continuing with its legal activities relative to Marina development. Chairman Searcy asked whether the CCC's review is a public forum. Mr. Weiss responded that the review is a public process that will lead to any recommendations from the CCC. He isn't sure there is a specific hearing schedule, the CCC would have to be asked.

Chairman Searcy said since CCC hearings are integral to the Department's development activities, staff should obtain the review dates and notify the public of them. Mr. Wisniewski asked Mr. Moliere whether hearing dates are included in the status report that's available at the MdR Visitors and Information Center. Mr. Moliere responded that all of the projects and hearing

dates are included in the status report. Mr. Wisniewski informed the Commission that a status report is posted at the Visitors Center that identifies all projects and their status. When a hearing date is scheduled, it is included in the status report. Mr. Wisniewski said he will, however, request Mr. Moliere to redouble his efforts to make sure the hearing dates are included in the status report. Chairman Searcy suggested that this information also be made available as a handout at Commission meetings and posted on the Department's website. Mr. Wisniewski said since this information is included in the Regional Planning Department's website, it would be a good idea to post the Regional Planning Department's website address on Beaches and Harbors' website so that people will know where to access the information.

Mr. Klein stated, relative to the LCP review, the last letter addressed to the County was sent several months ago. The gist of the letter is that the Coastal Commission has not begun to do the review, which is supposed to be completed, he believes, in 2004. Mr. Klein said that he, James Sokalski, and Carla Andrus met with Deborah Lee, California Coastal Commission's Deputy Director, to discuss their concerns. Mr. Klein said he has not heard anything from Ms. Lee since that meeting. Chairman Searcy requested that Mr. Klein keep the Commission apprised if he receives an update.

7. ADJOURNMENT

Chairman Searcy adjourned the meeting at 10:27 a.m.

Respectfully Submitted,



Toni Minor
Commission Secretary

Small Craft Harbor Commission
Meeting of January 29, 2003

Minutes

Commissioners Present:

Carole B. Stevens, Vice-Chairperson
John C. Law
Russ Lesser

Excused Absences:

Harley A. Searcy, Chairman
Joe Crail

County: Stan Wisniewski, Director
Roger Moliere, Chief, Asset Management Division
Deputy Paul Carvalho, Sheriff's Department
Sgt. Gary Thornton, Sheriff's Department

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

1. CALL TO ORDER & ACTION ON ABSENCES

Vice-Chairperson Stevens called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:30 a.m. in the Burton W. Chace Park Community Room, Marina del Rey.

Commissioner Lesser moved and Commissioner Law seconded a motion to excuse Chairman Searcy and Commissioner Crail from today's meeting. The motion was unanimously carried.

2. APPROVAL OF MINUTES

Since not all of the Commissioners present at today's meeting attended the November and December 2002 meetings, Commissioner Lesser moved and Commissioner Law seconded a motion to postpone action on the November 13, 2002 and December 11, 2002 minutes until the February meeting. The motion was unanimously carried.

4. OLD BUSINESS

a. Kingswood Village Apartments – Concerns Raised by Apartment Tenants

Vice-Chairperson Stevens pulled this item from its agenda order so that the item could be discussed prior to Commissioner Law's early departure from today's meeting.

Mr. Wisniewski informed the Commissioners that Mr. Steve Massman, Kingswood Village Apartment's general partner, was invited today to address the concerns expressed by Kingswood's tenants at the December meeting. Mr. Wisniewski asked Mr. Moliere to provide an overview of the issue. Mr. Moliere said that due to the large volume of tenants' comments regarding Kingswood, staff met with Steve Massman and George Lloyd, of Archstone-Smith. Mr. Massman provided the Department with a number of documents that addressed the issues raised by Kingswood's tenants. Copies of these documents were sent in the Commissioner's

meeting packets and included: a forged document that was circulated, purportedly by Archstone, indicating there would be large-scale tenant dislocations and rent increases; and the Kingswood management's response to the document, explaining the facts.

Mr. Moliere continued, stating that the Department has been negotiating with Kingswood on a lease extension proposal. Additionally, Kingswood has been in discussion with Archstone and reached a general agreement for Archstone to eventually purchase the Kingswood property. Commissioner Lesser asked if anyone knows who forged the document that was distributed to Kingswood's tenants. Mr. Moliere responded that Kingswood's management believes it knows who was involved in disseminating the forged document.

Mr. Massman informed the Commissioners that none of Kingswood's units will be demolished and none will be converted into condominiums. The interior and exterior of the buildings will undergo extensive remodeling so the buildings will be competitive for the next 30 to 40 years. The exterior remodeling will be accomplished using scaffolding on the outside of the building so as not to necessitate entering the inside of the tenant's residence. No one will be asked to vacate his/her unit. The interior remodeling will be accomplished as units turn over during the next 2-3 year period, after the lease extension is approved and the sale accomplished. No one will be asked to leave his/her unit during this process. As buildings and individual units are remodeled, the rents will be moved toward market rents for comparable units in the Marina. Mr. Massman said that tenants were given the names of four websites where they could read about the Marina's market rents. Tenants were also told that Kingswood is in the process of being sold to Archstone Communities. Archstone is a very large real estate trust that owns and operates approximately 80,000 units throughout the country. The company is very professional, well run, and well financed. Archstone also has a very strong tenant relation program and has indicated that the company will accommodate and relocate any low-income tenants residing at Kingswood. Mr. Massman commented that he isn't sure whether Kingswood has any low-income tenants, but Archstone will accommodate them if there are.

Commissioner Law asked whether Mr. Massman, or anyone from his organization or Archstone's, has met with tenants. Mr. Massman responded that a management-tenant meeting has not been conducted at the building. He said there was so much misinformation that he can't really say it has all been resolved at this point. However, it does appear that management's letter to tenants addressed their concerns at this time.

Vice-Chairperson Stevens opened the floor to public comment:

Mr. Dave Naftalan asked whether Kingswood's extension request and assignment request have to be handled in tandem. Mr. Wisniewski responded that this is a fair assessment.

3. REGULAR REPORTS

a. Marina Sheriff's Department Report

--- Crime Statistics

Sgt. Thornton reported the Marina has been a target of a motorcycle theft ring that operates in the Southern California area. The ring drives around in a van-type vehicle searching for Harley-Davidson's and other large motorcycles that are parked on the streets, in underground garages, and in driveways. Four or five people will jump out of the van, carrying bolt cutters and other

devices, and physically lift the motorcycle into the van and drive off. Four or five motorcycles have been stolen in the Marina area over the last two months. The Department is conducting undercover operations, but has been unsuccessful to date.

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

Deputy Paul Carvalho reported there was little activity relative to issuing notices to comply to unseaworthy vessels during December. There are 23 vessels at the docks, most of which have gone through the lien sale process and are waiting for disposal. The Department's Property and Evidence Section is developing a bid package to apply for an abatement grant offered by the Department of Boating and Waterways. Deputy Carvalho said he doesn't know how long this process will take, but will keep the Commission posted on the Department's progress.

b. Marina Special Events

Mr. Wisniewski referenced the Beach and Marina del Rey Special Events Report that was included in the Commissioners' packets and encouraged everyone to read about the Marina's upcoming events.

5. NEW BUSINESS

None.

6. STAFF REPORTS

a. Ongoing Activities Report

Mr. Wisniewski informed the Commissioners that after the Ongoing Activities Report was issued, staff was informed by the lead negotiator that the Marriott withdrew its intent to build two hotels at Mothers Beach because of the slow economic recovery of the hotel market. He said another company has expressed interest in building a residential and hotel complex on one of the lots in which Marriott was interested. On the other lot from which Marriott withdrew, the Department intends to build a parking structure, which is the old site of Holiday Marina, in order to clear the two parking lots for ultimate development of a hotel when the hotel market improves. The negotiation for a parking structure is currently underway with Jona Goldrich. Mr. Wisniewski added that pursuant to the Asset Management Strategy (AMS), there is a policy to try to locate waterfront parking spaces into structures away from the waterfront area. The Department has an opportunity to accomplish this with Mr. Goldrich and will continue along these lines.

Vice-Chairperson Stevens asked whether there are any new developments with the Entertainment Retail Center (ERC) project. Mr. Wisniewski responded that the ERC's Request for Proposals (RFP) is completed. There is another RFP for building a dry stack boat storage facility on what is now Parcel 52 and Parcel GG next to The Boatyard, which will be released at the same time. Hopefully, the RFPs will be available for Commission review at the February Commission meeting. Commissioner Law asked whether the Department is back to square one at the two hotel sites. Mr. Wisniewski responded the Department is back to square one and will begin again with an RFP, which will be submitted to the Commission, then the Board of Supervisors. Commissioner Law asked whether the height limit is an issue with these two sites. Mr. Moliere responded that height is not an issue and the buildings will be low-rise.

Mr. Wisniewski continued with the Ongoing Activities Report, stating that the Board of Supervisors approved the Consent to Assignment and Amendment for Parcel 64 (Villa Venetia). The Department hasn't heard from the lessee since the Board of Supervisors approved Parcel 64's assignment and amendment. The Board of Supervisors also approved and adopted the resolution authorizing submission of a Recreation Trails Program grant for the MdR/Ballona Creek Trails Improvement Project.

Mr. Wisniewski informed the Commissioners that EDAW is scheduled to provide a presentation on the design standards and way-finding devices for the Marina at the February 20 Design Control Board (DCB) meeting, which is scheduled for 2:00 p.m. He said this presentation is part of quite an extensive approach to giving the DCB, as well as developers, tools that will help them when developing in Marina del Rey. He invited Commissioners and members of the public to the meeting. Mr. Wisniewski explained that the design standards and way-finding devices are compliant with the AMS, which said the Department will develop urban design standards and way-finding devices to pull all of the planning together.

b. Marina del Rey Convention and Visitors Bureau

Ms. Beverly Moore, Executive Director, MdR Convention and Visitors Bureau (CVB), reported that the CVB is off to a big year of destination marketing projects, but staff is also very proud of its 2002 accomplishments. She distributed a document highlighting the CVB's 2002 achievements and recapped the CVB's top ten accomplishments for 2002, which were:

- 1) Launching the MdR's first travel promotion website, VISITTHE MARINA.com, generating over 350,000 hits.
- 2) Establishing a one-stop full service center for the travel media.
- 3) CNN Headline News' coverage of MdR in a nationally televised travel feature this summer.
- 4) Yachting Magazine named MdR one of the top 10 marinas in North America as result of a hosted visit here.
- 5) Participating as a destination for the first time in five travel industry tradeshows.
- 6) Launching a modest travel trade and consumer ad campaign.
- 7) Printing and distributing 100,000 pieces of information about what there is to see and do in the Marina.
- 8) Posting a useful locator map of the area on seven community bulletin boards.
- 9) Launching two off-season promotions booking over 1,000 hotel rooms during the MdR's slow period.
- 10) An increase of 80% more inquiries in 2002 at the Visitor Information Center than in 2001, despite area wide decreases in tourism.

Ms. Moore concluded by reporting the first news for 2003 is that the 2003 California Official State Visitor's Guide is now available for visitors who either call or E-mail the official State of California Tourism Office. One of the Guide's chapters includes Los Angeles County and only two photographs of Los Angeles County are included in its L.A. section. One photo is of the new Highland Avenue and Hollywood entertainment complex and the second is of Fisherman's Village. Ms. Moore said that the Fisherman's Village photo is included as a result of the CVB's outreach to the State and because the CVB maintains a new photographic library and ensures staff is proactive with its outreach to the media.

The Commissioners commended Ms. Moore for the fine job she's done.

Mr. Wisniewski informed the Commissioners that the Department is planning a water taxi system for the summer months. The intent is to have a regularly scheduled service on Friday, Saturday, and Sunday evenings, as well as throughout the day on Saturday and Sundays. The RFP soliciting a developer has been advertised and is available. He encouraged interested members of the public to contact him to obtain a copy of the RFP. The proposers' conference is scheduled for the middle of February. Mr. Wisniewski informed the Commissioners that Joe Chesler and Dusty Crane aren't here today because he asked them to make a presentation before the Productivity Commission to seek funding for the water taxi system on a pilot basis. Three water taxi sites have been found: Chace Park, Mothers Beach, and Fisherman's Village, all of which were used last summer in the pilot program. Since the water taxi service is being expanded, the Department is seeking a fourth and fifth site.

COMMUNICATION FROM THE PUBLIC

Vice-Chairperson Stevens opened the floor to public comment:

Mr. John Rizzo asked whether any particular rules were followed earlier when Vice-Chairperson Stevens moved Agenda Item 4a--Kingswood Village Apartments, so that it could be discussed immediately following Agenda Item 2--Approval of Minutes. He expressed concern that the Commission is allowed to discuss the agenda items out of sequence, yet the public is stopped when trying to do so. Vice-Chairperson Stevens responded that Agenda Item 4a was moved because she knew one of the Commissioners needed to leave early, resulting in the loss of a quorum.

Mr. Rizzo stated that he recently read an article about a Marina lessee's recycling program. He felt surprise at the time because the lessee, who is a private individual, has a recycling program when the County, as a government body, does not. Mr. Rizzo said the County should be taking a leadership role rather than lagging behind. There should be a permanent place to dump hazardous material in the Marina and an on-site recycling bin at every apartment complex. Vice-Chairperson Stevens commented that some Marina building managers provide separate recycling bins within their complex's garage areas.

Commissioner Law said most cities are mandated to reduce their solid waste by 50% within 3-4 more years and most cities have implemented extensive recycling plans. There is a hazardous waste program run by Los Angeles County that comes to various locations. The County can be contacted to request a schedule of where it will meet next. Mr. Wisniewski said a hazardous waste disposal facility is on Fiji Way and the Department has a recycling program. He offered to invite a representative from the Department of Public Works (DPW), which manages the Marina's waste contracts, to discuss the issue at the February or March meeting. Commissioner Lesser said he agrees with Mr. Rizzo's comments and asked whether the County is doing all it could be doing to encourage the tenants to recycle. Mr. Wisniewski said that a DPW representative will be able to respond to this question when he/she attends either the February or March meeting.

Ms. Rhoda Rich, a long-term resident in the Marina, referenced the agenda's omission of Daniel Freeman Marina Hospital's closure. She asked for a status on the hospital's proposed closure. Mr. Wisniewski responded that he doesn't believe anything has changed since Mr. Rick Weiss gave the last status report. Mr. Wisniewski said he thinks that Tenet is regrouping and hasn't indicated how the company intends to proceed. Ms. Rich said she spoke with Supervisor Don Knabe before the holidays and was glad to learn that Commissioner Lesser represents

Supervisor Knabe's district. She requested the identification of the district that each Commissioner represents. Ms. Rich said Supervisor Knabe informed her that both he and Supervisor Burke are most interested in retaining a hospital facility in the area.

Ms. Rich reiterated the suggestion she made at previous Commission meetings, which is that the Commission make a formal motion that would require Marina developers seeking approval for their residential and commercial projects to contribute to and maintain a local full-scale medical facility. Ms. Rich said she read about Tenet Corporation's history, which is a less than desirable organization to have in the neighborhood; the government of Australia threw Tenet out of the country. Ms. Rich mentioned that at the December meeting she provided the Commission with a list of law firms that are suing Tenet. She asked whether any of the Commissioners want to make the formal motion she is suggesting. Vice-Chairperson Stevens responded that the Commission has already communicated its concerns to the Board of Supervisors. There is a singular problem in that the hospital is located within Los Angeles City jurisdiction. She encouraged the public to communicate its concerns to Councilwoman Cindy Miscikowski and Mayor Hahn, both of whom have the power to make things happen. Ms. Rich explained that her proposal would require developers who want to construct multi-unit facilities in the Marina to support a medical facility whether or not the medical facility is within Los Angeles County or Los Angeles City jurisdiction.

Mr. Wisniewski commented that Ms. Rich might not have attended the Commission meeting when the Department submitted its report identifying the reasons it doesn't support the imposition of a fee for developers to fund a hospital. Mr. Wisniewski said he will provide this report to Ms. Rich. Ms. Rich said that at each Commission meeting, she will continue to reiterate her proposal to require Marina developers seeking approval for their residential and commercial projects to contribute to and maintain a local full-scale medical facility. She said she mentioned this proposal to Supervisor Knabe and there is a movement underway. Ms. Rich requested that the minutes include her proposal.

Mr. Wisniewski said the Department shares the considerable dislike the community has for the Tenet Corporation, which lied to the community by claiming that the company would not close the hospital, but proceeded to close the hospital after it was acquired. The Board of Supervisors has been very aggressive in soliciting support from organizations to prevent the closure. So far, the efforts have succeeded and everyone will have to see if Tenet regroups and decides to live up to its original word. He again offered to provide Ms. Rich a copy of the Department's report. Commissioner Lesser commented that the Commission shares the concern about Daniel Freeman Marina Hospital's closure. However, he doesn't believe it's feasible or a good idea to require developers to pay an additional fee to fund a hospital since it would make their projects less and less economically viable.

Ms. Carla Andrus asked whether the close proximity of a hospital impacts the appraisal value on a property. Mr. Wisniewski responded he is sure that the close proximity of a hospital isn't an issue when appraising property because there are hospitals within the region. Ms. Andrus said that the market would be affected because many people, particularly senior citizens, may leave the area if there is no local hospital. Mr. Wisniewski said there is a thirst for residential housing on L.A.'s Westside that, according to the UCLA report, will last for the foreseeable future. He commented that condominium and apartment complexes continue to be built and are occupied within days or weeks. Ms. Andrus questioned whether there is a high occupancy in the Marina since it's apparent that Deauville Marina is totally empty and there also appears to be a large vacancy factor elsewhere. Mr. Wisniewski responded that Deauville is undergoing development

and its tenants were vacated for that purpose. He said there is not a large vacancy factor in the Marina; it has a high occupancy percentage. Ms. Andrus asked for documentation on the Marina's current occupancy rate versus the rate 4-5 years ago. Mr. Wisniewski suggested that she meet with Mr. Moliere after today's meeting to discuss the statistics.

Ms. Lynn Lolly, a Kingswood Village Apartment resident, asked whether there is a specific sale date for Kingswood. Mr. Wisniewski responded there is not a specific sale date. Ms. Lolly said she read the letter from Mr. Massman that was sent to tenants and she viewed the website to which he referred tenants. She stated there is not a lot of comparability between the apartment's units. Ms. Lolly requested the rate structure after the remodeling is completed. Mr. Wisniewski responded that the Department has a price review provision when rents are raised at Kingswood. If tenants have a concern about rent increases, the Department will go through a review process to ensure rents are within the range of market rents for comparable units. He suggested that Mr. Massman meet with Kingswood's tenants after today's meeting to discuss their concerns. Mr. Wisniewski also suggested that tenants who continue to have concerns contact him or attend a future Commission meeting to ensure their concerns are addressed.

Ms. Patricia Raye, a boat owner, requested assistance with a problem she has had with the Burton Chace Park Director, Jose Mata. She said that Mr. Mata is discriminatory toward everyone across the board, including the elderly, women with children, and people of color. If Mr. Mata does not like a particular craft or the size of a person's pocketbook, he will discriminate against the person. He allows certain boats to remain at the docks for months at a time while refusing to allow others to use the docks. Ms. Raye said, according to Mr. Mata, he is not allowing her boat to dock at Chace Park because of problems he has had with her boat's previous owner. Mr. Wisniewski asked Ms. Raye specifically whether Mr. Mata will allow her to tie her boat at the transient docks. Ms. Raye affirmed that Mr. Mata will not allow her to use the docks and tells her that she is illegally moored. Mr. Wisniewski suggested that Ms. Raye discuss the matter with Mr. Moliere after today's meeting. He informed the Commission that Ms. Raye's comments are reflective of the type of difficulties the Department has with Chace Park's transient dock boaters, some of whom try to use the docks as permanent mooring sites.

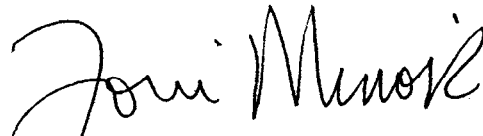
Mr. Al Lehman, a wooden boat owner, said that he searched 1 ½ years for a boat slip, but was unable to find one and eventually put the boat out to anchor. After a storm occurred, the Sheriff's Department towed the boat. Mr. Lehman said the boat was checked on daily, however, one day he discovered the boat had broken loose. Detective Rockford informed him that the boat had washed up on the shore and was bashed to pieces. Mr. Lehman believes that Detective Rockford was amused by the incident and informed Mr. Lehman that he knew the boat was going to break loose. Mr. Lehman said that prior to his boat's destruction, there were occasions when he tried to dock it at Chace Park, but Mr. Mata would not accept his money. There were also occasions when the Sheriff's Department ticketed him. Mr. Lehman expressed concern that Mr. Mata has the authority to determine which boats can remain at the docks and which boats cannot.

Mr. Wisniewski stated that Ms. Raye and Mr. Lehman deserve to be treated in a dignified manner and their concerns will be addressed. However, Mr. Wisniewski added, he must respond to Ms. Raye's disparaging remarks about Mr. Mata. He said Mr. Mata is one of the Department's most respected employees and does not discriminate against people. He has a very tough job administering the transient docks. Mr. Wisniewski said that he has watched Mr. Mata at work when Mr. Mata was unaware of Mr. Wisniewski's presence and he could see that Mr. Mata was balanced in his treatment of everyone.

7. ADJOURNMENT

Vice-Chairperson Stevens adjourned the meeting at 10:27 a.m.

Respectfully Submitted,



Toni Minor
Commission Secretary

Small Craft Harbor Commission
Meeting of December 11, 2002

Minutes

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

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

1. CALL TO ORDER & ACTION ON ABSENCES

Chairman Searcy called the meeting of the Los Angeles County Small Craft Harbor Commission to order at 9:35 a.m. in the Burton W. Chace Park Community Room, Marina del Rey.

Commissioner Lesser moved and Vice-Chairperson Stevens seconded a motion to excuse Commissioner Law and Commissioner Crail from today's meeting. The motion was unanimously carried.

2. APPROVAL OF MINUTES

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

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

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

3. REGULAR REPORTS

a. Marina Sheriff's Department Report

--- Crime Statistics

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

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

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

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

b. Marina Special Events

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

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

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

4. OLD BUSINESS

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

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

5. NEW BUSINESS

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

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

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

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

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

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

Chairman Searcy opened the floor to public comment:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chairman Searcy opened the floor to public comment:

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

6. STAFF REPORTS

a. Ongoing Activities Report

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

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

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

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

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

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

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

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

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

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

b. Marina del Rey Convention and Visitors Bureau

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

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

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

7. COMMUNICATION FROM THE PUBLIC

Chairman Searcy called for communication from the public:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8. ADJOURNMENT

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

Chairman Searcy adjourned the meeting at 12:00 noon.

Respectfully Submitted,



Toni Minor
Commission Secretary

Small Craft Harbor Commission
Meeting of November 13, 2002

Minutes

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

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

1. **CALL TO ORDER**

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

2. **APPROVAL OF MINUTES**

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

3. **REGULAR REPORTS**

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

-- **Crime Statistics**

Sergeant Gary Thornton presented the Marina del Rey crime statistics.

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

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

4. OLD BUSINESS

a. Height Limit Motion

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

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

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

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

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

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

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

Chairman Searcy then called for public comment.

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

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

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

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

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

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

b. ABANDONED OIL WELLS IN MARINA DEL REY

This item was continued.

5. NEW BUSINESS

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

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

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

Chairman Searcy opened the floor to public comment.

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

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

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

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

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

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

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

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

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

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

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

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

Chairman Searcy opened the floor to public comment:

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

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

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

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

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

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

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

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

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

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

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

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

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

Members of the public were invited to speak.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6. **STAFF REPORTS**

a. **Ongoing Activities**

-- **Board Actions on Items Relating to Marina del Rey**

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

-- **Design Control Board Minutes**

There was no discussion on the Design Control Board minutes.

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

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

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

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

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

7. COMMUNICATION FROM THE PUBLIC

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

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

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

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

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

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

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

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

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

Chairman Searcy stated that when this item is agendized, the Commission would request that representatives from the potential entity be at that meeting. Staff will endeavor to make sure that notices get to the Kingswood apartments. Ms. Gottlieb should also ensure that the last two speakers receive notices.

Mr. Weiss stated the Department would notify the lessee that the proposed rental increases are considered by the Department to be out of line. He does not think that the Department had an instance where it required further action.

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

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

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

8. **ADJOURNMENT**

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



**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES- February 2003**



	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape										0
Robbery: Weapon	1						3	3		7
Robbery: Strong-Arm		1						1		2
Aggravated Assault								1		1
Burglary: Residence				1	2	1	5	3	4	16
Burglary: Other Structure	2						1	2	1	6
Grand Theft	7	3		2	1		3	2	2	20
Grand Theft Auto	3						2		5	10
Arson								1		1
Boat Theft										0
Vehicle Burglary	4				3	2	6	4	3	22
Boat Burglary										0
Petty Theft	1	2					3			6
REPORTING DISTRICTS TOTALS	18	6	0	3	6	3	23	17	15	91

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

Source- LARCIS, Date Prepared - March 10, 2003
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- February 2003



	MARINA AREA (RD'S 2760- 2763)	EAST END (RD'S 2764- 2768)
Part I Crimes		
Homicide	0	0
Rape	0	0
Robbery: Weapon	1	6
Robbery: Strong-Arm	1	1
Aggravated Assault	0	1
Burglary: Residence	1	15
Burglary: Other Structure	2	4
Grand Theft	12	8
Grand Theft Auto	3	7
Arson	0	1
Boat Theft	0	0
Vehicle Burglary	4	18
Boat Burglary	0	0
Petty Theft	3	3
Total	27	64

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

Source- LARCIS, Date Prepared - March 10, 2003
CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR ORDINANCE SEAWORTHY & LIVEABOARD COMPLIANCE REPORT

	January	February
Liveaboard Permits Issued	0	2
Warnings Issued (Yellow Tags)	1	0
Notices to Comply Issued	0	0

Total Reported Liveaboards By Lessees - 525

Total Liveaboard Permits Issued - 415

Percentage of Compliance - 79

No new Warnings were issued in the month of February. There are 4 cases that are still being investigated.

No new Notices to Comply were issued in the month of February. There are no active cases.

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

Number Of Unseaworthy Vessels Demolished

To date, one hundred and thirty six (136) vessels have been removed from the marina for disposal. Currently, eighteen (18) vessels are ready for disposal and five (5) are awaiting lien sale procedures.



**COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS**



STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

March 13, 2003

TO: Small Craft Harbor Commission
FROM: Stan Wisniewski, Director *Stan Wisniewski*
SUBJECT: **MARINA DEL REY SPECIAL EVENTS**

OPENING DAY CEREMONIES 2003
Marina del Rey Yacht Clubs
Saturday – Sunday, March 15 – March 16

The yacht clubs of Marina del Rey will be celebrating the opening of the yachting season on March 15 - 16. Contact the clubs for their schedule of events during this weekend.

California Yacht Club:
www.calyachtclub.com
310-823-4567

Del Rey Yacht Club:
www.dryc.org
310-823-4664

Marina Venice Yacht Club:
www.mvyc.org
310-822-9082

Pacific Mariners Yacht Club:
www.pmyc.org
310-823-9717

Santa Monica Windjammers Yacht Club:
www.smwyc.org
310-827-7692

South Coast Corinthian Yacht Club:
www.sccyc.org
310-306-2787

LOS ANGELES COUNTY HOUSEHOLD HAZARDOUS WASTE ROUND-UP
Saturday, March 15

The County of Los Angeles Department of Public Works and the Sanitation District in conjunction with the County of Los Angeles Department of Beaches and Harbors, are sponsoring the annual Household Hazardous Waste and E-Waste Roundup for the proper disposal of environmentally harmful household substances and electronic waste. The roundup will be held at the Dock 52 parking lot on Fiji Way from 9:00 a.m. to 3:00 p.m.

For information call: (888) 253-2652 or (800) 238-0172.

FISHERMAN'S VILLAGE WEEKEND CONCERTS

Sponsored by Pacific Ocean Management, LLC

Concerts are from 1 p.m. - 4 p.m.

Saturday, March 15

Monica Burnett, Storytelling Rock

Sunday, March 16

Phyllis Chang, playing Jazz, Pop & Adult Contemporary

Saturday, March 22

Floyd & The Fly Boys, playing Blues

Sunday, March 23

ASHA, playing Jazz Fusion

Saturday, March 29

Caravana, playing Latin Jazz

Sunday, March 30

The Eric Byak Project, playing Jazz

ANNUAL MARINA DEL REY ANGLERS HALIBUT DERBY

Sponsored by the Marina del Rey Anglers

Saturday – Sunday, April 5 – April 6

Awards go to those who catch the biggest fish on a rod and reel in Santa Monica Bay. Fishing starts at sunrise. Weigh-ins will be held Saturday, April 5 in Burton Chace Park from 2:00 p.m. to 5:00 p.m. and again on Sunday, April 6 from 12:00 noon to 3:00 p.m.

For information: Visit the website halibutderby.com or contact Allen Ventura at (818) 883-1254.

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

SW:mc



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS



March 12, 2003

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *Stan Wisniewski*

SUBJECT: **AGENDA ITEM 4a - DEAUVILLE MARINA (PARCEL 12R)
BOAT SLIP REDEVELOPMENT PROJECT**

Item 4a on your agenda relates to a request made at your last meeting for a status report on the development of the Deauville Marina project (Parcel 12R). The attached letter to your Commission from Doug Ring, the lessee representative, presents current and historical data regarding the project. We have invited Mr. Ring to attend your meeting to discuss the project and answer any questions you may have regarding status.

We will continue to monitor the project as resolution of current litigation and acquisition of construction financing are pursued and will keep your Commission apprised.

Please let me know if you need further information.

SW:rm

Attachment

SCHCRIng31203

THE RING GROUP

11377 West Olympic Blvd.
Los Angeles, California 90064
Telephone: (310) 914-7944
Facsimile: (310) 312-1089

March 7, 2003

Harley A. Searcy, Chairman
Carole B. Stevens, Vice-Chairperson
John C. Law
Russ Lesser
Joe Crail
Small Craft Harbor Commission
COUNTY OF LOS ANGELES
13837 Fiji Way
Marina del Rey, CA 90292

Dear Commissioners:

Department of Beaches and Harbors		
MAR 11 '03		
	Info	Act
Director		
Chief Deputy Director		
Deputy Director		
Executive Assistant		
Admin. Services		
Asset Management		
Facilities Property Mgmt		
Community Services		
Planning		

While I do not regularly attend your commission meetings, I do read with interest the minutes of those meetings. I am aware that various members of the public regularly ask why construction has not begun at Deauville and why the boat slips remain vacant. Recognizing that this has become a repetitive theme, I thought I should explain the facts to you in hopes that I might be able to assuage any concerns that you have. Obviously, this letter will be a matter of public record, so that if others are interested in the problem from my perspective, they will be able to read it.

As you know, the entitlement process (permission to redevelop our leasehold) required the preparation of a multi-volume Environmental Impact Report and then eleven Public Hearings before the County Regional Planning Commission. That was in addition to multi-year negotiations to extend the lease.

During the Regional Planning Commission process, one of the conditions that the Commission placed on their approvals was a requirement that all tenants (apartment and boat slips) be given six months notice before the end of their tenancy. While I recognize that this type of issue is not a true land use issue, Planning Commissions all over the state have increasingly addressed this type of issue as they have dealt with the demolition of existing units in an ever-tightening housing market.

Following approval by the Regional Planning Commission, we went before the California Coastal Commission at two separate times. The first was devoted solely to the landside (apartment) approvals. We received a unanimous vote from the Commission for the project. The second, several months later, was a hearing devoted to our waterside (docks) approvals and we also received a unanimous vote from the Commission at that hearing.

THE RING GROUP

Commissioners ~ L.A. County Department of Beaches & Harbors

March 7, 2003

Page 2

The reason there were two separate hearings, is because the Coastal Commission has review authority over the County's landside approval process, but has original jurisdiction over the waterside improvements.

On the day following our Coastal Commission approvals, my management company issued six month notices to all of the apartment and boat slip tenants at Deauville. Our internal assessment was with 120 apartments and 464 boat slips, we would have a large number who would move out voluntarily by the end of the six month notice period, experience suggests some of the tenants, for a variety of reasons, would try to remain following the end of their lease period. For the holdover tenants, we recognized that we would have to proceed against each of them individually in court. Some of them might file bankruptcies to further slow down the process. A few tenants might even hold out deliberately with the hope of receiving some financial incentive to vacate was also considered.

Since we recognized that this was the first of two projects, we also knew that any consideration given to tenants to move out of Deauville would become precedent for Bar Harbor. That was a precedent that we were not prepared to create. Paying such compensation would be unfair to the tenants who vacated their leases in compliance with the law. While we did not discuss the broader precedential issue with the County, we did recognize that whatever we did, it would become "defacto" a precedent for every other redevelopment project which may take place in the Marina.

As I think you know, we had spent a considerable amount of time and energy attempting to make the entire move out process as painless as reality would permit. We had held a number of tenant meetings with our apartment and boat tenants and had a rental fair for competing projects to come and solicit new residents from our existing tenants. We also made internal arrangements for tenants moving from one Ring project to another to be able to do so as seamlessly (from a paperwork standpoint) as possible. We arranged for discount packing containers and other moving materials as well as change of address information, moving companies and the like.

For the boat slip tenants, we had recognized early on that the live-aboards faced the greatest problem since the availability of other live aboard slips in the Marina is restricted. As vacancies occurred at Bar Harbor, we made them first available to the Deauville live-aboards and did not release them for other potential tenants until the live-aboards had made their decision. I personally got involved with some of the boats which had unique sizing problems that needed to be accommodated.

We had anticipated that 10 to 25 tenants (apartments/boats) would require unlawful detainers, and I was personally very pleasantly surprised to learn (perhaps because our decision not to "buy off" anyone was well known) that we only had one tenant who required an unlawful detainer on a legal theory which can be best described as inventive.

THE RING GROUP

Commissioners ~ L.A. County Department of Beaches & Harbors

March 7, 2003

Page 3

Shortly after our approvals on the landside by the Coastal Commission, we were served with a complaint, together with the County and the California Coastal Commission, by the Save the Marina Coalition. Following the waterside approval, two additional suits were filed against us, one by the Save the Marina Coalition and the second by James Sokalski d.b.a. MDR News. Those suits also named the California Coastal Commission and the County as co-defendants.

As your counsel will advise you, the defense of a lawsuit of this kind requires the preparation of an Administrative Record both by the County and the California Coastal Commission. Because the County's Public Hearing process was so long, the preparation of its Administrative Record was also lengthy. The California Coastal Commission has a long quota of pending litigation at any time, and the preparation of Administrative Records for them gets the privilege of getting to the end of that line.

When we had a firm hearing date and found ourselves in settlement negotiations with Save the Marina Coalition. Without discussing substance of those negotiations, I can tell you that the two cases with them did settle and have been dismissed with prejudice.

That left us with one remaining case, the lawsuit by Mr. Sokalski. His suit was solely focused on the waterside improvements and also named ourselves, the Coastal Commission and the County. To avoid the problems which now exist, I was willing to negotiate toward settlement with Mr. Sokalski. On April 17, 2002, Mr. Sokalski visited me at my office to discuss possible settlement. He expressed then, as he has elsewhere, that his concern in filing the suit was that he did not believe that the County did a very good job of running the Marina and that he felt that his task was to protect the small boat owners. However, then proposed an out of court settlement of his suit if I would pay him \$75,000 for his time and effort and give him a 65' boat slip for free for 20 years. I was unclear then, as I am now, how either of those actions would help small boat owners. I declined an out of court settlement: on these terms.

On November 1, 2002, the case was heard in Los Angeles Superior Court and we prevailed. The Court also ordered Mr. Sokalski to pay various costs incurred by us in defending the case.

Subsequent to the end of the case, his attorney contacted our attorney to ask if we would be willing to forget the imposition of costs on him, since he was in essence an "in pro per" plaintiff. As a result of those discussions, the attorneys agreed that he should call me. He did so and suggested that he would not appeal the case if I would pay him \$50,000. I declined his offer. His case is currently on appeal.

During the years that we were negotiating the lease extension on the property, the County and we all acknowledged that beginning construction could not take place until all of the approvals were final which, includes either the dismissal or successful defeat of any litigation against the project.

THE RING GROUP

Commissioners ~ L.A. County Department of Beaches & Harbors

March 7, 2003

Page 4

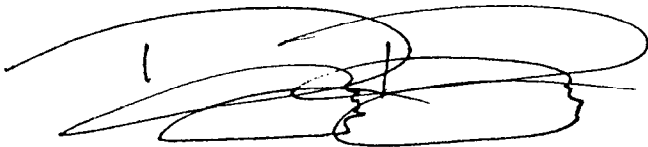
While I personally would love to rent out either the apartments or boat slips pending conclusion of Mr. Sokalski's appeal, because of the Regional Planning Commission requirements, to do so would also require that we reset the "six month clock" on any evictions that might come as a result of re-renting either the apartments or the boat slips. That has very little attraction.

We could seek to modify that condition on the Planning Department's requirements, however doing so would require a new round of hearings and would give rise to the potential of new rights to litigate. That also has very little attraction.

I absolutely acknowledge that this is not the best of all possible results, however if there's a diminution in the availability of boat slips, the diminution would be as a result of the litigation which we neither invited nor welcomed.

Hopefully this answers the questions which you may have had. I apologize if this letter is longer than your patience or interest may have required, however, I felt that a more complete record was appropriate rather than a superficial explanation.

Yours truly,

A handwritten signature in black ink, appearing to read "Doug Ring", with a large, sweeping flourish extending from the end of the signature.

Doug Ring

DR:tah

cc: Gloria Molina
Yvonne Brathwaite Burke
Zev Yaroslavsky
Don Knabe
Michael Antonovich
Stan Wisniewski
The Argonaut



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS



STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

March 13, 2003

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director

Subject: **MARINA DEL REY'S RECYCLING PROGRAM**

Item 5a on your agenda is a presentation by Mr. George De La O, Civil Engineer, with the Los Angeles County Department of Public Works, Environmental Programs Division. Mr. De La O will present information about residential recycling opportunities in Marina del Rey and throughout the County, household hazardous waste and oil recycling facilities, and the County's internal recycling efforts.

SW:JJC:LA:la



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

March 12, 2003



STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *Stan Wisniewski*

SUBJECT: **AGENDA ITEM 5b – SLIP VACANCY STATUS REPORT**

Item 5b on your agenda relates to the slip vacancy status report requested by your Commission. The attached report is for the month of January 2003 – the last full month for which slip vacancy reports are available at the date of transmittal of this report (reports are due from lessees by the 15th of the succeeding month for prior month vacancy statistics).

In addition to showing gross total slip vacancies categorized by slip size, we have provided a section entitled “Adjustments to Slip Availability and Vacancy due to Redevelopment” that adjusts slip availability and vacancy figures to remove those slips that are closed awaiting demolition and reconstruction or are otherwise out of service. The set of statistics in that section provides a truer picture of available slips in each category. As identified in the chart, “Effective Vacancies” are slips presently available for lease. “Effective Available Slips” are the totality of slips currently occupied or available for use.

As new slips are constructed and go into service, adjustments to both effective availability and effective vacancy will, of course, occur. For example, as indicated on the report, while certain Parcel 111 slips are removed from the “Effective Available Slips” statistics due to their closure for reconstruction, three of four planned new concrete docks, replacing former wooden docks and their associated slips, are scheduled to reopen on April 1, 2003. Therefore, as of that date there will be an adjustment to both the Effective Available Slips and Effective Vacancy categories to provide for an additional 111 slips that will go into service on that date.

We will provide you with an update of this report each quarter. Please let me know if you need further information.

SW:rm
Attachment

SCHCslipvacancymemo31203

Slip Vacancy Analysis January 2003

Parcel #	Parcel Name	Total # Slips	VACANCIES				Total # Vacancies	% Vacant
			18-25'	26-35'	36-50'	Over 50'		
7	Tahiti Marina	214	0	1	1	0	2	0.9%
8	The Bay Club Apts & Marina	231	0	6	2	0	8	3.5%
10	Neptune Marina	184	1	4	0	0	5	2.7%
12	Deauville Marina	430	135	232	48	15	430	100.0%
13	Villa del Mar Marina	186	0	0	0	0	0	0.0%
15	Bar Harbor Marina	215	0	0	0	0	0	0.0%
18	Dolphin Marina Ltd.	424	10	5	2	1	18	4.2%
20	Panay Way Marina	145	7	1	1	0	9	6.2%
21	Holiday Harbor Marina	183	10	2	0	0	12	6.6%
28	Mariners Bay	369	0	3	0	0	3	0.8%
30	Del Rey Yacht Club	287	2	4	0	0	6	2.1%
41	Catalina Yacht Anchorage	148	2	1	0	0	3	2.0%
42	Marina del Rey Hotel	349	4	5	0	0	9	2.6%
44	Pier 44	397	9	4	0	0	13	3.3%
47	Santa Monica Yacht Club Marina	173	1	0	0	0	1	0.6%
53	The boatyard.com	103	1	0	0	0	1	1.0%
54	Windward Yacht Center	53	0	0	0	1	1	1.9%
56	Fisherman's Village	9	0	0	0	2	2	22.2%
77	77 Del Rey	14	7	0	0	0	7	50.0%
111	Marina Harbor Apts. & Anchorage**	248	72	78	2	0	152	61.3%
112	Marina Harbor Apts. & Anchorage	315	12	2	1	0	15	4.8%
132	California Yacht Club	253	0	2	2	0	4	1.6%
125	Marina City Club	316	1	3	0	0	4	1.3%
Total		5246	274	353	59	19	705	13.4%
Total Slips by Size Category		5246	1576	2414	1028	228		
Adjustments to Slip Availability and Vacancy due to Redevelopment *								
			18-25'	26-35'	36-50'	Over 50'	Total	Status
12	Deauville Marina		135	232	48	15	430	(Vacant)
77	77 Del Rey		7	0	0	0	7	(Demolished)
111	Marina Harbor Apts. & Anchorage**		72	74	0	0	146	(Demolished)
Total			214	306	48	15	583	
Effective Vacancies			60	47	11	4	122	
Effective Available Slips			1362	2108	980	213	4663	
Effective Marina Vacancy Rates			4.4%	2.2%	1.1%	1.9%	2.6%	
* Removes out of service and demolished slips awaiting replacement from counts to provide actual current vacancy and availability of slips.								
** As of April 1, 2003 Parcel 111 will open 111 new slips resulting in an increase of both effective available slips and effective vacancies.								
The following chart shows the breakdown of these new slips by size:								
			18-25'	26-35'	36-50'	Over 50'	Total	
New Parcel 111 Slips as of April 2003			24	26	19	42	111	



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS



March 12, 2003

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director

SUBJECT: **AGENDA ITEM 5C - REQUEST FOR PROPOSALS FOR
DEVELOPMENT OF BOAT STORAGE FACILITIES ON
PARCELS 52R AND GG IN MARINA DEL REY**

Item 5c on your agenda relates to a Request for Proposals (RFP) for development of boat storage facilities on Parcels 52R and GG in conjunction with the simultaneous release of an RFP for the development of an entertainment/retail center adjacent to Chace Park - also on your agenda as item 5d. Each of the companion RFP's contain similar opening statements - the statement appearing at the opening of the RFP for this item is as follows:

**Special Note: Simultaneous Issuance of Dry Stack Boat Storage and
Entertainment/Retail for Requests for Proposals ("RFPS")**

The proposed development of expanded boater-serving facilities on Parcels 52R and GG and the concurrent proposed development of a destination visitor-serving project that is integrated with an expanded Chace Park respond to the need to simultaneously enhance Marina del Rey as a visitor destination and increase the amount and quality of facilities serving recreational boaters and users of Chace Park. To this end, the County has released Requests for Proposals ("RFP's") for both projects simultaneously, requiring, at a minimum, that new boater facilities on Parcels 52R and GG fully replace the repair and boat hoist facilities and expand the boat storage located on Parcel 77W to permit the future use of Parcel 77W for visitor-serving commercial uses and the expansion of Chace Park. Respondents to the Entertainment/Retail RFP will note that such replacement facilities for boaters must be in place before any closure of the existing facilities on Parcel 77W and that all proposals in response to the Entertainment/Retail RFP will also be expected to provide boater access to an entertainment retail center that is integrated with the expanded Chace Park.

The attached RFP and draft Board letter provide details of the proposed solicitation. I request your concurrence with my recommendation to the Board of Supervisors.

