



Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

**SMALL CRAFT HARBOR COMMISSION
AGENDA**

**November 10, 2015
10:00 A.M.**

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

Audio

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

2. **APPROVAL OF MINUTES**

Small Craft Harbor Commission Meeting of October 14, 2015.

3. **COMMUNICATION FROM THE PUBLIC**

This is the opportunity for members of the public to address the Commission on items that are not on the posted agenda, provided that the subject matter is within the jurisdiction of the Commission. Speakers are reminded of the three-minute time limitation.

4. **COMMUNICATION WITH THE COMMISSIONERS**

This is the opportunity for members of the Commission to provide notification to the public regarding any communication received by the Commissioners from the public, lessees, or other interested parties regarding business of Marina del Rey.

5. **REGULAR REPORTS**

a. Marina Sheriff (DISCUSS REPORTS)

- Crime Statistics
- Enforcement of Seaworthy & Liveaboard
- Sections of the Harbor Ordinance with Liveaboard Permit Percentages

b. Marina del Rey and Beach Special Events (DISCUSS REPORT)

c. Marina Boating Section Report (VERBAL REPORT)

d. Marina del Rey Convention and Visitors Bureau (PRESENTATION)

6. **OLD BUSINESS**

a. None

7. **NEW BUSINESS**

))) a. Parcel 10 and FF Modifications and Extension of Option Agreement (ENDORSEMENT)

[Parcel 10 Amended and Restated Lease](#)
[Parcel FF Lease Agreement](#)
[Attachment: Draft EIR](#)
[Attachment: Draft EIR Appendices](#)
[Attachment: Recirculated Draft EIR](#)
[Attachment: Recirculated Draft EIR Appendices](#)
[Attachment: Final EIR](#)

-))) b. Report on Charter Boat Operations in Marina del Rey (PRESENTATION)
-))) c. Report of County Occupied Facilities in Marina del Rey (INFORMATION)
-))) d. Strategic Objectives in Furtherance of Recreational Boating (PRESENTATION)
--Commission Suggested Actions

8.))) **STAFF REPORTS**

- Ongoing Activities (DISCUSS REPORTS)
- Board Actions on Items Relating to Marina del Rey
 - Regional Planning Commission's Calendar
 - California Coastal Commission Calendar
 - Venice Dual Force Main Project Update
 - Redevelopment Project Status Report
 - Design Control Board Minutes
 - Marina del Rey Slip Report
 - California Coastal Commission Slip Report
 - Fisherman's Village Progress Report
 - Wetland Park Public Meeting 11/19/2015

9. **ADJOURNMENT**

PLEASE NOTE

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code (Ord. 93-0031 ~ 2 (part), 1993, relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.
2. The agenda will be posted on the internet and displayed at the following locations at least 72 Hours preceding the meeting date:

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

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

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

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

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

3. The entire agenda package and any meeting related writings or documents provided to a Majority of the Commissioners (Board members) after distribution of the agenda package, unless exempt from disclosure Pursuant to California Law, are available at the Department of Beaches and Harbors and at <http://marinadelrey.lacounty.gov>

Si necesita asistencia para interpretar esta informacion llame al (310) 305-9503.

ADA ACCOMODATIONS: If you require reasonable accommodations or auxiliary aids and services such as material in alternate format or a sign language interpreter, please contact the ADA (Americans with Disabilities Act) Coordinator at (310) 305-9538 (Voice) or (TTY/TDD) users, please call the California Relay Service at 711. The ADA Coordinator may be reached by email at rstassi@bh.lacounty.gov.

Si necesita asistencia para interpretar esta información, llame a este numero: 310-822-4639.

SMALL CRAFT HARBOR COMMISSION MINUTES

October 14, 2015

Commissioners: David Lumian, Chair; Dennis Alfieri, Vice Chair; Russ Lesser, Commissioner; Allyn Rifkin, Commissioner; Vanessa Delgado, Commissioner (excused absence)

Department of Beaches and Harbors: Brock Ladewig, Deputy Director; Steve Penn, Chief of Asset Management Division; Carol Baker, Chief of Community and Marketing Services Division; Gloria Perez, Management Fellow

County: Jill Jones, County Counsel; Sergeant Richard Godfrey, Sheriff's Department

Chair Lumian called the meeting to order at 10:02 a.m. followed by the Pledge of Allegiance led by Deputy Barrios and read the Commission's policy on public comments.

Approval of Minutes: Motion to approve by Commissioner Rifkin, seconded by Commissioner Lesser, unanimously approved.

Ayes: 4 – Chair Lumian, Vice Chair Alfieri, Mr. Lesser, and Mr. Rifkin

Item 3 – Communication from the Public:

Public Comment: Boat Captain Gustavo Santi is an owner of a large sailboat. He addressed the Commission about his desire to legally operate a charter in MdR and his frustration with finding a private marina that will allow him to operate a charter business on its premises. Captain Santi said there is a large demand for boat charters and there are other boat captains with the same issue.

Mr. Penn replied that the Department of Beaches and Harbors (DBH) has been receiving many inquiries about charter operations in MdR and added that there are zoning and licensing requirements for operating any legitimate business within MdR. DBH recommends individuals to contact private lessees whose zoning will permit this type of business. The Department itself does not provide approval for operating a chartering business. Mr. Penn offered to further discuss the issue with Captain Santi. Chair Lumian invited Captain Santi to come back and address the Commission if he does not find a successful solution.

Public Comment: Phillip Winter, representing Naos Yacht Sales, which also operates a charter business and sailing school, complemented DBH on employee's immediate response to his questions. He further spoke about charters and his concerns about the legality of all charter operations in the Marina with the exceptions of those housed in Fisherman's Village. Mr. Winter also requested information on the definition of charters and how and where his business can legally operate within MdR. He asked for further clarification regarding Dock 55 and if it would only allow for one operator. His understanding is that all other operators are excluded due to parking limitations. Mr. Winter would like to know how he may submit an official request to use Dock 55. Mr. Winter discussed how he would like to legally operate a charter business, about expanding his business and his willingness to pay more.

Chair Lumian requested that Mr. Penn meet with Mr. Winter to discuss his inquiries. He also requested DBH provide an overview of the charter operations in MdR at next month's meeting. He specifically requested information where charter businesses can/cannot operate in the Marina and if there is sufficient capacity to meet the demand for charters.

Mr. Penn replied that he will report back on the chartering businesses, specifying what kind of challenges, restraints, and regulatory process are currently in place and that he would meet with people to discuss their issues.

Mr. Winter also addressed the Commission about the County's occupancy of commercial space and his concern for potential loss of office space in MdR.

Mr. Lesser requested a report be provided at the next meeting listing buildings and properties the County is leasing for government use in MdR.

Mr. Penn replied that staff will create an inventory list of facilities being used by the County in MdR.

Chair Lumian listed the reports the Commission requested DBH present at next month's meeting: charter businesses in MdR, County's occupancy of buildings throughout the Marina, and a strategic plan for recreational boating.

Item 4 – Communication with the Commissioners

Chair Lumian reported he attended a meeting with Pier 44 Lessees to discuss developments. He also attended the CAL Boating Aquatic Director's Meeting which includes people from different boating centers throughout the State.

Item 5a – Marina Sheriff

Sergeant Richard Godfrey presented the Crime Stats and Liveaboard stats reports.

Chair Lumian asked if liveaboard permits are still available and if there are any complaints about people not able to get one. Sergeant Godfrey replied that each anchorage determines how many it will allow. The Sheriff reminded everyone that the permits are free and the Sheriff conducts inspections 24 hours a day.

Item 5b – MdR and Beach Special Events

Ms. Baker reported that the Historic Harbor Tours have been very successful. Summer ridership was over 6,000 people. Field trips are being offered to school groups, including Loyola Marymount University. She announced the upcoming Halloween Haunt. Ms. Baker discussed the preparations for the Boat Parade scheduled for Dec. 12th and that DBH is considering having snow in the park along with sledding. DBH will continue to partner with a community group for this event. She also added that DBH is considering offering fireworks for New Year's Eve at 9 pm.

Item 5c – Marina Boating Section Report

Ms. Baker reported that the docks at Parcel 47 are being replaced and construction is more or less on schedule. The docks are scheduled to be completed in June 2016. Approximately 44 tenants will be transitioned to the new docks.

Chair Lumian requested a tour of the docks by someone who is knowledgeable about the design choices.

Ms. Baker replied that if they are accessible she will be glad to offer the tour.

Item 6a – Update on the Venice Pumping Dual Force Main Project

Mr. Penn reminded the Commission that the project has been presented to the Commission on previous occasions. He further commented that the City of Los Angeles (City) is currently in the process of obtaining permits and also is in final stages of completing agreement with the County for access and temporary staging area for the project. He introduced Michael Rodriguez, the Chief Property Manager of the Department.

Mr. Michael Rodriguez presented an overview of the Venice Pumping Dual Force Main Project. The project will start at a County owned parcel off of Via Dolce and run down Via Marina. Temporary construction areas will be based at Lot 13 for a period of 300 days and 44 months on Lot F. Flood Control District will be issuing an easement; whereas, DBH will issue an access agreement. Payment will be made to the County for \$105,200 and provisions will be included to help protect residents such as best use practices.

Mr. Lesser asked why the project will take close to four years.

Abid Chowdhry, the City's project manager, responded that micro tunneling is a very slow process; he added that the sewer line is going to be at the depth of 30 to 50 feet underground. He further described the work being undertaken and commented average progress is about 20 to 30ft per day.

Mr. Lesser asked about the traffic disruption on Via Marina for the local residents.

Mr. Chowdhry replied that they have committed to completing the project no later than 20 months.

Mr. Rifkin asked about extended working hours in order to shorten the time frame of the project.

Mr. Chowdhry stated that the issue was discussed and the County's working hours are from 8am-5pm, Monday through Saturday and asked that the City maintain the same hours due to noise concerns. No construction activities after 5 pm will be allowed.

Chair Lumian expressed his concerns for the local residents and difficulties with access to their homes and businesses. He asked if there have been any efforts to reduce the time of construction.

Mr. Chowdhry replied that when preparing for a project such as this, they figure in risk assessment and risk mitigation; the 20 months have incorporated both.

Chair Lumian asked when the project will begin and end.

Mr. Chowdhry replied that the project is scheduled to begin August 1st, 2016 and end approximately April 30, 2019.

Chair Lumian asked why was the Grand Canal route not considered, since it seemed to be a lot faster, easier and less expensive.

Mr. Chowdhry replied that any project that goes to the coast has to go through Los Angeles County, Coastal Development Permit, and constructability issues. He explained the limitations of the project due to the size of the project and that it was not possible to go through the Grand Canal.

Mr. Rifkin pointed out that the City is going to pay the County a fee in the amount of \$105,000, and asked if that fee is for permits.

Mr. Rodriguez replied that the fees are for the use of parking spaces and the use of the underground portions. The City has to pay for permanent and temporary use of County property.

Mr. Rifkin asked how the fee amount was calculated.

Mr. Rodriguez replied that the City presented appraisals and the County had contract appraisers review them to make sure the County was getting fair market value for the temporary uses and the permanent uses.

Vice chair Alfieri asked if the fee is a one-time fee or an annual fee.

Mr. Rodriguez replied that it is a one-time fee.

Item 7 – New Business

None

Item 8 – Staff Reports

Mr. Penn provided the staff reports on ongoing activities.

Mr. Penn also recommended that the next SCHC meeting be moved to November 12th instead of the regularly scheduled November 10th meeting. The Pier 44 item will presented on November 10th to the Board of Supervisors, which is the same day of the scheduled SCHC meeting. It will be difficult for staff to present at both meeting. Therefore, DBH recommends to change the SCHC meeting to November 12th.

Mr. Lesser replied that he is unavailable on November 12th and has already made arrangements to attend November 10th meeting.

Commissioner Rifkin motioned for approval of the SCHC meeting to be moved to November 12th from November 10, 2015, seconded by Vice Chair Alfieri, motion carried.

Ayes: 4 – Chair Lumian, Vice Chair Alfieri, Mr. Lesser, Mr. Rifkin

Chair Lumian asked for a moment of silence to recognize the passing of Debra Talbot.

Adjournment

Chair Lumian adjourned the meeting at 10:50 a.m.



**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES SEPTEMBER 2015**



	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	Parks 2791	TOTALS
Homicide											0
Rape	1		1					1			3
Robbery: Weapon											0
Robbery: Strong-Arm	1						1		1		3
Aggravated Assault	1	1						1	2		5
Burglary: Residence	1			1	1		1	4	1		9
Burglary: Other Structure	1						1				2
Grand Theft	5	4		1			2	1	5		18
Grand Theft Auto	2	1					1				4
Arson											0
Boat Theft											0
Vehicle Burglary	3	2			1		2	3	3		14
Boat Burglary											0
Petty Theft	1	1				3	1	5	2		13
REPORTING DISTRICTS TOTALS	16	9	1	2	2	3	9	15	14		71

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

Source- LARCIS, **Date Prepared** October 16, 2015
CRIME INFORMATION REPORT - OPTION 5A

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART 2 CRIMES - SEPTEMBER 2015



Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	0
Robbery: Strong-Arm	0	1
Aggravated Assault	0	0
Burglary: Residence	1	1
Burglary: Other Structure	0	1
Grand Theft	0	2
Grand Theft Auto	0	1
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	1	2
Boat Burglary	0	0
Petty Theft	0	1
Total	2	9

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

Source- LARCIS, **Date Prepared** October 16, 2015
CRIME INFORMATION REPORT - OPTION 5A

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART 3 CRIMES- SEPTEMBER 2015



	MARINA AREA (RD'S 2760- 2763)	EAST END (RD'S 2764- 2768)
Part I Crimes		
Homicide		
Rape	2	1
Robbery: Weapon		
Robbery: Strong-Arm	1	2
Aggravated Assault	2	3
Burglary: Residence	2	7
Burglary: Other Structure	1	1
Grand Theft	10	8
Grand Theft Auto	3	1
Arson		
Boat Theft		
Vehicle Burglary	5	9
Boat Burglary		
Petty Theft	2	11
Total	28	43

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

Source- LARCIS, **Date Prepared –** October 16, 2015
CRIME INFORMATION REPORT - OPTION 5A



MARINA DEL REY HARBOR LIVEABOARD COMPLIANCE REPORT 2015



Liveaboard Permits Issued

	September	October
New permits Issued:	7	3
Renewal Issued:	16	8
<hr/>		
Total:	23	11
Notices to Comply Issued:	16	11

Totals:	September	October
<hr/>		
Liveaboard:	306	306
Current Permits:	290	281
Expired Permits:	12	20
No Permits:	4	5

Total reported vessels in Marina del Rey Harbor:

3960

Percentage of vessels that are registered liveaboards

7.73%

Number of currently impounded vessel:

8



Caring for Your Coast

Gary Jones
Director


Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

November 5, 2015

TO: Small Craft Harbor Commission

FROM: Gary Jones, Director 

SUBJECT: **AGENDA ITEM 5B – MARINA DEL REY SPECIAL EVENTS**

BURTON CHACE PARK WALKING CLUB

Burton Chace Park ♦ Lobby ♦ 13650 Mindanao Way ♦ Marina del Rey
Tuesdays & Thursdays
10:30 a.m. – 11:30 a.m.

