

From: [Dennis Winters](#)
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-Grantee County of Orange-Dana Point Harbor
Date: Friday, August 20, 2021 1:18:59 PM
Attachments: [DanaPLTCC.pdf](#)
[DanaPCBOS Minute Order 3-6-01.pdf](#)
[DanaPCBOS Minute Order 6-19-01DenialIncrease.pdf](#)
[MarinaSlipIncrease.pdf](#)
[DanaBoatersLTBOS6-25-21.pdf](#)

Attention: This email originated from outside of SLC and should be treated with extra caution.

Corrected Subject Line on previous e-mail.

-----Original Message-----

From: Dennis Winters <winterslawfirm@cs.com>
To: cslc.commissionmeetings@slc.ca.gov <cslc.commissionmeetings@slc.ca.gov>
Cc: anneebanks@gmail.com <anneebanks@gmail.com>; bod@danapointboaters.org <bod@danapointboaters.org>; advisors@danapointboaters.org <advisors@danapointboaters.org>; Advocacy@danapointboaters.org <Advocacy@danapointboaters.org>
Sent: Fri, Aug 20, 2021 12:59 pm
Subject: External Affairs-Grantee County of Orange-Dana Point Harbor

Chairwoman Kounalakis, members of the Commission:

I am the legal advisor to the Dana Point Boaters Association. I want to address the ongoing controversy regarding the Dana Point Harbor Tidelands Grant to the County of Orange, specifically, the massive increase in boaters slip fees proposed by the lessee of the marina Dana Harbor Partners (Partners"), on small boat owners in the marina. I previously brought this issue to the attention of the External Affairs unit.

We believe the Tidelands Grant requirement of maximum reasonable public access has been violated, and the grantee, the County of Orange, has abdicated its responsibility to monitor and protect the public interest. We are therefore asking this Commission to step in and help assure the public rights are protected.

These increase, varying from \$26% to 96%, will create such a hardship on many, if not most, boaters in the harbor. The Dana Point Harbor, under the Tidelands Grant, was intended to be an alternative to the highly inflated slip and mooring fees charged in Newport Harbor. It was intended to give the average boater, working people, public employees small business-people and retirees a place to keep their boats without the frills and expense of the Newport Beach marinas.

The County of Orange, long ago established the rule that the Dana Point marina would charge market rates, to be determined by marina slip fees from throughout Southern California and specifically NOT merely Newport Beach marinas, to assure the slips remained affordable by all boaters. The Partners statement of their rationale and methodology flatly refused to follow the long standing County rule and precedent and based the increase on Orange County marinas only, most of which are in Newport Beach and many of which are already owned or managed by members of the Partners LLC.

The Partners resolutely refuse to even discuss these proposed increases. If allowed to push through this increase, there will no longer be an affordable place for most of the boaters in the Orange County area to keep their boats.

I am attaching detailed documentation of correspondence and documents supporting the comments made here. It includes a letter I sent to the County Counsel of Orange County, to which I have not received a response to date.

The Dana Point Boaters association respectfully requests the Commission intervene and take action to require the County of Orange and its lessee/Partners comply with the terms and responsibilities of the Tidelands Grant and the long standing rules and precedent. Thank you.

Dennis Winters
Winters Law Firm
23046 Avenida de la Carlota
Suite #600
Laguna Hills, CA 92653

714-836-1381 FAX 949-388-3088

Web-site: DennisWinters-Attorney.com

Dennis C. Winters

August 10, 2021

Leon J. Page
County Counsel
County of Orange
333 W. Santa Ana Blvd.,
Suite 407
Santa Ana, Ca 92701

VIA US Mail & E-Mail: leon.page@coco.ocgov.com

Re: Dana Point Harbor & Dana Point Harbor Partners

Dear Mr. Page,

I am a legal advisor to the Dana Point Boaters' Association (DPBA). I understand you have provided a legal opinion to the Board regarding the responsibilities of the County with respect to the lease of the Dana Point Harbor boaters marina to Dana Point Harbor Partners ("Partners"). DPBA would request a copy of any opinion or at least the reasoning and conclusion reached in that review.

Our own review and research leads us to the firm conclusion that the Partners recent massive increase in slip fees for boaters violates the letter and the spirit of the lease agreement entered into between the County and the Partners, especially in conjunction with the requirements of the Tidelands Grant to the County.

Partners Violation of Contract

The Partners' Master Lease with the County provides, in relevant part as to slip rates, at Section 11.9:

Said prices will be "market rate" pricing as reasonably determined by Lessee; provided, however, that in all events such prices shall be consistent with the limitations on pricing as mandated by the Tidelands Grant. In addition to the foregoing, with respect to the Slip Leases specifically, Lessee shall be required to provide advance written notice to County and all tenants and/or licensees under existing Slip Leases of any raises in the slip rental rates, which notice shall include Lessee's rationale for such raise as well as its methodology for determining the same.

Unfortunately, The Master Lease failed to define the term “market rate.” The Partners used that ambiguity to justify a wholly unreasonable rationale and methodology. They based the proposed rates on a comparison with only other Orange County slip rates, the vast bulk of which are Newport Harbor rates. As all are aware, the Newport Harbor, in the middle of one of the most affluent communities in California, has a number of relatively small marinas catering to that community’s wealthiest boat owners. The Tidelands Grant to the Dana Point Harbor area was intended to provide an alternative to that near monopoly Newport Harbor had on slip rentals in Orange County; that is, to provide a marina where the public including all boat owners, could have a place to enjoy.

Under contract law, an ambiguous term can be interpreted by use of various aids under California Civil Code §1856(c), including “Course of Conduct” and “Usage of the Trade.” Twenty years ago, the Board, on March 1, 2001, Agenda item 21 Minute Order, unanimously established a formula for determination of “market rates” for County owned marinas at Dana Point. It specifically provided that:

A. Prices shall be reasonably consistent with market prices charged by competing and/or comparable Orange County and Southern California (Santa Barbara to San Diego) marinas.

The Partners deviated from that formula for determination that had consistently been followed for 20 years. Shortly after the Board’s 2001 minute Order, the then operator of the Dana West Marina attempted to by-pass that formula by adjusting their rents using Newport Beach rates as a basis for establishing new rates. The County Public Facilities and Resources Department had rejected that proposal in a letter dated February 20, 2001, a copy is attached, finding that, because of the failure to include other comparable marinas outside of Newport Beach, “.... proposed rate increases are not justifiable as satisfying the market price consideration required by your lease, and hereby disapprove your proposed increases.” One June 19, 2001, the Board unanimously rejected the operators appeal of the PFRD determination.

The Partners are trying to do precisely what the County and the Board emphatically rejected at that time: use Newport Harbor inflated prices to overcharge Dana Point boaters. (Note, a number of the marinas in Newport Harbor used as comparisons by the Partners are owned or managed by one of the partners, Bellwether Financial, Joseph Ueberroth or related companies.)

Under the Course of Dealing and Usage of the Trade doctrine, this attempt by the Partners is a violation of the terms of the lease. *See Hind v. Oriental Products Co.* 195 Cal. 655, 667:

It is the general rule that when there is a known usage of the trade, persons carrying on that trade are deemed to have contracted in reference to the usage unless the contrary appears; that the usage forms a part of the contract, and that evidence of usage is always admissible to supply a deficiency or as a means of interpretation where it does not alter or vary the terms of the contract.

In a quite similar case, *Southern Pacific v. Santa Fe*, 74 Cal.App.4th 1232, involving a Lease agreement for a pipeline with an ambiguous term with rent to be determined by “fair Market Value.” When the Lessor tried to use a novel formula the market rate (which the Court called “self-serving) rather than the previous rates used by previous lessors, the Court struck it down, finding that:

Indeed, where there is a fixed and established usage and custom of trade, the parties are presumed to contract pursuant thereto. Thus, courts can rely on usage and custom to imply a term where the contract itself is silent in that regard.

The Dana Point marinas have been using the same, county approved methodology for 20 years to determine slip rates. See attached detailed breakdown used by the marinas in previous years showing the rates from San Diego to Santa Barbara. Slip holders relied on this fair and reasonable methodology in purchasing their boats and placing them in the marina. The Partners’ unilateral decision to use a self-serving formula the County and the Board of Supervisors had previously flatly rejected is not “reasonable” under the terms of the lease. A 25% to 95% increase, all at one time, is on its face arbitrary and capricious.

While the Partners likely would try to argue the lease gives them *carte blanche* to use any formula they like, under California law, that is incorrect. See *Cal. Lettuce Growers v. Union Sugar Co.*, 45 Cal. 2d 474, 484:

In any event, where a contract confers on one party a discretionary power affecting the rights of the other, a duty is imposed to exercise that discretion in good faith and in accordance with fair dealing .

There was nothing “good faith” or “fair” about the Partners’ decision to abandon the long precedent of comparing all Southern California marinas to determine slip rates, and instead choose a self-serving methodology to gouge the slip holders. The question the County needs to answer is, how can a methodology the County determined was fundamentally unfair 20 years ago now suddenly be considered fair and good faith now?

Tidelands Responsibility

The County continues to have the responsibility, as lessor of the Dana Point marina, to enforce the terms of the lease, including protecting the rights of the Third Party Beneficiaries of the lease, boater owners who have slips in the marina, or would like to one day have a slip.

The County also has responsibilities under the Tidelands Grant to assure that the public has fair and reasonable access to the facilities the County owns on the Tidelands Grant. *See San Francisco Baykeeper, Inc. v. California State Lands Commission*, 242 Cal. App. 4th 202 :

Thus, the public trust is more than an affirmation of state power to use public property for public purposes. It is an affirmation of the duty of the state to protect the people's common heritage of streams, lakes, marshlands and tidelands, surrendering that right of protection only in rare cases when the abandonment of that right is consistent with the purposes of the trust.

In the case of *National Audubon Society v. Superior Court*, 33 Cal.3d 419 437,438 (1983), the California Supreme Court, (quoting the U.S. Supreme Court in *Illinois Central Railroad Company v. Illinois*, 146 U.S. 387), ruled:

A grant of all the lands under the navigable waters of a State has never been adjudged to be within the legislative power; and any attempted grant of the kind would be held, if not absolutely void on its face, as subject to revocation. The State can no more abdicate its trust over property in which the whole people are interested, like navigable waters and soils under them, ... than it can abdicate its police powers in the administration of government and the preservation of the peace.

Therefore, the County cannot abdicate its responsibility to continue to protect the public's right to use public property for public purposes. It must enforce the requirement that the Partners maintain reasonable methodology, in line with previous precedent.

Present Status

If your office has any authority that is contrary to what we have presented here, we would like to review it.

Supervisor Bartlett has urged all stakeholders to confer and reach a reasonable result. The DPBA reached out to the Partners for such a conference and the Partners absolutely refuse to discuss the proposed changes. Indeed, any slip holder who has gone to the Partners' office to try to discuss this is told: "(The Partners) can do whatever they want and there is nothing you can do about it." Without outside pressure, the Partners cavalier attitude and sense of entitlement will continue. We have been in contact with the State Lands Commission, State Senator Bates, as well as media sources regarding this, and will continue to pursue it.

While the DPBA has zero desire to get involved in litigation against the Partners and the County to enforce the boaters rights as Third Party Beneficiaries of the Master Lease, others in the harbor are planning to pursue such rights if there is no movement to reign in the Partners' overreaching.

We request that a resolution be placed on the agenda of the next Board of Supervisors meeting to require the Partners answer why the slip increase should not be declared excessive and not in compliance with the Master Lease.

It needs to be made clear to the Partners that they need to start acting in good faith and modify the unreasonable, arbitrary and self-serving increases in slip fees at Dana Point Harbor.

Very Truly Yours

Dennis C. Winters

Dennis C. Winters

cc: Supervisor Andrew Do
Supervisor Lisa Bartlett
Supervisor Katrina Foley
Supervisor Doug Chaffee
Supervisor Donald Wagner
California State Lands Commission
Lt. Governor Eleni Kounalakis
Controller Betty T. Yee
Finance Director Keely Bosler
Senator Patricia Bates



COUNTY OF ORANGE

PUBLIC FACILITIES & RESOURCES DEPARTMENT

Vicki L. Wilson, Director
300 N. Flower Street
Santa Ana, CA

P.O. Box 404
Santa Ana, CA 92702-404

Telephone: (714) 834-230
Fax: (714) 834-518

February 20, 2001

HA78H-24-20, 22
Dana Point Harbor

Mr. Bob Beauchamp
TBW Company
Dana West Marina
24500 Dana Point Harbor Drive
Dana Point, Ca. 92629

RE: Proposed Slip Rental Rate Increases

Dear Mr. Beauchamp,

I have reviewed the slip rate increases you have proposed for Dana West Marina.

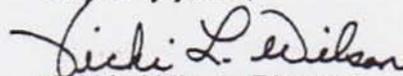
As you know, the County approved substantial slip rate increases (13 to 22%) for your marina last year; those increases brought your current rates in line with the rates charged by the Dana Point Harbor east basin marina.

Clause 16 of the General Conditions of your lease (Control of Hours, Procedures and Prices) states that pricing shall be "fair and reasonable" based upon a number of considerations, including "the market prices charged by other competing and/or comparable businesses". I find it unusual that the "Southern California" market rate survey you submitted to support your new request was limited to marinas in Newport Harbor and omitted the east basin marina that adjoins yours, or any other reasonably nearby comparable marinas (e.g., Oceanside). As a consequence, I conclude that your proposed rate increases are not justifiable as satisfying the market price consideration required by your lease, and hereby disapprove your proposed increases.

We are currently reviewing the County's current slip rate policy. In light of the new operating agreement for the east basin marina recently approved by the Board of Supervisors, we plan to seek Board review of that policy.

If you have any questions, please call Bob Hamilton of my staff at (714) 834-6666.

Very truly yours,


Vicki L. Wilson, Director

cc: Bob Hamilton, Interim Manager, PFRD/Harbors, Beaches and Parks
Barry Permenter, PFRD/Real Property

Slip Rate Comparison SoCal vs. Dana Point East

LOC	MARINA	21'	25'	30'	35'	40'	45'	50'	55'	60'	65-85'	Avg Price
		AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	Per LF
NB	BAYSHORE MARINA	\$476	\$549	\$662	\$964	\$1,247				\$2,876	\$52.72 FT	\$38.02
NB	BAYSIDE VILLAGE	\$500	\$500	\$750	\$750	\$1,280	\$1,280	\$1,750				\$27.68
NB	LIDO YACHT	\$394	\$519	\$623	\$840	\$960	\$1,193	\$1,388		\$1,740	\$31.00 FT	\$26.32
SD	CABRILLO ISLE		\$486	\$538	\$690	\$852	\$1,000	\$1,153	\$1,479	\$1,597	\$32.94 FT	\$24.93
SD	SHELTER POINT/KONA KAI	\$368	\$438	\$525	\$613	\$800	\$900	\$1,100	\$1,265	\$1,560	\$30.00 FT	\$22.69
MDR	DOLPHIN MARINA	\$248	\$367	\$489	\$605	\$794	\$958	\$1,242	\$1,375	\$1,500	\$25.00 FT	\$21.76
MDR	PANAY WAY	\$248	\$367	\$489	\$605	\$794	\$958	\$1,242	\$1,375	\$1,500	\$25.00 FT	\$21.76
MDR	HOLIDAY MARINA	\$248	\$367	\$489	\$605	\$794	\$958	\$1,242	\$1,375	\$1,500	\$25.00 FT	\$21.76
NB x	BALBOA YACHT		\$450	\$540	\$630	\$760	\$855	\$1,150	\$1,265	\$1,380	\$23.00 FT	\$21.14
SD x	SHELTER COVE		\$406	\$488	\$569	\$660	\$788	\$975	\$1,238	\$1,350	\$28.50 FT	\$20.93
HB	HUNTINGTON HARBOR	\$288	\$300	\$450	\$630	\$800	\$900	\$1,000	\$1,100	\$1,500	\$25.00 FT	\$20.39
DP xx	DANA POINT EAST	\$268	\$347	\$503	\$622	\$727	\$834	\$960	\$1,039	\$1,257	\$21.20 FT	\$18.74
V x	ANACAPA ISLE		\$337	\$439	\$564	\$696	\$818	\$943		\$1,203	\$22.64 FT	\$18.71
DP xx	DANA POINT WEST	\$295	\$347	\$503	\$622	\$727	\$834	\$960	\$1,039		\$21.15 FT	\$18.46
HB xx	SUNSET AQUATIC		\$377	\$476	\$624	\$782	\$900	\$936			\$18.84 FT	\$18.38
RB	PORT ROYAL		\$302	\$418	\$561	\$622	\$843	\$937	\$1,030	\$1,124	\$18.73 FT	\$17.48
SD	GLORIETTA BAY	\$279	\$332	\$458	\$558	\$638	\$717	\$882	\$970	\$1,058	\$21.43 FT	\$17.30
SD	HARBOR ISLAND WEST		\$385	\$488	\$578	\$680	\$765	\$875	\$963	\$1,080	\$18.00 FT	\$17.28
LB x	SHORELINE	\$164	\$257	\$472	\$585	\$689	\$689	\$788	\$930	\$1,014	\$23.75 FT	\$17.05
HB	PETER'S LANDING			\$388	\$438	\$620	\$698	\$925	\$1,018	\$1,110	\$18.50 FT	\$16.92
SD	HALF MOON		\$400	\$480	\$560	\$680	\$765	\$900				\$16.82
SP xx	CABRILLO MARINA		\$271	\$356	\$497	\$568	\$720	\$801	\$952	\$1,058	\$21.18 FT	\$16.53
V xx	VENTURA ISLE		\$301	\$393	\$504	\$622	\$731	\$844	\$958	\$1,074	\$18.66 FT	\$16.50
LB x	ALAMITOS BAY	\$164	\$257	\$370	\$472	\$585	\$689	\$788	\$930	\$1,014	\$21.46 FT	\$15.90
V xx	CHANNEL ISLANDS MARINA		\$316	\$400	\$517	\$639	\$744	\$896	\$1,042	\$1,157		\$15.82
V	VINTAGE MARINA		\$301	\$362	\$506	\$619	\$698	\$813			16.16 FT	\$15.07
SD	CHULA VISTA		\$313	\$390	\$455	\$560	\$698	\$775	\$853	\$930	\$16.50 FT	\$15.00
V xx	VENTURA WEST	\$252	\$309	\$369	\$449	\$534	\$624	\$720	\$821	\$927	\$17.50 FT	\$14.56
SD	MARINA VILLAGE		\$281	\$353	\$455	\$580	\$664	\$775				\$13.81
LB	MP BOAT SLIPS		\$249	\$329	\$424	\$484	\$599	\$725	\$798	\$870	\$14.50 FT	\$13.43
V	VENTURA HARBOR VILLAGE			\$386	\$386	\$452	\$521		\$674	\$748	\$14.50 FT	\$12.57
RB xx	KING HARBOR		\$314									\$12.56
SD	DRISCOLL MISSION BAY		\$263	\$330	\$385	\$440	\$540	\$600	\$715	\$780	\$13.00 FT	\$12.14
SD x	OCEANSIDE		\$270	\$324	\$378	\$432	\$486	\$540	\$594	\$648	\$10.80 FT	\$10.80
LB	CERRITO BAHIA	\$180	\$225	\$300	\$350							\$9.50
SOCAL AVERAGE		\$291	\$348	\$451	\$559	\$701	\$793	\$954	\$1,032	\$1,243	\$22.30	
PERCENTAGE DIFFERENCE		(7.9%)	(0.3%)	11.5%	11.3%	3.7%	5.2%	0.6%	0.7%	1.1%	(4.9%)	
SOCAL MEDIAN		\$268	\$332	\$454	\$563	\$680	\$765	\$925	\$1,018	\$1,124	\$21.20	
PERCENTAGE DIFFERENCE		0.0%	4.5%	10.8%	10.5%	6.9%	9.0%	3.8%	2.1%	11.8%	0.0%	
X = PUBLIC OWNED AND OPERATED XX = PUBLIC OWNED AND PRIVATELY OPERATED												

Blue - LA County
 Orange - Orange County
 Yellow - San Diego County
 Amts rounded to nearest dollar

12/2/10 REVISED

ORANGE COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

March 06, 2001

Submitting Agency/Department: PUBLIC FACILITIES AND RESOURCES DEPARTMENT

Approve revision of current Board policy regarding market pricing for boat slip rentals, Dana Point Harbor - Districts 5

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED OTHER

Unanimous (1) SMITH: Y (2) SILVA: Y (3) SPITZER: Y (4) COAD: Y (5) WILSON: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 21

Special Notes:

Copies sent to:

CEO
PFRD: Barry Permonter
auditor
3/9/01



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
DARLENE J. BLOOM, Clerk of the Board

By: _____
Deputy



COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPARTMENT

Vicki L. Wilson, Director
300 N. Flower Street
Santa Ana, CA
P.O. Box 4048
Santa Ana, CA 92702-4048
Telephone: (714) 834-2300
Fax: (714) 834-5188

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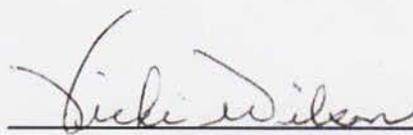
BOARD OF SUPERVISORS
COUNTY OF ORANGE

March 6, 2001
Agenda Item 21

DATE: March 1, 2001
TO: Darlene J. Bloom
Clerk of the Board of Supervisors
FROM: Vicki L. Wilson, Director
Public Facilities & Resources Department
SUBJECT: Approve Revision of Current Board Policy Regarding Market Pricing
for Boat Slip Rentals
(March 6, 2001 Board Meeting – Agenda Item 21)

Please replace page 2 of the AIT with the attached.

Thank you.



Vicki L. Wilson

Attachment

DISTRIBUTION TO:
DARLENE BLOOM _____
DARLENE'S BOOK _____
SUSAN NOVAK _____
TERRI RAY _____
AGENDIZER _____
BOARD CLERKS _____ 5 _____
SUPERVISOR _____
PUBLIC TUB _____
BOARD OFFICES _____ 5 _____
CEO _____ 2 _____
COCO _____ 1 _____
GRAND JURY _____ 1 _____
DATE 3/3/01 BY [initials]

AGENDA ITEM TRANSMITTAL



CONSENT
 DISCUSSION
 PUBLIC HEARING

01 FEB 26 AM 09

AGENCY/DEPT. USE

CLERK USE ONLY

CEO REVIEW

Concur *ay*
 Do Not Concur

21

PROCESSED BY:

JM

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: Public Facilities and Resources Department

CONTACT FOR INFORMATION

Barry Permenter
Rich Adler

PHONE

714-834-4716

10a12

714-834-6792

MEETING DATE	SUBJECT	SUPV. DIST.
March 6, 2001	Boat Slip Rentals in Marinas on County-owned Property - Revision of Current Board Pricing Policy	2&5

SUMMARY OF REQUEST (Description for agenda)

PFRD recommends approval of a revision of the current Board policy regarding market pricing for boat slip rentals in marinas on County-owned property.

ADDITIONAL DATA:

See Page 2.

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:

Board Minute Orders dated May 12, 1992 and February 6, 2001

FUNDING SOURCE(S)	CURRENT YEAR COST	ANNUAL COST	BUDGETED? <input type="checkbox"/> YES <input type="checkbox"/> NO
Harbors, Beaches and Parks	-0-	-0-	Revenue-Producing

WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL? NO IF YES, STATE NUMBER PERMANENT LIMITED TERM

CONSISTENT WITH BOARD POLICY? YES NEW ITEM OR EXCEPTION

RECOMMENDED ACTION

See Page 2.

CONCURRENCES (if applicable)

ATTACHMENTS

Robert E. Hamilton 2/22/01 *Vicki L. Wilson*
 Robert E. Hamilton, Interim Manager, Harbor, Beaches and Parks DATE Vicki L. Wilson, Director

ADDITIONAL DATA:

In 1992, your Board approved a market pricing policy for boat slip rentals in marinas on County-owned property. The principal affected marinas are Sunset Harbour Marina, Newport Dunes Marina and the two marinas in Dana Point Harbor (east and west basin). The policy essentially allows the marina lessees to charge prices consistent with competing and/or comparable marinas, subject only to the specific terms and conditions of their existing individual leases.

In the case of the Sunset Harbour and Newport Dunes marinas, the current, long-term leases allow significant discretion on the part of the lessees to set prices based upon market conditions. Their locations within large harbor areas (Anaheim/Alamitos Bays and Newport Bay, respectively) with many individual public and private marinas result in distinctive competitive market pricing. On the other hand, the marinas in Dana Point Harbor, because of their distance from the nearest harbors (Newport to the north, Oceanside to the south) cannot be as naturally self-regulated by their proximity to business competitors.

The lease for the east basin marina in Dana Point Harbor expired on February 28, 2001 [The west basin marina's lease expires in 2005]. In anticipation of the east basin marina lease's expiration, your Board approved on February 6, 2001 an Operating Agreement with the current lessee to manage the marina on the County's behalf. The Operating Agreement includes a provision (Clause 24.A.5 - "Boat Slip Prices") that reaffirms the principle of market pricing, but includes specific procedures for price adjustments intended to ensure that prices charged are fair and reasonable and that the pricing procedure is readily understandable to the boaters.

Under the Operating Agreement, the marina Operator is required to evaluate prices every year. Beginning in 2002, the Operator may propose annual adjustments for approval by the Director, PFRD based upon the cumulative changes in the Consumer Price Index (Los Angeles-Anaheim-Riverside, CA). The proposed adjustments must be submitted at least 90 days prior to their scheduled effective date and may vary by slip size category. However, adjustments may not exceed 4 percent per year in any slip size category and must be accompanied by a detailed marina slip survey of comparable Southern California marinas confirming that the proposed adjustments are consistent with market conditions. Every fourth year, beginning in year 2005, the Operator may propose annual adjustments that exceed the cumulative CPI, if the adjustments can be justified as being reasonably consistent with market prices as confirmed by a detailed marina slip survey.

PFRD staff has determined that the result of implementing boat slip rental price adjustments as provided for in the "Boat Slip Prices" clause would be fair and reasonable comparable market pricing. Consequently, PFRD recommends that your Board utilize it as the basis for revising the current Board policy on market pricing for marinas in Dana Point Harbor.

Compliance with the California Environmental Quality Act (CEQA)

The recommended action is not a project as defined by CEQA.

RECOMMENDED ACTION

Approve the following pricing policy for boat slip rentals in marinas in Dana Point Harbor:

- A. Prices shall be reasonably consistent with market prices charged by competing and/or comparable Orange County and Southern California (Santa Barbara to San Diego) marinas.
- B. Price adjustments shall be subject to the following procedures:
 1. Adjustments may be proposed once a year and must be submitted to the Director, PFRD for approval at least 90 days prior to their scheduled effective date.
 2. An evaluation of prices must be completed every year.
 3. Annual adjustments can be proposed based upon the cumulative changes in the Consumer Price Index [Los Angeles-Anaheim-Riverside, CA (All Urban Consumers - All Areas) promulgated by the Bureau of Labor Statistics of the U.S. Department of Labor (or any replacement index thereto)]. However, adjustments may not exceed 4 percent per year in any slip size category and must be accompanied by a detailed marina slip survey of comparable Southern California marinas confirming that the proposed adjustments are consistent with market conditions.
 4. Every fourth year, beginning in year 2005, annual adjustments can be proposed that exceed the cumulative CPI, if the adjustments can be justified as being reasonably consistent with market prices as confirmed by a detailed marina slip survey.



March 6, 2001

Cynthia Coad
Chair, Fourth District
Orange County Board of Supervisors
10 Civic Center Plaza
Santa Ana, CA 92701

Ref: Agenda Item #21

Dear Ms. Coad,

Dana West Marina respectfully requests that the Board reconsider approval of Agenda Item #21 regarding marina slip rental rates. We don't feel that this is an appropriate policy for the Board to adopt.

Probably the most troubling flaw in this proposed policy (as staff explains it) is the underlying assumption that market rates already exist for Dana West Marina. That rates are already at market is simply not true.

Last summer we entered into discussions with County staff regarding a rate adjustment. At that time the County suggested that what we were considering might be too early and they requested that we hold off on our proposal. We conceded. To address the County's concerns we solicited advice from one of the most respected waterfront/marina appraisers on the West Coast and asked him to provide his professional opinion on market slip rents. His conclusion was that our rates were indeed undermarket. From that basis we adjusted some of his rates downward and then submitted a rate proposal to County staff.

Two weeks ago, Dana West Marina received a letter from County staff at PFRD denying our recent proposal to adjust rates. Staff asserted that our proposal had no merit and that our existing rates were already at market. Upon further conversations with County staff (last week) it became apparent that perhaps they had not done a thorough evaluation. Several glaring examples were pointed out to staff.

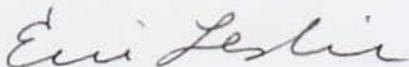
- 1) Almost 10% of our berths have had no raises at all since 1993.
- 2) In our largest slip sizes the rates have gone up only 5% since 1993. By comparison similar slips in the County owned East basin marina are \$2.00 per foot per month higher! \$16.00 vs \$14.00.

For additional comparison lets look a few miles to the north in Newport Harbor. Comparable slips that rent for \$14.00/ft. in Dana West Marina rent for \$22.00 to \$29.00 per foot in Newport Harbor.

With these numbers and comparisons, how can staff conclude that our rates are at market with no adjustment warranted!

These illustrations merely point out and reinforce that there is no need for this proposed policy. This policy is designed to regulate prices. However, when existing prices are as much as 50% below neighboring prices, we fail to see the problem. Additionally, capping prices will not eliminate or remove the economic value created by demand. All that capping prices does, is shift the value away from the operator and away from the County. Inherently, price controls are not good for government or for the private sector. Therefore we again urge you to reconsider the proposed policy.

Sincerely,



Eric Leslie
Beauchamp Realty

cc James W. Silva
Vice Chair, Second District

Todd Spitzer
Supervisor, Third District

Charles V. Smith
Supervisor, First District

Thomas W. Wilson
Supervisor, Fifth District

ORANGE COUNTY BOARD OF SUPERVISORS
MINUTE ORDER
June 19, 2001

Submitting Agency/Department: PUBLIC FACILITIES AND RESOURCES DEPARTMENT

Authorize denial of appeal filed by TBW Company for boat slip rate increases, Dana West Marina - District 5

The following is action taken by the Board of Supervisors:

APPROVED AS RECOMMENDED OTHER

Unanimous (1) SMITH: Y (2) SILVA: Y (3) SPITZER: Y (4) COAD: Y (5) WILSON: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused; B.O.=Board Order

Documents accompanying this matter:

- Resolution(s)
- Ordinances(s)
- Contract(s)

Item No. 96

Special Notes:

Copies sent to:

CEO

PFKD: Rich Adler

auditor

6/21/01



I certify that the foregoing is a true and correct copy of the Minute Order adopted by the Board of Supervisors, Orange County, State of California.
DARLENE J. BLOOM, Clerk of the Board

By: _____
Deputy

AGENDA ITEM TRANSMITTAL



CONSENT
 DISCUSSION
 PUBLIC HEARING

AGENCY/DEPT. USE

CLERK USE ONLY

CEO REVIEW

Concur *MB*
 Do Not Concur

96

PROCESSED BY:

SM

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: Public Facilities and Resources Department

FILE:

CONTACT FOR INFORMATION

Rich Adler
 Barry Permenter

PHONE

714-834-6792
 714-834-4716

21a3

MEETING DATE June 19, 2001	SUBJECT Dana Point Harbor - West Marina - TBW Company Appeal of Denial of Boat Slip Rate Increases	SUPV. DIST. 5
-------------------------------	----------------------------------------------------------------------------------------------------------	------------------

SUMMARY OF REQUEST (Description for agenda)

PRFD transmits for your Board's consideration, an appeal by TBW Company of the PFRD Director's denial of boat slip rate increases proposed by TBW Company for Dana West Marina.

ADDITIONAL DATA:

In 1974, the County entered into a Lease with TBW Company (TBW) to develop and operate the West Marina in Dana Point Harbor. Under the terms of the Lease, the rates charged by the Lessee are subject to the review and approval of the PFRD Director, and further subject to an appeal of the Director's decision to your Board. A request by TBW to increase boat slip rates was most recently submitted on January 26, 2001 (attached). By letter dated February 20, 2001 (attached), the PFRD Director denied the increases, concluding that they did not satisfy the market price consideration required by the Lease. Subsequently, on March 6, 2001, your Board approved a new pricing policy for boat slip rentals in marinas on County-owned property (AIT attached). Under the new policy, beginning in 2002, prices may be adjusted annually based on the Consumer Price Index (not to exceed 4%) and every fourth year based upon comparable market conditions.

(Continued on Page 2)

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:

Board Minute Order dated March 6, 2001.

FUNDING SOURCE(S)	CURRENT YEAR COST	ANNUAL COST	BUDGETED? <input type="checkbox"/> YES <input type="checkbox"/> NO
Dana Point Tidelands	-0-	-0-	Revenue-Producing

WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL? <input checked="" type="checkbox"/> NO IF YES, STATE NUMBER	PERMANENT <input type="checkbox"/> LIMITED TERM <input type="checkbox"/>	CONSISTENT WITH BOARD POLICY? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NEW ITEM OR EXCEPTION
------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------

RECOMMENDED ACTION

Deny the appeal by TBW Company of PFRD Director's denial of boat slip rate increases for West Marina in Dana Point Harbor.

CONCURRENCES (If applicable)

ATTACHMENTS

TBW letter dated January 26, 2001; letter from Vicki Wilson to TBW dated February 20, 2001; AIT dated March 6, 2001; TBW letter dated April 18, 2001

Robert E. Hamilton

Robert E. Hamilton, Interim Manager, Harbors, Beaches and Parks

5-23-01 *Vicki L. Wilson*

DATE Vicki L. Wilson, Director

AGENDA ITEM TRANSMITTAL
Dana Point Harbor - West Marina -
TBW Company Appeal of Denial of Boat Slip Rate Increases
Page 2

ADDITIONAL DATA (continued):

By letter dated April 18, 2001 (attached), TBW has requested to exercise its right under the lease to appeal the PFRD Director's decision to your Board. PFRD staff invited TBW to provide added or updated information to support their appeal to your Board. TBW responded with their preference that your Board's consideration of their appeal be based on their original January 26 letter request to PFRD, along with oral testimony that they may be allowed to provide at your meeting.

PFRD believes that the denial of the proposed increases was justified. Additionally, the proposed increases are now inconsistent with the new pricing policy adopted by your Board on March 6, 2001. Therefore, PFRD recommends that the appeal be denied.

Compliance with the California Environmental Protection Act (CEQA)

The recommended action is not a project as defined by CEQA.



January 26, 2001

Barry Permenter
County of Orange
Public Facilities & Resources Dept.
P.O. Box 4048
Santa Ana, CA 92702

Dear Mr. Permenter

On September 30, 2000 we submitted a letter to you regarding a proposed adjustment in slip rental fees for Dana West Marina. At that time we informed the County of our intention to adjust to the proposed market rates no earlier than December 1, 2000. Subsequent to that September 30, 2000 correspondence we sent a letter dated October 13, 2000 acknowledging our plans to defer implementation of our rate adjustment for a short period of time and also requesting an opportunity to discuss the merits and procedures for this proposed rate adjustment with Orange County staff.