SW:rm
Attachment

SCHCDRYSTACKMEMO31203

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

DRAFT

March 5, 2003

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

Dear Supervisors:

**APPROVE THE RELEASE OF REQUEST FOR PROPOSALS FOR DEVELOPMENT
OF BOAT STORAGE FACILITIES ON PARCELS 52R AND GG IN MARINA DEL REY
(4th DISTRICT)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and authorize the release of the attached Request for Proposals for Development of Boat Storage Facilities on Parcels 52R and GG.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed Request for Proposals (RFP) is intended to seek competitive proposals for development and operation of boat storage facilities on Parcels 52R and GG in Marina del Rey. The solicitation provides for replacement, expansion and enhancement of boating facilities now located on Parcel 77W which, along with a portion of Parcel 44U, is slated for County acquisition in connection with expanded park, recreational boating and visitor-serving development that is contemplated by a companion RFP.

The Honorable Board of Supervisors
March 5, 2003
Page 2

In order to highlight and clarify the purpose and scope of these companion solicitations, each contains a similar opening special note relating to the Department's goals for the projects. The note relating to this boat storage facility RFP states:

"Special Note: Simultaneous Issuance of Dry Stack Boat Storage and Entertainment/Retail for Requests for Proposals ("RFPS")

The proposed development of expanded boater-serving facilities on Parcels 52R and GG and the concurrent proposed development of a destination visitor-serving project that is integrated with an expanded Chace Park respond to the need to simultaneously enhance Marina del Rey as a visitor destination and increase the amount and quality of facilities serving recreational boaters and users of Chace Park. To this end, the County has released Requests for Proposals ("RFP's") for both projects simultaneously, requiring, at a minimum, that new boater facilities on Parcels 52R and GG fully replace the repair and boat hoist facilities and expand the boat storage located on Parcel 77W to permit the future use of Parcel 77W for visitor-serving commercial uses and the expansion of Chace Park. Respondents to the Entertainment/Retail RFP will note that such replacement facilities for boaters must be in place before any closure of the existing facilities on Parcel 77W and that all proposals in response to the Entertainment/Retail RFP will also be expected to provide boater access to an entertainment retail center that is integrated with the expanded Chace Park."

In furtherance of the goals of the second-generation development contemplated in the Marina del Rey Asset Management Strategy (AMS) adopted by your Board on April 15, 1997, the Department has issued four previous development solicitations for the second generation of development in Marina del Rey. The proposed development of a boat storage facility continues the implementation of second-generation development by allowing the replacement and enhancement of certain existing boat storage facilities, while at the same time making possible the addition of new facilities with enlarged capacity and enhanced services for the boating community.

The development opportunity for the two County-owned parcels that are the subject of this RFP is the construction and operation of a landside dry-stack boat storage facility

The Honorable Board of Supervisors
March 5, 2003
Page 3

incorporating as many as 400 boat storage spaces, together with surface lot sailboat mast-up storage and launching hoist, short-term dock space, a small boat repair operation and related boater amenities. The project is specifically designed to serve the needs of recreational boaters by providing out-of-water boat storage, launching for power and sail craft and various other boating-related services. It is expected that proposals will be generated in response to this RFP that integrate and expand existing boating facilities and make possible the expansion of boating and boater/coastal dependent facilities on the Marina's east side, as envisioned in the Local Coastal Program (LCP). Completion of this project will also fulfill the County's obligation to relocate existing boating facilities on Parcel 77W (218 boat storage spaces, small boat repair facility, and boat launch hoist) in connection with the proposed expansion of Chace Park and other boating and visitor-serving development envisioned for that area which will not proceed until the completion of the facilities contemplated by this solicitation.

Implementation of Strategic Plan Goals

The proposed action promotes and furthers the Board-approved Strategic Plan Goal of Service Excellence, in that it seeks to obtain the development of enhanced facilities and services for recreational boaters while facilitating visitor-serving entertainment/retail and Chace Park expansion projects.

FISCAL IMPACT/FINANCING

This is a solicitation effort to obtain proposals that will both accomplish the planning of Marina del Rey improvements in the subject area and maximize County revenues. A full financial analysis will accompany any subsequent project recommended to your Board. Other than budgeted consultant costs to evaluate responses to the RFP, no County funds are presently contemplated to finance any costs associated with this request. If a project is approved pursuant to this solicitation, the costs of relocation of the County's temporary office trailers, maintenance facilities and equipment will become the County's responsibility.

The Honorable Board of Supervisors
March 5, 2003
Page 4

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Land Use Designation and Entitlements

It is expected that the successful proposer will join the County in applying for an LCP amendment that is likely to be needed to accomplish this project. The expected amendment involves a change in land use on Parcels 52R and GG from Public Facility to Marine Commercial with a Waterfront Overlay Zone designation.

The bulk of available area retail and restaurant entitlements have been aggregated and offered in connection with a separate solicitation request for an entertainment/retail center, authority for which is being simultaneously requested of your Board, and are thus not available to the project proposed on Parcels 52R and GG. However, because the LCP places no specific limits on additional marine commercial development potential in the Marina, other than project-specific traffic mitigation and overall Marina development potential, it is unlikely that specific development limits will be placed on the project proposed on Parcels 52R and GG. Moreover, since the total buildout of all projects both planned and still in negotiation in Marina del Rey is well below the aggregate additional entitlements allowed for the Marina, the relatively few added trips expected to be associated with the proposed project will in no case exceed the Marina-wide development limits of the LCP. While this project is likely to be favorably received by the California Coastal Commission, the County, in issuing this RFP, will make no representation that any entitlements will, in fact, be obtained or that, in obtaining them, developers may not be subject to a wide range of conditions and requirements not now provided in the LCP.

Existing County Facilities on Parcels GG and 52R

As a condition of implementing the proposed project, the successful proposer will be required to retain or otherwise replace the existing Sheriff's Boatwright Shop (a 10,000 square foot building) and related dock space utilized by the Sheriff and the Department's maintenance vessels currently located on Parcel GG.

The Department also currently conducts certain of its operations in mobile office trailers located on Parcel GG. The County will assume responsibility for removal/relocation of

The Honorable Board of Supervisors
March 5, 2003
Page 5

these and all other facilities located on Parcel GG but for the Sheriff's Boatwright Shop and County-utilized dock space, including the Department's temporary office trailers, maintenance facilities and equipment and the Sheriff's automobile service facilities.

Temporary parking at Dock 52 currently serves certain water-oriented uses. These uses, including docking facilities and associated parking are being relocated and consolidated to a superior location 400 yards to the west in connection with the redevelopment of Parcels 55, 56S and W (Fisherman's Village), and, therefore, the successful respondent will not be required to replace these parking spaces or to retain or replace any other facilities located on Parcel 52.

Relocation/Replacement of Boating Facilities

The location of the dry stack and mast up boat storage facilities on Parcels 52R and GG as described in this solicitation request will allow the relocation of existing boat storage and boater facilities now located on Parcel 77W (218 boat storage spaces, a small boat repair facility and boat launch hoist), in connection with the County's proposed acquisition of Parcel 77W and a portion of Parcel 44U for proposed expansion of Chace Park and other boating and visitor-serving development envisioned for that area. The principal relocation of facilities contemplated by this RFP relates to full replacement of all Parcel 77W boating facilities, as well as the replacement of approximately 58 boat storage spaces located on the remaining portion of Parcel 44U that is not being acquired by the County in order to facilitate development of the remainder of Parcel 44U on its reduced footprint site. The development of visitor-serving uses on parcels with existing boating facilities is allowed by the LCP when these facilities are first relocated. The relocated boating facilities contemplated by this solicitation must be completed prior to any redevelopment of Parcel 77W.

New Public Wash-Down Facilities

The Honorable Board of Supervisors
March 5, 2003
Page 6

The successful proposer will also be required to construct and make available to the general public three or more boat wash-down spaces at costs to the public not to exceed those of similar services and facilities offered by the County. The boat wash-down facilities, which will augment the existing boat wash spaces on Parcel 49R, will be required to be located within convenient proximity to the County's boat launch ramp facility located on the adjacent Parcel 49R.

RFP Parcels

The unleased County parcels that are the subject of this RFP are as follows:

Parcel 52R, also known as "Dock 52 Temporary Parking," is currently a public parking lot providing 245 spaces and 228 feet of side tie docks. The site contains approximately 88,687 square feet (2.04 acres) of dry lot area and approximately 45,300 square feet (1.04 acres) of wet lot area. There is a month-to-month license agreement with the lessee of Parcel 56S (Fisherman's Village) for use by customers of the commercial fishing and charter boats who load and drop off passengers from the dock on Parcel 52R. The parcel also provides parking for Department of Beaches and Harbors employees working at Parcel GG and for other visitors to the south side of the Marina. The successful respondent will not be required to replace these parking spaces, as this use and its associated parking is being relocated in connection with the Fisherman's Village redevelopment project. Parcel 52R lies within Development Zone 9, with a current land use designation of Public Facility and Water.

Parcel GG is currently used for administrative offices by the Department and for various County facilities. The site contains approximately 45,909 square feet (1.05 acres) of dry lot area and approximately 5,000 square feet (0.12 acres) of wet lot area. The County will assume responsibility for the relocation of its administrative and maintenance offices located on the parcel. The successful proposer will assume responsibility for the retention, relocation or replacement of the Sheriff's Boatwright Shop and related dock space utilized by the Sheriff and the Department's maintenance vessels. Parcel GG lies within Development Zone 9, with a current land use designation of Public Facility and Water.

The Honorable Board of Supervisors
March 5, 2003
Page 7

At its meeting held on March 19, 2003, the Small Craft Harbor Commission _____ the Director's recommendations to your Board to approve and authorize the release of the attached RFP. The solicitation has been approved as to form by County Counsel.

ENVIRONMENTAL DOCUMENTATION

This development solicitation does not authorize any development of the involved County property, let alone the development of a particular project. The County is not committed to approving any new development through the release of this solicitation. In the event the solicitation yields a proposed development plan, the appropriate environmental documentation will be prepared when sufficient information regarding the proposed project is known in conjunction with the County's land use entitlement process. Any selected developer will be required to apply for and obtain all necessary land use and coastal development permits.

CONTRACTING PROCESS

An evaluation committee, selected by the Director of the Department, will review proposals submitted in response to the RFP and recommend to the Director a developer with whom to pursue exclusive negotiations in the event it determines a proposal is worthy of pursuit. The Director will then request your Board to authorize exclusive negotiations with a recommended developer for a lease or lease option to design, finance, develop and operate the project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no current impact on other projects and services due to the issuance of the RFP.

CONCLUSION

Approve and authorize release of the attached RFP and forward one adopted copy of this Board letter to the Department.

The Honorable Board of Supervisors
March 5, 2003
Page 8

Respectfully submitted,

Stan Wisniewski, Director

Attachments (1)

c: Chief Administrative Officer
County Counsel
Executive Officer, Board of Supervisors
Auditor-Controller

SW:rm

REQUEST FOR PROPOSALS

**FOR DEVELOPMENT OF BOAT STORAGE FACILITIES
ON PARCELS 52R AND GG IN MARINA DEL REY**

BOAT CENTRAL



(SAMPLE IMAGES – FOR ILLUSTRATIVE PURPOSES ONLY)

**ISSUED BY COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS
MARINA DEL REY, CALIFORNIA
APRIL 2003**

EXECUTIVE SUMMARY

SPECIAL NOTE **Simultaneous Issuance of Dry Stack Boat Storage and Entertainment/Retail Requests for Proposals (“RFP’s”).**

The proposed development of expanded boater-serving facilities on Parcels 52R and GG and the concurrent proposed development of a destination visitor-serving project that is integrated with an expanded Chace Park together respond to the need to simultaneously enhance Marina del Rey as a visitor destination and increase the amount and quality of facilities serving recreational boaters and users of Chace Park. To this end, the County has released Requests for Proposals (“RFP’s”) for both projects simultaneously, requiring, at a minimum, that new boater facilities on Parcels 52R and GG fully replace the repair and boat hoist facilities and expand the boat storage located on Parcel 77W to permit the future use of Parcel 77W for visitor serving commercial uses and the expansion of Chace Park. Respondents to the Entertainment/Retail RFP will note that such replacement facilities for boaters must be in place before any closure of the existing facilities on Parcel 77W, and that proposals in response to the Entertainment/Retail RFP will also be expected to provide boater access to the entertainment/retail center that is integrated with the expanded Chace Park.

COUNTY The County of Los Angeles seeks proposals for long-term ground lease and
OBJECTIVES development of new boat storage facilities on Parcels 52R and GG, Marina del Rey.

The primary objective of this project is development of boat storage facilities incorporating boater-friendly, waterfront-oriented design. The new boat storage facilities are intended to make possible innovative service aims for the recreational boating community. Dry stack storage will provide a focus for the new facilities, which are to include: sailboat mast up storage and launching hoist; short-term dock queueing space; a small boat repair operation; and related boater amenities. Vehicular parking will also be required to service these uses. In addition, the County also seeks plans for the retention, relocation or replacement of a certain portion of existing County facilities currently located on Parcel GG.

Information about this solicitation may be obtained from the Los Angeles County Department of Beaches and Harbor at <http://beaches.co.la.ca.us>

SITE DESCRIPTION	<p>The Project Site, which consists of Parcels 52R and GG, is ideally located within Marina del Rey for boat storage use, and is conveniently situated at the foot of Basin H in the northeast quadrant of Marina del Rey. Comprised of two contiguous parcels with approximately 3.09 acres of land area, the street frontage of the Project Site is located along Fiji Way immediately adjacent at the main entrance to the County's boat launch ramp.</p> <p>With approximately 400 feet of water frontage and 4.25 acres of total land and water area, ample space is provided for maximum storage buildout. Portions of the Project Site currently contain the County's Maintenance Facility, Temporary Office Trailers, Dock 52 Temporary Parking and the Sheriff's Boatwright Shop, a building consisting of approximately 10,000 square feet, together with related dock space. The successful proposer will assume responsibility for the retention, relocation or replacement of the Sheriff's Boatwright Shop and related dock space in its development plan. The County will remove its Temporary Office Trailers. The successful proposer will not be required to provide replacement spaces for Dock 52 Temporary Parking, but will be required to provide parking for onsite uses.</p>
DEVELOPMENT OPPORTUNITY	<p>The Project Site is situated in the midst of a number of planned development projects, including the planned redevelopment of Fisherman's Village to the west and planned developments for a new retail center and a new hotel project to the north. The County's use of the working title for the project, "Boat Central," is intended to evoke the image of a waterfront-oriented project primarily serving the needs of recreational boaters. The selection of dry stack boat storage use for the Project Site allows for the expansion of boating facilities on the Marina's east side, but is also recognized for its potential to create an important gathering place in the greater Marina community for boater-oriented waterfront recreational use.</p> <p>The County will require the successful proposer to provide a minimum of 276 spaces of dry stack boat storage. In addition, 30 spaces of sailboat mast-up storage and launching hoist are to be provided, together with temporary dock space, 3 public boat wash-down spaces, a small boat repair operation and related boater amenities. An initial feasibility study conducted by the County indicates that sufficient land area exists to allow the development of each of these uses on the Project Site, in addition to the required car parking for the storage facilities and a replacement Sheriff's Boatwright Shop and related dock space.</p> <p>The development of this project will likely require an amendment to the Marina del Rey Local Coastal Plan ("LCP") to change the existing land use designation. This RFP offering also provides the opportunity for a "Combined Project" which may include lease extensions for parcels adjacent to or near the proposed Project Site.</p>

TRANSACTION STRUCTURE	Unsubordinated ground lease with minimum rents and percentage rents.
SUBMISSION SCHEDULE AND FORMAT	The proposer shall prepare one original and nine copies (excepting large-scale drawings and exhibits if included in the package) of a Proposal Package in 8.5" x 11" format. Proposals must be organized following the Submission Requirements section and must include at least the requested information. Responses must be submitted not later than 5:00 p.m. on Monday, June 30, 2003.
PROPOSER'S CONFERENCE	<p>April 30, 2003 at 10:00 a.m.</p> <p>Burton W. Chace Park Community Building 13650 Mindanao Way Marina del Rey, California</p> <p>Attendance is not mandatory for proposers, however questions regarding this Request for Proposals and the overall project will only be addressed at this meeting or for a limited time afterward in follow-up correspondence that will be shared with all proposers on record. An information packet containing additional background materials is available for purchase from the Los Angeles County Department of Beaches and Harbors.</p>

TABLE OF CONTENTS

EXECUTIVE SUMMARY

Special Note	i
County Objectives	i
Site Description	ii
Development Opportunity	ii
Transaction Structure	iii
Submission Schedule and Format	iii
Proposer's Conference	iii

1. PROJECT OVERVIEW

1.1 The Development Opportunity	1
1.2 Project Site	1
1.3 Proposal Evaluation and Selection	2
1.4 Project Considerations	3
1.5 Transaction Structure	4
1.6 Submission Schedule, Format and County Contact	4

2. BACKGROUND AND CONTEXT

2.1 General Background	5
2.2 Ongoing Redevelopment Efforts	5
2.3 Overview of Marina del Rey	6
2.4 Asset Management Strategy (AMS)	6
2.5 Local Coastal Program Overview: Introduction to Marina Entitlements	7
2.6 Recent Private Investment in the Marina	7
2.7 Marina Governance	8
2.8 Marina Capital Projects	8

3. PROJECT DESCRIPTION

3.1 Ultimate Aim of the Boat Central Project	9
3.2 Illustrative Dry Stack Storage Plans	9
3.3 Boat Central Project Buildout	9
3.4 Site Descriptions of Project Parcels	11
3.5 Description of Parcels in Vicinity / Adjacent and Nearby Parcel Uses	12
3.6 Possible Modification of Existing Parcel Boundaries	14
3.7 Site Utilization	14
3.8 Suggested Guiding Principles for Boat Central Project Design	14
3.9 Availability of Project Entitlements	14
3.10 Potential LCP Amendment	15
3.11 No Availability of Public Financing	15
3.12 Proposals that Include Parcels Requiring Lease Extensions	15
3.13 Confidentiality	15

4.	OVERVIEW OF TERMS	
4.1	Rent.....	16
4.2	Additional Lease Terms.....	17
4.3	Proposer's Responsibilities	17
4.4	Property Condition	18
4.5	Entitlement Issues.....	18
4.6	Application Process	19
5.	PROPOSAL SUBMISSION AND REVIEW	
5.1	Developer's Orientation Conference.....	20
5.2	Proposal Package	20
5.3	Conditions and Limitations.....	20
5.4	Development Components.....	21
5.5	Submittal of Alternate Proposals	21
5.6	Overview of Contents of Proposal	21
5.7	Evaluation Committee	21
5.8	Evaluation Criteria.....	21
5.9	Evaluation Process.....	22
5.10	Final Award by Board of Supervisors.....	22

EXHIBITS

Figure 1 – Boat Central Project Site	1
Figure 2 – Parcels Included in RFP: Parcels 52R & GG.....	2
Figure 3 – Vicinity of Boat Central Project Site	3
Figure 4 – Location of Marina del Rey.....	5
Figure 5 – Sample Dry Stack Storage Facility (Interior View).....	9
Figure 6 – Boat Central Project Buildout	10
Figure 7 – Examples of Percentage Rents by Use Category for Properties in Marina del Rey.....	16

APPENDIXES

Appendix A – Policy Statement: Leasehold Term Extension – Marina del Rey	23
Appendix B – Process for Managing Lease Extension Proposals	29
Appendix C – Coordination with Lease Extension Proposals	32
Appendix D – Asset Management Strategy (AMS) Map	34
Appendix E – Entitlement Matters	35
Appendix F – Aerial Photograph of Marina del Rey	42
Appendix G – Contents of Proposal	43
Appendix H – Selected County Contract Terms and Conditions.....	47
Appendix I – Financial Information Release Authorization	49
Appendix J – CBE Forms	50
Appendix K – Notice to Proposers Regarding the California Public Records Act	53
Appendix L – Project Summary Form	54
Appendix M – Financial Worksheet Formats	55

1. PROJECT OVERVIEW

1.1 THE DEVELOPMENT OPPORTUNITY

The County of Los Angeles (the “County”), through its Department of Beaches and Harbors (“DBH”), seeks a development team that will provide the expertise, experience and financial ability to plan, construct and operate boat storage facilities that incorporate boater-friendly, waterfront-oriented design. The new facilities (working name: Marina del Rey “Boat Central”) are to be developed as a regional draw serving greater Los Angeles, the citizens of Marina del Rey and the recreational boating community.

The County seeks proposals for the long-term ground lease and development of a new dry stack boat storage facility, sailboat mast up storage and related boater amenities on Parcels 52R and GG, Marina del Rey, together with the integration (through retention, relocation or replacement) of a certain portion of existing County facilities displaced by development. The primary objective of this project is development of boat storage facilities envisioned as incorporating boater-friendly, waterfront-oriented design. These new boat storage facilities are intended to make possible innovative service aims for the recreational boating community that will complement significant new development planned on nearby parcels designed for visitor-serving retail and public uses.

The County’s preliminary feasibility analysis indicates that the Project Site will support a facility of 300 or more dry stack boat storage spaces, each not exceeding approximately 40 feet in overall length. The County envisions four main components: an indoor facility that provides convenient rack storage and access to smaller boats; an outdoor mast-up storage area typically reserved for sailboats; an outdoor boat wash-down area; and parking and on-site amenities designed to serve the needs of both the users of the facility and visitors to the area. The County believes that such uses, together with competent and experienced operational management, will assure the long-term viability of the proposed project.

1.2 PROJECT SITE

As shown in Figure 1, (the proposed “Project Site”), the Project Site is both functionally and practically dedicated to boating uses. Consisting of Parcels 52R and GG in the northeast quadrant of Marina del Rey, the Project Site contains approximately 4.25 acres of land and water area and includes 400 feet of water frontage. The County encourages proposals that will implement the County’s objective of providing boat storage, thereby improving waterfront access for the boating community, and will also consider proposals for other related boater/coastal dependent uses that enhance access to the waterfront through recreational boating and encourage visitation of nearby Marina attractions.

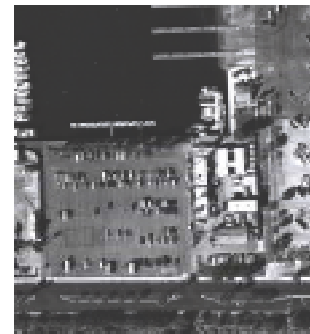


Figure 1. Boat Central Project Site

The Project Site is situated on Fiji Way on the east side of Marina del Rey, adjacent to the County boat launch ramp. The boat launch ramp, which is located at the foot of Basin H, is situated along Admiralty Way between Fiji Way and Mindanao Way. The main vehicular entrance to the boat launch ramp is located immediately adjacent to the east edge Parcel GG. The two parcels that comprise the Project Site consist of a total of 3.09 acres of land area, as described in the Appendix. Proposers that can demonstrate control of adjacent parcels may expand the Project Site.

An aerial photograph the Boat Central Project Site is set forth in Figure 1, and a diagram illustrating the parcels that are the subject of this Request for Proposals (“RFP”) is included as Figure 2.



Figure 2. Parcels Included in RFP: Parcels 52R & GG

1.3 PROPOSAL EVALUATION AND SELECTION

The County will consider all proposals against the standards generally set out in this RFP and, to the extent competing proposals are submitted, will judge proposals against each other. Proposers are expected to set forth a plan that utilizes both parcels comprising the Project Site in order to achieve the maximum possible dry boat storage spaces while at the same time also providing the minimum buildout requirements as set forth in Section 3. The County, in its evaluation of proposed projects, will favor project plans that take advantage of and benefit from proximity to the adjacent County boat launch ramp and generate significant, meaningful use of the Boat Central facilities.

Respondents are further encouraged to submit multiple proposals if they have more than one possible development solution. The County will also entertain proposals that incorporate parcel(s) adjacent to the Project Site, provided the proposer can demonstrate control of such parcel(s). While respondents are encouraged to propose a level of development that is most suited to the success of the overall project, priority consideration will be given to plans that both meet minimum buildout requirements and maximize the number of dry stack storage spaces. The County will enter into negotiations for a ground

lease with the selected developer wherein the County will provide the Project Site in exchange for the opportunity for its development.

1.4 PROJECT CONSIDERATIONS

The County manages Marina del Rey pursuant to the goals and objectives set forth in the Marina del Rey Local Coastal Program (“LCP”) and the Marina del Rey Asset Management Strategy (“AMS”). The successful proposer is responsible for recognizing the goals of both the LCP and AMS.

Among these goals, and the focus of this RFP, is improved access to recreational boating, described as a “top priority” in the LCP. Through the provision of a well-located, attractive alternative for small boat storage, the County believes the Boat Central project explicitly addresses needs of the boating community.



Figure 3. Vicinity of Boat Central Project Site

In furtherance of AMS goals, the County contemplates a number of planned redevelopment projects and related public improvements in the vicinity of the Project Site. The scope, funding and schedule of these potential redevelopment projects and public improvements are in various stages of analysis, evaluation and negotiation, and thus details are not yet finalized. Nonetheless, a number of these potential improvements may complement the Boat Central Project and therefore discussions of these projects are included for informational purposes.

As a condition of implementing the Boat Central project, the successful proposer will be required to relocate, retain or otherwise replace the existing Sheriff’s Boatwright Shop, a building consisting of approximately 10,000 square feet, together with related dock space, currently located on Parcel GG, to the satisfaction of the Los Angeles County Sheriff’s Department. Importantly, the successful proposer will not be required to assume responsibility for the replacement of the existing Dock 52 Temporary Parking. The County will remove its temporary office trailers. The successful proposer will also be expected to meet minimum buildout requirements, as described in Section 3.

It is expected that the successful proposer will join the County in applying for a related LCP amendment that is likely to be needed to implement the Boat Central project.

1.5 TRANSACTION STRUCTURE

Unsubordinated ground lease with minimum rents and percentage rents. The County will not subordinate its fee interest or ground rental payments.

1.6 SUBMISSION SCHEDULE, FORMAT AND COUNTY CONTACT

Responses are due no later than 5:00 p.m. Pacific Time on Monday, June 30, 2003. The application process and the contents of the application are discussed herein, principally in Sections 3 and 4 and the Appendix.

Submissions are to be delivered to the County Contact:

Delivery Address:

County of Los Angeles
Department of Beaches and Harbors
Attn: Mr. Alexander E. Kalamaros, CCIM
13837 Fiji Way
Marina del Rey, CA 90292

Contact Information:

Phone: 310.577.7961
Fax: 310.821.6345
Email: akalamar@dbh.co.la.ca.us
Internet: <http://beaches.co.la.ca.us>

2. BACKGROUND AND CONTEXT

2.1 GENERAL BACKGROUND

Marina del Rey is located at the Pacific coast of metropolitan Los Angeles (Figure 4). The County of Los Angeles owns the land and water area that comprises Marina del Rey proper. Marina del Rey is situated in an unincorporated area of the County. In the late 1950s, the Marina was dredged, and in the 1960s landside and water developments were created. Most of this land and water area has been developed under ground leases administered by DBH.

Development in the Marina is governed by the LCP, which was certified by the Coastal Commission in 1996. The County's Board of Supervisors adopted its AMS in 1997 to reflect the County's objectives and goals in seeking to maintain and enhance the Marina's reputation as a premier recreational boating harbor with attractive residential, shopping and dining facilities and overnight accommodations. In 2001, the County established the Marina del Rey Convention and Visitors Bureau to promote the general guidelines and programs for achieving the visitor-serving objectives of the LCP.



Figure 4. Location of Marina del Rey

2.2 ONGOING REDEVELOPMENT EFFORTS

DBH has previously issued three other solicitations in connection with the first phase of Marina redevelopment. These solicitations have resulted in negotiations for over twenty new development and renovation projects with a value approaching one billion dollars that collectively total 3,577 apartments, 1,641 hotel rooms and 1,544 boat slips. Of the total 3,577 new apartments, 1,656 units will replace thirty-year-old apartments and the remaining 1,921 units will constitute new additions to existing parcels. The 1,544 new boat slips will replace 2,052 thirty-year-old slips and will utilize the same water area but provide larger slips and improved boater amenities. Additionally, a limited amount of new retail, office and specialty storage space, restaurant seats and specialty storage has been proposed, together with a new 2+ acre park on the Marina's west side.

In addition to general invitations for Marina redevelopment, the County has also worked for the past five years to implement a set of two strategically located projects: a retail project on the east side and a cluster of hotel projects near on the west side. Altogether, the County is considering a number of related development proposals on the Marina's east side:

- Potential retail center on the Marina's east side
- Negotiation for a new hotel on Parcel 44U
- Conversion of Parcel 48R to a joint use facility
- Expansion of Chace Park through the conversion of Parcel 47U
- Development of new marine commercial and replacement yacht club facilities on Parcels UR&41

Altogether, these improvements, which are in various stages of planning and negotiation, could result in well over \$250 million in new development on the Marina's east side alone. Together with development existing, planned or currently in negotiation, total Marina development is expected to exceed \$500 million and may reach as high as \$750 million or more.

2.3 OVERVIEW OF MARINA DEL REY

Marina del Rey is one of the largest small craft harbors under unified management in the United States. Of the total 800 acres within the Marina, there are approximately 150 acres of water area and 253 acres of land area under long-term unsubordinated ground leases. Marina del Rey has over 50 major commercial leaseholds and over 300 subleases. Major components of Marina del Rey include the following:

- Approximately 5,300 boat slips;
- Approximately 6,000 rental apartment units;
- 600 luxury condominiums;
- Six hotels with a total of 1,040 rooms; and
- Approximately one million square feet of commercial space divided among office, conventional retail and restaurants.

2.4 ASSET MANAGEMENT STRATEGY (AMS)

In the AMS adopted in 1997 for Marina del Rey, the County addressed some of the critical issues for preserving and enhancing the location's prestigious identity, dealing with second-generation development, and ensuring that when the majority of the existing Marina leaseholds recycle, the Marina will be a viable, exciting area still capable of producing substantial revenues for the County, while serving the needs of both the recreational boater and community at large for water-oriented recreation.

The four main elements of AMS are:

- A long-term vision for Marina del Rey, which establishes the area as a strong urban waterfront development;
- Catalytic development projects that will draw people on a regional basis, spur further leasehold development and set a standard for design quality;
- Development mechanisms to encourage leasehold redevelopment proposals consistent with the long-term vision; and
- Other mechanisms to encourage refurbishment and ensure quality maintenance of those leaseholds that will not be redeveloped during the remaining terms of their leases.

Five characteristics common to successful waterfront developments that the County wishes to achieve in Marina del Rey are:

- A powerful sense of place;
- An accessible waterfront, both physically and visually;
- An exciting mix of inter-connected uses that relate strongly to the water;
- A multi-modal transportation system that facilitates walking and other non-automotive forms of travel; and
- A varied, high-quality residential environment.

Two of the important policies set forth above – increased waterfront access and visitor-serving environment – are two of the major objectives of this RFP.

2.5 LOCAL COASTAL PROGRAM OVERVIEW: INTRODUCTION TO MARINA ENTITLEMENTS

The Marina del Rey LCP governs development in Marina del Rey. The LCP was adopted by the Los Angeles County Board of Supervisors and effectively certified by the California Coastal Commission in 1996. The last comprehensive amendment to the LCP established the potential for a limited amount of additional development within the Marina based on the capacity of local transportation arteries to handle additional traffic. For planning purposes, this additional development potential is allocated among fourteen Development Zones (“DZs”) rather than to individual parcels. Aggregate development in the Marina, as well as development within each DZ, is regulated by the allocation of evening (p.m.) peak hour traffic trips.

Information regarding entitlements as set forth in the LCP is presented here for informational purposes. The LCP specifies maximum buildout, open space requirements, viewshed protection, parking requirements, traffic limitations and other types of entitlement issues. The LCP is available for review at the Marina del Rey Public Library, the DBH office or the Los Angeles County Regional Planning Department (“DRP”) and is available for purchase at the DBH office. The LCP may be viewed online at: <http://beaches.co.la.ca.us/bandh/marina/development.htm>

A brief overview of the LCP/Regional Planning/Coastal Commission requirements is set forth in the Appendix. While an LCP amendment will likely be required to implement the Boat Central project, the availability of marine commercial entitlements is not expected to pose a significant obstacle to project completion.

2.6 RECENT PRIVATE INVESTMENT IN THE MARINA

There has been a significant amount of recent investment in the redevelopment of leased properties located in the Marina. Since 1990, this has included the following:

- Construction of the Ritz-Carlton Hotel;
- Remodel of existing guest rooms at the Marina Marriott Hotel;
- Remodel of Dolphin Marina apartments and replacement of anchorage facility;
- Construction of 128 new Panay Way apartment units;
- Remodel of the Del Rey Yacht Club facilities;
- Replacement of 150 existing slips at the California Yacht Club;
- Remodel of existing Bay Club apartments;
- Remodel of the Red Onion Restaurant into FantaSea Yacht Charters;
- Remodel of Charley Brown’s Restaurant into Tony P’s Dockside Grill;

- Remodel of Reuben's Restaurant into Harbor House Restaurant;
- Remodel and expansion of Shanghai Red's Restaurant;
- Remodel of The Boat Yard to add ships chandlery;
- Construction of a new boathouse for Loyola Marymount University; and
- Remodel of interiors, exterior and landscaping of Oakwood Apartments.

2.7 MARINA GOVERNANCE

Marina del Rey is situated in an unincorporated portion of Los Angeles County and therefore is under the direct jurisdiction of the County Board of Supervisors ("Board"). When the Marina was developed, the Board created the Small Craft Harbor Commission ("SCHC") to oversee activities and recommend leases and policy matters to the Board. The SCHC consists of five members appointed by the Board. The SCHC recommends actions regarding Marina del Rey to the Board, which has the power to make decisions and direct activity.

Ongoing administration is the responsibility of DBH, which oversees all County-owned or controlled beaches as well as all land and water area encompassed by Marina del Rey. Within the Marina, the DBH manages and administers over 50 ground leases covering hotel, restaurant, office, residential, retail, harbor, anchorage, parking and concession uses. The Department's scope of activities entails significant asset management responsibility due to the size and complexity of the leasehold and concession interests, which it manages. The County's powers and rights in its governmental capacity are not affected by its leasing to proposers or developers in its proprietary capacity.

2.8 MARINA CAPITAL PROJECTS

The County and various other agencies responsible for ongoing administration and improvement of the Marina provide capital improvements to the area's infrastructure. These recent and planned investments provide a significant level of support for new development and include the following:

- The U.S. Army Corps of Engineers has jurisdiction over the construction of shoreline structures and other activities in the water areas of Marina del Rey. Between 1994 and 1996 the Corps and the County spent \$5.5 million to dredge nearly 300,000 cubic yards of material to maintain the Marina's entrances.
- An additional 700,000 cubic yards of waterway dredging began in 1998 and was completed in 2000 (total projected cost of \$7.7 million).
- A \$23.5 million project to reinforce all 758 panels of the Marina seawall was completed in 2000.
- The County is currently in the process of planning to implement Phase I of a Marina wide landscape and lighting redesign of roadway medians and two entry parcels.
- The County is currently planning for the widening of Admiralty Way from four to five lanes between Fiji Way and just west of Bali Way and six lanes from just west of Bali Way to Via Marina.
- The County, along with state and regional traffic authorities, is working on plans to extend the Marina Freeway (State Route 90) from its current terminus at Lincoln Boulevard to a point on Admiralty Way near the public library.
- Planned expansion of Chace Park.

3. PROJECT DESCRIPTION

3.1 ULTIMATE AIM OF THE BOAT CENTRAL PROJECT

The ultimate aim of the Boat Central project is the provision of boat storage facilities on the Marina del Rey waterfront. Through the provision of dry stack and mast up storage facilities and related boater amenities, it is expected that access to the waterfront will be enhanced for the boating community. Additional aims include other boater/coastal dependent uses that will encourage recreational boating and visitation and use of the Marina retail, restaurants and public facilities in the immediate vicinity. Accomplishment of these goals will allow for the improved integration of the Marina's recreational and commercial areas in furtherance of the AMS goals of creating an exciting, user-friendly attraction to Southern California residents and visitors. The successful Boat Central proposal will make effective use of existing transportation infrastructure and available entitlements. By maximizing connections to the surrounding area, the Boat Central project will provide a quality project environment while serving to implement the LCP and AMS.

3.2 ILLUSTRATIVE DRY STACK STORAGE PLANS

As shown on the cover page and in Figure 5, the implementation (size, construction, etc.) of dry stack storage facilities varies with site conditions and intensity of the proposed use. Weather conditions in Marina del Rey do not normally require indoor storage of small boats, up to approximately 40 feet in overall length. However, it is expected that the successful proposer will respond to this RFP with a plan for inside, covered storage, primarily due to the desirability of an exterior design that complements planned development in the immediate vicinity. It is also expected that the required mast-up storage spaces will be located on a surface lot accessible to the launching dock,



Figure 5. Sample Dry Stack Storage Facility
(Interior View)

and as the primary users of these spaces will be sailboats, these spaces will therefore not be covered. The precise means of insertion into the water, whether forklift, hoist or both, is left up to the proposer, however, it is expected that the successful proposer will be able to launch both sailboats and powerboats alike with equal degrees of effectiveness, and it is therefore assumed that a hoist capable of launching both sailboats and powerboats as large as 10 tons may need to be employed. The exact size and mix of the shelf and rack systems are also left up to the proposer, but it is further assumed that the majority of boats to be stored will be less than 30 feet in length.

3.3 BOAT CENTRAL PROJECT BUILDOUT

Based on preliminary feasibility estimates, it is estimated that the Project Site is suitable for buildout in excess of 300 dry stack storage spaces in overall length not exceeding approximately forty feet. As shown in Figure 6, and as otherwise described in the LCP and the Appendix, the County expects minimum buildout of no less than 276 dry stack storage spaces, 30 or more mast-up surface spaces, and an innovative set of boating-related amenities designed to serve the needs of both the users of the facility and visitors to the area. In addition to replacement of certain public facilities, the required amenities include: a guest dock for visiting boats; short-term dock spaces for passenger loading; public water bus and pumpout station docks; 3 public boat wash down spaces; a pedestrian promenade and a small boat repair operation.

Because the height limit for dry stack boat storage facilities is as high as 75 feet when a 40 percent view corridor is provided, as set forth in the LCP, it may be possible to achieve a maximum buildout of as many as 400 dry stack storage spaces. Priority consideration will be given to plans that both meet minimum buildout requirements and maximize the number of dry stack storage spaces.

Figure 6. Boat Central Project Buildout

<i>Land Area</i>	<i>Water Area</i>
<ul style="list-style-type: none">▪ Retain, relocate or replace Sheriff's Boatwright Shop▪ Minimum 276 dry stack storage spaces (inside) and launching means▪ Minimum 30 sailboat mast up surface storage spaces and launching hoist▪ Minimum 3 public boat wash-down spaces (outside)▪ Small boat repair operation▪ Entry, office and common area▪ Car parking as required by code to service storage spaces and other uses▪ Pedestrian promenade	<ul style="list-style-type: none">▪ Retain, relocate or replace dock space related to Sheriff's Boatwright Shop▪ Main hoist/forklift launching dock(s) for both sailboats and powerboats▪ Short-term dock space for sailboats and powerboats in the process of loading passengers▪ One pumpout station dock▪ One guest dock for visiting boats▪ One water bus dock

3.4 SITE DESCRIPTIONS OF BOAT CENTRAL PROJECT PARCELS

A table summarizing the parcels included in this RFP is shown in the Appendix. The County is prepared to lease these two parcels for the Boat Central project. Descriptions of the individual parcels are as follows:

- **Parcel 52R**, also known as “Dock 52,” is currently a public parking lot providing 245 (including seven handicapped) spaces and 228 feet of side tie docks. The site contains approximately 88,687 square feet of dry lot area and approximately 45,300 square feet of wet lot area. There is a month-to-month license agreement with the lessee of Parcel 56S (Fisherman’s Village) for use by customers of the commercial fishing boats who load passengers from the docks on Parcel 52R. These uses will be relocated approximately 500 yards to the west in connection with the redevelopment of Fisherman’s Village.

Parcel 52R lies within Development Zone 9 and is designated for a public facility. The County currently intends utilization of this parcel, in conjunction with Parcel GG, as a dry stack boat storage and parking facility. The successful proposer will not be required to provide replacement spaces for Dock 52 Temporary Parking.

- **Parcel GG** is currently used by the County’s Department of Beaches and Harbors for administrative offices. The site contains approximately 45,909 square feet of dry lot area and approximately 5,000 square feet of wet lot area. Parcel GG is located on the eastern edge of the Project Site adjacent to Parcel 49, the County Boat Launch Ramp.

Parcel GG lies within Development Zone 9 and is designated for a public facility as to the landside area of the leasehold and water related uses as to the water portion of the leasehold. The County intends to relocate its administrative offices located on the parcel. The successful proposer will assume responsibility for the retention, relocation or replacement of the Sheriff’s Boatwright Shop, a building consisting of approximately 10,000 square feet, together with related dock space currently located on the parcel.

3.5 DESCRIPTIONS OF PARCELS IN VICINITY / ADJACENT AND NEARBY PARCEL USES

- **Parcel 70** (to be reparcelized) currently serves as the Marina del Rey Visitors Center and County Parking Lot #4 providing 153 (including 7 handicapped) public parking spaces. It is an asphalt paved parking lot serving the general public, visitors to Chace Park, the adjacent public launching ramp and employees of Parcel 50T (Marina Waterside Center) on a non-priority basis. This parcel contains approximately 109,834 square feet.
- **Parcel 49** is an asphalt lot of approximately 16 acres serving as the County Boat Launch Ramp. It contains dry boat and/or trailer storage spaces and related parking facilities. In addition, a restroom facility is provided on site. The water area encompasses approximately 41,800 square feet for the launch ramp staging area.
- **Parcel 77W** currently provides 218 dry boat and/or trailer storage spaces with related parking facilities for 81 cars. In addition, a small boat repair/office of 1,160 square feet and a 4,500-pound marine commercial hoist are provided on site. The water area encompasses approximately 27,233 square feet and currently provides side tie docks currently used by Fantasea Yachts for charter boat operations. These charter boat operations are temporary and based on a permit that will expire in October 2003. The County holds an option to purchase the Parcel 77W leasehold. The County intends to relocate the existing dry boat storage spaces and associated parking to Parcel 52R in connection with this RFP.
- **Parcel 44U-prt** is a portion of the current Parcel 44U leasehold along Mindanao Way. The County holds an option to purchase the southwesterly portion of the Parcel 44U leasehold adjacent to Parcel 77W. The land area of this portion of the leasehold is approximately 80,150 square feet and the water area encompasses approximately 108,900 square feet. The area currently contains a 6,034 square foot office building, a 9,000 square foot restaurant (closed), and approximately 241 parking spaces. This area is adjacent to Parcel 47, which will be re-acquired by the County upon expiration of the current short-term parcel lease extension on or after July 31, 2005 for an expanded Chace Park.
- **Parcel EE** is the County owned and operated Chace Park. The park contains approximately 7.19 acres of land area and approximately 70,255 square feet of water area providing 10 boat slips for transient use and a public pump out station. The park also contains a community building, pavilion facilities for outdoor functions, including receptions and weddings and is the site of a popular summer concerts series.

Parcel EE lies within the Development Zone 9, and is currently designated as open space on the land portion and water related uses on the water. The County plans to enlarge and enhance the current Chace Park by the addition of the current Parcels 47U and 48R sites. The additional land and water area, including boat slips, will increase the total size of the park and will provide the additional areas to accommodate its proposed aquatic center, housing expanded youth and public educational programs centering on boating, sailing, water safety and allied uses.