The Department of Beaches and Harbors (Department) is sponsoring a FREE one-hour walking club. Get your exercise while taking in the beautiful view of the Marina del Rey harbor. Please RSVP by calling (310) 305-9595.

For more information: Call (310) 305-9595

BURTON CHACE PARK AEROBICS CLASS

Burton Chace Park ♦ Lobby ♦ 13650 Mindanao Way ♦ Marina del Rey
Wednesdays
6:00 p.m. – 7:00 p.m.

The Department is offering FREE indoor group aerobics classes that combine rhythmic aerobic exercise with stretching and strength training routines with the goal of improving all elements of fitness. Come get in shape with an experienced instructor at beautiful Burton Chace Park. Ages 13 and up. Please RSVP by calling (310) 305-9595.

For more information: Call (310) 305-9595

MARINA DEL REY FARMERS' MARKET

Parking Lot #11 ♦ 14101 Panay Way ♦ Marina del Rey
Saturdays
9:00 a.m. – 2:00 p.m.

The Department, in collaboration with Southland Farmers' Markets Association, is offering the Marina del Rey Farmers' Market on Saturdays. The Marina del Rey Farmers' Market offers fresh, locally-grown organic and conventionally grown fruits and veggies. Also available are prepared and packaged foods, hand-crafted products and much more! Paid parking is available for 25 cents for every 10 minutes.

For more information: Call Marina del Rey Visitors Center at (310) 305-9545

FISHERMAN'S VILLAGE WEEKEND CONCERT SERIES

13755 Fiji Way ♦ Marina del Rey
Sponsored by Pacific Ocean Management, LLC
All concerts are from 1:00 p.m. – 4:00 p.m.

Saturday, Nov 14th
Friends, playing R&B

Sunday, Nov 15th
Susie Hansen, playing Latin Jazz

Saturday, Nov 21st
IZMSKZM, playing Rock/Reggae

Sunday, Nov 22nd
2Azz1, playing Jazz/Funk

Saturday, Nov 28th
Brasil Brazil, playing Bossa Nova/Samba

Sunday, Nov 29th
JB & The BC Riders, playing Country/Rock

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

HISTORIC HARBOR TOURS

Fisherman's Village ♦ 13755 Fiji Way ♦ Marina del Rey
Ongoing through November 29, 2015

In celebration of Marina del Rey's 50th birthday in 2015, the Department is offering Historic Harbor Tours this fall. Explore the largest man-made small craft harbor in North America and enjoy a 45-minute informative narrated historic tour through the scenic waterways of Marina del Rey from the comfort of a beautiful, classic wooden yacht, operated by Hornblower Cruises & Events.

The fare is \$1.00 per guest and availability is on a first-come, first-serve basis.

Fridays: 1:00 p.m., 2:30 p.m., 4:00 p.m.

Saturdays & Sundays: 11:30 a.m., 1:00 p.m., 2:30 p.m., 4:00 p.m.

For more information: Call Marina del Rey Visitors Center at (310) 305-9545

FALL YOUTH CAMP

Burton Chace Park ♦ Lobby ♦ 13650 Mindanao Way ♦ Marina del Rey
November 23 – November 25, 2015
7:30 a.m. – 6:00 p.m.
\$50 per day/ Boys and Girls/ Ages 6 – 10 years old

The Department is offering a fall youth camp that is full of fun and adventures. Participants will engage in three days of sports, recreational activities, health and fitness programs, arts & crafts, science and so much more! Registration is open until the program is full.

For more information: Call (310) 305-9595 to reserve your space.

WINTER YOUTH CAMP

Burton Chace Park ♦ Lobby ♦ 13650 Mindanao Way ♦ Marina del Rey
December 21, 22, 23, 28, 29 and 30, 2015
January 4 – 8, 2016
7:30 a.m. – 6:00 p.m.
\$50 per day/ Boys and Girls/ Ages 6 – 10 years old

The Department will again offer a winter youth camp this holiday season that is sure to provide your child with new and fun experiences. Participants will enjoy outdoor activities, recreational sports, arts & crafts, water activities and much more! Don't be stuck in the cold, sign up now! Registration is open until program is full. No camp on Christmas Eve, Christmas Day, New Year's Eve and New Year's Day.

For more information: Call (310) 305-9595 to reserve your space.

MARINA DEL REY HOLIDAY BOAT PARADE

Saturday, December 12, 2015

6:00 p.m. – 8:00 p.m.

Fireworks kicking off the start of the parade will be shot off the south jetty at 5:55 p.m. Beautifully lighted and decorated boats will participate in the event, which is free to the public. The theme of this year's parade is "Adventures of the Sea." Boat owners will compete for numerous prize packages. Best spots for viewing the boat parade are Burton Chace Park, located at 13650 Mindanao Way, and Fisherman's Village, located at 13755 Fiji Way. This year's Grand Marshal is the famous actress and singer Florence Henderson.

For more information call: Visit the website at www.mdrboatparade.org

NEW YEAR'S EVE FIREWORKS

Burton Chace Park ♦ 13650 Mindanao Way ♦ Marina del Rey

Thursday, December 31, 2015

At 7:00 p.m.

Bring in the New Year with a bang! Guests are invited to Burton Chace Park at 7:00 p.m. to watch a live broadcast on a jumbo screen of *New Year's Eve Live* with Anderson Cooper and special co-host Kathy Griffin from Times Square in New York City. At 8:59 p.m., join in on the 60-second countdown and view the Times Square ball drop. Then at 9:00 p.m., watch the night sky light up with an amazing ten-minute fireworks show, which will be shot from the Marina's south jetty.

For more information: Call (310) 305-9545

GJ:CB:rc



Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

November 5, 2015

TO: Small Craft Harbor Commission

FROM: Gary Jones, Director 

SUBJECT: ITEM 7a - APPROVAL OF EXTENSIONS OF OPTION TO AMEND LEASE AGREEMENT AND LEASE OPTION AGREEMENT TO FACILITATE REDEVELOPMENT – PARCELS 10R AND FF (NEPTUNE MARINA APARTMENTS)– MARINA DEL REY

Item 7a pertains to a proposed up to one-year extension of the right to exercise each of the following: (i) the option to extend the term of the existing Neptune Marina Apartments lease of Parcel 10R for an additional 39 years to facilitate the construction of 400 new apartments and a new 161 boat-slip and seven end-tie marina; and (ii) the option for a lease of Parcel FF (also known as Public Parking Lot 12 or Parcel 14), to be coterminous with an extended Parcel 10R lease, to facilitate the construction of 126 new apartments; and consideration of a previously certified Final Environmental Impact Report (FEIR). In conjunction with the request for the two one-year extensions, we are requesting that the Board approve and authorize the Chairwoman to sign the 2 new leases, as modified, upon satisfaction of the option conditions.

Your Commission's endorsement of the recommendations in the draft Board letter attached is requested. Staff will inform your Commission should there be any material change made to this draft prior to submitting it to the Board of Supervisors for approval.

The recommended actions will further implement the County policies that facilitate the proactive redevelopment of the parcels, which supports the County's strategy to achieve fiscal sustainability (Strategic Plan Goal No. 1, Strategy No.1).

GJ:BL:dlg

Attachments



Parcels 10 and FF- Neptune Marina

Via Marina and Marquesas Way, Marina del Rey

Small Craft Harbor Commission
November 10, 2015



Caring for Your Coast

Parcels 10 and 14 (FF)



Endorsement Request

Director's recommendation that the Board of Supervisors:

1. Consider the environmental documents.
2. Approve and authorize the Mayor of the Board to sign an extension of up to one-year for the Parcels 10R and 14 (FF) option agreements.
3. Approve and authorize the Chairwoman of the Board to sign new leases upon satisfaction of option conditions.



Project Highlights

- Minimum \$164 million in hard costs for Redevelopment Work on both parcels
- 81 affordable housing units on both parcels per the Marina del Rey Affordable Housing Policy
- Development of a wetland park on Parcel 9
- Construction of transient docks in the water area adjacent to Parcel 9



Major Deal Points

- Lease extension: Option to extend lease on Parcel 10R by 39 years, from 2/28/2022 to 2/28/2061, and a new lease on Parcel 14 (FF) coterminous with the term of Parcel 10R lease.
- Lease Extension Fee: \$1,000,000 with \$100,000 credit against payment of Option Fee
- Percentage rent: 2% for apartment income, 25% for marina income
- Supplemental Percentage Rent: County will receive an additional 50% of Apartment rent over a cumulative threshold as additional Percentage Rent, not to exceed 10.5% of the Apartment rent on a cumulative basis.
- Minimum improvement cost: \$164 million for both parcels
- Rent stabilization: 2020 -- \$700,000 minimum rent
- Sinking funds



Project Milestones

- DCB final approval Jan 2015
- SCHC meetings
Jan 2008
Aug 2011
Nov 2015
- FEIR certified Apr 2011
- BOS hearing (tentative) Dec 1, 2015



Compliance

- MdR Local Coastal Program
- County Asset Management Strategy
- County Visioning Statement
- County Strategic Goals



Public Benefits

- Prudent asset management
- Economic benefits
- Environmental awareness and protection
- Greater public access (increased public promenades)
- New view corridors



Questions?

THANK YOU!



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Deputy Director

December 1, 2015

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

Dear Supervisors:

**DEPARTMENT OF BEACHES AND HARBORS:
APPROVAL OF EXTENSIONS OF OPTION TO AMEND LEASE AGREEMENT AND
LEASE OPTION AGREEMENT TO FACILITATE REDEVELOPMENT –
PARCELS 10R AND FF (NEPTUNE MARINA APARTMENTS) – MARINA DEL REY
(FOURTH DISTRICT)
(4 VOTES)**

SUBJECT

Request for approval to grant up to a one-year extension of the right to exercise each of the following: (i) the option to extend the term of the existing Neptune Marina Apartments lease of Parcel 10R for an additional 39 years to facilitate the construction of 400 new apartments and a new 161 boat-slip and seven end-tie marina; and (ii) the option for a lease of Parcel FF(also known as Public Parking Lot 12 or Parcel 14), to be coterminous with an extended Parcel 10R lease, to facilitate the construction of 126 new apartments; and consideration of a previously certified Final Environmental Impact Report (FEIR) for Parcels 10R, FF, and 9U. The exercise of the proposed options is contingent upon the receipt by Legacy Partners Neptune Marina, L.P. ("Lessee") of entitlements and fulfillment of other conditions required therein.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Pursuant to the California Environmental Quality Act (CEQA), consider the certified FEIR for the Parcels 10R and FF apartment projects; find that the project is a subsequent approval entirely within the scope of the previously certified FEIR; find that the Mitigation Monitoring and Reporting Program is

adequately designed to ensure compliance with the mitigation measures during project implementation.

2. Approve and authorize the Mayor of the Board (or Chairwoman, as applicable) to sign the *Modification of Option to Amend Lease Agreement* for Parcel 10R in substantially the form attached as **Attachment A**, extending by up to one year the option granted Lessee to extend for 39 years the existing lease for the Neptune Marina Apartments on Parcel 10R upon fulfillment of certain conditions set forth in that certain *Modification of Option to Amend Lease Agreement* for Parcel 10R (as previously renewed).
3. Approve and authorize the Chairwoman of the Board to sign: (a) the *Amended and Restated Lease Agreement* for Parcel 10R in substantially similar form as “Exhibit A” attached to the *Modification of Option to Amend Lease Agreement* for Parcel 10R, upon confirmation by the Director of the Department of Beaches and Harbors that Lessee has fulfilled the conditions set forth in the option agreement; and (b) a *Memorandum of Lease* as referenced in the *Amended and Restated Lease Agreement* for Parcel 10R, and approved by the Los Angeles County Counsel and the County’s outside counsel.
4. Approve and authorize the Mayor of the Board (or Chairwoman, as applicable) to sign the *Modification of Lease Option Agreement* for Parcel FF in substantially the form attached as **Attachment B**, extending by up to one year the option granted to Lessee a lease of Parcel FF that will be coterminous with the term of the *Amended and Restated Lease Agreement* for Parcel 10R.
5. Approve and authorize the Chairwoman of the Board to sign: (a) the *Lease Agreement* for Parcel FF in substantially similar form as “Exhibit A” attached to the *Modification of Lease Option Agreement* for Parcel FF, upon confirmation by the Director of the Department of Beaches and Harbors that Lessee has fulfilled the conditions set forth in the option agreement; and (b) a *Memorandum of Lease* as referenced in the *Lease Agreement* for Parcel FF, and approved by Los Angeles County Counsel and the County’s outside counsel.

6. Authorize the Director of the Department of Beaches and Harbors (Director) to execute and deliver such other ancillary documentation, including without limitation a lender estoppel certificate for Parcel 10R and Parcel FF, as required in connection with the execution of each respective lease and the development of the parcels.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Background:

The proposed project results from a response to a 1998 Request for Proposals and your Board's subsequent authorization to enter into exclusive negotiations with Neptune Marina Joint Venture, a joint venture that included Legacy Partners Neptune Marina, L.P., a Delaware limited partnership (Lessee), Neptune Marina, a California limited partnership, and an entity known as "Woodfin." The then-proposed project was to: (a) develop, construct, and operate apartments and new anchorage facilities on Parcel 10R and Parcel FF (currently a County-owned public parking lot (Lot 12), but now designated and referred to herein as Parcel FF); (b) develop, construct and operate a 19-story, 288-room, 225-foot high hotel on a portion of Parcel 9U; and (c) construct a public park on the remaining portion of Parcel 9U. Subsequent to your Board's authorization for exclusive negotiations for the development of Parcel 10R and Parcel FF, Lessee acquired Neptune Marina's leasehold interest in Parcel 10R. As the result of that purchase, Neptune Marina no longer had any interest in the joint venture.