It is approaching 4 months since we made our initial submission. Therefore please be advised that we currently plan to implement the enclosed rate schedule effective April 1, 2001. Please note that we have made a couple of changes to the rate proposal that we submitted in September. Upon reevaluation of this submittal, we have revised downward our proposed rates for some smaller slips and also end ties. It is equally important to point out that our rent analysis indicates that market rents for the balance of our slips (25' and longer) is higher than the rates we are currently proposing.

It is our intention to provide notification to the slip renters at the end of February or at least 30 days prior to the adjustment. This letter is our effort to comply with the County's request to have at least 60 days notification prior to any rate adjustment.

Included with this rate schedule is a list of comparable Southern California marinas and their current slip rental rates. As you can see, our proposed rates are on average a little below the average rates for comparable marinas. It should also be pointed out that this is only our second rate adjustment since 1993. There is no question that the market rate and demand (waitlist up to ten years) are conclusive evidence that we are currently undermarket.

1641 Langley Avenue • Irvine, California 92614
(949) 851-8087 • FAX (949) 955-3410

As always, we welcome the opportunity to discuss these proposed rates with Orange County staff and answer any questions you may have. To facilitate this process and to minimize any possibility for misunderstanding, it is suggested that you provide any questions or comments in writing.

Again, we appreciate your anticipated cooperation and look forward to working with you.

Sincerely,



Eric Leslie
Regional Manager
Marina Properties



Proposed Slip Rate Schedule

Dana West Marina

Effective 4-1-01

<u>SLIP SIZE</u>	<u>NEW RATE</u>
22' Side Ties	\$175.00 /month
22' Slip	\$264.00 /month
24' Slip	\$288.00 /month
25' Slip	\$312.50 /month
26' Slip	\$325.00 /month
28' Slip	\$385.00 /month
30' Slip	\$435.00 /month
35' Slip	\$542.50 /month
40' Slip	\$640.00 /month
45' Slip	\$742.50 /month
50' Slip	\$850.00 /month
52' Slip	\$884.00 /month
55' Slip	\$962.50 /month
End Ties	\$17.50 /foot

Orange County
Marina Rates

September 2000

Slip Size	Dana West	Lido Marina	Lido Yacht Anch	Bayshore	Balboa	Dunes	Beyside	DeAnza Bayside	Villa Cove Mar	Balboa Yacht	Harbor Marina
Location	DANA	NEWPORT	NEWPORT	NEWPORT	NEWPORT	NEWPORT	NEWPORT	NEWPORT	NEWPORT	NEWPORT	NEWPORT
# Slips	979	85	265	134	128	450	103	220	42	172	50
Proposed											
Sm Sideties	175/month						14.60				
under 25	12.00-12.50	none	12.50-15.50	16.00	13.00-16.00	13.75	17.80		16.00	none	none
25	12.50	none	12.50-15.50	16.00	13.00-16.00	13.75	none	16.71	18.65	none	none
28	13.75	none	12.50-15.50	none	18.20	13.75	none	16.71	18.65	none	14.00
30	14.50	none	15.50-17.00	none	18.20	16.25	18.65	18.71	18.65	none	16.00
32	none	none	15.50-17.00	19.00	18.20	16.25	19.60	16.71	none	16.00	16.00
35	15.50	25.00	16.25	19.00	18.20	16.25	19.60	17.76	none	18.00	16.00
40	16.00	25.00	18.25	none	19.85	19.50	23.75	20.00	none	17.00	19.75/21.00
45	16.50	25.00	20.00	none	19.85	19.50	23.75	20.00	22.65	17.00	19.75/21.00
50	17.00	25.00	19.00	none	19.85	19.50	none	20.00	none		22.00
55	17.50	25.00	19.00	none	none	19.50	none	none	none		22.00
60			19.50	26.15	none	19.50	28.50	none	none	20.00	24.00
65			19.50	26.15	none	19.50	28.50	none	none	20.00	24.00
100			20.00-22.00	83/29.10	none	none	74/28.50	none	none	75/20.00	24.00
119		none	20.00-22.00	none	none	none	none		none		none
126		none	20.00-22.00	none	none	none	none	Dbt load/26.5	none		none
140		none	20-22.00	none	none	none	none		none		none
End Ties	17.50										

Received: 1/31/01 10:12AM;

ATTN: The FINEST Marina!!

PHONE NO. : 619 291 2684

Jan. 31 2001 09:52AM PS



COUNTY OF ORANGE
PUBLIC FACILITIES & RESOURCES DEPARTMENT

Vicki L. Wilson, Director
300 N. Flower Street
Santa Ana, CA
P.O. Box 404
Santa Ana, CA 92702-404
Telephone: (714) 834-230
Fax: (714) 834-518

February 20, 2001

HA78H-24-20, 22
Dana Point Harbor

Mr. Bob Beauchamp
TBW Company
Dana West Marina
24500 Dana Point Harbor Drive
Dana Point, Ca. 92629

RE: Proposed Slip Rental Rate Increases

Dear Mr. Beauchamp,

I have reviewed the slip rate increases you have proposed for Dana West Marina.

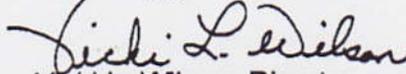
As you know, the County approved substantial slip rate increases (13 to 22%) for your marina last year; those increases brought your current rates in line with the rates charged by the Dana Point Harbor east basin marina.

Clause 16 of the General Conditions of your lease (Control of Hours, Procedures and Prices) states that pricing shall be "fair and reasonable" based upon a number of considerations, including "the market prices charged by other competing and/or comparable businesses". I find it unusual that the "Southern California" market rate survey you submitted to support your new request was limited to marinas in Newport Harbor and omitted the east basin marina that adjoins yours, or any other reasonably nearby comparable marinas (e.g., Oceanside). As a consequence, I conclude that your proposed rate increases are not justifiable as satisfying the market price consideration required by your lease, and hereby disapprove your proposed increases.

We are currently reviewing the County's current slip rate policy. In light of the new operating agreement for the east basin marina recently approved by the Board of Supervisors, we plan to seek Board review of that policy.

If you have any questions, please call Bob Hamilton of my staff at (714) 834-6666.

Very truly yours,


Vicki L. Wilson, Director

cc: Bob Hamilton, Interim Manager, PFRD/Harbors, Beaches and Parks
Barry Permenter, PFRD/Real Property



CONSENT
 DISCUSSION
 PUBLIC HEARING

Concur
 Do Not Concur

TO: BOARD OF SUPERVISORS COUNTY OF ORANGE

FROM: Public Facilities and Resources Department
 FILE:

CONTACT FOR INFORMATION

Barry Permenter
 Rich Adler

PHONE

714-834-471
 714-834-679

MEETING DATE	SUBJECT	SUPV. D
March 6, 2001	Boat Slip Rentals in Marinas on County-owned Property - Revision of Current Board Pricing Policy	2&5

SUMMARY OF REQUEST (Description for agenda)

PFRD recommends approval of a revision of the current Board policy regarding market pricing for boat slip rentals in marinas on County-owned property.

ADDITIONAL DATA:

See Page 2.

PREVIOUS RELEVANT BOARD ACTIONS ON THIS SPECIFIC ITEM:

Board Minute Orders dated May 12, 1992 and February 6, 2001

FUNDING SOURCE(S)	CURRENT YEAR COST	ANNUAL COST	BUDGETED? <input type="checkbox"/> YES <input type="checkbox"/> NO
Harbors, Beaches and Parks	-0-	-0-	Revenue-Producing
WILL PROPOSAL REQUIRE ADDITIONAL PERSONNEL?		CONSISTENT WITH BOARD POLICY?	
<input checked="" type="checkbox"/> NO	IF YES, STATE NUMBER	PERMANENT	LIMITED TERM
		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NEW ITEM OR EXCEPTION

RECOMMENDED ACTION

See Page 2.

CONCURRENCES (if applicable)

ATTACHMENTS

Robert E. Hamilton
 Robert E. Hamilton, Interim Manager, Harbor, Beaches and Parks

2/22/01
 DATE

Vicki L. Wilson
 Vicki L. Wilson, Director



April 18, 2001

Robert Hamilton
Public Facilities and Resources Dept.
300 N. Flower Street
Santa Ana, CA 92702

Ref: Dana West Marina

Dear Mr. Hamilton,

Pursuant to our phone conversation, I would like to request that the matter of Dana West Marina's slip rental rate schedule be presented to the Orange County Board of Supervisors. It is our desire to have this presented to the Board as soon as possible. Please advise what date this agenda item will be calendared for and any requirements for having the matter addressed. I thank you for your anticipated cooperation and look forward to hearing from you.

Sincerely,

Eric Leslie
Regional Manager
Marina Properties

ADDITIONAL DATA:

In 1992, your Board approved a market pricing policy for boat slip rentals in marinas on County-owned property. The large County marinas were Sunset Harbour Marina, Newport Dunes Marina and the two marinas in Dana Point Harbor (east and west basin), plus four smaller marinas located in Newport Harbor. The policy essentially allows the marina lessees discretion to charge market rate prices consistent with competing and/or comparable marinas, subject only to the specific terms and conditions of their respective leases.

The lease for the Dana Point Harbor east basin marina expires on February 28, 2001. In anticipation of the expiration, your Board approved on February 6, 2001 an Operating Agreement with the current lessee to manage the marina on the County's behalf. The Operating Agreement includes a provision (Clause 24.A.5 - "Boat Slip Prices") that reaffirms the principle of market pricing, and includes procedures for price adjustments intended to ensure that prices charged are fair and reasonable.

Under the Operating Agreement, the marina Operator is required to evaluate prices every year. Beginning in 2002, the Operator may propose annual increases for approval by the Director, PFRD based upon the cumulative changes in the Consumer Price Index (Los Angeles-Anaheim-Riverside, CA). The proposed increases must be submitted at least 90 days prior to their scheduled effective date and may vary by slip size category. However, increases may not exceed 4 percent per year in any slip size category and must be accompanied by a detailed marina slip survey of comparable Southern California marinas confirming that the proposed increases are consistent with market conditions. Every fourth year, beginning in year 2005, the Operator may propose annual increases that exceed the cumulative CPI, if the increases can be justified as being reasonably consistent with market prices as confirmed by a detailed marina slip survey.

The slip pricing policy and procedures in the new Operating Agreement differ from the policy established in 1992. While both reflect "market rate" as the guiding policy principle, the new Operating Agreement approach establishes greater consistency and reliability in the frequency and amount of increases and restores greater discretion to the County in exercising judgment on determining fair and reasonable prices. Consequently, PFRD recommends that your Board change the 1992 boat slip pricing policy by replacing it with the pricing terms of the new Dana Point Harbor east basin Operating Agreement. This revised policy would be utilized to evaluate future slip rate increases. However, the policy would not supercede the terms of an existing lease; in the event of a conflict, the lease language would prevail. For example, the policy would not apply to Sunset Harbour Marina, because the lease does not require County approval of price increases.

Compliance with the California Environmental Quality Act (CEQA)

The recommended action is not a project as defined by CEQA.

RECOMMENDED ACTION

Approve the following pricing policy for boat slip rentals in marinas on County-owned property:

- A. Prices shall be reasonably consistent with market prices charged by competing and/or comparable Orange County and Southern California (Santa Barbara to San Diego) marinas.
- B. Price increases shall be subject to the following procedures:
 1. Increases may be proposed once a year and must be submitted to the Director, PFRD for approval at least 90 days prior to their scheduled effective date.
 2. An evaluation of prices must be completed every year.
 3. Beginning in 2002, annual increases can be proposed based upon the cumulative changes in the Consumer Price Index [Los Angeles-Anaheim-Riverside, CA (All Urban Consumers - All Areas) promulgated by the Bureau of Labor Statistics of the U.S. Department of Labor (or any replacement index thereto)]. However, increases may not exceed 4 percent per year in any slip size category and must be accompanied by a detailed marina slip survey of comparable Southern California marinas confirming that the proposed increases are consistent with market conditions.
 4. Every fourth year, beginning in year 2005, annual increases can be proposed that exceed the cumulative CPI if the adjustments can be justified as being reasonably consistent with market prices as confirmed by a detailed marina slip survey.

6-19-01

cc.
6-19-01
by Eric
Leslie

Chairperson Coad:

My name is Eric Leslie and I am here today on behalf of Dana West Marina. In January of this year County Staff rejected the opportunity to implement a proposed slip rate schedule that we had submitted. We are now asking that the County Board of Supervisors rectify this mistake. We are confident that this rate schedule is well within the criteria for market rents that are allowed in our lease with the County. Additionally, it is equally important to point out that we have raised slip rates only one time since 1993. In all honesty, it is hard for me to comprehend how County Staff could reject this schedule. We do not just indiscriminately draft up slip rate schedules. A substantial part of our formula for establishing prices boils down to a very simple equation, **supply and demand**. We can not charge a price that someone is unwilling to pay. One method for determining price is to survey competitive, comparable marina locations. The most comparable marina location to Dana Point Harbor is Newport Harbor. Geographically and demographically you can't find a more comparable location.

Our survey clearly shows that slip rental rates in Newport Harbor, across the board, are substantially higher than Dana West Marina and in some cases are almost double. In fact, the rate schedule that is before you today is even less than the bottom end of the Newport rate structure.

It had been suggested by County staff that perhaps Oceanside Harbor and the Dana Point East Basin should be considered a comparable location to Dana Point Harbor. The geographic configuration of Oceanside, (surge and

dredging issues) coupled with distinctly different demographics indicate otherwise. Additionally we have advised staff that the East Marina is not comparable because, among other things, its lease was expiring this year and it was not in a position to implement market slip rates.

We have waiting lists in excess of 10 years for some slips. We probably receive over 100 phone calls or visits each week from people inquiring about the availability of slips. We have operated at approximately 100% occupancy for over 10 years. With this type of demand how can County Staff justify their conclusion?

In fact this excessive demand clearly demonstrates that even our proposed rates are most likely undermarket and should probably warrant additional adjustment. But let's take this one step at a time. We have waited patiently for over 9 on this issue of slip rates. The discussion today should not be the merits of our proposed rates. That has already been established. Quite frankly the discussion should be on why it has taken so long.

We would like some reassurances that our next proposed rate adjustment not be delayed by the political process. Perhaps we should submit our next proposal to County Staff today.

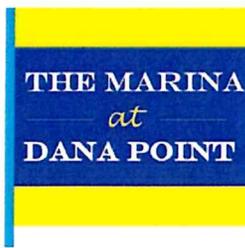
Recently the County adopted a policy to address slip rental rates. I have to admit, quite candidly, that this new policy accomplishes nothing. The economic value created by demand does not go away simply because you adopt a new policy. This policy is very similar to the provisions in the new operating agreement for the East Basin marina. This is not a provision that Dana West Marina has agreed to and we object to being singled out with respect to this issue. But more importantly we don't feel that it should be the County's role to set or cap rates..... Business decisions on rates must be determined by the operator.

We have provided various information to County Staff supporting our rate schedule. If requested, we could also provide additional supporting information, but why waste time. It is all going to point to the same conclusion. **We need to raise our rates to the level we proposed.**

But probably the most overwhelming evidence that we have to offer is our experience as marina operators. We could have had consultants do studies or have County staff research this issue inside and out. But the bottomline is that our judgement as business owners and marina operators has been to prevail.

You have been asked to acknowledge and approve our rate schedule as submitted. We feel that not only, is it appropriate but long overdue. Please don't continue to put the County in a position where it is subsidizing the boat owners.

Please approve our rates as submitted. We need to move forward and conduct our business as we feel appropriate.



June 21, 2021

Dear Tenant,

The purpose of this letter is to communicate to our tenants our plans for slip rate increases for the harbor.

In October 2018, Dana Point Harbor Partners began managing the marina and landside operations of the harbor. During that time, we have been working diligently on a development plan for all of Dana Point Harbor to completely revitalize the harbor and establish an iconic destination for generations to come.

At Bellwether, we have been focusing predominantly on the marina, the activities, and facilities that support it. Over the last few years, we have made great strides as it relates to management, entitlements, and soon to come, the actual reconstruction of the harbor.

1. A major accomplishment was unifying the management of the marina under self-management with the goal of bringing consistency to the harbor, elevating service, and positively impacting the boater experience. Over the last three years, we have spent millions of dollars on dock repairs, facility maintenance, gate repairs on the East, parking systems, and free Wi-Fi for boaters. We are also very pleased with our team's performance and commitment to providing boaters an excellent experience, specifically through the COVID crisis.
2. We have also nearly completed the entitlement process that had endured for decades. Although there was a lot of collaboration and conditions with the California Coastal Commission, throughout the process we were successful in preserving the marina layout that was authored, through extensive collaboration with the Dana Point Boaters Association. Now we are working on a shop drawing, so that we can pull construction permits.
3. We are in planning stage in order to move forward with a 19-phase marina construction project over 5 years, while still operating a fully occupied and engaged harbor. There are over a hundred items on our project schedule ranging from landside coordination to construction funding to management systems to project phasing to boater slip selections. We have been planning and preparing for years and now we are getting close to the start of the execution phase.

Since our involvement in the revitalization process, slip rates have always been a topic of discussion and a real concern for the Dana Point boater community. It is no secret that The Marina at Dana Point has been the best deal in the County, especially for the large vessels that it accommodates. The rates are severely low compared to the average of Orange County marinas, specifically for the large vessels when you factor in free utilities. When we took over operations, there were long waitlists for the larger slips, but we actually had vacancies in the slip categories under 30 feet. As of today, we have waitlists for every category and they are only growing. We even have a waitlist to sublease slips, which are up to 90% more in price than the listed slip rates.

Our team and the Dana Point Boaters Association both know that in our lease with the County, slip rates are to be at market. With ridiculously long wait lists and very little turnover, it begs the question of “what is market?” and “how do you get there?”

Although these questions have not been answered, our communication to the Dana Point Boaters Association regarding slip rates has been three-fold.

1. We would not raise rates until we needed to for the revitalization of the harbor.
2. When we determined our methodology for determining market rates, we would not be driven solely by what the market could bear.
3. Although rates will increase for all slip size categories, we believe on a relative basis that the small boaters in the harbor have been subsidizing the larger vessels, thus future slip rate increases will fall much more on the larger slip categories.

On point one, after three years of operation, the time has come in our revitalization plan to raise rates. To move forward with the revitalization of the harbor next year, it is important that we can demonstrate that the boater demand in Dana Point Harbor can support significantly higher rates without having a severe impact on occupancy. Thus, on October 1st, 2021, we are raising rates on all slip size categories. Although our rate plan has a much greater impact on the larger vessels, we understand it will have an impact on boaters of all slip categories. We realize that for some boaters, our rate increases will actually drive them to look at alternative facilities or boating options. We are hopeful that the advance notice will be helpful in that endeavor.

The following is our methodology on rates (attached to this letter is a chart outlining the new slips rates):

- Dana Point is an Orange County asset. We compare ourselves to other marinas in Orange County. We believe that the average rate of these facilities is a market rate.
- We believe that the harbor should be utilized to its potential. As this relates to slip rates, a market rate should promote a full marina.
- The fact that we want to maintain occupancy and do not have history of managing the harbor during a period of construction, we are not prepared to raise rates to the OC average. After the October 1st rate increase, all slip categories will be approximately 35% to 45% below the current Orange County average.
- For slips sizes under 30 feet. The rates are going up 26%. It is the nearly equal to as if the rates had been increased 6% annually since the last rate increase (four years ago). The monthly financial impact on a 25 ft. vessel is approximately \$90. If you like to fish, it is equivalent to purchasing one scoop of bait at our bait barge twice a month.
- The largest slip categories (55 ft. and 60 ft. vessels), the rate will be increasing 90% or over \$1,000 a month. We acknowledge that this is a tremendous increase, but it also needs to be acknowledged that most of these vessels are receiving free utilities ranging from a couple hundred dollars a month to over \$1,000 a month for some of the large multimillion dollar yachts.

Obviously, we are anticipating that initially we will receive a very negative reaction to the rate increase as no explanation or methodology no matter how thoughtful or justified will offset the sticker shock. What we do not know is how the rate increase will actually impact turnover. We will watch this very carefully. Earlier in the letter we said, "It is no secret that The Marina at Dana Point has been the best deal in the County". Even after the rate increase, from the perspective of the team that has managed most of the marinas in the County, the statement still seems to apply.

Sincerely,



Joe Ueberroth



Ralph Grippo

CC. Kelly Rinderknecht



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461

June 25, 2021

The Honorable Lisa Bartlett
5th District Supervisor
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

Re: Slip Rate Increase Notification of June 22, 2021

Dear Supervisor Bartlett,

Dana Point Boaters Association (DPBA), and most boaters in Dana Point, strongly disagree with the very large slip rate increase announced effective October 1, 2021, the rationale used to justify the increase, and the methodology cited for the increase.

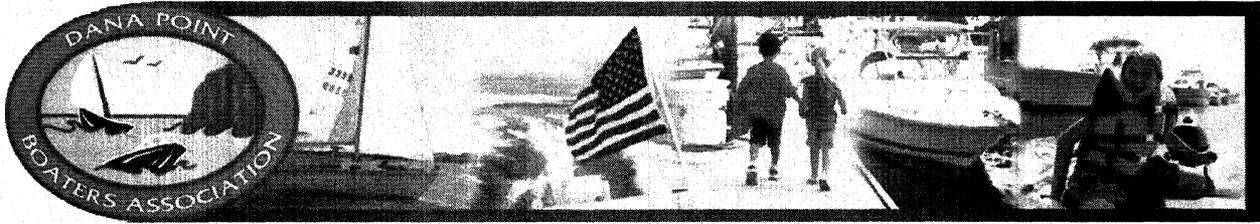
From the Master Lease, Section 11.9 (Page 90)

11.9 Pricing. Lessee shall at all times maintain a complete list or schedule of the prices charged by Lessee for all goods or services, or combinations thereof, supplied to the public on or from the Property, whether the same are supplied by Lessee or by its Sublessees, assignees, concessionaires, permittees or licensees. The foregoing shall not be deemed a requirement for Lessee to maintain such lists or schedules of the prices charged by Sublessees. Said prices will be "market rate" pricing as reasonably determined by Lessee; provided, however, that in all events such prices shall be consistent with the limitations on pricing as mandated by the Tidelands Grant. In addition to the foregoing, with respect to the Slip Leases specifically, Lessee shall be required to provide advance written notice to County and all tenants and/or licensees under existing Slip Leases of any raises in the slip rental rates, which notice shall include Lessee's rationale for such raise as well as its methodology for determining the same.

While the above paragraph refers to pricing for all goods or services supplied to the public on or from the Property and references "market rate" pricing as reasonably determined by Lessee, there is a big "however" that in all events such prices shall be consistent with the limitations on pricing as mandated by the Tidelands Grant.

The paragraph continues with a sentence to address Slip Leases stating specifically Lessee must meet three requirements. Because this paragraph specifically addresses slip lease raises, and no other type of price increase, it can be understood to mean slip lease increases need to be held to a higher standard of scrutiny. The requirements are:

1. *"Lessee shall be required to provide advance written notice to County and all tenants and/or licensees under existing Slip Leases of any raises in the slip rental rates."*



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The letter, sent via email, of June 22, 2021 presumably met that requirement.

2. *"The notice shall include Lessee's rationale for such raise."*

While the letter did include Dana Point Harbor Partners (DPHP) statement of rationale, delivered by The Marina at Dana Point and Bellwether Financial executives, we question the rationale. Moreover, the rationale failed to include any explanation of how the rate increase is compliant with the limitations on pricing that DPHP is subject to by the Tidelands Grant per sentence three of Section 11.9 in the Master Lease. We believe the public has a right to know.

Focusing on criterion three, methodology.

3. *"The methodology for determining the same must be included."*

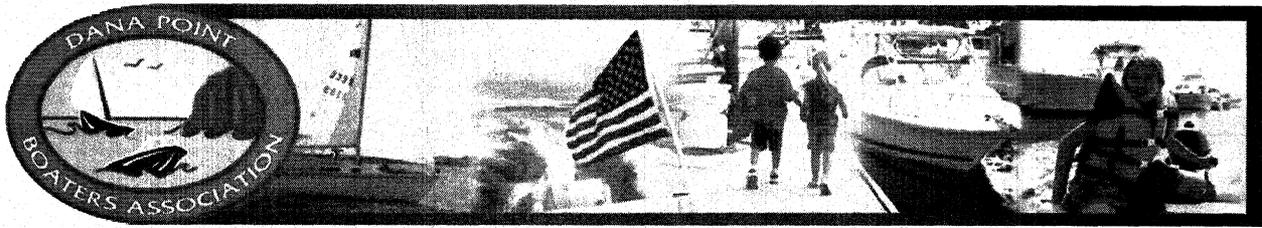
The methodology used in their letter is not determinative. In addition, the logic employed is also flawed. According to their letter, which is attached, DPHP only took an average of the other Orange County marinas (presumably just the public ones). Of the public marinas in Orange County, eleven are in Newport Harbor, two in Huntington Harbor, one in Sunset Beach, and one in Dana Point.

The marina in Sunset Beach has slightly lower slip rates than Dana Point, of the two in Huntington Harbor, one marina has slightly higher prices than Dana Point, and the other is the same as Dana Point. Of the eleven marinas in Newport Harbor all are three to four times higher than the marinas in the other three harbors.

There are approximately 9000 slips in Newport Harbor. *Yacht World* reports prices for yachts in Newport Beach start at \$20,000 for the lowest priced vessels, up to \$7,502,357 for the most expensive listings, with an average overall yacht value of \$299,000.

In Dana Point there are approximately 2400 slips. *Yacht World* reports prices for yachts in Dana Point start at \$14,900 for the lowest priced vessels, up to \$1,975,000 for the most expensive listings, with an average overall yacht value of \$124,900. (It is important to also note Dana Point is home to a premier yacht manufacturer which pushes up the average yacht price).

If you consider slip prices in other public marinas such as Long Beach and Alamitos Bay, Oceanside, and San Diego, they all are slightly lower or slightly higher than current Dana Point rates.



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It should be noted that at no time did DPHP collaborate with the DPBA or allow any input as to the rationale or methodology.

While no boaters like slip increases, most boaters will accept and understand reasonable slip increases. The slip increase notification sent to Dana Point boaters on June 22, 2021, was neither reasonable nor logical. The announced slip increases range from 26% to 95%.

If the intent was to drive boaters who require affordability out of the harbor to accommodate more wealthy boaters, then the rate increase will certainly do so. However, this is inconsistent with the terms of the Dana Point Tidelands Trust in that Dana Point Harbor is intended for public use and recreation for all citizens of California regardless of financial capacity. Not just the wealthy.

Supervisor Bartlett, we ask that in the spirit of the Tidelands Grant and mandates of the State Land Commission, you address this travesty and put affordability back into Dana Point Harbor.

Attached are copies of just a few of the hundreds of complaints received by the Dana Point Boaters Association in the last 48 hours. By the time you read this letter we will probably have received many, many more. The boaters of Dana Point asked that we share these with you. Names and contact information have been redacted to protect the anonymity of the submitters.

Dana Point Boaters Association and Dana Point boaters are looking forward to swift action on your part.

Sincerely,

Anne Eubanks
DPBA President

CC: Andrew Do, Chairman and 1st District Supervisor
Doug Chafee, Vice Chairman, and 4th District Supervisor
Katrina Foley, 2nd District Supervisor
Donald Wagner, 3rd District Supervisor
Orange County Register

From: randy
To: [CSLC CommissionMeetings](#)
Subject: RE1.8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor." : Dana Point Tidelands Trust Act
Date: Monday, August 23, 2021 8:58:59 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commissioners,

It is with dire hope this commission will consider the issue of what Orange County has promoted in leasing the Dana Point Harbor to a real estate developer for a profit motivated venture.

I believe this is in direct violation to the reasoning the Tidelands Trust Act was implemented for. The current efforts of the Developer to raise slip fees is very dramatic and in direct conflict to the user of the slips, the boater. It is not in the usage of the harbor to implement a profit, but to maintain the slips thru slip fees and now what the Orange County Board of Supervisors has done is place a profit motive burden on the user of the harbor now. This is in direct conflict of the Act in as much the Tidelands Trust Act was created for the user not the profit motivation of a real estate Developer.

Orange County has never produced a Performa to have recognized the profit the Developer intended in the initial proposal to secure a 60 year lease of the harbor originally, This is sheer negligence on the part of Orange County and needs to be reversed. The Dana Point Harbor is and should continue to be the users harbor not a developers profit cow.

Please, please get involved on behalf of the users of the harbor under the Tidelands Trust Act and reverse the lease that Orange County promoted against the benefit of the user.

Thank you

Randy Argo

Dana Point Slip lease holder.

From: Paul Megna
To: [CSLC CommissionMeetings](#)
Subject: 08-25/2021 meeting external affairs county of orange grantee- Dana Point
Date: Monday, August 23, 2021 9:09:58 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To whom it may concern:

I am writing this in concern of the heinous slip increases perpetrated on Dana point Harbor tenants. This increase is being supported by false information on comparative slip rates. The use of Newport Beach slip rates as a comparison is narrow minded and self-serving of the new lease holder.

To charge a 96% increase in my case a \$1300 per month increase, is absolutely ridiculous if not immoral.

A number of boats have been forced to leave the harbor and it is unfair as a public facility to allow an individual to charge maximum rates that obviously regular tenants cannot afford.

If this method of using a public facility is excepted then why don't we go to the state park system and jack the rates up to \$200 per night? A number of people could afford that but an even larger number could not and that is what is happening in Dana point Harbor.

The feeling that the board of supervisors is not listening to its constituents has permeated the entire group in Dana point Harbor.

Please know that when a dog bites someone we don't blame the dog for being a dog. We blame the handler for not controlling the dog. In this case we don't blame the leaseholder for trying to extract every penny out of the tenants we blame their handler's. Supervisors those handlers are you and you are the ones allowing this dog to bite all of us.

I understand that building costs have increased from the time the leaseholder originally proposed the rebuilding of the marina. However that is no reason to go to the tenants and hold them over a barrel. The tenants are not in the position to just move their boats elsewhere. In my case I have been here 20 years and in the last two months have been unable to find another available slip to put my boat in. I waited nine years to get this slip. And over \$1000 per month increase will necessitate the selling of my boat. The problem is there is nowhere that can handle the size of my boat immediately without a multi year wait. The leaseholder looks at that as an opportunity to extract more money but if that's the case there is always a wait for state parks and camping so why not raise the rates there by 100%?. The reason is it would be in moral and against the publics best use of a public facility just as this harbor is a public facility. As none of us have received one response from you our supervisors it is highly doubtful that this letter will receive any recognition from you. Going to the board of supervisors meetings and seeing how a little interest there seems to be in the publics cries for justice I am not hopeful that you will now change your Actions in this matter however I am praying that some of you still have a fiduciary duty to the public and will take that over political gain.

In closing I will prophylactically thank you for reading this and giving it serious attention.

Paul Megna

Sent from my iPhone

From: Greg Queen
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 9:16:11 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

California State Lands Commission,

On Oct 1, 2021, Dana Point Harbor Partners (DPHP) is dramatically increasing boater slip fees on the grounds that the increase is a "reset to market." This increase, which in my case will represent an almost 70% increase in monthly rent, seems to be a greedy gouge by DPHP management rather than a true reset to market. The benchmarking performed to establish the new slip rates appears to have neglected several regional marinas, such as those in Huntington Beach and Oceanside with similar amenities and services while focusing, in an ethically questionable manner, primarily on the high priced marinas in Newport Beach. While I appreciate that some level of increase is likely as DPHP upgrades the Dana Point marina, I request that the planned increase on Oct 1st be put on hold until the benchmarking performed to establish the new rates is validated and certified by a public interest oversight body such as the California State Lands Commission.

Thank-you for your time and service.

Best regards,
Greg Queen
South Orange County resident and boater

From: mickey munoz
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 External Affairs-County of orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 9:36:34 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To whom it may concern,

I am submitting comments written in a series of e-mails I previously wrote. The e-mails start with an e-mail to Lisa Bartlett, county Supervisor, an e-mail answer from her Deputy Chief of staff James Dinwiddie, and my e-mail back to him.

Please use some of it or all, It's obvious how I feel about the Dana Point harbor situation. As a note, I have not had any of my questions answered yet in my last e-mail submitted.

Thanks for you help.

Mickey Munoz

On Aug 23, 2021, at 10:01 AM, mickey munoz <[REDACTED]> wrote:

Hi James,

I appreciate you writing back to me, thank you.

Let me clarify. I realize you have to walk a line, so this is not directed at you personally. I am still confused on how and why its justified to raise rents so radically in Dana Harbor.

Its probably a poor analogy, but its kinda like paying for your food before you eat it in a restaurant. They the Partners "tasked with ensuring the development of a modern marina for the enjoyment of all Orange County residents and visitors". They, the Partners say it's going to be good, they will perform the "task", but we the tenets are going to have to pay for it before we get to eat the "modern harbor"! We will already be paying for the food, but we will have to put up with the inconvenience of the cooking process! I am sure that when the meal is cooked to completion the rents will double again!!!!!!!!!!

Frankly as I have stated before the food doesn't pass the smell test. Reading your letter it sounds like after the Partners do their gentrifications, the enjoyment level will go up for all "Orange County residents and visitors"? Does that mean, the more people they can stuff in, paying more money to park, shop, and eat, will raise he enjoyment level? Will our boats work better, float higher, go further faster,? Seems like the more people, the more rules, the more cost, and the less freedom, how does that equate to more enjoyment?
I will bet, the so called "stake holders" will take the \$s and run to their own personal paradises leaving us to pay!

One of the partners sat on my boat and drank beer with me a year or so ago. In our conversation he stated that this marina was not about money, that he wanted it to be his legacy. "I want my kids to grow up like I did, running around Newport Beaches back bay, learning to sail, paddle, fish, etc". Looks like his kids will get that chance, cause they will be the only ones that will be able to afford DP marina, those and the wealthy who will pay anything to not wait in line!

I do have another question;

You say the "DPHP's rates do not appear to violate the Tideland's Grant". Does that mean you have verified the numbers DPHP have submitted that justifies the rent raised and you don't feel they are inflated?

You guys should be helping to balance between the \$\$s, working folks, and the retired.

Seems like there needs to be more of a balance between the \$\$s and living life!

Thanks for listening.

On Jul 29, 2021, at 12:51 PM, Dinwiddie, James <James.Dinwiddie@ocgov.com> wrote:

Good afternoon Mickey,

Thank you for taking the time to reach out to Supervisor Bartlett's office regarding Dana Point Harbor. My name is James Dinwiddie and I serve as Deputy Chief of Staff and Policy Advisor on items related to Harbors, Beaches, and Parks related matters. As part of the revitalization project, Dana Point Harbor Partners (DPHP) is tasked with ensuring the development of a modern marina for the enjoyment of all Orange County residents and visitors.