- **Parcel 48R** is currently managed pursuant to a joint use agreement between the County and the Western Los Angeles County Council of the Boy Scouts of America, which operates the Sea Scout Base. The permanently based facility is a three-story structure containing meeting rooms, administrative areas, equipment storage, maintenance areas and restrooms. In addition, there are approximately 1,000 lineal feet of dock area. Parcel 48R lies within Development Zone 9 and is currently designated as water related uses. The County is in process of consolidating into this and other proposed Chace Park facilities various Marina-wide programs, including youth aquatic programs, rowing and other aquatic/boating programs.
- **Parcel 47U** is currently under lease to S.M.Y.C. Marina which operates the Santa Monica Windjammers Yacht Club. The short term lease extension recently granted to the yacht club allows the County to cancel the lease upon 6 months' notice at any time after 2005. The facility has 200 boat slips and a 10,357 square foot office building. The County is currently in negotiations to relocate the yacht club elsewhere in the Marina. The landside portion of the leasehold is proposed for expansion of Chace Park and our proposed aquatic center. The 173 slips on the leasehold will continue to be made available for recreational boating. Parcel 47U lies within Development Zone 9 and is designated marine commercial on the landside portion of the leasehold and water related uses on the water areas of the leasehold.
- **Parcel 44U-Hotel** is the remainder portion of Parcel 44U and is currently under negotiation with the lessee for long-term extension and development of a 382-room hotel. This portion of the leasehold is currently used for boat storage, boat brokerage/sales, marine repair, yacht club operations, office and boat slips. This site contains approximately 337,072 square feet of dry lot and approximately 164,624 square feet of wet lot. Parcel 44U-Hotel lies within Development Zone 8 and is currently designated for visitor-serving/convenience commercial, boat storage and marine commercial on the dry lot portion of the leasehold and water related uses on the wet lot. The proposed hotel development will require that the California Coastal Commission approve a Local Coastal Plan amendment. The County is in support of this development and will be a co-applicant with the lessee for such approvals. Notwithstanding such approval, all current marine commercial uses must be either retained on site or replaced in the immediate vicinity.
- **Parcels 55, 56S and W:** Parcel 56S (Fisherman's Village) currently contains approximately 32,000 square feet of restaurant and specialty retail space. The project has initiated its regulatory approvals. The Design Control Board has preliminarily approved a plan in concept to combine Parcels 55/56S and W into a single leasehold which is projected to contain approximately 48,000 square feet of specialty retail and restaurant space along with expanded marine commercial uses, which may include a terminal for marine charter boat and Catalina/Coast ferry boat usage with accompanying parking. The proposed development is envisioned to be complementary to the Boat Central project.

3.6 POSSIBLE MODIFICATION OF EXISTING PARCEL BOUNDARIES

In conjunction with requirements set forth in the LCP, potential future development in the vicinity of the Marina may require the planning and construction of improvements to particular intersections and various roadway projects designed to improve traffic circulation. In particular, two specific projects may potentially impinge on the leasehold interests of lessees on the Marina's eastside: (1) the widening of Admiralty Way, which may include the reconfiguration of the Admiralty Way/Via Marina intersection; and (2) the extension of Route 90 to Admiralty Way. The need for these projects is described in the *Marina del Rey Land Use Plan*, Chapter 11, "Circulation," and the *Marina del Rey Local Implementation Program*, Appendix G, "Transportation Improvement Program." These projects have not yet been fully defined, approved or scheduled, however, Proposers are advised to seek the advice of the County's Department of Public Works in regard to any proposed improvements that may be proposed alongside current roadways, intersections or parcel boundaries.

3.7 SITE UTILIZATION

The primary land use regulations for Marina del Rey are contained in the LCP, which is comprised of the *Marina del Rey Land Use Plan* and the *Marina del Rey Local Implementation Program*. In 1996, the California Coastal Commission and the County of Los Angeles approved a comprehensive amendment to the LCP. Currently, the LCP permits principal uses on the subject Parcels shown in the Appendix.

3.8 SUGGESTED GUIDING PRINCIPLES FOR BOAT CENTRAL PROJECT DESIGN

Based on the information previously described, including the LCP and the AMS, and a strong desire to create the best possible project, the following principles are suggested for the Boat Central project design:

- Vision consistent with AMS and LCP
- Facilities that encourage project use by recreational boaters
- Emphasis on physical environmental quality
- Secure and comfortable spaces
- Facility and operation evokes a sense of quality and value
- Water-oriented, visitor-serving auxiliary uses
- Appropriate transportation linkages

In addition to these examples of guiding principles, respondents are advised to review Section 5 of this RFP, which includes a brief explanation of the criteria on which proposals will be judged.

3.9 AVAILABILITY OF PROJECT ENTITLEMENTS

Entitlements for the Boat Central project are expected to be available by virtue of the priority given to boating uses in Marina del Rey. The availability of entitlements is made likely through the expected relocation of existing dry boat storage spaces to the Project Site and its proximity to existing boating and transportation infrastructure. Nonetheless, a change in land use designation to Marine Commercial and Waterfront Overlay Zone will likely require an LCP amendment and may require the allocation of additional trips, depending on the size of the successful project and the extent to which auxiliary uses are included in the project plan.

3.10 POTENTIAL LCP AMENDMENT

Due to the necessity, as above recounted, of certain amendments to the LCP and the requirements for regulatory approvals by the Marina Design Control Board, the County Department of Regional Planning, and the California Coastal Commission, as well as recommendation by the SCHC and approval of the Board of Supervisors, respondents are advised to consult with the Department of Regional Planning to assess the complexity, scope and length of time it may take to achieve the approvals needed to complete the Boat Central project. Respondents should consider a time estimate in accordance with requirements of the various regulatory bodies including the DCB, SCHC, DRP, Board and Coastal Commission.

3.11 NO AVAILABILITY OF PUBLIC FINANCING

While some form of public-private partnership is anticipated, the County may reject proposals that require public financial participation. Respondents should clearly specify any projected contingency, need or desire for public financing related to submitted proposals.

3.12 PROPOSALS THAT INCLUDE PARCELS REQUIRING LEASE EXTENSIONS

In cases where a respondent chooses to submit a proposal that includes one or more existing leaseholds, additional requirements will apply. These requirements are covered in detail in the Appendix.

3.13 CONFIDENTIALITY

Details of the proposals submitted in response to this RFP will remain confidential and will not be released to others prior to the Director's recommendations being presented to the Small Craft Harbor Commission. To preserve confidentiality, some information may be marked "CONFIDENTIAL" or "PROPRIETARY" and the County will recognize such designation to the extent permitted under the Public Records Act (see the Notice to Proposers Regarding the Public Records Act" set forth fully in Appendix).

4. OVERVIEW OF TERMS

The County will only accept proposals for a long-term, unsubordinated ground lease. Following are terms and conditions, which should be incorporated in the proposals.

4.1 RENT

Base minimum rent shall be generally equivalent to 75% of projected rent generated from percentage rent. Percentage rents shall be based on gross revenue per a schedule established in each ground lease, subject to adjustment over the term of the lease. In the following Figure 7, examples of percentage rents by use category are presented.

Figure 7.
Examples of Percentage Rents by Use Category for Properties in Marina del Rey

<i>Use Category</i>	<i>Range</i>		<i>Prevailing Rate</i>
	<i>Low</i>	<i>High</i>	
Boat Storage (dry stack) (*to be determined)	*	*	*
Boat Storage (landside)	10.0%	10.0%	10.0%
Hotel/Motel Rooms	7.5%	8.0%	7.5%
Restaurant (Average of Food & Beverage)	3.0%	5.0%	3.5%
Apartment	7.5%	12.5%	10.5%
Slips	20.0%	33.0%	25.0%
Retail	1.0%	2.0%	2.0%
Office	7.5%	12.5%	11.0%
Car Rental/Service Enterprises Commissions	5.0%	10.0%	5.0%
Vending/Telephone Commissions	25.0%	25.0%	25.0%
Cocktail Lounge	10.0%	10.0%	10.0%
Commissions - Service Enterprises	20.0%	20.0%	20.0%
Entertainment Admissions	5.0%	5.0%	5.0%
Valet Parking Fees	7.5%	7.5%	7.5%
Parking Fees	20.0%	20.0%	20.0%
Miscellaneous	1.0%	7.0%	5.0%

4.2 ADDITIONAL LEASE TERMS

The County will require that the following additional terms, among others, be incorporated into any ground lease:

- Participation by the County in the proceeds from the transfer/sale of the leasehold interest based upon the higher of: (a) a fixed percentage of the sale price, or (b) a fixed percentage of net profit from the sale;
- Participation by the County in proceeds from the refinancing of the leasehold interest based upon a fixed percentage of refinance proceeds not reinvested in the leasehold or used to retire existing financing;
- Late payment charges for any type of rent or payment due to the County including a fixed percentage of the amount due plus interest;
- Provisions for County assignment consent and recapture rights;
- Periodic adjustment of minimum and percentage rents to market levels;
- Disclosure of beneficial ownership;
- Maintenance standards and liquidated damages for failure to adhere to these standards;
- General liability insurance coverage and periodic insurance requirement readjustment;
- Security deposit;
- Promenade required by LCP (waterfront parcels);
- Designated dockmaster required for anchorage parcels; and
- Fund for removal of improvements at termination of lease.

4.3 PROPOSER'S RESPONSIBILITIES

The selected development team will be responsible for payment of all costs and expenses in connection with the project including, but not limited to: costs associated with securing necessary entitlements and environmental documentation; ground clearing, site preparation and construction of new buildings; maintenance; underground utilities; insurance and taxes; permits and inspection fees; costs and mitigation fees associated with the development; and architectural, environmental, engineering and other related work. Developer will be responsible for all brokerage fees, if any. The County will not pay any broker's fees or finder's fees.

The selected developer or development team will be required to:

- Select the multi-disciplinary team;
- Obtain all necessary entitlements and permits;

- Coordinate, manage and facilitate the review of the project by the DCB, the Regional Planning Commission, the County's Board of Supervisors, the California Coastal Commission and the local community, as well as assist DBH in responding to community issues or concerns that may arise;
- Manage the work effort of the entire development team, the architect, the general contractor, and construction manager (if any) during construction;
- Subsequent to completion, manage the daily operations of the commercial facilities in a professional manner to maintain high standards of operational quality, including contractual agreements with experienced operators if necessary to do so; and
- Market the development.

In summary, the selected development team will be required to address the multitude of issues and complete the multitude of tasks required to develop and operate the proposed development.

4.4 PROPERTY CONDITION

Environmental investigations, tests, reports or remediation through various governmental agencies may be required for redevelopment of the Project Site. A due diligence period, if necessary, will be provided during negotiations between the County and the selected developer. All costs of any such investigation will be borne by the selected developer. Rights of review and approval of the results of such investigations, if required, will be given to the selected developer. If the selected developer, acting in good faith, disapproves the results of such investigation, negotiations with the County may be terminated prior to the end of the due diligence period. If not terminated, the responsibility for clean-up of contamination or toxic materials will rest with the selected developer and will not be the responsibility of the County.

4.5 ENTITLEMENT ISSUES

A major element in the application and development process will be treatment of entitlement issues, since modification of existing entitlements through an LCP amendment will be required. A brief overview of LCP/Regional Planning/Coastal Commission Requirements is set forth in Appendix E.

Respondents should be aware that respondents might be subject to a wide range of conditions not contemplated in this RFP in connection with obtaining entitlements for a proposed project. As circumstances dictate, DBH will participate in DCB, LCP, Regional Planning and other necessary regulatory proceedings, however, while the County is a necessary co-applicant, sponsoring and obtaining LCP amendments and/or other regulatory approvals is the sole responsibility of the successful proposer.

4.6 APPLICATION PROCESS

4.6.1 Detailed Response Information

Proposers must submit by 5:00 p.m. Pacific Time on Monday, June 30, 2003, in the form set forth in Appendix H, "Contents of Proposal."

The proposal should be sent to the County Contact as described in Section 1, to the following address:

County of Los Angeles Department of Beaches and Harbors
Attn: Alexander E. Kalamaros, CCIM
13837 Fiji Way
Marina del Rey, CA 90292

4.6.2 Response Schedule

Release of RFP	April 2, 2003
Developer's Orientation (10:00 AM at Burton W. Chace Park Community Building, Marina del Rey)	April 30, 2003
Proposals Due	June 30, 2003
County schedules interviews	To be determined
Evaluation Committee issues recommendation to Director	To be determined
Director recommends selection of entity with which to negotiate exclusively	To be determined
Small Craft Harbor Commission reviews Director's recommendation	To be determined
Board of Supervisors selects entity with which to negotiate exclusively	To be determined

5. PROPOSAL SUBMISSION AND REVIEW

5.1 DEVELOPER'S ORIENTATION CONFERENCE

Prior to submitting a proposal in response to this RFP, interested potential respondents should attend the Developer's Orientation Conference. At this meeting, DBH staff will provide an overview of this RFP. DBH's economic and legal consultants, as well as representatives from the Regional Planning Department and the Department of Public Works will be invited to answer questions regarding this RFP. If the applicant chooses to proceed with a project, the proposal submittal process outlined in Sections 4 and 5 and the Appendix should be followed. Proposals in response to this RFP will be due to the County no later than Monday, June 30, 2003.

Notwithstanding a recommendation of a department, agency, individual, or other entity, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine the proposals, if any, which best serve the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a new lease or lease extension.

5.2 PROPOSAL PACKAGE

Proposers must submit 10 copies, in 8.5" x 11" three-ring loose-leaf binders with up to five graphic exhibits in 11" x 17" format, folded to fit within the 8.5" x 11" three-ring format. **All pages must be numbered.** The sealed envelope must state "Boat Central RFP Submittal." Proposals submitted by electronic mail or facsimile will not be accepted. Proposals are due by 5:00 p.m. Pacific Time on Monday, June 30, 2003 to the County Contact as described in Section 1. DBH reserves the right to request additional information during the RFP review period.

5.3 CONDITIONS AND LIMITATIONS

This RFP does not represent an offer or commitment by the County of Los Angeles to enter into an agreement with a proposer or to pay any costs incurred in the preparation of a response to this request. The responses and any information made as part of the responses will not be returned to proposers. This RFP and the selected proposer's response to this RFP, may, by reference, become a part of any formal agreement between the proposer and the County resulting from this solicitation.

The proposer shall not collude in any manner or engage in any practices with any other proposer(s) that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the proposer's submittal to be rejected by the County. The prohibition is not intended to preclude joint ventures or subcontracts that are identified in the proposal.

All proposals submitted must be the original work product of the proposer. The copying, paraphrasing, or otherwise using of substantial portions of the work product of another proposer is not permitted. Failure to adhere to this instruction will cause the proposal to be rejected.

The County has sole discretion and reserves the right to reject any and all proposals received with respect to this Request for Proposals and to cancel the Request for Proposals at any time prior to entering into a formal lease agreement.

The County reserves the right to request clarification of the RFP or additional data without changing the terms of the RFP.

5.4 DEVELOPMENT COMPONENTS

Please identify each of the major components of the proposed development, *e.g.* dry stack storage facility, parking, etc. Proposals must include detailed, parallel information for each of these components.

5.5 SUBMITTAL OF ALTERNATE PROPOSALS

Respondents may desire that alternative RFP proposals on a given parcel(s) receive consideration in the event their primary proposal is rejected. The County will consider such provided the respondent's alternate proposal is submitted in a separate document and is labeled with the subtitle "ALTERNATE PROPOSAL." Alternate Proposals:

- Must be completely self contained;
- May not include references to any outside documents; and
- Must be turned in on the same submission schedule as all other proposals.

5.6 OVERVIEW OF CONTENTS OF PROPOSAL

In general, all proposals will have nine required sections as shown below and in the order as set forth in the Appendix. The sections are set forth here in summary format.

- SECTION 1 - DEVELOPMENT CONCEPT
- SECTION 2 - PROJECT TIMETABLE AND CRITICAL ENTITLEMENT ISSUES
- SECTION 3 - COST ESTIMATE
- SECTION 4 - FINANCIAL PROPOSAL AND PROJECTIONS
- SECTION 5 - DEVELOPMENT TEAM INFORMATION, PAST EXPERIENCE (FOR EACH COMPONENT) AND FINANCIAL INFORMATION
- SECTION 6 - STATEMENT OF FINANCIAL QUALIFICATIONS AND RESPONSIBILITY OF DEVELOPER
- SECTION 7 - DISCLOSURE OF BENEFICIAL OWNERSHIP
- SECTION 8 - OTHER REQUIRED FORMS
- SECTION 9 - ADDITIONAL REQUIREMENTS FOR PROPOSALS WHICH INCLUDE LEASE EXTENSIONS

5.7 EVALUATION COMMITTEE

The evaluation of the proposal responses will be conducted by an "Evaluation Committee" selected by the Director of Department of Beaches and Harbors. The Evaluation Committee may include DBH staff members, representatives of other County agencies and departments and/or non-County personnel who may have demonstrated expertise in pertinent development fields.

The Evaluation Committee will rank and recommend proposals to the Director who will, in turn, make his recommendations to the Small Craft Harbor Commission ("SCHC") and to the Board of Supervisors. Neither the Director, nor the SCHC, nor the Board is bound by the recommendations of the Evaluation Committee. The Los Angeles County Board of Supervisors has the ultimate authority and responsibility for the selection of a developer, if any, for proposed development on the Project Site and any related parcels.

5.8 EVALUATION CRITERIA

The County's primary evaluation criteria are: (1) revenue enhancement, (2) implementability, (3) implementation of AMS, including consideration of impact on and/or enhancement of usability by

recreational boaters (4) upgrading the east side of the Marina, and (5) creativity. The objective is to enhance the Marina as a desirable location and provide a cohesive theme for new private development and public facilities as well as to improve the County's revenue flow. Implementability means that the County must be satisfied that the responding development team can and will actually complete the development. The County will consider:

- Entitlement risk;
- Financial risk;
- Creativity and quality;
- Design and construction capability;
- Project management capability;
- Property management capability;
- Successful marketing and operating experience of the developer and, if applicable, the operator of the project;
- The marketing image, financial strength and management systems of, if applicable, the operator of the project;
- Extent to which existing lessee has complied with all terms and conditions of its lease;
- Compatibility with the goals and objectives of the Marina del Rey Asset Management Strategy, including boater and water orientation and visitor-serving objectives, and related non-monetary public benefits; and
- Experience in public/private projects.

5.9 EVALUATION PROCESS

The initial review will compare all proposals for compliance with the submission requirements. Any proposals with significant omissions may be rejected and the proposers will be notified of their failure to comply with the requirements of the RFP process. The County reserves the right to request that proposers bring their submissions into compliance within a very short time period after notification.

A detailed, point-by-point comparison will be made of all complete proposals. Requests for clarification may be sent to certain proposers. Proposers may be asked to attend an interview by the Evaluation Committee.

Based on the evaluation criteria, the proposals will be rated by the Evaluation Committee, which will recommend the selected proposer to the Director, who will in turn make his recommendations to the SCHC and the Board of Supervisors.

5.10 FINAL AWARD BY BOARD OF SUPERVISORS

Notwithstanding a recommendation of a department, agency, commission, individual, or other person, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal, if any, best serves the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision. The Board reserves the right to reject any and all proposals.

APPENDIX A

DEPARTMENT OF BEACHES AND HARBORS

POLICY STATEMENT

Leasehold Term Extension - Marina del Rey

The County's policies and official goals/objectives with regard to granting lease extensions to Marina del Rey leaseholders are:

1. Redevelopment and making the properties economically and physically competitive (e.g., competitive with the new hotels, condominiums, slips and retail buildings in the new Playa Vista project and other new Westside projects). Redevelopment will be rigidly defined to differentiate it from deferred maintenance, refurbishing or extensive redecoration.
2. Redevelopment of leasehold uses to ensure long-term economic viability of the improvements, increased County revenue, and enhancement of public facilities.
3. It is understood that the Local Coastal Plan (LCP) restricts some leaseholds from redeveloping to higher density, or modifying existing land use. The County will consider sponsoring, in concert with the affected leaseholders, an amendment to the LCP when:
 - The proposed project and amendment will trigger redevelopment.
 - Redevelopment may be an upgrade of facilities such as providing larger units, not just higher density.
 - The proposed redevelopment will enhance the County's revenue stream and create public facilities.
 - All proposed leasehold LCP amendments have been sufficiently reviewed and processed appropriately which will include public hearings. The County is desirous of combining all LCP amendments into one planning amendment and environmental assessment, but at appropriate intervals may consider sponsoring additional amendments when they will ensure leasehold viability and increased County rent.
4. Receipt of fair consideration by the County for the extension (in addition to fair market rent).
 - The County will require a lease extension fee equal to the value of granting the extension.
 - The County will require a guarantee that redevelopment will commence promptly and within a specific, prescribed time frame.
 - Redevelopment of a leasehold interest satisfactory to the County will entitle the lessee to a rent credit of part of the lease extension fee for a limited, prescribed period of time. Assurance of the County's continuity of annual rental income flow will be paramount in determining the timing of the partial credit.

- The purpose of the extension fee and redevelopment requirements is to provide each lessee with an incentive to redevelop.
 - Only where redevelopment is not physically or legally possible, will the County consider alternative requirements for lease extension if the leasehold's current use meets the objectives and permitted uses of regulatory agencies and, in the County's judgment, the facilities meet appropriate building codes and economic and physical viability is ensured during the extended lease term.
5. Ensuring payment of fair market rents commensurate with the new value of the lease including its extension.
 6. Securing County financial participation in sale, assignment or refinancing of leasehold interests.
 7. Payment for County administrative costs associated with lease extension and other lease related costs.
 8. Staging of rental arrangements and physical redevelopment to ensure continuity of County rental income flow.
 9. Retention of 50 percent of the additional funds resulting from lease extension to upgrade physical infrastructure of the Marina.
 10. Processing a master LCP amendment covering as many parcels as possible.

The department understands that if a lease term extension is granted, certain property or possessory interest taxes may be increased due to reassessment of the leasehold. The role of the department is to act as a traditional landlord and it will only take into account fair economic rent and the direct rental revenue paid to the County. The County will not adjust rent or in any way agitate or modify future rent adjustments due to higher property or possessory interest taxes that may result from a lease extension.

Certain regulatory procedures (i.e., LCP requirements) must be resolved prior to entering into a binding agreement for lease extension containing higher leasehold land use density or leasehold land use modifications.

BASIS FOR POLICY STATEMENT

1. Purpose

The purpose of this Policy Statement is to provide a standard basis for discussing lease term extensions and to ensure that the County will receive fair economic value for such extension and for its leased property within Marina del Rey.

It is anticipated that lease term discussions on Marina del Rey leaseholds will be requested by various lessees as the remaining term in the original lease declines. These requests may arise because of the lessees' desire to refinance, sell, assign, or redevelop the leasehold. In some cases there may be an insufficient remaining term of the lease to maximize these desires.

Redevelopment is considered by the County to be the primary justification for a lease term extension.

2. Basic Assumptions

2.1 Policy Assumptions

- Redevelopment of the leaseholds should be coupled with any lease extension commitments.
- Environmental assessment may be required.
- The County is not obligated to agree to lease extensions for any or all lessees.
- No redevelopment increasing leasehold land use density or leasehold land use modifications will occur without mitigating traffic options such as a bypass.
- Lease extension discussions will be expensive and time consuming to the County.
- A preponderance of leaseholds will not be able to significantly intensify use or density under the land use provisions of the current LCP.
- The Assessor will reassess the property with an extension.

3. Prerequisite for Lease Extension

2.2 The lease term extension must be tied to a commitment acceptable to the Director and Board of Supervisors to redevelop the property. A major purpose of this policy is to ensure that the improvements will be modernized and of sufficient quality to remain attractive, competitive, and physically and economically viable during the extended term of the lease.

- County must conclude that redevelopment is feasible under existing regulatory control on a case-by-case basis or that land use modification can be accomplished through an amendment of the LCP. In either case, the County will require fair consideration for a lease extension.
- Redevelopment must enhance the County's income stream, and public facilities.

2.3 No long term extension containing the higher leasehold land use density or leasehold land use modifications will be offered until the Marina del Rey bypass or other traffic mitigation measures are approved by the appropriate regulatory agencies.

4. Amendment to the Local Coastal Plan (LCP)

4.1 The County will consider sponsoring an amendment to the LCP.

If the County is successful in its attempts to amend the LCP, part of the lease extension fee paid by the lessee may be credited against future rent when redevelopment occurs.

5. Conditional Parcels

These policies may be withheld or modified with respect to those parcels for which other policies or lease extension amendments have been executed, those properties which have recently been redeveloped and meet appropriate building codes and quality standards which ensure viability of the facilities or meet objectives of regulatory agencies.

CRITERIA CONTEMPLATED FOR INCLUSION IN REQUESTING LEASE
EXTENSION

MARINA DEL REY

1. All requests for lease term extension are to be submitted in writing to the Director of the department and shall include documents describing the lessee's existing financial statement and condition, value of the property, purpose for lease term extension, construction scheduling for redevelopment, and total construction costs and economic projections.

2. Application Fee

Upon application for the lease extension, in addition to any other compensation payable such as retroactive rent, increases in base rent, etc., the lessee shall pay to the County a single application fee for its administrative costs, associated with review of the project for economic feasibility, environmental assessment and legal assistance as well as County staff time.

3. Economic Terms

3.1 Minimum Rent

Minimum rent shall be adjusted periodically based on prior total annual rent paid to the County.

3.2 Fair Market Rental Rates

A revision of all percentage and minimum rent to reflect fair market value as of date the extension is granted. Where applicable, the payment of retroactive rent will be made by the lessee based on the new fair market rental rate percentages. The newly adopted arbitration clause clarifying dispute resolution mechanisms will be added to those leases not already including it.

3.3 Lease Extension Fee

The County will receive an extension fee commensurate with the value of granting the extension.

3.4 Participation in Sale or Transfer of the Leasehold

The County will participate in the proceeds from the sale or transfer of leasehold interest so as to: 1) assure adequate compensation for administrative costs incurred by the department; and 2) share in profits from these leasehold sales or transfers.

3.5 Participation in Refinancing

The County will receive an appropriate share of proceeds from refinancing which is not used for leasehold improvements in the Marina.

3.6 Administrative Costs

In addition to the above economic terms, the lessee shall agree to pay for various offsetting or special administrative costs including, but not limited to:

3.61 Environmental studies.

3.62 Late rental payment penalties, including audit deficiencies.

3.63 Increased security deposits.

3.64 Increased minimum rental payments.

3.65 Increased County insurance requirements, including business interruption insurance.

3.66 Costs for County lease assignment reviews.

4. Time Frame for Lease Extension

Will be tied to resolving transportation requirements established in the LCP.

APPENDIX B

Adopted 3/21/95

PROCESS FOR MANAGING LEASE EXTENSION PROPOSALS

The Board of Supervisors of the County of Los Angeles (Board) has approved an amendment to the Marina del Rey Local Coastal Plan (Amended Plan) allowing for an increase in development density in Marina del Rey. The Amended Plan divides the Marina into 14 Development Zones (DZs), each containing several leaseholds, with development potential being allotted by DZs, rather than by individual parcels. The Amended Plan must be reviewed and approved by the California Coastal Commission (CCC) to become effective.

In order to encourage timely redevelopment during this process, the Department of Beaches and Harbors (Department) is willing to enter into negotiations for extending the terms of current ground leases with interested lessees and/or other interested parties, but will not submit a "Memorandum of Understanding for Lease Extension" (MOU) to the Board until after the CCC's adoption of the Amended Plan. Two or more lessees may compete for development potential within a given DZ.

All lease extension negotiations will require the payment of an application fee to fully cover the Department's costs to analyze the applicant's proposal. Once general agreement is reached, an MOU will be prepared for submission to the Small Craft Harbor Commission (SCHC) for review and to the Board for approval. The MOU will outline the basic terms to be further negotiated as a part of a lease extension amendment (Lease Extension Amendment).

Upon Board approval of this MOU, the lessee will pursue a Coastal Development Permit (CDP) and other entitlements through the Department of Regional Planning (DRP). Once these entitlements are issued, the Department will enter into good faith negotiations with the lessee for a Lease Extension Amendment that will be based upon the terms set forth in the MOU.

In order to provide an opportunity for all interested parties, the Department will require each applicant to abide by the following process:

PROCESS

Informal Meeting

Prior to submitting a formal proposal, the lessee should request meetings with the Department and the DRP's "One-Stop" processing center. The Department will outline the County's financial/planning goals for Marina del Rey, and the DRP will clarify whether or not the proposed project is within the parameters of the Amended Plan and will help the lessee understand the various steps and procedures required by the permit process. No fees will be assessed by either department for these initial meetings.

Proposal Submission

If the lessee chooses to proceed with the Project, ten copies of a proposal shall be submitted to the Department. The proposal shall be responsive to the Board-approved Marina del Rey Lease Term Extension Policy (Attachment 2). In addition, the applicant shall submit:

- A. A description of the proposed project.
- B. A description of the entitlements required to complete the project. If the required entitlements are in excess of the development potential for the DZ, the applicant shall detail its plan for securing increased entitlements. It should be noted that if an applicant's proposal requires further substantial amendments to the Amended Plan, an MOU will not be forwarded to the Board prior to approval of these additional amendments to the CCC.
- C. The basis for leasehold valuation.
- D. Evidence of financial and physical feasibility of the proposed project.
- E. The Department's initial fee of \$10,000 as a deposit against its costs of reviewing, negotiating and preparing the MOU and Lease Extension Amendment documents. This fee is payable upon submission of a proposal. Additional funds may be required to ensure that all of the Department's costs are recovered. Any unexpended funds will be refunded to the applicant.

MOU Negotiation

Once the proposal is received, the Department will review the proposal and coordinate the appropriate meeting(s) between the lessee and County staff and/or its consultants to clarify the terms of the proposal – primarily its financial, planning, and legal aspects. Upon clarification, the Department will negotiate in good faith to reach agreement on an MOU that the Department can recommend to the SCHC and the Board.

Notice to Other Lessees

Upon receipt of any proposal requesting development potential permitted under the Amended Plan, the Department will notify all other lessees in the affected DZs that such a proposal for use of that potential has been received. If any other lessee has an interest in submitting a competing proposal, the Department should be notified in writing within 30 days so that the Department can schedule initial meetings with the interested party.

It is the intent of the Department to select the best proposal for use of the development potential within each DZ. Therefore, the Department may negotiate simultaneously with two or more lessees seeking the same entitlement within the same DZ, but only one MOU will result from such negotiations.

Rejected Proposals

If the Department rejects a proposal, it will forward its comments to the Board by memorandum, with copies going to the SCHC and the applicant. The applicant's proposal and a summary of analyses performed by staff or outside consultants will be attached to the memorandum.

Process After MOU Execution By the Board

After the Board and applicant have executed an MOU, the applicant should secure a CDP and all required entitlements. Once all permits and entitlements are secured, the Department will enter into good faith negotiations on a Lease Extension Amendment based on the MOU. The proposed Lease Extension Amendment will be forwarded to the SCHC for its review and to the Board for its consideration. If the Department and lessee cannot agree upon the terms of the Lease Extension Amendment, or if the Board rejects such Lease Extension Amendment, the Department may reopen negotiations with other interested parties.

Parcels Not Currently Under Long Term Leases

After the Amended Plan is approved by the CCC, the Department will seek lessees for development of certain Marina del Rey parcels not currently under long-term leases. If the same development potential within a DZ is sought by a prospective as well as a current lessee, the Department will recommend an MOU to the SCHC and the Board with the party which it determines offers the best overall proposal to the County.

APPENDIX C

Coordination with Lease Extension Proposals

DEFINITION OF A “COMBINED PROJECT”

Certain proposals may include plans for combining RFP parcels and existing leaseholds into a single development project. Such a project is termed a “Combined Project.” A Combined Project is a project that aggregates one or more RFP parcels together with one or more other parcels with existing leases into a single, unified development project. In order to clearly distinguish proposals that contain a Combined Project, all respondents submitting a Combined Project must label any response document with the subtitle “COMBINED PROJECT.”

ADDITIONAL REQUIREMENTS FOR PROPOSALS THAT INCLUDE LEASE EXTENSIONS

If applicable, please provide the following information for proposals that include development on parcels for which a lease extension is requested.

- Proposed extension fee, which should be calculated in accordance with current County policy. For further explanation, please refer to Item 4 of the document titled POLICY STATEMENT: Leasehold Term Extension - Marina del Rey, incorporated as Appendix A.
- Detailed plan for any existing structures that are to remain or are to be rehabilitated, including assurances that the leasehold will maintain a strong competitive position in the market for these existing or rehabilitated facilities for the duration of any extended lease.
- Lease extensions and associated new leases must have a common expiration date.
- Rent structure on retained or reconstructed improvements, if any.
- Evidence of site control: if proposing entity is in any way different from current lessee, even if lessee is a partial owner, please provide a copy of any contractual arrangement as well as the amount and character of consideration to current lessee.
- County Recovery of Lease Extension Costs

The County will recover its processing costs and costs of any required appraisal in accordance with the provisions of AMS and its adopted lease extension policies. For further explanation, please refer to the document titled Process for Managing Lease Extension Proposals, dated 3/21/95 and incorporated as Appendix B.

SINGLE, UNIFIED PROPOSALS MUST INCLUDE BOTH RFP AND RELATED LEASE EXTENSION DATA

Respondents submitting a Combined Project are not required to submit separate RFP and lease extension proposals and should file a single, unified proposal.

While respondents should submit a single, unified proposal for their Combined Project and thereby eliminate duplicating information that overlaps in the RFP and lease extension proposal, respondents must assure that all necessary project and financial data are included.

The following checklist identifies key sections in the RFP document and related lease extension information that will assist the respondent in assembling the required information.

- Appendix A, Policy Statement: Leasehold Term Extension – Marina del Rey
- Appendix B, Process for Managing Lease Extension Proposals
- Appendix C, Coordination with Lease Extension Proposals
- Related lease extension information, namely:
 - a) Identification of leased properties
 - b) Proposed ownership and operation
 - c) Lease extension terms proposed
 - d) Summary of key elements in associated response to RFP

RESPONSIBILITY FOR LEASE EXTENSION DOCUMENTATION

While an effort has been made in this document to identify the major technical elements needed in the response to this RFP, all lease extension respondents should read all applicable documents in their entirety and are responsible for meeting all requirements set forth in the County Lease Extension Policy, which is included as an attachment to this RFP.

TIMING OF LEASE EXTENSION EXPIRATION

Lease extensions and associated new leases must have a common expiration date.

TREATMENT OF RETAINED LEASEHOLD IMPROVEMENTS

As a general rule, the County expects full redevelopment of all leaseholds for which lease extensions are granted or development proposals are awarded. Neither existing land nor water improvements are to be retained. All existing improvements, whether situated on parcels subject to this RFP or on adjacent or nearby parcels as a part of a Combined Project response to this RFP, should be completely replaced with new or fully reconstructed improvements.

However, if any existing structures are to remain, the respondent must provide the same detailed information for each class of retained improvements. Any proposal to retain leasehold improvements must explain how the respondent plans to assure the County that these structures will remain competitive for the full duration of the lease term.

SUBMITTAL OF ALTERNATE PROPOSALS

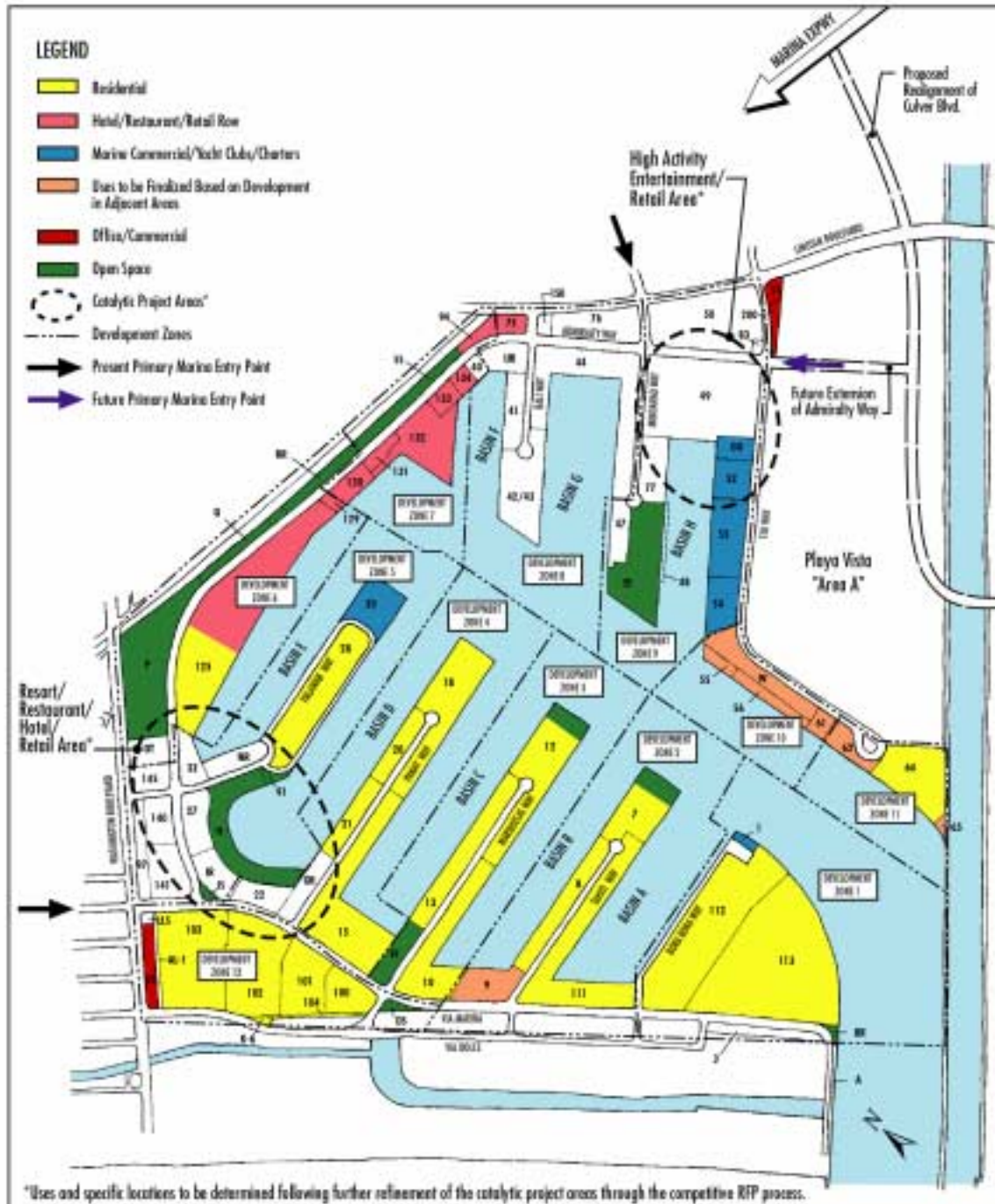
Respondents may desire that alternative RFP proposals on a given parcel(s) receive consideration in the event their Combined Project is rejected. The County will consider such provided the respondent's alternate proposal is submitted in a separate document and is labeled with the subtitle "ALTERNATE PROPOSAL." Alternate Proposals:

- Must be completely self contained;
- May not include references to any outside documents; and
- Must be turned in on the same submission schedule as all other proposals.

APPENDIX D

Asset Management Strategy (AMS) Map

Marina del Rey Asset Management Strategy Land Use Designations and Development Zones



Note: Per the Local Coastal Program, all new projects located on waterfront parcels shall provide public pedestrian promenades adjacent to bulkheads. Development Zone 13 contains only the parkway along Fiji Way. Development Zone 14 contains parcels 51 and 200. Development Zones 13 and 14 are not diagrammed above.

02/13/01

APPENDIX E

Entitlement Matters

Overview of Marina del Rey Entitlements

A major element in the application and development process will be treatment of entitlement issues, since modification of existing entitlements through an LCP amendment will likely be required. A brief overview of LCP/Regional Planning/Coastal Commission Requirements is thus set forth below.

Respondents should be aware that respondents might be subject to a wide range of conditions not contemplated in this RFP in connection with obtaining entitlements for a proposed project. As circumstances dictate, DBH will participate in LCP, Regional Planning and other necessary regulatory proceedings, however, while the County is a necessary co-applicant, sponsoring and obtaining LCP amendments and/or other regulatory approvals is the sole responsibility of the successful proposer.

The March 1996 LCP Amendment for Marina del Rey marked several changes in the land use regulation of the Marina. Broadly speaking, these changes addressed four critical issues. They are as follows:

- (1) Height limitation zones were established to limit development on individual parcels;
- (2) View corridor requirements were established so that views of the water would be preserved;
- (3) Entitlements for additional development were, with only a few exceptions, allocated among a series of 12 Development Zones (DZs) rather than assigned to individual parcels; and,
- (4) Aggregate development in the Marina as well as development within each DZ was regulated by the allocation of p.m. peak hour traffic trips with a total of 2,750 such traffic trips being allocated to all additional development within the Marina. The allocation of trips and traffic planning was the primary factor in using DZs as a device for allocating additional entitlements.

Prospective Entitlement Processing

Proposals that are fully consistent with the existing designations and regulations contained in the LCP will require review by the Design Control Board for design features, as well as issuance of a Coastal Development Permit and all other normal ministerial and other reviews and approvals associated with obtaining a building permit and other code compliance. However, depending on the specific nature of the proposal, other discretionary land use entitlements, such as a Conditional Use Permit, may be required. Any project that requires a change in the LCP will require an LCP amendment. Prior discussions with representatives of the Los Angeles County Regional Planning Department familiar with the LCP indicate that projects requiring the interchange or movement of entitlements from adjacent DZs may not present the same challenge in achieving approvals as may be required for more extensive changes. Land use changes to marine commercial uses, which are likely the emphasis of any changes involved in the

project, are likely to be viewed favorably in light of Coastal Commission policies so long as high priority uses (e.g. boating, public parking, etc.) are protected or relocated. The process by which such amendments would be processed is outlined below and involves approval by both the California Coastal Commission and the County of Los Angeles.

Outline of General Entitlement Process

- Review by DBH Design Control Board
- Prepare Application(s) for Entitlements including Coastal Development Permit
- Submit to Los Angeles County Regional Planning Department
- Environmental and Permit Review Process
- Public Hearings at Los Angeles County Regional Planning Commission
- Planning Commission Decision
- Additional Public Hearing/Board of Supervisors Decision
- Additional Public Hearing/Coastal Commission Decision
- Additional Review by DBH Design Control Board

County Role in Seeking Modifications to Zoning or LCP

Selected applicants with proposal concepts that require amendments to current zoning and/or the LCP will have the responsibility for obtaining such amendments. The County, in issuing this RFP, makes no representations that such modifications will in fact be obtained or that, in obtaining them, the developer may not be subject to a wide range of conditions and requirements not described in the LCP.

DBH will make available its best understanding of the origins of the policies embodied in the current LCP and zoning and prior interpretations of these policies in connection with earlier entitlement processing, and will, to the extent that DBH does not see any conflict with its long term asset management growth objectives, consent to and support the required applications in the entitlement process. In addition, DBH will identify key staff members with whom to consult at both the California Coastal Commission and the Los Angeles County Regional Planning Department.

Any assistance provided by the County in its proprietary capacity shall be without prejudice to exercising its powers and rights in its governmental capacity.

LCP/Regional Planning/Coastal Commission Requirements

The RFP references the requirements regarding entitlements imposed by the LCP, including the required reviews by the County's Design Control Board, Regional Planning Department, reviews associated with code compliance and building permit issuance and the involvement and review by the California Coastal Commission in appropriate circumstances.

The RFP makes it clear that applicants are responsible for obtaining all necessary entitlements and permits from appropriate County and/or state agencies and that any proposal that requires an LCP amendment should be discussed with a representative of the Regional Planning Department familiar with the LCP.

The provisions of the LCP regarding allocation of entitlements, view corridor requirements, building height limitations and limitations on both aggregate development in the Marina and development within each DZ are also discussed and an outline of the general entitlement process is presented.

In addition, applicants should be aware that the LCP, planning agencies and other state, regional and/or local authorities might impose a variety of other conditions and/or fees related to proposed development projects. In appropriate cases, these matters may include, but are not limited to the following:

- Traffic impact fees
- School impact fees to Los Angeles County Unified School District
- Fish & Game Department fees
- Mitigation monitoring fees
- Sewer impact fees
- Park impact fees
- Hostel impact fees (hotel/motel development)

The LCP also imposes an “Improvement Phasing Schedule for Internal Category 1 Improvements” which provides that certain specified road improvements must occur in phases coinciding with new development so that no new development is occupied before construction of improvements which would mitigate the same amount of impact such development has on traffic within Marina del Rey.

In addition, the LCP imposes an “Improvement Planning Schedule for certain Sub-regional Traffic (Category 3) Improvements”. In general, these provisions require that if the traffic trips generated by new or intensified Marina development, along with other previously approved development, exceed 50% of the total anticipated additional external trips to be generated by new or intensified Marina development, additional development that generates external trips shall not occur until certain traffic improvements which mitigate those trips has been approved and funded by the appropriate agencies.

To date, only minimal new development has been fully approved. However a number of new development proposals are either in negotiation and/or have entered the entitlement process. If a substantial number of the projects currently in negotiation are eventually granted entitlements at their maximum requested levels, the 50% limit may be attained and any new projects that may generate additional external trips will not be permitted to move forward until the above reference traffic improvements have been approved and funded.