Based on an initialed Term Sheet dated August 24, 2004, and presented to your Board in Closed Session, your Board directed the Department of Beaches and Harbors (Department) to enter into negotiations with Lessee to facilitate the redevelopment of Parcel 10R and the development of Parcel FF. The original intended transaction was structured as a traditional lease extension with a lease extension fee for Parcel 10R and rental terms for the entire project on Parcels 10R and FF. Subsequent to your Board's direction, the development plan was delayed due to environmental restrictions that affected Lessee's obligation to construct a public park on Parcel 9U and then by more recent changes to the County's affordable housing policy.

A new development plan further obligated Lessee to construct new public docks for the County at the end of Basin B and to pay for 103 replacement public parking spaces, and required Lessee to design and construct a wetland park on Parcel 9U as a condition to

building on Parcel FF, which was previously zoned as “open space” and used as a public parking lot.

The implementation of the *Marina del Rey Affordable Housing Policy* in 2008 required Lessee to incorporate a total of 81 affordable housing units (19 very-low-income, 32 low-income and 30 moderate-income units) onsite on the parcels, which complies with the Policy’s requirement for both replacement units and 15% of the net new units being inclusionary units (i.e., 1/3 very-low-income, 1/3 low-income, and 1/3 moderate-income). As compensation for the reduction in the leasehold value due to the reduced rental revenue from the 81 affordable housing apartments, your Board agreed to provide Lessee with an affordable housing rent credit of \$26.97 million, plus interest on the unapplied amount at 3.125% per annum from the stabilization date for up to 10 years, which was permitted to be applied to the lease extension fee and to all rents in excess of \$500,000 per year until fully applied.

On August 12, 2008, your Board granted Lessee an option to extend for 39 years the term of the lease for Parcel 10R, and an option to lease Parcel FF with a term that would be coterminous with the extended lease of Parcel 10R. Those options were renewed by your Board on August 16, 2011 to address delays due to the financial crisis of 2008. Due to continuing financing delays and litigation regarding wetlands on Parcel 9U, Lessee has continued to be delayed in satisfying all the conditions needed to exercise its options and does not expect to be in a position to exercise the options by the current expiration date of February 19, 2016. As a result, Lessee is requesting an additional extension of both options for up to one year. Lessee will pay \$15,000 per option for each three-month extension.

Lessee will pay prevailing wages for the construction of the project. But for the project to remain economically viable, Lessee is requesting modifications to the amended and restated lease agreement for Parcel 10R and the lease agreement for Parcel FF which were exhibits to the options approved by your Board in 2008.

The following are the substantive modifications negotiated with Lessee:

- (a) Reduce the apartment percentage rent from 10.5% to 2%, which over the full term of the leases will both replace the prior Board-approved \$26.97 million affordable housing rent credit and compensate Lessee for approximately \$26 million of incremental construction costs related to paying prevailing wages;

- (b) Give the County an additional 50% of apartment rent over a cumulative threshold (which provides an opportunity for the County recoup the reduction in apartment percentage rent mentioned above);
- (c) Pay the County \$500,000 as guaranteed minimum annual rent during the first 42 months of the term of the leases;
- (d) Pay the County \$700,000 as guaranteed minimum annual rent commencing with the 43rd month and continuing throughout the term of the leases;
- (e) On a three-year cycle starting with the 73rd month, adjust the minimum annual rent to 75% of the average total annual rent paid (taking into consideration 25% of any supplemental apartment revenue participation), for the preceding 3-year period (but the minimum rent can never be reduced);
- (f) No renegotiations of anchorage and apartment percentage rents during the term of the leases; and
- (g) Improve the County's participation in leasehold sales and refinancings.

Current Project Description:

Lessee will demolish the existing 136 apartment units and the 182-boat-slip and 8-end-tie marina on Parcel 10R and construct 400 new apartments in three buildings with four levels of residential floors over two levels of at-grade and partially subterranean parking and a new 161-slip and 7-end-tie marina on Parcel 10R. In addition, Lessee will construct 126 new apartments in one building with four levels of residential floors over two levels of at-grade and partially subterranean parking on Parcel FF. Lessee will be required to replace the docks a second time not later than 40 years after the effective date of the lease extension for Parcel 10R. Lessee will be required to spend at least \$164,573,000 of qualified hard costs on the projects. In addition, Lessee will be required to build new public docks for the County at the end of Basin B and pay at least one-half of the cost to build a public wetland park on Parcel 9U.

Parking for the project will be provided in structured and surface parking. The project will provide 1,169 parking spaces onsite, 4 spaces more than the required 1,165 parking spaces. Lessee will also pay \$30,000 per parking space for 103 public parking spaces eliminated by the development of Parcel FF, as required by the Local Coastal Plan.

Summary of the Lease Terms:

1. Location: Parcel 10R is improved with 136 existing apartments and an anchorage with 182 slips and eight end-ties located on the southeast corner of Via Marina and Marquesas Way, between Esprit I (Parcel 12) and an unimproved lot (Parcel 9U),

with frontage on Via Marina and Marquesas Way. Parcel FF is a public parking lot located on the northeast corner of Via Marina and Marquesas Way between the future site of the AMLI Apartments (Parcel 15) and the Villa Del Mar Apartments (Parcel 13), with frontage on Via Marina and Marquesas Way.

2. Development: The proposed project involves the demolition of the existing 136 apartments on Parcel 10R and the parking lot on Parcel FF, and the construction of a total of 526 new apartments on both parcels. The project also includes the demolition of the existing 182 slips and eight end-ties and the construction of 161 new slips and seven end-ties, plus one transient/water taxi slip on Parcel 10R. Parcel 10R improvements are expected to be completed within 30 months. Parcel FF improvements are expected to be completed within the later of 12 months following the completion date for Parcel 10R improvements or 22 months after the date of the lease for Parcel FF. All anchorage facilities at Parcel 10R are to be replaced again not later than 40 years after the effective date of the Parcel 10R lease extension.
3. Affordable Housing: There will be a total of 81 affordable units (19 very-low-income, 32 low-income, and 30 moderate-income) onsite on the parcels, which complies with the MdR affordable housing policy requiring replacement units and inclusionary units; the inclusionary units are based on 15 percent of the net new units, of which 1/3 will be very-low-income, 1/3 will be low-income, and 1/3 will be moderate-income.
4. Option Extension Fee: Lessee will have the right to extend for up to one year beyond February 19, 2016 both the option to lease Parcel FF and the option to amend the lease agreement for Parcel 10R. The extensions will be exercised through up to four 3-month extension options for each parcel, and each option will require the payment of \$15,000 (potentially for a total of up to \$120,000).
5. Cost of Development: Lessee will commit to spending at least \$164,573,000 in project "Qualified Hard Costs" (as defined in the leases).
6. Term of Leases: The Parcel 10R lease may be extended by 39 years, from 2/28/2022 to 2/28/2061; the lease for Parcel FF will be co-terminus with the term of the Parcel 10R lease.
7. Rent:

7.1. Minimum Rent

7.1.1 Construction Period: Months 1-42: \$500,000 per year

7.1.2 Guaranteed Minimum Annual Rent: Months 43-72: \$700,000 per year

7.1.3 Subsequent Minimum Rent Adjustments: Each 3 years thereafter, the greater of: (i) the minimum rent in effect prior to the adjustment; or (ii) 75% of the average actual annual rent paid for the prior 3-year period (taking into consideration 25% of any supplemental apartment revenue participation).

7.2 Percentage Rent:

- i) 2% of apartment rent revenue
- ii) 25% of marina revenues
- iii) All other percentage rent categories are County-standard

7.3 Renegotiation of Minimum and Percentage Rents: Percentage rents for the apartment and marina categories will not be subject to adjustment during the term of the leases.

7.4 Apartment Revenue Participation: Lessee will pay an additional 50% of apartment rent over a cumulative threshold (i.e., rent received above current projections) as additional percentage rent, not to exceed 10.5% of the apartment rent on a cumulative basis.

8. Sinking Funds:

10.1 Capital Reserve Fund: Lessee will be required to establish and maintain a capital reserve fund under each lease to ensure that certain capital expenditures are made. The funds will accrue at a rate equal to 1% of annual gross income (excluding anchorage income at Parcel 10R) for each parcel, beginning in the 11th year after, respectively, the effective date of the Parcel 10R lease extension amendment and the effective date of the Parcel FF lease agreement.

10.2 Renovation Fund: Lessee will be required to establish and maintain a renovation fund under each lease to ensure that certain renovations are

made (but not to be used for anchorage facilities on Parcel 10R). The funds will accrue at a rate equal to 1% of annual gross income (excluding anchorage income at Parcel 10R) for each parcel, beginning in the 11th year after, respectively, the effective date of the Parcel 10R lease extension amendment and the effective date of the Parcel FF lease agreement.

11. Participation in Sale/Refinancing Proceeds:

11.1 Sale:

- i) First sale: The County will receive the greater of: (a) 2% of the gross transfer proceeds (defined in the applicable lease); and (b) 10% of the net transfer proceeds (defined in the applicable lease). There will be no County participation in the transfer of the existing equity partner's interest (taking into consideration 25% of any supplemental apartment revenue participation).
- ii) Any sale thereafter: The County will receive the greater of: (a) 5% of the gross transfer proceeds; and (b) 20% of the net transfer proceeds..

11.2 Refinancing: County will receive 20% of net refinancing proceeds (defined in the applicable lease).

12. Parking: To mitigate the loss of public parking spaces on Parcel FF, Lessee will pay the County \$30,000 per parking space for 103 public parking spaces eliminated by the development of Parcel FF, as required by the Local Coastal Plan.

The Department has obtained an appraisal confirming that the returns to the County from the proposed amended and restated lease of Parcel 10R and the lease of Parcel FF are equivalent to, or greater than, fair market value.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The recommended actions will further implement the County policies that facilitate the proactive redevelopment of the parcels, which supports the County's strategy to achieve fiscal sustainability (Strategic Plan Goal No. 1, Strategy No.1).

FISCAL IMPACT/FINANCING

The proposed amended and restated lease agreement for Parcel 10R and the proposed lease agreement for Parcel FF will produce the following fiscal benefits to the County:

1. Option Extension Fee: Lessee may extend for up to 1 year its right to exercise: (a) an option to amend the lease agreement for Parcel 10R; and (b) an option to lease Parcel FF. Lessee will pay \$15,000 for each 3-month extension for each parcel (potentially for a total of up to \$120,000), payable as a condition precedent to exercising the extensions.
2. Revenue Due to Project: Parcel 10R currently contains 136 apartments on Parcel 10R and 182 slips and eight end-ties. Parcel FF is currently a public parking lot. During the first 42 months of the proposed leases the County will receive annual minimum rent of \$500,000. During months 43-72 of the leases, the County will receive annual minimum rent of \$700,000. The rent for Fiscal Year 2014-15 was \$621,000.

Operating Budget Impact

If Lessee exercises its rights to extend the term of the option to amend the current lease for Parcel 10R and/or its option to lease Parcel FF, the Department's operating budget will receive \$15,000 for each option extension exercised for each parcel (potentially for a total of up to \$120,000). This revenue will be accounted for as Fiscal Year 2015-16 or Fiscal Year 2016-17 (as applicable) one-time over-realized revenues.

Costs of consultants and for the Department's Deputy Director and Asset Management Division Chief involved in the negotiation and development of the option agreements and the lease agreements are being reimbursed by Lessee.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The existing 60-year lease for Parcel 10R expires on February 28, 2022. Lessee will have separate option and lease agreements for each parcel, but will not be allowed to exercise the option on Parcel FF unless it either has previously exercised or simultaneously exercises the option on Parcel 10R or it provides adequate assurances of the completion of the redevelopment of Parcel 10R.

Parcel 10R consists of 136 existing apartments and an anchorage with 182 slips and eight end-ties and is located between Esprit I (Parcel 12) and an undeveloped lot (Parcel 9U), for which a public wetland park and high-rise hotel are proposed), with frontage on Via Marina and Marquesas Way. Parcel FF is a public parking lot located between the Bar Harbor Apartments (Parcel 15) and the Villa Del Mar Apartments (Parcel 13), with frontage on Via Marina and Marquesas Way.

Approval of the option agreements is without prejudice to the County's full exercise of its regulatory authority in the consideration of the land use entitlements required for the possible exercise of the options.

Entering into leases of the County's Marina del Rey real property is authorized by Government Code sections 25907 and 25536. The lease terms are in conformance with the maximum 99-year period authorized by California law.

At its meeting of November 10, 2015, the Small Craft Harbor Commission _____ the recommendations to approve both option extensions and the modified form of amended and restated lease agreement for Parcel 10R and the modified form of lease agreement for Parcel FF, substantially as attached. County Counsel has approved the documents as to form.

ENVIRONMENTAL DOCUMENTATION

On April 26, 2011, your Board certified the FEIR, State Clearinghouse Number 2007031114, which analyzed five separate project components located on three different parcels. These components included, generally: (1) a 400-unit residential apartment building on Parcel 10R and adjacent waterside improvements, applied for by Neptune Marina; (2) a 126-unit residential apartment building on Parcel FF (formerly Parcel FF), applied for by Neptune Marina; (3) a 288-room hotel and timeshare resort, applied for by Woodfin; (4) a restored public wetland and upland park project on the southerly portion of Parcel 9U, applied for by the Department of Beaches and Harbors; and (5) a public-serving boat anchorage proximal to Parcel 9U within Basin B, applied for by the Department of Beaches and Harbors.

Following a public hearing on April 26, 2011, and after certifying the FEIR, your Board indicated its intent to approve all the projects analyzed in the FEIR, with the exception of Woodfin's hotel project (Component 3, above).

The certified FEIR, Mitigation Monitoring and Reporting Program, and the associated CEQA Findings of Fact are all attached hereto as **Attachment C**.