The rates being implemented by DPHP are not determined by the County of Orange, nor the Board of Supervisors and do not appear to violate the Tideland's grant.

Should you have any additional questions or would like to discuss further, please feel free to reach out to me at (714) 834-3550 at your convenience.

Thanks,
James

James Dinwiddie III, MPA
Deputy Chief of Staff
Office of LISA A. BARTLETT
Supervisor, Fifth District
333 W Santa Ana Blvd.
Santa Ana, CA 92701
Office: (714) 834-3550

-----Original Message-----

From: mickey munoz <[REDACTED]>
Sent: Friday, July 9, 2021 9:04 PM
To: Bartlett, Lisa <Lisa.Bartlett@ocgov.com>
Subject: Harbor rents?

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Lisa,

You covered a lot of bases in your July report, but not one mention of the problems pertaining to the slip rental raises in the Dana Point Harbor, why?

I put a deposit down for a slip in 1969, it took me six years on a waiting before I got my slip. I am still on the same end tie and have never missed a payment. During all those years there have been rental raises that for the most part have been understandable and justified, but now we have a 96% rental raise on the promise that the Harbor will be brought up to the first class standards that they the "partners" are equating this raise to, is totally ridiculous! Not only are they trying to prematurely charge us the highest rent = to private marinas, which we are not. Marinas that already have the high class amenities, which we don't. We will have endure two to

five years of construction inconvenience on top of the promise, that's very special!

Dana Harbor has always been balanced, affordable for most people of modest income, like we the people who actually live in Dana Point. This smells of power and \$\$, powered by those that can afford to pay to not wait in line.

Yes, I'm upset and would like to get your input.

Thanks for your ear,

Mickey

From: yamo
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 10:06:04 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I support the Dana Point Boaters Association!!

From: Nancy Illian
To: [CSLC CommissionMeetings](#)
Subject: Dana Point Harbor slip rate increase
Date: Monday, August 23, 2021 10:08:13 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I have been a slip lessee since 1999. A 24.3 % increase proposed for October , 2021 is the largest increase .Your attention and correction is Needed.
Sent from Mail for Windows

From: Cheryl Stavana
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 10:17:19 AM
Attachments: [DPBA Logo Letterhead july 20 2021 letter to Mat Miller final.pdf](#)

Attention: This email originated from outside of SLC and should be treated with extra caution.

To California State Land Commission:

We are two very concerned boat slip renters in the Dana Point Harbor and would like to go on record that we oppose the proposed slip rate increases that are supposed to take affect October 1, 2021, less than six weeks away. We have been informed from the Dana Point Boaters Association that the proposed rate increases were not a fair comparison to similar marinas in size to Dana Point Harbor, nor are they within the guidelines of the Lease and Tidelands Grant as promised to all Orange County residents. (attached for reference: July 20,2021 letter to Mr. Thomas A. Miller, OC Chief Executive Office).

We currently have not even received equitable improvements for the previous rate increases since Dana Point Harbor Partners (Bellwether) took over harbor management. Docks are unsafe with piecemeal wooden planks on top of concrete. Fire hydrant boxes are falling apart in many areas. The gates don't work much of the time. And, more. If the harbor wants to improve the restaurants and shops, then let the patrons pay for that, but the burden should not be on slip renters to pay for improvements that don't improve our docks. Something needs to be done and it should not be at the detriment of average Orange County residents that want to have a boat in the harbor at a reasonable and equitable rate. Isn't that what the land trust is supposed to protect?

We ask that you put a stop to these proposed rate increases to allow all parties to discuss this amicably.

Thank you,

Cheryl Stavana

Sent from Mail for Windows



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
PHONE: 949-485-5656 | WEBSITE: [HTTPS://DANAPPOINTBOATER.ORG](https://danapointboater.org)

July 20, 2021

Mr. Thomas A. Miller
Chief Real Estate Officer
Orange County Executive Office
Hall of Administration
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

Re: Dana Point Harbor Slip Rates; Records Request

Dear Mr. Miller,

Thank you for your response of July 12, 2021, regarding our questions and request for information.

You state, "The attached letter provides the information from DPHP establishing that the proposed rates are within market. The DPHP uses and rates being charged are consistent with the Leases and the Tidelands Grant." We concur the uses are within the Lease and the Tidelands Grant, but the proposed rate increase is not. We conclude the Bellwether methodology is flawed for a plethora of reasons. Some of those reasons are outlined below.

- The slip number in the marinas used in the survey vary from a low of 42 to a high of 450. Ten of the eleven marinas have 220 slips or less. Dana Point has 2409.
- The Bellwether survey used a weighted average versus a true average which drastically skews the pricing upward.
- Newport Beach uses an incredibly detailed appraisal system to help establish market value pricing. The appraisals we have reviewed are each over 80 pages and include the valuation of real estate and commercial properties.
- There is a Newport Harbor Marina Index used for valuing slips and end ties. Seven of the marinas in Newport have to price using this index. If we understand this index correctly, four of the marinas used in the Bellwether survey must price in accordance with this index.
- Of the nine Newport Beach marinas in the survey, four or more are managed by the same company, and several are owned or managed by a Bellwether owned group.
- Historically, in Dana Point, when slip rate increases were being considered, a very detailed market survey was done by the County which included slips from Santa Barbara to Chula Vista, and all stakeholder groups were part of the discussion. CPI indexing was also used in the past.



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- The *least detailed survey* to justify rate increases in Dana Point was done in 2018 by the Dana Point Marina Company. We have attached a copy. It includes more than Orange County marinas. A long-term precedent has been set for pricing in Dana Point.
- Bellwether stated in their letter to you that the last slip increase was in 2017. Doesn't Orange County have the records to show the last slip increase in Dana Point was in 2018 which was the reason for the survey?

We are also requesting additional information from your office.

Paragraph 15.8 of the Master Lease Agreement requires DPHP to provide audited and certified fiscal year-end financial statements audited by category of Percentage Rent. Kindly forward us a copy of each year's financial statements provided to date to the County.

Secondly, Paragraph 5.5.6 of the Master Lease Agreement requires DPHP to provide the County with evidence of financing prior to the commencement of the Redevelopment work. Since we are nearing the start of construction, kindly forward us a copy of the evidence of financing. If you do not have it yet, kindly forward a copy once it is received by you.

Lastly, as you can imagine, Dana Point Boaters and DPBA are increasingly frustrated by the lack of accountability by Dana Point Harbor Partners. Would you please advise who has oversight over this lease and project? What ever happened to RFP NO. 080-C014368-IM (2) for CEO REAL ESTATE OWNER'S REPRESENTATIVE TO THE COUNTY OF ORANGE FOR THE DANA POINT REVITALIZATION PROJECT?

As always, we appreciate your prompt response to our questions.

Sincerely,

Anne Eubanks
Dana Point Boaters Association – President



Cc:

Frank Kim, County Executive Officer
Andrew Do, Chairman of the Board of Supervisors
Doug Chaffee, Vice Chairman of the Board of Supervisors
Lisa Bartlett, Supervisor, Fifth District
Katrina Foley, Supervisor, Second District
Donald Wagner, Supervisor, Third District
Senator Patricia Bates, 36th Senate District
Assembly Member Laurie Davies, 73rd Assembly District



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Christine Pereira, California Coastal Commission
Reid Boggiano, State Lands Commission
Erika Ritchie, Orange County Register
Brandon Pho, The Voice of OC
Lindsey Glasgow, The Log
Lilian Boyd, DP Times
DPBA Board of Directors
DPBA Advisors

**2018 Southern California
Slip Rate Survey Comparison**

LOC	MARINA	21'	25'	30'	35'	40'	45'	50'	55'	60'	65-85'
		AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT / FT
SB	SANTA BARBARA HARBOR	\$181	\$225	\$283	\$345	\$410	\$481	\$554		\$722	\$14.15
V	VENTURA WEST	\$265	\$324	\$387	\$496	\$589	\$688	\$794	\$905	\$1,022	\$19.30
V	VENTURA ISLE		\$316	\$413	\$529	\$653	\$768	\$886	\$1,006	\$1,128	\$20.26
V	VENTURA HARBOR VILLAGE			\$363	\$434	\$507	\$585		\$757	\$840	\$14.50
V	VINTAGE MARINA		\$301	\$362	\$506	\$619	\$698	\$813			\$19.00
V	CHANNEL ISLANDS MARINA		\$327	\$400	\$559	\$682	\$766	\$896		\$1,157	\$19.00
V	ANACAPA ISLE		\$280	\$439	\$564	\$684	\$818	\$943	\$975	\$1,203	\$22.50
MDR	DOLPHIN MARINA	\$333	\$374	\$505	\$631	\$861	\$995	\$1,278			\$24.15
MDR	PANAY WAY	\$333	\$374	\$505	\$631	\$861	\$995	\$1,278			\$24.15
MDR	HOLIDAY MARINA	\$333	\$374	\$505	\$631	\$861	\$995	\$1,278			\$24.15
MDR	MARINA HARBOR ANCHORAGE	\$316	\$395	\$495	\$648	\$860	\$945	\$1,250	\$1,450	\$1,740	\$30.00
RB	KING HARBOR	\$252	\$311	\$428	\$569	\$732	\$914	\$1,045	\$1,163	\$1,272	\$21.20
RB	PORT ROYAL		\$325	\$454	\$641	\$778	\$989	\$1,099	\$1,209	\$1,319	\$21.98
SP	CABRILLO MARINA		\$305	\$401	\$573	\$655	\$830	\$922	\$1,097	\$1,197	\$23.00
LB	ALAMITOS BAY	\$196	\$300	\$442	\$563	\$698	\$822	\$941	\$1,110	\$1,211	\$22.28
LB	CERRITOS BAHIA	\$207	\$246	\$311	\$380	\$434					
LB	SHORELINE	\$196	\$300	\$442	\$563	\$698	\$822	\$941	\$1,110	\$1,211	\$22.28
HB	HUNTINGTON HARBOR		\$350	\$500	\$700	\$800	\$900	\$1,250	\$1,500	\$1,500	\$30.00
HB	** PETER'S LANDING		\$300	\$360	\$508	\$660	\$743	\$925	\$1,128		
HB	SUNSET AQUATIC		\$350	\$420	\$595	\$800	\$900	\$1,000	\$1,100	\$1,200	
NB	BALBOA YACHT BASIN	\$461	\$587	\$837	\$1,065	\$1,354	\$1,662	\$2,129		\$2,965	\$50.88
NB	* BAYSHORE MARINA	\$720	\$936	\$1,376		\$1,989				\$4,410	\$76.00
NB	BAYSIDE VILLAGE	\$483	\$550	\$750	\$980	\$1,360	\$1,530	\$1,850			\$37.00
NB	LIDO YACHT	\$546	\$650	\$840	\$1,050	\$1,680	\$1,980	\$2,200	\$2,750	\$3,000	\$57.00
NB	NEWPORT DUNES	\$588	\$700	\$900	\$1,295	\$1,920	\$2,160	\$2,550	\$2,805	\$3,060	\$51.00
NB	* BAYSIDE MARINA			\$1,365	\$1,663	\$2,583	\$2,925			\$4,245	\$78.00
NB	* BALBOA MARINA	\$690	\$863	\$1,008	\$1,376	\$2,100		\$3,250	\$4,060		\$72.00
OS	OCEANSIDE	\$302	\$360	\$471	\$550	\$628	\$707	\$785	\$864	\$942	\$15.70
MB	DRISCOLL MISSION BAY		\$302	\$375	\$438	\$524	\$637	\$708	\$853	\$930	\$15.50
MB	MARINA VILLAGE		\$321	\$403	\$521	\$662	\$759	\$883	\$932		\$17.50
MB	KONA KAI	\$431	\$513	\$615	\$715	\$820	\$923	\$1,225	\$1,458	\$2,010	\$37.00
SDB	CABRILLO ISLE		\$437	\$565	\$711	\$783	\$902	\$1,222	\$1,514	\$1,693	\$32.50
SDB	GLORIETTA BAY	\$322	\$383	\$538	\$665	\$760	\$836	\$1,056	\$1,161	\$1,227	\$24.30
SDB	HALF MOON	\$362	\$431	\$518	\$639	\$730	\$923	\$1,025			\$22.50
SDB	HARBOR ISLAND WEST		\$406	\$510	\$606	\$714	\$925	\$945	\$1,155	\$1,260	\$23.00
SDB	SHELTER COVE		\$490	\$525	\$630	\$760	\$966		\$1,320	\$1,680	\$30.00
SDB	CHULA VISTA		\$356	\$461	\$576	\$696	\$806	\$905	\$1,180	\$1,311	\$23.00
SO CAL AVERAGE		\$376	\$410	\$553	\$682	\$916	\$1,009	\$1,213	\$1,382	\$1,684	30.43
DANA POINT		\$278	\$362	\$531	\$655	\$766	\$878	\$1,012	\$1,094	\$1,325	22.30
PERCENTAGE DIFFERENCE		35.2%	13.4%	4.2%	4.1%	20%	14.9%	19.9%	26.4%	27.1%	36%

White - SB/Ventura County
Blue - LA County

Amounts rounded to the nearest dollar except for per foot pricing

Orange - Orange County
Yellow - San Diego County

* 2017 Rates - Refused to disclose current slip rates. ** Marina only offered verbal rate quotes.

**2018 Southern California
Slip Rate Survey Comparison**

LOC	MARINA	21'	25'	30'	35'	40'	45'	50'	55'	60'	65-85'
		AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT / FT
HB	HUNTINGTON HARBOR		\$350	\$500	\$700	\$800	\$900	\$1,250	\$1,500	\$1,500	\$30.00
HB	** PETER'S LANDING	\$252	\$300	\$360	\$508	\$660	\$743	\$925	\$1,128		
HB	SUNSET AQUATIC		\$350	\$420	\$595	\$800	\$900	\$1,000	\$1,100	\$1,200	
NB	BALBOA YACHT BASIN	\$461	\$587	\$837	\$1,065	\$1,354	\$1,662	\$2,129		\$2,965	\$50.88
NB	* BAYSHORE MARINA	\$720	\$936	\$1,376		\$1,989				\$4,410	\$76.00
NB	BAYSIDE VILLAGE	\$483	\$550	\$750	\$980	\$1,360	\$1,530	\$1,850			\$37.00
NB	LIDO YACHT	\$546	\$650	\$840	\$1,050	\$1,680	\$1,980	\$2,200	\$2,750	\$3,000	\$57.00
NB	NEWPORT DUNES	\$588	\$700	\$900	\$1,295	\$1,920	\$2,160	\$2,550	\$2,805	\$3,060	\$51.00
NB	* BAYSIDE MARINA			\$1,365	\$1,663	\$2,583	\$2,925			\$4,245	\$78.00
NB	* BALBOA MARINA	\$690	\$863	\$1,008	\$1,376	\$2,100		\$3,250	\$4,060		\$72.00
AVERAGE		\$534	\$587	\$836	\$1,026	\$1,525	\$1,600	\$1,894	\$2,224	\$2,911	56.49
DANA POINT		\$278	\$362	\$531	\$655	\$766	\$878	\$1,012	\$1,094	\$1,325	22.30
PERCENTAGE DIFFERENCE		92.2%	62.2%	57.4%	56.6%	99%	82.2%	87.2%	103.3%	119.7%	153%
<i>Amounts rounded to the nearest dollar except for per foot pricing</i>											

* **2017 Rates.** Irvine Company (Bayshore Marina, Bayside Marina, Balboa Marina) refused to disclose slip rates online, by fax, email or verbally.

** Verbal slip rate quotes. Peter's Landing will not fax, or email slip rates.

From: [REDACTED]
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 10:18:37 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

We are writing to plead with the board to keep your promises to us as boaters in Dana Point harbor for the past 25 years. We have lived in Dana Point since 1992 and have had a boat in the harbor since 1995. We have raised our children and have always cherished the harbor and the community of Dana Point by celebrating holidays, birthday parties and fishing expeditions with our children's friends. We would never have been able to do this in Newport Beach. We will never be able to continue to enjoy the harbor with the increased rates and introduce our grandchildren to the marina in the same way we did with our children.

We have always been excited with the revitalization of the harbor and started attending meetings and participated in public feedback in the 90's. We have appreciated how the County of Orange has always encouraged the citizens' feedback. We felt they were looking out for us as they searched for a company to help in our revitalization plans. We have always understood the need to raise rates as has always been the case for the past 25 years, but this company is not operating with the citizens of Dana Point or boaters' best interest. They are and will eliminate us forever from our love of boating. We are not Newport and should never be compared to Newport's elite. We are Dana Point, home of the whale festival parade of kids' biking and home-made attractions.

Again, we plead for your oversight of how Dana Point Harbor Partners are working to eliminate us – they are NOT partners!!

Christopher and Donna Lynch

[REDACTED]
[REDACTED]

From: Dave S
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 10:28:45 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Supervisors:

I have been a boat owner in Dana Point harbor for 12 years. The harbor is an asset to South Orange County as a public harbor for the benefit of its residents. The decision made by Dana Point Harbor Partners on slip rates is outrageous, and not consistent with the proposed purpose that is intended for the harbor. The harbor is NOT a playground for only the rich, this county facility should not be a boutique Harbor for the likes of Private Newport Beach dock spaces. Please realize that this is NOT acceptable to those of us that have been involved in our boating community in Dana Point and a pure money grab by the Dana Point Harbor Partners. Market rates? Boating in Southern California is NOT only Newport Beach and rates from other harbors need to be considered. Our docks are falling apart and I just paid an increase in slip rates due to DPHPs new boat measuring scheme, contrary to what has been published by DPHPs. Please stand up for our community and the injustice that is being implemented by the arrogant behavior of DPHPs.

To stand by and not address this important issue or to wash your hands of this is a dereliction of your duties.

Respectfully,
Dave S.

From: David Veeneman
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor.
Date: Monday, August 23, 2021 10:54:58 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I wish to comment on Harbor Partners, the master lessee of Dana Point Harbor. As I understand the situation, Harbor Partners is required to obtain financing for their harbor redevelopment project, but has failed to do so. At the same time, Harbor Partners has announced slip rent increases that range from 25% to 50%. Their conduct is unprofessional and unacceptable. I urge that Harbor Partners be denied their slip rent increase until they secure financing for the redevelopment project that they are legally required to procure. It's the only way to force them to live up to their obligations under the lease.

Sincerely,
David Veeneman

--
David Veeneman



From: Guardoz
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 10:55:04 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

State Lands Commission,

We are writing to protest the outrageous increase in slip fees in Dana Harbor. A 26% increase (and higher for others) is outrageous and completely out of line with the cost of living, etc. This increase is forcing many medium and lower-income people out of the harbor. As seniors living on a fixed income, with a very small boat in the harbor, we are being forced out of our mini-vacation getaway which we worked so hard for.

The new company has already eliminated the vast majority of launch ramp parking, which eliminates the option of trailering our boat since the lot is full now every early morning (in the dark). The company has also started charging for parking for guests of slip owners. Adding outrageous slip fee increases just serves to profit the company at the expense of average citizens.

Simply because you can raise rates, doesn't mean you should. That's not the purpose of the harbor. In this county which is excessively affluent, of course, the wealthy will pay whatever. But, does that justify a public entity and trust to charge whatever they can – with profits going to a private company?

Further, the justification and rationale used to describe these increases was based on falsehoods – at least as presented to slip holders such as us. A fact which causes one to question all of their business practices and information they provided when applying for permits to the various agencies.

Here are some facts that are in direct contradiction to what they wrote in a letter dated June 22, 2021, to tenants. In the letter, it was stated that there had not been a slip fee increase in four years. This is false. On 7/1/2017, we had an increase in our slip fee. This was just outside of four years from when the new fees go into effect so is not pertinent but shows fees have been increasing. However, on 7/5/18 our slip fee went up again. This is within four years, even with the October 2021 increase date. Further, on 1/7/19, the management company reassessed how they measured and charged the boats, resulting in another increase. They stated this was not a slip fee increase, but for me and virtually every other boat owner, that was just semantics since we all paid them more for the same slip. So, with at least one "legitimate" increase in the last four years, and one "non-slip-fee-increase" increase in the same time period – both within four years of the new increase – it is clear that they are not being entirely honest with tenants in stating there has not been an increase in over four years. This leads back to my original question that if they are not honest and forthcoming with tenants, is there a potential that they have misled any of the permit grantors, such as the Coastal Commission, the County of Orange, or Dana Point, etc.?

The bottom line is that an increase of 26% to 90% is appropriate based on what the market will bear is ludicrous for a public facility. A facility that should be serving the entire community and providing access to our waters, not just the super-elite.

To justify this increase by comparing it to other public harbors in OC (Newport and Huntington) is also a dubious and shallow argument. Why not compare to Long Beach and Oceanside as well? This can be very self-serving for the three harbors. They can simply compare to each other and the lowest one is justified in jumping upwards in the near future in a never-ending cycle. Again, just because the market will bear it due to the wealth in OC, doesn't justify this for what should be public access for the average citizen.

Regardless of the company's honesty or intentions, the bottom line is that this is a public amenity that should be available for your average citizen. The new slip fees, reduction in trailer parking and launching, and elimination of smaller boat slips certainly do not meet this goal. They only serve to increase profits for the company and provide a more exclusive club for the super-wealthy.

Please reconsider allowing these slip fee increases and the other limitations on average boat owners, particularly the smaller boats in order to increase access to this wonderful amenity – our ocean.

Thank you.

Sincerely,

Bill and Karen Humphreys

From: George Gregory
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Monday, August 23, 2021 10:55:05 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

The prequalified bidding process was a scam that left all other out of the process ! Return the money and send them home with interest 1%. Now the trust fund baby Uberoff is complaining about electric use this proves no do-diligence was done or planning. Its now appearing that our elected official's and others in the community divided this public owned harbor up like a well cooked chicken for Hugh profits , one can only hope it fails like the parking gates from years ago .I waited 18 years for my slip now I'm told ill be moved and my rent doubled because pimp daddy says I'm in his spot. Can we say state capitalism CCP ?. Now I'm told I cant charter or rent my boat to off set this crazy unjustified rent increase and has indeed resulted in fascist results and the extinction of free markets in our taxpayer community harbor , The coastal commission should be ashamed for buying into this theft in what kind of crazy world does increasing cost increase access ?. Thank god for the tide land act and antitrust laws against monopolies .

From: Don Holbrook
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor.
Date: Monday, August 23, 2021 11:10:03 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To Whom it concerns - The boaters of dana point are getting unfairly treated with significant rate raises in a ery short period of time. We need this action reversed - it is not fair to charge as much as they are trying to charge, they are ruining the spirit of boating in the harbor.

Don Holbrook

From: Darrell De Fabry
To: [CSLC CommissionMeetings](#)
Subject: Dana point Harbor slip rate increase
Date: Monday, August 23, 2021 11:12:52 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

The proposed increase has prevented me from continuing to use the harbor. Our public harbor has now been converted to a private (for profit) facility and is no longer available at affordable rates. The rates proposed are market rates for private Newport Beach Harbor that in no way represents the intended use or facilities of Dana Point Harbor.

Darrell De Fabry
San Clemente Resident

[REDACTED]

Sent from my iPhone [REDACTED]

From: Michael Heinemeyer
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dans Point Harbor.
Date: Monday, August 23, 2021 11:43:47 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commissioners,

As a 40 foot slip tenant at the Dana Point Marina, I am faced with a massive slip fee increase. My current monthly fee is \$787.00 per month. As of October first, it will increase to \$1,338.00 a month. That is an increase of \$551.00. I will be forced to give up my slip if the increase is not halted. I followed the rules and waited 8+ years to get my slip, and I budget carefully to afford the current monthly fee.

Dana Point Marina is a public marina. Apparently, the County of Orange entered into a lease with a developer with no oversight, allowing him to raise the rates at will. Please step in and oversee this project. Please do what the county supervisors failed to do.

Thank You,

Michael Heinemeyer

Lake Arrowhead.

From: Ralph Bobsin
To: [CSLC CommissionMeetings](#)
Subject: Dana Point Harbor
Date: Monday, August 23, 2021 11:48:00 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I am being forced out of the harbor I have been in for over 20 years. I am an Orange County Resident that worked hard all my life. One of my goals was to retire having a small sailboat in my home harbor Dana Point. The Orange County Board of Supervisor representative assured us during the process of choosing a new partner to run the harbor that they did not want to turn Dana Point Harbor into another Newport Beach. They wanted to keep it a small boat Harbor and retain the small business element the people of Orange County enjoy coming to for walking, eating and shopping. They told us nothing about plans of the Dana Point Marina to dramatically increase slip fees. Just the opposite. They led us to believe when questioned about this that It would not happen. Now we know they betrayed boaters like me who have paid the bills for Dana Point Harbor for so many years. I should add that even though we paid higher prices than similar harbors in Long Beach, Oceanside and San Diego, the County let the dock infra structure deteriorate. What did they do with all the money we paid in?

For the new Private entity that now controls the harbor to increase slip fees by 26% to 90% is unconscionable. The vast majority of the slips are occupied by retired OC residents. My small 30' slip has been increased by 34% to \$812 per month. Absurd and certainly NOT "market price".

I will be forced to move to a completely renovated marina in Long Beach where I will pay \$473 per month for the same size slip. I don't want to go. I am currently paying over \$600 per month in Dana Point. Enough is enough. I would rather donate an additional \$200 per month to my church or a charity than give it to greedy Newport Beach developers who the Orange County Supervisors have literally "given away" our harbor to.

I sincerely hope this money grab can be stopped. Orange County residents are ill served by this deal. It's obviously terrible for the boaters. Non boaters will also be negatively affected. The DPHP will charge high rates to park, charge high rents to harbor businesses that will be passed on to visitors in higher prices for food, beverages and any activities at the harbor. The local harbor businesses are also being gouged and forced out if they can't swallow the new ridiculous rent hikes.

This is the way Orange County treats residents like me and so many others who are being hurt by this deal. No empathy, no consideration, not even the slightest regret or apology. Instead they side with Private Developers over Orange County residents. Shameful.

I understand the DPHP has been given fixed costs for the first 6 years of this deal. Then they are limited to give CPI rate increases in future years, yet they let the DPHP charge boat slip renters whatever the heck they want. A terrible deal for Orange County.

Sent from my iPhone

From: Steve Clifford
To: [CSLC CommissionMeetings](#)
Subject: Slip rate increase
Date: Monday, August 23, 2021 12:07:53 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To increase our slip rate by such a huge amount while the facility is crumbling around us is ridiculous. They should give the renters a decent facility and THEN charge a fair price for rents. The currently announced rate increase is well above even the nice marinas in our area.

From: Viggo Torbensen
To: [CSLC Commission Meetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 12:34:52 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Sirs,

Hope you are doing well.

I respectfully ask you to take a serious look at the unjust proposed rate increases that will impact all of the boaters in Dana Point Harbor. We are basically being hijacked by a few individuals to line their pockets. Nothing is offered in return, actually the absolute opposite. We will be financing unrelated real estate construction, with the funds collected, and we will be paying during the construction period with expected limited access to our boats and parking. They did not even wait until the construction was over, clearly they do not have the funds to build the hotels and retail structures, but want the boater to finance, again to line their own pockets.

I am not in the market to get involved in the hotel and restaurant business. The rate increases force me to become.

The one-sided comparison to justify the rate increases, namely Newport Beach and no other of harbors from Santa Barbara to San Diego, is ridiculous at best and an insult to my intelligence at worst. Newport Beach has the greatest concentration of wealth in the county. Plenty of million dollar yachts, with slips right in front of million dollar homes. Absolutely nothing wrong with that, but it is not Dana Point. More than 50% of the boats in our community harbor are valued at less than \$ 25,000. Trying to justify collecting an annual \$ 6,000 slip fee on a \$ 25,000 boat, make no financial sense.

The comparison to Newport harbor to justify Dana Point West rate increases has already been rejected by the County, but here we go again.

Actually quite amazing the County did not see the plot coming when the Bellweather company suggested to take over the operation of the entire harbor, nothing bad bad intentions in that proposal. It would be impossible to have two individual entities East and West, get together and agree on a up to 90% rate increase without committing collusion. By blindfolding the County into believing they would be much better off having one operator than two, the County agreed to creating a monopoly which I find a violation of the people of Orange County. The harbor is owned by the people of Orange County, not by a few individuals. Only they act as if they own it and the rest of us will finance their quest to fortune no questions asked.

I am sorry it has become your job to sort this mess out, but we place our trust in your ability to protect the right of the people to enjoy the boating activities at a fair price of off land owned by the people of Orange County. Please note I said boating activities, not hotels, not parking structures, not retail shops and restaurants, be my guest to knock yourself silly, but pay for it yourself.

Respectfully,



From: Andrea Adelson
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Monday, August 23, 2021 1:00:29 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commission Members:

Thank you for your service to the residents of Orange County.

After three years as slip renters in Dana Point, my husband and I chose to sell our boat when the Ueberroth company took over and imposed its first rent increase.

This rent hike was not based on any improvements or cash flow needs. It was imposing a new rent standard based on boat length rather than slip space.

That may well be the industry standard, but the consequence is to force from the harbor and boating community small boat owners like us.

The harbor is a community asset, not just an asset for the 1 percent.

Andrea Adelson

Laguna Beach

From: Sandy Simmons
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Monday, August 23, 2021 1:13:14 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To the Commission

The “proposed” slip fee increases in Dana Point Harbor are without merit. Every “study” undertaken left out many harbors and focused on Newport Beach- some of the most expensive real estate and slip rates in California.

It is our fear (and opinion) that the Harbor Partners are on the brink of bankruptcy and laying their poor financial planning and judgement ramifications directly on the boat owners. One need only to look at the results of other harbor projects they have undertaken- all poorly managed and struggling financially. It would appear that they are attempting to form a harbor monopoly while driving out the very people they need the most to survive- boat owners.

Boat owners are voters.

With All Due Respect-

Sanford Simmons


From: DAN SNIPES
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Monday, August 23, 2021 1:19:41 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commissioners;

The slip rental increase in DP Harbor is way out of line. Please use your influence to correct the Harbor Partners from gouging the public for the use of Dana Point Harbor. I am a 67 year resident of Dana Point and I have had a sailboat in the harbor since 1977. I am now retired and on a fixed budget and looked forward to sharing the experiences of the ocean with my grandchildren. I planned for cost of living increases but a 75% increase in slip fees will force me to give up the use of a slip I have enjoyed for 44 years. The county has sold us out to these developers, we need your help to get things back under control.

Thank you for your concern and action on this matter.

Dan Snipes
Dana Point, CA

Sent from my iPad

From: Lou
To: [CSLC CommissionMeetings](#)
Subject: FW: Dana Point Proposed Slip Incease
Date: Monday, August 23, 2021 3:44:15 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I've been a slip paying boater at Dana Point for 25 years....I am 70 years old and retired.

I've seen nearly annual slip fee increases always supposedly based on the slip rates at other marinas... This has turned into a joke....so now, the other marinas will justify rate increases based on Dana Point....and the rate increase justification game goes around and around....and next year, just like always, we will get another increase based on 'other marinas'

As to utilities cost justifying slip price increases....this argument for a sailboat owner is ridiculous....using a large yachts utility usage against my 36' sailboat is comparing apples to oranges. I am a simple sailboat, I use the bare min of electricity to keep batteries up to par via trickle charge and water usage is to wash boat once every 2 months during non rain season...

Over the 25 years the overall condition at the harbor definatly shows wear and tear and improvements are needed on the docks...I would have thought improvement funds would have been built up over time to cover a lot of the improvements...So, where did all my fees go?

Now the answer is to basically privatize what should be a 'public' marina...increase rates based on so called market and gouge the current boaters with promises of improvements to come. But, how much profit are we contributing to?

Bottom line is the proposed slip increases greatly exceed bounds of reason or moderation...All of the following words are applicable...

exorbitant, extortionate, extravagant, outrageous, steep, unconscionable, usurious.....

Thank you
Lou Black

Sent from Mail for Windows

From: Jim Dahl
To: [CSLC CommissionMeetings](#)
Subject: Dana Point Harbor Slip Increase
Date: Monday, August 23, 2021 4:22:44 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To the State Lands Commission:

Please review the increase in slip lease charges before they come into effect in October of 2021. The Dana Point Harbor Partners will raise rates so slip lease holders will have to sell or move their boats. Especially senior citizens that have labored all their lives to acquire a small boat for recreation. The County of Orange Board of Supervisors have allowed this to happen. Please review these increases and tell the County and Dana Point Harbor Partners to cease the increase.

Thank You for your consideration.

James S. Dahl
Retired Orange County Fire Captain and former Mayor of San Clemente.

Sent from my iPad

From: Rich & Mary Palys
To: [CSLC Commission Meetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor.
Date: Monday, August 23, 2021 7:01:08 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

8/23/2021

Honorable California State Lands Commission,

This communication requests your assistance and oversight for the Dana Point Harbor Tidelands Trust.

The County of Orange consistently has not performed their oversight responsibility for the Trust as evidenced by Orange County Grand Jury Findings of [~2000](#) and [2013-2014](#).

Now the County of Orange has again abdicated their responsibility to the Citizens of California and the Tidelands Trust. They are giving the current lease holders, Dana Point Harbor Partners and Bellweather Financial, carte blanc approval to raise slip rents that are self serving, far above reasonable, not consistent with long standing twenty year market rate comparisons with other public marinas in Southern California as well as above their own rent increase responsibility to the County of Orange that, by contract, are limited to CPI increases commencing after the sixth year of their Lease.

In addition, the State of California, through [SB367](#) which was approved September 27, 2017 increased the time this particular company could lease State Tidelands to a period of Sixty Six years. (Up from a maximum of Fifty years). This amendment to the Tidelands Act was presumably put in place to allow for a reasonable ROI on their large investment awhile keeping rental cost to their tenants, the boat slip renters and I assume real estate sub lessors reasonable and affordable.

Bellweather Financial has proposed just the opposite for their slip tenants!

Perhaps it is past time that the California State Lands Commission asserts their responsibility and intervenes in this issue.

I urge you to intervene quickly and stop the proposed exorbitant and self serving slip rate increase which *discriminates* against larger slip size renters (90% vs. 26%) This proposal is scheduled to take place on 10/1/2021.

Thank You!

Richard Palys

[REDACTED]

[REDACTED]

From: Nick Papageorges
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Monday, August 23, 2021 9:21:23 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

California State Lands Commission,

I am a native born Ca resident, property owner, businessman and boater. I have 2 boats in Dana Point marina and wish to simply add my voice to the many upset and growing opposition to the current new master lease holders, DPHP. My family is from Los Angeles and I was raised in Long Beach, started sailing and boating as a kid back in the 70's. I have enjoyed boating and the ocean from LA to San Diego, had slips and trailer boats in Long Beach, Huntington Harbor, Big Bear, the Colorado River and now Dana Point. Each of these area's and locations have different "feels" operational standards, rates and accessibilities. There is NO average rates or fees I have ever experienced. Dana Point WAS and SHOULD remain "an affordable" blue collar "public" Marina.