The requirements discussed in the preceding two paragraphs relating to required Category 1 and Category 3 traffic improvements are independent of other LCP requirements and all new developments, regardless of their status relating to the 50% threshold or other traffic improvement or phasing requirements, are still subject to all provisions regarding payment of traffic impact fees and other appropriate conditions and/or fees relating to proposed projects.

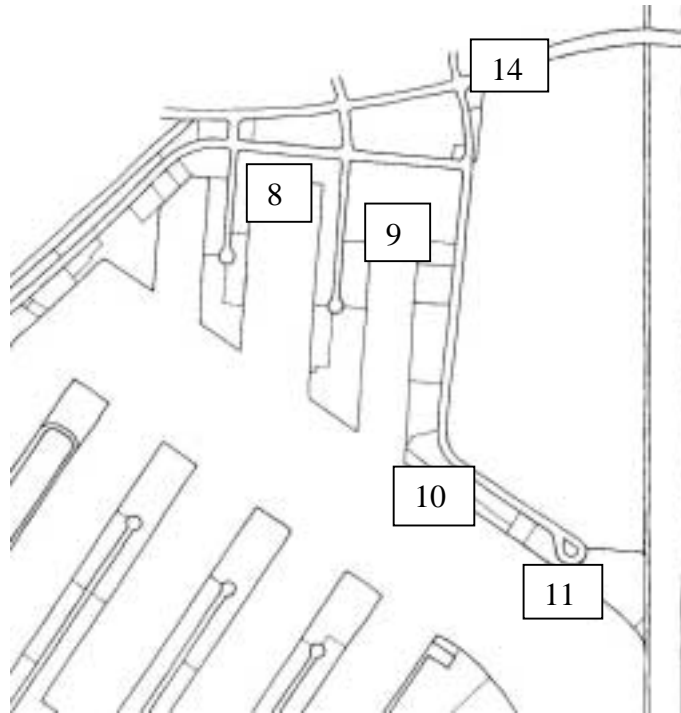
Potential proposers are advised to consult with Regional Planning Department representatives familiar with the LCP in order to assess the terms and conditions which may be imposed upon construction and occupancy of proposed development and for advice regarding any permits, fees or other requirements which may impact their projects.

Development Zones Affected by the Project

Depending on the proposed development program, the amount of entitlements necessary to complete a proposed project may vary. As shown in Figures E-1 and E-2 below, one or more development zones may be impacted by the Boat Central project.

Figure E-1

<i>Alternative Scenario</i>	<i>Development Zones Affected</i>
52R, GG	DZ-9
Nearby parcels	Possibly DZs-8, 9, 10, 11 and 14
Other parcels	Possibly DZs-1-14



**Figure E-2. Development Zones
Potentially Affected by Boat Central Project**

Height Limits and View Corridor on Boat Central Project Parcels

As shown in Figure E-3, and in the LCP, current site-specific land use limitations and restrictions on the Marine Commercial land use designation limit the height of the Boat Central project to 45 feet when a 20 percent view corridor is provided. A bonus is available up to 75 feet when a 40 percent view corridor is provided.

Figure E-3. Height Limits on Boat Central Parcels

<i>Parcel</i>	<i>Height Limit – Base Case (20 percent view corridor)</i>	<i>View Corridor Bonus Available?</i>	<i>Height Limit – Maximum Case (40 percent view corridor)</i>
Parcel 52R	45 feet	Yes	75 feet
Parcel GG	45 feet	Yes	75 feet

Land Use Designation, Total Area and Entitlement Matters Relating to Each Parcel

As shown in Figure E-4 below, the total project area consists of land area of 3.09 acres, together with water area, for a total area of 4.25 acres.

Figure E-4. Existing Land Use Designation (Zoning) and Area of Boat Central Project Parcels

<i>Parcel</i>	<i>Land Use Designation</i>	<i>Land Area</i>	<i>Water Area</i>	<i>Total Area</i>
52R	Public Facility, Water	88,687 sf (2.036 acres)	45,300 sf (1.040 acres)	133,987 sf (3.076 acres)
GG	Public Facility, Water	45,909 sf (1.054 acres)	5,000 sf (0.115 acres)	50,909 sf (1.169 acres)

In order to accommodate the proposed Boat Central project uses, the current zoning for Parcels 52R and GG will likely have to be changed through an LCP Amendment to add the designation “Marine Commercial.”

Boater Amenities

The County envisions a facility that provides amenities designed primarily to serve the needs of the users of the facility. However, since attracting visitors to the Marina is also an important goal, it is expected that 3 public boat wash-down spaces, a public water bus dock, public pump out station dock, short-term dock space for passenger loading and a guest dock for visiting boats will be provided to serve the needs of both tenants of the Boat Central facility and visitors to the Marina del Rey area. The County will also require that a small boat repair operation be implemented as part of the minimum buildout of the Boat Central project. In addition, accommodations for disabled boaters will be required as a matter of conformance to the Americans with Disabilities Act, thereby encouraging the use of the facility by the most diverse population possible. The County considers these important features to help activate public access to the waterfront and stimulate connections to other Marina public facilities and leaseholds.

Some benefits may also be derived through connections with public facilities across the basin at Chace Park. Such features have the potential to increase the attractiveness of the project to both public users and regulatory agencies charged with the responsibility of encouraging increased boater access. Examples of

other boater amenities that proposers may wish to consider providing include small boat rentals, concierge services or sports equipment rentals. In addition, while not a major component of the project plan, bicycle racks would also serve the additional purpose of encouraging non-vehicular transportation as contemplated in the LCP.

Parcel 52R

As shown in Figure E-5, 245 temporary public parking spaces exist on Parcel 52R. As described in the LCP, development that eliminates existing parking spaces will need to replace each of those parking spaces elsewhere in the vicinity in accordance with the LCP. However, since relocation of these existing parking spaces on Parcel 52R is slated for completion in a separate, unrelated project, relocation will therefore not be required of the successful proposer.

Figure E-5. Existing Public Parking on the Boat Central Project Parcels

<i>Parcel</i>	<i>Existing Public Parking Spaces</i>	<i>Relocation of Public Parking</i>
52R	Dock 52 Temporary Parking (245 public parking spaces)	General purpose parking to be relocated in connection with separate project; therefore, relocation will <u>not</u> be required of the successful proposer
GG	No public parking	No parking relocation needed or required

Parcel GG

As shown in Figure E-6, development on Parcel GG that displaces any existing public facilities will require retention, relocation or replacement of these existing facilities. It is the responsibility of the successful proposer to determine which strategy will be pursued. The current Sheriff's Boatwright Shop, consisting of a building of approximately 10,000 square feet located on Parcel GG, together with related dock space, must be integrated (through retention, relocation or replacement) into the project plan of the successful proposer. It is recommended that proposers contact the appropriate County officials to determine requirements. The successful proposer will not be required to relocate the County's existing Temporary Office Trailers.

Figure E-6. Existing Public Facilities on the Boat Central Project Parcels

<i>Parcel</i>	<i>Existing Public Facilities</i>	<i>Relocation of Public Facilities</i>
52R	No public facilities	No relocation of public facilities needed or required
GG	<ul style="list-style-type: none"> ▪ Sheriff's Boatwright Shop ▪ County Temporary Office Trailers 	<ul style="list-style-type: none"> ▪ Retention, relocation or replacement of existing Sheriff's Boatwright Shop and related dock space will be required of the successful proposer ▪ Relocation of County's Temporary Office Trailers <u>not</u> required

Promenade Requirements on Boat Central Project Parcels

The LCP requires that a 28-foot wide pedestrian promenade be provided and maintained along the bulkhead. While concerns for the safety of pedestrians in the launching area mitigate against provision of a promenade at the bulkhead, a pedestrian promenade will nonetheless be required along Fiji Way. More specific design recommendations for a promenade along Fiji Way can be found in draft design guidelines, "The Marina Walk," which is contained in the information packet available for purchase from DBH.

APPENDIX F

Aerial Photograph of Marina del Rey



APPENDIX G

Contents of Proposal

SECTION 1 - DEVELOPMENT CONCEPT

a) Overall Approach

Please submit a brief (one page maximum) narrative description of your vision and approach to the development of the proposed Boat Central project. The description should include summary statements of the key design features, operational strategies, target markets and financial assumptions needed to successfully construct and operate the Boat Central project.

b) Design Description

Please submit a summary building program and description of the improvements to the Boat Central Project Site. Development teams should submit an narrative description of the buildings and other uses on the site, the locations of the building(s) and other uses, the estimated square footage devoted to each building and the approximate building footprints.

c) Preliminary Site Plan

Please submit a preliminary site plan that visually illustrates the Design Description as described above. While a detailed and precise completed site plan is not required at this time, a preliminary site plan is necessary to properly evaluate each proposal.

d) Design Graphic

Please submit at least one graphic image, in color, of the exterior of the proposed Boat Central facility. The graphic may be in the form of a draft perspective, elevation, or other form of pictorial rendering that will demonstrate the visual character of the design and the resulting building mass. While a detailed and precise completed elevation is not required at this time, a preliminary design graphic is necessary to properly evaluate each proposal.

SECTION 2 - PROJECT TIMETABLE AND CRITICAL ENTITLEMENT ISSUES

The proposal should include a general, but complete development timetable showing the various planning and entitlement steps, construction duration, estimated starting period and any future phases contemplated. A general outline of the entitlement process is provided in the Appendix. As to acquiring the entitlements necessary for execution of the proposed development plan, please provide a narrative description of the issues the proposer has identified as critical. Also, please be sure that the timetable of approximate dates for obtaining these entitlements is realistic – in requesting both the narrative and timetable, the goal of the County is to assess the proposer's understanding of the entitlement process rather than solicit an impossibly tight schedule for this process.

SECTION 3 - COST ESTIMATE

For each component of the proposed development, please include an estimate of development costs and a consolidated cost estimate.

SECTION 4 - FINANCIAL PROPOSAL AND PROJECTIONS

Please provide a description of proposed lease terms including a suggested minimum and percentage rents for the entire project and the basis for periodic adjustments of minimum rents and percentage rents. Also provide preliminary development pro formas and estimates of the operating and projected County revenues for the first 10 years of project operation. Please submit this information in the format specified in the Appendix, which is also available online. Developers may use Microsoft Excel or a similar program to model their financial projections. The County appreciates receiving both financial projections and cost estimates on disk (or by email) in addition to the hard copy format submitted with the proposal.

SECTION 5 - DEVELOPMENT TEAM INFORMATION, PAST EXPERIENCE (FOR EACH COMPONENT) AND FINANCIAL INFORMATION**a) Identification of Development Team**

As more specifically described below, the name, address, and principal contact for the development team should be provided. Should your proposal include a joint venture, similar information should be submitted for other key members of your development team, including financial partners and other team members. Please include an organizational chart reflecting the roles and responsibilities of the Development Team. Resumes of key team members, any relevant brochures describing your company and its operation, history and projects, as well as and other relevant information for the key members of your team, should also be included in your submission.

Specifically, your submission should include the following information:

Lead Development Team

Provide an overview of your firm including the number of years you have been in business, the firm's development focus, parent company relationship, the number of professionals and location offices in the Los Angeles region for the County's project, and the identity of key members of the lead development firm.

In addition, you should illustrate the organization of the lead development firm for your proposed team and provide resumes of managing partner and project manager for the County's project and a description of the role of the top three members of your firm.

Describe in detail the level of commitment the proposed executive in charge and project manager for the County's project. It is imperative that all respondents identify the executive in charge and project manager for this project and specify the duration of the development and predevelopment phases.

The Proposed Multi-Disciplinary Team

The County does not require the lead developer to formalize its relationship with each team member, but to provide one to three alternatives that your firm is likely to contract with if selected. This includes at a minimum:

- Architect and Construction Company or Design/Build Firm
- Facility Operator

Optional team members may include:

- Civil Engineer
- Traffic Planner
- Landscape Architect
- Financial Consultant
- Marine Consultant
- Property Manager

b) Experience with developments similar to the project proposed

Please indicate the following information for three recent projects with which the lead developer has been involved:

- Project name;
- Location;
- Size and configuration (e.g., number of dry stack units, boater amenities and parking, etc.);
- Approximate cost;
- Date opened;
- Approximate current market value, occupancy rate and average monthly storage rental rate;
- Ownership pattern (e.g., build and hold; build and sell; develop only; etc.);
- Financing structure; and
- References for private and public sector parties involved in the project, including phone numbers.

To the extent that the lead developer expects the County to rely on the credentials of any certain team member other than the prime developer, please provide the information requested above for those team members. The specific project references should preferably be ones on which the team member worked with the lead developer.

The proposer may wish to mark some information, such as financial statements, as “CONFIDENTIAL” or “PROPRIETARY.” As such, it will be treated by the County in accordance with the California Public Records Act, as detailed in the Appendix.

SECTION 6 - STATEMENT OF FINANCIAL QUALIFICATIONS AND RESPONSIBILITY OF DEVELOPER

Please indicate the following information:

- Name, address, telephone and fax numbers of the responsible party;
- Is the developer a subsidiary of, or affiliated with, any other corporation, corporations, partnerships or firms? If so, please specify. If the developer is a subsidiary, please indicate the extent to which the parent entity will guarantee performance by the subsidiary;
- Names and addresses of three financial references, including a primary bank;
- Has the developer entity or its officers, principal members, shareholders or investors, or any of its parent, subsidiary or affiliated entities or other interested parties been adjudged bankrupt, either voluntary or involuntarily, within the past ten years? If so, explain; and
- Is there pending litigation against the developer entity or its officers, principal members, shareholders or investors, or any parent, subsidiary or affiliated entities or other interested parties other than minor personal injury suits involving claims under \$250,000? If so, explain.
- Financial statements for the previous three years for the proposed entity with whom the County will contract.

SECTION 7 - DISCLOSURE OF BENEFICIAL OWNERSHIP

The developer must indicate the names of all beneficial owners of 5% or more of the proposed lessee entity; corporate names will not suffice.

SECTION 8 - OTHER REQUIRED FORMS

Proposer must complete a Financial Information Release Authorization form, a Firm/Organization Information form and a CBE Sanctions form as provided in the Appendix.

SECTION 9 - ADDITIONAL REQUIREMENTS FOR PROPOSALS WHICH INCLUDE LEASE EXTENSIONS

Respondents wishing to submit proposals that include existing Marina del Rey leaseholds must provide an additional, separate section that includes information as described in Appendix C, "Coordination with Lease Extension Proposals."

APPENDIX H

Selected County Contract Terms and Conditions

ASSURANCE OF COMPLIANCE WITH CIVIL RIGHTS LAWS

Proposers will assure they will comply with subchapter VI of the Civil Rights Act of 1964, 42 USC Section 2000a through 2000e (17), to the end that no person shall, on the grounds of race, religion, color, sex, age, physical disability, marital status, political affiliation or national origin be excluded from participation in, be denied the benefits of, nor be otherwise subjected to discrimination under any contract granted by the County nor any project, program or activity supported by any such contract.

COMPLIANCE WITH COUNTY LOBBYING REQUIREMENTS

Each County lobbyist or County lobbying firm, as defined in Los Angeles County Code Section 2.160.010 retained by any Proposer hereunder, shall full comply with the County Lobbyist Ordinance, Los Angeles County Code Chapter 2.160.

GRATUITIES

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision or the consideration may secure more favorable treatment for the Proposer in the award of a contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not give, either directly or indirectly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a contract.

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 or (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

Among other items, such improper consideration may take the form of cash, discounts, service, the provision of travel or entertainment, or tangible gifts.

CONSIDERATION OF GAIN PROGRAM PARTICIPANTS FOR EMPLOYMENT

Should Contractor require additional or replacement personnel after the effective date of this Agreement, Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program who meet Contractor's minimum qualifications for the open position. The County will refer GAIN participants by job category to the Contractor.

CONSIDERATION OF GAIN PROGRAM PARTICIPANTS FOR EMPLOYMENT

Should Contractor require additional or replacement personnel after the effective date of this Agreement, Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program who meet Contractor's minimum qualifications for the open position. The County will refer GAIN participants by job category to the Contractor.

CONSIDERATION OF HIRING COUNTY EMPLOYEES TARGETED FOR LAYOFFS

Should Contractor require additional or replacement personnel after the effective date of the Contract to perform the services set forth herein, Contractor shall give first consideration for such employment openings to qualified permanent County employees who are targeted for layoff after the effective date of this Contract.

LOBBYISTS

Each County Lobbyist or County lobbying firm as defined in Los Angeles County Code Section 2.160.010, shall fully comply with County Lobbyist Ordinance, Los Angeles County Code 2.160. Failure on the part of any County Lobbyist or County lobbying firm to fully comply with the County Lobbyist Ordinance shall constitute a material breach of this Agreement upon which County may immediately terminate or suspend this Agreement.

APPENDIX I**Financial Information Release Authorization**

Contact Person
Financial Institution
Address

Dear _____,

(Proposer's or appropriate name) has submitted a proposal to the County of Los Angeles to enter into an option and or ground lease for the purpose of development of certain real property in Marina del Rey, California. As part of the screening process, the County may need to contact you about our banking relationship. I (we) authorize you to provide the County or its consultants with the information they require, with the understanding that all information provided will be kept confidential to the extent permitted by law.

Sincerely,

APPENDIX J

CBE Forms

(attached)

LOS ANGELES COUNTY COMMUNITY BUSINESS ENTERPRISE (CBE) PROGRAM**FIRM/ORGANIZATION INFORMATION**

INSTRUCTIONS: All proposers responding to this solicitation must return this form for proper consideration of the proposal. The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to gender, race, creed, or color. Categories listed below are based on those described in 49 CFR ' 23.5.

I. TYPE OF BUSINESS STRUCTURE: _____
(Non-profit Corporation, Partnership, Sole Proprietorship, etc.)

If you are a non-profit, please skip sections II thru V and fill in the name of the firm and sign on page 2.

II. TOTAL NUMBER OF EMPLOYEES IN FIRM (including owners): _____

III. RACE/ETHNIC COMPOSITION OF FIRM (Partners, Associate Partners, Managers, Staff, etc.). Please break down the above total number of employees into the following categories:

	OWNERS/PARTNERS/ ASSOCIATE PARTNERS		MANAGERS	STAFF
	Male	Female		
Black/African American				
Hispanic/Latino				
Asian or Pacific Islander				
American Indian/Alaskan Native				
Filipino American				
White				

IV. PERCENTAGE OF OWNERSHIP IN FIRM Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/Latino	Asian or Pacific Islander	American Indian/Alaskan Native	Filipino American	White
Men	%	%	%	%	%	%
Women	%	%	%	%	%	%

V. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES Is your firm currently certified as a minority, women-owned, disadvantaged or disabled veteran business enterprise by a public agency? (If yes, complete the following and attach a copy of your proof of certification.)

M W D DV

Agency _____ Expiration Date _____

Agency _____ Expiration Date _____

Agency _____ Expiration Date _____

LEGEND: M = Minority; W = Women; D = Disadvantaged; DV = Disabled Veterans

CBE SANCTIONS

It's the policy of the County of Los Angeles Board of Supervisors that it is unlawful for any person to knowingly submit fraudulent information with the intent of receiving CBE certification and its concurrent benefits for which they are not entitled.

1. A person or business shall not:
 - a. Knowingly and with the intent to defraud, fraudulently obtain, retain, attempt to obtain or retain, or aid another in fraudulently obtaining or retaining or attempting to obtain or retain, acceptance or certification as a minority or women business enterprise, or both, for the purposes of this article.
 - b. Willfully and knowingly make a false statement with the intent to defraud, whether by affidavit, report, or other representation, to a County official or employee for the purpose of influencing the acceptance or certification or denial of acceptance or certification of any entity as a minority or women business enterprise, or both.
 - c. Willfully and knowingly obstruct, impede, or attempt to obstruct or impede, any county official or employee who is investigating the qualifications of a business entity which has requested acceptance or certification as a minority or women business enterprise, or both.
 - d. Knowingly and with intent to defraud, fraudulently obtain, attempt or obtain, or aid another person or business in fraudulently obtaining or attempting to obtain, public moneys to which the person or business is not entitled under this article.
2. Any person or business who violates paragraph (1) shall be suspended from bidding on, or participating as contractor, subcontractor, or supplies in, any county contract or project for a period of three years.
3. No County agency with the powers to award contracts shall enter into any contract with any person or business suspended for violating this section during the period of the person=s or business=s suspension. No awarding department shall award a contract to any contractor utilizing the services of any person or business as a subcontractor suspended for violating this section during the period of the person=s or business suspension.

I acknowledge, that the undersigned, on behalf of himself or herself individually and on behalf of his or her business or organization, if any, is fully aware of the above policy of the County of Los Angeles and I declare under penalty of perjury that the foregoing Firm/Organization Information is true and correct.

Name of Firm _____

Signature _____

Title: _____ Date: _____

APPENDIX K

Notice to Proposers Regarding The California Public Records Act

RESPONSES TO BECOME PUBLIC RECORDS

Responses to this RFP become the exclusive property of the County of Los Angeles. At such time as the Department recommends a proposer to the Board of Supervisors and such recommendation appears on the Board agenda, all materials submitted in response to this RFP become a matter of public record and shall be regarded as public record except as indicated below.

DESIGNATION OF CONFIDENTIAL INFORMATION

The County will recognize as confidential only those elements in each proposal which are trade secrets as that term is defined in the law of California and which are clearly marked as "TRADE SECRET", "CONFIDENTIAL," or "PROPRIETARY." Vague designations and blanket statements regarding entire pages or documents are insufficient and shall not bind the County to protect the designated matter from disclosure.

COUNTY NOT LIABLE FOR REQUIRED DISCLOSURE

The County shall not in any way be liable or responsible for the disclosure of any records if they are not plainly marked "TRADE SECRET," "CONFIDENTIAL," OR "PROPRIETARY," or if disclosure is required by the California Public Records Act or by an order of any court of competent jurisdiction.

APPENDIX L**Project Summary Form**

(___to be attached)

In reviewing proposals submitted in response to this RFP, Department staff and Consultants will prepare a comparison chart summarizing the proposals. This form is intended as an aid to the Department in completing such a chart. Final wording in the comparison chart will be that of the Department and consultants.

This form is also provided online, and must be submitted to the County on disk as well as in hard copy format.

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
APPLICANT IDENTIFICATION (a) <i>Proposal Cover Name</i> (b) <i>Applicant</i> (c) <i>Contact Name, Address, Phone</i> (d) <i>Developer</i> (e) <i>Lease Holder</i> (f) <i>Property Manager</i> (g) <i>Financial Partner</i> (h) <i>Architect</i> (i) <i>Hotel Operator</i> (j) <i>Type of Response (Hotel / Retail & Apt. / etc.)</i>		
1. Development Concept 1.1 Parcel Use 1.1.1 Parcel ____ (Specify) 1.1.2 Parcel ____ (Specify) 1.1.3 Parcel ____ (Specify) 1.1.4 Parcel Number for Current Leasehold 1.1.5 Use for Current Leasehold Parcel 1.1.6 Structured Parking (# of Spaces) 1.1.7 Surface Parking (# of Spaces) 1.1.8 % of Project Area for Open Space 1.1.9 Public Use Elements		
1.2 Description of Proposed Hotel 1.2.1 Hotel Type and Projected Rating 1.2.2 Total Rooms (Keys) 1.2.3 Average Room Size (S.F.) 1.2.4 Average Daily Room Rate 1.2.5 Banquet and Meeting Space (S.F.) 1.2.6 Total Building Size (S.F.) 1.2.7 Interior and Exterior Amenities		
1.3 Description of Proposed Apartments 1.3.1 Total Units 1.3.2 Unit Mix 1.3.3 Average Unit Size (S.F.) 1.3.4 Average Monthly Rent 1.3.5 Average Monthly Rent per S.F. 1.3.6 Interior and Exterior Amenities		
1.4 Description of Proposed Retail / Restaurant 1.4.1 Total Square Footage - Retail 1.4.2 Total Square Footage - Restaurant 1.4.3 Anchor Tenants - Retail 1.4.4 Tenant Mix - Retail (Boutique / Anchor) 1.4.5 Tenant Mix - Restaurant (Fast Food / Sit-Down) 1.4.6 Average Monthly Rent per S.F. - Retail 1.4.7 Average Monthly Rent per S.F. - Restaurant 1.4.8 Interior and Exterior Amenities		

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
1.5 Description of Proposed New Slips 1.5.1 Total Number of Slips 1.5.2 Number over 40 feet 1.5.3 Average Length 1.5.4 Average Monthly Rent per Lineal Foot 1.5.5 Average Monthly Rent per Slip 1.5.6 Available Parking (# of Spaces) 1.5.7 Available Parking (Type & Location) 1.5.8 Relationship Betw. Boat & Other Project Pkg.		
2. Timetable and Entitlement Issues 2.1 Timetable 2.1.1 Building Permits Issued 2.1.2 Construction Starts 2.1.3 Construction Ends 2.1.4 Date of First Occupancy 2.1.5 Date 100% Occupied 2.1.6 Phase I Begin/End (If Phased) 2.1.7 Phase II Begin/End (If Phased) 2.2 Required Changes to LCP 2.2.1 Transfer of entitlements from other DZ's 2.2.2 Change in Use of Parcel GR 2.2.3 Change in Use of Parcel JS 2.2.4 Change in Use of Parcel IR 2.2.5 Change in Use of Parcel NR 2.2.6 Change in Use of Parcel OT 2.2.7 Change in Use of Parcel LLS 2.2.8 Change in Use of Leasehold Parcel 2.3 Timetable and Special Considerations 2.3.1 Estimated Date of Filing with LARPC 2.3.2 Estimated LARPC Approval Date 2.3.3 Estimated Date of Coastal Comm. Filing 2.3.4 Estimated Coastal Comm. Approval Date 2.3.5 Special Considerations or Issues 2.3.6 Consultants, Attorneys Used (If known)		
3. Cost Estimate for Each Component 3.1 Hotel 3.1.1 Hard Cost of Construction (Total) 3.1.2 Hard Cost of Construction (Per s.f.) 3.1.3 FF & E (Total) 3.1.4 FF & E (Per Room) 3.1.5 Soft Costs 3.1.6 Total Costs 3.1.7 Total Costs Per Room		
3.2 Apartments 3.2.1 Hard Cost of Construction (Total) 3.2.2 Hard Cost of Construction (Per s.f.) 3.2.3 Soft Costs 3.2.4 Total Costs 3.2.5 Total Costs Per Unit		
3.3 Retail / Restaurant 3.2.1 Retail T.I.'s 3.2.2 Fast Food T.I.'s 3.2.3 Restaurant T.I.'s 3.2.4 Hard Cost of Construction (Total) 3.2.5 Hard Cost of Construction (Per s.f.) 3.2.6 Soft Costs 3.2.7 Total Costs 3.2.8 Total Costs Per S.F.		

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
3.4 Slips 3.4.1 Hard Costs 3.4.2 Soft Costs 3.4.3 Total Costs 3.4.4 Total Costs Per Slip		
3.5 Consolidated 3.5.1 Hard Costs including Hotel FF&E 3.5.2 Soft Costs 3.5.3 Total Costs		
4. Financial Terms of Proposal Detailed information on all aspects of the financial proposal will be filled in by County staff or consultants from the financial pro forma analysis submitted in the standard format.		
5. Special Req's. for Lease Extensions 5.1 Extension Fee 5.2 Existing Improvements (if any retained) 5.2.1 Plans for rehabilitation 5.2.2 Guarantee of future performance 5.3 Term of Lease / Date of Termination 5.4 Existing Lease - Current Expiration Date 5.5 Existing Lease - Extended Expiration Date 5.6 Changes in Structure of Ownership of of Existing Leasehold (if any)		
6. Development Team 6.1 Experience w/ Comparable Projects 6.1.1 COMPARABLE PROJECT #1 6.1.1.1 Project Name 6.1.1.2 Location 6.1.1.3 Size and Configuration 6.1.1.4 Approximate Cost 6.1.1.5 Completion Date 6.1.1.6 Approximate Market Value 6.1.1.7 Occupancy Rate 6.1.1.8 ADR / Mo. Rent / Slip Rent (Per L.F.) 6.1.1.9 Ownership Pattern 6.1.1.10 Financing Structure 6.1.1.11 Current Ownership 6.1.1.12 Track Record 6.1.1.13 Reference: Public Sector Party 6.1.1.14 Reference: Private Sector Party		
6.1.2 COMPARABLE PROJECT #2 6.1.2.1 Project Name 6.1.2.2 Location 6.1.2.3 Size and Configuration 6.1.2.4 Approximate Cost 6.1.2.5 Completion Date 6.1.2.6 Approximate Market Value 6.1.2.7 Occupancy Rate 6.1.2.8 ADR / Mo. Rent / Slip Rent (Per L.F.) 6.1.2.9 Ownership Pattern 6.1.2.10 Financing Structure		

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
6.1.2.11 Current Ownership 6.1.2.12 Track Record 6.1.2.13 Reference: Public Sector Party 6.1.2.14 Reference: Private Sector Party 6.1.3 COMPARABLE PROJECT #3 6.1.3.1 Project Name 6.1.3.2 Location 6.1.3.3 Size and Configuration 6.1.3.4 Approximate Cost 6.1.3.5 Completion Date 6.1.3.6 Approximate Market Value 6.1.3.7 Occupancy 6.1.3.8 ADR / Mo. Rent / Slip Rent (Per L.F.) 6.1.3.9 Ownership Pattern 6.1.3.10 Financing Structure 6.1.3.11 Current Ownership 6.1.3.12 Track Record 6.1.3.13 Reference: Public Sector Party 6.1.3.14 Reference: Private Sector Party		
6.2 Credentials & References 6.2.1 Narrative on general size & borrowings 6.2.2 Financial Reference # 1 6.2.3 Financial Reference # 2 6.2.4 Financial Reference # 3		
7. Statement of Qualifications & Financial Responsibility 7.1 Is developer a subsidiary of another firm? 7.2 Has developer or affiliate ever declared bankruptcy? 7.3 Is there any pending litigation against developer or affiliates?		
8. Beneficial Ownership 8.1 Beneficial Ownership of Lessee Entity		

Note: In reviewing proposals submitted in response to the RFP, Department staff and consultants will prepare a comparison chart summarizing the proposals. This form is intended as an aid to the Department in completing such a chart. Final wording in the comparison chart will be that of the Department and consultants.

Instructions: Please respond in both the "Response Information" and "Reference to Page Numbers" columns above. Responses will be abbreviated, as approximate column width must be maintained. Only row heights should be expanded. All entries will be reviewed against the proposal itself--be sure to cite the appropriate page number in the proposal.

APPENDIX M**Financial Worksheet Formats**

(___ to be attached)

This form is also provided online, and must be submitted to the County on disk as well as in hard copy format.

DEVELOPER INPUT SCHEDULE - BOAT SLIPS
--

ASSUMPTIONS

- 1 Land Square Footage
 2 Water Square Footage
 3 Stabilization Year

Boat Slip Rental Income:

- 4 Slips
 5 Live Aboards
 6 Miscellaneous Income
 7 Total

No. of Slips	Length (L.F.)	Income (per L.F.)	Total Annual Income
			\$0

Operating Expenses:

- 8 Vacancy & Collection Allowance
 9 Rental Growth Rate
 10 Estimated Property Tax @ Stabilization
 11 Utilities (\$/Yr)
 12 Maintenance & Reserves, (% of Rev.)
 13 Management Fee, (% of Rev.)
 14 Other Expenses, (\$/L.F.)
 15 Expense Inflation / Factor (Excludes Property Tax)

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter

County Lease Terms:

- 15 Proposed Initial Term of Land/Water Lease
 16 Total Term of Land/Water Lease Incl. Extensions
 Proposed Percentage Rent
 17 Slips
 18 Live Aboards
 19 Miscellaneous

Proposed Minimum Rent

- 20 Scheduled Minimum Rent Before Stabilization
 21 Minimum Rent - Stabilized Year
 22 1st Automatic Adjustment Year
 23 Subsequent Periodic Adjustments, years
 24 Increase Amount, % of 3 Prior Years' Avg Total Rent

--	--	--	--	--	--	--	--	--	--

Financing Parameters:

- 25 Year Permanent Financing Funded
 26 Amount Funded
 27 Interest Rate
 28 Amortization Term

DEVELOPER OUTPUT SCHEDULE - BOAT SLIPS
--

CASH FLOW PROJECTION

	Total Income All Years	Discounted Value All Years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Boat Slip Rental Income:												
Slips												
Live Aboards												
Other Income												
Gross Scheduled Revenues												
Operating Expenses:												
Vacancy & Collection												
Property Tax												
Utilities												
Maintenance & Reserves												
Management Fee												
Other Expenses												
Expense Inflation												
Minimum Rent												
Percentage Rent												
Total Operating Expenses												
Net Operating Income After Ground Rent												
NOI as % of Total Development Costs												
(-) Development Costs												
(-) Debt Service												
Net Cash Flow to Master Developer												

DEVELOPER CONSTRUCTION COSTS - BOAT SLIPS
--

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs					
1 Demolition			Per Slip	\$	
2 Construction of Slips			Per Slip	\$	
3 Landside Facilities			Per Slip	\$	
4 Parking Construction - Surface Lot			Per Space	\$	
5 Parking Construction - Structure			Per Space	\$	
6 Landscaping			Per Slip	\$	
7 Off-Site Costs (Identify)				\$	
8 Other Hard Costs 1 (Identify)				\$	
9 Other Hard Costs 2 (Identify)				\$	
10 Contingency				\$	
11 TOTAL HARD COSTS				\$	
Soft Costs					
12 Architecture / Engineering			% of Hard Costs	\$	
13 Permits and Fees			Allowance	\$	
14 Legal, Accounting, Insurance			% of Hard Costs	\$	
15 Other Professional Services			% of Hard Costs	\$	
16 Developer / OH / Project Management			% of Hard Costs	\$	
17 Advertising and Promotion			Allowance	\$	
18 Working Capital			Allowance	\$	
19 Mitigation Costs (Identify)			Allowance	\$	
20 Loan Fees (Identify % Rate)			Calculated	\$	
21 Appraisal and Closing Costs			Calculated	\$	
22 Construction Loan Interest (Identify % Rate)			Calculated	\$	
23 Property Taxes During Construction			Calculated	\$	
24 Other Soft Costs 1 (Identify)				\$	
25 Other Soft Costs 2 (Identify)				\$	
26 Contingency			% of Hard Costs	\$	
27 TOTAL SOFT COSTS				\$	
28 TOTAL DEVELOPMENT COSTS (Rounded)				\$	

DEVELOPER INPUT SCHEDULE - RETAIL & RESTAURANT

ASSUMPTIONS

1 Land Square Footage	
2 Water Square Footage	
3 Stabilization Year	

	Leasable Area (S.F.)	Min. Rent Per S.F. (Stab. Yr.)	Sales Per S.F. (Stab. Yr.)	Total Annual Income	Total Annual Sales	% Rent Charged Subtenant	Break Point
Retail/Restaurant Income - NNN							
4 Retail Stores							
5 Restaurants - Food and Beverage							
6 Restaurants - Alcohol							
7 Miscellaneous Income							
8 Other (Specify)							
9 Total				\$0	\$0	\$0	

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Operating Expenses:										
10 Vacancy & Collection Allowance										
11 Sales Growth Rate										
12 Rental Growth Rate										

13 Estimated Property Tax @ Stabilization	
14 Utilities (\$/Yr)	
15 Maintenance & Reserves, (% of Rev.)	
16 Management Fee, (% of Rev.)	
17 Other Expenses, (\$/L.F.)	
18 Expense Inflation / Factor (Excludes Property Tax)	

County Lease Terms:	
19 Proposed Initial Term of Land/Water Lease	
20 Total Term of Land/Water Lease Incl. Extensions	
Proposed Percentage Rent	
21 Retail	
22 Restaurant - Food and Beverage	
23 Restaurant - Alcohol	
24 Miscellaneous Income	
25 Other (Specify)	

Proposed Minimum Rent	
26 Scheduled Minimum Rent Before Stabilization	
27 Minimum Rent - Stabilized Year	
28 1st Automatic Adjustment Year	
29 Subsequent Periodic Adjustments, years	
30 Increase Amount, % of 3 Prior Years' Avg Total Rent	

Financing Parameters:	
31 Year Permanent Financing Funded	
32 Amount Funded	
33 Interest Rate	
34 Amortization Term	

DEVELOPER OUTPUT SCHEDULE - RETAIL & RESTAURANT
--

CASH FLOW PROJECTION

	Total Income All Years	Discounted Value All Years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Retail Income												
Restaurant - Food and Beverage												
Restaurant - Alcohol												
Miscellaneous Income												
Other Income (Specify)												
Gross Scheduled Revenues												
Operating Expenses:												
Vacancy & Collection												
Property Tax												
Utilities												
Maintenance & Reserves												
Management Fee												
Other Expenses												
Expense Inflation												
Minimum Rent												
Percentage Rent												
Total Operating Expenses												
Net Operating Income After Ground Rent												
NOI as % of Total Development Costs												
(-) Development Costs												
(-) Debt Service												
Net Cash Flow to Master Developer												

DEVELOPER CONSTRUCTION COSTS - RETAIL & RESTAURANT

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs					
1 Demolition			Per S.F.	\$	
2 Shell			Per S.F.	\$	
7 Retail T.I.'s			Per S.F.	\$	
8 Fast Food T.I.'s			Per S.F.	\$	
9 Restaurant T.I.'s			Per S.F.	\$	
10 Landscaping			Per S.F.	\$	
4 Parking Construction - Surface Lot			Per Space	\$	
5 Parking Construction - Structure			Per Space	\$	
6 Landscaping			Per S.F.	\$	
11 Off-Site Costs (Identify)				\$	
12 Other Hard Costs 1 (Identify)				\$	
13 Other Hard Costs 2 (Identify)				\$	
14 Contingency				\$	
15 TOTAL HARD COSTS				\$	
Soft Costs					
12 Architecture / Engineering			% of Hard Costs	\$	
13 Permits and Fees			Allowance	\$	
14 Legal, Accounting, Insurance			% of Hard Costs	\$	
15 Other Professional Services			% of Hard Costs	\$	
16 Developer / OH / Project Management			% of Hard Costs	\$	
17 Advertising and Promotion			Allowance	\$	
18 Working Capital			Allowance	\$	
19 Mitigation Costs (Identify)			Allowance	\$	
20 Loan Fees (Identify % Rate)			Calculated	\$	
21 Appraisal and Closing Costs			Calculated	\$	
22 Construction Loan Interest (Identify % Rate)			Calculated	\$	
23 Property Taxes During Construction			Calculated	\$	
24 Other Soft Costs 1 (Identify)				\$	
25 Other Soft Costs 2 (Identify)				\$	
26 Contingency			% of Hard Costs	\$	
27 TOTAL SOFT COSTS				\$	
28 TOTAL DEVELOPMENT COSTS (Rounded)				\$	

DEVELOPER INPUT SCHEDULE - HOTEL

ASSUMPTIONS - FOR STABILIZED YEAR

1 Land Square Footage												
2 Water Square Footage												
3 Stabilization Year												
Hotel Income:												
4 Number of Rooms		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter	
5 Occupancy												
6 Average Daily Room Rate (ADR)												
7 Growth Rate of ADR												
8 Additional Income (% of Room Revenue)												
9 Food & Beverage												
10 Telephone												
11 Merchandise												
12 Meeting Rooms, Equipment Rentals & Other												
Operating Expenses:												
13 Estimated Property Tax @ Stabilization												
14 Rooms Expense												
15 Food & Beverage												
16 Telephone												
17 Other												
18 Admin. & General												
19 Marketing												
20 Energy Costs												
21 Property Operations & Maintenance												
22 Reserve for Replacement												
23 Operating Insurance												
24 Basic Management Fee												
25 Building Insurance												
26 Park Maintenance (If Applicable)												
27 Other Expenses												
28 Expense Inflation / Factor (Excludes Prop. Taxes)												
County Lease Terms:												
Proposed Percentage Rent (% of Rev.)												
28 Rooms												
29 Food & Beverage												
30 Telephone												
31 Merchandise												
32 Meeting Rooms, Equipment Rentals & Other												
Proposed Minimum Rent												
33 Scheduled Minimum Rent Before Stabilization												
34 Minimum Rent - Stabilized Year												
35 1st Automatic Adjustment Year												
36 Subsequent Periodic Adjustments, years												
37 Increase Amount, % of 3 Prior Years' Avg Total Rent												
Financing Parameters:												
38 Permanent Financing Year Funded												
39 Amount Funded												
40 Interest Rate												
41 Amortization Term												

DEVELOPER OUTPUT SCHEDULE - HOTEL**CASH FLOW PROJECTION**

	Total Income All Years	Discounted Value All Years	Year 1 \$ %	Year 2 \$ %	Year 3 \$ %	Year 4 \$ %	Year 5 \$ %	Year 6 \$ %	Year 7 \$ %	Year 8 \$ %	Year 9 \$ %	Thereafter \$ %
AVERAGE DAILY ROOM RATE												
OCCUPANCY RATE												
Hotel Income:												
Rooms												
Food & Beverage												
Telephone												
Merchandise												
Rentals & Other												
Gross Scheduled Revenues												
Departmental Expenses:												
Rooms												
Food & Beverage												
Telephone												
Rentals & Other												
Subtotal Departmental Expenses												
Deductions From Income:												
Admin. & General												
Marketing												
Energy Costs / Inflation Factor												
Property Operations & Maintenance												
Park Maintenance												
Subtotal Deductions												
Other Expenses:												
Reserve for Replacement												
Operating Insurance												
Basic Management Fee												
Building Insurance												
Other Expenses												
Expense Inflation												
Subtotal Other Expenses												
County Minimum Rent												
County Percentage Rent												
Total Operating Expenses												
Net Operating Income After Ground Rent												
NOI as % of Total Development Costs												
(-) Development Costs												
(-) Debt Service												
Net Cash Flow to Master Developer												

DEVELOPER CONSTRUCTION COSTS - HOTEL

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs:					
1 Demolition			Per Room	\$	
2 Room Construction Costs			Per Room	\$	
3 FF&E			Per Room	\$	
4 Common Area Costs (Lobby, Halls, Stairs)			Per S.F.	\$	
5 Elevators			Per Room	\$	
6 Park Development			Per Acre	\$	
7 Parking Construction - Surface Lot			Per Space	\$	
8 Parking Construction - Structure			Per Space	\$	
9 Landscaping			Per Room	\$	
10 Off-Site Costs (Identify)			Per Room	\$	
11 Other Hard Costs 1 (Identify)				\$	
12 Other Hard Costs 2 (Identify)				\$	
13 Contingency				\$	
14 TOTAL HARD COSTS				\$	
Soft Costs					
15 Architecture / Engineering			% of Hard Costs	\$	
16 Permits and Fees			Allowance	\$	
17 Legal, Accounting, Insurance			% of Hard Costs	\$	
18 Other Professional Services			% of Hard Costs	\$	
19 Developer / OH / Project Management			% of Hard Costs	\$	
20 Advertising and Promotion			Allowance	\$	
21 Working Capital			Allowance	\$	
22 Mitigation Costs (Identify)			Allowance	\$	
23 Loan Fees (Identify % Rate)			Calculated	\$	
24 Appraisal and Closing Costs			Calculated	\$	
25 Construction Loan Interest (Identify % Rate)			Calculated	\$	
26 Property Taxes During Construction			Calculated	\$	
27 Other Soft Costs 1 (Identify)			Calculated	\$	
28 Other Soft Costs 2 (Identify)			Calculated	\$	
29 Contingency			% of Hard Costs	\$	
30 TOTAL SOFT COSTS				\$	
31 TOTAL DEVELOPMENT COSTS (Rounded)				\$	

PARCEL _____ PROJECT - CONSOLIDATED (000's)
--

Physical Parameters	Total Sq. Ft.	Total Acres
Total Land Square Footage		
Total Water Square Footage		

	Total Income All Years	Discounted Value All Years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Gross Revenues												
Net Operating Income												
Boat Slips												
Apartments												
Retail / Restaurant												
Hotel												
Total Net Operating Income												
Combined Debt Service												
Net Cash Flow to Master Developer												
Unleveraged Return on Costs(ROC)												
Leveraged Return on Equity (ROE)												
County Rent												
Minimum Rents - Total												
Combined Percentage Rent												
Boat Slips												
Apartments												
Retail / Restaurant												
Hotel												
Total County Rent												
County Total Rent as a % of Gross Income												
County Total Rent as a % of NOI												

DEVELOPER CONSTRUCTION COSTS - CONSOLIDATED
--

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs:					
1 Demolition				\$	
2 Hotel Construction			Per Room	\$	
2 Apartment Construction			Per Apartment	\$	
3 Slip Construction			Per Slip	\$	
4 Parking Construction - Surface Lot			Per Space	\$	
5 Parking Construction - Structure			Per Space	\$	
6 Landscaping				\$	
7 Off-Site Costs (Identify)				\$	
8 Other Hard Costs 1 (Identify)				\$	
9 Other Hard Costs 2 (Identify)				\$	
10 Contingency			% of Hard Costs	\$	
11 TOTAL DIRECT DEVELOPMENT COSTS				\$	
Soft Costs					
12 Architecture / Engineering			% of Hard Costs	\$	
13 Permits and Fees			Allowance	\$	
14 Legal, Accounting, Insurance			% of Hard Costs	\$	
15 Other Professional Services			% of Hard Costs	\$	
16 Developer / OH / Project Management			% of Hard Costs	\$	
17 Advertising and Promotion			Allowance	\$	
18 Working Capital			Allowance	\$	
19 Mitigation Costs (Identify)			Allowance	\$	
20 Loan Fees (Identify % Rate)			Calculated	\$	
21 Appraisal and Closing Costs			Calculated	\$	
22 Construction Loan Interest (Identify % Rate)			Calculated	\$	
23 Property Taxes During Construction			Calculated	\$	
24 Other Soft Costs 1 (Identify)			Calculated	\$	
25 Other Soft Costs 2 (Identify)			Calculated	\$	
26 Contingency			% of Hard Costs	\$	
27 TOTAL INDIRECT DEVELOPMENT COSTS				\$	
28 TOTAL DEVELOPMENT COSTS (Rounded)				\$	



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS



March 12, 2003

STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director

SUBJECT: **AGENDA ITEM 5d - REQUEST FOR PROPOSALS FOR DEVELOPMENT OF A WATER ORIENTED ENTERTAINMENT/RETAIL CENTER ON THE MINDANAO PENINSULA IN MARINA DEL REY IN CONJUNCTION WITH THE EXPANSION OF CHASE PARK**

Item 5d on your agenda relates to a Request for Proposals (RFP) for development of an entertainment/retail center in conjunction with the simultaneous release of an RFP for the development of boating facilities on Parcels 52R and GG – also on your agenda as item 5c. Each of the companion RFP's contain similar opening statements - the statement appearing at the opening of the RFP for this item is as follows:

Special Note: Simultaneous Issuance of Entertainment/Retail and Dry Stack Boat Storage Requests for Proposals ("RFPS")

The proposed development of a destination visitor-serving project that is integrated with an expanded Chace Park and concurrent expansion of boater serving facilities on Parcels 52R and GG respond to the need to simultaneously enhance Marina del Rey as a visitor destination and increase the amount and quality of facilities serving recreational boaters and users of Chace Park. To this end, the County has released Requests for Proposals ("RFP's") for both projects simultaneously, requiring, at a minimum, that new boater facilities on Parcels 52R and GG fully replace the repair and boat hoist facilities and expand the boat storage now located on Parcel 77W to permit the future use of Parcel 77W for visitor-serving commercial uses and the expansion of Chace Park. Such replacement facilities for boaters must be in place before any closure of the existing facilities on Parcel 77W. All proposals will also be expected to provide access to an entertainment retail center that is integrated with the expanded Chace Park.