CONTRACTING PROCESS

The proposed project results from a response to a 1998 Request for Proposals and your Board's subsequent authorization to enter into exclusive negotiations with Neptune Marina Joint Venture (Lessee, Woodfin and Neptune Marina) to: (a) develop, construct and operate apartment and new anchorage facilities on Parcels 10R and FF; (b) to develop, construct and operate a hotel development on a portion of Parcel 9U, and to construct a public park on the remainder of Parcel 9U; and (c) your Board's subsequent granting of an option in 2008 to extend the lease for Parcel 10R and an option to lease Parcel FF.

In 2015, Lessee asked for a renegotiation of the economic terms of the proposed redevelopment of Parcel 10R and the proposed development of Parcel FF to account for increased costs due to the payment of prevailing wages for construction of the project. The proposed amended and restated lease agreement for Parcel 10R and the lease agreement for Parcel FF will be available to Lessee upon the proper exercise of each of the proposed option agreements. Upon Lessee's demonstration that it has satisfied the conditions for exercise each of the options, including the receipt of all discretionary planning and zoning land use entitlements and approvals required to be obtained from governmental authorities for construction of the development project associated with each of the options, we will present to the Executive Officer the final confirmation that the conditions and approvals for exercise contained in each of the options have been satisfied, and will request at that time the execution of the proposed amended and restated lease agreement for Parcel 10R and the proposed lease agreement for Parcel FF, each, respectively, substantially as attached as "Exhibit B" to each option.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no impact on other current services or projects.

CONCLUSION

It is requested that the Executive Officer, Board of Supervisors, send two copies of the executed option agreements and an adopted Board letter to the Department of Beaches

The Honorable Board of Supervisors
December 1, 2015
Page 12

and Harbors. Should you have any questions please contact Don Geisinger at (310) 305-9506 or dgeisinger@bh.lacounty.gov.

Respectfully submitted,

Gary Jones, Director

GJ:BL:dlg

Attachments (2)

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

**MODIFICATION OF OPTION TO AMEND LEASE AGREEMENT
(Parcel 10R)**

THIS MODIFICATION OF OPTION TO AMEND LEASE AGREEMENT ("**Modification Agreement**") is made as of _____, 2015, between COUNTY OF LOS ANGELES ("**County**"), and LEGACY PARTNERS NEPTUNE MARINA L.P., a Delaware limited partnership ("**Lessee**").

RECITALS

A. County and Lessee, or its predecessors-in-interest, entered into Lease No. 5074 dated May 4, 1962, as amended (the "**Existing Lease**"), pursuant to which Lessee currently leases from County certain real property in the Marina del Rey Small Craft Harbor commonly known as Parcel No. 10R, as more particularly described in the Existing Lease (the "**Premises**").

B. County and Lessee entered into that certain Option to Amend Lease Agreement dated as of August 19, 2008 (the "**Original Option Agreement**"), whereby County granted Lessee an option (referenced in the Option Agreement as the "**Option**") to amend and restate the Existing Lease in its entirety upon the terms and conditions more specifically set forth in the Option Agreement, including, without limitation, (i) an extension of the term of the Existing Lease through February 28, 2061, and (ii) the redevelopment of the Premises in accordance with the terms and provisions of the Option Agreement.

C. County and Lessee entered into Renewal of Option to Amend Lease Agreement dated as of August 16, 2011 (the "**Renewal Agreement**") that renewed the Option and made certain other modifications to the Option Agreement and the form of Restated Lease to be executed in connection with the exercise of the Option. The Original Option Agreement, as renewed and modified by the Renewal Agreement, is referred to herein as the "**Option Agreement**".

D. Lessee has exercised all three of its rights under subparagraphs (a) through (c) of Section 2 of the Option Agreement to extend the Option Expiration Date. As of the date of this Modification Agreement, the Option Expiration Date is now February 19, 2016. Except as expressly set forth in this Modification Agreement, Lessee has no further right to extend the Option Expiration Date under Section 2 of the Option Agreement.

E. County and Lessee desire to enter into this Modification Agreement to grant Lessee certain additional rights to extend the Option Expiration Date and to make certain modifications to the form of Restated Lease to be executed in connection with the exercise of the Option, all as set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Lessee and County hereby agree as follows:

1. Capitalized Terms. All capitalized terms used in this Modification Agreement but not otherwise defined herein shall have the same meanings given such terms in the Option Agreement.

2. Extension of Option Expiration Date. Lessee shall have the right to extend the Option Expiration Date beyond February 19, 2016 for up to four additional three (3) month periods upon delivery by Lessee to County, not later than one (1) month prior to the Option Expiration Date that is then in effect prior to such extension, of both written notice by Lessee to County of such extension and the payment by Lessee to County of an Additional Option Extension Fee of Fifteen Thousand Dollars (\$15,000.00) for each 3-month extension. Notwithstanding the foregoing, Lessee shall have no right to extend the Option Expiration Date pursuant to this paragraph at any time during which Lessee is in Default under the Option Agreement (as amended by this Modification Agreement) or the Existing Lease. Time is of the essence with respect to the exercise by Lessee of any right to extend the Option Expiration Date pursuant to this paragraph. The Additional Option Extension Fees paid by Lessee pursuant to this paragraph shall be non-refundable and shall not be applicable against the Option Fee.

3. Modifications to the Form of Restated Lease. Notwithstanding any contrary term or provision of the Option Agreement, the Restated Lease shall be in the form attached to this Modification Agreement as Exhibit A. Exhibit A attached to this Modification Agreement supersedes and replaces Exhibit A attached to the Original Option Agreement and supersedes and replaces the modifications to the Restated Lease set forth in Section 6 of the Renewal Agreement.

4. Changes of Ownership During the Option Term. As additional consideration for the extension of the Option Expiration Date and modifications to the form of Restated Lease set forth in this Modification Agreement, County and Lessee agree that the terms and provisions of Sections 4.6 through 4.8 of the Restated Lease shall be applicable during the Option Term with respect to any Change of Ownership (as defined in the Restated Lease) that occurs during the Option Term (including prior to or concurrently or substantially concurrently with the exercise of the Option, or prior to or concurrently or substantially concurrently with the execution of the Restated Lease), including without limitation an assignment of the Lessee's leasehold interest under the Existing Lease and its rights under the Option Agreement, as amended by this Modification Agreement. There shall be no assignment of Lessee's rights under the Option Agreement nor any Change in Ownership with respect to Lessee during the Option Term or prior to the execution of the Restated Lease, except as permitted under Section 9.6 of the Option Agreement or as otherwise approved by County in writing.

5. Assignment of Option Agreement. The Option Agreement is amended to add the following at the end of Section 9.6 of the Option Agreement: “; provided, further,

that Lessee shall have the right to assign its rights and obligations under the Option Agreement to an entity to which its entire right and interest under the Existing Lease is assigned pursuant to an assignment that is approved by County in accordance with the assignment approval standards set forth in the form of Restated Lease.”

6. County Costs. Regardless of whether Lessee exercises the Option, Lessee shall promptly reimburse County for the Actual Costs (as defined in the Restated Lease) incurred by County in connection with the review, negotiation, preparation and documentation of this Modification Agreement and the matters addressed herein.

7. Entire Agreement. This Modification Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes any and all previous negotiations, communications or understandings between the parties, whether oral or written, with respect to the subject matter set forth herein.

8. No Other Modifications. County and Lessee acknowledge and agree that the Option Agreement is in full force and effect, unmodified except as set forth in this Modification Agreement.

9. Counterparts. This Modification Agreement may be executed in counterparts, each of which shall constitute an original and all of which shall collectively constitute one fully-executed document.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, County and Lessee have entered into this Modification Agreement as of the date first set forth above.

COUNTY OF LOS ANGELES

By: _____
Mayor, Board of Supervisors

LEGACY PARTNERS NEPTUNE
MARINA L.P., a Delaware limited
partnership

By: Legacy Partners 2598 L.P., a
California limited partnership, its
general partner

By: _____
Name: Timothy D. Breen
Its: Senior Managing Director

ATTEST:

PATRICK OGAWA,
Acting Executive Officer – Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM,
Interim County Counsel

By: _____
Deputy

APPROVED AS TO FORM:

MUNGER, TOLLES & OLSON LLP

By: _____

EXHIBIT A
FORM OF RESTATED LEASE

**MODIFICATION OF LEASE OPTION AGREEMENT
(Parcel FF)**

THIS MODIFICATION OF LEASE OPTION AGREEMENT ("**Modification Agreement**") is made as of _____, 2015, between COUNTY OF LOS ANGELES ("**County**"), and LEGACY PARTNERS NEPTUNE MARINA L.P., a Delaware limited partnership ("**Lessee**").

RECITALS

A. County and Lessee entered into that certain Lease Option Agreement dated as of August 19, 2008 (the "**Original Option Agreement**"), whereby County granted Lessee an option (referenced in the Option Agreement as the "**Option**") to lease certain real property owned by County in Marina del Rey commonly known as Parcel FF and more particularly described on Exhibit A to the Option Agreement (the "**Premises**").

B. County and Lessee entered into Renewal of Lease Option Agreement dated as of August 16, 2011 (the "**Renewal Agreement**") that renewed the Option and made certain other modifications to the Option Agreement and the form of Lease to be executed in connection with the exercise of the Option. The Original Option Agreement, as renewed and modified by the Renewal Agreement, is referred to herein as the "**Option Agreement**".

C. Lessee has exercised all three of its rights under subparagraphs (a) through (c) of Section 2 of the Option Agreement to extend the Option Expiration Date. As of the date of this Modification Agreement, the Option Expiration Date is now February 19, 2016 and except as expressly set forth in this Modification Agreement Lessee has no further right to extend the Option Expiration Date under Section 2 of the Option Agreement.

D. County and Lessee desire to enter into this Modification Agreement to grant Lessee certain additional rights to extend the Option Expiration Date and to make certain modifications to the form of Lease to be executed in connection with the exercise of the Option, all as set forth herein.

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Lessee and County hereby agree as follows:

1. Capitalized Terms. All capitalized terms used in this Modification Agreement but not otherwise defined herein shall have the same meanings given such terms in the Option Agreement.

2. Extension of Option Expiration Date. Lessee shall have the right to extend the Option Expiration Date beyond February 19, 2016 for up to the four additional three (3) month periods upon delivery by Lessee to County, not later than one (1) month

prior to the Option Expiration Date that is then in effect prior to such extension, of both written notice by Lessee to County of such extension and the payment by Lessee to County of an Additional Option Extension Fee of Fifteen Thousand Dollars (\$15,000.00) for each 3-month extension. Notwithstanding the foregoing, Lessee shall have no right to extend the Option Expiration Date pursuant to this paragraph at any time during which Lessee is in Default under the Option Agreement (as amended by this Modification Agreement), the Parcel 10R Option Agreement (as amended by the Modification of Option to Amend Lease Agreement executed concurrently herewith) or the Existing Parcel 10R Lease. Time is of the essence with respect to the exercise by Lessee of any right to extend the Option Expiration Date pursuant to this paragraph. The Additional Option Extension Fees paid by Lessee pursuant to this paragraph shall be non-refundable and shall not be applicable against the Option Fee.

3. Modifications to the Form of Lease. Notwithstanding any contrary term or provision of the Option Agreement, the Lease shall be in the form attached to this Modification Agreement as Exhibit A. Exhibit A attached to this Modification Agreement supersedes and replaces Exhibit A attached to the Original Option Agreement and supersedes and replaces the modifications to the Lease set forth in Section 5 of the Renewal Agreement.

4. Replacement Parking. Section 3(e) of the Option Agreement is hereby deleted and replaced with the following:

(e) In satisfaction of Lessee's obligation to replace the parking located on Parcel FF ("**Replacement Parking**"), Lessee shall have paid to County the sum of Three Million Ninety Thousand Dollars (\$3,090,000.00), representing \$30,000 multiplied by the 103 parking spaces from Parcel FF to be replaced (the "**Replacement Parking Payment**").

5. Changes of Ownership During the Option Term. As additional consideration for the extension of the Option Expiration Date and modifications to the form of Lease set forth in this Modification Agreement, County and Lessee agree that the terms and provisions of Sections 4.6 through 4.8 of the Lease shall be applicable during the Option Term with respect to any Change of Ownership (as defined in the Restated Lease) that occurs during the Option Term (including prior to or concurrently or substantially concurrently with the exercise of the Option, or prior to or concurrently or substantially concurrently with the execution of the Lease), including without limitation an assignment of the Lessee's rights under the Option Agreement, as amended by this Modification Agreement. There shall be no assignment of Lessee's rights under the Option Agreement nor any Change in Ownership with respect to Lessee during the Option Term or prior to the execution of the Lease, except as permitted under Section 9.6 of the Option Agreement or as otherwise approved by County in writing.

6. Assignment of Option Agreement. The Option Agreement is amended to add the following at the end of Section 9.6 of the Option Agreement: ";; provided, further,

that Lessee shall have the right to assign its rights and obligations under the Option Agreement to an entity to which its entire right and interest under the Pre-Existing Parcel 10R Lease is assigned pursuant to an assignment that is approved by County in accordance with the assignment approval standards set forth in the form of Lease.”

7. County Costs. Regardless of whether Lessee exercises the Option, Lessee shall promptly reimburse County for the Actual Costs (as defined in the Lease) incurred by County in connection with the review, negotiation, preparation and documentation of this Modification Agreement and the matters addressed herein.

8. Entire Agreement. This Modification Agreement constitutes the entire agreement of the parties with respect to the subject matter hereof and supersedes any and all previous negotiations, communications or understandings between the parties, whether oral or written, with respect to the subject matter set forth herein.

9. No Other Modifications. County and Lessee acknowledge and agree that the Option Agreement is in full force and effect, unmodified except as set forth in this Modification Agreement.

10. Counterparts. This Modification Agreement may be executed in counterparts, each of which shall constitute an original and all of which shall collectively constitute one fully-executed document.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, County and Lessee have entered into this Renewal Agreement as of the date first set forth above.