Here is the very big problem that DPHP have presented me and my fellow dock mates. The county, State, City of Dana point and all the agencies that they encompass...have been lied to by DPHP. The bidding for the marina master lease was won by DPHP through a series of lies and manipulations. The prima facia lie was that they had funding, solid partners within the organization with all skill sets for the three phases of rebuilding AND they were READY to go with the marina in 4-6 months of approval. The other bidder needed county funds and time to plan, gain permits and funding to start 2-3 years. The county and everyone chose DPHP for this FACT.

They had:

1. ALL the skills in house
2. ALL the initial funding IN HOUSE
3. The ability to start slip and harbor rebuilding in 4-6 months
4. They WOULD NOT raise slip rates until new slips were in. (BIG DEAL AND BIG LIE)

Everyone has been duped.

The fraud started the month before they "took over".

1. They had the existing management "raise" the per foot rate for each boat. Slips in the entire harbor and lease were rented by the "Slip length" and boats could be 3 feet under or over without any additional cost or negotiations of exemptions
2. Literally the DAY they took possession, they hand measures EACH boat and changed the deal to FULL length of the boats as the measurement for the slip rate. My boats went from a 27' and 29' in 26' slips to a billing for a 29' and 31' boat. My neighbor went from 26' to 33'. This is complete BS and I have NO idea why YOU or any of the other "ruling / governing" parties are ok with that. So many things wrong and I do believe CRIMINAL with this behavior. And the Brass to do it DAY ONE.
3. Now two and half years later. We have NO work even started. The few "projects" they have done are a complete debacle.
 - a. Bathrooms are in disrepair
 - b. the "new" wi-fi is a joke and actually blocks our normal phone connections and they want additional fees to get any speed = fraud, bait and switch.
 - c. The "new" parking control, at least at my parking lot (West parking including DWYC – Dana West Yacht Club) now has only ONE gate vs three entry / exits (this HAS to be a safety issue and fire code violation too.) It works just as spotty as the old one...but now they want to charge money for our boat guests and friends. More fees and charges = ZERO improvements or work done....criminal lies.
4. October 1st, 2021...the raging issue we need you to put an injunction against and really ground these people and revisit the entire deal. They are raising ALL slip rates approx.. 25-90% AND NO NEW SLIPS OR MARINA.
 - a. My understanding is they failed and lied about initial funding. They are NOW trying to delay work, save money from boaters and add to the pain of their oppression in more raised fees to fund the restoration work. THEY LIED! They FAILED! THEY NEED TO GO!
 - b. I also understand that YOU as well as the Supervisors and others allowed them a special exemption of normal 50 year terms to a 66 year lease so they could amortize the costs better. THEY HAVEN'T SPENT ANY MONEY!
 - c. They site deferred maintenance when they took over and the money to maintain the past two years as part of the budget problem...let's just be real here with no documentation required. If they didn't

understand the 40 year old marina needed rebuilding from the ground up...WHY did the bid and take a contract to REPLACE IT ALL? Also WHY did they promise a 6 month start...then do nothing and complain about service and maintenance fees. Are we dealing with absolute idiots or just real criminals that have defrauded YOU, the Supervisors and ALL the citizens and boaters in Dana Point?

I could go on and start citing physical documents and agreements and their failures. YOU SHOULD have all those records already.

PLEASE STOP this new rate increase and bring this to the attention of the public as well as ALL the state and local authorities than can prosecute these felons and terminate this fraud by exposing THEIR breach of contract AT LEAST.

A VERY upset and concerned citizen, tax payer, boater and local resident.

Nick Papageorges

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: webmaster@danapointboaters.org
To: [CSLC CommissionMeetings](#)
Cc: "Steven Carpenter"
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Monday, August 23, 2021 11:44:49 PM
Attachments: [all_bip_slip_rate_increase_sub_082321_Redacted.pdf](#)

Attention: This email originated from outside of SLC and should be treated with extra caution.

Honorable Chairwoman Kounalakis, members of the Commission,

I am writing as a Dana Point Harbor boater and director of the Dana Point Boaters Association. I am writing for myself and the thousands of boaters in Dana Point Harbor, Dana Point, California.

Bellwether Financial/Marina at Dana Point served boaters a letter, one-third of the (DPHP) Dana Point Harbor Partners, on June 22, 2021, stating there WILL be a slip rate increase in our slip rates anywhere from 26% up to 96% effective October 1, 2021.

We have contacted the Orange County Board of Supervisors, County Executive Officer, Senator Patricia Bates, California Coastal Commission, and Reid Boggiano, CSLC. We have written regarding the unjust slip rate increase that's been imposed on Dana Point Harbor Boaters. The County of Orange has a twenty-year precedent to justify market-rate slip rate increases. Unfortunately, Dana Point Harbor Partners (Bellwether Financial Group /Mariana at Dana Point) used a biased comparison for their market-rate study.

I will not elaborate further since you will receive more detailed information from other members of the public and our Association.

We request your help as Citizens and Boaters of the State of California. It appears there is NO ongoing financial or Dana Point Tidelands Trust oversight of Dana Point Harbor Partners Sixty-Six year lease.

I have attached hundreds of written submissions from Dana Point Boaters that the (DPBA) Dana Point Boaters Associations has received to date. The submissions have been redacted to protect the name and contact information of the individuals from retribution. These submissions do NOT include the multitude of emails sent directly to the DPBA.

I/We request the State Lands Commission to exam the Dana Point Harbor Partners Lease, Financials, and ongoing oversight of the County of Orange and Dana Point Tidelands Trust.

Respectively Submitted,

Steven Carpenter

Steven Carpenter,
Director, Webmaster
Dana Point Boaters Association
P.O. Box 461
Dana Point, CA 92629
webmaster@danapointboaters.org

=====

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Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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Remain anonymous? Your identifying information will not be raised. The responding agency will not respond to you directly; however, DPBA will contact you with their response.

PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

the increase is capricious and unreasonable. DPHP wants to "flush out" anyone who does not have significant disposable income...think of the kids who will not experience fishing with their grandfather or whale watching with family. The letter stated that DP is still the least

available slips, amenities and less expensive. Now DPHP will offer no amenities while they shuttle long time harbor tenants to temporary slips, all while increasing the rent 90%. DPHP is only about making money, they have no interest in the boating community. all we are is cash flow to fund their redevelopment.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

Liaison Program ~ Copyright 2021



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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

What about all of the "non operational" boats in the harbor. I have 3 on my dock.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The new slip increases are ridiculous. My wife and I have a 28' sailboat in the harbor currently. With our rates increasing again from \$409 to over \$600/mo, we are thinking about leaving for Oceanside. We have been on the waitlist for many years for a 40' slip in anticipation of buying a larger boat. Knowing the 40' slips will now cost \$1338/mo versus \$658/mo for a 43' slip in Oceanside, we plan to remove our names from the waitlist and demand return of our deposit. We love Dana Point harbor and live in town, less than 2 miles away, but we will absolutely take our boat and money to Oceanside, and put up with the commute, if DP Harbor Partners wants to fleece us like this.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Please tell me why it was best to go along with these thieves instead of Dana Point Marina co. Thanks for watching out for the boaters.

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

afford this? We were lead to believe these guys were our best option by you ! Our protectors !
Keep looking for more donations from me. Let me know when you get my next one.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

boat on end tie in East harbor

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

[REDACTED]
Because I am a [REDACTED] and unable to be in a slip and must have an end/side tie my rate is going up about 97%. My rates will be the same as a 60' boat but mine is only 33'. I have always paid somewhat of a premium to be on the end but

speaking a small minority in the harbor but all the more reason some dispensation could be made on my account and the few others like me. Their rationale for the large slip large increases is they use water and electricity sometimes over \$1000/mth. Well I don't do that and should not be punished the same as a 60 footer. I won't even go into the new owners, lack of recognition as to what the public wants in boats and that is catamarans. You would see a lot more here on the west coast if there were places to put them. I know they don't care what I think or know but here's my two cents.

Hopeful for a response from the Ass. but I've never gotten one before so I won't hold my breath.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Announced slip increase:

-As a 41 year "tenant" and having visited marinas from southern Mexico to Santa Barbara I can honestly say the unsafe condition of our marina is the worst of all - overlaying the docks with plywood isn't worthy of these increases or the resulting monthly slip fee.

-Add electric meters to slips so we can pay for what we use

previously) If, indeed, a boater is using \$1000 per month in electricity they should pay for it

-Dump the dysfunctional "free" wifi and exclude those costs from the slip rates

-Slip rates should be derived by comparing marinas owned by the public in the market area (Ventura to San Diego) excluding those owned/leased/managed by yacht clubs or The Irvine Company

-Double digit increases should be phased in but should not exceed 15% annually

Certainly One should expect rates to increase with the new marina however the amount of these increases, coupled with the disingenuous tone of the letter, are disappointing to say the least.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Raising rates 60-90 percent prior to completion of the marinas new docks is premature and must to be considered

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

We are very concerned about the excessive slip rate increase for October 1, 2021. Our 30' slip rate increases by 35%! That does not seem like a fair increase for the very limited improvements we have seen so far. We do not agree with the increase and hope further discussion takes place before anything is decided upon. Thank you.

Dana Point Boaters Association

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

Boat in a slip - West Marina

Boat on trailer - Other

Commercial Boater (wharf, fishing, diving)

Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The price increase is outrageous! And to basically excuse it by saying "you had a bargain" is an insult. I expect boaters to unite and push back on this one. Perhaps a peaceful protest by all boaters in the form of not paying slip rent? Everyone expects increases over the years, but jacking rates

2 reasons; to open up slips and relieve the building of the new slips and to open up slips to only the wealthy that can afford the high prices. From what I have seen and have personally witnessed the new DPHP management is going to destroy Dana Point Harbor. They seem to be running all the small business owners and tenants out of the harbor and much like The Irvine Company, they will set up strip mall like businesses to the highest bidders and have their hand in every business directly or via baloney "partnerships". They'll operate their own rental boat company, fuel dock, yacht brokerage, ship yard, retail shops and restaurants. It will be like Newport Coast.

I have operated Harbor Boat Rentals in Dana point since 2013. We rent and charter boats to the public. They literally cut my business in half this last year. For 8 years I operated 4-6 rental boats in the high season May-September. This year they limited me to 2 rental boats and put me on the "charter wait list" to add additional boats. The list doesn't exist. It is imaginary and not published. As a matter of fact, a charter operation that opened 2 years ago and was operating illegally according to DPHP is now adding vessels to their fleet with zero explanation from DPHP. Restraint of trade, discrimination and violation of CA & US Boating & Waterways laws are some serious offenses. I saw this coming. The County of Orange ignored me and told me to take it up with DPHP. Harbor Patrol doesn't want to be involved. DPHP doesn't care. They have a history now of saying one thing and doing another.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hello Kelly,

We can barely afford the slip rate as it is, we are retired. We have been loyal tenants in the marina since [REDACTED] Our sailboat, [REDACTED] was the very first boat in the marina.

We thought there was some level of trust and loyalty with the marina. Rent increases should always be logical, reasonable and affordable. Not everyone has millions to

We have a [REDACTED]. You mention electricity bills. We would be fine with being charged for electricity, as we very rarely use any.

This is a very hard pill to swallow. We just don't have that kind of money.

Respectfully,
[REDACTED]

On Tue, Jun 22, 2021 at 10:25 AM Kelly Rinderknecht wrote:
Please find attached letter regarding 2021 slip rates.

Kelly Rinderknecht | General Manager

The Marina at Dana Point

34555 Casitas Place

Dana Point, CA 92629

(949) 496-6137 – Office

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

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Boat in a slip - West Marina

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The email this morning stated that the rates have not been raised in 3 years. I have had a 30 foot slip for 15 years and had been informed from the original contract signing that it meant we could have a 33 foot boat(LOA). The Marina came around and measured all the boats 2 years ago and my boat measured 32.5 feet(under 33 ft.) I have been paying \$45.50 more per month since. That is an 7.5pct increase. Am I wrong or is that not a rate increase in the last three years?

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

My wife and I have kept our boats in the harbor for 32 years. We are retired on a fixed income. Our boat is everything to us and we stretch to pay our slip fees because its our retirement life style. This increase is an eviction notice for us. I hope supervisor Bartlet understands what this is doing to her public that supported her. No more. We're crying over this.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Slip rate increase is not acceptable, nor is it in compliance's

return of our investment in years. We are going to be inconvenienced for years during construction. This requires boat owners good will, which has been destroyed (again). Market value must be explained, as it's calculation and justification is unjust. This is a PUBLIC harbor. We are used as an experiment to see what they can get away with rate wise. As for the county - shame on You Lisa Bartlett. We. Ist fight this.

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Isn't Dana Point Harbor a public harbor? Can a private

going to do about this for your boaters? We moved our boat from oceanside three years ago to be closer to home, now we can't go back without a wait. I hope you have a fight plan.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

- Boat in a slip - West Marina
- Human-powered craft (kayak, paddle board, etc.)
- Wait-list
- General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)
- Concerned citizen

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Only DPBA staff to forward - you do not have my consent to share my personal info

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Please ask the following questions to help stakeholders understand the "logic" and methodology used to determine market rates:

- 1) As of June 2021, how many total slips in SoCal does Bellwether/Bellingham control in SoCal? Including and excluding Dana Point Harbor?
- 2) recognizing the answer to number 1, how can we be assured there has not been price fixing/ monopolistic pricing used to influence this announcement for DPH?
- 3) has the methodology or financial analysis been provided solely by Bellwether/Bellingham? or has an independent and reputable audit firm like Deloitte & Touche, KPMG or PwC been asked to conduct an independent and unbiased assessment of market pricing?
- 4) what data can be provided to substantiate the claim how smaller boat owners have been subsidizing larger boat owners? What is the factual and financial basis of this assertion?

Feel free to use these questions or forward- but DPBA does not have permission to share, sell nor distribute my personal information in accordance with the CCPA and other applicable privacy regulations.

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Boaters Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Increase in slip fees notice rec'd this a.m. IS OUTRAGEOUS!

company took over. IN Addition they added pulpit and swimstep length to overall length of boat to generate add'l gouge revenue. Is revitalized harbor w new amenities to be completed by OCT 2021 rate increase? Projected 5 years away is a prayer; a galley slave knows construction cost overruns, time and weather delays, dealing with Coastal Comm. will push this out to 10 yrs e-z. I say MUTINY is in the air. If everyone stops paying their slip fees and numerous legal suits filed to "cease and desist" ANY RATE INCREASE TILL HARBOR PROJECT COMPLETED - lightning fast the proposed slip fee increase gets overruled. And where are our beloved elected officials? Who care so much for their supporting voters? Out to lunch as usual. All this New Marina Company cares about is making money..pretty sad; blatantly obvious. Need to get County involved or some heads are gonna roll with upcoming mid term elections. New Marina company SUCKS. This Harbor will be reserved for the "rich" only. What a pity the County Officials sold us out. Typical.

Dana Point Boaters Association

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Orange county District Attorney

Description:

Slip Rate increase. 40' slip now \$787.20, New rate of \$1338.00 or \$6,609.60 additional per year! $\$787.20 \times 170\% = 1338.00$ (yes, a factor of One Hundred and Seventy Percent). We have planned to use our boat in retirement with our grandchildren, this increase just BLEW UP our family plans. Costs have not gone up this much to justify this increase. This is outright GREED and ROBBERY happening on Our State/ County Tidelands Trust, NOT Private Property. Certainly, this not legal. STOP THE THIEVES. Who is responsible for this outrageous increase? We are now very aware that there is something FISHY in Dana Point. We will find out, is it the Marina Partners, the County Board of Supervisors or both?

Did you really think we would fall for your misstatements in the letter outlining your reason to increase rates? The majority of boat owners at Marina at Dana Point are not multi-millionaires, what are you thinking? Yes, a marina on the TIDELANDS TRUST should be less expensive than a private marina. Your comparisons do not add up.

Your statement "It is no secret that the Marina at Dana Point is the Best deal in the County" the secret is out, it is Truly the BEST DEAL for the Dana Point Partners, LLC and a BAD DEAL FOR SLIP RENTERS and CITIZENS of Orange County. An in-depth inquiry is warranted to look at all dealings with this management company. I look forward to you correcting this rip-off.

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Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

\$1000 rate increase makes no sense. I understand 10% increase but there is no left fix or reason for such steep \$1000 rate increase/month.

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

A REASONABLE increase is expected. 10%, even 20% but

"market". And the increase comes BEFORE any substantial improvements have been delivered. Count me. Ming the very angry!

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Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Looks like they are trying to raise rates to Newport level as I'm sure they are, with this remodel, trying to turn Dana into Newport and then charge Dana prices. HB is about what Dana is currently as far as slip prices. Newport, as I'm sure you know, has always been double of anyone else for slip rates. As an example, on Craigslist there is someone trying to rent a 25' slip for \$2400 a month on Balboa island by the ferry.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The price increase is ridiculous! This increase is over 26% for smaller boats. My slip fee is estimated to jump over a \$100 per month. This is just a prime example of why boaters in OC got screwed by the county when they turned the operation over to a private enterprise. I have had my boat in the same slip for over 40 years, and now I am being pushed out so this enterprise can make money. I say leave the harbor alone. It's fine just the way it is!

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Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Might want to remind DPHP that Dana is not Newport and will NEVER be Newport even after construction is done. Current slip rates are comparable to HB. Newport is, of course, double of anyone along the coast, and is unique due to surrounding environment and residences. (i.e. housing is also overpriced in Newport).

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I think this increase is too much all at once. You should have stepped us up over time during the construction period. My question is what do we get for the increase? Security is terrible and I don't mean personnel - you can easily access any of the docks by simply reaching over the gates. Now we are inconvenienced with construction - I get that it will eventually be an improvement, but we have to live with construction for 5 years at a premium price point. Again, stepping up over time would have seemed more appropriate. As a benchmark, I can move my 40ft boat to Kona Kai in San Diego for \$300/mo less and get all the amenities of the resort.

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Share with the following:

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

With respect to the recently announced slip rate increases I found it interesting that rates referred to were an "average" of Orange County marinas. There are only three harbors in Orange County...Huntington Harbor, Newport, and Dana Pt. Since Newport is the largest of the three by far...and among the most expensive in all of Southern California...their rates

commands a premium price due to location, amenities, etc. there is just no fair way to compare Newport rates with a small harbor like Dana Pt.

I also found it interesting that the operators opted to give a lengthy notice of the increase...and stated that their reasoning was to give tenants ample time to find other slip space if they decided they could not afford the increases. It almost felt like the Marina operators were expecting a large turnover to be filled by those on the extensive waitlists.

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This rate increase is totally unreasonable. Beyond belief actually. It will result in the end of boating for people of more modest means in Dana Point. The justification based on slip prices in Newport Harbor is bogus. The true market comparison should be with municipal-owned marinas not the highest end private yacht clubs.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I would be less anxious about the slip increase if the marina would be more diligent about managing the seals, cleaning up the docks of trash and debris. On two separate occasions I have called the marina office about the seals on the docks. The first time the gentleman actually asked me, "What do you expect us to do about it?" The second time I was told they'd put up more buckets and fix the electrical panel that is being pushed over and nothing was done. Regardless of how much we pay, we should expect an environment that is maintained, clean and safe. The rate increase email also stated that after this tremendous increase (their words), the rates will continue to be 35-45% below the average in Orange County. Really? Newport Beach? Should we be expecting another 40% increase? It's all about the money, as is the new gate system that continues to have issues. I get it, supply and demand. However regardless of the increase, they should embrace their clients, not alienate them because they have a long waitlist and/or need the room for the dock renovation. Sincerely...

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This rate increase is nothing more than forced eviction. Most of us with larger boats are retired on fixed incomes. What are the liveabords suppose to do? And they expect us to put up with dilapidated docks and undergo the construction noise & relocation mess for the next 5 years while paying almost double market value. I hope the county supervisors terminate their agreement the "Harbor

How about the million dollar security gate system that every boat owner hates? It is nothing but a nuisance & dangerous in case of emergency. Did the OC fire department approve this?

Signed fed up with nowhere to go and not rich enough to stay!

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Although I understand the need for their increase, I feel that

absorb the additional very large increase. Perhaps due this over 6 to 10 months in increments. Did the OC board of Supervisors not hold any kind of control over the amount the lessee of the marina can charge in the future?

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I have already contacted Supervisor Lisa Bartlett on the issue. I pointed out to her that as slip renters we are being asked to fund the harbor renewal in advance of any work. Typically services are paid for upon completion. I also pointed out that the extensive maintenance work cited by

the docks are unsafe at this point. The free wi-fi touted by the marina operator is something I had in a San Diego slip 15 years ago. The use of Newport Beach in the average of Orange County slip fees skews the figures. The only harbors in Orange County are Huntington Harbor, Newport Beach and Dana Point. Slips in Huntington Harbor are, on average, less than Dana Point. Forty foot slips as we have here are about \$1,000 per month in San Diego, far less than the new proposed Dana Point price and with far more amenities.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Human-powered craft (kayak, paddle board, etc.)

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

Past boat owner with slip in East Marina and current race crew

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

It sure seems that the City and County are doing their best to drive locals out of our local assets that we are all paying for with our high taxes. So much for the social equity that everyone is talking about these days. We had friends with boats leave or sell their boats when the rates were raised 4 years ago because they could no longer afford the boat they loved and used regularly. I'm sure more will do the same this time.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I understand the slip rates will increase with the harbor revitalization. I can't understand the timing and the significance of the increase when the harbor is about to go through a monumental change that will significantly impact the slip renters for the next 5 years. Paying 35% (much more in other cases) during the construction phase is crazy. In addition, The Marina conveniently uses only Orange County slip rates (Newport Beach) to determine the average. Quite convenient to leave out other more affordable marinas.

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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The rate increase letter states that the goal is to raise rents

recreation land. The goal should not be to maximize profit or charge as much as private land (taking into account the extra property tax renters pay on public land). We don't try to charge "market" on public parks, golf courses, schools, because the goal of public land is to allow more broadbased use. Perhaps for "multimillion dollar yachts", more market rates could be more justified. However, setting private market rates as the eventual goal for "public" 25 foot slips is not a good goal for allowing public use of public land.

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OC BOS (County Board of Supervisors)

Landside Operators (DPHP, County Parks, Harbor
Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

"Market rates" slip fee increase. What you mean is Newport Beach rates. You are doing exactly what the representative of Orange County told us they would not let happen to us when they appeared before boaters during meetings leading

ridiculous rate increase will drive all but the very wealthy out of Dana Point. To narrowly focus on Orange County Marinas for your "market rate" increase is pure and simple greed. Why not include LA and San Diego Counties? Greed. To add insult to injury the "spin" in the letter sent out is absurd. Whoever thought that BS would help you sell this increase should be ashamed of themselves. Nothing has changed at the harbor since this group took over. No increase in security. Sea Lions all over the docks, and we get a big fat rent increase. You say in the announcement letter that we have been getting "free utilities". In the announcement sent out a while ago that you were installing individual meters you said it would benefit those of us who don't use so much power and water. You indicated that currently the electric and water bill is averaged amongst all boaters. No one believes our current slip fees don't include the cost of water and electric.

Now we are getting a massive slip fee increase AND an additional charge for water and power. How stupid do you think we are. Shameful. All we have seen from Dana Point Harbor Partners is rate increases and broken trust. 10% rate increase right off the bat when you went to charging by the length of the boat, then the increase in insurance cost by upping the liability insurance requirements and now this whopper increase. Shameful.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

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Boaters Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

This rate increase is way above the average rates and unconscionable! This increase is not 35% to 45% under market as stated in their letter. We have several friends with boats in Newport Beach and we had our boat in NB for several years while we were on a wait list for 8 years for Dana Point. So we are aware of their slip rates, and the amenities in NB far exceed DP and is not an equal comparison. We hope our voices are heard and this huge increase is reduced.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

Coastal commission

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I believe that Dana Point Partners delayed raising slip fee because of the Coastal Commission. Now that they have the green light, the Partners feel free to overcharge slip tenants. Also, they are pushing boat owner whose boats that are not currently seaworthy out of the marina. The COVID-19 pandemic has put financial stress on many boat owners.

a negative feeling about these people.

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Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

New slip rates are way out of line

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Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This slip rate increase is not inline with the state or county vision for dana point harbor. The vision from the county is an affordable harbor. Instead you are aligning your prices with newport harbor-a very expensive harbor.

With this new price point, i will give up on my dream of staying in the harbor. So I immediately put myself on the waitlist at oceanside, its 3 years long.

out over time.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

Human-powered craft (kayak, paddle board, etc.)

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Rate increase 2021 general statement: I feel the Marina provides an incredible amount of value for the very fair amount of money to have my [REDACTED] slipped there 24/7 365. I spend thousands annually on maintenance as well at local shops and restaurants. The tenants worried about a couple hundred dollars makes me think of all the boats in utter disrepair all over the harbor... think how fair that is to the "wait list" community members.

kindest regards, [REDACTED]

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This slip increase is way out of line. I have been in this marina for over 20 years and have always been treated fairly until now. We have had rent increases over the years which were reasonable, that was ok. Now you are nearly doubling our rent. You bring in way over a million dollars month as it is. This is not Newport Beach, which you are comparing us to. This is Dana point! We are, for the most part just middle class people who like boating. You should be ashamed of yourselves driving hundreds and hundreds of lower income people out of their love for boating. Shame on you!!!!

I think that most of this slip increase is because of very poor management.

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Human-powered craft (kayak, paddle board, etc.)

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

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Marina at Dana Point

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Please let me know how I can become involved in investigation of and resistance to the wrongful rate increases. Here was my response to Kelly Rinderknecht regarding the rate increase:

Kelly,
Thieves.

Since I have moved my boat to Dana Point slip fees have increased 5 fold.

In addition, I now pay the property taxes on YOUR lease.

Besides, this marina belongs to the OC Taxpayers.

I pay for it in property taxes then I lease it again through a slip agreement and then I pay a shadow tax for property under my boat which I neither own nor control.

The condition of the marina is shameful. Not because of age but because of lapsed maintenance.

And of-course this results in artificial justification for your proposed marina replacement and overreaching upgrade.

How will you fund this? Through preemptively raising MY fees and spending MY tax dollars.

Wrong and shameful.

Why do you think its OK? Greed and because you believe you are entitled to.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Rate increase seems excessive, especially considering that virtually no money has been invested to physically improve facilities. The marina defends the increase claiming it is only 6% per year since last increase. With standard inflation at 3% per year, this is double. I have a 30' slip with a 32.5' boat. My rate increase looks like it will be 33%. This new rate is closer in line with what I was previously paying at Newport Dunes. Their facility is in much better condition, they have ice machines, swimming pool, etc. I

increase was expected once improvements were made, and without any limitations in the land lease I expected them to be huge. Just seems like too much, too soon.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

we should push back, this is unreasonable and unfair. This will hurt the boating community

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hello, I have been a slip renter in Dana Point for over 8 years and am very troubled by the rate increase which we are facing. This increase couldn't come at a worse time, due to the economics we as boat owners are facing. These rate increases hurt the smaller boaters the most. The large yachts referenced in the information letter are honestly unaffected. What makes it even more troubling is we are

being renovated. We can see being displaced from our slips, dealing with construction problems, and the quality of our marina will take years to be realized. This will not happen overnight. We all know that.

So, hit us with a huge rate increase and ask us to be patient while the harbor is renovated? The fair and right thing to do is wait UNTIL all the renovations are done, then a rate increase would be more tolerable. Until then, I encourage the Marina to shelf these rate increases.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This rate increase is exorbitant! It should be illegal to raise rates that much while the docks and slips remain the same. Further, when the remodel starts, the boaters will be totally inconvenienced but will still have to pay a much larger slip rent???? How does that work???? It would make more sense to grandfather current slip rents in, and raise rents for

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

WE have been had. We are now oppressed by Newport and Irvine money. A 66 year lease...with apparently no accountability! The county Supervisors SHOULD step in and try to leash this action. DPHP promised NOT to raise slip fees AND to replace slips within 4-6 months of getting contract. They had the old guard raise slip per foot rates the month before they took charge. Then said "we didn't raise it" = BS. The DAY they took over...they changed the terms from per slip fee to per FOOT and measured every boat in the marina and RAISED the month costs A LOT. never started docks...never added benefits like WIFI...Zero improvements. NOW...screwed up ALL THE PARKING for guests and it's a pain to deal with someone stuck to get out = parking FAIL. They just added WIFI...and it's not free. The free level locks your phone into a grid lock and you can't do anything. Then you have to pay to get a functional WIFI = are you kidding me? Best harbor ever = NOT. Many harbors offer FREE secured WIFI for boaters. This is another DPHP = greedy FAILURE. They are planning on making us pay for utilities = more greed and crappy service.

We are ALL sure...as soon as the docks are actually done...they will raise fees again. So they hold us in 30 day lease terms...with waiting lists that give boat owners little options and NO security at all. We are ripped off in broad daylight and they have the accountability BLM has. I am very serious about the point of accountability and negotiations. We boaters HAVE NO RIGHTS AND NO PROTECTION. The County and YOU GUYS...the DPBA = should be VERY pissed and get after this HARD and FAST.

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Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Rate increase

We have a 55' slip on the West Basin. I understand the reasons, and expected, a rate increase but the magnitude and logic provided for these increases was incredibly inadequate. The overriding problem that I have with the communication is lack of transparent data behind the logic of the rate increases.

and small vessels subsidizing large vessels. First, we should all be able to see the data behind each of the OC marinas rates by slip size. This should only include public slips, not private docks, such as is available in Newport harbor. Secondly, electric rates should not have factored into the decision, since we were notified that this will be an incremental charge based on individual slip usage. Additionally, with the exception of liveaboards, I find the general statement that hundreds, to more than a \$1,000/mo. is used by slip owners, to be suspect. Thirdly, larger slips have always been charged more per foot, so how can they be "subsidized" by smaller boats?

Lack of data and transparency will drive a negative reaction, even for those that remain in the marina. I implore the partners to provide the data and analysis that truly went behind the rate increases to foster continued positive relationships between boat owners and the harbor partners.

Furthermore, all boat owners understand and expect that we will experience significant disruption for years while the harbor is undergoing invasive repairs. This should not be the time to drive excessive price hikes. Rather, a better solution might be to provide a long-term schedule of price increases over the next 5-10 years. This allows the Partners to increase cash flow for the extensive redevelopment and boat owners to plan on the price increases. It should also be noted that existing rate comparisons are based on harbors that have either been renovated, or are not undergoing massive disruptive repairs.

Hopefully the DPBA will be able to act as true partners with harbor management in guiding a more equitable long-term solution that meets the needs of all stakeholders.

Respectfully,



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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The slip increase is simple outrageous. Depending upon the boat and slip length, it could be 33% or more if I understand correctly (\$260 a month for me which comes to over \$3,000 a year!. This is so unfair especially to the holders with smaller slips. And why? To pay form the rebuilding of the

years? This is a County facility for the benefit of the citizens of Orange County, not simply a profit making enterprise. It would be no different than asking people to pay for using County parks. Something must be done.

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Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

No more rate increases!!! Didnt we have one not too long ago?

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Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

It's a shame when you have to raise the rates so high. My slip fee would be \$900 up from closer to 500 dollar prior to the take over. You raised the rates 3 months after you took over. Then you started carving by the foot which increased my rate another 60 dollars and now a 30 percent increase. Are we living in the real world. Don't compare us to Newport where all the millionaires live. Compare us to Oceanside which is not privately held If your trying to get rid of boaters you are doing a great job

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Stake in the harbor:

Boat in a slip - East Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

Local resident

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Any

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Most of my boating neighbors have zero trust for the Marina Management Company. Zero. They have earned that by promising not to raise rates if allowed to take over, then getting control and immediately changing the methodology

played the same kind of game in promising that any further rate changes would be disclosed and discussed prior to finalization - which in their mind amounts to the provision of a courtesy copy of the final result less than an hour before new rates were disclosed and imposed.

This group has no credibility. They cannot be trusted. They should be asked to provide the documentation and explanation of every aspect of their letter. The facts of this entire event, and the history of their actions with regard to rate changes, should be brought to the relevant county agencies for review.

To this point, there is no benefit whatever to boaters from any of the actions of this management group. None. Why were effective rates raised when they arrived and brought nothing, and why are they being raised now when all they promise is displacement and inconvenience for boaters in the Harbor?

Thank you,



Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

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Boaters Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The County determined the funds were not available to complete the planned renovation of the harbor. Thus the multi year lease to Dana Point partners. When DPPLLC took Control my slip fees (30 ft slip) immediately increased 80 dollars now another increase of approx 130 dollars. Question:

the harbor on the back of slip fees.
The County should not have given up control. My slip fees are minimal compared to larger slips. I think the County could have done wonders with those additional funds. It was a mistake to give this beautiful treasure to a private company.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

Boat on trailer - Embarcadero

Human-powered craft (kayak, paddle board, etc.)

Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hello,

I was prepared for an increase once the harbor & marina was complete. Once I heard there was going to be wifi I expected having a small increase. My increase for a 35' slip went up 45%, that is almost half. I love Dana Point it is one of my most favorite places, but it is not Newport Harbor. I have a box locker that is very old and worn. What the marina calls repairs are planks screwed to the docks. I can't imagine what our fees will go up to once the project is complete.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

An unacceptable rate increase
Discriminating larger boat owners with huge rate increases.
This is inflationary discrimination rates should follow per ft
rates //not doubling larger slip owners rates. This is an
atrocious use of power against a segment of the population
imagine punishing a segment of the population base on the
size of there house ?????
Joe Unerroth and Ken Grippa need to reconsider there
decision regarding unequal rate increases
Maybe the county should punish them with rate increases
based on the size of there CDM houses. Why not rental
rates based on increases in or water displacement or weight
next??????
This item needed to be discussed in forums for the public
before it was slated for implementation

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I don't know where to begin, frankly. The letter sent on slip increases was riddled with inaccuracies at best, or lies at worst.

They have in fact recently raised slip fees. When they first took over. If I remember correctly, mine went up over \$100

I don't care about having internet. My phone is faster than the internet provided. The bathrooms are always gross. They paid multiple people to sit and check for marina stickers while they tried to figure out how to make parking work. This went on for over a year.

It feels like the boaters are being forced to cover renovation costs or to cover bad business decisions by management. If we're not okay with that, they'll find someone who is. We're not Newport. Newport is a scene. If you want to find comps, consider the size of the harbor. Look to immediate neighbors.

Also, it sounds like they're not done with increasing fees. I get fees need to go up based on inflation or to support some new projects. But this is over the top and will cause many to reconsider where they keep their boat.

Honestly, who chose this company? Are they related to Lisa Bartlet? Their email was horrible and everything they've done (including their logo) is horrible.

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Stake in the harbor:

Boat in a slip - West Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Proposed slip increase dated 6/22/2021

Wrong on so many levels!

I estimate that present Marina Slip Income is ~\$14.8 Million/year not including the recent "overage length fees" as well as Sublease fees. The proposed increase brings Gross Slip Income to ~\$21 Million/year. Maintenance of \$1 Million a year is not unreasonable on a totally depreciated property.

The state changed the law which allows 56 year leases on tidelands property (Previously 30) to allow this company an adequate ROI on their investment without incurring excessive costs to the tenants. The opposite is appearing to occur!