The attached RFP and draft Board letter provide details of the proposed solicitation. I request your concurrence with my recommendation to the Board of Supervisors.

SW:rm
Attachment

SCHCentrtrfp31203

DRAFT

March 4, 2003

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

Dear Supervisors:

**APPROVE THE RELEASE OF REQUEST FOR PROPOSALS FOR DEVELOPMENT
OF AN ENTERTAINMENT/RETAIL CENTER ON THE MINDANAO PENINSULA IN
MARINA DEL REY IN CONJUNCTION WITH THE EXPANSION OF CHACE PARK**

**(4th DISTRICT)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and authorize the release of the attached Request for Proposals for Development of an Entertainment/Retail Center on the Mindanao Peninsula in Marina del Rey.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The proposed Request for Proposals (RFP) is intended to seek competitive proposals to enable development and operation of a new entertainment/retail center with entertainment, restaurant, retail and related uses and to provide for integration with and expanded parking for the adjacent to be expanded public park site (Chace Park) on the Mindanao Peninsula in Marina del Rey. A companion solicitation, an RFP for the development of boat storage facilities on Parcels 52 and GG, provides for more than full replacement of all existing public and boater facilities displaced by development of the proposed project site.

Ver. 1.0

The Honorable Board of Supervisors
March 4, 2003
Page 2

In order to highlight and clarify the purpose and scope of these companion solicitations, each contains a similar opening special note relating to the Department's goals for the projects. The note included in the entertainment/retail RFP states:

"Special Note: Simultaneous Issuance of Entertainment/Retail and Dry Stack Boat Storage Requests for Proposals ("RFPS")

The proposed development of a destination visitor-serving project that is integrated with an expanded Chace Park and concurrent expansion of boater serving facilities on Parcels 52R and GG respond to the need to simultaneously enhance Marina del Rey as a visitor destination and increase the amount and quality of facilities serving recreational boaters and users of Chace Park. To this end, the County has released Requests for Proposals ("RFP's") for both projects simultaneously, requiring, at a minimum, that new boater facilities on Parcels 52R and GG fully replace the repair and boat hoist facilities and expand the boat storage now located on Parcel 77W to permit the future use of Parcel 77W for visitor-serving commercial uses and the expansion of Chace Park. Such replacement facilities for boaters must be in place before any closure of the existing facilities on Parcel 77W. All proposals will also be expected to provide access to an entertainment retail center that is integrated with the expanded Chace Park."

In furtherance of the goals of the second-generation development contemplated in the Marina del Rey Asset Management Strategy (AMS) adopted by your Board on April 15, 1997, the Department completed the issuance of four prior development solicitations for the second generation of development in Marina del Rey. This new solicitation continues the implementation of second-generation development by allowing more than full replacement of public parking and boating facilities, while at the same time making possible the addition of a significant new leisure and visitor-serving project utilizing the special orientation of the Marina del Rey waterfront.

The development opportunity related to the three County-controlled parcels (the newly configured Parcel 70, Parcel 77W and a portion of Parcel 44U) that are the subject of this RFP is the construction and operation of an entertainment/retail center envisioned as a

The Honorable Board of Supervisors
March 4, 2003
Page 3

high-activity complex incorporating a pedestrian-friendly and waterfront-oriented ambiance serving the leisure and shopping needs of regional visitors, local and visiting boaters and residents that wish to take advantage of the coastal destination. The site is adjacent to a significant and to be expanded waterfront public park (Chace Park) and in the special environment and location provided by the Marina.

Implementation of Strategic Plan Goals

The proposed action promotes and furthers the Board-approved Strategic Plan Goal of Service Excellence, in that it seeks to obtain the development of a new, high-activity entertainment/retail complex in Marina del Rey that incorporates a pedestrian-friendly, waterfront-oriented ambiance for the public and provides an opportunity to expand park space and parking of the County's waterfront Chace Park.

FISCAL IMPACT/FINANCING

No current impact. Other than budgeted consultant costs to analyze responses to this RFP, no County funds are presently contemplated to finance any costs associated with this request to release this RFP as it is a solicitation effort to obtain proposals that will both maximize County revenues and accomplish planning of Marina del Rey improvements in the subject area. A full financial analysis will accompany our recommendations to your Board in response to RFP proposals. A project utilizing the offered Parcel 77W and a portion of Parcel 44U would commit the County to exercise its option (previously approved by your Board) to purchase (buy-out) those leasehold interests. Also, the County will be obligated to accept financial responsibility for the costs of providing replacement parking (153 spaces) for any current public parking on the current Parcel 49M displaced by development of the project site, as well as for additional parking to accommodate an enhanced Chace Park. It is anticipated that the costs of such public parking replacement would be offset by rent derived from the development of the site.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The offered project site is located on as many as 8.83 acres of land, contains extensive water frontage on two sides and is adjacent to the Marina's waterfront Chace Park. The

The Honorable Board of Supervisors
March 4, 2003
Page 4

site is comprised of all or portions of several distinct parcels owned or controlled by the County and situated along Mindanao Way. The parcels offered are as follows:

1. Parcel 70. A newly configured parcel consisting of current Parcel 49M (the Visitors Center and public parking) and a small northerly strip of the current Parcel 49R. Parcel 49R will retain its exact current square footage via realignment of the current boundaries of Parcel 49S (mast-up boat storage), which will be slightly diminished in size, but without loss of current function or capacity (302 mast-up spaces) through on-site management of the facility. It is contemplated that the Visitors Center will be located within the proposed development.
2. Parcel 77W. Currently provides 218 dry boat and trailer storage spaces with related parking, a small boat repair/office and a marine commercial boat hoist and is situated immediately adjacent to Chace Park on the east side of Mindanao Way. A separate RFP for which we are simultaneously requesting authorization will require, at a minimum, that the repair and boat hoist facilities on Parcel 77W be fully replaced and relocated to Parcels 52/GG and the current 218 boat storage spaces be expanded. The replacement boater facilities for Parcel 77W, which are to include both dry stack and mast-up spaces, must be in place before closure of any existing facilities on Parcel 77W. The County has a purchase option that would terminate the current lease on this Parcel.
3. Parcel 44U (portion). The area comprised of the southwesterly 544 foot portion of Parcel 44U on the west side of Mindanao Way is approximately 80,274 square feet in land area and 108,000 square feet of water area containing 159 (51 single and 54 double) boat slips. The area currently contains a 6,000 square foot office building and a 9,000 square foot restaurant (closed) and is adjacent to the land area of Parcel 47 slated for expansion of Chace Park. The County's purchase option to terminate the lease as to this portion of Parcel 44U allows for purchase of either the land portion alone or of both the land and water areas. RFP proposers are provided with the option of acquiring the water portion as well as the land portion for project purposes, however the boat slips will, in all events, be retained as publicly rented boat slips.

The RFP also offers to consider vacation of the portion of Mindanao Way that separates Parcels 77W on the west side of Mindanao Way and the portion of Parcel 44U on the east

The Honorable Board of Supervisors
March 4, 2003
Page 5

side that is part of the project site so as to provide a contiguous footprint for the project. Project plans must, however, retain unrestricted public access to and provide parking for the proposed expanded Chace Park and boat slips associated with the expanded park, Parcel 47 (Santa Monica Windjammers Yacht Club) and those adjacent to the portion of Parcel 44U that is part of the available project site.

A map illustrating the project site is attached as Exhibit A.

The objective of this proposed RFP is to solicit design, financing, development and operational concepts for an entertainment/retail center from the private sector. The Department has listed certain important requirements and design factors that should be considered by potential proposers, including the following:

The available site and existing entitlements will support a center of approximately 175,000 rentable square feet of development, which will at the minimum require a Local Coastal Program (LCP) amendment to transfer available development potential (entitlements) from adjacent development zones. (In this regard, recall that entitlements are allocated to development zones rather than to individual leaseholds.) A zoning change to provide a Waterfront Overlay Zone (WOZ) designation will likely also be necessary to allow visitor-serving uses on portions of the project site.

The project site is located adjacent to or near several privately held leaseholds. The County is willing to consider proposals with an expanded footprint to the one defined in the subject RFP from proposers who may wish to integrate the offered project site with other nearby or adjacent leaseholds that they control. The County also has an existing agreement with the lessee of Parcel 76 (Trizec Office Towers), located across Admiralty Way from the project site, to provide for this project up to 876 parking spaces after 6:00 p.m. on weekdays and all day and evenings during weekends and holidays.

The design and the operational plan of the proposed project must provide for a quality environment, as well as address necessary security issues, to maintain the center as a regional attraction that creates a welcome, comfortable and safe environment for repeat visits. The County will require replacement public parking and additional parking to serve the proposed expanded Chace Park site and encourages proposals that will

The Honorable Board of Supervisors
March 4, 2003
Page 6

further the County's goals of providing enhanced opportunities for boater access as an adjunct to providing retail shopping, restaurants, entertainment and other visitor-serving amenities that enhance visitation and use of the Marina. The County will enter into an unsubordinated ground lease with minimum rents and additional percentage rents. The County will not subordinate its fee interest or ground rental payments.

County Counsel has reviewed and approved as to form the attached RFP. At its March 19, 2003 meeting, the Small Craft Harbor Commission _____ the Director's recommendation to your Board to approve and authorize release of the RFP.

ENVIRONMENTAL DOCUMENTATION

This development solicitation does not authorize any development of the involved County property, let alone the development of a particular project. The County is not committed to approving any new development through the release of this solicitation. In the event the solicitation yields a proposed development plan, the appropriate environmental documentation will be prepared when sufficient information regarding the proposed project is known in conjunction with the County's land use entitlement process. Any selected developer will be required to apply for and obtain all necessary land use and coastal development permits.

CONTRACTING PROCESS

An evaluation committee, selected by the Director of Beaches and Harbors, will review proposals submitted in response to the RFP and recommend to the Director a developer with whom to pursue exclusive negotiations in the event it determines a proposal is worthy of pursuit. The Director will then request your Board to authorize exclusive negotiations with a recommended developer for a lease or lease option to design, finance, develop and operate the entertainment/retail project.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

All County services and facilities currently provided/existing on any affected Marina parcels will be either relocated or accommodated within the planned development. All boater facilities impacted by the site of the entertainment/retail project will be relocated to Parcels 52 and GG where boater facilities will be expanded.

The Honorable Board of Supervisors
March 4, 2003
Page 7

CONCLUSION

Approve the release of the subject RFP and forward one adopted copy of this letter to the Department.

Respectfully submitted,

Stan Wisniewski, Director

SW:rm

Attachment (1)

c: Chief Administrative Officer
Executive Officer, Board of Supervisors
County Counsel
Auditor-Controller

REQUEST FOR PROPOSALS

**FOR DEVELOPMENT OF A WATER ORIENTED
ENTERTAINMENT/RETAIL CENTER ON THE
MINDANAO PENINSULA IN CONJUNCTION WITH
THE EXPANSION OF CHACE PARK**



**LOCATED IN
MARINA DEL REY, CALIFORNIA**

**ISSUED BY
COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS
APRIL 2003**

SUMMARY OF PROJECT FACTS

Special Note **Simultaneous Issuance of Entertainment/Retail and Dry Stack Boat Storage Requests for Proposals (“RFP’s”).**

The proposed development of a destination visitor-serving project that is integrated with an expanded Chace Park and the concurrent expansion of boater serving facilities on Parcels 52R and GG respond to the need to simultaneously enhance Marina del Rey as a visitor destination and increase the amount and quality of facilities serving recreational boaters and users of Chace Park. To this end, the County has released Requests for Proposals (“RFP’s”) for both projects simultaneously, requiring, at a minimum, that new boater facilities on Parcels 52R and GG fully replace the repair and boat hoist facilities and expand the boat storage now located on Parcel 77W to permit the future use of Parcel 77W for visitor serving commercial uses and the expansion of Chace Park. Such replacement facilities for boaters must be in place before any closure of the existing facilities on Parcel 77W. All proposals will also be expected to provide boater access to an entertainment/retail center that is integrated with the expanded Chace Park.

Development Opportunity The County is offering up to 8.83 acres of prime Marina del Ray waterfront for the development of an entertainment/retail center (“ERC”) containing approximately 175,000 square feet of visitor-serving commercial space (e.g., specialty retail, restaurant and entertainment oriented venues). It is envisioned as a high-activity complex with a pedestrian-friendly waterfront-oriented ambiance linked to various transportation modes.

In the interest of an efficient and cost-effective process, the County is requiring only conceptual proposals. Additional information may be requested from one or more proposers as part of the evaluation process.

County Objectives The County has three principal development objectives:

- (1) Recapturing the special place Marina del Rey has had as a leisure and visitor- serving destination;
- (2) Taking advantage of site opportunities to create a combination of waterfront and expanded park exposure unique among retail/visitor-serving locations along the Southern California coast; and
- (3) Enhancing the value of Marina del Rey to recreational boaters.

The proposed ERC site offers an unparalleled opportunity to create a leisure time and dining experience with both waterfront and park views available to most tenants. Potential enhancements for the boating population include access to an attractive dining and recreational facility that will complement the proposed expanded and enhanced boat storage and maintenance facilities planned for the area.

Site Description	<p>The “Project Site” is located at the southwest corner of Mindanao and Admiralty Ways and consists of Marina Parcels 70, 77W and a portion of Parcel 44U, totaling 8.83 acres, all currently owned or controlled by the County (see Exhibit 1). The developer can choose to use any or all of this site for the ERC project. The site contains extensive water frontage on two sides and is adjacent to a waterfront public park. The County will also consider vacation of that portion of the existing roadway (Mindanao Way) that separates two of the Project Site parcels to provide a continuous footprint for the project.</p> <p>This RFP also provides the opportunity for a “Combined Project” which may include lease extensions for parcels adjacent to or near the Project Site.</p>
Entitlements	<p>Development of the ERC project will require an amendment to the Marina del Rey Local Coastal Plan (“LCP”) in order to aggregate the base level of entitlements and change the land use classification of the Project Site. The County will not accept proposals that entail an increase in square footage above that currently provided for the Project Site by aggregation of the entitlements (approximately 175,000 square feet) except where additional parcels owned or controlled by a proposer are to be added to such aggregate total.</p>
Parking	<p>Any existing public parking displaced by the ERC (153 spaces) will need to be relocated nearby or replaced on-site and additional parking for an expanded Chace Park (for planning purposes – 180 spaces) will also be needed as part of the project. Additionally, the completed project will also be required to include parking for the boat slips associated with the expanded park and those slips adjacent to the Project Site on Parcel 44U. To supplement ERC customer parking, the County has the right to use up to 876 parking spaces on evenings and weekends in a nearby parking structure. The County will accept financial responsibility for the replacement of current public parking and additional parking provided for Chace Park and associated boat slip parking, either through public development of such parking or by concessions and offsets to rent if such parking is provided by the developer and will also consider proposals wherein the County builds all or a portion of project parking to take advantage of the County’s financing costs and economies of scale on a cost-sharing basis with the developer to the extent that proposed minimum rent creates a surplus over debt service for public financing of such facilities.</p> <p>Portions of the Project Site contain the County’s Visitors Information Center and public parking. It is anticipated that any existing boat storage on the Project Site will be relocated and fully replaced and enhanced by the County and that space for the Visitors Center will be located within the proposed development.</p>

Transaction Structure	The County will accept only an unsubordinated ground lease.
Submission Schedule and Format	<p>The proposer shall submit one original and nine copies (excepting large-scale drawings and exhibits if included in the package) of a Proposal Package in 8.5" x 11" format. Proposals must be organized following the Submission Requirements section and must include at least the requested information. Responses must be submitted not later than 5:00 p.m. PST on Monday, June 30, 2003 to:</p> <p>County of Los Angeles Department of Beaches and Harbors Attn: Mr. Alexander E. Kalamaros, CCIM 13837 Fiji Way Marina del Rey, CA 90292 Phone: 310.577.7961 Fax: 310.821.6345 Email: akalamar@dbh.co.la.ca.us Internet: http://beaches.co.la.ca.us</p>
Proposer's Conference	<p>Wednesday, April 30, 2003 at 10:00 a.m. Burton W. Chace Park Community Building 13650 Mindanao Way Marina del Rey, California 90292</p> <p>Attendance is not mandatory for proposers; however, proposers are strongly urged to attend as questions regarding the RFP and the project will only be addressed at this meeting and for a limited time afterward in follow-up correspondence, which will be shared with all proposers.</p>
Information Packet	<p>An information packet containing additional background materials is available from the Los Angeles County Department of Beaches and Harbors. The packet contains the following items:</p> <ul style="list-style-type: none">• The Marina del Rey Asset Management Strategy• The Marina del Rey Local Coastal Program• Marina del Rey Promenade Guidelines• Marina del Rey Architectural and Construction Standards

TABLE OF CONTENTS

SUMMARY OF PROJECT FACTS

Special Note	ii
Development Opportunity	ii
County Objectives	ii
Site Description	iii
Entitlements	iii
Parking	iii
Transaction Structure	iv
Submission Schedule and Format	iv
Proposer's Conference.....	iv
Information Packet	iv

1. EXECUTIVE SUMMARY

1.1 The Development Opportunity	2
1.2 County Goals	2
1.3 Project Site	3
1.4 Parking	3
1.5 Entitlements	3
1.6 Public Improvements	4
1.7 Transactions Structure	4
1.8 Submission Schedule and Format	4

2. BACKGROUND and CONTEXT

2.1 General Background	6
2.2 Overview of Marina del Rey	7
2.3 Asset Management Strategy (AMS).....	7
2.4 Local Coastal Program Overview: Introduction to Marina Entitlements.....	8
2.5 Recent Private Investment in the Marina.....	8
2.6 Previous Solicitations	9
2.7 Marina Governance	9
2.8 Marina Capital Projects.....	10

3. PROJECT DESCRIPTION

3.1 Ultimate Aim of the ERC Project	11
3.2 Illustrative Waterfront Development Plans.....	11
3.3 Estimated Project Buildout - Feasibility	12
3.4 Development Zones Affected by ERC Project	12
3.5 Site Descriptions.....	13
3.6 Possible Modification of Existing Parcel Boundaries.....	16
3.7 Site Utilization	16
3.8 Suggested Guiding Principles for ERC Project Design	16
3.9 Project Entitlements.....	17
3.10 Potential Availability of Public Financing	20
3.11 Proposals that Include Parcels Requiring Lease Extensions	20
3.12 Confidentiality	20

4. OVERVIEW OF TERMS

4.1	Rent	21
4.2	Additional Lease Terms	22
4.3	Proposer's Responsibilities	22
4.4	Property Condition	23
4.5	Entitlement Issues.....	23
4.6	Application Process	25

5. COORDINATION WITH LEASE EXTENSION PROPOSALS

5.1	Definition of a "Combined Project"	27
5.2	Single, Unified Proposals Must Include Both ERC RFP and Related Lease Extension Data.....	27
5.3	Responsibility for Lease Extension Documentation	27
5.4	Timing of Lease Extension Expiration.....	27
5.5	Treatment of Retained Leasehold Improvements	28

6. ERC RFP REQUIREMENTS

6.1	Developer's Orientation Conference.....	29
6.2	Proposal Package	29
6.3	Submittal of Alternate Proposals.....	29
6.4	Conditions and Limitations.....	29
6.5	Development Components.....	30
6.6	Overview of Contents of Proposal	30

7. RFP REVIEW PROCESS

7.1	Evaluation Committee	36
7.2	Evaluation Criteria.....	36
7.3	Evaluation Process.....	37
7.4	Final Award by Board of Supervisors.....	37

EXHIBITS

Exhibit 1 – Parcels Included in RFP	1
Exhibit 2 – Marina del Rey Asset Management Strategy (AMS) Map.....	5
Exhibit 3 – Location of Marina del Rey.....	6
Exhibit 4 – DZs Affected by ERC Project	12
Exhibit 5 – Existing Principal Permitted Uses	16
Exhibit 6 – Maximum Potential Project Size	18
Exhibit 7 – Existing Land Use Designation and Area of ERC Project Parcels.....	18
Exhibit 8 – Height Limits/View Corridors on ERC Parcels	20
Exhibit 9 – Example of Percentage Rents by Use Category for Properties in Marina del Rey.....	21

APPENDIXES

Appendix A –Policy Statement – Leasehold Term Extension	38
Appendix B – Process for Managing Lease Extension Proposals	44
Appendix C – Other Required Forms.....	47
Appendix D – Notice to Proposers Regarding the California Public Records Act	51
Appendix E – LCP/Regional Planning/Coastal Commission Requirements	52
Appendix F – Other Materials	54
Appendix G – Selected Retail Entertainment Centers in Los Angeles County.....	57
Appendix H – Project Summary Form	58
Appendix I – Financial Worksheet Formats.....	59

Exhibit 1
Parcels Included in RFP



1. EXECUTIVE SUMMARY

1.1 THE DEVELOPMENT OPPORTUNITY

The County of Los Angeles (the “County”), through its Department of Beaches and Harbors (“DBH”), is seeking development teams, which will provide the expertise, experience and financial ability to deliver a retail center, which celebrates the water and encourages leisure pedestrian activity. The new entertainment/retail center (“ERC”) should be developed as a regional draw serving the Los Angeles region, the citizens of Marina del Rey and the recreational boating community.

The County will enter into a ground lease with the selected developer wherein the County will provide a set of existing parcels and public access areas as the potential project site. The available site and existing entitlements, once aggregated, will support a center of approximately 175,000 rentable square feet of development at one of the key entry points to Marina del Rey and that is bounded on two sides by water and faces a waterfront public park. The County will not support proposals that entail a net increase in square footage above that currently provided for the Project Site by aggregation of the entitlements as above provided except in situations where additional parcels owned or controlled by a proposer may be added to such aggregate total. The County believes that the site and surrounding major metropolitan area provide a unique opportunity for visitor serving commercial development.

1.2 COUNTY GOALS

The proposed Project Site has extensive available water frontage and portions are adjacent to a public park, which the County plans to expand. The County encourages proposals which will further the County’s goals of providing enhanced opportunities for public parking and park use as well as integration with and expansion of the adjacent park as an adjunct to providing increased retail shopping, restaurants, entertainment and other visitor serving amenities to encourage visitation and use of the Marina.

The County envisions a center that may contain such uses as specialty retail, restaurants, a cinema, various other entertainment-oriented venues, shopping and open public areas, together with water-related amenities such as a water taxi and guest docks. However, the County has no preconceived requirements for project uses and encourages proposals for either traditionally anchored or unanchored projects that demonstrate appropriate user generation to assure the long-term viability of the proposed project.

In its evaluation of proposed projects, the County will favor uses that take advantage of and benefit from water proximity and/or frontage and will consider either traditionally anchored or unanchored projects that generate sufficient user traffic to provide meaningful assurance of the long-term viability of the proposed center.

The focus of this RFP is improved integration of recreational and retail areas, which will help make the Marina an exciting, user-friendly attraction to Southern California residents, boaters and visitors. This is one of the important goals of the County’s Asset Management Strategy (“AMS”), adopted by the Board of Supervisors (“Board”) in 1997.

1.3 PROJECT SITE

As shown in Exhibit 1, the ERC project site is situated on the Mindanao Peninsula in Marina del Rey at the intersection of Mindanao Way and Admiralty Ways. The Project Site may be located on as many as 8.83 acres containing extensive water frontage on two sides and could be comprised of all or portions of several distinct parcels. In addition, proposers may utilize additional areas of adjacent parcels if they demonstrate control of such parcels.

A map illustrating the Marina del Rey parcels that are the subject of this RFP is included as Exhibit 1. Proposers may choose to submit plans utilizing all or a portion of the available parcel sites and, in addition, may submit plans which include adjacent or nearby parcels as part of the proposed project to the extent a proposer can demonstrate its control of such additional parcel(s).

The County will also consider the roadway vacation of the portion of Mindanao Way that separates Parcels 77W and the portion of Parcel 44U that is a part of the Project Site so as to provide a contiguous footprint for the project. Project plans must, however, retain unrestricted public access to the proposed expanded adjacent Chace Park.

1.4 PARKING

Any proposed project, which utilizes parcels now containing public parking, must include provision for replacement of such parking on a one-for-one basis at or near its current location. The County will accept financial responsibility for the replacement of current public parking (153 spaces) and for parking provided on the Project Site for an expanded Chace Park (for planning purposes – 180 spaces) and boat slip parking associated with the expanded park site and the slips adjacent to the Project Site on Parcel 44U (for planning purposes – 259 spaces), either through public development of such parking or by concessions and offsets to rent if such parking is provided by the developer. It will also entertain proposals where the County builds all or a portion of required replacement and project parking to take advantage of the County's financing costs and economies of scale on a cost-sharing basis with the developer, to the extent that proposed minimum rent creates a surplus over debt service for public financing of such facilities. Additional structured parking for up to 876 vehicles can also be made available by the County in a nearby structure (the Trizec Office Building, located across Admiralty Way from the Project site at Marina Parcel 76) on holidays, weekends and evenings after 6:00 p.m.

1.5 ENTITLEMENTS

It is expected that the County will join the successful respondent in applying for a related LCP amendment to implement the ERC project and any other needed land use entitlements. The County's proprietary assistance is without prejudice to full exercise of its governmental regulatory powers in its review of any required land use entitlements. It is also expected that development proposals will maximize available buildout on the site; however, maximized buildout is not a requirement of this RFP and respondents are encouraged to propose a level of development that is most suited to the success of the overall project. Respondents are further encouraged to submit multiple proposals if they have more than one possible development solution.

The County manages Marina del Rey pursuant to the goals and objectives set forth in the Marina del Rey Local Coastal Program ("LCP") and the County's Asset Management Strategy ("AMS"), adopted by the Board of Supervisors ("Board") in 1997. A map illustrating the AMS overall Marina plan is set forth as Exhibit 2.

1.6 PUBLIC IMPROVEMENTS

The County contemplates a number of public improvements in the vicinity of the ERC project area and elsewhere in the Marina. The scope, funding and schedule of these potential public improvements are in various stages of analysis and evaluation, and thus the details of these potential projects are not yet finalized. Nonetheless, a number of the potential improvements currently under review relate directly to or may affect the prospects for the ERC and discussions of these potential projects are therefore included for informational purposes.

1.7 TRANSACTION STRUCTURE

The County will accept only an unsubordinated ground lease with minimum rents and percentage rents. The County will not subordinate its fee interest or ground rental payments.

1.8 SUBMISSION SCHEDULE AND FORMAT

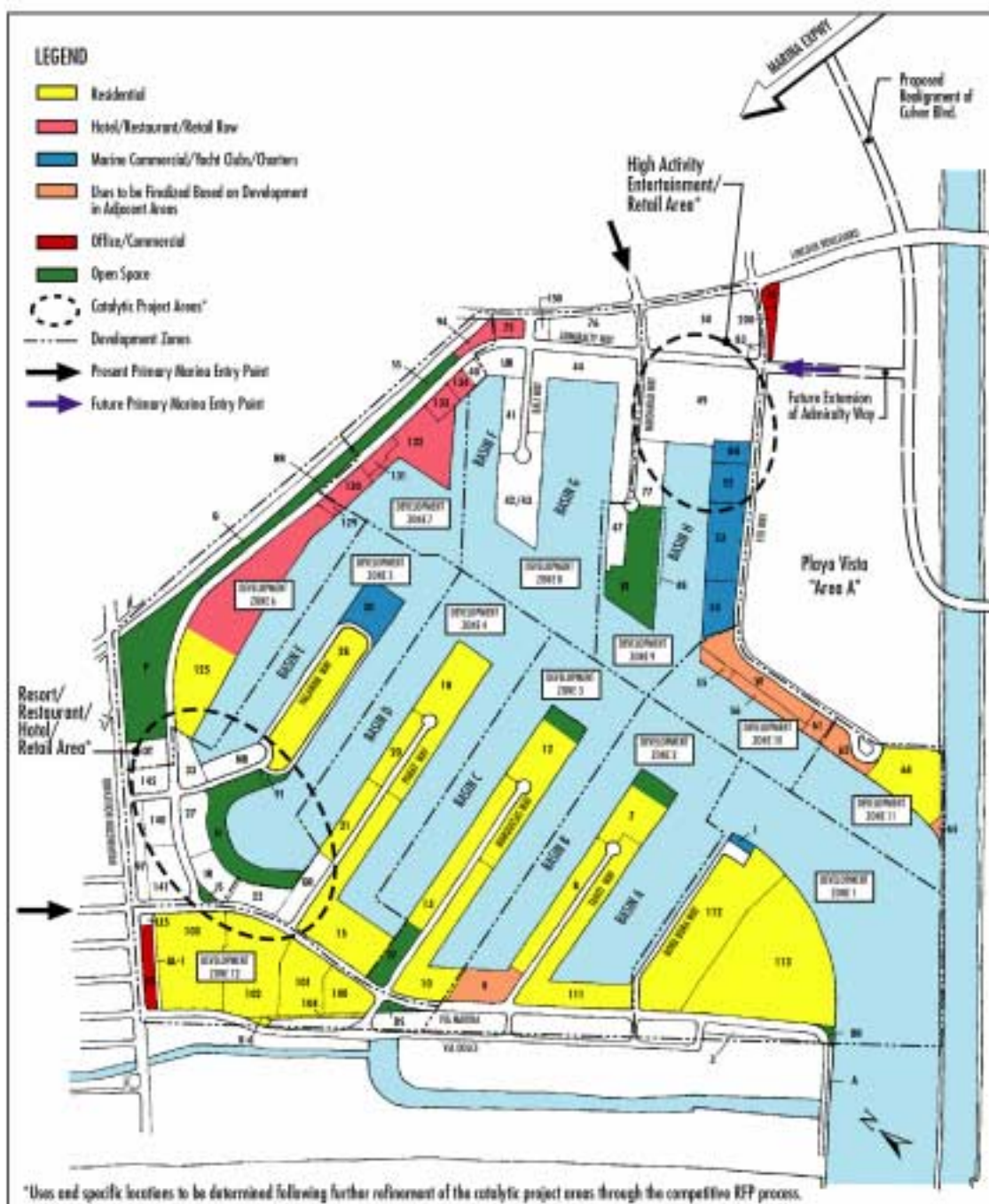
The County will consider all proposals against the standards generally set out in this Request for Proposals ("RFP") and, to the extent competing proposals are submitted, will judge proposals against each other.

Responses are due no later than 5:00 p.m. Pacific Time on Monday, June 30, 2003. The application process and the contents of the application are discussed herein, principally in Section 6. Submissions are to be delivered to:

County of Los Angeles Department of Beaches and Harbors
Attn: Mr. Alexander E. Kalamaros, CCIM
13837 Fiji Way
Marina del Rey, CA 90292
Phone: 310.577.7961
Fax: 310.821.6345
Email: akalamar@dbh.co.la.ca.us
Internet: <http://beaches.co.la.ca.us>

Exhibit 2 Marina del Rey Asset Management Strategy (AMS) Map

Marina del Rey Asset Management Strategy Land Use Designations and Development Zones



Note: Per the Local Coastal Program, all new projects located on waterfront parcels shall provide public pedestrian promenades adjacent to bulkheads. Development Zone 13 contains only the parkway along Fiji Way. Development Zone 14 contains parcels 51 and 200. Development Zones 13 and 14 are not diagrammed above. 02/13/01

2. BACKGROUND AND CONTEXT

2.1 GENERAL BACKGROUND

Marina del Rey is located at the Pacific coast of metropolitan Los Angeles (Exhibit 3). The land and water area that comprises the Marina del Rey community is situated on unincorporated land owned by the County of Los Angeles. In the late 1950s, the Marina was dredged, and in the 1960s landside and water developments were created. Most of this land and water area has been developed under ground leases administered by the Los Angeles County Department of Beaches and Harbors.

Development in the Marina is governed by the LCP, which was last amended in 1996. The County's Board of Supervisors adopted an Asset Management Strategy ("AMS") in 1997. The AMS reflects the County's objectives and goals in seeking to maintain and enhance the Marina's reputation as a premier recreational boating harbor with attractive residential, shopping and dining facilities and overnight accommodations. In 2001, the County established the Marina del Rey Convention and Visitors Bureau to promote the general guidelines and programs for achieving the visitor-serving objectives of the LCP.

A previous RFP for an ERC project on parcels 49, 52R and GG was issued in 1998. Following the evaluation of proposals, the County's Board of Supervisors authorized negotiations with the selected developer in 1999. The County terminated those negotiations in the Fall of 2001 when it became clear that the plan, including arrangements to either relocate or otherwise accommodate existing public boating facilities on Parcel 49R, was not feasible. The County has, therefore, undertaken an assessment of potential alternative locations for the ERC that eliminate disruption to current public facilities and provide an enhanced opportunity to integrate the ERC with an expanded public park and promenade. The proposed location of the ERC project allows for several alternative site plan configurations on the Mindanao Peninsula.

DBH has previously issued three other solicitations in connection with Marina redevelopment (see Section 2.6). These solicitations have resulted in negotiations for over twenty new development and renovation projects with a value expected to exceed \$500 million.

Exhibit 3
Location of Marina del Rey



2.2 OVERVIEW OF MARINA DEL REY

Marina del Rey is one of the largest small craft harbors under unified management in the United States. Of the total 800 acres within the Marina, there are approximately 150 acres of water area and 253 acres of land area under long-term unsubordinated ground leases. Marina del Rey has over 50 major commercial leaseholds and over 300 subleases. Major components of Marina del Rey include the following:

- Approximately 5,300 boat slips.
- Approximately 6,000 rental apartment units.
- 600 luxury condominiums.
- Six hotels with a total of 1,040 rooms.
- Approximately one million square feet of commercial space divided among office, conventional retail and restaurants.

2.3 ASSET MANAGEMENT STRATEGY (AMS)

In the AMS adopted in 1997 for Marina del Rey, the County addressed some of the critical issues for preserving and enhancing the location's prestigious identity, dealing with second-generation development, and ensuring that when the majority of the existing Marina leaseholds recycle, the Marina will be a viable, exciting area still capable of producing substantial revenues for the County, while serving the needs of both the recreational boater and community at large for water-oriented recreation.

The four main elements of AMS are:

- A long-term vision for Marina del Rey, which establishes the area as a strong urban waterfront development;
- Catalytic development projects that will draw people on a regional basis, spur further leasehold development and set a standard for design quality;
- Development mechanisms to encourage leasehold redevelopment proposals consistent with the long-term vision; and
- Other mechanisms to encourage refurbishment and ensure quality maintenance of those leaseholds that will not be redeveloped during the remaining terms of their leases.

Five characteristics common to successful waterfront developments that the County wishes to achieve in Marina del Rey are:

- A powerful sense of place;
- An accessible waterfront, both physically and visually;
- An exciting mix of inter-connected uses that relate strongly to the water;
- A multi-modal transportation system that facilitates walking and other non-automotive forms of travel; and
- A varied, high-quality residential environment.

Two of the important policies set forth above – increased waterfront access and visitor-serving environment – are two of the major objectives of this RFP.

2.4 LOCAL COASTAL PROGRAM OVERVIEW: INTRODUCTION TO MARINA ENTITLEMENTS

The Marina del Rey LCP, adopted by the Los Angeles County Board of Supervisors and Certified by the California Coastal Commission, governs development in Marina del Rey. Following adoption of a comprehensive amendment to the existing LCP in 1996, the potential for a limited amount of additional development was set forth based on the capacity of local transportation arteries to handle additional traffic. For planning purposes, this additional development potential is allocated among fourteen Development Zones (“DZs”) rather than to individual parcels. Aggregate development in the Marina as well as development within each DZ is regulated by the allocation of p.m. peak hour traffic trips.

Information regarding entitlements as set forth in the LCP is presented here for informational purposes. All unallocated restaurant, office, residential and retail entitlements located in DZs 8, 9, 10, 11 and 14 are proposed to be allocated to this ERC project as set forth in Section 3.9. These entitlements will, therefore, not be available to other development projects not the subject of this solicitation.

A brief overview of the LCP/Regional Planning/Coastal Commission Requirements is set forth in Appendix E. The LCP is available for review at the DBH office or the Los Angeles County Regional Planning Department and is available for purchase from the Department.

2.5 RECENT PRIVATE INVESTMENT IN THE MARINA

There has been a significant amount of recent investment in the redevelopment of leased properties located in the Marina. Since 1990, this has included the following:

- Construction of the Ritz-Carlton Hotel;
- Remodel of existing guest rooms at the Marina Marriott Hotel;
- Remodel of Dolphin Marina apartments and replacement of anchorage facility;
- Construction of 120 new Panay Way apartment units;
- Remodel of the Del Rey Yacht Club facilities;
- Replacement of 150 existing slips at the California Yacht Club;
- Remodel of existing Bay Club apartments;
- Remodel of the Red Onion Restaurant into FantaSea Yacht Charters;
- Remodel of Charley Brown’s Restaurant into Tony P’s Dockside Grill;
- Major Remodel of Reuben’s Restaurant into Harbor House Restaurant;
- Remodel and expansion of Shanghai Red’s Restaurant;
- Remodel of The Boat Yard to add ships chandlery;
- Major Remodel of interiors, exterior and landscaping of Oakwood Apartments.

2.6 PREVIOUS SOLICITATIONS

DBH has previously issued solicitations and received redevelopment proposals for major new projects that collectively total 3,577 apartments, 1,641 hotel rooms and 1,544 boat slips. Of the total 3,577 new apartments, 1,656 units will replace thirty-year-old apartments and the remaining 1,921 units will constitute new additions to existing parcels. The 1,544 new boat slips will replace 2,052 thirty-year-old slips and will utilize the same water area but provide larger slips, and improved boater amenities. Additionally, a limited amount of new retail, office and specialty storage space, restaurant seats and specialty storage has been proposed, together with a new 2+ acre park on the Marina's west side. Approximately 20 proposals are under negotiation. A new project report, detailing the status of projects proposed as a result of recent previous solicitations will be made available upon request.

2.7 MARINA GOVERNANCE

Marina del Rey is situated in an unincorporated portion of Los Angeles County and therefore is under the direct jurisdiction of the County Board of Supervisors (Board). When the Marina was developed, the Board created the Small Craft Harbor Commission ("SCHC") to oversee activities and recommend leases and policy to the County Board of Supervisors. The SCHC consists of five members appointed by the Board. The SCHC recommends actions regarding Marina del Rey to the Board, which has the power to make decisions and direct activity. Issues of project design and compliance with certain LCP policies and standards are overseen by the Marina del Rey Design Control Board (DCB), which also consist of five members appointed by the Board and which recommends actions to the Regional Planning Commission, the Board and the California Coastal Commission , which bodies have the power to make final decisions regarding design and planning issues.

Ongoing administration is the responsibility of DBH, which oversees all County-owned or controlled beaches as well as all land and water area encompassed by Marina del Rey. Within the Marina, the DBH manages and administers over 50 ground leases covering hotel, restaurant, office, residential, retail, harbor, anchorage, parking and concession uses. The Department's scope of activities entails significant asset management responsibility due to the size and complexity of the leasehold and concession interests, which it manages. The County's powers and rights in its governmental capacity are not affected by its leasing to proposers or developers in its proprietary capacity.

Land use and development within the Marina is controlled by both the County of Los Angeles and the California Coastal Commission. Marina del Rey lies within the Local Coastal Plan area, and specific development is governed by a Land Use Plan ("LUP") for the area. The LUP specifies maximum buildout, open space requirements, parking requirements, traffic limitations and addresses other types of entitlement issues.

2.8 MARINA CAPITAL PROJECTS

The County and various other agencies responsible for ongoing administration and improvement of the Marina provide capital improvements to the area's infrastructure. These recent and planned investments provide a significant level of support for new development and include the following:

- The U.S. Army Corps of Engineers has jurisdiction over the construction of shoreline structures and other activities in the water areas of Marina del Rey. Between 1994 and 1996 the Corps and the County spent \$5.5 million to dredge nearly 300,000 cubic yards of material to maintain the Marina's entrances.
- An additional 700,000 cubic yards of waterway dredging began in 1998 and was completed in 2000 (total projected cost of \$7.7 million).
- A \$23.5 million project to reinforce all 758 panels of the Marina seawall was completed in 1999.
- The County is currently in the process of planning to implement Phase I of a Marinawide landscape and lighting redesign of all roadway medians and two entry parcels.
- The County is currently planning for the widening of Admiralty Way from four to five lanes between Via Marina and just west of Bali Way and six lanes from west of Bali Way to Fiji Way
- The County, along with state and regional traffic authorities, has completed preliminary plans to extend the Marina Freeway (State Route 90) from its current terminus at Lincoln Boulevard to a point on Admiralty Way near the public library and the environmental review process for the project has been initiated,
- Planned expansion of Chace Park.

3. PROJECT DESCRIPTION

3.1 ULTIMATE AIM OF THE ERC PROJECT

The ultimate aims of the ERC are the improved integration of the Marina's recreational and commercial areas in furtherance of the AMS goals of creating an exciting, user-friendly attraction to Southern California residents and visitors.

The successful ERC proposal will make effective use of existing transportation infrastructure and available entitlements. By maximizing connections to the surrounding area, the ERC project will provide a quality project environment while serving to implement the LCP and AMS.

The project location is set between Chace Park to the west, the County's launch ramp to the south, and a proposed new hotel complex (Parcel 44U-Hotel) to the north. Across the street from the project site to the east is a shopping center and across the street in the adjacent block to the north are two office buildings with street level office and retail. The offered project site should be oriented to multiple transit modes, including vehicle drop-off and parking, pedestrian circulation, a bicycle path and water taxi and may be integrated with adjacent existing leaseholds, creating a unique water-related urban character that will attract visitors on a regional basis. Due to limitations on the availability of land on the Project site, the County can also make available additional parking of up to 876 spaces for the ERC on nights and weekends in the existing office building garage across Admiralty Way (4640 and 4676 Admiralty Way).