COUNTY OF LOS ANGELES

By: _____
Mayor, Board of Supervisors

LEGACY PARTNERS NEPTUNE
MARINA L.P., a Delaware limited
partnership

By: Legacy Partners 2598 L.P., a
California limited partnership, its
general partner

By: _____
Name: Matthew Brien
Its: Senior Managing Director

ATTEST:

PATRICK OGAWA,
Acting Executive Officer – Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

MARY C. WICKHAM,
Interim County Counsel

By: _____
Deputy

APPROVED AS TO FORM:

MUNGER, TOLLES & OLSON LLP

By: _____

EXHIBIT A
FORM OF LEASE



(310) 305-9503 • 13837 Fiji Way, Marina del Rey, CA 90292 • beaches.lacounty.gov

Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

November 5, 2015

TO: Small Craft Harbor Commission

FROM: Gary Jones, Director 

SUBJECT: **ITEM 7b – REPORT ON CHARTER BOAT OPERATIONS IN MARINA DEL REY**

Item 7b on your agenda is a report on the charter boat operations in Marina del Rey as requested by your Commission in the October 14, 2015 meeting.

GJ:BW:SP
ym

CHARTERING

Contractual And Regulatory Issues

Small Craft Harbor Commission
November 10, 2015



Caring for Your Coast

Contractual Issues

- Lease Provisions
- Related Uses
- Sublease Approvals

3. PURPOSE OR USE OF PROPERTY

The leased premises shall be used only and exclusively for **Anchorage facilities**

and such other related uses and purposes incidental thereto as are specifically approved and for no other purposes whatsoever without the written approval of County; the uses and purposes above listed are set forth to define the maximum contemplated scope of permissible uses and purposes, and their enumeration is not intended to be authorization for any specific use or purpose.

It is also expressly understood that the uses of the said premises which are permitted hereinabove do not include the following:

- A. **Fuel Sales**
- B. **Boat or Vehicle Repair**
- C. **Live Bait Sales**
- D. **Sportfishing or Charter Boat**
- E. **Residential Use**

RELATED USE

Director's Policy Statement No. 17

- Applicant submits request
- Hearing Officer - SCHC Commissioner
- Recommendation next SCHC meeting

RELATED USE

Policy Application

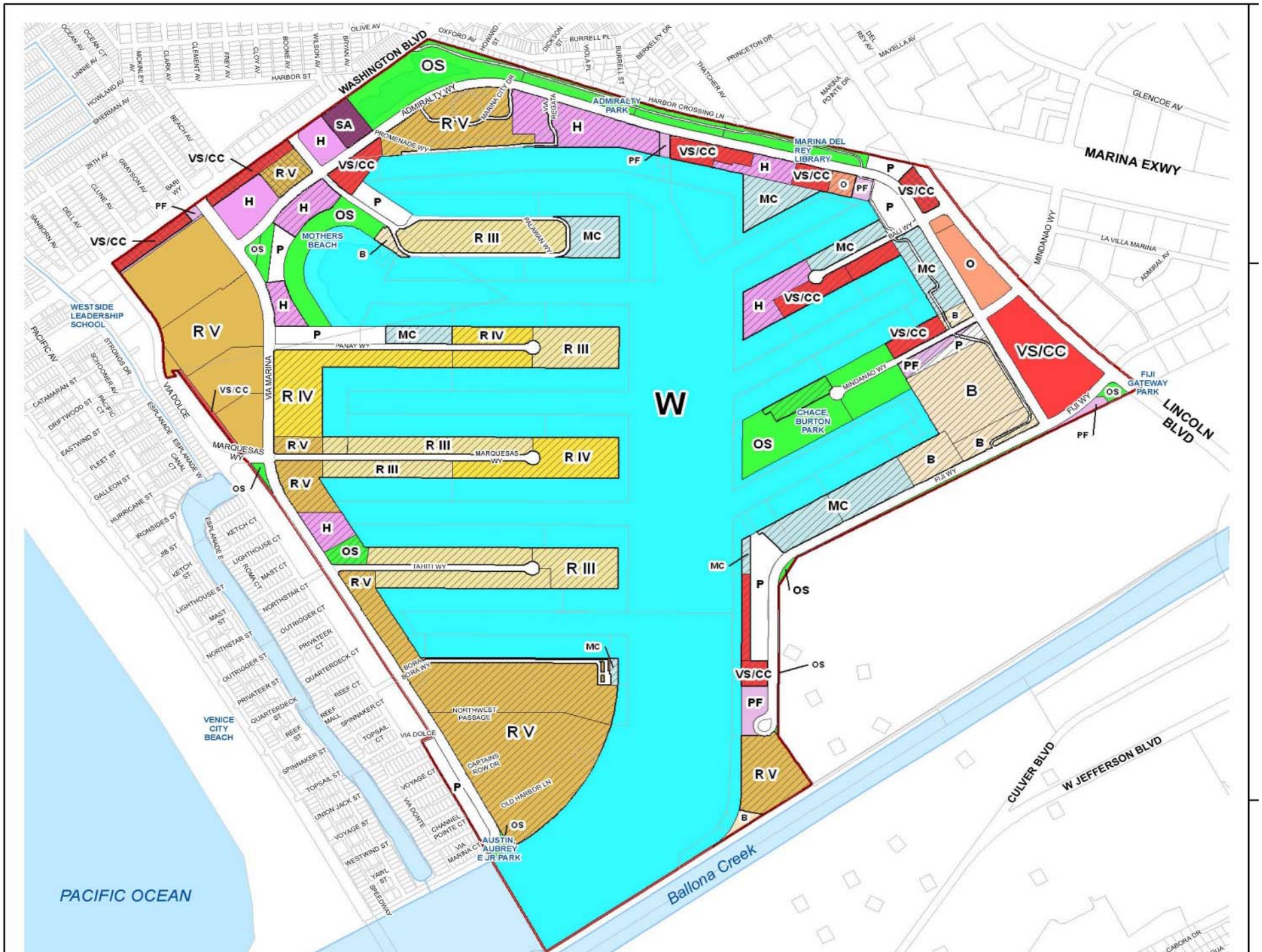
- Hearing process required for new requests
- Existing subleases “grandfathered”
- Renewals/Amendments: case-by-case
 - ✓ duration
 - ✓ complaints

Sublease Approval

- Lessee submits proposed sublease
- DBH Review
 - Master-Lease conformance
 - Land Use conformance
 - Parking
 - DCB

Land Use Approvals

- Charters permitted
 - Visitor-Serving/Convenience Commercial
 - Marine Commercial
- Waterfront or Mixed-Use Overlay Zone with CUP
- Parking
 - 1 space/3 people
 - Public parking lots



Licensing

- Business License
 - Water Taxi Operator
(parent business license)
 - Vessel Water Taxi License
(one per vessel)

Licensing

- USGS Cert. of Vessel Documentation
 - Each vessel
 - “COASTWISE” in Operational Endorsement Section
- Non-USGS Certified Vessels
 - Max 6 – owner (licensed captain) piloting
 - Max 12 – owner not aboard (licensed non-owner captain piloting)



COUNTY OF LOS ANGELES / DEPARTMENT OF SMALL CRAFT HARBORS

Administration Building, Fiji Way, Marina del Rey, California 90291 / 823-4571 / 870-6782

VICTOR ADORIAN
Director

April 10, 1968

POLICY STATEMENT NO. 17

GUIDE TO PROCEDURES OF HEARING AND
INFORMATION TO BE PREPARED ON RELATED USE REQUESTS

The Small Craft Harbor Advisory Commission has determined, that "related use" requests not within already clearly established categories (such as yacht brokerage for an anchorage), will be considered at special hearings to be called from time to time and presided over by a Commission member acting as the Hearing Officer.

The purpose of this procedure will be to provide an opportunity for the applicant for the related use to present all pertinent material and information, and additionally for any other concerned lessee to present views in support of or in opposition to the specific application.

A record of the hearing will be made and after receiving all material and information, the Hearing Officer and the Department will present their respective conclusions to the full Small Craft Harbor Advisory Commission at the earliest practicable succeeding meeting.

All requests for related uses must be submitted in letter form addressed to the Director of the Department, and should be as complete as possible with respect to justification of relevance and proposed size and scope. The applicant may prepare and present any and all material he feels is relevant to the specific request, but specific information must be provided on the following:

1. Relevancy. The proposed "related use" activity must bear a reasonable relationship to the "primary use" activities. Several tests may be applied:

- a. Identity of Subject Matter. A few examples should suffice to illustrate this concept. The "sale of live bait" or the "rental of fishing tackle" pertains to the same subject matter as the primary use of "sportfishing"; "maid service" or "TV rental" similarly pertains directly to the occupancy of apartments. An activity which provides an essential service or element for the patron's enjoyment of the primary use activity can be said to have "identity of subject matter."
 - b. Prevalent Custom or Usage. Where no identity of subject matter can be found, prevalent custom or usage can be used as a test of reasonable relationship. For instance, the fact that boat and marine insurance brokerages are normally or commonly to be found in marinas elsewhere leads to their acceptance as related uses for Marina del Rey anchorages.
 - c. Serves Sundry Needs of Same Patrons. Activities designed to provide sundry goods and services for the convenience of patrons of the primary use may also be considered "related uses." Hence, a family-style cafe or coffee shop could be considered a related use to a sportfishing facility while a large restaurant and cocktail lounge may not. Transient or vacation accommodations for use by boat owners and their boating guests could be considered a related use for an anchorage, whereas an outwardly-oriented motel or residential apartments may not.
2. Size and Scope. It is recognized that most if not all related use activities will to some extent duplicate or overlap the primary use activities of other lessees. The policy of the Department will be to insure to the extent practicable that related use activities on each leasehold are limited to a size and scope appropriate to the patronage reasonably to be expected from the tenants or patrons of the primary uses. "Related uses" are considered to be inwardly-oriented and not entitled to compete with similar primary use activities for patronage from the general public. Approval of signs, for instance, will require that listing of related use activities be subordinated to the primary use activities. Where it cannot be satisfactorily demonstrated that a proposed related use activity can be sustained on an economic basis by the patronage reasonably to be expected from the tenants and patrons of the primary uses, the related use request may be denied.

At the conclusion of the hearing, the Department and the Commissioner acting as hearing officer will prepare as rapidly as possible a summary of the information and a recommendation to the full Commission. The summary of recommendations will be presented to the Commission for action on its agenda for the next regular meeting.

Related use approvals are revocable in whole or in part under the following conditions:

1. If the stated restrictions and conditions are violated by lessee and violation continues after written notification by the Director.
2. If a "related use" as implemented by lessee is determined to exceed reasonable bounds of size and scope; is determined to infringe on the substantive rights of other lessees; or is determined to be detrimental to the best interests of the Marina del Rey as a revenue bond project of the County of Los Angeles.
3. Said determination and revocation shall only be made pursuant to due notice to lessee and public hearing of the issue before the Small Craft Harbor Advisory Commission.



Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

November 5, 2015

TO: Small Craft Harbor Commission

FROM: Gary Jones, Director 

SUBJECT: **ITEM 7c – COUNTY OCCUPIED FACILITIES IN MARINA DEL REY**

Item 7c on your agenda is a report on County occupied facilities in Marina del Rey requested by your Commission in the October 14, 2015 meeting. The report was provided by the County Chief Executive Office (CEO). The Department is currently assisting the CEO to update the information.

GJ:BW:SP
ym



COUNTY OCCUPIED FACILITIES IN MARINA DEL REY

SD	LACO	Building Name	Building Address	Use
3	4602	Beaches/Harbors - Via Dolce Yard	3170 Via Dolce Owned, Marina Del Rey 90292	Maintenance Building-Garage
3			aka: 4139 Dell Ave., Marina del Rey, CA 90292	
3	Z040	HSG Au - Marina Manor I Building 42	3401 Via Dolce Housing Authority, Marina Del Rey 90292	Housing Authority
3	Z041	HSG Au - Marina Manor II Building 15	3401 Via Dolce Housing Authority, Marina Del Rey 90292	Housing Authority
4	10006	MDR Boatwright Shop	13555 Fiji Way, Marina del Rey 90292	Sherif/Fire/DBH Operation
4	4093	Sheriff Marina Station	13851 Fiji Way, Marina del Rey, CA 90292	Sheriff Station
4	4835	DBH Admin Bldg	13837 Fiji Way, Marina del Rey, CA 90292	Office
4	4836	US Coast Guard Station	13871 Fiji Way, Marina del Rey, CA 90292	USCG Station
4	L601	Parking Lot - Beaches/Harbors #11	14101 Panay Way, Marina del Rey, CA 90292	Parking Lot
4	L602	Parking Lot - Beaches/Harbors #2	13477 Fiji Way, Marina del Rey, CA 90292	Parking Lot
4	L604	Parking Lot - Beaches/Harbors #4	13500 Mindanao Way, Marina del Rey, CA 90292	Parking Lot
4	L605	Parking Lot - Beaches/Harbors #5	4545 Admiralty Way, Marina del Rey, CA 90292	Parking Lot
4	L606	Parking Lot - Beaches/Harbors #6	4500 Admiralty Way, Marina del Rey, CA 90292	Parking Lot
4	L608	Parking Lot - Beaches/Harbors #8	4220 Admiralty Way, Marina del Rey, CA 90292	Parking Lot
4	L609	Parking Lot - Beaches/Harbors #9	14101 Palawan Way, Marina del Rey, CA 90292	Parking Lot
4	L610	Parking Lot - Beaches/Harbors #10	4220 Admiralty Way, Marina del Rey, CA 90292	Parking Lot
4	L612	Parking Lot - Beaches/Harbors #12	14151 Marquesas Way, Marina del Rey, CA 90292	Parking Lot
4	L613	Parking Lot - Beaches/Harbors #13	4601 Via Marina, Marina del Rey, CA 90292	Parking Lot
4	L614	Parking Lot - Beaches/Harbors #14	4752 Via Marina, Marina del Rey, CA 90292	Parking Lot
4	L615	Parking Lot - Beaches/Harbors #15	4001 Via Marina, Marina del Rey, CA 90292	Parking Lot
4	L616	Parking Lot - Beaches/Harbors #17	13399 Fiji Way, Marina del Rey, CA 90292	Parking Lot
4	L617	Parking Lot - Beaches/Harbors #7	4350 Admiralty Way, Marina del Rey, CA 90292	Parking Lot
4	L811	Parking Lot - Beaches/Harbors - Burton W. Chace Park	13650 Mindanao Way, Marina del Rey, CA 90292	Parking Lot
4	P052	Mother's Beach	4101 Admiralty Way, Marina del Rey, CA 90292	Land only
4	P078	Aubrey E. Austin Park	4701 Via Marina, Marina del Rey, CA 90292	Land only
4	T022	Trailer #1	13483 Fiji Way, Marina del Rey, CA 90292	Office
4	T034	Trailer #2	13483 Fiji Way, Marina del Rey, CA 90292	Office
4	T035	Payroll Trailer #3	13483 Fiji Way, Marina del Rey, CA 90292	Office
4	T036	Water Office Trailer #4	13483 Fiji Way, Marina del Rey, CA 90292	Office
4	T424	Mobile Office Trailer (86051)	13483 Fiji Way, Marina del Rey, CA 90292	Office
4	T425	Mobile Office Trailer (87022)	13483 Fiji Way, Marina del Rey, CA 90292	Office
4	X004	Parcel 77 Building	13560 Mindanao Way, Marina del Rey, CA 90292	Office
4	X006	Financial Services	13575 Mindanao Way, Marina del Rey, CA 90292	Office
4	X020	Former Cove Building	13535 Mindanao Way, Marina del Rey, CA 90292	Office
4	X334	Public Library	4533 Admiralty Way, Marina del Rey, CA 90292	Library
4	X404	Marina Boat Maintenance Building (Dock 52)	13483 Fiji Way, Marina del Rey, CA 90292	Garage - Maintenance Building
4	X406	Marina Tool Shed	13483 Fiji Way, Marina del Rey, CA 90292	Tool Shed - Tool Building
4	X528	Fire Station 110	4433 Admiralty Way, Marina del Rey, CA 90292	Fire Station
4		MPI Office	14110 Palawan Way, Marina del Rey, CA 90292	Office
4		Chace Park Community Room	13650 Mindanao Way, Marina del Rey, CA 90292	Public Facility
4		Boathouse	13640 Mindanao Way, Marina del Rey, CA 90292	Office



Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

November 5, 2015

TO: Small Craft Harbor Commission

FROM: Gary Jones, Director 

SUBJECT: **ITEM 7d – STRATEGIC OBJECTIVES IN FURTHERANCE OF
RECREATIONAL BOATING—COMMISSION SUGGESTED ACTIONS**

Item 7d on your agenda is a report on the various actions suggested by your Commission in furtherance of the Department's strategic objectives to improve and enhance recreational boating.

GJ:BW:SP
ym

GOAL A – ACCESS

Enhance access to all our beaches and the Marina for recreational purposes.

Objective: Ensure that our beaches and Marina are clean, safe and in good condition.

- Create training programs and enforcement standards for stand up paddle boarders (SUP) by visiting Long Beach SUP operations and review American Canoe Association certificate programs. **Status: Sheriff to issue citation and warning; educational flyers were distributed to rental companies; standards being enforced by County Codes.**

Objective: Expand services, programs and events to encourage Marina and beach use by all.

- Reserve the Scout base for youth serving purposes and consider outsourcing operations to a non-profit that services the youth. **Status: Upon completion, Boathouse will be available for public use.**
- Vacate parking lot attendants from the structure at Mother's Beach and create a boating center managed by non-profit organizations. **Status: The new parking contract will eliminate the need for this building.**
- Expand program for Mother's Beach parking passes due to the success of the pilot program. **Status: Program has been extended in 2015 to LA Rowing Club.**
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**

Objective: Continue to enhance our Marina infrastructure and programs as the premier recreational boating marina in the nation.

- Construct dinghy docks in Fisherman's Village and other locations throughout the Marina, including Ballona, restaurants, and Basin F and consider allowing the use of water taxi docks when water taxis are not in service. **Status: Lessee is searching for a more feasible location.**
- Reserve the Scout base for youth serving purposes and consider outsourcing operations to a non-profit that services the youth. **Status: Upon completion, Boathouse will be available for public use.**
- Outsource management of mast up storage and racks. **Status:**
- Continue to implement plans for expansion of Burton Chace Park. **Status:**

Objective: Optimize parking operations

- Develop plans to expand parking for UCLA Marina Aquatic Center as well as allow for additional signage. **Status: DBH permits UCLA to use its admin parking lot for overflow parking.**

Objective: Encourage multi-modal access to the Marina and our beaches.

- Construct dinghy docks in Fisherman's Village and other locations throughout the Marina, including Ballona, restaurants, and Basin F and consider allowing the use of water taxi docks when water taxis are not in service. **Status: Lessee is searching for a more feasible location.**

Objective: Collect data on user behavior patterns and preferences to inform decision on beach and Marina access.

- Redesign DBH website. **Status: Major redesign project is underway.**
- Provide information such as classes available for children in Marina del Rey and adult sailing classes on DBH's website and publications. **Status: Visitor Convention Bureau dedicated for this and info is also on our website. We know it may be difficult to locate and will address the accessibility along with redesigning website.**

GOAL B – ECONOMIC VITALITY

Support a vibrant Marina community and promote attractive beaches to expand visitorship and economic opportunities for the region.

Objective: Develop an Asset Management Strategy for the next phase of Marina development.

- Create an opportunity for an additional boating store in the Marina as a supplement to West Marine. **Status: Use will be considered in future redevelopment proposal.**
- Support sailing schools and provide accommodations in P44 redevelopment project. **Status:**
- Continue to implement plans for expansion of Burton Chace Park. **Status:**
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**
- Explore potential for Loyola Marymount University boathouse to be accessed by the public. **Status:**

Objective: Identify and secure ongoing funding sources for beach infrastructure and capital projects and deferred maintenance, as well as an increased contribution for the Marina

- Outsource management of anchorage P47. **Status: Board approved the \$15M project to replace Anchorage 47 docks in July 2014.**
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**

Objective: Enhance public amenities and services to complement private investment in the Marina's leaseholds.

- Reserve the Scout Base for youth serving purposes and consider outsourcing operations to a non-profit that services the youth. **Status: Upon completion, Boathouse will be available for public use.**
- Vacate parking lot attendants from the structure at Mother's Beach and create a boating center managed by non-profit organizations. **Status: The new contract will eliminate the need for this building.**
- Continue to assist Fairwinds and other yacht clubs by offering reduced slip fees. **Status: Fairwinds YC has been accommodated at Anchorage 47.**
- Outsource management of anchorage P47. **Status: Board approved the \$15M project to replace Anchorage 47 docks in July 2014.**
- Outsource management of mast up storage and racks. **Status:**
- Design a plan to expand parking for UCLA Marina Aquatic Center as well as allow for additional signage. **Status: DBH permits UCLA to use its admin parking lot for overflow parking.**
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**
- Explore potential for Loyola Marymount University boathouse to be accessed by the public. **Status:**

Objective: Strengthen Marina del Rey's image as an inviting place to recreate and live.

- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**

Objective: Promote Marina del Rey as a tourist destination.

- Contract and provide anchorage for tall ship as an attraction for visitors and school-aged children. **Status: Tall Ship participated in 50th Anniversary Event.**
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**

GOAL C – ENVIRONMENTAL STEWARDSHIP

Protect and maintain the beaches and Marina in a manner that balances recreational use with environmental resilience for the benefit of current and future users.

Objective: Build capacity and expertise to more effectively address environment priorities.

- Relocate two of the septic pump-outs at Chase Park to other locations in the Marina. **Status: DBH received Board approval to form a partnership with the Bay Foundation to implement a distribution program for oil absorbent pads that will be provided by the Foundation, with a grant from CalRecycle, and distributed to Marina del Rey residents. DBH also intends to apply for a grant from CalRecycle to install a bilge pump with an oil separator, to be available to boaters in Marina del Rey.**
- Outsource management of anchorage P47. **Status: Board approved the \$15M project to replace Anchorage 47 docks in July 2014.**
- Continue to implement plans for expansion of Burton Chace Park. *Status:*

GOAL D – SERVICE EXCELLENCE

Provide reliable, high quality services to beach and Marina users and stakeholders.

Objective: Promote and recognize high quality customer service.

- Expand program for Mother's beach parking passes due to the success of the pilot program. **Status: Program has been extended in 2015 to LA Rowing Club.**
- Continue to assist Fairwinds and other yacht clubs by offering reduced slip fees. **Status: Fairwinds YC has been accommodated at Anchorage 47.**
- Outsource management of anchorage P47. **Status: Board approved the \$15M project to replace Anchorage 47 docks in July 2014.**
- Outsource management of mast up storage and racks. *Status:*
- Support sailing schools and provide accommodations in P44 redevelopment project. *Status:*
- Develop plans to expand parking for UCLA Marina Aquatic Center as well as allow for additional signage. **Status: DBH permits UCLA to use its admin parking lot for overflow parking.**
- Provide parking for Outrigger Canoe Club's trailer. *Status:*
- Accommodate SeaMark Marine in the redevelopment of Parcel 44. *Status:*
- Redesign DBH website. **Status: Major redesign project is underway.**
- Provide information such as classes available for children in Marina del Rey and adult sailing classes on DBH's website and publications. **Status: Visitor Convention Bureau dedicated for this and info is also on our website. We know it may be difficult to locate and will address the accessibility along with redesigning website.**
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**
- Assist Boys and Girls Club of Venice with securing alternative accommodations for boats during the redevelopment of P44. *Status:*

Objective: Raise our public profile as the primary customer service provider

- Redesign DBH website. **Status: Major redesign project is underway.**
- Provide information such as classes available for children in Marina del Rey and adult sailing classes on DBH's website and publications. **Status: Visitor Convention Bureau dedicated for this and info is also on our website. We know it may be difficult to locate and will address the accessibility along with redesigning website.**

Objective: Maintain and strengthen relationships with all stakeholder groups.

- Continue to assist Fairwinds and other yacht clubs by offering reduced slip fees. **Status: Fairwinds YC has been accommodated at Anchorage 47.**
- Support sailing schools and provide accommodations in P44 redevelopment project. *Status:*
- Provide support to yacht brokers. **Status: County rent methodology has been amended in furtherance of this item.**
- Develop plans to expand parking for UCLA Marina Aquatic Center as well as allow for additional signage. **Status: DBH permits UCLA to use its admin parking lot for overflow parking.**
- Provide parking for Outrigger Canoe Club's trailer. *Status:*
- Accommodate SeaMark Marine in the redevelopment of Parcel 44. *Status:*
- Relocate derelict boats out of the main channel. **Status: Ongoing operation by Sheriff.**
- Explore potential for Loyola Marymount University boathouse to be accessed by the public. *Status:*
- Assist Boys and Girls Club of Venice with securing alternative accommodations for boats during the redevelopment of P44. *Status:*

Objective: Strengthen Marina del Rey community and civic identity.

- Replace breakwater flag. **Status: Repair of solar-powered light has been completed. Flag is now on display.**

GOAL E – ORGANIZATIONAL EFFECTIVENESS

To best serve the public, maintain efficient and effective internal systems to maximize productivity and achieve the mission and vision.

Objective: Attract, empower and retain a top quality, engaged and motivated workforce.

- Outsource management of anchorage P47. **Status: Board approved the \$15M project to replace Anchorage 47 docks in July 2014.**
- Outsource management of mast up storage and racks. *Status:*

Objective: Optimize and enhance the use of information technology.

- Redesign DBH website. **Status: Major redesign project is underway.**
- Provide information such as classes available for children in Marina del Rey and adult sailing classes on DBH's website and publications. **Status: Visitor Convention Bureau dedicated for this and info is also on our website. We know it may be difficult to locate and will address the accessibility along with redesigning website.**



November 05, 2015

TO: Small Craft Harbor Commission

FROM: Gary Jones, Director 

SUBJECT: **ITEM 8 - ONGOING ACTIVITIES REPORT**

Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

BOARD ACTIONS ON ITEMS RELATING TO MARINA DEL REY

On September 29, 2015 the Board of Supervisors found that armed security guard services for the Department of Beaches and Harbors continues to be performed more economically by Securitas Security Services USA, Inc., and authorized the Director of Beaches and Harbors to execute an amendment to a contract with Securitas Security Services USA, Inc. for additional security services at existing and new service areas, to increase the annual contract amount from \$297,512 to \$353,713, for the first option year, if exercised, an additional \$115,000 for the second option year and \$57,500 for the six month-to-month extension periods.

On October 6, 2015 the Board of Supervisors considered the previously certified Final Environmental Impact Report (FEIR) and Addendum for the Parcel 9U hotel project; made a finding that the certified FEIR and Addendum reflect the independent judgment and analysis of the Board; made a finding that the applicable Mitigation Monitoring and Reporting Program is adequately designed to ensure compliance with the mitigation measures during project implementation; made a finding based on substantial evidence and in light of the whole record that none of the circumstances set forth in the California Environmental Quality Act (CEQA) Guidelines calling for the preparation of a subsequent Environmental Impact Report exist; Adopted the Addendum and Mitigation Monitoring and Reporting Program and the associated CEQA Findings of Fact regarding the Addendum; Indicated its intent to approve Project No. TR067861-(4), including Coastal Development Permit (CDP) No. 2006-00007-(4), Conditional Use Permit (CUP) No. 2006-00288-(4), Parking Permit No. 2006- 0002-(4), and Variance No. 2006-00012-(4); and Instructed the Interim County Counsel to prepare the necessary Findings and Conditions to affirm the Commission's approval of Project No. TR067861-(4), including the previously reference CDP, CUP, Parking Permit and Variance numbers. The Board of Supervisors also approved the option for lease agreement to facilitate the development of a hotel project on Parcel 9U under a 60-year ground lease.

REGIONAL PLANNING COMMISSION'S CALENDAR

No items relating to Marina del Rey were on the September and October 2015 Regional Planning Commission agenda.

CALIFORNIA COASTAL COMMISSION CALENDAR

On October 9, 2015 the Coastal Commission approved the application of the Los Angeles County Flood Control District (LACFCD) to conduct inspections and minor structural repairs as part of long-term routine maintenance plan of Ballona Creek Soft-bottom Channel (SBC) Reach 112, extending from Marina Freeway (CA-90) to Pacific Ave., near Marina Del Rey area, Los Angeles County.

On October 9, 2015 the Coastal Commission also approved the application of LACFCD to remove trash, debris, and non-native, invasive vegetation as part of long-term routine maintenance plan of Ballona Creek Soft-bottom Channel (SBC) Reach 112, extending from Marina Freeway (CA-90) to Pacific Ave., near Marina Del Rey area, Los Angeles County.