The increase letter tried to change the narrative on slip cost comparisons, in the past, ALL Slip Market Comparisons were performed on ALL Southern California Marinas. Not just to Newport Beach which would skew the numbers. Why not include Oceanside Marina which is also close to Dana Point. Even San Diego.

I don't have the data, but I suspect that ALL southern California Marinas have long wait lists at this point in time, and probably have had long waits for periods of time. Probably easy to check this fact.

I have been told by a few people that, even now, that Dana Point Marina Slip Rents are the highest of any Public Marina in the United States! Appreciate feedback on that statement.

Addition of the new parking gates are not considered an enhancement or improvement by the boating community. Just the opposite!

I do recommend that the DPBA contact our elected officials at the County and State levels to identify the greed and misuse of the trust given the Marina Partners in administering public tidelands for personal gain. They should not abdicate their responsibility to their constituents and the people of California to protect the Tidelands Trust.

I also suggest that a Grand Jury be formed to investigate the possibility of wrong doing in the present management of Dana Point Harbor as well as what is starting to appear as to what is happening with the revitalization process.

Always appreciate the DPBA spearheading the effort for the boating community in Dana Point Harbor!

Thank You!!

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

A 30% slip fee increase is horrible. And then, to say that this is 35-40% low compared to other OC slips - that will make us more expensive than the Newport Harbor. Is that their goal - make it Newport Beach. And then, defending their increases on parking gates (the old ones were just fine - the new ones are to their benefit not ours), WiFi (I go to my boat to get away from WiFi, not to bring home to the boat) facility

justify it by saying its only a 6% increase per year - who is getting a 6% raise each year. This really is going to become an increase on "what the market can bear." I think the county should weigh in on this in defense of the residents of the county.



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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

Two boats in West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I would like to see the "raw data" that is being used to compare rates with other Orange County Marinas.

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Greetings -

In response to the notice or rent increase without prior discussion with the Boat Owners Assoc., the timing was not unlike the bombing of Pearl Harbor versus Japan's notice of war.

To act in this manner shows the arrogance and disingenuous nature of The Marina at Dana Point (which is also exhibited through the name change of Dana Point Harbor) management and the disregard of the folks who pay most of the bills.

I demand that the rent increase be halted until constructive and open conversations with the Boat Owners Assoc. take place and the MADP management can show the substantive need for a rent increase.



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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

My issue is with the slip increases at such a substantial rate. Only reason given is essentially the market can bare it and who cares about those who can't afford it. I can understand a modest increase based on increase in costs, maintenance, amenities, etc., yet the only thing done is they have now provided WIFI to the entire harbor. (They mistakenly suggest it was provided to boaters) Which marinas are they comparing to when they suggest average rates? Many other marinas with higher costs add substantial amenities, e.g. nicer facilities, pools, jacuzzis, lounges, etc.. This rate increase is shocking and unwarranted. Dana Point is a small boating community and doesn't deserve to have its boaters and residents pushed out of the harbor.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

A 31% increase in monthly slip rate is a direct result of poor management and greed. The letter sent out was full of exaggerations attempting to justify this action. I fully understand increases, but 31%!

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Landside Operators (DPHP, County Parks, Harbor
Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The saddest day in DP marina history, the elitist have taken over!

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Stake in the harbor:

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I have had an [REDACTED] for 16 years. While I understand the current rent is very reasonable I would appreciate it if they would more gradually increase our rent to market rate over a period of time. Maybe 5 years since that's how long the

be more considerate that people are forced into paying whatever rent is being charged. Thank you

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Marina. It is now very clear that the LLC priorities lie strickly with increasing revenue, and commercialization of the Harbor, with little regard to the satisfaction of the core Marina inhabitants. Even the proposed/planned new Dock configuration is strickly designed to appease the commercial (tax) base of the businesses, and to hell with the needs of the boaters. The LLC could care less about satisfying the supportive boat owners , unless you own a megayacht. Quit trying to make DP into Newport. Reverse the slip increase, even if it means dialing back the revitalization. (All we've got for our increased slip fees are new signs...)..

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Landside Operators (DPHP, County Parks, Harbor
Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

200 a month increase (31%) on a 35 foot slip is criminal. In

(pools, spas, gyms, boater lounges) and dock conditions add or subtract from the so called market rate. The letter says " Harbor needs to demonstrate that it can support significantly higher rates without affecting occupancy" Who must they demonstrate this to? Lenders? It appears they have funding issues.

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Stake in the harbor:

Boat in a slip - East Marina

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

Would love to support; what can I and others on the docks do?



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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The question is to the Dana Point Boaters Association. Is there any effort to mount an email campaign with Lisa Bartlett and the OC Board of Supervisors regarding the rate increase issue? The original plan, as I understood it, was to use the revitalization of the retail space in the harbor to keep the rates in the marina reasonable. Now we find out it's the opposite - marina rates are going up to help finance the revitalization. The letter we all received from DPHPartners was misleading and condescending. It is

of us in the smaller slips would leave, so that they can create bigger ones and collect higher fees. If the board of supervisors agrees with this group, then it is clear that they too want to eliminate middle class boat owners and make this harbor for wealthy yacht owners only.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Comparing Dana Point to Newport Beach as basically the only other OC marina isn't fair. The area comps are no where near similar. To think that DP is on par with Newport Beach is preposterous.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hopefully you have a reasonable response coming. We don't discriminate against other boaters and our docks suck. Why should we be asked to pay up front for harbor dock improvements. FYI don't compare us to OC harbors but to

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

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Share with the following:

Marina at Dana Point

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hello, the rate increase has almost doubled for me for the slip alone. There are waiting lists for other Harbors but they are 5 to 7 years waitlist. I was already on your waiting list for five years before I got a slip. What are we supposed to

4 months is not a Sufficient amount of time. I have had a
boat in Dana Point Harbor since [REDACTED]
[REDACTED]

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Marina at Dana Point

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I think your increase of 80per cent is disgusting and I hope all the boats that cant afford it pull out of your slips You r all horrible people



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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Outrageous increase in slip fees Oct. 2021, submitted email to Supervisor Bartlett opposing the outrageous increase in fees.

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Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

As a boat owner and slip leasee, I am dumbfounded by the

I bought [REDACTED], a 1980 Catalina 27', three years ago in near Bristol condition for \$8,600.

With a near \$100.00 increase in slip rental, I will rapidly exceed the boats value in slip fees.

That's ridicules.

To say that the increase amounts to "eight percent per year since the last increase" is nothing less then a moronic explanation.

Is the County had determined that it needed to increase the lease costs by three times the CPI to pay for increases in costs, it would have already done it.

To make a retroactive increase argument is absolutely asinine.

Sincerely

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Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I have been in the harbor since approximately 1997. The partners have taken over the harbor. There has been no real improvements. They have made parking more difficult and expensive, effecting businesses and yacht clubs (of which I am a member [REDACTED]). Now the Partners claim that Dana Point should be made to pay the same as Newport, increasing my slip from \$913 approximately to about \$1554.00 without any actual changes in service. Dana Point is not Newport and it won't be. Personally I am

of Dana Point. I am sure the Partners don't care anyway.

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Stake in the harbor:

Boat in a slip - West Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

TMDP notification is a blatant disregard and abuse to the boaters of Dana Point Harbor. It is my opinion, once again, the boaters of Dana Point are financing the entire guarantee for funding of the Dana Point Harbor Revitalization Project.

In the past, boater slip, dry storage, and other boaters-related revenue collectively added up to 74% of the yearly Tidelands Trust revenue. With a price rate increase of 25% to 96% on slip rate and we haven't seen anything but slip rate increases since DPHP took lease possession of our Harbor. Also, there will be slip rate increases AGAIN as you move into your newly assigned slip!

Remember, California citizens own the harbor and ONLY to be used as a harbor by the County of Orange. ALSO, follow ALL the laws of the California Tidelands Trust and Dana Point Tidelands Trust.

We've seen new harbor signage and dock repairs, and they DO NOT justify this kind of slip rate increase. Boaters must stick together to unify and stand strong against blatant disregard by the lease, DPHP, and TMDP.

We must request the logic, financial formulas, and other harbors used for these rate increases. We are a public harbor, not a privately owned harbor, and ANY slip rate increases must be justified and compared against other public harbors.

Thank You

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Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

The recent rent increases communicated by the DPHP is nothing short of extortion and highway robbery. We moved our boat out of Newport Beach 4 years ago because the slip cost was prohibitive and only affordable by the wealthy. If DPHP is permitted to match Newport Beach rates than boating in Dana Point be the same. We will be forced out of boating which is all that keeps us in Orange County, and California for that matter.

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Stake in the harbor:

Boat in a slip - West Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The 6-22 letter says:

"To move forward with the revitalization of the harbor next year, it is important that we can demonstrate that the boater demand in Dana Point Harbor can support significantly higher rates without having a severe impact on occupancy."

Well now the Partners know: The harbor tenants will not support this kind of increase without protests, political agitation, possible lawsuits and rent strikes. So Harbor Partners proposed lenders should know this kind of outrageous increase will not be sustainable. Partners need to either scale back the revitalization or better yet, negotiate to cancel the lease and disappear.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am confused about the dock slip rental price increase and how it is being increased when the docks are going to be redone.

I would like to be placed on your mailing list as I was forwarded your email from a fellow boat slip renter.

Thank you,

[Redacted signature]

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Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

With over a thousand dollar per month increase in my slip rate I'm concerned that Ms. Bartlett is complicit in the nefarious dealings of the new harbor lease holder. Is she aware that he is buying up marinas in almost every harbor in southern Cali?

Does she know that while they still accept deposits for a waitlist position they are not releasing any slips?

Instead they collect cancelled slips and re-rent them on a temporary status at a 75% increase in the rent.

premium and still charge me a fee as well?
They say the slip increases are " at market " factoring
utilities. How many boats are using no utilities at all?
They are creating a monopoly buying multiple marinas and
using their own exorbitant rates as a factor for
comparisons.

A 95% increase? How could this ever happen? Who's looking
out for the public in a public marina.

What has gone up \$1,300 a month in your life? As a retiree I
can't suffer an injustice like this and not question who is
complicit.

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Landside Operators (DPHP, County Parks, Harbor
Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I love this town and I love this marina...The way it is! Why

forget about this ridiculous expensive "revitalization"
boondoggle.

I think it is a mistake to bulldoze this place we love, to
replace it with one we can't afford. SAVE DANA POINT
MARINA!

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Stake in the harbor:

Boat in a slip - East Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

We new rate increases were coming but this is over the top! I've been in the marina for nearly 40 years and I am use to the annual increases of CPI or slightly more. With the

of inconvenience we will have to endure during the revitalization period you would think DPHP could take a more realistic approach. I'm not sure what the County or the public can do but I believe there needs to be some serious public push back.

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Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

ive waited for a chanell slip for 18 years and bought a vessell to fit that slip. Now im told ill be moved to where ever they like and my rent doubled. The harbor deal needs to be undone .
We should have 12 defferent marinas with 12 defferent owners 12 defferent styles and ethnicitys. THE prequalification B.S. to bid on the harbor was just a code word for graft and left many qualafied groups and people left out.GRAND JURY PLEASE

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following: Marina at Dana Point
DPHP - (Dana Point Harbor Partners)
OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description: Good afternoon,

Thank you for the notification regarding DPHP slip rate increases. I find the lens by which the letter was written interesting as it is solely through the eyes of DPHP and not

I have had several boats in Dana Point Harbor for many years. During this time, I have endured promises to remodel the harbor, fix our dangerous docks and correct electrical issues that to date have yet to occur.

One of my boats, [REDACTED] is in the [REDACTED]. To get to my boat, I must walk along continuously crumbling docks with cracks and plywood that are not just an eyesore but are also a real unsafe tripping hazard. The electrical is so poor (98v/198v) that I must run my generator at the dock to get my AC and heater to work. My dock is missing a finger thus I have access to only one side of my boat as apparently the pile collapsed and rather than replaced it, the harbor chose to just remove the finger. From the lens of the customer, I have been asked to live with a very poor product and thus I pay a slip rate that is lower than the Southern California market.

The letter sent identifies the following "great strides" however none of these have or will benefit the customer:

- Unifying management
- Completing entitlements
- Communicating that I am expected to live through a 5 year-19 phase construction disruption

What will benefit the customer is the completion of modern harbor facilities that already exist in the Newport Beach peer group that DPHP is attempting to compare itself to and price itself accordingly.

Additionally, the letter panders to the owner of smaller boats in the marina that the larger boats will pay a disproportionately higher increase than the smaller slip tenants who are apparently "subsidizing" the larger boats in the existing pricing structure. This is simply mathematically not accurate, the larger boats already pay a premium to smaller boats [REDACTED] 55' slip is \$20.45 a foot while a 30' slip is 18.20 a foot.

The proposed 95% increase to \$39.90 a foot is completely out of market with the newer safe and modern docks in Long Beach and San Diego. For example, the Kona Kai resort is the premier marina in San Diego with significant amenities. WIFI is free as is use of the resort pool, spa, beach, fire pits, pump outs on each dock, etc. A 55' slip in this new modern marina is \$29.50 a foot which is 26% lower than the new listed rate.

I fully expected that DPHP would increase slip rates when they achieved a product that was on par with the competition. I am perplexed at the timing to institute egregious rate increases before they put their customers through 5 years of construction and inconvenience. Additionally, DPHP is demonstrating its lack of experience

until a quality product is built. Additionally, pricing Dana Point Harbor with its actual peers will be valuable to the local community as the existing pricing structure will only increase the demand in Newport Beach, San Diego and Long Beach harbors.

Best regards,

[REDACTED]

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The assertion that there are multi-million dollar boats

by smaller slip tenants is preposterous. Not only is this demonstrably false, it seems to be an effort to offer consolidation to smaller boat owners by demonizing larger slip tenants. First, other than a handful of brand new boats in broker/dealer slips, there are no "multi-million" dollar boats in tenant slips. Second, I imagine my boat is among the more power-hungry in the harbor and I know precisely how much power I draw while idle in the dock, and it's a fraction of what I consume at home. I've never had a residential power bill anywhere near \$1000, and I have a pool.

It's true that larger slips charge a proportionally lower rate for the amount of space they occupy, so an proportionally higher slip rate would be understandable, but a sudden 95% increase is offensive and is so far unjustified. For me, this is more than a \$1000 increase per month, or nearly \$14,000 more per year.

This increase in slip rates will fundamentally and irreversibly alter the small-town character of our marina and will drive many good people not only from our marina, but boating altogether. What a terrible shame.

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Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This rate increase amount is ridiculous. The rates have actually increased in many cases by measuring the loa of many boats. Previously for example a 25 ft slip would allow you to be up to 28 ft. Now you pay an additional amount for every inch over 25 ft. Including swim steps, bow pulpits, outboard motors etc. How can they justify this massive increase ? This is not a private marina. I sold my trailerable boat when they reduced the parking area at the launch ramp by over 75%. It became impossible to launch on a busy weekend . Where will this end ?

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

Human-powered craft (kayak, paddle board, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Dana Point harbor has had my money since 1969, it took 6 years from that time to get [REDACTED], one I am still on and I have not missed a payment since. Over the years there have been, for the most part, reasonable and understandable rent increases, this one is not! Our rent increase will just about double putting it in the category of the highest luxury private marinas, which we are not!

We are looking at 2 to 5 years of construction inconvenience, with only the promise that the remodel will = the high end. If and when that happens raise the rent to a reasonable level.

Looks like this is a hand out to the wealthy who will pay anything to not stand in line, driving out passionate boaters and local residents of modest means.

I was told by one the "Dana Point Harbor Partners" He wanted this harbor to be his legacy, a place like when he was a kid growing up around Newport Harbor. Looks like he will get his wish, his kids will be the only ones that will be able to afford this Harbor!

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat on trailer - Embarcadero

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I can appreciate that the primary focus of the DPBA has to be on boats in slips, but I've seen no evidence that you care at all about trailer boaters. The reduction of parking for trailers and tow vehicles has ruined what was once the jewel of So Cal boat ramps. I've been launching at the ramp

Every weekend trailer boaters are turned away because there is no place to park. I'm told that after I launch I have to put my trailer back in its space in the Embacadero and then find some place to park my truck. And when I return later I have to go hook up again before retrieving my boat. That is ridiculous and adds a lot of time and effort to a day of boating. Unless I want to launch at 5 AM I've given up going on weekends. If I can find friends able to go on week days, its still difficult to park. The harbor should be for boaters instead of tourists. Give us back our parking lot.

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DPHP - (Dana Point Harbor Partners)

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Description:

I hope none of the folks complaining here have been flying those Trump banners for the last few years. The last administration was all about privatization of national parks, schools, and the USPS and this is a great example of where that strategy takes a public asset. When things are run by the government, it's votes (and public happiness) that drive decisions; when things are run by corporations, profits drive

privatization is meant to work: wolves gonna wolf.

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Stake in the harbor:

Boat in a slip - West Marina

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Description:

I wish to voice my deep concern about rates being raised in

owners. The response of a typical 6% increase per year seems ludicrous. I don't receive 6% pay increases per year! What this increase seems to do is force small boat owners to leave the harbor — in favor of larger boats who don't seem to pay nearly enough of their fair share. My 22 footer costs around \$20k new; a 40 footer can easily be closer to 10x that price. Is their slip fee 10x mine?? No it is not.

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Description:

The recent letter announcing the absorbent rate increase is unacceptable on so many levels. We have been in the harbor for over 21 years now and like so many boating is our life. Having recently retired and working on a fixed income this increase of over \$900.00 per month will

and grandkids. I know many of our boating friends are in the same position.

From my point of view, like so many I am looking for statistical data to back up the claims that were written in the recent letter. I can't believe the reasons given such as dock improvements, free WiFi and paid utilities not to mention the inconvenience boaters are going to experience suffice as reasoning. Then to site average market value is a joke. Actually I am insulted with them telling me what a bargain I have got for years and now it is time to pay for it. What is wrong with these people. They certainly don't have the boaters interest at heart but rather their checkbook.

Let's hope DPBA along with supporting members can banded together to work with city, county and state officials to repeal these ridiculous rate increases.

It has been a fun 21 years. Let's hope it doesn't end here.

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Description:

I think the new slip fee rates are to high for the level of the Marina. The docks are in bad shape and need to be replaced. The marina is not a first class marina to command that size increase. Our marina is not comparable to Newport Beach! San Diego Marinas have much more to offer at a lower rate. Maybe when the revitalization is completed higher rates can be revisited.

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Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

The Harbor partners are still taking waitlist deposits but not releasing slips. In fact when a slip is relinquished they abscond it and re-rent it at a sublet rate of 150% it's tenant rate.

When a tenant temporarily leaves their slip the Partners sublet it at the aforementioned 150% but they also charge the removed lessees a portion essentially double dipping. Marina employees have shared a number of other inadequate and nefarious dealings by this current management company.

Raising rents as much as 95% is criminal and immoral but just the tip of the iceberg and we , the tenants are the passengers funding the Titanic.

When I called the marina office and was told," there's nothing the boaters can do about the slip increase Orange County has no power to stop us" I was flabbergasted. The arrogance is obvious at their lowest employees answering the phone and it's known that a tick eats from the head. Stop this flagrant injustice now !

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Boat in a slip - West Marina

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Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Having received the letter from the new Marina Operators with the unjustifiable and egregious slip increase that amounts to nothing more than a money grab, it seems that we have been duped. The new operators are in essence caretakers of the County owned and paid for with tax payer and occupants funds. They have been granted a concession, not ownership of the public's real estate. Yet the behavior and logic used is that of a landlord with unrestricted rights.

I spent a couple of hours researching the "comps" of similar marinas that are not privately owned including several from San Diego, Oceanside, Long Beach, up to Cabrillo and the slips rates for all are 35-45% less than the rates imposed by DPHP.

What's more, these Marinas have services and amenities than are far superior to what Dana Point Marina has.

What is abundantly clear is that the DPHPs have cherry picked the Newport Harbor high rent district rates in order to impose and justify this rate increase. With many boat owners who are of meager financial or fixed income wealth, they have in essence forced them to flee the harbor. This seems intentional and elitist to state the obvious.

I am not sure what recourse the tenants have but I support any efforts to bring sanity back to our harbor.

This is not Newport, it is a middle class Marina that has supported the maritime enthusiasts that are of less than high net worth.

Respectfully,

15 year tenant

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Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Dana Point City Council

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

If any Dana Point boater is shocked by this money grab, to his credit for honesty, Joe Ueberroth admitted publicly his desire to maximize profits in his takeover of Dana Point Harbor in this interview with Marina Dockage.
<https://www.marinadockage.com/joe-ueberroth-discusses-marina-development-and-industry-trends/>

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DPHP - (Dana Point Harbor Partners)

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excessive. While we all understand that over time a reasonable increase may be required (the last was a little over 2%) 26% in my case is extremely excessive. With rates increasing between 26% - 95%, this looks like an attempt to drive many long term tenants out of the harbor. Let's discuss reasonable increases?

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

STEEP Increase on slip rent PLUS THE STATE tax.
Do ALL you can, Thanks for the help.



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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I find the methodology for the proposed rate increase to be severely lacking.

What are the financials? What is the cost? What will the debt service be? And what will the residual profit retained

that really matters. After all, this is just about paying for the required improvements not maximizing profit to Dana Point Partners right? Right....?

This is a big project and Harbor Partners should be fairly compensated but their compensation for work on public property should be tied to the work that they do, not what the market will bear.

Even if they are allowed to tie it to some sort of "market rate" metric then comparisons to Newport Beach Marinas should at minimum be adjusted for median boat value and/or median home price. Dana Point is NOT Newport Beach and efforts to tie Dana Point rates to one of the most expensive marinas/cities in California are transparent. Dana Point harbor is a shorter drive time to Oceanside harbor than it is to the Balboa Ferry. Are Oceanside rates equally weighted with Newport?

References to Multi-million dollar yachts and free utilities topping \$1000 per month in value are laughable. Lets do a survey and see what percentage of yachts in the harbor are valued at 2M+. One percent, maybe? Probably all new Nordhavens. I am not sure the harbor has any long term Tenants on multi million dollar yachts.

If they think owners are getting \$1000/mo in free utilities lets hold slip rates constant in real dollars and install sub-meters so everyone pays for the utilities they use. Harbor partners will surely be rolling in all the \$1000/mo electricity and water we have been sapping from them, right?

The bright side is that with this notice Harbor Partners has given us a lot of clarity on how much we should all be pitching in to a legal defense fund on the rate increases. That surely seems like the only logical response.

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Stake in the harbor:

Boat in a slip - East Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am just writing to lend my name to the hundreds of Boaters who will be affected by this selfish and greedy slip increase slated for Oct. 2021. Not only are these horribly high

mess. As a partner on a boat I continue to have no parking rights in the Marina even though we followed all requests for documentation. I am on both the 30 and 35 ft. waiting list, and should have been up for a slip in the near future. Now, with the freezing of the current lists, it appears that I will now wait for unknown additional years. The enforcement of these rules seem arbitrary, and heavy handed, with no appreciation for the years of time and money spent in and around this Marina. Please feel free to forward this message to the OC Board of Supervisors

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Landside Operators (DPHP, County Parks, Harbor

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Description:

Dana Point Harbor Partners doesn't give a dam for the boaters or for Dana Point Harbor. I guess the harbor will soon be called Little Newport by the Sea.

This is a public harbor and our County Supervisors should see that we aren't going to be priced out of boating.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

SC of DWYC

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

QUESTIONS:

Should we also be reaching out to Pat Bates and RBOC?

Do we know the demographic of slip renters? Seems like the majority are seniors, which would mean this is an attempt to rid us of older owners on a fixed income to make room for the young and affluent.

drafted that can be distributed to slip renters?

Are there any plans for a dock walker campaign? I would be happy to volunteer and pass out a form letter or flyer, and/or gather signatures, if that is applicable.

Given the condition of the slips (I can't step out to get on a dinghy by the pylon for fear of falling through) and knowing is only one of many rate hikes coming, I've got some hard decisions to make now that I'm a few stop lights away from retirement. Seems like my dreams need a big revision now that I won't have a boat close to home or at all. I know I'm not alone! Well...30 years is a long run for a fun ride!

Please let me know how I can help. [REDACTED]

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Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

Human-powered craft (kayak, paddle board, etc.)

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Re: Slip Rent Increase

I have had a boat in the harbor for 42 years, currently have a 40 ft sailboat. I have paid approximately \$300,000 in slip rent over those years, unfortunately not much of that went to maintaining the harbor. I recently retired and was looking forward to relaxing on my boat with family and friends, unfortunately with this outrageous increase in slip fees I'll be entertaining friends on my kayak in my back yard. At the first public meeting with the "Harbor Partners" they all said "we are not trying to turn Dana Point into Newport Beach, sorry, but that is exactly what you are doing. Leave Dana Point alone, in fact why don't you just leave Dana Point. Our county supervisors need to act on this and take the harbor back from the developers and give it to the people.

Dana Point Boaters Association

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

The Orange County Register

Description:

Hello All,

The recent drastic slip fee increase prohibits low-middle income families (which are disproportionately minorities) from enjoying boating and our beautiful COUNTY OWNED harbor. We are being compared to Newport slip rates, which are some of the highest in the state. We are NOT Newport Beach, nor do we want to be. We don't want a harbor full of multi-million dollar yachts which hardly get used. We don't want a marina which can only be enjoyed by the top 0.001% of income earners. This is disgraceful and needs to be brought to the attention of all county residents, not just boaters. How to we stop this clear socioeconomic discrimination of a county owned resource?

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

[REDACTED]
US Veteran Status;100% Disabled
California Medical Status; Handicapped (displays handicap signage on rear view mirror of [REDACTED])
Retired, 75 years young and on Social Security. Scenario #1: A home owner, in Dana Point, pays for the maintenance of his/her property to compete with comparable levels with

cost, to the home owner, for maintenance is an ongoing month to month, year to year expense. It does not add to the price of the property but it can diminish the offer if not performed.

Scenario #2: The new lease holder "Dana Point Harbor Partners" is attempting to pass the expense of the delayed "DEFERRED MAINTENANCE" onto parties not represented in the negotiations, the "slip renters". Dana Point Harbor Partners and others were well aware of the delayed "DEFERRED MAINTENANCE" within this harbor when they negotiated the agreement. The delayed "DEFERRED MAINTENANCE costs" were previously included in the slip renters payments and was factored into the 66 year lease agreement with Orange County.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

Dana Point has had its own personality since it through cowhides off the Bluffs. Dana Point dose not have to reinvent itself as a twin to Newport Harbor. Keep Dana point classic.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boater

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

California Coastal Commission

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

California and held in trust by the County of Orange via Dana Point Tidlelands Trust. The purpose of the trust was and is to develop, maintain and operate an affordable recreational boating harbor for all citizens.

The County finally outsourced operations management after years of improper handling of finances; after mis-spending much of the funds accumulated in reserves for the eventual harbor rebuild on various studies, California Coastal Commission lobbyists and ill-fated public relations campaigns.

Regardless, the goal remains the same from the perspective of the people of the State of California. Dana Point Harbor is to be maintained as safe harbor for affordable boating. As has been true for 50 years, recreational boating opportunities should be priced at fair market rates, consistent with other publicly owned marinas such as Long Beach and Oceanside.

So is the rate increase effective 10/1 compatible with this goal? Clearly, beyond any question, the rate increase is not compatible! In fact, it will accomplish the exactopposite: it will promptly bring to an end affordable boating opportunities in Orange County.

According to the rate increase letter last week, the basis for determining what the new marina operators are calling "market" is the privately owned marinas of Newport Harbor. This harbor is surrounded by some of the most expensive homes in the United States. Further, the boats in this harbor are easily twice the size on average as Dana Point and cost multiple times more.

I, like many other boaters see that this latest rate increase (there have also been other disguised increases previously) as being clearly and obviously demonstratable to be illegal. Also highly dishonest misrepresentation of intent when compared with what we were promised when The County and the new landlord signed the Dana Point Harbor master lease. I intend to work with many other fellow boaters to vigorously defend our legal rights.

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Human-powered craft (kayak, paddle board, etc.)

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

2nd boat in slip

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The slip holders and general public need more transparency

massive increase in the slip fees at Dana Point. The disingenuous notice from Bellwether has only created more confusion and distrust with this operator who serves the public with an asset owned by the citizens of Orange County. Will the county be conducting public hearings and more stakeholder dialogue to bring some reasonableness and sanity related to this unreasonable action taken by the operator Bellwether?

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This level of increase is unsettling. I have had a slip in the Harbor for over a generation and this dramatic of an increase is unprecedented. The slips are a mess and have been for a long period of time. There has been no sinking fund provided for the maintenance of the slips on a regular schedule. The boat owners have not been given the value of their investment in the Harbor. The premise that the rates are coming on par with the other marinas along the coast is flawed. We should terminate the contract with the marina operators.

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Slip rent rate increase not comparable with other orange county slips.

Dana Point Boaters Association

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

One of the first increases the new company did was get rid

"PRICE BY FOOT" for all boat owners. My slip fee went up 97 dollars a month in January 2020. I was told well over half the boats in the harbor's rates were increased. The letter failed to mention that increase (on purpose) and stated that there has been no increase in 4 years. That is a lie. The proposed rate increase will add an additional 148.00 a month, which means I will be paying a total of 243.00 more a month in less than two years. That is a 56% increase in 2 years. What do I get for that increase? Lipstick on a pig. Bathrooms that haven't been completely remodeled in well over 30 years. Plywood sheets over cracked docks and the list goes on. Here's an idea, make some quality of life improvements in the marina, THEN ask for a REASONABLE rate increase....You have it BACKWARDS!

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I'd just like to add my voice to the long list complaints about the recent rent hike announcement in Dana Point Harbor. Rather than reiterating everyone else's complaints regarding the inequity of such a large increase, I'd like to suggest a weakness in the reasoning behind these rates from a practical standpoint and suggest a possible argument.

I expect we will need to fight this using the terms of the

"market rate" pricing, as reasonably determined by Lessee; provided, however, that in all events such prices shall be consistent with the limitations on pricing as mandated by the Tidelands Grant. In addition to the foregoing, with respect to the slip leases specifically, Lessee shall be required to provide advance written notice to County and all tenants and/or licensees under existing Slip Leases of any raises in the slip rental rates, which notice shall include Lessee's rationale for such raise as well as its methodology for determining the same."

First, a marina is a form of real property. There are already long standing, established standards for estimating market rents for real property, which have generally been upheld by the courts. This involves first collecting data on the actual rental rates charged by competitive and alternative properties ("rent comps"). Rent comps are gathered from the comparable properties deemed most similar to the subject property (in this case the subject property is Dana Point Harbor). The search is not limited by county lines, but extends throughout the competitive area where one might choose to keep a boat as an alternative, and the rent comps are chosen based on the degree of similarity to the subject, considering all factors. Location may be one factor, but in the case of a marina, one must also consider the level of amenities and services offered by the marina, the level amenities available in the local boating community, access to maintenance and repair facilities, condition of the premises (ie, docks), etc. One should consider all significant factors affecting the tenant, including whether they will be displaced and subject to noise, construction dust, and inconvenience for the next 5-10 years. Market rent is NEVER determined based on an average. Imagine if we took an average of home prices within a given radius of each of the marinas used in DPHP's "study", and applied that to a 50 year old all original home in Dana Point to determine its Market Value. That would be ridiculous.

In the event that nearly identical comps are not found, the rates indicated by the comps must be adjusted for the dissimilar qualities. It would probably be impossible to find any rent comps which are in the same poor state of repair as the Dana Point docks, so the higher rents must be adjusted downward to compensate. We need an unbiased third party appraiser to estimate market rent, not the landlord. I think this is what we push the County for.

The master lease also provides that the Lessee provide rationale and methodology for price increases, apparently with the goal of being able to regulate unwarranted rate increases. Hopefully, the folks who negotiated this lease for the County were smart enough to provide an enforcement mechanism elsewhere in the document. Does DPBA have a copy of the master lease?

Thanks to the Dana Point Boater's Association for taking the lead on this. Have any of the recipients of the letter responded?

Dana Point Boaters Association

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am more than disappointed the the new Marina management misrepresented the support of DPBS regarding slip rate increases. How dishonest! Until now I paid respect to the new Marina management. I will not easily respect management again.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629



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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

California coastal Commission

is outrageous! As a vet with 11 overseas deployments, I paid my dues. Does D.P.H.P. also plan to drive veterans out of the water? Frankly, I thought the marina had their financing plan, but this large increase looks like you are going after boaters for financing. What is your rational/justification for this large of an increase?

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am a 35 year resident of Dana Point. I saved for years to acquire my boat in this marina. I am a military vet having served during the Vietnam war & also the Cuban crisis. I am retired from Federal Express; get no pay increases or cost of living increases since 2006. I get some very small social security increases. I am 78 & thought that I would get to

The leaseholder must acknowledge the we are still and always will be a County Marina resulting in a lower rate structure.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The process of County of Orange rate increase analysis seems flawed. If private marinas in the County of Orange were utilized, then yes Dana Point Marina's rates are the best deal in Orange County. There must be some type of compromise that relates to what a reasonable increase should be if at all.

that don't run and illegal Liveaboards.
Dana Point is a dedicated SMALL boat harbor being
compared to NB big harbor

Dana Point Boaters Association

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

Landside Operators (DPHP, County of Orange)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

From what I have heard If the Harbor Partners plan is to starting dock replacement on West C in October . Without building the Proposed Drystack and Guest dock (by the Gas Dock) They NEED to get rid of boats , Therefore the best way to get tenants to move is to raise slip rates ! It is absurd to compare the present Dana Point to Newport Dunes resort Why isn't everyone concerned with the fact that they are not

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The proposed slip fee increases are outrageous! As an active boater, I will hold off as long as I can, but I know that soon I will have to give up boating.

Dana Point Boaters Association

Description:

Slip rent raise

Dana Point Boaters Association

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Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Concerned about the slip increase. Along with having to pay the OC property Tax on the slip. Together the increase in rent is is way to high. I cannot raise rent on my rental this much. Please do ALL you can do .

Thanks.

Regards [Redacted]

Description:

Slip rent increase. I have a 50 year old boat that's been in this harbor for over 15 years. I am 74 years old and retired on fixed income. I can't afford this proposed increase and will have to move to another less expensive Marina. I regret that I moved my boat here. This is clearly no longer a "public" and affordable Marina!

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Stake in the harbor:

Boat in a slip - East Marina

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

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Slip increase

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am writing in regards to the proposed slip Increase in Dana Point Harbor. My Husband and I have been in the harbor for over 20 years. When we retired a couple years ago, we budgeted for our boat's slip rental and maintenance. With this slip increase, this will end. Our dreams of enjoying the harbor, supporting Dana Point's restaurants and shops will end. We were prepared for reasonable increases in costs but what is proposed now is unfair, unreasonable and feels like down right robbery.

We are scheduled to be the first dock to be improved and will lose our slip that we have occupied for the last 9 years. We will lose our boat neighbors who have become like family. We waited years to get in this slip and now we will not only be moved heaven knows where but, our costs will increase beyond our means. Not to be over dramatic but, this is gut wrenching.

And explain to me this process: wireless cable was just installed on our dock and now they are going to tear them apart? The hotel will be torn down but, they repaint it? What a waste of money.