The County has three principal development objectives: (1) recapturing the special place Marina del Rey has had as a leisure and visitor-serving destination; (2) taking advantage of site opportunities to create a combination of waterfront and park exposure unique among retail/visitor serving locations along the Southern California coast (see Appendix G) and (3) enhancing the value of Marina del Rey to the recreational boating population. The proposed ERC site offers an unparalleled and unique opportunity to create a visitor-serving leisure time and dining experience with both waterfront and park views available to most tenants, rather than only those at the edge of the project. Potential enhancements for the boating population include a unique opportunity for both resident and visiting boaters to access an attractive dining and recreational facility that will complement the proposed expanded and enhanced boat storage and maintenance facilities planned for the area.

As stated in Section 3.11 and Section 5, the County will also consider proposals from existing lessees involving lease extensions for nearby and adjacent properties to be included with all or part of the Project Site, provided that the project goals identified above are still achieved.

3.2 ILLUSTRATIVE WATERFRONT DEVELOPMENT PLANS

In recent years, numerous urban waterfront venues have undergone development and redevelopment, providing enhanced public enjoyment of the waterfront via cafés, restaurants, shopping, socializing and recreational opportunities. A series of graphics and photos illustrate a number of contemporary urban waterfront development efforts analogous to the proposed ERC in the book, *The New Waterfront: A Worldwide Urban Success Story*, by Ann Breen and Dick Rigby (New York: McGraw-Hill, 1996), which is referenced here to demonstrate the numerous creative efforts that have resulted in revitalization of the urban waterfront.

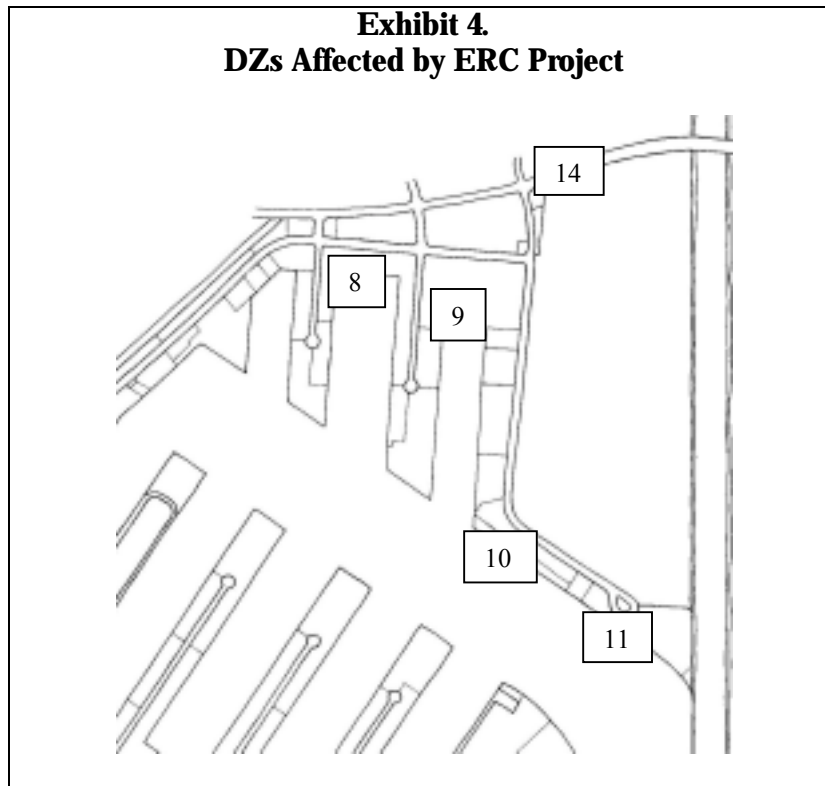
3.3 ESTIMATED PROJECT BUILDOUT – FEASIBILITY

A recent study was undertaken by the County to assess the feasibility of alternative locations and placement of entertainment retail project components and improvements on the ERC RFP site. The County's architectural consultant, in consultation with the Department, has reviewed the proposed Project Site and the spatial feasibility of the County's RFP offering, including locations of related public improvements, potential solutions to the County's additional goal of providing expansion of, integration with and enhanced parking for the adjacent public park and maximization of opportunities for orientation to the waterfront.

Based on study estimates, it appears that a potential buildout area of 175,000 +/- rentable square feet with possible combinations of enclosed and open common areas, a pedestrian promenade, park expansion and required additional parking for the adjacent expanded public park is feasible in a variety of combinations and that a project of this approximate size can be developed to accommodate the replacement and additional parking requirements set out in this RFP, while still providing sufficient space for the entertainment retail concept to be implemented. The site is situated in such a manner that a multi-level structure could enjoy excellent water views and frontage on two sides and a park view on the third side. This combination of views would make the site unique on the coast of Los Angeles County.

3.4 DEVELOPMENT ZONES AFFECTED BY ERC PROJECT

Depending on the proposed development program, the amount of entitlements necessary to complete a proposed project may vary. Five development zones ("DZs") may be impacted by the ERC project. As shown in Exhibit 4, these DZs are 8, 9, 10, 11 and 14.



3.5 SITE DESCRIPTIONS

3.5.1 Site Descriptions of ERC Project Parcels

“ Project Site ”

The County owns or controls the following parcel areas, designated the “ Project Site”. It is anticipated that all or a majority of the project will be constructed in these areas.

- **Parcel 70.** The County proposes to create this new parcel by aggregation of the current Parcel 49M (approximately 109,834 square feet) and a 67,275 square foot area consisting of the northwesterly 89.7 foot lineal width of the current Parcel 49R. Parcel 49M currently serves as the Marina del Rey Visitors Center and County Parking Lot #4 providing 153 (including 7 handicapped) public parking spaces. It is an asphalt paved parking lot serving the general public, visitors to Chace Park, the adjacent public launching ramp and employees of Parcel 50T (Marina Waterside Center) on a non-priority basis. These parking spaces must be replaced if the parcel is utilized in the proposed ERC project. The 21 public parking and 8 boat washdown spaces currently located on the northwesterly portion of Parcel 49M will be fully replaced by the County. In assuring that there is no net loss of either boat/trailer parking or boat wash down facilities, the County intends to provide augmented boater facilities as follows: (a) reconfiguration/restriping of Parcel 49R to ensure that the current number or greater of auto and boat trailer parking remain on site; (b) reconfiguration of the mast-up storage area of Parcel 49S to maintain or increase the current number of mast-up boat storage spaces and (c) provision of at least 3 additional boat wash spaces/facilities in conjunction with a new boat storage facilities being pursued in parallel with this ERC RFP on adjacent County Parcels 52R and GG.
- **Parcel 77W** currently provides 218 dry boat and/or trailer storage spaces with related parking facilities for 81 cars. In addition, a small boat repair/office of 1,160 square feet and a 4,500-pound marine commercial hoist are provided on site. The dry lot portion of this leasehold is approximately 127,277 square feet. The water area encompasses approximately 27,233 square feet and currently provides approximately 92 lineal feet of side tie docks currently used in part by Fantasea Yachts for charter boat operations. These charter boat operations are temporary and based on a permit that will expire in October 2003. The County holds an option to acquire this leasehold interest and will make arrangements for relocating the existing dry-boat or boat storage spaces and associated parking.
- **A portion of the current Parcel 44U leasehold.** The County holds an option to purchase the southwesterly portion of the Parcel 44U leasehold (“Parcel 44U-Part”. The land area of this portion of the leasehold is approximately 80,274 square feet and the water area encompasses approximately 108,900 square feet. The area currently contains a 6,034 square foot office building, a 9,000 square foot restaurant (closed) and approximately 241 parking spaces. This area shares a boundary line with Parcel 47U, which will be re-acquired by the County upon expiration of the current short-term parcel lease extension on or after November 1, 2005 for a planned expansion of Chace Park.

3.5.2 Site Descriptions of Parcels in Vicinity of ERC Project / Adjacent and Nearby Parcel Uses

The material provided below regarding adjacent and nearby parcels is for informational purposes only and none of the below listed parcels are being made available for ERC project use.

- **Parcel EE** is the County owned and operated Chace Park. The park contains approximately 7.19 acres of land area and approximately 70,255 square feet of water area providing 10 boat slips for transient use and a public pump out station. The park also contains a community building, pavilion facilities for outdoor functions, including receptions and weddings and is the site of a popular summer concerts series.

Parcel EE lies within the Development Zone 9, and is currently designated as open space on the land portion and water related uses on the water. The County plans to enlarge and enhance the current Chace Park by the addition of the current Parcels 47U and 48R sites. The additional 1.1 acres of land area and .6 acres of water area, containing 201 boat slips, along with will bring the total size of the Park to 8.3 acres of land and 2.2 acres of water and will provide the additional areas to accommodate its proposed aquatic center, housing expanded youth and public educational programs centering on boating, sailing, water safety and allied uses.

Proposers may wish to consider integration of their plan with the County's plans for an expanded park and public promenade, which may provide continuous pedestrian waterfront access from the project site to and around the expanded park site.

- **Parcel 48R** is currently operated pursuant to a joint use agreement between the County and the Western Los Angeles County Council of the Boy Scouts of America, which operates the Sea Scout Base. The permanently based facility is a three-story structure containing meeting rooms, administrative areas, equipment storage, maintenance areas and restrooms. In addition, there are approximately 1,000 lineal feet of dock area. This parcel contains approximately 25,000 square feet of water area. Parcel 48R lies within Development Zone 9 and is currently designated as water related uses.

The County is in process of consolidating into this and other proposed Chace Park facilities various Marina-wide programs, including youth aquatic programs, rowing and other aquatic/boating programs.

- **Parcel 47U** is currently under short-term lease to S.M.Y.C. Marina which operates the Santa Monica Windjammers Yacht Club. The short-term lease extension recently granted to the yacht club allows the County to cancel the lease upon 6 months' notice at any time after July 31, 2005. The facility has 200 boat slips and a 10,357 square foot office building. This leasehold contains approximately 83,600 square feet of dry lot area and approximately 161,523 square feet of wet lot area.

The County is currently in negotiation with the lessee to relocate the yacht club elsewhere in the Marina. The landside portion of the leasehold is proposed for expansion of Chace Park and our proposed aquatic center. The 201slips on the leasehold will continue to be made available for recreational boating.

Parcel 47U lies within Development Zone 9 and is designated marine commercial on the landside portion of the leasehold and water related uses on the water areas of the leasehold.

- **Parcel 44U-Hotel** is portion of Parcel 44U, which will remain under lease once the County exercises its option to acquire the southwesterly portion of the parcel for inclusion in the Project Site. The County is currently under negotiation with the lessee for long-term extension and development of a 382-room hotel. This portion of the leasehold is currently used for boat storage, boat brokerage/sales, marine repair, yacht club operations, office and boat slips. This site contains approximately 337,072 square feet of dry lot and approximately 164,624 square feet of wet lot.

Parcel 44U-Hotel lies within Development Zone 8 and is currently designated for visitor-serving/convenience commercial, boat storage and marine commercial on the dry lot portion of the leasehold and water related uses on the wet lot. The proposed hotel development will require that the California Coastal Commission approve a Local Coastal Plan amendment. The County is in support of this development and will be a co-applicant with the lessee for such approvals. All current marine commercial uses will be either retained on site or replaced in the vicinity.

- **Parcel 52R** is currently a public parking lot providing 240 (including 7 handicapped) spaces and 228 feet of side tie docks. The site contains approximately 88,687 square feet of dry lot area and approximately 45,300 square feet of wet lot area. There is a month-to-month license agreement with the lessee of Parcel 56S (Fisherman's Village) for use by customers of the commercial fishing boats who load passengers from the docks on Parcel 52R.

Parcel 52R lies within Development Zone 9 and is designated public facility. The County currently intends utilization of this parcel, in conjunction with Parcel GG, as further described below, for boat storage facilities. Current Parcel 52R public parking is proposed to be replaced and incorporated into the development plans for Parcels 55/56S/W.

- **Parcel GG** is currently used by the County's Department of Beaches and Harbors for administrative offices. The site contains approximately 45,909 square feet of dry lot area and approximately 5,000 square feet of wet lot area.

Parcel GG lies within Development Zone 9 and is designated public facility as to the landside area of the leasehold and water related uses as to the water portion of the leasehold. The County intends to relocate its administrative offices located on the parcel and to issue a separate Request for Proposal for the development of boat storage facilities on the site along with the adjacent Parcel 52R.

- **Parcels 55, 56S and W.** Parcel 56S (Fisherman's Village) currently contains approximately 32,000 square feet of restaurant and specialty retail space. The County has preliminarily approved a plan to combine Parcels 55/56S and W into a single leasehold which is projected to contain approximately 48,000 square feet of specialty retail and restaurant space along with expanded marine commercial uses, which may include a terminal for marine charter boat and Catalina/Coast ferry boat usage with accompanying parking. The proposed development is envisioned to be complementary rather than competitive to the ERC project due both to the distance from the ERC site and the specialized uses projected for the reconfigured project.

3.6 POSSIBLE MODIFICATION OF EXISTING PARCEL BOUNDARIES

In conjunction with requirements set forth in the LCP, potential future development in the vicinity of the Marina may require the planning and construction of improvements to particular intersections and various roadway projects designed to improve traffic circulation. In particular, two specific projects may potentially impinge on the leasehold interests of lessees on the Marina's eastside: (1) the widening of Admiralty Way, which may include the reconfiguration of the Admiralty Way/Via Marina intersection; and (2) the extension of Route 90 to Admiralty Way. The need for these projects is described in the *Marina del Rey Land Use Plan*, Chapter 11, "Circulation," and the *Marina del Rey Local Implementation Program*, Appendix G, "Transportation Improvement Program." These projects have not yet been fully defined or scheduled, however, Proposers are advised to seek the advice of the County's Department of Public Works in regard to any proposed improvements that may be proposed alongside current roadways, intersections or parcel boundaries.

3.7 SITE UTILIZATION

The primary land use regulations for Marina del Rey are contained in the LCP, which is comprised of the *Marina del Rey Land Use Plan* and the *Marina del Rey Local Implementation Program*. In 1996, the California Coastal Commission and the County of Los Angeles approved a comprehensive amendment to the LCP. Currently, the LCP permits principal uses on the subject ERC Parcels shown in Exhibit 5.

Exhibit 5. Existing Principal Permitted Uses

<i>Parcel</i>	<i>Land Use Designation</i>
70	Parking, Boat Storage
77W	Boat Storage, Water
44U-Part	Visitor-serving Commercial , Water

For all parcels offered as part of the Project Site, an amendment of existing land use designations to add the designation "Waterfront Overly Zone" ("WOZ") will be required. The County intends to support this development and will be a co-applicant with the selected developer for such approvals.

3.8 SUGGESTED GUIDING PRINCIPLES FOR ERC PROJECT DESIGN

Based on the information previously described, including the LCP and the AMS, and a strong desire to create the best possible project, the following principles are suggested for the ERC project design:

- Vision consistent with AMS and LCP
- Water-oriented, visitor-serving uses
- Careful blend of well recognized tenants
- People-gathering milieu
- Emphasis on physical environmental quality
- Secure and comfortable spaces indoors and out

- Facility and operation evoke a sense of permanence and value
- Integration with enhanced adjacent park
- Facilities that encourage project use by recreational boaters

In addition to these examples of guiding principles, respondents are advised to review Section 7, which includes a brief explanation of the criteria on which proposals will be judged.

3.9 PROJECT ENTITLEMENTS

3.9.1 Availability of project entitlements and anticipated LCP amendment

It is estimated that by aggregating trip allocations from adjacent DZs, the ERC project may be able to obtain entitlements for 175,000 square feet of visitor-serving commercial space. As shown below in Exhibit 8, sufficient additional available entitlements are not present in the two DZs in which the project will be situated. Instead, entitlements are distributed across five adjacent DZs. Therefore, despite the availability of sufficient additional entitlements to implement the ERC project, it will still be necessary for the selected developer to obtain an LCP amendment. The purpose of the LCP amendment is to aggregate such entitlements to the appropriate DZs and adjust the land use designations on the individual parcels to provide for development of the ERC. The County intends to support the proposed amendment and will be a co-applicant with the selected developer for such approvals.

3.9.2 Alternative entitlement availability scenarios

As shown in Exhibit 6 below, the maximum entitlements available to the ERC project consist of approximately 175,000 square feet of existing available entitlements aggregated from Development Zones 8, 9, 10, 11 and 14. As the actual mix of retail and restaurant space may vary with individual project plans, the table represents a simplified representation of available entitlements and proposers are advised to consult the LCP for more precise information on available entitlements.

Exhibit 6. Maximum Potential Project Size

<i>Development Zone</i>	<i>Retail Entitlements Available (sq. ft.)</i>
8	103,100
9	27,300
10	23,900
11	18,700
14	2,000
<i>Total</i>	<i>175,000</i>

3.9.3 Land Use Designation and Area of ERC Project Parcels

As shown in Exhibit 7 below, depending on whether the respondent elects to place the proposed ERC project on one or more parcels, this choice will determine the amount of available area on which the ERC project will be situated.

Exhibit 7.
Existing Land Use Designation and Area of ERC Project Parcels

<i>Parcel</i>	<i>Land Use Designation</i>	<i>Land Area (sq.ft.)</i>	<i>Water Area (sq.ft.)</i>	<i>Total Area (sq.ft.)</i>
70	Parking, Boat Storage	177,109	-0-	177,109
77W	Boat Storage, Water	127,277	27,233	154,510
44U-Part	Visitor-serving Commercial, Water	80,274	108,900	189,174

Each of the three ERC project parcels will require a change in land use designation necessary to accommodate placement of the ERC project. These will be part of the application for amendment to the LCP needed for the ERC and will be subject to approval by the Regional Planning Commission, the Board and the California Coastal Commission.

For all parcels offered as part of the Project Site, an amendment of existing land use designations to add the designation “Waterfront Overlay Zone” (“WOZ”) will be required.

3.9.4 Transfer of Development Entitlements Across DZ Lines

In order to achieve the square footages as set forth above, it will be necessary to transfer entitlements across development zones. This requested transfer will be part of the anticipated application for amendment to the LCP.

3.9.5 Potential Content of LCP Amendment

Due to the necessity, as above recounted, of certain amendments to the LCP and the requirements for regulatory approvals by the Marina Design Control Board, the County Department of Regional Planning, and the California Coastal Commission, as well as recommendation by the SCHC and approval of the Board of Supervisors, respondents are advised to consult with the Department of Regional Planning to assess the complexity, scope and length of time it may take to achieve the approvals needed to complete the ERC Project. Respondents should consider a time estimate in accordance with requirements of the various regulatory bodies including the DCB, SCHC, Board and Coastal Commission.

3.9.6 Entitlement Matters Relating to Each Parcel

Parcel 70

Development plans that eliminate existing parking spaces will need to provide for replacement of each of those parking spaces elsewhere in the vicinity in accordance with the LCP. In order to accommodate the proposed ERC uses, the current zoning for the parcels will have to be changed through an LCP Amendment to add the designation “Waterfront Overlay Zone.”

Parcel 77W

Development on Parcel 77W that displaces any existing marine commercial facilities will be required to provide for relocation of those facilities in the vicinity. The County intends to

relocate such facilities to Parcels 52R and GG. The parcel water area may be used by the ERC for access to the project by private or public watercraft. Access by water allows for both water taxi and private boat docking. The County considers this an important feature of the project since, when utilized in connection with the transient docks at Chace Park, this feature has the potential to increase the attractiveness of the project to both public users and regulatory agencies charged with the responsibility of encouraging increased boater access.

Parcel 44U-Part

Adjacent to Parcel 44U-Part are 164 boat slips on approximately 109,000 square feet of water area. Current boat slips must be retained on the water area portion of the leasehold. The successful respondent will lease the land area of Parcel 44U-Part and may, at its election, propose to include the adjacent boat slips as part of the ERC development. If not included as part of the ERC development proposal, the successful proposer need not be involved in the management and operation of the slips along the water frontage and this water area and the slips will be retained by the County and will be operated in connection with Chace Park. If the County retains control of the boat the ERC development must provide for ingress and egress to the boat slips.

3.9.7 Height Limits and View Corridor Requirements on ERC Project Parcels

As indicated below in Exhibit 8, each Marina parcel is subject to maximum height limits and required view corridor requirements. As set forth more fully in the LCP, certain height limit increases may be available in developments that are able to demonstrate view corridors in excess of minimum requirements. Proposers are advised to consult the LCP for detailed provisions and requirements.

Exhibit 8. Height Limits/View Corridors on ERC Parcels

<i>Parcel</i>	<i>Height Limit – Base Case (20 percent view corridor)</i>	<i>View Corridor Bonus Available?</i>	<i>Height Limit – Maximum Case (40 percent view corridor)</i>
Parcel 70	45 feet	No	N/A
Parcel 77W	45 feet	No	N/A
Parcel 44U-Part	45 feet	Yes	75 feet

3.9.8 Promenade and Bicycle Path Requirements on ERC Project Parcels

The LCP requires that a 28-foot wide pedestrian promenade be provided and maintained along the bulkhead. More specific design recommendations can be found in draft design guidelines, “The Marina Walk,” which is contained in the information packet available for purchase from DBH. In addition, respondents are advised to consult with the Department of Public Works for requirements related to the existing County bicycle path now located on a portion of Parcel 70.

3.10 POTENTIAL AVAILABILITY OF PUBLIC FINANCING

While some form of public-private partnership is anticipated, the County will not consider proposals that require public financial participation for any portion of the project parking except to the extent that proposed project minimum rent creates a surplus, without consideration of sales tax generation to the County, over debt service for any public financing of parking facilities. Respondents should clearly specify any projected contingency, need or desire for public financing related to submitted proposals.

3.11 PROPOSALS THAT INCLUDE PARCELS REQUIRING LEASE EXTENSIONS

In cases where a respondent chooses to submit a proposal that includes one or more existing leaseholds, additional requirements will apply. These requirements are covered in detail in Section 5.

3.12 CONFIDENTIALITY

Details of the proposals submitted in response to this RFP will remain confidential and will not be released to others prior to the Director's recommendations being presented to the Small Craft Harbor Commission. To preserve confidentiality, some information may be marked "CONFIDENTIAL" or "PROPRIETARY" and the County will recognize such designation to the extent permitted under the Public Records Act. The County will recognize as confidential only those elements in each proposal which are trade secrets as defined in the law of California and which are clearly marked as "TRADE SECRET", "CONFIDENTIAL", or "PROPRIETARY" and if not so marked, the County shall not in any way be liable or responsible for the disclosure of any such records, nor shall the County be liable or responsible if disclosure is required by the California Public Records Act or by an order of any court of competent jurisdiction (see the Notice to Proposers Regarding the Public Records Act" set forth fully in Appendix D).

4. OVERVIEW OF TERMS

The County will only accept proposals for a long-term, unsubordinated ground lease. Following are terms and conditions, which should be incorporated in the proposals.

4.1 RENT

Base minimum rent shall be generally equivalent to 75% of projected rent generated from percentage rent. Percentage rents shall be based on gross revenue per a schedule established in each ground lease, subject to adjustment over the term of the lease. In the following Exhibit 9, examples of percentage rents by use category are presented.

Exhibit 9.
Examples of Percentage Rents by Use Category for Properties in Marina del Rey

<i>Use Category</i>	<i>Range</i>		<i>Prevailing Rate</i>
	<i>Low</i>	<i>High</i>	
Hotel/Motel Rooms	7.5%	8.0%	7.5%
Restaurant (Average of Food & Beverage)	3.0%	5.0%	3.5%
Apartment	7.5%	12.5%	10.5%
Slips	20.0%	33.0%	25.0%
Retail	1.0%	2.0%	2.0%
Office	7.5%	12.5%	11.0%
Car Rental/Service Enterprises Commissions	5.0%	10.0%	5.0%
Vending/Telephone Commissions	25.0%	25.0%	25.0%
Cocktail Lounge	10.0%	10.0%	10.0%
Commissions - Service Enterprises	20.0%	20.0%	20.0%
Entertainment Admissions	5.0%	5.0%	5.0%
Valet Parking Fees	7.5%	7.5%	7.5%
Parking Fees	20.0%	20.0%	20.0%
Miscellaneous	1.0%	7.0%	5.0%

4.2 ADDITIONAL LEASE TERMS

The County will require that the following additional terms, among others, be incorporated into any ground lease:

- 4.2.1 Participation by the County in the proceeds from the transfer/sale of the leasehold interest based upon the higher of: (a) a fixed percentage of the sale price, or (b) a fixed percentage of net profit from the sale;
- 4.2.2 Participation by the County in proceeds from the refinancing of the leasehold interest based upon a fixed percentage of refinance proceeds not reinvested in the leasehold or used to retire existing financing;
- 4.2.3 Late payment charges for any type of rent or payment due to the County including a fixed percentage of the amount due plus interest;
- 4.2.4 Provisions for County assignment consent and recapture rights;
- 4.2.5 Periodic adjustment of minimum and percentage rents to market levels;
- 4.2.6 Disclosure of beneficial ownership;
- 4.2.7 Maintenance standards and liquidated damages for failure to adhere to these standards;
- 4.2.8 General liability insurance coverage and periodic insurance requirement readjustment;
- 4.2.9 Security deposit;
- 4.2.10 Promenade required by LCP (waterfront parcels);
- 4.2.11 Designated dockmaster required for anchorage parcels; and
- 4.2.12 Fund for removal of improvements at termination of lease.

4.3 PROPOSER'S RESPONSIBILITIES

The selected development team will be responsible for payment of all costs and expenses in connection with the project including, but not limited to: costs associated with securing necessary entitlements and environmental documentation; ground clearing, site preparation and construction of new buildings; maintenance; underground utilities; insurance and taxes; permits and inspection fees; costs and mitigation fees associated with the development; and architectural, environmental, engineering and other related work. Developer will be responsible for all brokerage fees, if any. The County will not pay any broker's fees or finder's fees.

The selected developer or development team will be required to:

- Select the multi-disciplinary team;
- Obtain all necessary entitlements and permits;
- Coordinate, manage and facilitate the review of the project by the Regional Planning Commission, the County's Board of Supervisors, the California Coastal Commission and the local community, as well as assist DBH in responding to community issues or concerns that may arise;
- Manage the work effort of the entire development team, the architect, the general contractor, and construction manager (if any) during construction;
- Subsequent to completion, manage the daily operations of the commercial facilities in a professional manner to maintain high standards of operational quality, including contractual agreements with experienced operators if necessary to do so; and
- Market the development.

In summary, the selected development team will be required to address the multitude of issues and complete the multitude of tasks required to develop and operate the proposed development.

4.4 PROPERTY CONDITION

Environmental investigations, tests, reports or remediation through various governmental agencies may be required for redevelopment of the ERC Parcels. A due diligence period, if necessary, will be provided during negotiations between the County and the selected developer. Rights of review and approval of the results of such investigations, if required, will be given to the selected developer. If the selected developer, acting in good faith, disapproves the results of such investigation, negotiations with the County will terminate. All costs of any such investigation will be borne by the selected developer. The responsibility for clean-up of contamination or toxic materials will rest with the selected developer and will not be the responsibility of the County.

4.5 ENTITLEMENT ISSUES

4.5.1 Overview

A major element in the application and development process will be treatment of entitlement issues since modification of existing entitlements through an LCP amendment will be required. A brief overview of LCP/Regional Planning/Coastal Commission Requirements is set forth in Appendix E.

The March 1996 LCP Amendment for Marina del Rey marked several changes in the land use regulation of the Marina. Broadly speaking, these changes addressed four critical issues. They are as follows:

- (1) Height limitation zones were established to limit development on individual parcels;

- (2) View corridor requirements were established so that views of the water would be preserved;
- (3) Entitlements for additional development were, with only a few exceptions, allocated among a series of 12 Development Zones (DZs) rather than assigned to individual parcels; and,
- (4) Aggregate development in the Marina as well as development within each DZ was regulated by the allocation of p.m. peak hour traffic trips with a total of 2,750 such traffic trips being allocated to all additional development within the Marina. The allocation of trips and traffic planning was the primary factor in using DZs as a device for allocating additional entitlements.

Respondents should be aware that respondents may be subject to a wide range of conditions not contemplated in this RFP in connection with obtaining entitlements for a proposed project. As circumstances dictate, DBH will participate in LCP, Regional Planning, Board of Supervisors, Coastal Commission and other necessary regulatory proceedings, however, while the County is a necessary co-applicant, sponsoring and obtaining LCP amendments and/or other regulatory approvals is the sole responsibility of the successful proposer. The County's proprietary assistance is without prejudice to full exercise of its governmental regulatory powers in its review of any required land use entitlements.

4.5.2 Prospective Entitlement Processing

All proposals will require review by the DCB for design features, as well as issuance of a Coastal Development Permit. Depending on the specific nature of the proposal, certain discretionary land use entitlements, such as a Conditional Use Permit, may be required. Use of the parcels described herein as the Project Site will require change in the LCP and, thus, an LCP amendment. Prior discussions with representatives of the Los Angeles County Regional Planning Department familiar with the LCP indicate that projects requiring the interchange or movement of entitlements from adjacent DZs may not present the same challenge in achieving approvals as may be required for more extensive changes. Land use changes to visitor-serving uses, which are likely the emphasis of any changes involved in the ERC project, are likely to be viewed favorably in light of Coastal Commission policies so long as any higher priority (e.g. boating, public parking, etc.) uses are protected or relocated. The process by which such amendments would be processed is outlined below and involves approval by both the County of Los Angeles and the California Coastal Commission.

4.5.3 Outline of General Entitlement Process

- Review by DBH Design Control Board
- Prepare Application(s) for Entitlements including Coastal Development Permit
- Submit to Los Angeles County Regional Planning Department
- Environmental Review Process
- Public Hearings at Los Angeles County Regional Planning Commission
- Planning Commission Decision
- Additional Public Hearing/Board of Supervisors Decision
- Additional Public Hearing/Coastal Commission Decision
- Note: Any proposed improvements waterside of the existing seawall are under the original jurisdiction of the California Coastal Commission.

4.5.4 County Role in Seeking Modifications to Zoning or LCP

Aggregation of the entitlements as contemplated for the Project Site will require an LCP amendment and selected applicants will have the responsibility for obtaining this and any other needed amendments. The County, in issuing this RFP, makes no representations that such modifications will in fact be obtained or that, in obtaining them, the developer may not be subject to a wide range of conditions and requirements not described in the LCP.

DBH will make available its best understanding of the origins of the policies embodied in the current LCP and zoning and prior interpretations of these policies in connection with earlier entitlement processing, and will, to the extent that DBH does not see any conflict with its long term asset management growth objectives, consent to and support the required applications in the entitlement process. In addition, DBH will identify key staff members with whom to consult at both the California Coastal Commission and the Los Angeles County Regional Planning Department.

Any assistance provided by the County in its proprietary capacity shall be without prejudice to exercising its powers and rights in its governmental capacity in the consideration of any land use entitlements required to implement a selected proposal.

4.6 APPLICATION PROCESS

4.6.1 Detailed Response Information

Proposers must submit by 5:00 p.m. Pacific Time on Monday, June 30, 2003, in the form set forth in Section 6.2, "Proposal Package." The proposal should be sent to the following address:

County of Los Angeles Department of Beaches and Harbors
Attn: Alexander E. Kalamaros, CCIM
13837 Fiji Way
Marina del Rey, CA 90292

4.6.2 Response Schedule

Release of ERC RFP	April 2, 2003
Developer's Orientation (10:00 AM at Burton W. Chace Park Community Building, Marina del Rey)	April 30, 2003
Proposals Due	June 30, 2003
County schedules interviews	To be determined
Evaluation Committee issues recommendation to Director	To be determined
Director recommends selection of entity with which to negotiate exclusively	To be determined
Small Craft Harbor Commission reviews Director's recommendation	To be determined
Board of Supervisors selects entity with which to negotiate exclusively	To be determined

5. COORDINATION WITH LEASE EXTENSION PROPOSALS

5.1 DEFINITION OF A “COMBINED PROJECT”

Certain proposals may include plans for combining ERC Parcels and existing leaseholds into a single development project. Such a project is termed a “Combined Project.” A Combined Project is a project that aggregates one or more ERC RFP parcels together with one or more other parcels with existing leases into a single, unified development project. In order to clearly distinguish proposals that contain a Combined Project, all respondents submitting a Combined Project must label any response document with the subtitle “COMBINED PROJECT.”

5.2 SINGLE, UNIFIED PROPOSALS MUST INCLUDE BOTH ERC RFP AND RELATED LEASE EXTENSION DATA

Respondents submitting a Combined Project are not required to submit separate ERC RFP and lease extension proposals for the adjacent leasehold parcel(s) they propose to include with the ERC parcels and should file a single, unified proposal.

- While respondents should submit a single, unified proposal for their Combined Project and thereby eliminate duplicating information that overlaps in the ERC RFP and lease extension proposal, respondents must assure that all necessary project and financial data is included. Combined proposals should also include the following information regarding the related lease(s) that are proposed to be part of the ERC project:
- Related lease information:
 - a) Identification of leased Marina properties proposed to be included
 - b) Proposed ownership and operation of resulting extended lease
 - c) Lease extension terms proposed
 - d) Summary of key elements in associated response to ERC RFP

5.3 RESPONSIBILITY FOR LEASE EXTENSION DOCUMENTATION

While an effort has been made in this document to identify the major technical elements needed in the response to this RFP, all combined project/lease extension respondents should read all applicable documents in their entirety and are responsible for meeting all requirements set forth in the County Lease Extension Policy, which is included as an attachment to this ERC RFP.

5.4 TIMING OF LEASE EXTENSION EXPIRATION

Lease extensions and associated new leases must have a common expiration date and no lease extension can result in a lease term for such parcels that exceeds 99 years from the original lease commencement date.

5.5 TREATMENT OF RETAINED LEASEHOLD IMPROVEMENTS

As a general rule, the County expects full redevelopment of all leaseholds for which lease extensions are granted or development proposals are awarded and neither existing land nor water improvements are to be retained. All existing improvements, whether situated on parcels subject to this RFP or on adjacent or nearby parcels as a part of a Combined Project response to this RFP, should be completely replaced with new or fully reconstructed improvements.

However, if any existing structures are to remain, the respondent must provide the same detailed information for each class of retained improvements as required in Section 6.5. As described in that section, any proposal to retain leasehold improvements must explain how the respondent plans to assure the County that these structures will remain competitive for the full duration of the lease term.

6. ERC RFP REQUIREMENTS

6.1 DEVELOPER'S ORIENTATION CONFERENCE

Prior to submitting a proposal in response to this RFP, interested potential respondents should attend the Developer's Orientation Conference. At this meeting, DBH staff will provide an overview of this RFP. DBH's economic and legal consultants, as well as representatives from the Regional Planning Department and the Department of Public Works (Building and Safety Division), will be invited to answer questions regarding this RFP.

Notwithstanding a recommendation of a department, agency, individual, or other entity, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine the proposals, if any, which best serve the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision to award, or not award, a new lease or lease extension.

6.2 PROPOSAL PACKAGE

Proposers must submit 10 copies, in 8.5" x 11" three-ring loose leaf binders with up to five graphic exhibits in 11" x 17" format, folded to fit within the 8.5" x 11" three-ring format. **All pages must be numbered.** The sealed envelope must state "ERC RFP Submittal." Proposals submitted by electronic mail or facsimile will not be accepted.

Proposals are due by 5:00 p.m. Pacific Time on Monday, June 30, 2003. DBH reserves the right to request additional information during the ERC RFP review period.

6.3 SUBMITTAL OF ALTERNATE PROPOSALS

Respondents may desire that alternative RFP proposals on a given parcel(s) receive consideration. The County will consider such, provided the respondent's alternate proposal is submitted in a separate document and is labeled with the subtitle "ALTERNATE PROPOSAL." Alternate Proposals:

- Must be completely self contained;
- May not include references to any outside documents; and
- Must be turned in on the same submission schedule as all other proposals.

6.4 CONDITIONS AND LIMITATIONS

This RFP does not represent an offer or commitment by the County of Los Angeles to enter into an agreement with a proposer or to pay any costs incurred in the preparation of a response to this request. The responses and any information made as part of the responses will not be returned to proposers. This RFP and the selected proposer's response to this RFP, may, by reference, become a part of any formal agreement between the proposer and the County resulting from this solicitation.

The proposer shall not collude in any manner or engage in any practices with any other proposer(s) that may restrict or eliminate competition or otherwise restrain trade. Violation of this instruction will cause the proposer's submittal to be rejected by the County. The prohibition is not intended to preclude joint ventures or subcontracts that are identified in the proposal.

All proposals submitted must be the original work product of the proposer. The copying, paraphrasing, or otherwise using of substantial portions of the work product of another proposer is not permitted. Failure to adhere to this instruction will cause the proposal to be rejected.

The County has sole discretion and reserves the right to reject any and all proposals received with respect to this Request for Proposals and to cancel the Request for Proposals at any time prior to entering into a formal lease agreement. The County shall not be responsible for any costs incurred by a proposer in considering, investigating or preparing a proposal in connection with this solicitation.

The County reserves the right to request clarification of the RFP or additional data without changing the terms of the RFP.

6.5 DEVELOPMENT COMPONENTS

Please identify each of the major components of the proposed development, *eg* restaurants, retail space, etc. Proposals must include detailed, parallel information for each of these components where indicated in Section 6.6 below.

6.6 OVERVIEW OF CONTENTS OF PROPOSAL

All proposals will have nine required sections as shown below and in the order shown below:

SECTION 1 - DEVELOPMENT CONCEPT

a) Development Strategy

Please submit a brief (three pages maximum) narrative description of your vision and approach to the development of the proposed entertainment/retail center. The strategy should identify your target markets and planned competitive position as well as any key anchor, cinema or restaurant tenants. A detailed design or development plan is not required and will not be accepted at this stage, but more detailed design/development plans may be requested may be requested if, in the opinion of the Evaluation Committee (see Section 7.1), two or more proposers are deemed worthy of further consideration without the clear emergence of a single most qualified proposer (see Section 7.3 below).

b) Development Concept

Prepare a preliminary building program and corresponding conceptual illustrative development plan for the entertainment/retail center. The County is not requiring, at this time, detailed and precise master plans for the site. Development teams should only submit an initial description of the proposed building uses and the estimated square footage for each type of building use. The development concept plan should include building footprints or building massing. Submittal of one or a maximum of two preliminary drawings illustrating the candidate's proposed theme, character, scale and vision for the entertainment/retail center are optional.

Specifically, the County expects each proposal to contain the following:

1. An illustrative site plan;
2. A massing diagram
3. An illustration of the planned project
4. Identification of key anchor tenants and their expression of interest in the project

SECTION 2 - PROJECT TIMETABLE AND CRITICAL ENTITLEMENT ISSUES

The proposal should include a general, but complete development timetable showing the various planning and entitlement steps, construction duration, estimated starting period and any future phases contemplated. As to acquiring the entitlements necessary for execution of the proposed development plan, please provide a narrative description of the issues the proposer has identified as critical. Also, please be sure that the timetable of approximate dates for obtaining these entitlements is realistic – in requesting both the narrative and timetable, the goal of the County is to assess the proposer's understanding of the entitlement process rather than solicit an impossibly tight schedule for this process.

SECTION 3 - COST ESTIMATE

For each component of the proposed development, please include an estimate of development costs and a consolidated cost estimate.

SECTION 4 - FINANCIAL PROPOSAL AND PROJECTIONS

Please provide a description of proposed lease terms including a suggested minimum and percentage rents for the entire project and the basis for periodic adjustments of minimum rents and percentage rents. Also provide preliminary development pro formas and estimates of the operating and projected County revenues for the first 10 years of project operation. Please submit this information in the format specified in Appendix F, which is also available on disk. Developers may use Microsoft Excel or a similar program to model their financial projections. The County appreciates receiving both financial projections and cost estimates on disk in addition to the hard copy format.

In the absence of a final design, both cost estimates and financial projections will be considered as illustrative rather than definitive. The County is, in particular, seeking a clear understanding of: 1) the extent to which the proposer sees issues that may increase costs; 2) whether the proposer agrees to the County rent and lease terms as outlined in Section 4; 3) the proposers defined standards used to determine whether it is earning an acceptable return; and 4) the cost and financial assumptions for any proposed publicly financed parking.

SECTION 5 - ADDITIONAL REQUIREMENTS FOR COMBINED PROPOSALS WHICH INCLUDE LEASE EXTENSIONS

If applicable, please provide the following information for proposals that include development on parcels for which a lease extension is requested.

- Proposed extension fee, which should be calculated in accordance with current County policy. For further explanation, please refer to Item 4 of the document

titled POLICY STATEMENT: Leasehold Term Extension - Marina del Rey, incorporated as Appendix A.

- Detailed plan for any existing structures that are to remain or are to be rehabilitated, including assurances that the leasehold will maintain a strong competitive position in the market for these existing or rehabilitated facilities for the duration of any extended lease.
- Lease extensions and associated new leases must have a common expiration date.
- Rent structure on retained or reconstructed improvements, if any.
- Evidence of site control: if proposing entity is in any way different from current lessee, even if lessee is a partial owner, please provide a copy of any contractual arrangement as well as the amount and character of consideration to current lessee.
- County Recovery of Lease Extension Costs

The County will recover its processing costs and costs of any required appraisal in accordance with the provisions of AMS and its adopted lease extension policies. For further explanation, please refer to the document titled Process for Managing Lease Extension Proposals, dated 3/21/95 and incorporated as Appendix B.

SECTION 6 - DEVELOPMENT TEAM INFORMATION, PAST EXPERIENCE (FOR EACH COMPONENT) AND FINANCIAL INFORMATION

a) Identification of Development Team

As more specifically described below, the name, address, and principal contact for the development team should be provided. Should your proposal include a joint venture, similar information should be submitted for other key members of your development team, including financial partners and other team members. Please include an organizational chart reflecting team member roles and responsibilities. Resumes of key team members should also be included.

Specifically, your submission should include the following information:

b) Lead Development Team

Provide an overview of your entity including the number of years you have been in business, the entity's development focus, parent company relationship, the number of professionals and location offices in the Los Angeles region for the County's project, and the identity of key members of the lead development firm.

In addition, you should illustrate the organization of the lead development entity for your proposed team and provide resumes of managing officer or member partner and project manager for the County's project and a description of the role of the top three individuals of your entity.

Describe in detail the level of commitment the proposed executive in charge and project manager for the County's project. It is imperative that all respondents identify the executive in charge and project manager for this project and specify the duration of the development and predevelopment phases.

c) The Proposed Multi-Disciplinary Team

The County is not requiring the lead developer to formalize its relationship with each team member, but to provide one to three alternatives that your entity is likely to contract with if selected. This includes at a minimum:

- Architect
- Construction Company
- Facility Operator
- Property Manager

Optional team members may include:

- Civil Engineer
- Traffic Planner
- Landscape Architect
- Financial Consultant

In addition, you should provide a chart indicating the overall team and describe in detail the major responsibilities of the construction contractor and the operator as well as your intended working and/or financial relationship with the contractor and operator. Any relevant brochures describing your company and its operation, history and projects as well as and other relevant information for the key members of your team should be included in your submission.

d) Experience with developments similar to the project proposed

Please indicate the following information for three recent projects with which the lead developer has been involved:

- Project name;
- Location;
- Size and configuration (e.g., number of units, meeting and banquet facilities and associated retail/restaurant space, etc.);
- Approximate cost;
- Date opened;
- Approximate current market value, occupancy rate and average daily room rate (monthly rental for slips);
- Ownership pattern (e.g., build and hold; build and sell; develop only; etc.);

- Financing structure;
- Current project information including ownership, occupancy and financial performance history; and
- References for private and public sector parties involved in the project, including phone numbers.

To the extent that the lead developer expects the County to rely on the credentials of any certain team member other than the prime developer, please provide the information requested above for those team members. The specific project references should preferably be ones on which the team member worked with the lead developer. The proposer may wish to mark some information, such as financial statements, as “CONFIDENTIAL” or “PROPRIETARY.” As such, it will be treated by the County in accordance with the California Public Records Act, as detailed in Appendix D.