VENICE DUAL FORCE MAIN PROJECT UPDATE

The Coastal Commission approved the City of Los Angeles' Coastal Development Permit for the Venice Dual Force Main Project on October 9, 2015.

REDEVELOPMENT PROJECT STATUS REPORT

The updated Marina del Rey Redevelopment Projects Descriptions and Status of Regulatory/Proprietary Approvals report is attached.

DESIGN CONTROL BOARD MINUTES

The September 2015 meeting minutes are attached.

MARINA DEL REY SLIP REPORT

The overall vacancy rate across all anchorages in Marina del Rey stood at 12.6% for September 2015. After adjustment to remove out-of-service slips and 50% of available double slips, the vacancy rate was 11.1%. The vacancy data by anchorage and slip length are provided in the document attached.

CALIFORNIA COASTAL COMMISSION SLIP REPORT

Pursuant to certain conditions of the Coastal Development Permit (5-11-131) issued by the California Coastal Commission, the County is required to maintain certain minimum thresholds of slip sizes as a percentage of the entire Marina. The attached document outlines the percentage of each size category as a percentage of all available slips in the Marina.

FISHERMAN'S VILLAGE PROGRESS REPORT

No further updates from the lessee's presentation at the May 2015 SCHC meeting.

Wetland Park Public Meeting

The Department of Beaches and Harbors will be hosting an informational meeting on Thursday November 19, 2015, from 6:00 p.m. to 8:00 p.m., regarding the wetland park project proposed for Marina del Rey Lease Parcel 9 (vacant parcel at the northeast corner of Via Marina and Tahiti Way). The meeting will be held at the Marina del Rey Hotel, located at 13534 Bali Way in Marina del Rey. Free validated parking will be available to all attendants.

The County proposes to restore an existing .43 acre degraded wetland into a 1.46 acre tidal upland and wetland park. The project has received approvals from the Regional Planning Commission (March 10, 2010), the Board of Supervisors (April 26, 2011), and the California Coastal Commission (December 12, 2012). Staff from the Department of Beaches and Harbors, the Department of Regional Planning, and a wetland specialist will be attending the meeting.

GJ:BW:SP
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Attachments (6)

Marina del Rey Redevelopment Projects Descriptions and Status of Regulatory/Proprietary Approvals As of November 5, 2015						
Map Key	Parcel No. -- Project Name/Lessee	Lessee Name/ Representative	Redevelopment Proposed	Massing and Parking	Status	Regulatory Matters
Seeking Approvals						
2	9 -- Proposed Hotel on northern portion of Parcel 9U, wetland park on southern portion	Sam Hardage	* Revised project to be submitted as requested during 4/26/11 BOS hearing. Previously: 19-story, 225'-high, 288-room hotel (152 hotel rooms and 136 timeshare suites). *Now: Proposed dual building hotel, 6-story, 72'-high Marriott Residence Inn, and 5-story, 61'-high Courtyard Marriott. *New promenade improvements, restaurants and amenities. * Wetland public park project (1.46 acres).	Massing -- Revised project will be resubmitted at a later date. Parking -- Parking plan will be resubmitted at a later date.	Proprietary -- Option was approved by BOS on 10/6/15. Regulatory -- DCB initial hearing May 2006, conceptual approval on June 2006. RPC filing on November 2006. RPC heard the item on 10/29/08. On 10/14/09, the RPC requested a DCB review for promenade improvements prior to returning on 2/3/10. DCB approval of promenade improvements on 12/17/09. RPC continued item on 2/3/10. RPC approval of Tentative Tract Map, CDP, CUP, Parking Permit, Variance and FEIR for landside on 3/10/10. RPC also approved the CDP for wetland park, and Plot Plan for the docks on 3/10/10. The park and hotel projects were both appealed to BOS. On April 26, 2011, the BOS asked that a modified hotel design return to RPC and DCB for reconsideration. The appeal of the park project was denied by the BOS. The park was appealed to the CCC on 06/07/12. On 12/12/12 the CCC found that the appeal raised a substantial issue. The CCC then approved a revised project (permit A-5-MDR-12-161). The redesigned hotel returned to DCB in January 2014. On 1/15/14, a new dual building hotel design project obtained conceptual approval by DCB. On July 22, 2015, the Regional Planning Commission approved the hotel project. The RPC's decision was appealed to the Board of Supervisors. On 10/6/15, the BOS denied the appeal, and approved the hotel project.	
3	10/14 (FF) -- Neptune Marina/ Legacy Partners	Tim O'Brien	* Demolish existing facilities and build 526 apartments * 161-slip marina + 7 end-ties * 28 foot-wide waterfront promenade * Replacement of public parking both on and off site	Massing -- Four 55' tall clustered 4-story residential buildings over parking with view corridor Parking -- 1,012 project required parking spaces to be provided (103 public parking spaces to be replaced off site)	Proprietary -- Term sheet action by BOS August 2004; lease documents approved by BOS August 2008. SCHC voted on 8/10/11 to support recommendation for renewal of option to extend the lease agreement. Regulatory -- DCB conceptual approval on June 2006. RPC filing on November 2006; Scoping meeting held on April 23, 2007. DCB approval of promenade improvements on 12/17/09. RPC certified EIR on 3/10/10 and recommended approval of Plan Amendment, CDP, CUP and Variance to BOS. LCP Amendments were included in the LCP map and text amendment which was approved by the BOS on 2/1/11; on April 26, 2011, the BOS indicated its intent to approve the project and recertified the EIR; Proposed marina replacement was included in the County's master waterside CDP application approved by the CCC on 11/3/11. LCP amendment also approved by CCC on 11/3/11 with modifications as suggested by Coastal staff. BOS accepted CCC changes to LCPA & CDP on 11/29/11. Effective certification of the amended LCP was granted by the CCC on 02/08/12; on 3/20/12 the BOS approved Counsel's final resolution on the LUP as certified by the CCC, the ordinance amendments to Title 22 took effect 4/19/12. Final approval of the project was granted by the BOS on 5/15/12. The project was appealed to the CCC on 06/07/12. On 7/12/12, the CCC found no substantial issue on the appeals. On January 21, 2015, the final project design was approved by the Design Control Board.	
6	21 -- Holiday Harbor Courts/ Goldrich & Kest Industries	Jona Goldrich/ Frank Hickman	* 5-story, 29,300 square-foot mixed-use building (health club, yacht club, retail, marine office) * 92-slip marina * 28 foot-wide waterfront promenade and pedestrian plaza	Massing -- One 56' tall commercial building with view corridor/community park Parking -- A Six-level parking structure (447 spaces) to contain: all project required parking, 94 (replacement for OT) spaces and Parcel 20 boater parking	Proprietary -- Lease option documents approved by BOS July 2008. Approval of Renewal of Lease Option Agreement for up to a 66-month extension approved by BOS on 10/4/11. Lessee has extended its option (2 years) for which Lessee has paid \$30,000 under the terms of the option agreement. Regulatory -- DCB conceptual approval on August 2005. RPC filing September 2006. DCB approval of promenade on 2/17/10. RPC certified EIR and approved CDP, CUP, and Parking Permit on 4/28/10. Appeal to BOS filed 5/12/10. On April 26, 2011, the BOS approved the project and certified the EIR. Proposed marina replacement was included in the County's master waterside CDP application approved by the CCC on 11/3/11. On 12/8/11, the CCC denied the appeal of the BOS 10/17/11 determination and the approval was final. Final DCB approval granted on 4/18/12. Demolition began on February 10, 2014.	
9	43 -- Marina del Rey Hotel Anchorage	Jeff Pence	* Demolition of a 349-slip marina and construction of a 277-slip marina.	Massing -- Parking -- 163 Boater Parking spaces	Proprietary -- Term sheets initiated; Parcel 42 on 9/7/09 and Parcel 43 on 8/31/09. On 5/17/11 BOS approved Option to bifurcate Parcels 42 and 43 into separate leaseholds, expand Parcel 43 water premises, and extend lease for 39 years. On 8/29/13 BOS approved bifurcation of Parcels 42 and 43 into separate leaseholds, expand Parcel 43 water premises, and extend lease for 39 years at Parcel 42. Parcel 43 lessee has extended the option agreement for six months to have enough time to procure building permits from DPW. Regulatory -- MND public review period ended 12/20/10. SCHC reviewed MND and Option on 3/9/11. BOS certified MND on 5/17/11. Proposed marina replacement was included in the County's master waterside CDP application approved by the CCC on 11/3/11. Dock replacement will be phased during a 5-year period beginning in 2015.	No Variance proposed. Parking Permit for reduced parking.
10	44 - Pier 44/Pacific Marina Venture	Michael Pashaie/ David Taban	* Build 5 new visitor serving commercial and dry storage buildings * 91,760 s.f. visitor serving commercial space * 141 slips + 5 end ties and 57 dry storage spaces	Massing -- Four new visitor-serving commercial buildings, maximum 36' tall and one dry stack storage building, 6' tall. 771.5 lineal feet view corridor proposed Parking -- 381 at grade parking spaces will be provided with shared parking agreement (402 parking spaces are required)	Proprietary -- The lessee initialed a term sheet in May 2013 and initialed a revised Term Sheet on July 9, 2015. Regulatory -- Initial DCB review during the October 2008 meeting, but project will be revised. Proposed marina replacement was included in the County's master waterside CDP application approved by the CCC on 11/3/11. Conceptual project approved by DCB on 7/16/13. DEIR filed with DRP in March 2014. The Notice of Completion and Availability for the DEIR was released on February 13, 2015. The public review period for the DEIR will last from February 13, 2015 to March 31, 2015. A hearing for the purpose of taking public testimony is scheduled before the Los Angeles County Hearing Examiner for March 4, 2015. The project was approved by the RPC on August 26, 2015. The RPC's decision was appealed to the Board of Supervisors. The BOS is expected to hear the appeal on November 24, 2015.	Shared Parking Agreement No Variance proposed
11	52 -- Boat Central/ Pacific Marina Development	Jeff Pence	* 345-vessel dry stack storage facility * 30-vessel mast up storage space * 5,300 s.f. County Boatwright facility	Massing -- 81.5' high boat storage building partially over water and parking with view corridor Parking -- All parking required of the project to be located on site	Proprietary -- Term sheet action by BOS on July 2006; Option to lease approved by SCHC March 2007 and by BOS May 2007. BOS granted extension and modification of Option on 11/10/09. Lease Option Agreement and extension for 6 months approved on 5/14/13. An extension to the Option was approved at the 11/12/13 BOS meeting. Regulatory -- DCB review continued on March 2007, project denied on May 2007. DRP application filed December 2008. Proposed marina replacement was included in the County's master waterside CDP application approved by the CCC on 11/3/11. LCP map and text amendment also approved by CCC on 11/3/11 with modifications as suggested by Coastal staff. BOS accepted CCC changes to LCPA & CDP on 11/29/11. Final amendment report was provided to CCC in February 2012. Public review of DEIR from 1/5/12 to 3/5/12 and public hearing for testimony on DEIR only was scheduled for 2/8/12 in Chace Park, MdR; on 3/20/12 the BOS approved Counsel's final resolution on the LUP as suggested by the CCC, the ordinance amendments to Title 22 took effect 4/19/12. Project was approved by RPC on 4/24/13. A CDP for the waterside portion of the project was filed with the Coastal Commission in May of 2014. The waterside portion of the project was approved by the Coastal Commission on January 9, 2015.	Variance for reduced setbacks and Architectural Guidelines requiring that structures beat least 15 ft. from bulkhead
12	53 -- The Boatyard	Greg Schem	* New 921 s.f. ADA Restroom * New 3,916 s.f. carport with 14 garage spaces and boater storage. * Leasehold refurbishment, including new landscaping, hardscape, and waterside walkway.	Massing -- One 38' tall commercial warehouse building and 15' tall office buildings. New carport storage and office buildings will be 15' tall. Parking -- Parking proposed is 147 spaces. The code requires 134 spaces for this use.	Proprietary -- On 11/6/ 2012 the Lessee initialed a term sheet for an extension of the leasehold. Regulatory -- DCB conceptual approval obtained on 8/21/13. The Regional Planning Commission approved the project CDP and adopted the MND at the March 25, 2015 hearing. The DCB reviewed the final design of the project on October 21, 2015. The DCB requested that the applicant make some minor changes and return for final approval at the November 18, 2015 meeting.	
13	55/56/W -- Fisherman's Village/ Gold Coast	Michael Pashaie/ David Taban	* 132-room hotel * 65,700 square foot restaurant/retail space * 30-slip new marina * 28 foot-wide waterfront promenade	Massing -- Nine mixed use hotel/visitor-serving commercial/retail structures (8 1- and 2-story and 1 60'-tall hotel over ground floor retail/ restaurant), parking structure with view corridor Parking -- On-site parking includes all project required parking, parking for Parcel 61 lessee (Shanghai Reds)	Proprietary -- Lease extension Option approved by BOS December 2005. Option expired. Lessee reconfiguring project. The lessee provided the SCHC with project updates at the March and May 2015 meetings. Regulatory -- DCB review continued on May 2006, conceptual approval in July 2006. DRP application filed May 2007. Screen check DEIR in review. Lessee has indicated intent to submit a revised project. The Department of Regional Planning had considered a design concept, which would relocate the launch ramp to Fisherman's Village. In June 2014, Supervisor Knabe announced that moving the launch ramp would no longer be part of the visioning process.	Shared Parking Agreement Variance for reduced setbacks (side and waterfront)
1	113 -- Mariner's Village	Michael Sondermann	* Complete leasehold refurbishment of 981 apartments * Retail space increase from 2,070 s.f. to 9,000 s.f. * New 92-slip anchorage will be constructed * New 28 foot-wide pedestrian promenade and public amenities	Massing -- Thirty existing buildings varying from 1 to 4 stories high Parking -- Existing parking structure will be expanded. Parking required is 1,556 spaces and 1,931 spaces are proposed.	Proprietary -- A term sheet was initialed 9/23/2013 to create the economic terms of a lease extension. Regulatory -- EIR Scoping meeting held on 12/10/13. NOP for EIR public review from 11/19/13 through 12/19/13. On 3/26/14, DCB denied the conceptual design proposal and asked that the applicant return for review. A new EIR scoping meeting was held on 09/16/14 in Chace Park. The revised scope includes the environmental analysis for a CDP, to cover the removal of unoccupied nests, which occurred in November 2013.	
8	147 (OT) -- Oceana Retirement Facility/ Goldrich & Kest Industries	Jona Goldrich/ Sherman Gardner	* 5-story, 114-unit senior accommodation units plus ancillary uses * 3,500 square feet of retail space * Replacement of 92 public parking spaces on site * Public accessway from Washington to Admiralty	Massing -- One 5-story residential (senior) building over ground-floor retail and parking; 65' tall Parking -- On-site parking includes all required project parking, 92 public parking spaces (94 public parking spaces to be replaced off site near Marina Beach)	Proprietary -- Lease documents approved by BOS July 2008. Approval of Renewal of Lease Option Agreement for up to a 66-month extension approved by BOS on 10/4/11. Lessee has extended its option (2 years) for which Lessee has paid \$30,000 under the terms of the option agreement. Regulatory -- DCB conceptual approval on August 2005; RPC filing May 2006. DCB approval of pedestrian plaza on 2/17/10. RPC continued project on 10/21/09 to 12/16/09. RPC certified EIR 4/28/10 and recommended approval of Plan Amendment, CDP, CUP, and Parking Permit to BOS. Project was included in the LCP map and text amendment approved by the BOS on 2/1/11; On 4/26/11, the BOS approved the project and certified the EIR; LCP map and text amendment approved by CCC on 11/3/11 with modifications as suggested by Coastal staff. BOS accepted CCC changes to LCPA & CDP on 11/29/11. Final amendment report was provided to CCC in February 2012; on 3/20/12 the BOS approved Counsel's final resolution on the LUP as suggested by the CCC, the ordinance amendments to Title 22 were effective 4/19/12. Final DCB approval on 4/18/12. The BOS approved the project on 06/12/12.	
Construction in Progress						
4	13 -- Villa del Mar	David Canzoneri	* Complete leasehold refurbishment of 198 apartments * Existing 209-slip anchorage will be renovated commencing no later than 2029 * Improved pedestrian promenade and public amenities will be renovated.	Massing -- Four existing buildings up to 3 stories high Parking -- Existing open air parking and parking structure will be renovated. Total parking provided on site is 572 spaces.	Proprietary -- The Lessee initialed the term sheet 6/1/12. On 8/1/12, the Board provided instruction to proceed with negotiations for an option agreement and revised lease document based on a term sheet initialed by lessee. At the 1/8/14 meeting, the SCHC endorsed DBH's recommendation to adopt the MND and grant an option and extension of the lease term, which was heard and approved by the Board on 2/4/14. Construction commenced on December 8, 2014. Completion of construction is currently anticipated in December 2016. Regulatory -- DCB conceptual approval obtained on 8/21/13. MND public review period from 12/19/13 through 1/20/14. On 2/4/14, the BOS adopted MND. On 6/18/14, the DCB approved the final design of the renovation project.	
5	15 -- AMLI Residential	Jason Armison	* Demolish existing facilities and build 585 apartments * New 8,000 s.f. commercial space * New 241 boat slip marina * New 1,271-parking space garage	Massing -- Six buildings up to 5 stories and 70' high Parking -- All parking to be provided on site within new 1,271-space parking garage.	Proprietary -- The Board of Supervisors approved the assignment of the lease on December 17, 2013. The sale/assignment closed on 1/30/14. Construction commenced on July 1, 2014, and anticipated completion date is July 1, 2018. Regulatory -- DCB conceptual approval on 2/17/00. On 12/6/00 project obtained CDP/CUP/Parking Permit/Variance No. 98-134 from DRP. On 2/13/01 CCC determined that appeal failed to raise substantial issue. On 10/9/01 the CCC issued permit No. 5-01-0143 for 241-slip marina. Original DCB approval on 2/21/02 and 3/21/02. On 2/19/14, DCB approved final redesign of project. On June 30, 2014, demolition of the site commenced.	
7	28 -- Mariners Bay	Cathleen Hayes	* Complete leasehold refurbishment of 379 apartments * New bicycle depot for public use * Improvements to existing promenade and dock gates and public amenities * Replacement of existing docks within 6 months of completed of landside renovation	Massing -- Seven buildings up to 3 stories high Parking -- Existing subterranean parking structure contains 947 parking spaces.	Proprietary -- The lessee initialed a term sheet in August 2013. The MND for the project was adopted by the BOS at the March 24, 2015 meeting. Board also approved a future assignment to Legacy. Option was exercised and lease executed on 9/25/15. Regulatory -- DCB conceptual approval obtained on 11/20/13. On June 3, 2015, Regional Planning approved the plot plan. On July 15, 2015, the DCB approved the final design of the project.	