We understand the desire of Dana Point wanting to bring in the larger luxury boats that bring in more money but, at what cost to people like us.

Shame on you Lisa Bartlett for not standing up for the people who voted for you We all are not rich people and we are going to be the ones to make Joe Ueberroth and Bellwether Financial much richer. Please, help the "little guy" who has supported Dana Point Harbor for so long.



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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

coast affordable to people in my opinion what is being done by the marina management is not in keeping with that mandate and the rates could be attacked that way in any event please feel free to call me if you want share this with anyone you want but I'll keep my name out it except to you

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Anyone

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Lisa Barnett is not going to be of any help with the slip increases if you're going to win it or make a dent in there percentage increase it's going to come from two sources in my opinion one is the legal side going over the documents finding a section that deals with what's reasonable and justified
Second could be a mass showing at a supervisors meeting will let them know the displeasure of people in the marina there is also a third possibility and that is with the coastal

Description:

The best way to deter the "abortion" being perpetrated on our local cities, boating community and small business located around Dana Pt Harbor is to fight fire with fire. Only thing these greedy organizations (DPHP and two faced County Officials) understand is "LEGAL POWER" soooo.. Let's get our "LEGAL-ON" people. WE HAVE THE POWER! I didn't vote for this atrocity partnership? Did you? How many boaters did?

A major CLASS ACTION LAWSUIT filed against our mispresenting "city/county politico's" and unscrupulous, greedy developers ...is the ONLY WAY to hog-tie this whole enchalada' up in litigation for the next 10-15 years.

See how fast DPHP change their tune and start cooperating in a way that is to everyone's best interest...it's ALWAYS the same Ol' tune.

Legal Costs and Delays are the LAST THING's they want. Let's get a judge to give us a restraining order while we go to court.

NO rent increases till our day in COURT!

Stand up and Fight for our Rights as Boat Owners! It's our Harbor! Fight, Fight, Fight for our Beautiful Little Harbor!

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Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Why is the harbor renovation, new hotels, restaurants, shopping, etc. put solely on the backs of the slip renters? If you want a new "harbor village" then pay for that out of OC redevelopment funds or developers' investments. Separate the marina from the "harbor village." Anyone with a brain sees right through this money grab from slip renters that were promised improvements to the marina (docks, electrical, fire safety, etc.) prior to this new company taking over. LED lighting on the docks does not count for "improvements." New signage and paint in the public restaurant and shopping area does not count for "marina" improvements when we are still tripping over broken concrete docks with raised wood platforms that exceed a safe height. It is obvious to anyone with a little bit of marketing sense that making the place "look" a little nicer, makes people feel like they are getting something for their money. But, the truth is, real customer satisfaction comes from keeping promises and making the customer king, not baiting and switching.

To Lisa Bartlett...you represent ALL the people in this area, not just your big donors. Election season is just around the corner. You've lost our vote and many others.

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Boat in a slip - West Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

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Lisa Bartlett

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Any Dana Point boater who is outraged by Supervisor Lisa Bartlett's arrogant and ill-informed response to DPBA should read this pamphlet on how to recall local politicians.
#recallLisaBartlett <https://www.ocvote.com/election-library/docs/Recall%20Petition%20Process%20Handbook.pdf>
f

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rate is to much for us!

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

My wife & I have been in the Harbor for almost 27 years! We have a boat not a yacht! We worked very hard to purchase said boat! Now we are retired & on a fixed income. My wife is also handicapped with health issues! Our boat & Dana Point is my wife's happy place which now I am afraid is in

Description:

I've had my little boat in Dana Point Harbor for many years. I truly love this place. I'm retired now and I live on a (modest) fixed income and the harbor, my dock and my boat is my second home.

When the new owners came in, they immediately raised my slip fee \$66.00 per month when they changed over from slip size to LOA. Ouch! Now, the additional slip fee increase is not doable and is going to force me to sell my boat.

These are life changes being forced on some of us. Does anyone care out there? Thank you DPBA for your efforts. Unfortunately, I don't think that they will help.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Can I legally sign over the title of my boat to the marina and stop payment on my sidetie??

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Stop payment on my side tie

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I would like to find out if I can sign over the title to my 22 foot sailboat to the Dana Point marina and just stop paying rent on my side tie?? I would appreciate them reply

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Lisa Bartlett

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Here's the 2018 YouTube video where Lisa Bartlett enthusiastically cheer leads the takeover of Dana Point Harbor by Newport Beach investors. Enjoy the beautiful buildings rendered by the artist, because surprise! you Dana Point slip renters are going to pay for all this. Enjoy!
<https://www.youtube.com/watch?v=AnGFvUI7Zk>

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Landside Operators (DPHP, County Parks, Harbor

Description:

Here are a few things I would like to point out that should be considered before the rate hike. I've been in this harbor for 15 years, raised my kids in the harbor. I love this harbor and do not want to leave. I understand that eventually the rates are going to go up and would be justified after improvements and the below are taken care of and have the same standards as the other OC harbors we're being compared to.

- 1) The docks have band aids with plywood on top broken concrete
- 2) The light down the dock on the dock boxes don't work, the electrical isn't sufficient to supply proper power to the end tie, electrical isn't up to code for each dock
- 3) They are putting oversized boats in smaller slips to show that the marina is full
- 4) The bathroom/shower walls have mold
- 5) The ugly eye sore Wi-Fi tower on the light pole on the bridge wouldn't comply with most city esthetics
- 6) I love dogs and have dogs myself but the board walk is smeared with dog poop and pee. You actually have to pay attention and be careful where you walk so you don't step in it and bring back to your boat.
- 7) Guest parking and shuttle service canceled and not provided as years in the past.
- 8) What's going to happen when the electric and water meters are in place, are the boaters going to a reduction in the slip rates?
- 9) The security of the gates, you can just reach over the gate to open.
- 10) Enforce the liveaboards and the renting of boats for people to stay
- 11) Enforce the non-operable vessels in the harbor.
- 12) Enforce homeless having access to the bathrooms, instead of escorting them out follow up with whos card access was used and hold accountable.

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Stake in the harbor:

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Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

limited (10%?) and have their expenses audited, regulated, and capped. My suggestion is that the OC BOS should do their job by looking after the interest of boaters and not have a 'hands off' approach to anything and everything that the Dana Point Harbor Partners want to do. Separately, the rationale for the increases relies heavily on the exorbitant slip fees in Newport Beach. Many of the slips in Newport are owned and operated by the Irvine Company, which is a money making machine (using private slips, not publicly owned marinas). The current Dana Point slip fees are comparable to San Diego (slightly more) and Long Beach (slightly less). The proposed new fees make both San Diego and Long Beach a bargain.

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

How is it that a private company can operate (long term lease) a publicly owned facility (Dana Point Harbor) without any oversight, including but not limited to, review and control of price increases? The Dana Point Harbor Partners have established a monopoly, presumably with the permission of the Orange County Board of Supervisors! While I appreciate that they will renovate the harbor at great expense, I don't think this arrangement is in the best interest of the public. I am in favor of the Dana Point

Description:

The increase is beyond unacceptable.
The smaller boats were only raised \$90.00 extra per month.
My slip rate increased close to an additional \$600.00 per month. The larger yachts have an additional increase of over \$1,000.00 per month.
Great plan! Raise our rates & want us deal with the construction dust, noise & moving the boats constantly. I feel terrible for the small businesses that work in the boating community in Dana Point Harbor they are going to lose so many clients & income because of people leaving the harbor.

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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

unjustified.

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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

We Received notice of extremely exuberant increase in slip rate.
While we expect usual and normal rate increases the one pending in October is totally out of line. What they have done is an injustice to all Dana Point boaters. With the Pandemic in 2020 the Marina continued to collect their rents. Many of us are local business people and we all

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I find the slip fee increase outrageous. We started 20 years ago with a small sailboat and traveled every weekend with our small child from LA to get out of the city and stay on our boat. Since then, we graduated to a little bigger boat. We picked Dana Point because it was family oriented and affordable. I do not think we would be able to do this over again with these increases. I think the harbor is shutting out folks who want to enjoy boating on a budget. We do not want Dana Point to eventually be only for rich people's

Description:

Unfair and irresponsible slip rate increase

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OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)



Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The rate increase in October is too much. The WiFi system doesn't reach out to the middle or end slips. The gate situation on island side continues to be a mess every holiday weekend.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

the responsibility of those lease holders to maintain a reserve account to cover long term repairs. The current 60 year lease holder was well aware of the deficiencies as a result of the deferred maintenance when they negotiated the terms with Orange County Supervisors. It is not now the responsibility of the slip renters to again be charged for those delayed maintenance costs. gate repairs on the East, parking systems, Gate repairs are 1. Covered in maintenance and 2. The gate system has been turned into a profit center for the 60 year lease holder. and free Wi-Fi for boaters. Unsecured wifi is slow. The "locked" wifi is not free, it is slow and fraught with connection problems.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

OC BOS (County Board of Supervisors)

Coastal Commission

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Plywood bandages installed on top of sinking docks is not a "REPAIR". facility maintenance, Maintenance that has been deferred by the previous 30 lease holders is the burden of the current 60 lease holder. Dana Point slip renters paid their fair share,

wifi in the harbor. We would gladly not have wifi for a less slip increase.

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Boat in a slip - West Marina

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The issue is the slip rate increase. Angry hardly expresses how we feel.

It feels like an eviction notice. We are considering having to sell our boat and Partners doesn't seem to care about existing slip holders because they have a waiting list so it

Description:

The audacity of this corporate greed what if we told our customers we were increasing our goods 100%
This is socialist corporate GREED at the highest level
How would they like there taxes doubled and don't say inflation they created inflation with one stroke of the pen

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Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The articles in the paper really gives a poor representation of how badly the new owners have treated us slip renters. Look at Oceanside and their rates. Don't compare us with Newport. Please we are not that stupid. Your joke in your memo saying the rate increase for 25 ft skip is like two scoops of bait. You are a joke and a heartless joker no less. You should be locked up for overcharging because you can. I can not see two cents worth in what you have so far completed. The dicks are still in disrepair. You did not get rid of the junk boats. You still allow all sorts of crafts behind boats. Your WiFi is meant to be a profit maker for you not a perk for us. The bath rooms are still old and tired. Give me a brake your performance will go down as a zero for the boaters

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OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

The new rate increase is extreme and unfair to the Orange County boaters. The docks are still a safety hazard and no major repairs have been started yet? How is it fair to increase rates 25% to 90% before the construction starts? We also have to deal with several years of construction which will be a inconvenience. Also we are all coming out of a major pandemic and most of us are trying to recover financially. There is no thought towards the current economic situation most O.C families are in right now. The boaters are being taken advantage of and the county board of supervisors needs to be more involved. Please help! This is Corporate greed!

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:



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Stake in the harbor:

Boat in a slip - East Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Increase of slip rate is not logical at all. There is no good reasoning for it. Nothing has changed much to hike up the the rates.

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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

My understanding is that DPHP was granted a 66 year lease in return for a substantial investment in Dana Point Harbor.

We already had a significant slip fee increase last year when my slip rent was converted to cost per foot, even that the official DPHP rate schedule does not show that. (I have a 2 foot overhang.) Now we are going to do another compounded slip fee increase. For what? Out docks are falling apart. Plywood is everywhere. The only thing we've seen so far is a subscription wifi service with a separate fee (the free version is so slow it is worthless). Oh, and now my guests must pay a park.

As far as I can see, the "substantial investment" is going to be made first and mostly by Dana Point Boaters. What has happened is that DPHP has been granted a license to print their own money.

I don't question blatant DPHP (lack of) ethics. We all understand greed. What I can't understand is how the County is just standing by and letting this happen. This is not at all what Lisa Bartlett promised, over-and-over.

It must be true what my fellow boaters on the dock keep saying. That the OC is no longer the government of and for the people. It is government for special interests, the enabler of pathways to huge fortunes for a select few.

The compounded amount of the 2 slip fee increases is will easily eat up the net market value of my 25' boat in less than one year.

Three questions:

1. If I decide I really can't afford the latest increase, happens if I leave my boat and just walk away?

2. What happens if everyone on my dock stops paying rent, or we just put in a separate bank account instead.

2. Is it true that if I give up my slip there will be a 50% surcharge on any other boater who wants it?



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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor: Concerned boater

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

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- DPHP - (Dana Point Harbor Partners)
- OC BOS (County Board of Supervisors)
- Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)
- Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)
- California Coastal Commission, California State Lands Commission

improvements.

I can only hope that somehow Dana Point can maintain some of its small town charm amongst the Newport like building projects.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I think it's clear that this is intended to free up slips for the construction. Given the current condition of the docks there is no justification for the rate increase. The fact that larger slips have received the greatest increase makes it obvious that the new management has placed a larger share of the burden on the more affluent large boat owners. As a member of the boating community I feel slighted that the

Description:

Raising the boat slip prices 90% is so excessive and downright greedy. You have dashed a 30 year dream of retiring with a boat. I understand the need for an increase but this is so out of control. You really aren't putting a priority on the locals it feels like you wanna to drive us all out. I am shaking my head at the greed

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

whim of the DPHP is not in the public interest. This appears to be a move towards an elitist, only for the wealthy Marina. Perhaps the DPHP should scale back their plans to allow for a Marina for all

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors) CCC

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

taxpayer public property and vote the crooks out.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina district attorney

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

coastal commission

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

i waited 18 years for a slip in a public marina by my home safe from undo rent increases .Only to see our supervisors sell it to the overly greedy . Instead of fixing the county's problem of being unable or willing to supervise and control costs of capital projects our supervisors failed us. WE Now know why this theft consumed 35 years ? because its

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The general rule is work before pay.
East Basin Cove docks are in worst shape of any docks anywhere!!
They should be fixed to new condition before rent is substantially increased.
A 40 ft slip at Sunset Aquatic was quoted to me at \$750/month and the docks are in good condition.
Raising rent from \$787.20 to \$1358 is an outrageous increase violating public policy.
70% increase???

The County sold us out and now the new owners boasting of a long waiting list willing to pay anything for a slip are squishing is out- some have been here from the first day the marina opened and have boats in top repair looking like new and never violating the rules.
Can the Supervisors do anything to private owners or attempt to rectify!!
Their fate could be decided by the voters at the next election.
Let us hope that they represent the interest of the boaters and voters.
If we were looking to move into a like new Marina nobody would refuse to pay fair rent— our old broken and in many places dangerous docks do not qualify for that condition.

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Stake in the harbor:

Boat in a slip - East Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Description:

I am stunned and outraged with the enormous rate hike and the method with which it has been done as outlined by DPBA.

We all anticipated an increase but after improvements were completed. Our dock C Cove West is in shabbles and other docks are in worse condition.

DPBA has my full support to represent our concern regarding slip fees and the way in which Bellwether and Mr. Ueberroth have deceptively gone about this.

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Stake in the harbor:

Boat in a slip - West Marina

Human-powered craft (kayak, paddle board, etc.)

Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

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OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

My slip increase is over \$1,000 per month.

When the decision was made to make harbor partners we asked what slip raises we should expect. We were told they would be in keeping with the previous increases levied by the county. We questioned if the feel of the harbor would change. We were told the public would have a say in any changes.

From the overnight cutting of the topiary whale (Humphrey) to the mowing down of our majestic entrance of eucalyptus trees this company has shown no regard for the boaters. As they have bought multiple marinas in Newport Beach (and all along the coast) they are now using their own price fixed marinas to substantiate this abhorrent price increase.

I ask those who read this who they are doing business with that have raised their price 96%?

And while burdened with this uncaring travesty, suffering the inconvenience of years of construction.

In asking the marina office what could be done about this their answer was " nothing, Orange County and it's supervisors gave us carte Blanche to do whatever we want".

Did anyone take into account that we are still recovering from a pandemic and the biggest financial crisis in the county's history?

Many of us can't move nor afford such an exhorbitant gouging by these uncaring and profit driven individuals.

They lied to us to get in and now want to turn a public resource into a rich persons playground.

Please don't let this happen.

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Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

Supervisor

the established slip rates but by a NEW measurement schema, with a subsequent significant increase. Now they are publishing new, and significantly higher, SLIP rates --not measurement rates, which we can expect will be even more onerous.

If they want to get rid of us they are doing a great job. Where is the County oversight we were promised? Who's getting paid off to allow this greedy action?

Thank you, DPBA, for representing us.

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OC BOS (County Board of Supervisors)

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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The stated increase is not only unconscionable, it is totally

last sentence of the Bellweather correspondence wherein she is thanked for her "invaluable" support (that statement does certainly cause one to pause....). Secondly, as stated in comments from many others, a rate increase is certainly expected but is it really necessary to eat the entire elephant in a single setting instead of over several "meals?" Why not phase this increase in over several years and publish the annual rate schedule including increases planned when the marina is completed. The benefits to us boaters are obvious so I won't state them here. Assuming Bellweather is free to charge whatever they desire, phasing in the increases and publishing what those increases will be seems far more considerate and fair to me.

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hat tip to the DPBA for the update on the coming slip rate increase. Couple of points. First, I am once again disappointed in Lisa Bartlett. As an elected official and member of the Republican Party, I am dumbfounded on how little outrage is expressed in her reply to the DPBA. Could

the established slip rates but by a NEW measurement schema, with a subsequent significant increase. Now they are publishing new, and significantly higher, SLIP rates --not measurement rates, which we can expect will be even more onerous.

If they want to get rid of us they are doing a great job. Where is the County oversight we were promised? Who's getting paid off to allow this greedy action?

Thank you, DPBA, for representing us.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

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Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The stated increase is not only unconscionable, it is totally

And we have to pay their property tax too. As you know.
And they are confiscating the yacht brokerage slips, using
double slip rates assessed to brokers which then have to be
charged to clients and quoted to potential clients, causing
empty un-rentable slips to be returned to marina control.
And the harbor is a disaster. 50 year old dock electrical,
crumbling docks, 3rd world restrooms, zero security, etc.
They've been telling us for 20 years that the harbor will be
improved. I've seen nothing. Except maybe now they'll do
something but they're making us the tenants pay for it. Isn't
this a county owned facility?
Total greed bags. With hate-boater snooty attitudes.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Merchant

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Enormous unanticipated extortion. It's the same amount as them telling me I have to now pay the car insurance for 4 additional people.
For my little very old boat.
Also, they are charging/allowing non-tenants to park in the lot that we pay for. Yet they don't apply that income to our slip rates. Now many times the good parking spots are full of non tenants with no stickers. At the same time they closed one of the lot exits, and complicated the exit

support for this? That's laughable.

Supervisor Bartlett's response shows to who and what her allegiances are to: not her constituents.

Supervisor Bartlett, YOU created this situation. It's your job to fix it. Stop passing the buck. It stops with you.

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Bellwether financials "thorough" response lacked any substance. Misdirection and arguing he said she said conversations vs supplying actual research and reasoning behind the rate increase. Given the fallacious initial response by Bellwether, does anyone actually believe

Description:

The problem is the done deal was a done deal before it was even publicized. I believe I caught [REDACTED] preconditioning my effort to reign in what I saw coming thru extensive correspondences with OC employees, the OC Board of Supervisors and then the OC court system. I even applied for the [REDACTED] job (citing I could do the redevelopment of the harbor from that position) THIS POSITION WAS given to the [REDACTED]. I offered valid options so this current situation would not happen and keep the user of the Harbor in control. I suggested the stakeholders should have had the right to submit a proposal and I cited blatant disregard of the Tidelands Trust Act and the only way this will get resolved is to file a lawsuit for infringement of rights that each slip incense holder has had during the process up to now. There was no due diligence on the matter and no Proforma produced to scrutinize,, for a developer to ascertain a viable understanding of just what the ARRANGEMENT was between the stakeholders, OC and the developer. I have extensive proof of what I am saying and the total disregard for due diligence is negligence on the part of the OC constituency.

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Boat in a slip - East Marina

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

comparing Dana Poont to a Mariana he runs in Newport Beach. Much smaller, probably not owned by the County. He is ruining the dream of many Orange County children who grow up hoping to enjoy boating in Orange County in the future. It's like a private entity taking over Yosemite and charging you \$1,000 a month to gain access to the park. Pure and simple greed. For our Orange County Government to let a County asset be used like this is unforgivable. You bet we are voters.

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DPHP - (Dana Point Harbor Partners)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Both letters contradict what we were told during the meetings to determine who the county would lease to. Lisa Bartlett said the County still owns the property and addressing concerns about big slip price increases, she had

have turned it into a business to squeeze people, I was always against it, I think you should pay what is fair, not what they impose.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Dear Friends:

I want to write a few lines about the increase in the price at the docks, the truth seems to me an abuse to want to earn money in this way, harming people who really work hard to maintain a boat and it is not fair, I think the city should intervene in this case, despite the fact that they are already earning and recovering their investment in years ahead, they want to earn more at our expense, the city of danapoint should not allow them to commit these abuses and the port

Description:

I'm had my boat on the side tie in the west Basin since [REDACTED]. I was a union plumber and worked for trout line who actually built the docks then went to work for [REDACTED]. I've also worked for [REDACTED] both of whom had the original least on the west basin. With this new company and their ridiculous rate increases, I will be taking everything of value off my boat, outboard, VHF, xcetera and let them have my boat and put it where the sun doesn't shine. As of next month I will no longer be paying for my side tie as I said they can have the boat.!!! I have talked to numerous other boat owners and they have basically stated the same thing that they will just stop payment and let The Dana Point marina have the boats! I talked to my attorney and he advised me all I have to do is take the pink slip and transfer the title over to Dana Point marina and drop it off at their office which legally will prevent them from affecting my credit score we're having them turned it over to collection agencies. Good luck to meet my fellow boat owners, it was great while it lasted

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Boat in a slip - West Marina

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Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins & Embarcadero)

Landside Operators (DPHP, County Parks, Harbor Manager: OC Parks)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Phone: (949) 485-5656

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Description:

- A. The Subject
 - a. The Marina at Dana Point, Boat Slip Fees
- B. The Players
 - a. The Residents of California
 - b. The Residents of Orange County
 - c. The Tenants of The Marina at Dana Point Boat Slips
 - d. Orange County Board of Supervisors
 - i. The Honorable Lisa Bartlett Fifth District Supervisor
 - e. The Management of the Dana Point Harbor Boat Slips
 - i. Dana Point Harbor Partners
 - 1. Joe Ueberroth
 - 2. Ralph Grippo
 - f. The Dana Point Boaters Association

Out of all the Players the only one to benefit from the slip fee increase is Dana Point Harbor Partners. They send out a simple letter and magically collect millions of dollars of instant profit with no more expenses. "It is no secret that the Marina at Dana Point has been the best deal in the County."

Why is this fleecing of the Citizen Boat Owners of Orange County tolerated? If a company were charging excessive fees at any other public space, beach, park, a State Park, or National Park it would not be allowed to continue.

The Dana Point Marina is a Tidelands Trust Marina, an Orange County Marina, a Public Marina NOT a Private Marina.

It is widely known that Real Estate in Dana Point, Capistrano Beach, San Clemente, San Juan Capistrano, and surrounding communities, is not comparable, not equal and is not in the same league as real estate in Newport Beach. To think that anything of value outside of Newport Beach is equal to the value of Newport Beach is absurd, Newport Beach is an anomaly.

Any attempt to equate the value of a boat slip in Dana Point to the value of a boat slip in Newport Beach is flawed accounting. Dana Point Harbor Partners is not transparent or stating the method used to calculate average cost is not given. It looks like Newport slip fees have greatly impacted their so-called average fees.

Bellwether says this on their methodology of rates "We compare ourselves (Dana Point Marina) to other marinas in Orange County. We believe that the average rate of these facilities is a market rate. "

Are the statistics are skewed or exaggerated to serve the

The fact remains the slips are in Dana Point is NOT located IN Newport Beach.

Do an analysis NOT an average of slip fees, look at fees at the PUBLIC marinas up and down the coast and see where Dana Point fits in. Also slip fees can be surveyed from private marinas take out the highest Marinas i.e., Newport Beach and the lowest marinas to figure the going rate.

Do your own math, the Dana Point Harbor Partners have. See how much more they will collect for essentially doing nothing new for you. Compare the current slip rates vs the purposed rates you will soon see why this looks like a real juicy deal for Dana Point Harbor Partners.

Do you really think Coastal Commission approval would have been granted if this type of gouging were known?

Did the Board of Supervisors know slip fees would exponentially be raised before making this deal with Dana Point Harbor Partners?

Who is getting all the money? Look up the principal players on corporationwiki and see who the head of the octopus of companies is.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

Description:

Greetings ~

I'm writing in regards to the marina raising our slip rates (in my opinion) an exorbitant amount.

I have been a slip tenant for over 25 years. Starting with my first small boat I dreamed of owning a larger boat in my retirement and maybe one day live aboard in the summer.

When the current lease holder was asked questions regarding slip increases in public meetings while he was vying for the lease we were assured two things.

That they wouldn't be until the rebuilding of the marina was finished and that they would be incremental in keeping with the way the county had raised them in the past.

Both statements are proving to be false.

My 25 years of tenancy are resulting in one of the largest nightmares of my life. My slip rent will be raised over \$1,000 per month this coming October.

That is a 96% increase!

My dreams of living on my boat part of the year during retirement were gone as soon as these developers were allowed to mandate our marina. They don't allow living aboard. Now they have priced me out of keeping my boat at all.

I ask you to look at your own lives. What do you budget for with a possible and immediate \$1,000 a month increase?

Who would let this happen?

We voted for you to supervise our existence here.

Please intervene in this travesty. Please don't let this developer ruin the lives of so many by cashing in on this public, recreational interest.

I would hate to think our honorable supervisors would ever be constituents that let something like this gouging occur.

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This appears to be another attack on the lower to middle class once again! Getting to the point where only those that can afford a boat plus an increased slip rate can live the life style that many will only dream of having. Unfortunately, there are no other options available in the OC vicinity for those in the 26' range. As a resident and slip owner in OC I AM VERY DISAPPOINTED in the OC

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Boat in a slip - East Marina

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Live you life with purpose and be respectful of others. What is on display is simple greed, Joe Ueberroth is a shallow person with zero regard for the community, he and his cronies are about to shatter a community of boaters from all walk of life, for personal gain. The harbor is owned by the people, but now controlled by a few who managed to fool the county supervisors, super

Newport"

Everything about the increase is wrong and make the OC supervisors look like sheepish fools, man were that taken fir a ride. They completely failed to protect the citizens whom they work for, or maybe not. The top is a tightly woven fabric, where you scratch my back and I will give you political donations.

Amongst many lame explanation the power consumption of up to \$ 1,000 per months per boat tops the chart. A simple solution is called sub meters, case solved. Well over half of the boats are not even plugged in.

There are no million dollar yachts in the harbor, well Nordhaven, but that is a commercial dealership. These guys are not boaters.

Leave the soul of the harbor and the community it belongs to along.

Ueberroth and cronies move on, find someone else to steal from, go to Newport .

Respectfully,



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Stake in the harbor:

Boat in a slip - West Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

Relaxing on my boat after my chemo therapy and 40 plus surgeries

PLEASE RAISE MY ISSUE/QUESTION WITH:

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Outrageous slip fee increases without reasonable or proven documents to adequately justify their adolescent approach to sticking to longtime boat owners and retail venues.

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

How could Lisa Bartlett and the rest of the BOS with a clear conscience give so much undeserving power to DPHP LLC? They, and OC BOS are a very poor representation of right and wrong, mostly wrong. Somebody is in somebody's pocket and misdirected political interests. This conundrum is all very sad.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Slip Fees

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Very simply stated- the increased slip fees at Dana Point Harbor are outrageous. I, personally, am retired and planned for inflation and also knowing about the redevelopment - I anticipated increases but certainly not before experiencing some of the benefits nor slip fees to be raised to this degree.

A revamped parking lot that now states boat owners and guests?

Guests pay? Do you charge people when they visit you at your home?

New technology to open the gate? What was wrong with the FOBS?

Band-Aid repairs on the dock areas- And, areas that are "repaired" -one appears to walk like a drunken sailor due to imbalance of the dock.

I continue to see cleats abandoned on the dock not affixed to any vessel.

WIFI? Whoopee. I go to the marina to unplug!

The future of the harbor and its "remodel" will one day be available at the cost of those of us that will have paid for it and maybe never experienced it. Where is the "partnership" – partners?

I hope you would reconsider the timeline and amount \$\$ increase. In 2018 the increase was 2.8% increase for all.

Not hard to figure out why so many are disillusioned and shell shocked.

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Stake in the harbor:

Boat in a slip - East Marina

Boat on trailer - Embarcadero

PLEASE RAISE MY ISSUE/QUESTION WITH:

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am retired as most on my dock and on fixed income. The recent 72% rent increase is devastating to me and my family. An increase of approximately \$600.00 per month is

apartments and an increase of this magnitude would not be allowed. We understand the need to adjust slip fees but it should be more gradual over time, especially when most of the docks are in need of repair. There is no value when comparing the condition of the docks to the increased rents. Please lower the projected rents to a small amount now and in the future. I have been in the harbor for over 25 years and do not want to have to leave. There has to be a better way to manage the Harbor. This rent increase is unconscionable. please help us.
Thank you.

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Dana Point Boaters Association Boater Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

Human-powered craft (kayak, paddle board, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

MAIN CONCERN: Notification from Bellwether Financial regarding the significant rent increase coming in 3 months.

seen moderate rent increase, reasonable 3%+ average increase per year.

The slip that I rent would fall under the 26% increase category as of October 1st, 2021.

I would like to list a few concerns since the new management team has been responsible since taking over the operation of the Dana Point Marina and Harbor.

The transition of management from the original management team to the current was slow and at the beginning, all work seemed to stop indicating planning fell short of actual needs during the transition. There is a trend of poor planning and poor execution since the transition of new management.

A few immediate issues:

1) Restroom facilities at their worst condition ever - basic maintenance to keep restroom/ showers usable is either ignored or deferred as "new construction is coming" ????

2) Parking - New Parking system implementation was poor at best

3) WIFI - surprise, same as parking.

4) Boardwalk - old management had this area cleaned frequently, the byproduct of pets and higher foot traffic has left these areas that surround the harbor filthy.

5) Management Office; this group use to be extremely hospitable and cheerful regardless of what day of the week. When you entered the management office you were met with someone who would cheerfully assist you; now there are only a few with the interest of cheerful service- the team from the west seemed to be extremely unhappy in their current work situation.

6) Waste Mitigation - again poor planning, poor execution leaves boaters with filthy harbor days after high impact times i.e. 4th of July.

Dana Point Boaters Association

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

We don't want the rate increases of course. We have a bigger boat and our slip fee is about to double but the worst part of this whole rate increase will be that a lot of the retired boat owner and boaters with all size boats will not be able to afford their dream anymore. It is sad.

The letter to the current boat owners from the development company made statements that did not make sense to any reasonably intelligent person and did not give any proof of facts or justify this huge rate increase. The reasoning is

subsidizing the larger boats, but how can that be if larger boats have always paid much much higher slip fees? This does not make sense.

They already told us we would be paying for our electricity so the cost of electricity should not have come into the conversation at all. The letter stated that there are vessels in the harbor that use \$1000 a month in electricity which is absurd. Maybe they got confused with some restaurants electric bills. We have a nice sized house and a pool and our bill has never been even half that high. Most times it is well below that. This does not make sense.

Increasing the rates right now so drastically is just plain out greed. The wifi they just installed does not work well so we do not use it. Our phones get better reception. The gates do not work half the time when we have guests come. The marina wants us to pay more even though the marina is put together with a band aide right now and our boats are about to be moved around during construction. This does not make sense.

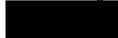
We need to see how they came up with the numbers and the reasoning behind the increase. Why is there such a drastic increase now? Why don't they gradually increase over years. Anyone can pull stuff out of the air to justify their numbers and clearly these folks have done that. We need transparency and they need to listen to us if we are going to work together for an updated and better harbor. That is the ethical thing to do. Be above board and do things right and transparently.

I hope that the decision is made to stop this current increase and to come up with a plan together that will gradually increase our rates.

I hope the meeting today will show that such a drastic rate hike at this time is unjust and unfair and unethical. Have them report to some folks that can look at what they are up to and why. Then if it is reasonable let them move forward but the trust is gone for now.

We don't want to be a Newport. We want to be a harbor that is small town quaint. A friend of ours said the way they describe our area Dana Point and San Clemente is board shorts and flip flops. I loved that about our community. No one is too big for their britches and everyone matters.

Thank you,



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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

1. I have called the Huntington Beach harbor and there rates

Beach I am not aware of any other harbors in Orange County that they are using for their comps.

2. My guess is that they are using a weighted average to determine the slip rates and since there are a lot more slips in Newport Beach the rates will be heavily weighted by the Newport rates. Rather than figuring out the average rates at each harbor and then averaging those together.

2. Oceanside which is the nearest harbor to the South is also similar to the current rates.

3. They should have been giving smaller increases all along rather than one giant increase.

4. The only money spent in the harbor so far is deferred maintenance and other quick inexpensive fixes. My dock is mostly plywood on top of concrete.

5. The boat neighbors I have spoken to agree that they were expecting a significant increase, but not until the work to the harbor was mostly finished.

6. We are going to have to move around the harbor and endure construction noise, dust and debris and pay 60% more at the same time.

7. We are also still in a pandemic and no consideration was given to that.

8. What would have made everyone feel a lot better is if they raised the list price for "new" slip owners, but gave the existing long term tenant's some kind of discount from the list rates for some period of time. At least we would have felt like we were getting special treatment for being a long term customer.

9. I think that a lot of boaters are in Dana because the rates are much cheaper than Newport. If they raise them to Newport rates and there are other options, I would be surprised if there occupancy doesn't drop alot.

10. If the developers are applying for any variances, it is probably possible to object to the variances and file an appeal which will be very costly to the harbor and delay construction. That might bring them to the table to negotiate.

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The rate increase is outrageous, combined with charging for

and reduced parking for launching boats. 26% to 90% increase is ludicrous and not justified for a public amenity. Letter to tenants was rude, condescending, and not true. Our rates have gone up a few times in the past four years, contrary to the letter (one increase was a recalculation of how they measured boats - still an increase). Bottom line is that it is apparent the new owners want to make more money with less work by catering to the super-wealthy large boat owners. Just because the market will bear it (their rationale), doesn't make it right. We live in an area with mega-wealthy so of course, the super-elite will pay more to keep out the "riff-raff" like me with small boats. These new fees and reduction in options for small boats is directly supporting this and should be reversed immediately.

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

these people are modern day carpet baggers

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OC BOS (County Board of Supervisors)

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PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Given the continued deterioration of the docks in general, long term electric issues, bathroom issues, boater parking takeaway's and just about everything else in the marina that is past it's useful life.....

And also given that the Marina at Dana Point has advised us to be patient for the next five years due to disruptions which

movement of boats to temporary slips (many without power), parking issues, landside construction etc.etc..

We, the more than 2000 boaters who rent slips in The Marina at Dana Point should be given rent DECREASES of at least 10% to 25% for the next 5 years! Then when the Marina is completed, and we get back to "normal", then resume with regular rent adjustments based on CPI... NOT outrageous increases as proposed on June 22, 2021!