SECTION 7 - STATEMENT OF FINANCIAL QUALIFICATIONS AND RESPONSIBILITY OF DEVELOPER

Please indicate the following information:

- Name, address, telephone and fax numbers of the responsible party;
- Is the developer a subsidiary of, or affiliated with, any other corporation, corporations, partnerships or firms? If so, please specify. If the developer is a subsidiary, please indicate the extent to which the parent entity will guarantee performance by the subsidiary;
- Names and addresses of three financial references, including a primary bank;
- Has the developer entity or its officers, principal members, shareholders or investors, or any of its parent, subsidiary or affiliated entities or other interested parties been adjudged bankrupt, either voluntarily or involuntarily, within the past ten years? If so, explain; and
- Is there pending litigation against the developer entity or its officers, principal members, shareholders or investors, or any parent, subsidiary or affiliated entities or other interested parties other than minor personal injury suits involving claims under \$250,000? If so, explain.
- Financial statements for the previous three years for the proposed entity with whom the County will contract or for the entity serving as general partner or managing member of any special purpose entity envisioned as the contracting party.

SECTION 8 - DISCLOSURE OF BENEFICIAL OWNERSHIP

The developer must indicate all beneficial ownership of 5% or more of the proposed lessee entity; corporate names will not suffice.

SECTION 9 - OTHER REQUIRED FORMS

Proposer must complete a Financial Information Release Authorization form, a Firm/Organization Information form and a CBE Sanctions form as provided in Appendix C.

7. THE RFP REVIEW PROCESS

7.1 EVALUATION COMMITTEE

The evaluation of the proposal responses will be conducted by an “Evaluation Committee” selected by the Director of the Department of Beaches and Harbors. The Evaluation Committee may include DBH staff members, representatives of other County agencies and departments and/or non-County personnel determined by the County to have demonstrated expertise in pertinent development fields.

The Evaluation Committee will rank and recommend proposals to the Director who will, in turn, make his recommendations to the Small Craft Harbor Commission (“SCHC”) and to the Board of Supervisors. Neither the Director, nor the SCHC, nor the Board are bound by the recommendations of the Evaluation Committee. The Los Angeles County Board of Supervisors has the ultimate authority and responsibility for the selection of a developer, if any, for proposed development on the ERC Parcels and adjacent parcels.

7.2 EVALUATION CRITERIA

The County’s primary evaluation criteria are: (1) revenue enhancement, (2) implementability, (3) implementation of AMS, including consideration of impact on and/or enhancement of usability by recreational boaters and including access to, integration with and/or expansion of the adjacent Chace Park (4) upgrading the east side of the Marina, and (5) creativity. The objective is to enhance the Marina as a desirable location and provide a cohesive theme for new private development and public facilities as well as to improve the County’s revenue flow. Implementability means that the County must be satisfied that the responding development team can and will actually complete the development. The County will consider:

- Entitlement risk;
- Financial risk;
- Focus on boater access and integration into expanded Chace Park;
- Creativity and quality;
- Design and construction capability;
- Project management capability;
- Property management capability;
- Successful marketing and operating experience of the developer and, if applicable, the operator of the ERC;
- The marketing image, financial strength and management systems of, if applicable, the operator of the ERC;
- If a combined proposal involving an existing leasehold, the extent to which existing lessee has complied with all terms and conditions of its lease;
- Experience as a team if more than one ownership/development/management entity is involved;
- Compatibility with the goals and objectives of the Marina del Rey Asset Management Strategy, including water orientation and visitor-serving objectives, and related non-monetary public benefits; and
- Experience in public/private projects.

7.3 EVALUATION PROCESS

The initial review will compare all proposals for compliance with the submission requirements. Any proposals with significant omissions may be rejected and the proposers will be notified of their failure to comply with the requirements of the ERC RFP process. The County reserves the right to request that proposers bring their submissions into compliance within a very short time period after notification.

A detailed, point-by-point comparison will be made of all complete proposals. Requests for clarification may be sent to certain proposers. Some or all proposers may be asked to attend an interview by the Evaluation Committee.

If, in the opinion of the Committee and with the concurrence of the Director, two or more proposers are deemed worthy of further consideration without the clear emergence of a single most qualified proposal, the Committee may request additional submissions by such selected proposers and make further evaluations before making a final recommendation to the Director and the Board. In such instance, the Evaluation Committee will conduct a second round of scoring, based on the same detailed point-by-point comparisons and the criteria set forth herein.

Based on the evaluation criteria, the proposals will be rated by the Evaluation Committee, which will recommend the selected proposer to the Director, who will in turn make his recommendations to the SCHC and the Board of Supervisors.

7.4 FINAL AWARD BY BOARD OF SUPERVISORS

Notwithstanding a recommendation of a department, agency, commission, individual, or other person, the Board of Supervisors retains the right to exercise its judgment concerning the selection of a proposal and the terms of any resultant agreement, and to determine which proposal, if any, best serves the interests of the County. The Board is the ultimate decision-making body and makes the final determinations necessary to arrive at a decision. The Board reserves the right to reject any and all proposals.

APPENDIX A

DEPARTMENT OF BEACHES AND HARBORS

POLICY STATEMENT

Leasehold Term Extension - Marina del Rey

The County's policies and official goals/objectives with regard to granting lease extensions to Marina del Rey leaseholders are:

1. Redevelopment and making the properties economically and physically competitive (e.g., competitive with the new hotels, condominiums, slips and retail buildings in the new Playa Vista project and other new Westside projects). Redevelopment will be rigidly defined to differentiate it from deferred maintenance, refurbishing or extensive redecoration.
2. Redevelopment of leasehold uses to ensure long-term economic viability of the improvements, increased County revenue, and enhancement of public facilities.
3. It is understood that the Local Coastal Plan (LCP) restricts some leaseholds from redeveloping to higher density, or modifying existing land use. The County will consider sponsoring, in concert with the affected leaseholders, an amendment to the LCP when:
 - The proposed project and amendment will trigger redevelopment.
 - Redevelopment may be an upgrade of facilities such as providing larger units, not just higher density.
 - The proposed redevelopment will enhance the County's revenue stream and create public facilities.
 - All proposed leasehold LCP amendments have been sufficiently reviewed and processed appropriately which will include public hearings. The County is desirous of combining all LCP amendments into one planning amendment and environmental assessment, but at appropriate intervals may consider sponsoring additional amendments when they will ensure leasehold viability and increased County rent.
4. Receipt of fair consideration by the County for the extension (in addition to fair market rent).
 - The County will require a lease extension fee equal to the value of granting the extension.
 - The County will require a guarantee that redevelopment will commence promptly and within a specific, prescribed time frame.
 - Redevelopment of a leasehold interest satisfactory to the County will entitle the lessee to a rent credit of part of the lease extension fee for a limited, prescribed period of time. Assurance of the County's continuity of annual rental income flow will be paramount in determining the timing of the partial credit.

- The purpose of the extension fee and redevelopment requirements is to provide each lessee with an incentive to redevelop.
 - Only where redevelopment is not physically or legally possible, will the County consider alternative requirements for lease extension if the leasehold's current use meets the objectives and permitted uses of regulatory agencies and, in the County's judgment, the facilities meet appropriate building codes and economic and physical viability is ensured during the extended lease term.
5. Ensuring payment of fair market rents commensurate with the new value of the lease including its extension.
 6. Securing County financial participation in sale, assignment or refinancing of leasehold interests.
 7. Payment for County administrative costs associated with lease extension and other lease related costs.
 8. Staging of rental arrangements and physical redevelopment to ensure continuity of County rental income flow.
 9. Retention of 50 percent of the additional funds resulting from lease extension to upgrade physical infrastructure of the Marina.
 10. Processing a master LCP amendment covering as many parcels as possible.

The department understands that if a lease term extension is granted, certain property or possessory interest taxes may be increased due to reassessment of the leasehold. The role of the department is to act as a traditional landlord and it will only take into account fair economic rent and the direct rental revenue paid to the County. The County will not adjust rent or in any way agitate or modify future rent adjustments due to higher property or possessory interest taxes that may result from a lease extension.

Certain regulatory procedures (i.e., LCP requirements) must be resolved prior to entering into a binding agreement for lease extension containing higher leasehold land use density or leasehold land use modifications.

BASIS FOR POLICY STATEMENT

1. Purpose

The purpose of this Policy Statement is to provide a standard basis for discussing lease term extensions and to ensure that the County will receive fair economic value for such extension and for its leased property within Marina del Rey.

It is anticipated that lease term discussions on Marina del Rey leaseholds will be requested by various lessees as the remaining term in the original lease declines. These requests may arise because of the lessees' desire to refinance, sell, assign, or redevelop the leasehold. In some cases there may be an insufficient remaining term of the lease to maximize these desires.

Redevelopment is considered by the County to be the primary justification for a lease term extension.

2. Basic Assumptions

2.1 Policy Assumptions

- Redevelopment of the leaseholds should be coupled with any lease extension commitments.
- Environmental assessment may be required.
- The County is not obligated to agree to lease extensions for any or all lessees.
- No redevelopment increasing leasehold land use density or leasehold land use modifications will occur without mitigating traffic options such as a bypass.
- Lease extension discussions will be expensive and time consuming to the County.
- A preponderance of leaseholds will not be able to significantly intensify use or density under the land use provisions of the current LCP.
- The Assessor will reassess the property with an extension.

3. Prerequisite for Lease Extension

2.2 The lease term extension must be tied to a commitment acceptable to the Director and Board of Supervisors to redevelop the property. A major purpose of this policy is to ensure that the improvements will be modernized and of sufficient quality to remain attractive, competitive, and physically and economically viable during the extended term of the lease.

- County must conclude that redevelopment is feasible under existing regulatory control on a case-by-case basis or that land use modification can be accomplished through an amendment of the LCP. In either case, the County will require fair consideration for a lease extension.
- Redevelopment must enhance the County's income stream, and public facilities.

2.3 No long term extension containing the higher leasehold land use density or leasehold land use modifications will be offered until the Marina del Rey bypass or other traffic mitigation measures are approved by the appropriate regulatory agencies.

4. Amendment to the Local Coastal Plan (LCP)

4.1 The County will consider sponsoring an amendment to the LCP.

If the County is successful in its attempts to amend the LCP, part of the lease extension fee paid by the lessee may be credited against future rent when redevelopment occurs.

5. Conditional Parcels

These policies may be withheld or modified with respect to those parcels for which other policies or lease extension amendments have been executed, those properties which have recently been redeveloped and meet appropriate building codes and quality standards which ensure viability of the facilities or meet objectives of regulatory agencies.

CRITERIA CONTEMPLATED FOR INCLUSION IN REQUESTING LEASE
EXTENSION

MARINA DEL REY

1. All requests for lease term extension are to be submitted in writing to the Director of the department and shall include documents describing the lessee's existing financial statement and condition, value of the property, purpose for lease term extension, construction scheduling for redevelopment, and total construction costs and economic projections.

2. Application Fee

Upon application for the lease extension, in addition to any other compensation payable such as retroactive rent, increases in base rent, etc., the lessee shall pay to the County a single application fee for its administrative costs, associated with review of the project for economic feasibility, environmental assessment and legal assistance as well as County staff time.

3. Economic Terms

3.1 Minimum Rent

Minimum rent shall be adjusted periodically based on prior total annual rent paid to the County.

3.2 Fair Market Rental Rates

A revision of all percentage and minimum rent to reflect fair market value as of date the extension is granted. Where applicable, the payment of retroactive rent will be made by the lessee based on the new fair market rental rate percentages. The newly adopted arbitration clause clarifying dispute resolution mechanisms will be added to those leases not already including it.

3.3 Lease Extension Fee

The County will receive an extension fee commensurate with the value of granting the extension.

3.4 Participation in Sale or Transfer of the Leasehold

The County will participate in the proceeds from the sale or transfer of leasehold interest so as to: 1) assure adequate compensation for administrative costs incurred by the department; and 2) share in profits from these leasehold sales or transfers.

3.5 Participation in Refinancing

The County will receive an appropriate share of proceeds from refinancing which is not used for leasehold improvements in the Marina.

3.6 Administrative Costs

In addition to the above economic terms, the lessee shall agree to pay for various offsetting or special administrative costs including, but not limited to:

3.61 Environmental studies.

3.62 Late rental payment penalties, including audit deficiencies.

3.63 Increased security deposits.

3.64 Increased minimum rental payments.

3.65 Increased County insurance requirements, including business interruption insurance.

3.66 Costs for County lease assignment reviews.

4. Time Frame for Lease Extension

Will be tied to resolving transportation requirements established in the LCP.

APPENDIX B

Adopted 3/21/95

PROCESS FOR MANAGING LEASE EXTENSION PROPOSALS

The Board of Supervisors of the County of Los Angeles (Board) has approved an amendment to the Marina del Rey Local Coastal Plan (Amended Plan) allowing for an increase in development density in Marina del Rey. The Amended Plan divides the Marina into 14 Development Zones (DZs), each containing several leaseholds, with development potential being allotted by DZs, rather than by individual parcels. The Amended Plan must be reviewed and approved by the California Coastal Commission (CCC) to become effective.

In order to encourage timely redevelopment during this process, the Department of Beaches and Harbors (Department) is willing to enter into negotiations for extending the terms of current ground leases with interested lessees and/or other interested parties, but will not submit a "Memorandum of Understanding for Lease Extension" (MOU) to the Board until after the CCC's adoption of the Amended Plan. Two or more lessees may compete for development potential within a given DZ.

All lease extension negotiations will require the payment of an application fee to fully cover the Department's costs to analyze the applicant's proposal. Once general agreement is reached, an MOU will be prepared for submission to the Small Craft Harbor Commission (SCHC) for review and to the Board for approval. The MOU will outline the basic terms to be further negotiated as a part of a lease extension amendment (Lease Extension Amendment).

Upon Board approval of this MOU, the lessee will pursue a Coastal Development Permit (CDP) and other entitlements through the Department of Regional Planning (DRP). Once these entitlements are issued, the Department will enter into good faith negotiations with the lessee for a Lease Extension Amendment that will be based upon the terms set forth in the MOU.

In order to provide an opportunity for all interested parties, the Department will require each applicant to abide by the following process:

PROCESS

Informal Meeting

Prior to submitting a formal proposal, the lessee should request meetings with the Department and the DRP's "One-Stop" processing center. The Department will outline the County's financial/planning goals for Marina del Rey, and the DRP will clarify whether or not the proposed project is within the parameters of the Amended Plan and will help the lessee understand the various steps and procedures required by the permit process. No fees will be assessed by either department for these initial meetings.

Proposal Submission

If the lessee chooses to proceed with the Project, ten copies of a proposal shall be submitted to the Department. The proposal shall be responsive to the Board-approved Marina del Rey Lease Term Extension Policy (Attachment 2). In addition, the applicant shall submit:

- A. A description of the proposed project.
- B. A description of the entitlements required to complete the project. If the required entitlements are in excess of the development potential for the DZ, the applicant shall detail its plan for securing increased entitlements. It should be noted that if an applicant's proposal requires further substantial amendments to the Amended Plan, an MOU will not be forwarded to the Board prior to approval of these additional amendments to the CCC.
- C. The basis for leasehold valuation.
- D. Evidence of financial and physical feasibility of the proposed project.
- E. The Department's initial fee of \$10,000 as a deposit against its costs of reviewing, negotiating and preparing the MOU and Lease Extension Amendment documents. This fee is payable upon submission of a proposal. Additional funds may be required to ensure that all of the Department's costs are recovered. Any unexpended funds will be refunded to the applicant.

MOU Negotiation

Once the proposal is received, the Department will review the proposal and coordinate the appropriate meeting(s) between the lessee and County staff and/or its consultants to clarify the terms of the proposal – primarily its financial, planning, and legal aspects. Upon clarification, the Department will negotiate in good faith to reach agreement on an MOU that the Department can recommend to the SCHC and the Board.

Notice to Other Lessees

Upon receipt of any proposal requesting development potential permitted under the Amended Plan, the Department will notify all other lessees in the affected DZs that such a proposal for use of that potential has been received. If any other lessee has an interest in submitting a competing proposal, the Department should be notified in writing within 30 days so that the Department can schedule initial meetings with the interested party.

It is the intent of the Department to select the best proposal for use of the development potential within each DZ. Therefore, the Department may negotiate simultaneously with two or more lessees seeking the same entitlement within the same DZ, but only one MOU will result from such negotiations.

Rejected Proposals

If the Department rejects a proposal, it will forward its comments to the Board by memorandum, with copies going to the SCHC and the applicant. The applicant's proposal and a summary of analyses performed by staff or outside consultants will be attached to the memorandum.

Process After MOU Execution By the Board

After the Board and applicant have executed an MOU, the applicant should secure a CDP and all required entitlements. Once all permits and entitlements are secured, the Department will enter into good faith negotiations on a Lease Extension Amendment based on the MOU. The proposed Lease Extension Amendment will be forwarded to the SCHC for its review and to the Board for its consideration. If the Department and lessee cannot agree upon the terms of the Lease Extension Amendment, or if the Board rejects such Lease Extension Amendment, the Department may reopen negotiations with other interested parties.

Parcels Not Currently Under Long Term Leases

After the Amended Plan is approved by the CCC, the Department will seek lessees for development of certain Marina del Rey parcels not currently under long-term leases. If the same development potential within a DZ is sought by a prospective as well as a current lessee, the Department will recommend an MOU to the SCHC and the Board with the party which it determines offers the best overall proposal to the County.

APPENDIX C

Other Required Forms

FINANCIAL INFORMATION RELEASE AUTHORIZATION

Contact Person
Financial Institution
Address

Dear _____,

(Proposer's or appropriate name) has submitted a proposal to the County of Los Angeles to enter into an option and or ground lease for the purpose of development of certain real property in Marina del Rey, California. As part of the screening process, the County may need to contact you about our banking relationship. I (we) authorize you to provide the County or its consultants with the information they require, with the understanding that all information provided will be kept confidential to the extent permitted by law.

Sincerely,

LOS ANGELES COUNTY COMMUNITY BUSINESS ENTERPRISE (CBE) PROGRAM**FIRM/ORGANIZATION INFORMATION**

INSTRUCTIONS: All proposers responding to this solicitation must return this form for proper consideration of the proposal. The information requested below is for statistical purposes only. On final analysis and consideration of award, contractor/vendor will be selected without regard to gender, race, creed, or color. Categories listed below are based on those described in 49 CFR ' 23.5.

I. TYPE OF BUSINESS STRUCTURE: _____
(Non-profit Corporation, Partnership, Sole Proprietorship, etc.)

If you are a non-profit, please skip sections II thru V and fill in the name of the firm and sign on page 2.

II. TOTAL NUMBER OF EMPLOYEES IN FIRM (including owners):

III. RACE/ETHNIC COMPOSITION OF FIRM (Partners, Associate Partners, Managers, Staff, etc.). Please break down the above total number of employees into the following categories:

	OWNERS/PARTNERS / ASSOCIATE PARTNERS		MANAGERS	STAFF
	Male	Female		
Black/African American				
Hispanic/Latino				
Asian or Pacific Islander				
American Indian/Alaskan Native				
Filipino American				
White				

IV. PERCENTAGE OF OWNERSHIP IN FIRM Please indicate by percentage (%) how ownership of the firm is distributed.

	Black/African American	Hispanic/Latino	Asian or Pacific Islander	American Indian/Alaskan Native	Filipino American	White
Men	%	%	%	%	%	%
Women	%	%	%	%	%	%

V. CERTIFICATION AS MINORITY, WOMEN, DISADVANTAGED, AND DISABLED VETERAN BUSINESS ENTERPRISES Is your firm currently certified as a minority, women-owned, disadvantaged or disabled veteran business enterprise by a public agency? (If yes, complete the following and attach a copy of your proof of certification.)

M W D DV

Agency _____ Expiration Date _____

Agency _____ Expiration Date _____

Agency _____ Expiration Date _____

LEGEND: M = Minority; W = Women; D = Disadvantaged; DV = Disabled Veterans

CBE SANCTIONS

It's the policy of the County of Los Angeles Board of Supervisors that it is unlawful for any person to knowingly submit fraudulent information with the intent of receiving CBE certification and its concurrent benefits for which they are not entitled.

1. A person or business shall not:
 - a. Knowingly and with the intent to defraud, fraudulently obtain, retain, attempt to obtain or retain, or aid another in fraudulently obtaining or retaining or attempting to obtain or retain, acceptance or certification as a minority or women business enterprise, or both, for the purposes of this article.
 - b. Willfully and knowingly make a false statement with the intent to defraud, whether by affidavit, report, or other representation, to a County official or employee for the purpose of influencing the acceptance or certification or denial of acceptance or certification of any entity as a minority or women business enterprise, or both.
 - c. Willfully and knowingly obstruct, impede, or attempt to obstruct or impede, any county official or employee who is investigating the qualifications of a business entity which has requested acceptance or certification as a minority or women business enterprise, or both.
 - d. Knowingly and with intent to defraud, fraudulently obtain, attempt or obtain, or aid another person or business in fraudulently obtaining or attempting to obtain, public moneys to which the person or business is not entitled under this article.
2. Any person or business who violates paragraph (1) shall be suspended from bidding on, or participating as contractor, subcontractor, or supplies in, any county contract or project for a period of three years.
3. No County agency with the powers to award contracts shall enter into any contract with any person or business suspended for violating this section during the period of the person=s or business= suspension. No awarding department shall award a contract to any contractor utilizing the services of any person or business as a subcontractor suspended for violating this section during the period of the person=s or business suspension.

I acknowledge, that the undersigned, on behalf of himself or herself individually and on behalf of his or her business or organization, if any, is fully aware of the above policy of the County of Los Angeles and I declare under penalty of perjury that the foregoing Firm/Organization Information is true and correct.

Name of Firm _____

Signature _____ Title: _____

Date: _____

APPENDIX D

Notice to Proposers Regarding The California Public Records Act

RESPONSES TO BECOME PUBLIC RECORDS

Responses to this RFP become the exclusive property of the County of Los Angeles. At such time as the Department recommends a proposer to the Board of Supervisors and such recommendation appears on the Board agenda, all materials submitted in response to this RFP become a matter of public record and shall be regarded as public record except as indicated below.

DESIGNATION OF CONFIDENTIAL INFORMATION

The County will recognize as confidential only those elements in each proposal which are trade secrets as that term is defined in the law of California and which are clearly marked as "TRADE SECRET", "CONFIDENTIAL," or "PROPRIETARY." Vague designations and blanket statements regarding entire pages or documents are insufficient and shall not bind the County to protect the designated matter from disclosure.

COUNTY NOT LIABLE FOR REQUIRED DISCLOSURE

The County shall not in any way be liable or responsible for the disclosure of any records if they are not plainly marked "TRADE SECRET," "CONFIDENTIAL," OR "PROPRIETARY," or if disclosure is required by the California Public Records Act or by an order of any court of competent jurisdiction.

APPENDIX E

LCP/Regional Planning/Coastal Commission Requirements

The ERC RFP references the requirements regarding entitlements imposed by the LCP, including the required reviews by the County's Design Control Board, Regional Planning Department, Regional Planning Commission, Board of Supervisors, reviews associated with code compliance and building permit issuance and the involvement and review by the California Coastal Commission in appropriate circumstances.

The ERC RFP makes it clear that applicants are responsible for obtaining all necessary entitlements and permits from appropriate County and/or state agencies and that any proposal that requires an LCP amendment should be discussed with a representative of the Regional Planning Department familiar with the LCP.

The provisions of the LCP regarding allocation of entitlements, view corridor requirements, building height limitations and limitations on both aggregate development in the Marina and development within each DZ are also discussed and an outline of the general entitlement process is presented.

In addition, applicants should be aware that the LCP, planning agencies and other state, regional and/or local authorities may impose a variety of other conditions and/or fees related to proposed development projects. In appropriate cases, these matters may include, but are not limited to the following:

- Traffic impact fees
- School impact fees to Los Angeles County Unified School District
- Fish & Game Department fees
- Mitigation monitoring fees
- Sewer impact fees
- Park impact fees
- Hostel impact fees (hotel/motel development)

The LCP also imposes an "Improvement Phasing Schedule for Internal Category 1 Improvements" which provides that certain specified road improvements must occur in phases coinciding with new development so that no new development is occupied before construction of improvements which would mitigate the same amount of impact such development has on traffic within Marina del Rey.

In addition, the LCP imposes an "Improvement Planning Schedule for certain Sub-regional Traffic (Category 3) Improvements". In general, these provisions require that if the traffic trips generated by new or intensified Marina development, along with other previously approved development, exceed 50% of the total anticipated additional external trips to be generated by new or intensified Marina development, additional development that generates external trips shall not occur until certain traffic improvements which mitigate those trips has been approved and funded by the appropriate agencies.

To date, only minimal new development has been fully approved. However a number of new development proposals are either in negotiation and/or have entered the entitlement process. If a substantial number of the projects currently in negotiation are eventually granted entitlements at their maximum requested levels, the 50% limit may be attained and any new projects that may generate additional external trips will not be permitted to move forward until the above reference traffic improvements have been approved and funded.

The requirements discussed in the preceding two paragraphs relating to required Category 1 and Category 3 traffic improvements are independent of other LCP requirements and all new developments, regardless of their status relating to the 50% threshold or other traffic improvement or phasing requirements, are still subject to all provisions regarding payment of traffic impact fees and other appropriate conditions and/or fees relating to proposed projects.

Potential proposers are advised to consult with Regional Planning Department representatives familiar with the LCP in order to assess the terms and conditions which may be imposed upon construction and occupancy of proposed development and for advice regarding any permits, fees or other requirements which may impact their projects.

APPENDIX F

Other Materials

(legal provisions)

ASSURANCE OF COMPLIANCE WITH CIVIL RIGHTS LAWS

Proposers will assure they will comply with subchapter VI of the Civil Rights Act of 1964, 42 USC Section 2000a through 2000e (17), to the end that no person shall, on the grounds of race, religion, color, sex, age, physical disability, marital status, political affiliation or national origin be excluded from participation in, be denied the benefits of, nor be otherwise subjected to discrimination under any contract granted by the County nor any project, program or activity supported by any such contract.

COMPLIANCE WITH COUNTY LOBBYING REQUIREMENTS

Each County lobbyist or County lobbying firm, as defined in Los Angeles County Code Section 2.160.010 retained by any Proposer hereunder, shall full comply with the County Lobbyist Ordinance, Los Angeles County Code Chapter 2.160.

GRATUITIES

It is improper for any County officer, employee or agent to solicit consideration, in any form, from a Proposer with the implication, suggestion or statement that the Proposer's provision or the consideration may secure more favorable treatment for the Proposer in the award of a contract or that the Proposer's failure to provide such consideration may negatively affect the County's consideration of the Proposer's submission. A Proposer shall not give, either directly or indirectly or through an intermediary, consideration, in any form, to a County officer, employee or agent for the purpose of securing favorable treatment with respect to the award of a contract.

A Proposer shall immediately report any attempt by a County officer, employee or agent to solicit such improper consideration. The report shall be made either to the County manager charged with the supervision of the employee or to the County Auditor-Controller's Employee Fraud Hotline at (213) 974-0914 or (800) 544-6861. Failure to report such a solicitation may result in the Proposer's submission being eliminated from consideration.

Among other items, such improper consideration may take the form of cash, discounts, service, the provision of travel or entertainment, or tangible gifts.

CONSIDERATION OF GAIN PROGRAM PARTICIPANTS FOR EMPLOYMENT

Should Contractor require additional or replacement personnel after the effective date of this Agreement, Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program who meet Contractor's minimum qualifications for the open position. The County will refer GAIN participants by job category to the Contractor.

CONSIDERATION OF GAIN PROGRAM PARTICIPANTS FOR EMPLOYMENT

Should Contractor require additional or replacement personnel after the effective date of this Agreement, Contractor shall give consideration for any such employment openings to participants in the County's Department of Public Social Services' Greater Avenues for Independence (GAIN) Program who meet Contractor's minimum qualifications for the open position. The County will refer GAIN participants by job category to the Contractor.

CONSIDERATION OF HIRING COUNTY EMPLOYEES TARGETED FOR LAYOFFS

Should Contractor require additional or replacement personnel after the effective date of the Contract to perform the services set forth herein, Contractor shall give first consideration for such employment openings to qualified permanent County employees who are targeted for layoff after the effective date of this Contract.

LOBBYISTS

Each County Lobbyist or County lobbying firm as defined in Los Angeles County Code Section 2.160.010, shall fully comply with County Lobbyist Ordinance, Los Angeles County Code 2.160. Failure on the part of any County Lobbyist or County lobbying firm to fully comply with the County Lobbyist Ordinance shall constitute a material breach of this Agreement upon which County may immediately terminate or suspend this Agreement.

NOTICE TO PROPOSERS REGARDING THE PUBLIC RECORDS ACT

Responses To Become Public Records

Responses to this Extension Invitation become the exclusive property of the County of Los Angeles. At such time as the Department recommends a Respondent to the Board of Supervisors and such recommendation with the proposed Contract appears on the pages or documents are insufficient and shall not bind the County to protect the designated matter from disclosure

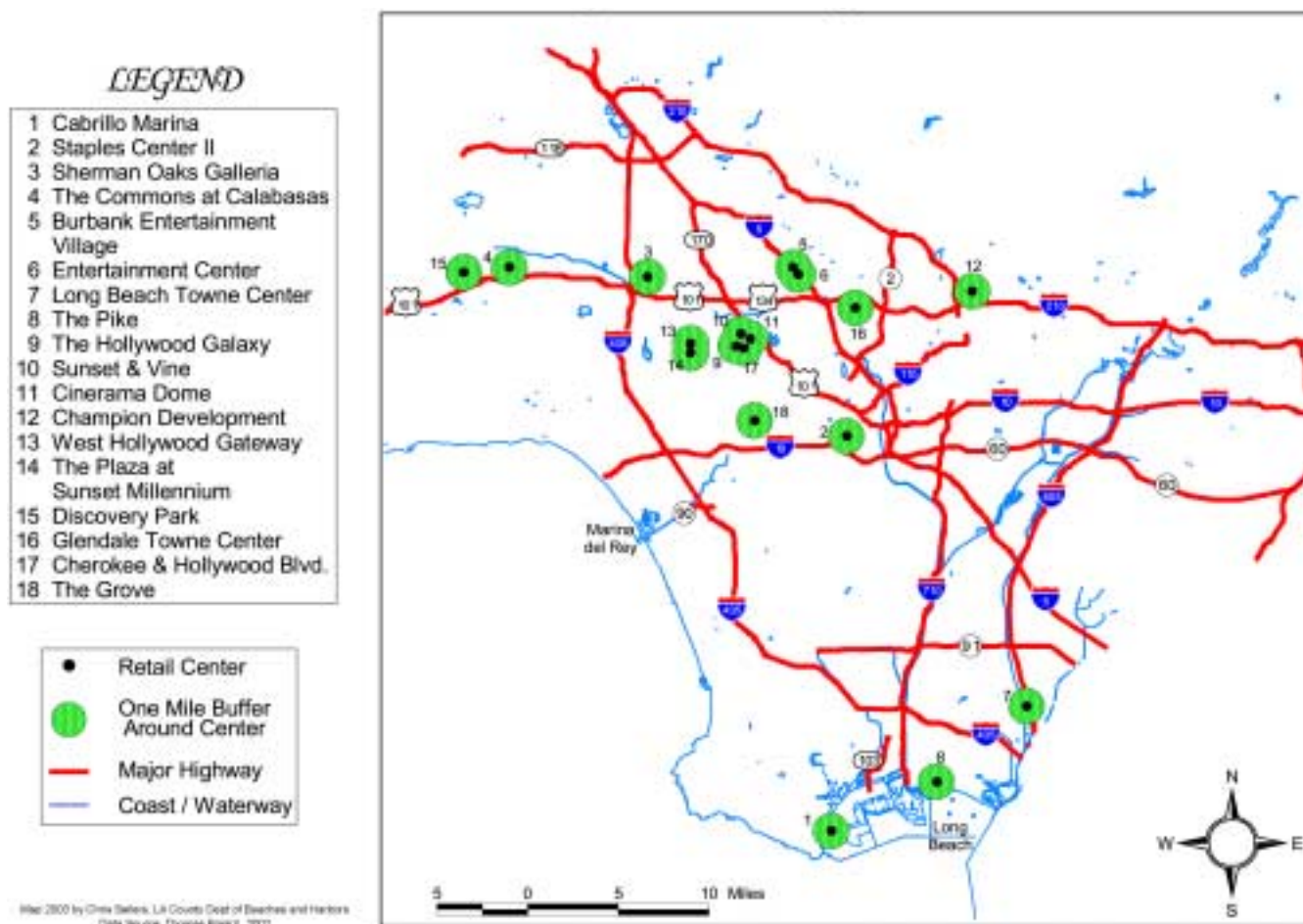
County Not Liable For Required Disclosure

The County shall not in any way be liable or responsible for the disclosure of any records if they are not plainly marked "TRADE SECRET," "CONFIDENTIAL," or PROPRIETARY," or if disclosure is required by law or by an order of the court.

The County shall not in any way be liable or responsible for the disclosure of any records if they are not plainly marked "TRADE SECRET," "CONFIDENTIAL," or PROPRIETARY," or if disclosure is required by law or by an order of the court.

APPENDIX G

Selected Retail Entertainment Centers in Los Angeles County



APPENDIX H

Project Summary Form

(___ to be attached)

In reviewing proposals submitted in response to this RFP, Department staff and Consultants will prepare a comparison chart summarizing the proposals. This form is intended as an aid to the Department in completing such a chart. Final wording in the comparison chart will be that of the Department and consultants.

This form is also provided online, and must be submitted to the County on disk as well as in hard copy format.

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
APPLICANT IDENTIFICATION (a) <i>Proposal Cover Name</i> (b) <i>Applicant</i> (c) <i>Contact Name, Address, Phone</i> (d) <i>Developer</i> (e) <i>Lease Holder</i> (f) <i>Property Manager</i> (g) <i>Financial Partner</i> (h) <i>Architect</i> (i) <i>Hotel Operator</i> (j) <i>Type of Response (Hotel / Retail & Apt. / etc.)</i>		
1. Development Concept 1.1 Parcel Use 1.1.1 Parcel ____ (Specify) 1.1.2 Parcel ____ (Specify) 1.1.3 Parcel ____ (Specify) 1.1.4 Parcel Number for Current Leasehold 1.1.5 Use for Current Leasehold Parcel 1.1.6 Structured Parking (# of Spaces) 1.1.7 Surface Parking (# of Spaces) 1.1.8 % of Project Area for Open Space 1.1.9 Public Use Elements		
1.2 Description of Proposed Hotel 1.2.1 Hotel Type and Projected Rating 1.2.2 Total Rooms (Keys) 1.2.3 Average Room Size (S.F.) 1.2.4 Average Daily Room Rate 1.2.5 Banquet and Meeting Space (S.F.) 1.2.6 Total Building Size (S.F.) 1.2.7 Interior and Exterior Amenities		
1.3 Description of Proposed Apartments 1.3.1 Total Units 1.3.2 Unit Mix 1.3.3 Average Unit Size (S.F.) 1.3.4 Average Monthly Rent 1.3.5 Average Monthly Rent per S.F. 1.3.6 Interior and Exterior Amenities		
1.4 Description of Proposed Retail / Restaurant 1.4.1 Total Square Footage - Retail 1.4.2 Total Square Footage - Restaurant 1.4.3 Anchor Tenants - Retail 1.4.4 Tenant Mix - Retail (Boutique / Anchor) 1.4.5 Tenant Mix - Restaurant (Fast Food / Sit-Down) 1.4.6 Average Monthly Rent per S.F. - Retail 1.4.7 Average Monthly Rent per S.F. - Restaurant 1.4.8 Interior and Exterior Amenities		

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
1.5 Description of Proposed New Slips 1.5.1 Total Number of Slips 1.5.2 Number over 40 feet 1.5.3 Average Length 1.5.4 Average Monthly Rent per Lineal Foot 1.5.5 Average Monthly Rent per Slip 1.5.6 Available Parking (# of Spaces) 1.5.7 Available Parking (Type & Location) 1.5.8 Relationship Betw. Boat & Other Project Pkg.		
2. Timetable and Entitlement Issues 2.1 Timetable 2.1.1 Building Permits Issued 2.1.2 Construction Starts 2.1.3 Construction Ends 2.1.4 Date of First Occupancy 2.1.5 Date 100% Occupied 2.1.6 Phase I Begin/End (If Phased) 2.1.7 Phase II Begin/End (If Phased) 2.2 Required Changes to LCP 2.2.1 Transfer of entitlements from other DZ's 2.2.2 Change in Use of Parcel GR 2.2.3 Change in Use of Parcel JS 2.2.4 Change in Use of Parcel IR 2.2.5 Change in Use of Parcel NR 2.2.6 Change in Use of Parcel OT 2.2.7 Change in Use of Parcel LLS 2.2.8 Change in Use of Leasehold Parcel 2.3 Timetable and Special Considerations 2.3.1 Estimated Date of Filing with LARPC 2.3.2 Estimated LARPC Approval Date 2.3.3 Estimated Date of Coastal Comm. Filing 2.3.4 Estimated Coastal Comm. Approval Date 2.3.5 Special Considerations or Issues 2.3.6 Consultants, Attorneys Used (If known)		
3. Cost Estimate for Each Component 3.1 Hotel 3.1.1 Hard Cost of Construction (Total) 3.1.2 Hard Cost of Construction (Per s.f.) 3.1.3 FF & E (Total) 3.1.4 FF & E (Per Room) 3.1.5 Soft Costs 3.1.6 Total Costs 3.1.7 Total Costs Per Room		
3.2 Apartments 3.2.1 Hard Cost of Construction (Total) 3.2.2 Hard Cost of Construction (Per s.f.) 3.2.3 Soft Costs 3.2.4 Total Costs 3.2.5 Total Costs Per Unit		
3.3 Retail / Restaurant 3.2.1 Retail T.I.'s 3.2.2 Fast Food T.I.'s 3.2.3 Restaurant T.I.'s 3.2.4 Hard Cost of Construction (Total) 3.2.5 Hard Cost of Construction (Per s.f.) 3.2.6 Soft Costs 3.2.7 Total Costs 3.2.8 Total Costs Per S.F.		

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
3.4 Slips 3.4.1 Hard Costs 3.4.2 Soft Costs 3.4.3 Total Costs 3.4.4 Total Costs Per Slip		
3.5 Consolidated 3.5.1 Hard Costs including Hotel FF&E 3.5.2 Soft Costs 3.5.3 Total Costs		
4. Financial Terms of Proposal Detailed information on all aspects of the financial proposal will be filled in by County staff or consultants from the financial pro forma analysis submitted in the standard format.		
5. Special Req's. for Lease Extensions 5.1 Extension Fee 5.2 Existing Improvements (if any retained) 5.2.1 Plans for rehabilitation 5.2.2 Guarantee of future performance 5.3 Term of Lease / Date of Termination 5.4 Existing Lease - Current Expiration Date 5.5 Existing Lease - Extended Expiration Date 5.6 Changes in Structure of Ownership of of Existing Leasehold (if any)		
6. Development Team 6.1 Experience w/ Comparable Projects 6.1.1 COMPARABLE PROJECT #1 6.1.1.1 Project Name 6.1.1.2 Location 6.1.1.3 Size and Configuration 6.1.1.4 Approximate Cost 6.1.1.5 Completion Date 6.1.1.6 Approximate Market Value 6.1.1.7 Occupancy Rate 6.1.1.8 ADR / Mo. Rent / Slip Rent (Per L.F.) 6.1.1.9 Ownership Pattern 6.1.1.10 Financing Structure 6.1.1.11 Current Ownership 6.1.1.12 Track Record 6.1.1.13 Reference: Public Sector Party 6.1.1.14 Reference: Private Sector Party		
6.1.2 COMPARABLE PROJECT #2 6.1.2.1 Project Name 6.1.2.2 Location 6.1.2.3 Size and Configuration 6.1.2.4 Approximate Cost 6.1.2.5 Completion Date 6.1.2.6 Approximate Market Value 6.1.2.7 Occupancy Rate 6.1.2.8 ADR / Mo. Rent / Slip Rent (Per L.F.) 6.1.2.9 Ownership Pattern 6.1.2.10 Financing Structure		

Project Summary Form - ____ Parcels

Please See Instructions at
End of Document

	Response Information	References to Page Numbers in Proposal
6.1.2.11 Current Ownership 6.1.2.12 Track Record 6.1.2.13 Reference: Public Sector Party 6.1.2.14 Reference: Private Sector Party 6.1.3 COMPARABLE PROJECT #3 6.1.3.1 Project Name 6.1.3.2 Location 6.1.3.3 Size and Configuration 6.1.3.4 Approximate Cost 6.1.3.5 Completion Date 6.1.3.6 Approximate Market Value 6.1.3.7 Occupancy 6.1.3.8 ADR / Mo. Rent / Slip Rent (Per L.F.) 6.1.3.9 Ownership Pattern 6.1.3.10 Financing Structure 6.1.3.11 Current Ownership 6.1.3.12 Track Record 6.1.3.13 Reference: Public Sector Party 6.1.3.14 Reference: Private Sector Party		
6.2 Credentials & References 6.2.1 Narrative on general size & borrowings 6.2.2 Financial Reference # 1 6.2.3 Financial Reference # 2 6.2.4 Financial Reference # 3		
7. Statement of Qualifications & Financial Responsibility 7.1 Is developer a subsidiary of another firm? 7.2 Has developer or affiliate ever declared bankruptcy? 7.3 Is there any pending litigation against developer or affiliates?		
8. Beneficial Ownership 8.1 Beneficial Ownership of Lessee Entity		

Note: In reviewing proposals submitted in response to the RFP, Department staff and consultants will prepare a comparison chart summarizing the proposals. This form is intended as an aid to the Department in completing such a chart. Final wording in the comparison chart will be that of the Department and consultants.

Instructions: Please respond in both the "Response Information" and "Reference to Page Numbers" columns above. Responses will be abbreviated, as approximate column width must be maintained. Only row heights should be expanded. All entries will be reviewed against the proposal itself--be sure to cite the appropriate page number in the proposal.