Caring for Your Coast

Gary Jones
Director

Kerry Silverstrom
Chief Deputy

John Kelly
Deputy Director

Brock Ladewig
Deputy Director

DESIGN CONTROL BOARD MINUTES September 16, 2015

Members Present: Peter Phinney, AIA, Chair (Fourth District); Jerome Stanley, Member (Second District); Tony Wong, P.E., Member (Fifth District)

Members Absent: Helena Jubany, FAIA, Vice Chair (First District); Simon Pastucha, Member (Third District)

Department Staff Present: Brock Ladewig, Deputy Director; Michael Tripp, Planning Specialist; Troy Evangelho, Planner; Yeni Maddox, Secretary

County Staff Present: Kevin Finkel, Department of Regional Planning; Jill Jones, County Counsel

Guests Testifying: Lisa Aragon, Chipotle; John Yunker, Equity Residential

1. Call to Order and Pledge of Allegiance

Chair Phinney called the meeting to order at 1:33 PM

On a motion of Mr. Wong, seconded by Mr. Stanley, the absences of Vice Chair Jubany and Mr. Pastucha were excused.

Ayes: 3 – Chair Phinney, Mr. Stanley, and Mr. Wong

Chair Phinney led the Pledge of Allegiance.

2. Approval of August 19, 2015 minutes

On a motion of Mr. Wong, seconded by Mr. Stanley, the August 19, 2015 minutes were approved.

Ayes: 3 – Chair Phinney, Mr. Stanley, and Mr. Wong

3. Public Comment

None

4. Consent Agenda

None

5. Old Business

A. Parcel 50 –Chipotle – Consideration of sign replacements – DCB#02-005-B

Mr. Evanghelo presented the staff report.

Mr. Wong asked if the sign would have channel letters.

Mr. Evanghelo explained that the sign does have channel letters along with a metal border.

Public Comment

None

Board Comment

Chair Phinney asked County Counsel if he should refrain from voting on this item since he was the designer of the original sign.

Jill Jones replied that it is good that he disclosed that information; however it does not prevent him from voting.

On a motion of Mr. Wong, seconded by Mr. Stanley, the item was approved as submitted.

Ayes: 3 – Chair Phinney, Mr. Stanley, and Mr. Wong

B. Parcel 102 – Marina 41 – Consideration of sign modification – DCB#15-004-B

Mr. Evangelho presented the staff report.

Public Comment

None

Board Comment

Mr. Stanely asked for the original name of the complex and the reasoning behind the new name.

John Yunker replied that "Archstone Marina del Rey" was the original name and that the new name was chosen because all the addresses on the property begin with 41. Mr. Yunker further stated that the property could no longer use the Archstone name because Equity Residential purchased the property from Archstone.

On a motion of Mr. Wong, seconded by Mr. Stanley, the item was approved as submitted.

Ayes: 3 – Chair Phinney, Mr. Stanley, and Mr. Wong

6. New Business

A. Election of Officers

Chair Phinney asked County Counsel if there were any restrictions to voting due to the absence of the other commissioners.

Jill Jones replied that there were none, as long as there was a quorum.

Mr. Wong stated that he would prefer to continue the item until the next meeting to include the absent board members in the voting process.

Public Comment

Jon Nahhas spoke about the importance of public involvement.

Board Comment

None

On a motion of Mr. Wong, seconded by Chair Phinney, the item was continued until the next meeting.

Ayes: 3 – Chair Phinney, Mr. Stanley, and Mr. Wong

7. Staff Report

Mr. Tripp presented the staff report.

Public Comment

Jon Nahhas spoke about the lack of information available to the public regarding upcoming DCB meetings.

Board Comment

Mr. Stanley asked if staff has a list of stakeholders in the Marina.

Mr. Tripp replied that staff does have such a list and also sends out an e-mail blast to interested parties with links to the Design Control Board (DCB) meeting agenda and materials.

Mr. Stanley asked if all the residents of the Marina are considered stakeholders.

Mr. Tripp stated that e-mails are sent only to the residents that request to be on the courtesy notification list; however, if there's a public hearing about a major project, the Department of Regional Planning places a public notice in the Argonaut Newspaper and information is placed on the Beaches and Harbor's website.

Mr. Wong clarified that the department does schedule night meetings ahead of time for large projects.

Chair Phinney informed Mr. Stanley that the DCB meeting materials are also available to the public at the Library, Chace Park, Department of Beaches and Harbor's Administrative office and the Visitor Center.

8. Commemoration of Historic Figures and Events in Honor of Marina del Rey's 50th Anniversary

Chair Phinney requested that Patricia Younis read the staff report.

Patricia Younis read the staff report.

9. Adjournment

Chair Phinney adjourned the meeting at 2:05 PM in honor of the development of Burton Chace Park.

Respectfully Submitted,

Yeni Maddox
Secretary for the Design Control Board

Marina del Rey Slip Vacancy Report

Sep-15	18-25			26-30			31-35			36-40			41-45			46-50			51+			TOTAL	TOTAL	%	DOUBLES	DOUBLES	NON-DBL		
Marina	VAC	AVAIL	%VAC	VAC	AVAIL	%VAC	VAC	AVAIL	%VAC	VAC	AVAIL	%VAC	VAC	AVAIL	%VAC	VAC	AVAIL	%VAC	VAC	AVAIL	%VAC	VACANT	AVAILABLE	%VAC	VACANT	OUT OF SERVICE	OUT OF SERVICE	TTL OFF-LINE	TTL Including OFF-LINE
P1		0			0			0			0			0			0			5	0.0%		5	0.0%					
P7		8	0.0%	2	80	2.5%	3	44	6.8%	4	42	9.5%	2	12	16.7%		7	0.0%		21	0.0%	11	214	5.1%					
P8	1	15	6.7%	1	48	2.1%	3	81	3.7%	5	38	13.2%		16	0.0%		7	0.0%		1	0.0%	10	207	4.9%					
P10	2	12	16.7%	14	126	11.1%		22	0.0%	1	20	5.0%		0			0			0		17	180	9.4%					
P12		0			0			30	0.0%	1	53	1.9%	2	58	3.4%		44	0.0%		31	0.0%	3	216	1.4%					
P13		0			3	0.0%		33	0.0%	4	70	5.7%	10	36	27.8%	3	36	8.3%	1	8	12.5%	18	186	9.7%					
P15		0			0			0			0			0			0			0			0					236	
P18	13	198	6.6%	3	68	4.4%	2	41	4.9%		39	0.0%	3	26	11.5%	1	18	5.6%		34	0.0%	22	424	5.2%				1	
P20	4	42	9.5%	3	59	5.1%		21	0.0%		9	0.0%		8	0.0%		0			0		7	139	5.0%				3	
P21	26	121	21.5%	2	51	3.9%		0			10	0.0%		0			0			0		28	182	15.4%	25				
P28		0		41	182	22.5%	5	100	5.0%	18	82	22.0%		0		4	9	44.4%		2	0.0%	68	375	18.1%					
P30		8	0.0%	3	70	4.3%	2	51	3.9%		33	0.0%	1	26	3.8%		52	0.0%		55	0.0%	6	295	2.0%	1	2	5		
P41	7	90	7.8%	4	24	16.7%	5	34	14.7%		0			0			0			0		16	148	10.8%					
P43	56	109	51.4%	35	120	29.2%		70	0.0%	3	36	8.3%		0			10	0.0%		4	0.0%	94	349	26.9%					
P44(45)	162	269	60.2%	17	51	33.3%	14	71	19.7%		0			0			0			0		193	391	49.4%	143	1			
P47	11	39	28.2%	4	29	13.8%		12	0.0%		0			0			0			0		15	80	18.8%				91	
P53		34	0.0%		23	0.0%	4	37	10.8%		9	0.0%		0			0			0		4	103	3.9%					
P54		0			3	0.0%		0		5	24	20.8%	1	6	16.7%	1	7	14.3%		14	0.0%	7	54	13.0%	4	2			
P111	1	20	5.0%	1	27	3.7%		2	0.0%		15	0.0%		0			8	0.0%	2	39	5.1%	4	111	3.6%					
P112	1	100	1.0%		0			11	0.0%	2	24	8.3%		0			0		2	40	5.0%	5	175	2.9%					
P125I	3	24	12.5%	6	49	12.2%	6	93	6.5%	6	50	12.0%		27	0.0%	1	17	5.9%	2	18	11.1%	24	278	8.6%	1				
P132		29	0.0%		3	0.0%		68	0.0%		58	0.0%		45	0.0%	1	39	2.6%		20	0.0%	1	262	0.4%		1	1		
Grand Total	287	1118	25.7%	136	1016	13.4%	44	821	5.4%	49	612	8.0%	19	260	7.3%	11	254	4.3%	7	292	2.4%	553	4374	12.6%	174	6	10	327	4701

Summation

Vacancy in 18'-25'	25.7%
Vacancy in 26'-30'	13.4%
Vacancy in 31'-35'	5.4%
Vacancy in 36'-40'	8.0%
Vacancy in 41'-45'	7.3%
Vacancy in 46' to 50'	4.3%
Vacancy in 51' and over	2.4%

Total Vacancy	12.6%
Vacancy w/o DOUBLES, OUT OF SERVICE slips	11.1%

Note: Parcel 15 dock reconstruction project expected commencement date is September 2014

Sep-15	Under Construction	Net Available	TOTAL MdR	% of TOTAL	CDP MIN THRESHOLD
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25' & Less					
Number of Slips	120	1118	4374	26%	16%

26'-30'					
Number of Slips	84	1016	4374	23%	19%

30'-35'					
Number of Slips	137	1607	4374	37%	18%

Notes

4761 - pre-construction number of slips