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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

This is an absurd rate hike that I strongly oppose. We have had our skip for 10 years and this is absurd. Its going to push out a lot of long-time slip holders who have been loyal. Most other skip holders that I have talked to are very upset about this extreme hike and are looking into other harbors.

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Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I am a 10 year slip holder and this rate hike is absurd. Many long-term boaters are going to be pushed out. I feel like raising the rate nearly 50% before the revitalization of the harbor is even complete is unrealistic and unfair.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat on trailer - Embarcadero

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Greetings,

Methodologies for slip market pricing that include Newport Harbor and private marinas, are misleading.

A publicly subsidized economic project like this is not operated for the same end goals. Additionally, Newport is likely one of the highest priced marinas in the US. Not surprisingly, one of the most expensive realty markets.

The end goals are separate for the two types of ownership models. Public/private is for the enhancement of the resident and tax payer with the added economic activity a positive plus. Private is clearly net.

Bellweather has earned, and deserves to, make a margin. But not a subsidized margin based on flawed study citations.

A balanced approach for the residents of OC and businesses that provide services.

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Share with the following:

Marina at Dana Point

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

You have it right as to the correct market. The purpose of public lands is not so the government or government contractors can make the maximum amount of profit possible and measure against private business for proper price points. Public parks, bike trails, marinas, etc. are to allow as broad a swath of the public to benefit from limited

measure the "profitability" at all, other public lands are the better comparison. Really, prices should just be set to cover the maintenance of the resource. Its not meant to be a "for profit" operation.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

In researching the Internet for information on Joe Ueberroth and Bellwether Financial I found one article where he claimed to control 75%-80% of the slips in Newport Harbor.

slip costs in Dana Point. Seems like a conflict to me.

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OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

Description:

One very important fact that is missing with the analysis of the rates for the other harbors is that none of them are going through a long renovation where boat owners will have to endure dust, debris, noise issues and have to relocate multiple times.

We were previously tenants at Newport Dunes and that harbor has new concrete docks, a heated pool and many other amenities that don't exist in Dana Point.

Also the value of real estate in Dana Point is no where near the value of real estate in Newport Beach. Aren't the slip rates partially based on the value of the real estate versus comps from a harbor surrounded by \$10 to \$40 million houses?

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Stake in the harbor:

Boat in a slip - East Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

We finally see the methodology used by DPHP to justify the proposed rate increases. If the Orange County Board of Supervisors and the Chief Real Estate executive for the County looks closer at the table of rates...it is easy to see that the private marinas in Newport Harbor were primarily used to justify the large proposed increase. That is a totally unfair comparison as Dana Point Harbor is a public harbor, and should be compared to other public harbors, of which there are many, up and down the Southern California coast.

Newport Harbor marinas. Furthermore, I believe that was the intent of the OC Supervisors when the final lease terms were approved...and somehow the correct language in the document was either overlooked or slipped through.

The County Board now needs to step up and correct the error for the good of all Orange County residents and visitors from outside of Orange County.

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General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

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Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Apart from their intentionally omitting other Southern CA public marinas with far lower slip rates; The methodology for their draconian increase in slip rates ignores the fact that the marinas used in their comparison also offer mooring rentals as a cheaper option for families and lower to middle class residents to get into and enjoy boating. That option does not exist at Dana Point.

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Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Regarding the slip rent increase. I understand that we are all concerned that the rate increase was inaccurately justified by comparable slip pricing.

But there's another key issue here. The county advertises our harbor as affordable. To date, the only implication of this has been slip size demographics. But affordability is directly tied to slip pricing too. I have yet to see a reasonable test for affordability being applied to slip rates. I do know that the term affordability is vague, but this rate increase drives home the need to translate the vague term

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Slip fee raise - is Unfair and – should have be raise by % yearly. Boaters should NOT have to make up for Marina pass mistakes of owners or managers NOT to raise Slip

have unreasonable slip fee raises. Marina Needs to raise Slip Fee yearly and NOT Makeup for Lack of Management - in an Unfair/Unlawful 26% to 46% raise.

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Stake in the harbor:

Human-powered craft (kayak, paddle board, etc.)

Wait-list Merchant

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I was shocked that the county would let the harbor raise the prices as much as 26% that is outrageous . If this goes through I will be looking for another marina

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Phone: (949) 485-5656

Liaison Program ~ Copyright 2021



Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

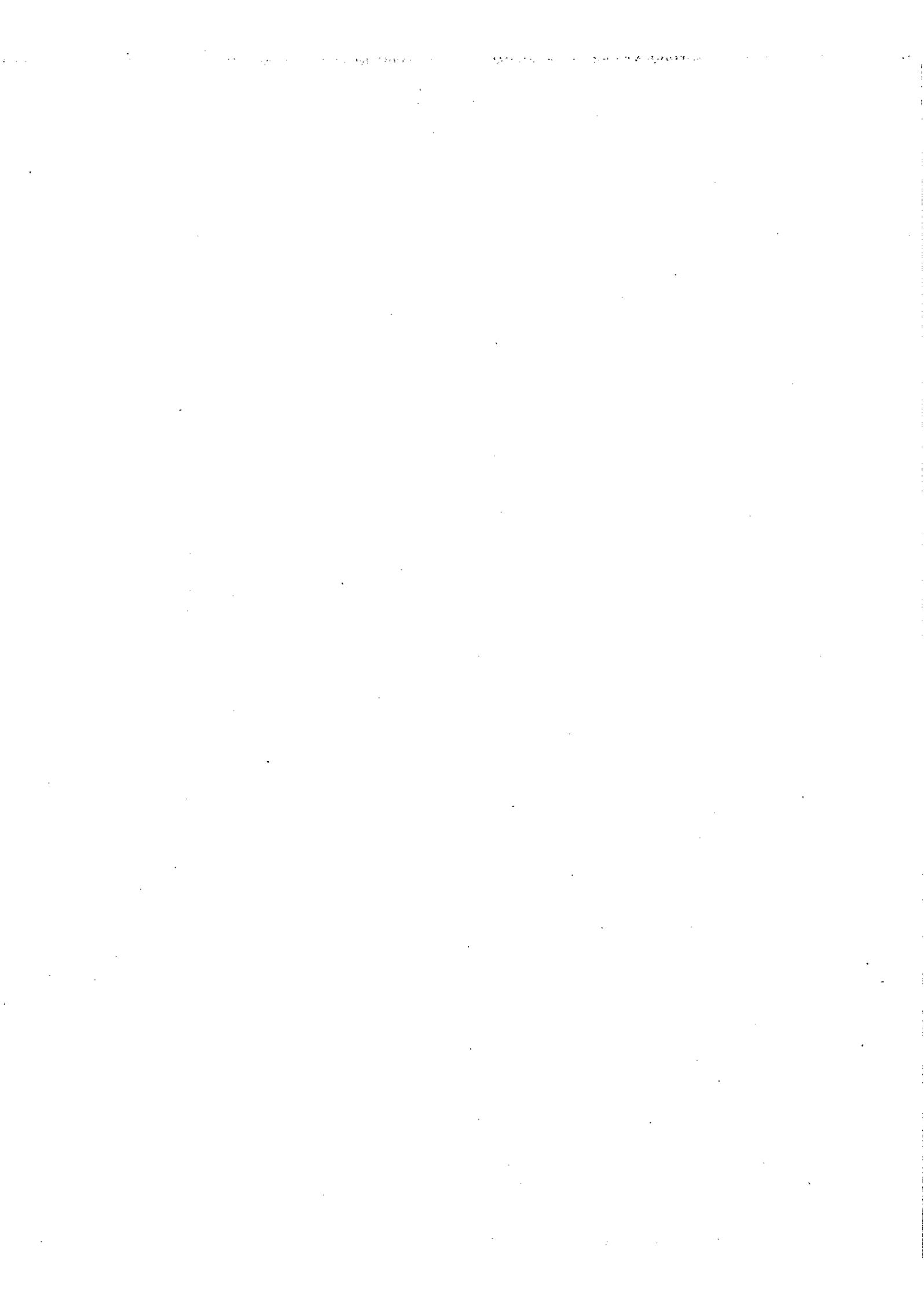
DPHP - (Dana Point Harbor Partners)

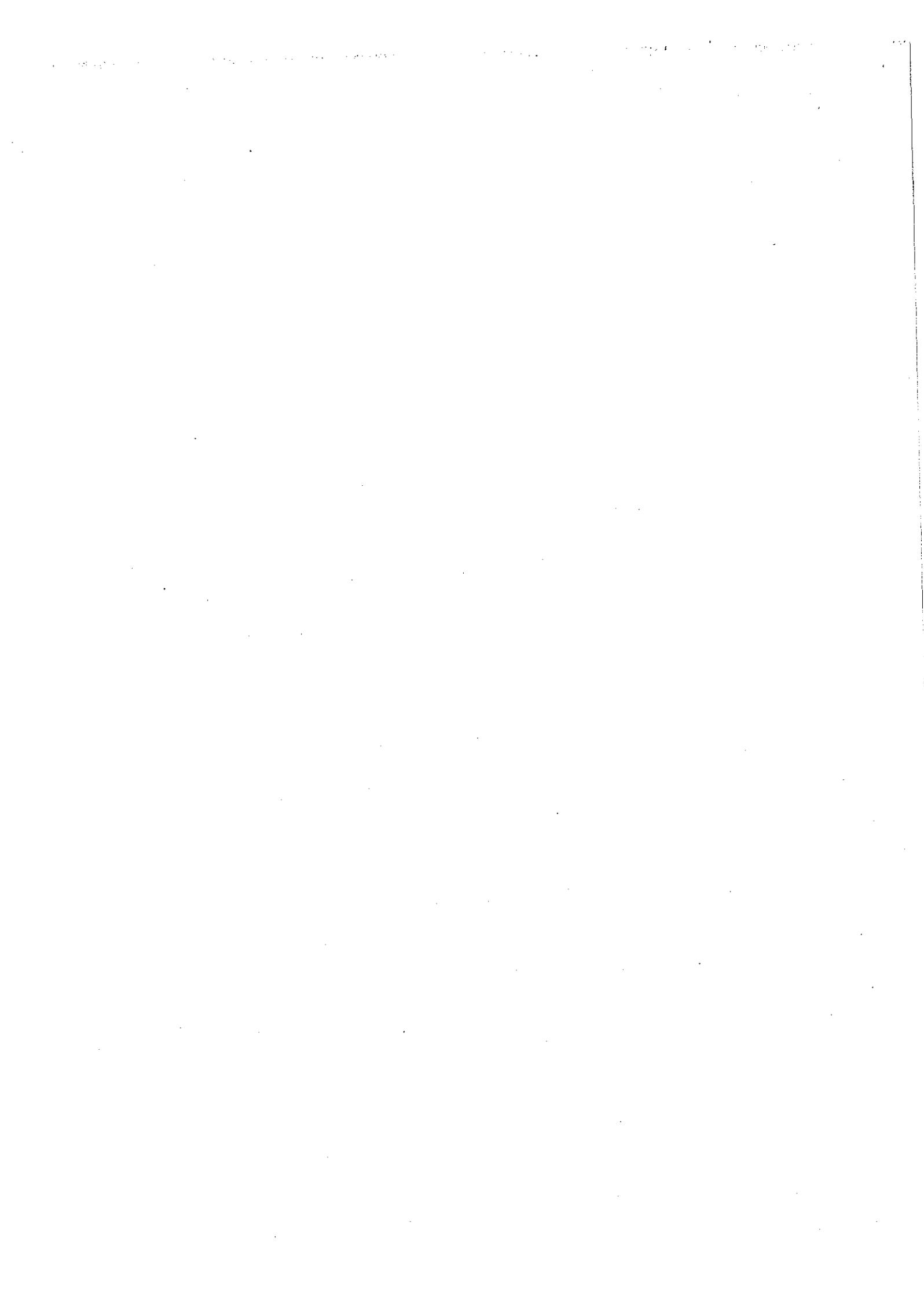
OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Joe Euberroth, Ralph Grippo and their partners Byron Ward and RD Olson have forever destroyed whatever little reputation and goodwill they had with the Dana Point harbor community. They have proved that they are after profits above all else, even at the expense of loyal Dana Pt boaters and everyone else who uses the harbor. They betrayed us, simple as that. Newport Beach multi millionaires stealing from Dana Point citizens. And shame on Lisa Bartlett, who is complicit in this travesty. Who's running against her in the next election? - lets get behind whoever it is. We've been had by all of them!





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Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

If Bellwether would bother to do their research they would see that Dana Point slip prices are already higher than Huntington Beach marinas, and HB has nicer docks with no patches.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Both the East and West marinas were built in Dana Point Harbor in the 1970's. Since the beginning of the harbor, the Tidelands Trust and Marina Lease terms have had "Market Rate" clauses in them. Since then the slip rates have increased slowly over time with regular Market Rate adjustments.

Then, just like that, we are told that The Marina at Dana Point slip rental rates are more than 26% to 90% below market and if raised that much they would still be under market!

Think about that for a while...

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I/We are concerned about the 25% increase in slip fees.
This is too much.
Owning a boat should NOT be a financial burden.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPBA

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

How many complaints must be filed before we ban together and become proactive?

We all know what the issue is. The increase in slip fees replaces the lost revenues from DPHP's investors. They CAN'T proceed with any construction because they don't have the financial backing or they would have already started. By the way, what happened to the commercial component being first on the list? Does this mean that there isn't enough small business owners to gouge to make up for their financial shortfalls? So they make up the difference by hitting the 2,493 boat owners with a huge rent increase.

PLEASE let's focus our energy and unify our efforts before it is too late. We need to coordinate and utilize the

Point boater's population and devise an effective plan of action immediately!

Thank you for your efforts.

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Hello,

I'm frustrated with the new proposed rates that are supposed to start in October.

Maybe I'm in the wrong business, but what industry allows for such such large one time increases, over 30% in my case and greater for others. Especially when there has been

the same product?

It's gauging. Comparing rates to other harbors managed by the same company is also unethical.

Dana point is not Newport and we like it that way.

So the request is: temper the increases over a longer period of time and in much smaller percentages. Look to any other business for reasonable inflationary increase examples.

Thank you for your consideration,
Frustrated 10 plus year tenant.

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Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I have come to the conclusion that both Bellweather and Burnham do not have the funds they claimed to conduct the redevelopment of DPH. This latest money grab (slip increases) is just another move to enrich themselves at the expense of the boaters and County. I would like to see a call for an audit of both entities, along with the campaign and personal accounts of Lisa Bartlett. Something stinks here, and it's not just the rotting docks. I believe these entities are going to drag out redevelopment for as long as possible and then the whole mess will end up in court. Meanwhile the cost of redevelopment continues to skyrocket. Originally it was supposed to be \$100M then when the partners got involved it was estimated at \$300M. Well now with Bidinflation and fuel costs the price is more like \$500M and I am convinced that Bellweather doesn't have the funds nor

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Boat in a slip - West Marina

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Over 200 slip renters will not be paying they're slip fees as of October 1st

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

There is a group being formed that I was contacted by that today's over 200 slip renters will not be paying they're slip fees as of October 1st. And from what I understand that

am considering taking my pink slip for my boat& sign the title over to the Dana Point marina partners and be done with it! Can I legally do this? They can have my boat and put it where the sun doesn't shine!!!

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Boat in a slip - East Marina

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

GLAD TO SEE SOMEONE LOOKING INTO SUBLETS. I BELIEVE THIS PROGRAM NEEDS SOME SERIOUS OVERSIGHT. THEY MAY BE RACKING UP BIG PROFITS BY SUBLETTING SLIPS TO PEOPLE WHO ARE WILLING TO PAY WHATEVER IT TAKES TO BE IN THE HARBOR. IT IS A WAY TO JUMP THE WAIT LIST. I MET SOMEONE WHO HAS A 40' SLIP AND IS TRYING TO DROP A 58' BOAT AND CAN'T POSSIBLY BE AT THE TOP OF THE WAIT LIST. I SINCERELY HOPE THE MARINA AT DANA POINT CAN BE FORCED TO MAKE SUBLET INFORMATION TRANSPARENT TO THE

IT'S GOING ON AND IT SEEMS THAT IT MAY BE A CATALYST TO THE HIGHER OVERALL SLIP FEES. ONCE THE MARINA SEES HOW MANY ARE WILLING TO PAY BIG BUCKS TO JUMP THE LINE THEY DECIDE TO STICK IT TO ALL THE BOATERS.

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Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

2 issues:

I'm requesting an audit of the slip rents paid since the Partners took over, with full public disclosure

I'm upset that the Partners have used Newport Harbor rates

Point rate increase. Newport Harbor is not comparable in any way to Dana Point Harbor.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Not sure who this needs to be raised with. It's just more revenue coming in, I should think, in addition to the large slip fee increase

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Just curious about additional revenue that will be raised by the "pay to park" system in place for the public. Where does that money go?

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Boat in a slip - West Marina Wait-list

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Mark me down as being opposed to the slip rate increase. At this point...the DPHP have lied bold faced to us about their intent, abilities and negotiated dishonorably with the county, the citizens of California and the Boat owners and tenants at the marina. The lease from the state level and county should be terminated immediately, a stay order on the oct increase and this should be litigated. Our Supervisors should be incensed at this point too.

Bartlett has fallen flat footed on her actions to protect and represent us too. This could end her political carrier. She can't move forward without her home base...most are on

Just glancing through the pile of docs recently made available i see TOO Many glaring problems to list here.

But think of this...DPHP took a PPPL loan / grant out for payroll and expenses. NO one failed to pay their boat bills. They show they cut expenses and actually are not eligible for forgiveness (and not from us either) yet.. have made NO payments of that \$191,000.00 loan.

That's extremely offensive to me, as a small businessman. I barely got PPPL money for my business that DID have COVID employee issues at the end of the second round of funding.

The fact they have not repaid with millions in the profit and bank account is consistent with their greedy and bad corporate behavior. These are NOT people of character that represent the good people of Dana Point and South Orange County.

FIRE THEM. Two years = TOO many problems and ZERO work to show for it. Only piles of blah blah blah and money IN THEIR BANK.

TIME FOR ACCOUNTABILITY.

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Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DP Boaters Ass

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Thanks to the people doing the financial analysis. This is all info we've know for a long time but great it gets pointed out again as sometimes that's what it takes. Kudos.

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Stake in the harbor:

Boat in a slip - West Marina

Commercial Boater (wharf, fishing, diving)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

dpba

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

share with DPBA

when does privatization become theft ,Unwind this farce now we can't negotiate with these trust fund babies never will . Hire a lawyer and file a claim then lobby the DA and state DOJ

the pre qualified bidder claim kept the whole thing out of the free market and the abuse its causing is not with in county policy

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Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I have reviewed the spread sheet posted pointing out slip fees and increases. I read the notes in the "cash cow". I have two sailboats in Dana West. I feel specific case examples may help. Also will point out the "bait n switch" DPHP have executed that I believe is criminal and should breach the contracts.

DPHP promise slips to be replaced entirely and start within 4-6 months of final agreements. NO slip fee increases till new docks. They took over end of 2018/Jan 2019.

1-catalina 27 in a 26' slip. 2018 = \$388 a month. rate \$14.92 a foot @ 26' slip rate and allowed 3' under or over = flat

Dec 2018 rate goes to \$399.00 month before DPHP take over = rate \$15.35 2.8% increase. Blame old management (yeah right,)

Jan 2019 The entire terms of the lease were changed with no agreement by the boaters (unless you think agree or move is an agreement) to use LOA vs slip flat rate. This moved the Catalina 27 paying for 26' to a 29' bill = \$445.15 NOW a 14.73% increase vs 2018.

NO new slips...no services added, no wi-fi...nada.

#2 Cal 29 in same finger. \$388 to \$399. Then remeasure became a 31' boat and pays \$475.85 a 22.64% increase over 2018.

#3 a Catalina 30 in a 26' slip. \$388 to \$399...remeasure and becomes a 33' LOA charged \$505 an AMAZING 30% increase.

All this now in 2021 = NO slips, whining about maintenance, WI-FI just added and does not work unless you pay the upgrade. Parking that completely fails and they want MORE money in a month.

Time for local, state and federal agencies to look at this deal.

Boat owners have VERY FEW options in So cal. We can't simply move if we don't like the terms. They also have us STUCK in 30 day leases! They basically BLOCK "Live Aboard" Status...as if you should need permission to live on your boat...when the state and most counties and cities allow homeless to live any where and in anything. We are seriously getting abused here.

This dynamic keeps up from negotiating on an even par. This may be solved with a true "home owners" type association for boat owners that can bring a real union style group negotiation against a tyrant. The other option is the government to step in and stop the abusive part from squashing the tenants:

CONSUMER PROTECTION

Consumer protection laws are federal and state statutes governing sales and credit practices involving consumer goods. Such statutes prohibit and regulate deceptive or Unconscionable advertising and SALES PRACTICES, product quality, credit financing and reporting, debt collection, LEASES, and other aspects of consumer transactions.

The goal of consumer protection laws is to place consumers, who are average citizens engaging in business deals such as buying goods or borrowing money, on an even par with companies or citizens who regularly engage in business. Historically, consumer transactions—purchases

statutes, both state and federal, now work to protect consumers.

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Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Regarding your recent Cash Cow article - great job! The info, for the most part, let's us know in great specificity what has been abundantly clear for the 4 decades I have been in the harbor. There is a pile of cash being paid to whomever had the concession for the marina(s) and those officials or agencies all failed with regard to appropriately reinvesting some of those revenues into maintaining the water side of the harbor. That is issue 1 in my view (we slip renters did our part by paying, marina management had no plan and continue to "cold patched" a road that needs total resurfacing....). Issue 2, in my opinion, is that 2 "wolves in sheep's clothing" sold current AND future boat owners down the river for some presently unknown purpose! Specifically, why would Senator Bates author and advocate a change in the Tidelands regulations which directly benefitted DPHP (SB367)? And, of much greater interest,

Instead of her constituents? It's good to see that the DPBA is deliberately moving beyond the "scratching and snorting" phase of "we don't like the planned rate increase" to the objective investigation of who gained what in this transaction and how to hold those we trusted responsible! Follow the money!!

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DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Ridiculous price hike !
How could our board of supervisors allow DPHP's to increase slip rent by 96%?
My rent goes up over \$1,000 a month. What other increase of this size is allowable in any instance?
The notion that this is market rate is ludicrous. Easily disproved.
Uhberoff's comment that if you have a 20 year waitlist you're

are why there has been such a hard time to get a slip in Dana Point harbor.

This harbor shouldn't cater to the highest bidder. It is a public facility responsible for inclusiveness not divisiveness. It isn't Newport Beach and we don't want it to be.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

While I have previously written to object to the massive slip rate increase, I wanted to add these additional comments as it relates to the unfair and selective slip rate comparisons DPHP used to justify our slip fee increases in Dana Point:

We recently met a visiting boater from Oceanside Harbor. He indicated that he has a 45 ft boat and pays \$740 per

be more than double at \$1,534,50 (which doesn't include extra fees once the electricity meters are installed). Plus the visitor indicated that the Oceanside slips are in much better condition.

Basically, the Dana Point Harbor will be for the wealthy. The County did not do the boaters in Dana Point any favor when signing the lease with DPHP.

Again, we certainly should expect a reasonable increase in the rates once the harbor has been renovated but not now.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

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Boaters Liaison Submission Form

Dana Point Boaters Association Boater Liaison Submission Form

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

To honorable county supervisor Lisa Bartlett,

Thank you for the opportunity to speak at your last supervisors meeting. I was unable to convey my concerns in the 60 seconds that was afforded so I am writing this and hoping it might come to your attention.

I have been a slip holder in Dana Point harbor for over 25 years and it has been a highlight of my existence to have a boat there. I started with a small boat with the hopes to save, raise my kids and one day retire buying the boat of my dreams. After a 9 year wait on the waitlist, I finally felt my dream was coming true.

My dreams have recently been shattered by the 96% (over \$1,000 a month) increase in my slip payment. I will be forced to sell my boat. If it doesn't sell quickly I will have to give it to the marina that perpetrated this injustice.

The method for calculating comparable prices (the only saving grace in this increase of rent) has been skewed and misrepresented.

I find the statements of "if you have a 20 year (lie) waiting list you are obviously undercharging" and " I expect the reaction to slip increases to be loud but they won't make a sizeable loss in revenue" to show the ignorance of this being a public facility.

If this is what you, our supervisors believe then all is lost. People waited too long on the waiting list due to a loophole that boat brokers and others allowed to happen. Slips were transferred without a wait by LLC's being the slip holder and a 51% slip holders ownership allowing the slip to go to the new 49% owner.

The current slip agreement makes it even easier to "cheat" by only requiring the slip holder to own 20% of the new owners boat.

When a dog is let off leash and bites someone we don't blame the dog for doing what dogs do. We hold the irresponsible dog handler for not properly handling the dog. Therefore I am not here to blame Mr.Uhberoff for killing my retirement. I do however blame those that allowed this to happen. Why not make pubic county parks \$200 a night to camp there? I'm sure in Mr. Uhberoff's mind you are "leaving money on the table".

My plea is that those supervisors in power take responsibility for letting this dog off it's leash to bite the very constituents that voted them to power.

Please, Please, Please take the time to right this injustice. We are counting on you to look beyond the advantage of having developers owe you a favor. Please look beyond political ambitions at the cost of ruining peoples lives. Please look beyond the glitter of a high end, wealthy only use of our pubic harbor.

Time is of the essence and as a 70 year old voter I don't have the time to start over.

Thank you for , (hopefully), reading this and supervising these issues.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPBA

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Every boater needs to take the time to watch the Sept. 9, 2020 Coastal Commission permit application hearing video and skim the actual application. There is an abundance of inconsistencies throughout the document and the Q&A section. For example:

The following inaccuracy is on page 45: "The slip size distribution in Dana Point is important in terms of recreational boater access since pricing is BASED ON THE SIZE OF SLIP." On page 46 DPHP posts the current slip rate chart, showing that slip rates are actually calculated by the LENGTH OF EACH INDIVIDUAL BOAT, not the LENGTH OF THE SLIP like it was before DPHP took over.

This is DPHP's second price increase since 2018. Where is the latest Chart with the 25% to 95% increases? Shouldn't

How does this ludicrous, insulting, slap in the face fit into DPHP's mandated Environmental Justice Component listed on pages 54 and 55?

Needless to say, during the Q&A, Mr. Ueberroth boldly makes the statement "DPHP has not increased ANY FEES since they took over in 2018." Really?

Mr. Ueberroth also contradicts himself numerous times during his seven minute presentation. In his opening statement, he clearly states that "Dana Point Harbor is a small boat harbor and will continue to be a small boat harbor."

He later attempts to justify the elimination of 155 slips and the need to add 23 65ft slips because of consumer and waitlist demand. How can there be a waitlist for 65ft slips if none currently exist within marina? The largest slips available in the marina are 60ft in length according to the chart presented on page 36.

It is also stated on page 38 that DPHP will be reducing the number of boater service buildings that house the boater restrooms and showers from 11 to 10, for no particular reason. According to Exhibit 3 of the site plan, there will be 3 of these facilities on the west basin cove side, 3 on the west island side, 3 on the east basin island side, and 1 located in the outer basin for the guest slips.

Unfortunately, there is NONE pictured or planned for the east basin cove side. I am not sure what facilities the east basin cove boaters will have access to. Will they have to rent a room at the new 5-star hotel to take a shower?

When asked if there had been a reduction in the number of boater restrooms Mr. Ueberroth flatly denied any reduction and changed the subject to how much easier it will be for the public to have access to public restrooms.

Unfortunately, public restrooms are not included on any of the exhibits presented. So God only knows where and how many there will actually be.

The application, Mr. Ueberroth's presentation, and his rebuttal are riddled with many questionable components and raises the question: "Is DPHP actually capable of completing a project of this magnitude?" It is obvious that it is all about the "CASH COW" (DPHP) making as much money as possible at the expense of the general public and our fellow Dana Point boaters.

According to the application the Coastal Commission has until October 5, 2020 to make modifications to this application. Therefore, our time is running out if we plan to stop this fiasco from beginning. We must organize and present an appeal ASAP!

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Boat in a slip - East Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I understand that the Marina Company's position is that Dana Point slip rents have been below market. The comparison they used was skewed in their favor. They only used marinas within Orange County. Oceanside, which is actually closer than Newport was not used in their comps and either was Long Beach. To get a fair comparison, both of these should have been used. They did not as it did not fit their agenda. How unfortunate.....our only recourse is to complain to the County who also benefits from increased slip rates.....

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Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The marina especially the condition of the docks do not warrant such a large increase in fees at this time. Most docks need repair. the condition of the docks and marina in general do not warrant the type of increases that are proposed.

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Stake in the harbor:

Boat in a slip - West Marina

Human-powered craft (kayak, paddle board, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

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Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

In 1976 I launched a 40 foot catamaran which I built over a

department also a United States Coast Guard closest captain hundred tons I was a yacht surveyor for 36 years I was a yacht broker for five years in the harbor I served in the United States Coast Guard during the Vietnam war when we built my Catamaran named freestyle we were the first boat in the west marina and 1976 my slip rent was under \$200 it ended up costing us \$20,000 to build the catamaran with the new proposed slip fees of \$2240 per month in one year I will have paid more than the cost to build this is an outrageous cost for renting slips we are boaters and not businessman we do not make any money from our vessels we can't increase the price of anything because we do not sell anything we need some Investigation as to how do you slip rents can be justified

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PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

The slip rent increases are way out of line. You have done virtually nothing to improve the harbor to warrant the increase. What you have done is to take away boater parking and trailer boat parking so you can line your pockets. You should be ashamed of yourselves.

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Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

As I understand the current issue is the OC over reach in the contracting of a developer to manage the State harbor while under the Tidelands Trust Act; a State Act. OC is the granted agency who was supposed to manage the harbor under the

must be brought in and if necessary a law suit must be filed to reverse the situation. I filed letters during the lease process which warned against this current prospectus taking place. Which by the way was eminent due to the nature of property development in general. The supporting 2 land contracts are a bit indifferent to the Act but inclusive in its protection as a supporting role in the boater trust in the Act.

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

Past slip enter

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Orange county board of supervisors for over 22 years wasted millions of dollars and we're not able to repair and replace the Dana point Harbor facilities. They subjugated their responsibilities to an outside firm gave away the store told them they could charge anything they wanted. "What ever the market would bear.

DPHP took the deal. They also haven't done anything to improve the harbor,except to eliminate trees.They increased the cost of the slips by charging for the over

supervisors have violated the Tidelands Trust by charging a extra fee to boaters when they took over the operation of the harbor.

In addition to what you are doing. I think that the State Attorney General office should look into this matter also.

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Stake in the harbor:

Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

I waited 18 years for a channel slip ,I bought a boat to fit that channel slip .My rent has increased twice , Now I'm told ill be moved off the channel and my rent will double, prewise increase's included , other expenses where having to double my insurance a new carrier was almost impossible to find I believe this is all a scam by [REDACTED] and the dana point merchants acc. this is why it toke 35 years to ripp off the tax payer's. Please unwind the whole thing and seek penalties. I cant even off set this thievery thru chatter or renting my boat. AS policy says only the few have a cartel and will dominate all business and money's .

Captain [REDACTED]

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PLEASE DESCRIBE YOUR STAKE IN THE HARBOR:

Stake in the harbor:

Day Use Trailer Boater

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Now that the boat ramp usage is way up, when will additional parking be available?

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Boat in a slip - West Marina

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Lack of security in the evening and People sleeping in cars in parking lots. This is unacceptable given the greed, financial over reach and sleazy tactics to bolster DPHP bottom line. The citizens of Dana Point have been duped by these slick talking suits. In meetings with the public These folks soft peddled any slip fee increases until the

back on basic services such as security and restroom maintenance since taking over.

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

In my opinion, DPHP is grossly over reaching with their desires slip rates beginning 10/1/21. They need to take ALL 20+ Southern California marinas into account when formulating "market slip rates", not just Newport Beach private marina rates and setting the bar to the highest bidder mentality.

Additionally, DPHP needs to realize they must comply with the spirit of the Tidelands Trust Master Lease as an approved county asset concession operator.

Not to mention there has been no meaningful improvements
or value add creation provided to the boater tenants.

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Stake in the harbor:

Boat in a slip - West Marina

Human-powered craft (kayak, paddle board, etc.)

Wait-list

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

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Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

Description:

I disagree with the references to supply and demand, market rate etc. as a reason to increase the slip fees in Dana Point. This line of thought is the exact opposite of what the goals of what county land usage was set out to be, which is access to the many, not access the few.

We all know that this is public land, as an example many cities have public land that is used for golf courses. These courses typically have lower rates, and long wait lines and can be impossible to get tee times for, but these lower rates remain intact. Because the lower rates allow access to the largest segment of the population, which is what public lands are for. The prices are not meant to be market rate, but to be enough to maintain the property. Imagine if Mile square and San Clemente Muni doubled their fees or made them market rate.

How many people and kids would be simply priced out of golf. yes it would be easier to get a tee time, but at what cost to human access. In the case of the harbor slip rates, it is true that there are long waits for slips, but the solution should not be increasing pricing so that less of the population of Orange County can access the slips, but to look at ways to increasing the amount of slips, dry docks, and the size of the launch ramp available to the growing population. Making public lands what the market will bear will turn the public harbor into a private country club for the rich. What will be next, the price of insulin?

Dana point has been and was intended to be a small harbor, this proposal changes all of that. I have heard some rumblings about busing in kids from lower income brackets to somehow give something back, so the idea is to show these people public land they cannot access and can never afford, I guess Orange County is rejecting the call for equity for all? Or is it just more equity for the rich?

Or is this perhaps a back door way of moving corporate and other wealthy owners up the wait list? Tired of waiting for a slip like everyone else, they are just going to price everyone out of the harbor to get to the top of the list, and then have a new harbor built with the taxes of all the people they just priced out. Genius move and time to toast those in control I guess.

PS I love the staff in the harbors.

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OC BOS (County Board of Supervisors)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Dana Point City Council

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Based on the "new" boat measurement being used since the new management took over (Not the boat manufacturers dimensions)... the percentage increase IS SIGNIFICANTLY HIGHER.

STOP THIS October 1 increase!

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Share with the following:

DPHP - (Dana Point Harbor Partners)

PLEASE DESCRIBE THE ISSUE/QUESTION YOU WOULD LIKE ADDRESSED OR ANSWERED:

Description:

Thank you for the latest correspondence. The State is the only hope without a lawsuit to reign in OC on the overreach they implemented to turn the Harbor into a developers cash cow in direct violation to the Tidelands Trust Act. I have many on record communications to the OC Board of Supervisors regarding the violations of the Act.

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Human-powered craft (kayak, paddle board, etc.)

Merchant

General Harbor Use (dining, shopping, walking, dog walker, jogger, etc.)