APPENDIX I

Financial Worksheet Formats

(____ to be attached)

DEVELOPER INPUT SCHEDULE - BOAT SLIPS
--

ASSUMPTIONS

- 1 Land Square Footage
2 Water Square Footage
3 Stabilization Year

Boat Slip Rental Income:

- 4 Slips
5 Live Aboards
6 Miscellaneous Income
7 Total

No. of Slips	Length (L.F.)	Income (per L.F.)	Total Annual Income
			\$0

Operating Expenses:

- 8 Vacancy & Collection Allowance
9 Rental Growth Rate
10 Estimated Property Tax @ Stabilization
11 Utilities (\$/Yr)
12 Maintenance & Reserves, (% of Rev.)
13 Management Fee, (% of Rev.)
14 Other Expenses, (\$/L.F.)
15 Expense Inflation / Factor (Excludes Property Tax)

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter

County Lease Terms:

- 15 Proposed Initial Term of Land/Water Lease
16 Total Term of Land/Water Lease Incl. Extensions
Proposed Percentage Rent
17 Slips
18 Live Aboards
19 Miscellaneous

Proposed Minimum Rent

- 20 Scheduled Minimum Rent Before Stabilization
21 Minimum Rent - Stabilized Year
22 1st Automatic Adjustment Year
23 Subsequent Periodic Adjustments, years
24 Increase Amount, % of 3 Prior Years' Avg Total Rent

--	--	--	--	--	--	--	--	--	--	--

Financing Parameters:

- 25 Year Permanent Financing Funded
26 Amount Funded
27 Interest Rate
28 Amortization Term

DEVELOPER OUTPUT SCHEDULE - BOAT SLIPS
--

CASH FLOW PROJECTION

	Total Income All Years	Discounted Value All Years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Boat Slip Rental Income: Slips Live Aboards Other Income												
Gross Scheduled Revenues												
Operating Expenses: Vacancy & Collection Property Tax Utilities Maintenance & Reserves Management Fee Other Expenses Expense Inflation												
Minimum Rent Percentage Rent												
Total Operating Expenses												
Net Operating Income After Ground Rent NOI as % of Total Development Costs												
(-) Development Costs												
(-) Debt Service												
Net Cash Flow to Master Developer												

DEVELOPER CONSTRUCTION COSTS - BOAT SLIPS
--

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs					
1 Demolition			Per Slip	\$	
2 Construction of Slips			Per Slip	\$	
3 Landside Facilities			Per Slip	\$	
4 Parking Construction - Surface Lot			Per Space	\$	
5 Parking Construction - Structure			Per Space	\$	
6 Landscaping			Per Slip	\$	
7 Off-Site Costs (Identify)				\$	
8 Other Hard Costs 1 (Identify)				\$	
9 Other Hard Costs 2 (Identify)				\$	
10 Contingency				\$	
11 TOTAL HARD COSTS				\$	
Soft Costs					
12 Architecture / Engineering			% of Hard Costs	\$	
13 Permits and Fees			Allowance	\$	
14 Legal, Accounting, Insurance			% of Hard Costs	\$	
15 Other Professional Services			% of Hard Costs	\$	
16 Developer / OH / Project Management			% of Hard Costs	\$	
17 Advertising and Promotion			Allowance	\$	
18 Working Capital			Allowance	\$	
19 Mitigation Costs (Identify)			Allowance	\$	
20 Loan Fees (Identify % Rate)			Calculated	\$	
21 Appraisal and Closing Costs			Calculated	\$	
22 Construction Loan Interest (Identify % Rate)			Calculated	\$	
23 Property Taxes During Construction			Calculated	\$	
24 Other Soft Costs 1 (Identify)				\$	
25 Other Soft Costs 2 (Identify)				\$	
26 Contingency			% of Hard Costs	\$	
27 TOTAL SOFT COSTS				\$	
28 TOTAL DEVELOPMENT COSTS (Rounded)				\$	

DEVELOPER INPUT SCHEDULE - RETAIL & RESTAURANT

ASSUMPTIONS

1 Land Square Footage	
2 Water Square Footage	
3 Stabilization Year	

	Leasable Area (S.F.)	Min. Rent Per S.F. (Stab. Yr.)	Sales Per S.F. (Stab. Yr.)	Total Annual Income	Total Annual Sales	% Rent Charged Subtenant	Break Point
Retail/Restaurant Income - NNN							
4 Retail Stores							
5 Restaurants - Food and Beverage							
6 Restaurants - Alcohol							
7 Miscellaneous Income							
8 Other (Specify)							
9 Total				\$0	\$0	\$0	

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Operating Expenses:										
10 Vacancy & Collection Allowance										
11 Sales Growth Rate										
12 Rental Growth Rate										

13 Estimated Property Tax @ Stabilization	
14 Utilities (\$/Yr)	
15 Maintenance & Reserves, (% of Rev.)	
16 Management Fee, (% of Rev.)	
17 Other Expenses, (\$/L.F.)	
18 Expense Inflation / Factor (Excludes Property Tax)	

County Lease Terms:	
19 Proposed Initial Term of Land/Water Lease	
20 Total Term of Land/Water Lease Incl. Extensions	
Proposed Percentage Rent	
21 Retail	
22 Restaurant - Food and Beverage	
23 Restaurant - Alcohol	
24 Miscellaneous Income	
25 Other (Specify)	

Proposed Minimum Rent	
26 Scheduled Minimum Rent Before Stabilization	
27 Minimum Rent - Stabilized Year	
28 1st Automatic Adjustment Year	
29 Subsequent Periodic Adjustments, years	
30 Increase Amount, % of 3 Prior Years' Avg Total Rent	

Financing Parameters:	
31 Year Permanent Financing Funded	
32 Amount Funded	
33 Interest Rate	
34 Amortization Term	

DEVELOPER OUTPUT SCHEDULE - RETAIL & RESTAURANT

CASH FLOW PROJECTION

	Total Income All Years	Discounted Value All Years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Retail Income												
Restaurant - Food and Beverage												
Restaurant - Alcohol												
Miscellaneous Income												
Other Income (Specify)												
Gross Scheduled Revenues												
Operating Expenses:												
Vacancy & Collection												
Property Tax												
Utilities												
Maintenance & Reserves												
Management Fee												
Other Expenses												
Expense Inflation												
Minimum Rent												
Percentage Rent												
Total Operating Expenses												
Net Operating Income After Ground Rent												
NOI as % of Total Development Costs												
(-) Development Costs												
(-) Debt Service												
Net Cash Flow to Master Developer												

DEVELOPER CONSTRUCTION COSTS - RETAIL & RESTAURANT
--

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs					
1 Demolition			Per S.F.	\$	
2 Shell			Per S.F.	\$	
7 Retail T.I.'s			Per S.F.	\$	
8 Fast Food T.I.'s			Per S.F.	\$	
9 Restaurant T.I.'s			Per S.F.	\$	
10 Landscaping			Per S.F.	\$	
4 Parking Construction - Surface Lot			Per Space	\$	
5 Parking Construction - Structure			Per Space	\$	
6 Landscaping			Per S.F.	\$	
11 Off-Site Costs (Identify)				\$	
12 Other Hard Costs 1 (Identify)				\$	
13 Other Hard Costs 2 (Identify)				\$	
14 Contingency				\$	
15 TOTAL HARD COSTS				\$	
Soft Costs					
12 Architecture / Engineering			% of Hard Costs	\$	
13 Permits and Fees			Allowance	\$	
14 Legal, Accounting, Insurance			% of Hard Costs	\$	
15 Other Professional Services			% of Hard Costs	\$	
16 Developer / OH / Project Management			% of Hard Costs	\$	
17 Advertising and Promotion			Allowance	\$	
18 Working Capital			Allowance	\$	
19 Mitigation Costs (Identify)			Allowance	\$	
20 Loan Fees (Identify % Rate)			Calculated	\$	
21 Appraisal and Closing Costs			Calculated	\$	
22 Construction Loan Interest (Identify % Rate)			Calculated	\$	
23 Property Taxes During Construction			Calculated	\$	
24 Other Soft Costs 1 (Identify)				\$	
25 Other Soft Costs 2 (Identify)				\$	
26 Contingency			% of Hard Costs	\$	
27 TOTAL SOFT COSTS				\$	
28 TOTAL DEVELOPMENT COSTS (Rounded)				\$	

DEVELOPER INPUT SCHEDULE - HOTEL

ASSUMPTIONS - FOR STABILIZED YEAR

1 Land Square Footage	
2 Water Square Footage	
3 Stabilization Year	

Hotel Income:

4 Number of Rooms		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
5 Occupancy											
6 Average Daily Room Rate (ADR)											
7 Growth Rate of ADR											
8 Additional Income (% of Room Revenue)											
9 Food & Beverage											
10 Telephone											
11 Merchandise											
12 Meeting Rooms, Equipment Rentals & Other											

Operating Expenses:

13 Estimated Property Tax @ Stabilization	
14 Rooms Expense	
15 Food & Beverage	
16 Telephone	
17 Other	
18 Admin. & General	
19 Marketing	
20 Energy Costs	
21 Property Operations & Maintenance	
22 Reserve for Replacement	
23 Operating Insurance	
24 Basic Management Fee	
25 Building Insurance	
26 Park Maintenance (If Applicable)	
27 Other Expenses	
28 Expense Inflation / Factor (Excludes Prop. Taxes)	

County Lease Terms:

Proposed Percentage Rent (% of Rev.)

28 Rooms	
29 Food & Beverage	
30 Telephone	
31 Merchandise	
32 Meeting Rooms, Equipment Rentals & Other	

Proposed Minimum Rent

33 Scheduled Minimum Rent Before Stabilization	
34 Minimum Rent - Stabilized Year	
35 1st Automatic Adjustment Year	
36 Subsequent Periodic Adjustments, years	
37 Increase Amount, % of 3 Prior Years' Avg Total Rent	

Financing Parameters:

38 Permanent Financing Year Funded	
39 Amount Funded	
40 Interest Rate	
41 Amortization Term	

DEVELOPER OUTPUT SCHEDULE - HOTEL**CASH FLOW PROJECTION**

	Total Income All Years	Discounted Value All Years	Year 1 \$ %	Year 2 \$ %	Year 3 \$ %	Year 4 \$ %	Year 5 \$ %	Year 6 \$ %	Year 7 \$ %	Year 8 \$ %	Year 9 \$ %	Thereafter \$ %
AVERAGE DAILY ROOM RATE												
OCCUPANCY RATE												
Hotel Income:												
Rooms												
Food & Beverage												
Telephone												
Merchandise												
Rentals & Other												
Gross Scheduled Revenues												
Departmental Expenses:												
Rooms												
Food & Beverage												
Telephone												
Rentals & Other												
Subtotal Departmental Expenses												
Deductions From Income:												
Admin. & General												
Marketing												
Energy Costs / Inflation Factor												
Property Operations & Maintenance												
Park Maintenance												
Subtotal Deductions												
Other Expenses:												
Reserve for Replacement												
Operating Insurance												
Basic Management Fee												
Building Insurance												
Other Expenses												
Expense Inflation												
Subtotal Other Expenses												
County Minimum Rent												
County Percentage Rent												
Total Operating Expenses												
Net Operating Income After Ground Rent												
NOI as % of Total Development Costs												
(-) Development Costs												
(-) Debt Service												
Net Cash Flow to Master Developer												

DEVELOPER CONSTRUCTION COSTS - HOTEL

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs:					
1 Demolition			Per Room	\$	
2 Room Construction Costs			Per Room	\$	
3 FF&E			Per Room	\$	
4 Common Area Costs (Lobby, Halls, Stairs)			Per S.F.	\$	
5 Elevators			Per Room	\$	
6 Park Development			Per Acre	\$	
7 Parking Construction - Surface Lot			Per Space	\$	
8 Parking Construction - Structure			Per Space	\$	
9 Landscaping			Per Room	\$	
10 Off-Site Costs (Identify)			Per Room	\$	
11 Other Hard Costs 1 (Identify)				\$	
12 Other Hard Costs 2 (Identify)				\$	
13 Contingency				\$	
14 TOTAL HARD COSTS				\$	
Soft Costs					
15 Architecture / Engineering			% of Hard Costs	\$	
16 Permits and Fees			Allowance	\$	
17 Legal, Accounting, Insurance			% of Hard Costs	\$	
18 Other Professional Services			% of Hard Costs	\$	
19 Developer / OH / Project Management			% of Hard Costs	\$	
20 Advertising and Promotion			Allowance	\$	
21 Working Capital			Allowance	\$	
22 Mitigation Costs (Identify)			Allowance	\$	
23 Loan Fees (Identify % Rate)			Calculated	\$	
24 Appraisal and Closing Costs			Calculated	\$	
25 Construction Loan Interest (Identify % Rate)			Calculated	\$	
26 Property Taxes During Construction			Calculated	\$	
27 Other Soft Costs 1 (Identify)			Calculated	\$	
28 Other Soft Costs 2 (Identify)			Calculated	\$	
29 Contingency			% of Hard Costs	\$	
30 TOTAL SOFT COSTS				\$	
31 TOTAL DEVELOPMENT COSTS (Rounded)				\$	

PARCEL _____ PROJECT - CONSOLIDATED (000's)
--

Physical Parameters	Total Sq. Ft.	Total Acres
Total Land Square Footage		
Total Water Square Footage		

	Total Income All Years	Discounted Value All Years	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Thereafter
Gross Revenues												
Net Operating Income												
Boat Slips												
Apartments												
Retail / Restaurant												
Hotel												
Total Net Operating Income												
Combined Debt Service												
Net Cash Flow to Master Developer												
Unleveraged Return on Costs(ROC)												
Leveraged Return on Equity (ROE)												
County Rent												
Minimum Rents - Total												
Combined Percentage Rent												
Boat Slips												
Apartments												
Retail / Restaurant												
Hotel												
Total County Rent												
County Total Rent as a % of Gross Income												
County Total Rent as a % of NOI												

DEVELOPER CONSTRUCTION COSTS - CONSOLIDATED
--

COST COMPONENT	PER UNIT	# UNITS	MEASURE	TOTAL	NOTES
Hard Costs:					
1 Demolition				\$	
2 Hotel Construction			Per Room	\$	
2 Apartment Construction			Per Apartment	\$	
3 Slip Construction			Per Slip	\$	
4 Parking Construction - Surface Lot			Per Space	\$	
5 Parking Construction - Structure			Per Space	\$	
6 Landscaping				\$	
7 Off-Site Costs (Identify)				\$	
8 Other Hard Costs 1 (Identify)				\$	
9 Other Hard Costs 2 (Identify)				\$	
10 Contingency			% of Hard Costs	\$	
11 TOTAL DIRECT DEVELOPMENT COSTS				\$	
Soft Costs					
12 Architecture / Engineering			% of Hard Costs	\$	
13 Permits and Fees			Allowance	\$	
14 Legal, Accounting, Insurance			% of Hard Costs	\$	
15 Other Professional Services			% of Hard Costs	\$	
16 Developer / OH / Project Management			% of Hard Costs	\$	
17 Advertising and Promotion			Allowance	\$	
18 Working Capital			Allowance	\$	
19 Mitigation Costs (Identify)			Allowance	\$	
20 Loan Fees (Identify % Rate)			Calculated	\$	
21 Appraisal and Closing Costs			Calculated	\$	
22 Construction Loan Interest (Identify % Rate)			Calculated	\$	
23 Property Taxes During Construction			Calculated	\$	
24 Other Soft Costs 1 (Identify)			Calculated	\$	
25 Other Soft Costs 2 (Identify)			Calculated	\$	
26 Contingency			% of Hard Costs	\$	
27 TOTAL INDIRECT DEVELOPMENT COSTS				\$	
28 TOTAL DEVELOPMENT COSTS (Rounded)				\$	



COUNTY OF LOS ANGELES
DEPARTMENT OF BEACHES AND HARBORS

March 13, 2003



STAN WISNIEWSKI
DIRECTOR

KERRY GOTTLIEB
CHIEF DEPUTY

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director

SUBJECT: ITEM 6a - ONGOING ACTIVITIES REPORT

BOARD OF SUPERVISORS' ACTIONS ON ITEMS RELATING TO MARINA DEL REY

At the February 25, 2003 meeting of the Board of Supervisors, the Board approved an option agreement for Lease No. 6734 (Parcel 44U) and Lease No. 11140 (Parcel 77W) Marina del Rey, granting the right and option to the County, upon payment of the stated option prices, to acquire full use of Parcel 77W and a portion of Parcel 44U.

At the March 4, 2003 meeting of the Board of Supervisors, the Board approved Consents to Assignment of Membership Interests in Limited Liability Company, allowing Pacific Marina Venture, LLC, the owner of the leasehold interests in Parcels 44U (Pier 44) and 77W (77 Del Rey), Marina del Rey, to consolidate ownership interest by virtue of assignment of membership interests in Pacific Marina Venture Partner, LLC to Pacific Marina Properties, LLC.

At the March 11, 2003 meeting of the Board of Supervisors, the Board approved the Option to Amend Lease Agreement for Parcel 20 (Panay Way Marina) granting an option to the current lessee, which upon fulfillment of stated conditions would extend the term of the Parcel 20 ground lease by 39 years. The Parcel 20 redevelopment includes 99 new apartments (10 allocated for low-income seniors), replacement of the anchorage, and construction of a parking structure, new yacht club and waterfront promenade.

Also, at the March 11, 2003 meeting of the Board of Supervisors, the Board approved an amendment to the Parcel 18 (Dolphin Marina) lease reserving one end-tie slip for water taxi docking purposes.

Each of these items were previously considered and recommended by your Commission.

MARINA DEL REY ENTRANCE CHANNEL SHOALING

As I reported to you a few weeks ago, shoaling has occurred at the northern approach to the Marina del Rey Entrance Channel from the recent winter storm action. The Corps of Engineers has recently provided their engineering survey results that define the extent of the shoaling. The Corps' Los Angeles District-Operations Division has surveyed the shoaling and estimates that the quantity of the shoaled sediment that has been deposited in the Channel entrance since the last dredging project to be 132,295 cubic meters (**173,306 cubic yards**), with 25% of the northern entrance shoaled up. The Corps does not consider this to be an emergency dredging project. Public safety is being protected through appropriate buoy markings and Notices to Mariners issued by the Sheriff-Harbormaster.

Accordingly, the Corps recommends completing design and engineering studies next fiscal year (October 1, 2003 through September 30, 2004), so that they'll be ready to dredge in FY 2005, which begins October 1, 2004. Since actual dredging cannot take place between April 1 and September 1 of any given year in order to avoid adverse impacts to foraging California least terns, we anticipate the dredging project will occur within the period October 1, 2004 – March 31, 2005. We will continue to work closely with the Sheriff's Harbormaster and Corps to monitor shoaling at harbor entrances to ensure boater safety and dredging in a timely manner.

A request for \$200,000 in the Corps' FY 2004 budget has been included in the County's federal funding request letter that was recently sent to the California Congressional delegation. The Corps has confirmed that their anticipated re-dredging of the Marina Entrance Channel in FY 2005 is consistent with their projected schedule, following their last Marina del Rey dredging project (FY 2000).

DESIGN CONTROL BOARD MINUTES

The draft minutes for the Design Control Board meeting of February 20, 2003 are in your packet.

SW:be

DRAFT

MINUTES OF MARINA DEL REY DESIGN CONTROL BOARD

February 20, 2003

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

Members Present: Susan Cloke, First District, Chair
Jackie Ignon, Fourth District, Vice Chair
Katie Spitz, Third District
David Abelar, Second District

Member Absent: Tony Wong, Fifth District

Department Present: Joe Chesler, Chief, Planning Division
Julie Cook, Planner
LaTrina Hancock, Secretary

County Staff Present: Rick Weiss, Office of the County Counsel
Kevin Johnson, Department of Regional Planning
Frank Meneses, Department of Regional Planning

Guests Present: Penny Roadheim, Marina Boat Rentals
Carla Andrus, resident, Marina del Rey
John Davis, Sierra Club
David Keller,
Susan Lapin, USC/ICI
Lt. Shad Thomas, USCG
Roger VanWert, Mariners Village
Dave Brockman, EDAW, Inc.
Ken Ryan, EDAW, Inc.
Robin Perkins, Selbert Perkins Design
John Lutz, Selbert Perkins Design
David Levine, President, Marina del Rey Lessees Association
Jim Gee, Marina Boat Rentals

1. Call to Order and Absences

Ms. Cloke called the meeting to order at 2:10 p.m. Mr. Abelar led the Pledge of Allegiance. Mr. Abelar (Spitz) moved to excuse Mr. Wong from today's meeting. Motion passed unanimously.

2. Approval of Minutes from January 16, 2003 and DCB Reviews #02-029 and #03-001

Ms. Cloke suggested the format of the draft minutes be more condensed. The January 16, 2003 minutes were held until the next meeting. There were also corrections to the minutes on page 11.

Public Comments

John Davis, felt the draft minutes provided fraudulent information regarding the Fisherman's Village redevelopment and should not be approved.

Mr. Weiss advised that the purpose of minutes is to accurately reflect what happened at the DCB Meetings. If a member of the public disagrees with an opinion or statement that person should address the matter at the time it is being considered. The minutes must accurately reflect the meeting.

Carla Andrus, Marina del Rey resident, objected to the suggestion of the minutes being condensed and instead, suggested that the minutes should be more informative. Ms. Andrus complained about information missing from the minutes of January 16, 2003 and submitted a hand-written text of her recollection of a conversation that was left out.

Ms. Cloke responded by advising that the minutes should reflect the major issues of a meeting, the Board discussion, and action. She also advised that the tape is the back-up of the details of the meetings.

3. Report from County Counsel

Mr. Weiss advised the Board that he drafted a letter, at the Boards request, regarding a request for notice/consultation of the Admiralty Road widening project and State Route 90 extension. Mr. Weiss provided a draft for the Department and for the signature of the Chair of DCB.

Public Comment

John Davis made comments, which did not concern the letter being discussed. Ms. Cloke advised Mr. Davis general comments on the overall matter were not to be discussed at this time. Mr. Abelar advised the Board to let Mr. Davis finish his comments so that the meeting could continue.

Ms. Cloke advised that the letter drafted to Mr. James A. Noyes, Public Works, would be sent on behalf of the Board.

4. Report from the Chief of Planning

Mr. Chesler introduced Mr. Kevin Johnson, Department of Regional Planning, who will replace Mr. Frank Meneses as the Department of Regional Planning representative at the DCB meetings.

A. Temporary Permits

Three temporary permits were requested since the last meeting.

1. Temporary tent for the Ritz Carlton special event/activity – erected on February 12, 2003 and removed on February 17, 2003.
2. Annual Halibut Derby banner (30-days) erected February 12, 2003 and will be taken down on March 12, 2003.
3. Vitamin King temporary identification banner – denied request for an extension due to past approvals.

Ms. Cloke asked staff to look at a County sign, which advertises public parking on Admiralty Way, to make sure that it is the proper signage.

Approval of DCB Reviews #02-029 and #03-001

Ms Ignon (Spitz) moved to approve DCB #03-001 as submitted. Motion passed unanimously.

Ms. Spitz (Ignon) moved to approve DCB #02-029 with corrections. Motion passed unanimously.

New Business

A. Parcel 56 – Marina Boat Rentals at Fisherman's Village – (DCB #03-002)

Ms. Cook presented the Staff Review in which the applicant submitted plans to legitimize existing kayak racks on the docks. Each rack measures 2 feet 11-inches wide and either 11 feet, or 14 feet long, and is constructed of plastic PVC pipes and 2-inch by 4-inch and 2-inch by 6-inch marine grade wood. The Department's Harbor Engineer reviewed this proposal and determined that the kayak racks are acceptable. It should be noted that the existing Fisherman's Village docks are not fully ADA compliant. However, as part of the Fisherman's Village redevelopment (conceptual approval by the DCB in January 2003), these docks will be completely renovated, including the provision of full ADA access.

Public Comments

John Davis, felt that only the Coastal Commission should be able to give final approval to any reconfiguration of the docks. Mr. Davis stated that this project is not in conformance with the design and architecture of

Marina del Rey regarding to the constructions of boat slips and that no ADA regulation has been adopted by the Department of Justice; therefore, guidelines are all that exist.

Pat Younis, the Bridge Group, expressed her satisfaction regarding the proposed changes and thought it might be good for business.

Board Questions

Mr. Abelar asked if the location the applicant proposed for the kayak storage is the only area that can be used. Ms. Roadheim advised that because of the docks configuration, the existing area is the best place to store the kayaks. Jim G., manager for the business, confirmed Ms. Roadheim's response.

Mr. Chesler also advised that Board of the 10 -foot clearance zone between the seawall and the docks. The proposed area is a free water area to launch the kayaks safely.

Mr. Abelar questioned Staff on comments that Mr. Davis made about this project. Mr. Chesler advised that Mr. Davis was correct regarding the area seaward of the seawall as the original jurisdictional of the Coastal Commission. The Department does not believe that this constitutes development, however, in the true sense of the word. The project is a pre-existing condition being brought to the Board for the concurrence.

Ms. Spitz (Ignon) moved to approve the application as submitted. Motion passed unanimously.

B. Parcel 76 – Trizec Towers – (DCB #03-003)

Ms. Cook presented the Staff Review in which the applicant submitted plans to replace an existing leased 600 kW portable generator with a purchased generator within a steel screened area on the rooftop parking lot. The leased generator is being used by USC/ISI, which houses and maintains two of the world's 13 Internet root name servers; the main hardware "nodes" and software programs that direct traffic for the entire Internet. USC/ISI has just renewed their lease for an additional ten years, with a ten-year option to renew. USC/ISI has determined that a purchase of this vital backup generator equipment is preferable. As the original approval was only for three years, the applicant has returned early, in the hope of facilitating the equipment purchase option within the approval period.

Public Comments

None

Ms. Ignon(Abelar) moved to approve the application as submitted. Motion passed unanimously.

C. Parcel 62 – United States Coast Guard – (DCB #03-004)

Ms. Cook presented the Staff Review in which the applicant submitted plans for replacement signage. A new sign has been made, but not yet installed. The USCG realized after fabricating the sign that there was a formal review process for signage in Marina del Rey, and has postponed its implementation until formal action by your Board. To present a cleaner sign, the USCG concurred with Staff's recommendation to remove some text from the sign, leaving the clear area above "Coastal Patrol Boat."

The sign is located before the USCG driveway and after the Sheriff's exit, in front of the building where it is closest to Fiji Way. This cul-de-sac portion of Fiji Way, is one way only. The sign's location does not interfere with pedestrian or vehicular visibility.

Ms. Cloke asked about the colors in the sign. Lt. Shad explained that one of the colors used in the sign, red, is different from the red used for the American Flag. Lt. Shad explained that all of the proposed information needed to be put on the sign as part of the Coast Guards identity.

Mr. Abelar asked if the sign blocks the view of drivers approaching the cul-de-sac. Staff explained it does not block the view of approaching drivers.

Ms. Cloke questioned the Commanding Officer name sign below the USCG sign and suggested that it be placed within the sign so that the sign has a more solid look.

Public Comments

John Davis liked the sign and suggested putting a number or an email address on the sign, which the public could use to contact the Coast Guard.

Ms. Spitz (Ignon) moved to approve the signage with the discussed changes that the name of the Commanding Officer to be placed in the center of the primary sign panel.

The applicant must submit the revision to Staff and get their approval before replacing the signage.

D. Parcel 113 – Mariner's Village Apartments – (DCB #03-005)

Ms. Cook presented the Staff Review in which the applicant submitted plans for modification to the median and related roadway improvements at the intersection of Via Marina and Captain's Row Drive. The purpose of the proposed modifications is to improve vehicular ingress and egress as well as safety from Captain's Row Drive. There was no prior DCB approved project at this site.

Mr. Chesler advised the Board that the intersection was improperly designed for the driveway. At the applicants requests, the modification be made in order to make a safer approach to the driveway; Public Works supports the proposal.

To evaluate the impacts of the proposed tree removal, the applicant hired Impact Sciences, an environmental consulting firm. According to Impact Sciences, the removal of the large ornamental polar hybrid will not adversely affect natural habitats due to a number of adjacent trees of the same species. They also recommend that the tree be checked for nesting birds prior to removal.

As the work will occur on County property, there is a need to coordinate and control various aspects of the construction, ensure appropriate insurance, etc. The applicant is required to obtain a Right of Entry Permit from the Property Management Section of the Department.

Mr. Roger VanWert, Mariner's Village, explained in further detail the proposed changes to the Board.

The Board was concerned because the applicant incorrectly identifies the tree. Mr. Chesler provided the correct name of the tree, a coral tree, and noted that the tree is old, in a median area, and is prone to surface rooting. Removing the tree may prevent curb damage in the future. Staff does not feel that the tree would be a significant loss given the surrounding trees of this type and public safety benefits that would be gained.

The Board informed the applicant that a replacement tree must be planted. Mr. VanWert advised the Board that his property is fully landscaped and he has no idea where another tree can be planted along the frontage, but he would be pleased to place a tree wherever the Board directs. The Board also suggested a public tree opportunity, to which Mr. Chesler replied that the applicant would have to contact Public Works to plant the tree on public property.

Ms. Cloke asked Mr. Weiss if the tree could be planted someplace in the Marina other than the applicants property if the applicant agreed. Mr. Weiss advised if the applicant agrees to plant a tree some place else it

would be ok, but it would be better if the tree were planted closer to the applicants property.

Public Comments

John Davis expressed his concerns regarding uprooting the tree and mentioned the project site was the site of several prior industrial land uses.

Ms. Cloke suggested giving the applicant a conditional approval showing support of the realignment and creation of the left turn lane, but that the Board would need to have more information about the replacement tree, such as planting, location, size, species, etc. The Board expressed concern about the containing nest.

Mr. Weiss advised the Board that their approval would not eliminate the requirement of the applicant and the Department to comply with any other applicable law, which may apply to the removal of the tree in certain seasons and both must comply with State and Federal laws relating to species and habitat. Mr. Weiss suggested that the Board give the applicant a continuance instead of conditional approval.

Ms. Cloke (Ignon) moved to continue the applicants submittal until more information regarding the tree is presented such as: the location of the replacement, species and the size, tree trimming plans from an arborist, and more information on bird population issues.

**3:23 p.m. break*

**3:35 p.m. reconvened*

E. Marina del Rey Urban Design Report by EDAW, Inc. (45 minute presentation)

Ms. Cloke welcomed EDAW, Inc. and Selbert Perkins Design to the DCB Meeting. Mr. Chesler introduced the presenters of both companies advising that they would be discussing urban design guidelines, visioning statement; park and open space plan elements.

Ken Ryan explained the vision statement of the Marina and the major issues cited by Beaches and Harbors:

- Lacks sense of place and identity
 - obscure boundaries and entryways
 - unidentifiable landmarks
 - incohesive character
- Not accessible through view corridors and physical connections
- Water esplanade lacks continuity and integration with community

- Undetectable wayfinding signage and environmental graphics
- Poorly visible gateways
- Isolated from surrounding areas
- Growth concerns
- Land interface with waterfront is minimal
- Does not adequately address various influencing factors
 - tourism
 - residences
 - commercialism

Mr. Ryan spoke on opportunities and constraints that EDAW feels are very important. Due to outside influences, the area of Marina del Rey lacks a sense of place and identity and the boundaries for the community have become somewhat obscure. He mentioned the inaccessibility of the Marina, the lack of waterfront continuity, lack of integration with the overall community, the need for interface between land uses and water fun and that circulation is a key issue.

Mr. Ryan explained the vision statement for the Marina, which is, a goal to create a pedestrian-oriented community that redefines the water as a positive space that would seamlessly weave together land and water in a cohesively interactive environment. Mr. Ryan mentioned how jogging, biking and exercise trails could be integrated with the Oxford Basin area, and in other areas of the Marina and creating landmarks and gateways.

Robin Perkins, Selbert Perkins Design, spoke on identity and the public perception of Marina del Rey. Ms. Perkins expressed that Marina del Rey should have its own identity for the water and recreation uses along the water. Using a power point presentation and boards, Ms. Perkins showed and described the existing sign system as having too much information, and lack of clarity in sign placement and types of signage. For example, pole signs for restaurants and hotels show no consistency and on other signs the landscaping makes them unreadable. Public art and sculptures would also enhance Marina del Rey's identity.

Mr. Brockman, EDAW, mentioned the park-like areas in Marina del Rey and suggested the landscape for these areas bridge the street and flow across to the park areas. He mentioned using internal courtyards to create opportunities for gathering spaces that will connect to the waterfront. Each major development would have its own would be festive, and sophisticated with controlled lighting and graphics. Ms. Perkins spoke about water features made out of seahorses and the drainages made out of a fish and other patterns to enhance the environment and other land forms that are fun and exhilarating to play on.

Mr. Brockman the organization of plant communities. He suggested that particular areas have their own plant pallet. Water treatment facilities would be placed in available areas.

Mr. Ryan summarized the presentation by talking about the next steps of the project. Breaking the project into key areas where there are opportunities and addressing an overall level as well and the neighborhood level, looking at landscape architecture, architecture, signage, wayfinding and story-telling aspects of the project. All of these recommendations will have a historical reference.

Ms. Cloke asked for County Counsel's advice regarding taking a break so that all can view the presentation boards, capturing questions and comments for public record.

Mr. Weiss advised the Board that the presentation is a report item, not for any formal action from the Board. Mr. Weiss suggested any discussion that would lead to providing input to include the public and Mr. Weiss would counsel the Board in asking questions. Anything that has to do with policies and ideas must be asked after viewing the drawings so that the questions can be put on public record.

****4:30 p.m. Break for the Board and the public to view presentation boards brought in by EDAW, Inc.***

****5:00 p.m. reconvened***

Mr. Abelar had to leave the meeting at 5:00 p.m. and was, therefore, given the chance to ask questions and make comments before the public comments section of the meeting. Mr. Abelar expressed his satisfaction with the presentation

Public Comments

John Davis made several comments not related to EDAW's presentation and submitted, attachment D, of the California Coastal Management Zone Program, in which he interprets that all permits should be handled by the California Coastal Commission. Mr. Davis commented on the urbanization of a public marina park.

David Levine, President, Marina del Rey Lessees Association, questioned the process of the redevelopment project and questioned where EDAW's work will go in terms of implementation and how does EDAW's work interact with the legal body of the planning doctrine, which is currently being implemented in the redevelopment projects.

Mr. Brockman responded by advising that the guidelines of the Local Coastal Plan (LCP) are being followed. The LCP calls for design guidelines to be prepared and executed and EDAW is in the process of joining that effort and will

work with the DCB to create and finalize these documents. Mr. Brockman advised Mr. Levine that there a combination of things that lessees will be encouraged to do and others that will be mandated, this will become more visible as the design guidelines move forward.

Mr. Levine asked how the individual lessee's would address the concepts that have been introduced by EDAW. Ms. Cloke advised that every project is reviewed individually and goes through an already legally established process. EDAW's work is draft until it becomes the official policy. Then there would be the standard lengthy adoption process giving the public and others the appropriate notice and the opportunity to participate. Mr. Chesler also advised that it is premature to assume that the recommendations will be implemented in a fashion that will essentially change the way that buses drive down the road. Staff is looking forward to making these recommendations to use in the daily review and evaluation of projects in the public realm, and initially guiding the review of various private development proposals that are received by Beaches and Harbors.

Mr. Levine also commented on the unique public and private partnership in Marina del Rey by advising many of the improvements are individual lessees that will be asked to incorporate these guidelines into their own development plans, but many of the recommendations that have been discussed are a function of the public investment and the infrastructure of the Marina. Because the budget is not good right now and resources are limited, it might be helpful to engage in an exercise to find out which infrastructures/image improvements delivered to Los Angeles County will get the most for its money. Mr. Levine felt it would be in everyone's best interest to focus on those elements that would have the greatest public benefit and would also stimulate a greater sense of place.

Ms. Cloke advised Mr. Levine that this was EDAW's first public presentation and as the project moves along, documents will become more available to everyone.

Pat Younis, The Bridge Group, commented that she really liked the ideas EDAW presented and asked when documents will be available to the public.

Ms. Cloke and Staff advised Ms. Younis that the documents that were presented in today's meeting are now public record and as time goes on, the public will get another chance to voice their opinions.

Board Comments/Questions

Ms. Ignon felt that EDAW has a lot of good ideas, but would like to have something in writing so that when projects come before the Board, the Board will have a clear idea in what direction to go. Ms. Ignon would like to see an implementation plan for EDAW's ideas. She asked the exact relationship between EDAW's ideas and the Asset Management Program.

Ms. Spitz commented on the sign information and asked Ms. Perkins about the sign measurements and asked some of the same questions Ms. Ignon asked. Ms. Perkins advised the Board that it is 1 foot per linear foot of frontage and for the larger projects would have more linear feet and the signs would be somewhat bigger.

Ms. Cloke advised that she was pleased that EDAW came to the meeting with their information and commented on the following things;

- Water – how it improves, enhances, makes stronger, and clearer the connection to the water. Needs to be able to create continuing pedestrian experience at the waters edge.
- Concept of identity and landscape can be a strong marker – needs to be created in a variety of ways, where things are, how to get from here to there, from the largest scale to the smallest scale, and be consistent.
- Landscape zones are important.
- Design logo – from the biggest to the smallest and must all fit together.
- History of Marina del Rey – EDAW needs to reach far back for the history of Marina del Rey and bring it to the present.
- Fun- signage, interactive things, self-evident signage in a fun architectural language.
- Recreation – think of every opportunity for recreation, people need to be able to recognize recreational areas.
- Implementation level – concept of creating destination nodes.
- The Board needs guidelines that will give them the authority to look at a sign and determine whether or not it is the right signage for the Marina.

Ms. Cloke asked Mr. Wisniewski, Director, Beaches and Harbors, about the community participation regarding the project and asked to have some understanding of status reports regarding this project. Mr. Wisniewski advised the Board on some of the budget issues. Mr. Wisniewski offered that Staff could give a report every month on the status of EDAW's progress. Mr. Weiss advised the Board if they want an item on the agenda every month, it has to be agendized before it can be addressed.

Ms. Cloke asked Mr. Barry Kurtz, Traffic and Lighting Engineer, to address the Board regarding widening of Admiralty Way and EDAW's role in this proposed project. Mr. Kurtz advised that the two projects are still in the beginning stages, they have to be submitted, evaluated and ranked with other projects. Because of budget problems, these projects may be deferred longer and may not be heard until the year 2006 or 2008, but these projects will remain on the County highway plan as a secondary highway. Mr. Kurtz noted that they (Public Works) would try to balance the needs of the environment, pedestrians, bicycles, buses and cars, and try to find a good compromise to develop a project that will better serve everybody.

Mr. Ryan summarized the main comments and suggestions that were made. Mr. Ryan advised that EDAW is sensitive to the budgetary considerations and would welcome any comments from the public and lessees in the Marina. Mr. Ryan feels that reasonable people can discuss options and ideas and come to conclusions that can ultimately end up in win-win situations.

7. Public Comments

Mr. Davis commented on the County's Asset Management Plan, which he feels violated the Coastal Act by urbanizing a public park and declaring public park land as no longer suitable for park use, thereby allowing the County to declare it surplus property so that it can be sold to private corporations. Mr. Davis feels that this is a contradiction to Federal, State and County laws.

Meeting adjourned at 6:00 p.m.

Respectfully Submitted,

La Trina Hancock
Design Control Board Secretary

MDR News

March 4, 2003

Mr. Stan Wisniewski, Director of Los Angeles County Department of Beaches and Harbors

13837 Fiji Way

Marina del Rey, California 90292

Dear Mr. Wisniewski:

Regarding: Small Craft Harbor Commission Meeting of March 12, 2003, and your Department's anticipated staff boat slip vacancy report

On behalf of a number of boating members of the public, including myself, we are asking for the opportunity to participate in the preparation of the above mentioned staff boat slip vacancy report, that was requested by the Commissioners at their February 24, 2003 Special Meeting. We are aware of this item because many of us were at the Special Meeting and realized that unless we have more information about what the staff will and will not be considering in this report, and are included in its preparation we will have little chance to meaningfully participate in this matter vital to boaters. Many boaters asked me to write to you on their behalf.

In order to have the widest opportunity to participate, in this matter of continuing planning and implementation for coastal conservation and development, we are asking for the opportunity to review material your staff may consider, ask questions of staff and receive answers, prior to the report being finalized and sent to the Commissioners for their review, consideration and decisions at the March 12 meeting. We would also like to have the opportunity after this participation with staff to have our views be included in the report.

It was clear at the February 24 meeting that Commissioners¹, like most people, experience the decision making process, particularly when considering new, modified and/or important proposals, through a series of exposures to information and interactions with those they consider credible and relevant to the issue. Then, often digestion time is needed, particularly if there are new issues, conditions and concepts to consider. It is also well known that first impressions are most important and that a self chosen time to read, ponder, make notes, do research and contact supervisors and other stakeholders likely to be affected by their decisions, leads to more informed and balanced decision making. If the public's views, conditioned by their

¹ Refer to Commissioner Stevens's comments about having come to the 2/24 meeting believing the "Option" item on the agenda was a good idea, so was predisposed to vote in accord with your recommendations – prior to public input.

interaction with staff, are not part of this quality time of the decision maker, they have a high hurdle to overcome to gain credibility later in the "on stage" more pressured environment of a public meeting. A three minute off the cuff comment, by poorly informed members of the public at a Commission meeting, pales in comparison with the quality of opportunity that staff had to prepare and serve their views to the decision makers - 5 days in advance of the meeting.

If it is not possible, in this instance, to include us as we ask above, we then ask that you ask the Commissioners, as we so do by copy of this letter to them, that they put off final consideration of this matter until the next Commission public meeting. We ask for the opportunity to interact with staff as mentioned above, before this next meeting, and the opportunity to present our views at this next meeting to the Commissioners.

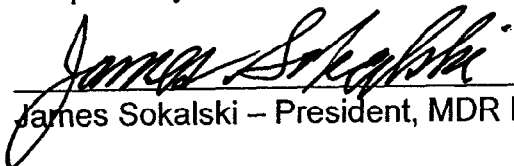
The vacancy issue, as one Commissioner commented on at the February 24 Special Meeting, has been brought up many times by boaters, particularly in the past year with marina redevelopment impacts depriving many of a place to put their boat and sharp increases in slip rental rates due to the sudden short supply of slips. This is a core issue in the continuing planning and implementation of programs for coastal development. For example, the Williams-Kuebelbeck & Assoc. Marina del Rey boat slip studies dated September 1, 1998, and April 20, 2001, that were commissioned by Marina Two Holding Partnership and your Department, were used in planning by both the County and developers in the permit process. Reliance upon these reports lead to permits being approved that resulted in massive changes in boat slip size configuration and reductions in slip availability. Vacancy information contained in these reports, relied upon by the decision makers in the permitting process, including the County's Planning Dept., Board of Supervisors and the Coastal Commission, has had and will have a drastic continuing impact on boat slip availability. Consequently, we are very concerned that the Small Craft Harbor Commissioners, in their advisory capacity to the Board, and you, in your role as Director and principal architect of coastal planning, development and conservation policies and projects for Los Angeles County, have accurate and timely information upon which to base future decisions.

Thank you for your anticipated welcoming of public participation in this matter so vital to all boaters in Marina del Rey and surrounding areas. It does affect all boaters for it has a major impact on rental rates and slip rental and tenancy conditions. There is much evidence to show that rental rates and conditions for marinas from San Diego to Santa Barbara have been impacted significantly by the withdraw of many hundreds of boat slips from the market in Marina del Rey during the past year. In fact, 3 boaters on my dock alone, have moved from the Marina to Ventura harbor in the past year and for the first time in many years there are no vacancies there - and a long waiting list.

Please refer to my letter to you and the Commissioners, dated February 23, 2003, and the scores of letters from the public to you and the Commissioners received around the February 24, 2003 Meeting date, for a more detailed treatment of concerns many of the public have about their opportunities to fully participate in matters such as this vacancy report.

Please forward to the Commissioners their copy of this letter alongside your staff report(s) (if you are unable to include public views as outlined in this letter) in their pre-meeting packet you send to them. Thank you so much for your anticipated support and leadership in this matter vital to so many.

Respectfully submitted,


James Sokalski – President, MDR News

CC. HARLEY SEARCY, CHAIRMAN SLHC

Department of Beaches and Harbors		
MAR 05 '03		
	Info	Act
Director		
Chief Deputy Director		
Deputy Director		
Executive Assistant		
Admin. Services		
Asset Management		
Facilities Property Mtce		
Community Services		
Planning		

MDR News

March 11, 2003

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

Department of Beaches and Harbors	MAR 11 '03		Info	Act
	Director			
	Chief Deputy Director			
	Deputy Director			
	Executive Assistant			
	Admin. Services			
	Asset Management			
	Facilities Property Mgmt			
	Community Services			
	Planning			

Dear Mr. Wisniewski:

Regarding: Small Craft Harbor Commission Meeting of March 19, 2003, and
your Department's anticipated staff boat slip vacancy report

I have not received a response from you or your staff to my letter of March 4, 2003, wherein we asked for the opportunity to participate with you and your staff in the preparation of the above mentioned report. After hearing through the grapevine that the regular SCHC meeting set for March 12, 2003, was cancelled and the day after was reset for March 19, I called Toni Minor, the Commission's secretary, to confirm the new meeting date and that the "vacancy report" would be on the agenda. She said the agenda was not set yet so she could not confirm that the vacancy report would be included. I asked to speak with staff working on the "vacancy report" so I could ask some questions regarding it and possibly furnish some information. She said she would relay my request to management.

I am writing this letter as I have not as yet received a response. I am concerned that if this staff report is on the agenda, and is sent with other meeting documents to the Commissioners on the Thursday before their meetings as is customary, then there will not be sufficient time for participation with staff in advance of the meeting. We seek to work with, i.e. to participate with, County staff in this component of the continuing planning and implementation for coastal conservation and development as smoothly as possible so in keeping with the reported wish of Supervisor Knabe¹ to expedite the redevelopment of the Marina. As the chairman of the SCHC said at the February 24, 2003, meeting – there is a wealth of expertise here, i.e. many users of the Marina who seek to share their expertise to enhance the planned redevelopments in the Marina. We call this participating. Only in participating can we all learn, so perhaps find a way that user expertise, developed from many years of hands on use, can be recognized, evaluated and incorporated when appropriate, by you and others directing the redevelopment and management efforts in the Marina.

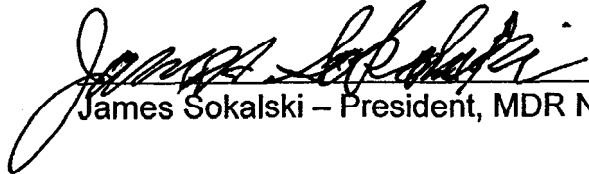
Please refer to my letter to you, copied to the Commissioners, dated March 4, 2003, seeking to be included in the preparation of the staff vacancy report.

¹ Refer to Argonaut Jan 30, 2003, article on page 4.

Refer also to the scores of letters from the public to you and the Commissioners and other materials furnished at the February 24, 2003, SCHC Special Meeting for details of some of the concerns many members of the public have about their opportunities to fully participate in matters such as this vacancy report.

Please forward to the Commissioners their copy of this letter alongside your staff report(s).

Respectfully submitted,



James Sokalski – President, MDR News

c. Small Craft Harbor Commissioners