PLEASE RAISE MY ISSUE/QUESTION WITH:

Share with the following:

Marina at Dana Point Embarcadero at Dana Point

DPHP - (Dana Point Harbor Partners)

OC BOS (County Board of Supervisors)

Harbor Patrol (Orange County Sheriff's Department)

Marina Operators (Marina at Dana Point - Both Marina Basins)

Landside Operations (DPHP, OC PARKS)

Description:

Increases without slip power and construction improvement completion dates within a reasonable timeframe is not just. I've have a boat in a slip, [REDACTED]

[REDACTED] Single female just trying to live the dream. I spend a lot of money at harbor businesses and help to attract patrons. Other than new hand towel dispensers and overnight security, the last increase has done little to improve my experience. Parking for boaters is still free, but for how long? There is a 1 hour solo spot for guests to dock and patronize merchants and restaurants (by Watermans). So very few customers created. The boaters are, like me, a big part of the customer base that allows restaurants and merchants to survive slow days /months. Improvements cost \$, and we need many; however there has to be a more just way to finance them other than passing all onto the boaters. The upcoming construction is going to be a huge disrupt in business and annoyance to boaters-dust, long way to haul supplies, most likely some of there favorite haunts closed.

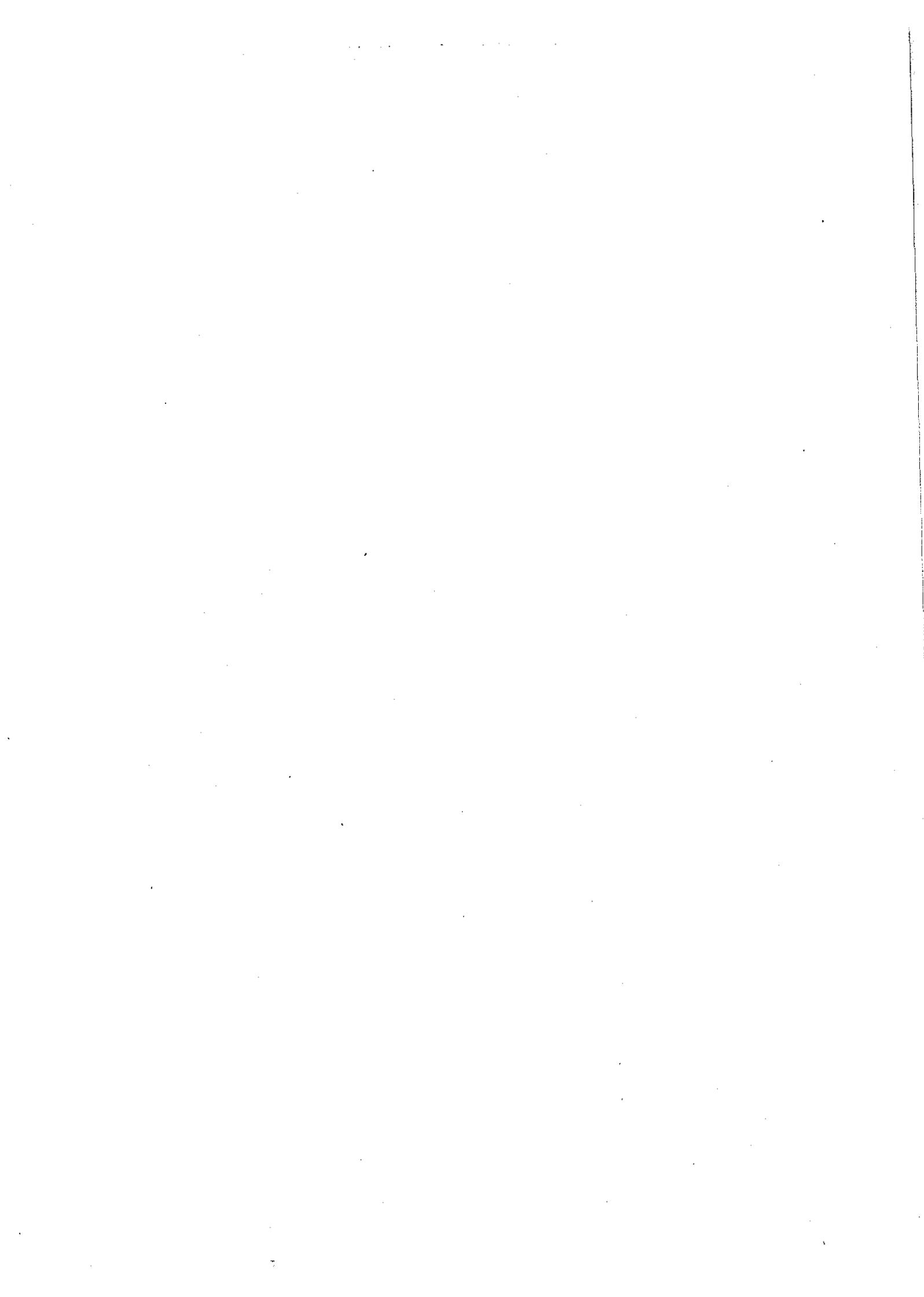
I did downtown redevelopment in Wisconsin- the public was invited to be involved with off setting some of the financial burden- and they rose to the occasion. The recent Ocean Institute fundraiser is a perfect example. Our harbor needs a revitalization- let's work together to figure out a way to not push out the bread and butter (big boats pay great slip fees- yet visit infrequent- not injecting money weekly like many smaller boat owners). A gradual phased increase with noticeable dock and services improvements seems a far more just and in line with the original intent of an affordable public harbor.

Dana Point Boaters Association

P.O. Box 461, Dana Point, CA 92629

Phone: (949) 485-5656

Liaison Program ~ Copyright 2021



From: Greg McDowell
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting external affairs-County of Orange Grantee- Dana Point Harbor
Date: Tuesday, August 24, 2021 6:29:16 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commission,

I have been a boater in Dana Point Harbor for nearly 40 years, and I have never been more unsure of what the days ahead look like. I recently retired and looked forward to the days of coming to our boat whenever we wanted. I now feel unsure if we will be able to afford to keep our boat.

There has been little to no work done on the docks, and they are in the worst condition ever and yet we're being asked to pay outrageous prices for them.

This seems to be a complete over reach by DPHP's because they think that there is no way for anybody to stop them.

Please help us to remind them who owns the Harbor, and it's not them!!

Regards
Greg McDowell

From: George Hughes
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 7:07:00 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

George Hughes, Dana Point Harbor, [REDACTED]
July 27, 2021 and August 10, 2021

This last Tuesday about 10 of my fellow slip renters were at the OC Supervisor PUBLIC HEARING. The following are my comments that were intended to be entered into the record but that didn't happen. Andrew Do cut me, and all the other speakers, after one minute. Please follow up with "opinion@scng.com" for their reaction.

"Date: July 27th, 2021 Orange County Supervisors meeting in Santa Ana

Hello my name is George Hughes; I live aboard my sail boat in Dana Point Harbor.

At 6:25 pm last evening I received an email from the Honorable State Senator Pat Bates.

In brief, I will share with you the following: "I share your concern with the fee increase.

...,my office is reviewing the terms of the Dana Point Tidelands Trust, which directs that the harbor remain accessible to the PUBLIC".

Dana Point Harbor was created because the medium income citizens of Orange County (THE PUBLIC) did not have access to boating activities. The reason for the exclusion, to boating activities, was and is the cost for slips in Newport Beach."

Chairman Andrew Do timed me out after one minute of public comment.

Senator Bates, please consider the following when considering the impact to "Public Access":

"By the nature of these increases the "PUBLIC" is excluded from DP harbor slips.

By the nature of that exclusion; Retiree's fire, law enforcement, teachers, seniors and medium income residents of Orange County are also excluded.

THE DPHP Letter of June 21,2021, by nature of the 70% to over 100% (55' and up) is a declaration of "**Eviction**".

Pay the increase or get out.

Nowhere in the State of California is a 90 day "Notice of Eviction" no matter how it is phrased legal except in Orange County.

"Balboa Basin Marina" in Newport Beach, is today charging the exact same price, to the penny, for a 35' slip the same as DPHP will be charging on October 1st here in Dana Point. If Dana Point Harbor Partners is allowed to charge the same amount in Dana Point as Ralph Grippo charges his tenants in Balboa Basin Marina it will be "Newport South" and not Dana Point the public harbor.

Regards,

George J. Hughes

From: Keith Engstrom
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Tuesday, August 24, 2021 10:05:56 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

8/24/2021

To: California State Lands Commission

From: Current Slip Renter

1. It seems to me that public lands should be used to the benefit of the general public and not just the wealthy which is clearly the intent of the new slip rates.
2. Retired live a boards with fixed incomes are now faced with new slip rental rates well above cost of living rate (approx. 70 times of the COLA rate for 2021).
Apartment renters are treated vastly differently during the pandemic.
3. Any major rate increase should be implemented only after a major upgrade to the slips have been completed, until then rate increases should be COLA based.

Over the last two years little has been accomplished to justify the new slip rates which in some cases approach double the current rates.

Accomplishments of Harbor management

1. Installed new parking gates that added a fee for boat owner's friends to park.
2. Cut down the trees lining the harbor's entrance.
3. Upgraded the management's office.
4. Purchased new pick-up trucks and golf carts for the new management team.
5. Repairing dock with low-cost splinter prone plywood.

From: Ronald Geslin
To: [CSLC CommissionMeetings](#)
Subject: Slip increases in Dana Point harbor
Date: Tuesday, August 24, 2021 10:23:17 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

My name is Ronald Geslin, a previous slip renter, and Dana Point resident for 10 years!! I still boat but rent, and know a lot of wonderful people who boat in the harbor, are sensible, take care and responsibility for their boats and the harbor. They and I feel the rate increases recently launched are ill conceived and not the best way to kick things off for a long term relationship for boaters and management. The timing and methodology for the increases seem egregious and not in the spirit of the original Dana Point Harbor mission statements; the need for fair profits is understood, but the pace, and who gets unfairly squeezed out should be readdressed and evaluatedthe new management does not own the harbor, the people do. RG

From: Patti
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 10:50:54 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I have been a boater in Dana Point Harbor since the 1970's. I am appalled and furious that our County Board of Supervisors allowed the new partnership to raise our rents to the level of those in Newport Beach. Contrary to what some people may believe, boaters are not "rich elitists". Boaters come from many walks of life and income levels. Dana Point Harbor was supposed to provide an alternative to Newport Beach so that all Orange County residents could enjoy the water and the harbor facilities.

We boaters are extremely upset by the fact that this outrageous rent increase is set to take place October 1. We have seen no improvements to our docks (which are literally falling apart) or any of the other facilities in the harbor. The new Harbor Partners are apparently using the boaters to finance their investment without boaters reaping any benefits. How could the County Supervisors ignore the needs of their constituents and approve this plan? We sincerely hope your commission can and will help us out.

Patricia Burke-Pratley
Retired teacher
San Juan Capistrano



Virus-free. www.avast.com

From: Marti/Rob Beck
To: Ronald Geslin
Cc: [CSLC CommissionMeetings](#)
Subject: Re: Slip increases in Dana Point harbor
Date: Tuesday, August 24, 2021 10:53:30 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Well said!

On Tue, Aug 24, 2021 at 10:23 AM Ronald Geslin <[REDACTED]> wrote:

My name is Ronald Geslin, a previous slip renter, and Dana Point resident for 10 years!! I still boat but rent, and know a lot of wonderful people who boat in the harbor, are sensible, take care and responsibility for their boats and the harbor. They and I feel the rate increases recently launched are ill conceived and not the best way to kick things off for a long term relationship for boaters and management. The timing and methodology for the increases seem egregious and not in the spirit of the original Dana Point Harbor mission statements; the need for fair profits is understood, but the pace, and who gets unfairly squeezed out should be readdressed and evaluatedthe new management does not own the harbor, the people do. RG

From: jimmaiers [REDACTED]
To: [CSLC Commission Meetings](#)
Subject: 8/25/2021 - Meeting - External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 11:23:12 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Commissioners,

My wife and I have had a boat in Dana Point Harbor for 26 years and have loved every minute of it. We watched over the years the good, the bad and the ugly of the discussions over revitalizing the Dana Point Harbor. Finally everyone settled on an agreement that pleased almost everyone. All of the sudden from out of no where comes this new group "Dana Point Harbor Partners" who have taken over the harbor and the revitalization. They have a new plan for everything from the Layout of slips to the land operations which it appears none of the boaters like. I know my wife and I do not like the fact that the larger boats seem to be a main interest and boats in our 30' range are moved away from the shop and restaurant area. We also do not like the major increase in the slip rates. The new rates are totally out of line for the Dana Point area. Dana Point is not Newport Beach and the average slip rates for Newport Beach should not be used for slip rates at Dana Point. The reason we put our boat in Dana Point Harbor 26 years ago was we could afford it there, we liked the smaller harbor atmosphere, the people were like us and it was relatively close to our home. Those are the same reasons we have been there for 26 years and would like to stay. Also with the slip rate increase going into effect this quickly it appears that the boaters may be funding the rest of the harbor revitalization. Just a thought! With the slip rate increase that they plan on implementing October 1, 2021 that may have to change. We may not even be able to have a boat any longer because even trying to find an available slip anywhere else is almost impossible. One of the reasons that we cannot afford the major increase in slip rates is because we are seniors and live on a fixed income. We cannot just pull more money out of thin air. Getting back to the new slip layout of the proposed harbor I didn't notice any 30' slips close to the shop and restaurant area for handicap boaters. My wife is handicapped and our slip now is located very close to the shop and restaurant area so that she can access that area easily. Also, I believe there will not be any handicap parking close to the slips in the new layout which will make it very difficult for handicapped individuals. Dana Point Harbor Partners is I believe a for profit company and at the rate they are going they will be making a very large profit!

Please look at the big picture and keep boating available to everyone!

From: Marti/Rob Beck
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 11:34:04 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

My wife and I have had a slip in DP harbor for 14 years and use our boat year-round. The rent has steadily increased over the years which is normal for all things we have to pay for. But out of the blue, Dana Boat Harbor Partners notified us that they were going to raise our slip rate by 22.1%! We are both retired and living on a fixed income and did not budget for this excessive high rate increase. We feel we are being forced out of a public harbor for the want of greed by Dana Point Harbor Partners.

From: Nathan Boris
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor.
Date: Tuesday, August 24, 2021 11:35:22 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear State Lands Commission,

The proposed and drastic slip fee increase in Dana Point prohibits low to middle income families (which are disproportionately minorities) from enjoying boating in our beautiful PUBLICLY OWNED harbor. This is being justified by comparing Dana Point to Newport Beach slip rates, which are some of the highest in the state. We are NOT Newport Beach and we are NOT a private marina. We do not want a harbor full of multi-million dollar yachts which hardly get used. We don't want a marina which can only be enjoyed by the top 0.001% of income earners. This is a disgraceful money grab by already wealthy developers at the expense of hard working citizens. Please review the materials and financials provided by the Dana Point Boaters Association. I urge you to stop this clear socioeconomic discrimination of a county owned resource. Thank you and I truly appreciate your service on the SLC.

Sincerely,
Captain Nathan Boris

From: SUZ DC
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Tuesday, August 24, 2021 11:35:51 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To Whom it May Concern

I am a boat owner with a boat in the Dana Point Harbor since July 2010.

This is a brief memo kindly requesting you to re-evaluate the decision - in my case- nearly double my monthly slip fee.

My husband and I planned for retirement to enjoy this harbor and budgeted retirement accordingly. Unfortunately, this increase was not part of our plan. A gradual increase is understandable but this increase is truly unheard of?

I, and all boaters, would certainly appreciate you taking a closer look at this decision and recognize that adjustments need to be made.

Respectfully

Susan Assad
Widow

From: Amanda Pennington
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor.
Date: Tuesday, August 24, 2021 12:12:56 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear State Lands Commission,

The proposed and drastic slip fee increase in Dana Point prohibits low to middle income families (which are disproportionately minorities) from enjoying boating in our beautiful PUBLICLY OWNED harbor. This also affects younger people, who typically cannot afford the exorbitant fees of boat ownership. We work hard to enjoy boating in Southern California at prices that are fair. I believe it will also affect retired folks who are on fixed incomes, who enjoy boating in their sunset years.

This is being justified by comparing Dana Point to Newport Beach slip rates, which are some of the highest in the state. We are NOT Newport Beach and we are NOT a private marina. We do not want a harbor full of multi-million dollar yachts which hardly get used. We don't want a marina which can only be enjoyed by the top 0.001% of income earners. This is a disgraceful money grab by already wealthy developers at the expense of hard working citizens. Please review the materials and financials provided by the Dana Point Boaters Association. I urge you to stop this clear socioeconomic discrimination of a county owned resource. Thank you and I truly appreciate your service on the SLC.

Sincerely,
Amanda Pennington

--

Amanda Pennington
"These are the times that try men's souls."
-Thomas Paine

From: James McGarry
To: [CSLC Commission Meetings](#)
Subject: 8/25.2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 1:28:40 PM
Attachments: [Commission Appeal Letter 1.pdf](#)
[Commission Appeal Letter 2.pdf](#)
[Commission Appeal Letter 3.pdf](#)
[Commission Appeal Letter 4.pdf](#)
[Commission Appeal Letter 5.pdf](#)
[Commission Appeal Letter.pdf](#)

Attention: This email originated from outside of SLC and should be treated with extra caution.

To Whom It May Concern:

Thank you for this opportunity to present our concerns.

In an effort to expose the greed that drives Mr. Joseph Ueberroth's hidden agenda that will ultimately destroy the small-boater ambiance and affordability of Dana Point Harbor, I have attached a letter representing our points of contention related to the unprecedented slip rate increases effective October 1, 2021.

My wife and I have written to the California Coastal Commission, Orange County Councilman Leon Page, and Orange County Supervisor Lisa Bartlett in effort to call attention to the unethical, narcissistic, autocratic take over of our marina by the DPHP L.L.C. During their 3+ years of control nothing has been done but increasing our slip payments by changing the formula for calculating slip fees. To even consider 25% to 90% increases before any construction begins makes one contemplate the possibility that Mr. Ueberroth is having funding issues and needs the boaters to finance the entire project.

Please take the time to review the September 9, 2020 Coastal Commission meeting component: **(Dana Point Harbor Partner's Application for Permit)** Mr. Ueberroth's presentation is riddled with inaccuracies and mistruths.

My wife and I are 45 year+ tenants of the harbor and are extremely concerned that California Coastal Commission, Supervisor Bartlett, and the California State Lands Commission have been sold a bill of goods and would ask for your support to have a third-party independent review of the entire Revitalization project before it is too late.

Thank you for your time and consideration.

To Whom It May Concern,

We would like to begin by saying throughout our 45+ years of continuous marina tenancy, we have thoroughly enjoyed and respected the privilege of having a slip in what we feel is the best marina in southern California. Considering we live in Highland, an hour and half from Dana Point, makes every minute we are able to spend on our boat even more special. Therefore, we make spending the weekend on our boat a priority and have done so for over 4 decades. Celebrating our anniversaries, participating in the Christmas boat parade, and barely surviving the Fourth of July Water Wars have evolved into lifelong traditions for our family, friends, and boat neighbors.

Keep in mind we have **NEVER** felt the need to express any dissatisfaction or ill feelings about our marina to anyone. However, after just of 3+ years of the DPHP experience we have reached our tipping point and ultimately a sense of hopelessness. A multitude of our fellow boaters feel that we have been backed into a corner and there is no way out unless we conform to the absurd conditions that DPHP has created or simply give up and leave.

Over the years, the Harbor Managers have made Dana Point's **AFFORDABLE CHARM** a priority. The main focus was to provide **everyone** (not just boaters) the opportunity to enjoy a very special harbor experience. Unfortunately, this has all changed since the narcissistic, autocratic take over of Mr. Joseph Ueberroth and the DPHP L.L.C. Boaters have been inundated with frustrating, perplexing, demoralizing, and now greed-driven mandates that have created a very contentious environment. Anger and discontent has replaced any positive social interaction between boaters and become the overwhelming theme of discussion on the docks. Some of the main reasons for this disgruntlement are as follows:

Before the ink had dried on the lease agreement DPHP signed with the county in 2018, Mr. Joseph Ueberroth had every boater in the marina sign a new Slip License Agreement. The rationale given for this process was presented as an update of the Marina's records of individual vessel lengths, proof of ownership, and verification of slip registration. To achieve this, Mr. Ueberroth abruptly ordered 3 teams, comprised of two Marina staff members and one DPHP representative, to inspect and measure every vessel in the marina.

This process was riddled with inaccuracy and required many boats to be re-measured with the owners present. Unfortunately, even then the process produced many flawed results.

For example:

My wife and I have owned our present boat, a Catalina 30 sailboat, since we bought it new in 1990. The manufacturer's documented LOA (length over all) is 29' 9." Our boat has been officially registered, insured, assessed for property taxes, and

on file in the Marina Office using the manufacturer's LOA of 29' 9" since January 14, 1990. On that day we were assigned slip C-108 and have been there ever since.

Our slip payment has always been based on the length of our slip. Our slip is 30 feet in length with a 10% (3-foot) overhang allowance as stated on page 1 of our Slip License Agreement. In other words, the original policy would permit a boat with an overall length of 33 feet in our slip at no additional cost.

When we got the email stating that each boat was going to be measured and its marina documentation reviewed, we had no reason to believe there would be any problem considering we have been in compliance for over 30 years. When we received our new Slip Lease Agreement, we found that our boat had been measured at 30' 6" and we were going to be charged an additional \$9.10 per month because our boat was 6" longer than our 30-foot slip.

Needless to say, I requested a second measurement. I later discovered that many of my fellow boaters also requested re-measurements.

I was present when the General Manager of Dana West Marina and one DPHP representative conducted the second measurement. I was surprised to see that the measurement was made by simply extending a tape measure to the end of our boat and visually estimating where the end of the tape aligned with the stern while attempting to keep the tape from bending in the middle. The fact the team used this crude method and ignored the copy of the original factory specification sheet I had provided them to say the least was disconcerting. When they were finished the DPHP representative firmly stated to his team member that the new measurement was "32 feet."

Our boat had grown from the factory LOA of 29' 9" to the first measurement of 30' 6," to finally a robust 32' right before my eyes. At \$18.20 per foot, we would now owe an extra \$36.40 per month, instead of the extra \$9.10 per month. A heated discussion ensued, and I ultimately was able negotiate back to the 30' 6" and we have been paying the extra \$9.10 per month since December 3, 2018.

Our boat's 30' 6" Marina measurement is still well within the 10% overhang allowance of 33 feet. I guess even though it is clearly stated in our 2018 lease agreement, the interpretation of this regulation does not apply to Mr. Ueberroth's revised slip rate formula.

Mr. Ueberroth and his team have redefined the definition of LOA or overall length of a vessel by using their "tip-to-tip" measurement. The Westlawn Institute of Marine Technology clearly defines Length Overall (LOA) as follows:

"Length overall (LOA) is the length from the forwardmost tip of the bow to the aftermost end of the stern of a vessel's primary hull structure. Length overall (LOA) does not include projections from the primary hull structure,

such as: anchor rollers, bowsprits, pushpits, railings, or swim or transom platforms (that are not integral parts of the hull structure)."

Mr. Ueberroth's manipulation of the true definition of LOA and using his "tip-to-tip" methodology for no reason, other than to immediately increase every boater's slip payment within weeks of his take over, is a prime example of how the DPHP L.L.C. will be running the harbor for the remaining 66 years of their lease, **Money First, People Second.**

Unfortunately, the story does not end there. On Thursday of last week August 17, 2021 we received an email from the Marina office that contained a "New Slip License Agreement."

It stated that: **"Slip rates are based on the length of the dock or the length over all of the vessel; whichever is greater. Slip licenses are calculated using the minimum slip fee based on the length of the dock. During the vessel entry inspection, the vessel is measured and if necessary, the fee is adjusted accordingly.**

Your per-foot rate is \$18.20
Vessel Length 31' 4" LOA (Tip to Tip)
New Monthly fee \$564.10

If you feel this vessel measurement is correct, please complete the updated attachment A. If you do not agree with the measurement, please do not sign the attachment A and contact the Marina office by August 24, 2021 to discuss the vessel measurement."

Needless to say, I contacted the office. Two hours later, and a after very perplexing and heated debate with the marina accountant and controller we were allowed to keep our (2018) 30' 6" measurement and the same payment we have been making since December 3, 2018. (\$555.10)

Neither the accountant nor the controller would provide the actually reason our boat was re-measured. The accountant stated that supposedly while updating their records (again) our boat apparently was red-flagged. There was no explanation of why it was red-flagged, but because it was, the boat had to be re-measured.

The question is what motivated the Marina staff to re-measure our boat independently of every other boat. I have not heard of any other boats being re-measured since the original 2018 measurement process. I certainly don't want to think that because my wife and I participated in the August 14th "Save Our Slips Rally" in an effort to call attention to the insanity of the October 1 Slip fee increases, we were targeted for retribution by the Marina Staff. During the rally we noticed

that the General Manager and a few marina staff members were filming us as we walked passed the Marina office and throughout the harbor.

It is clear that the actual motivation behind this massive task of measuring every boat in 2018 was not to update records. If the Marina office staff were so desperately in need of actually updating their records after Mr. Ueberroth's 2018 take over, then there should have been many boats moved after the update. To this day, many boats are in the wrong size slips, have not been moved after they have changed ownership, or are illegally registered.

For Example:

We have a 38-foot powerboat next to us in a 30-foot slip. The owner sold his previous 28-foot powerboat and instead of having his name on the waiting list for 38-foot slip and moving to a larger slip when his name came up like every one else, he just squeezed his new 38-foot boat into his 30-foot slip. He has been there since the summer of 2018 with no repercussions from the Marina office. The owner is also a member of the Dana West Yacht club as is the General Manger of the Marina office. It is common knowledge that the General Manager has provided numerous favors for fellow Dana West Members, an obvious conflict of interest and the source of many of the questionable conditions that currently exist within the Marina.

The sole purpose of the measurement process was to transform the formula of pricing slip fees. Instead of keeping the very efficient and accurate policy that had been used since the marina opened using the length of each slip to determine pricing, Mr. Ueberroth decided to use the length (tip-to-tip, not actual LOA) of each individual boat to calculate slip fees and create an accounting nightmare with 2,409 different monthly rates.

For Example:

We have 13 30-foot slips on our side of C- Dock. Every one of us pays a different rate because of Mr. Ueberroth's money-grabbing system, even though our factory LOA may be exactly the same. It would be the same as a land lord of 13 one bedroom-apartments, all with the exact same square footage, being charged different rents based on the length of their individual couches. Simply ridiculous!

As a result, every boater's slip fee was increased by as much as 3% or 4%, ultimately expanding the Dana Point Harbor Partner's profit margin exponentially. Mr. Ueberroth's abrupt, deceptive, and egregious manipulation of the slip fee calculation formula created an immediate source of perpetual profit that has already produced over 2 million dollars in projected dividends since it was implemented in 2018.

Just as a side note, Mr. Ueberroth failed to reveal this policy change to the Coastal Commission during his permit application hearing on Sept. 9, 2020. On page 45 of the application it clearly states:

“The proposed project does not include any proposed change to the method of leasing. The slip size distribution in Dana Point is important in terms of recreational boater access since pricing is based on the size of the slip.”

Obviously, Mr. Ueberroth feels that what the Coastal Commission doesn't know won't hurt them. He also stated during the Q.A. portion of this presentation: **“That since signing the lease, DPHP has not increased slip fees.”**

I guess a 3 or 4 percent increase as a result of Mr. Ueberroth's slip fee policy change does not count. It must be a 25% to 90% increase before Mr. Ueberroth considers it worthy of a fair market increase.

The fact Mr. Ueberroth only used “Orange County” marinas to calculate “His Market Value” to validate his ludicrous October 1 rate increases is simply unethical and insulting. To think the boater population of Dana Point harbor would just set back and let him mandate these outrageous rate increases without a fight exemplifies Mr. Ueberroth's Newport Harbor snobbish attitude. To pad the pockets of his Bellweather investors and his DPHP partners for the next 66 years at the expense of the 2,409 boaters of Dana Point harbor is simply repulsive.

The boaters of Dana Point Harbor are going to hold Mr. Ueberroth accountable for his opening statement to the Coastal Commission on September 9, 2020. He very boldly stated:

“Dana Point is a small boat marina and will always remain a small boat marina.”

If he truly believes this concept then why is he adding (103) slips over 56 feet in length and eliminating (107) 22-foot slips? **The simple answer is Greed!** He refers to consumer demand as a rationale influencing their blueprint. Currently there are 437 people waiting for a 35 ft slip as listed in the Marina office. Unfortunately, according to the chart on page 47 of his September 9, 2020 Coastal Commission permit application; Mr. Ueberroth is reducing the number of 35-foot slips from 266 to 248 eliminating 18 of the existing 35-foot slips. In comparison there are only 73 people waiting for a 55-foot slip, but Mr. Ueberroth is building 21 new 56-foot slips, 51 58-foot slips, and 23 65-foot slips.

Twenty-two foot boats are considered entry-level boats. By eliminating all 107 of these slips 107 families will not have the opportunity to enjoy the affordability of Dana Point Harbor with an entry-level boat and slip. People are not lining up to purchase fifty-six foot boats, which would account for the fact there isn't even a waiting list for 56, 58, or 65-foot boats in Dana Point.

As of Oct. 1, a 22-foot slip will generate monthly revenue of \$399, while a 60-foot slip will produce \$2,589 per month plus utilities. Everyone knows that the

smaller the boat the more it gets used and by more people. Boats over 50 in length hardly ever have anyone on them. Mr. Ueberroth is all about creating a facility for his high-end corporate affiliations and cronies that use their boats as nothing more than tax write offs.

It is obvious that Mr. Ueberroth has no intention of maintaining the small-boat culture of Dana Point Harbor. It is far more profitable for him to squeeze out the entry-level boaters and replace them with the multi-million dollar yacht elitists that will provide the obligatory revenue required to fulfill his habitual voracity for affluence.

As of October 1, 2021 if nothing is done to stop this disaster, Dana Point Harbor will begin its painful transformation into a graveyard of abandoned boats. People like my wife and I will have to give up our boats because we no longer will be able to afford them. **OUR SLIP PAYMENT WILL INCREASE FROM \$551.10 TO \$750. 30 PER MONTH, PLUS UTILITIES.** Because we had to move our dingy from behind our boat to a side tie (as mandated by the Marina management) we also have an additional slip payment. **IT WILL INCREASE FROM \$266. 40 TO \$297.00 PER MONTH PLUS UTILITIES.**

OUR TOTAL MONTHLY EXPENDITURE WILL BE \$1047.30 beginning October 1.

We are on fixed incomes as many of our fellow boaters and will be financially unable to sustain this catastrophic barrage of increases DPHP has so callously thrust upon our fellow boaters. We will certainly miss the AFFORDABLE CHARM that has made Dana Point Harbor such a special place for so many families like ours for over 5 decades.

We are asking for your support to stop Mr. Ueberroth from destroying the affordability of Dana Point Harbor. Mr. Ueberroth has already established himself as maniacal corporate slumlord that has extracted every dime he can from his tenants by coercing his management team to carry out his list of unethical policy changes. Allowing him to intentionally skew the market value formula to fraudulently implement the ludicrous and insulting October 1 Slip Fee increases is only the tip of the iceberg. Mr. Ueberroth has already indicated that another 35% to 45% increase is inevitable. Adding an additional **\$418.92** to our monthly payment is incomprehensible.

The sad part is that construction has yet to begin. Keep in mind Mr. Ueberroth promised, as he has done for the Dana Point project, that the Los Alamitos project would be done in 5 years. **It took over 13 years to complete with 500 fewer slips and zero landside redevelopment.** God only knows how much slip fees will be if and when our Marina is ever finished.

Thank you for your time and consideration.

Attw Jennifer Lucchesi

8/20/2021

Dear county supervisors and other copied in the D. Winters Law Firm letter to Leon Page, County Counsel.

I'd like to add my perspective and request the Orange County Board of Supervisors takes immediate action to STOP THE PLANNED EGREGIOUS SLIP FEE INCREASE provided by The Marina at Dana Point. Please see my prior email to Lisa Bartlett and my additional thoughts.

OC boaters paid a possessory use tax in prior years, while paying monthly slip fees to Dana West Marina and their boat's unsecured OC property tax. The County's Possessory use tax established boater(s) had and hopefully Orange County believes slip renters still have a legal beneficiary interest.

I've rented boat slip B-222, for approx. 20 years, Dana West Marina boaters never received a 45% increase. The proposed 45% increase is outrageous and criminal. The disruption during marina reconstruction calls for a boat slip fee reduction not an extortionary slip fee increases.

The Master Lease terms require "Market Rate" slip fee pricing. The county should NOT allow Newport Beach rates as a standard for The Marina at Dana Point slip fees. Newport Beach has limited slips and serves the wealthiest CA. community. D. Winters sites case law So. Pac vs Santa Fe, the Lessor tried a novel formula the courts called it "self-serving". The County should not allow an egregious market rate increase basis on The Partners using Newport Beach, slip fee rates. The Partners manage Newport Beach marinas this is clearly a "self-serving" act and violation.

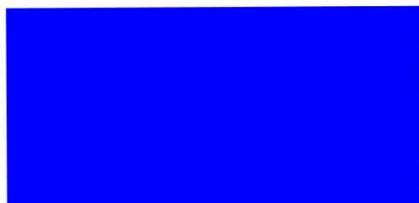
Tideland Grant provides for OC to provide a Harbor allowing boat owners a place to enjoy. NOT JUST THE WEALTHEST MEMBERS OF OUR SOCIETY. Or does one take it to mean, The Marina at Dana Point believes and or the County of Orange believes People of modest means are not meant to enjoy the sea?

Orange County residents and long-term Dana Point boat slip payers, in good standing, like myself need equitably priced boat slips, as many of us have experienced over a long time. I'm a prior United States Coast Guard Radarman, prior USCG 60-ton Master & Mates licensed operator and prior Harbor Patrol employee, Two Harbors, Catalina. OC residents and boaters should not be financially forced to leave Orange County by a self-serving The Marina at Dana Point operation.

STOP the Partners egregious behavior, taking place on Oct 1, 2021, to over 2000 Dana Point slip renters.

Sincerely,

Jeffrey B Singer slip 



On August 13, 2021, at 2:21 PM jeff <singjeff1@cox.net> wrote:

Dear 5th District Supervisor,

As a resident of OC since 73 and a 20 year slip renter in Dana Point Harbor; I hope you'll review the letter link below written to our County legal department.

[https://danapointboaters.org/documents/dpba/blp/Letter%20to%20County%20Counsel%20from%20DW%20Aug%202021%20\(002\).pdf](https://danapointboaters.org/documents/dpba/blp/Letter%20to%20County%20Counsel%20from%20DW%20Aug%202021%20(002).pdf)

My slip fee is going up 45% as of Oct 1st and this will force me to move my sailboat out of the county.

I serve on multiple nonprofit boards in OC and for someone who should be enjoying their golden years you are forcing me to take my boat which I've owned since 1977 out of the county!

The attached link shows a clear abuse of power by the new partnership whose interest is clearly self-serving.

I've paid county property tax, possessory use tax, and boat luxury tax and now my reward for these activities is to be financially forced to move my boat outside Orange County.

The Harbor partners, if allowed to take to this outrageous action exhibits a clear disregard for long time OC residence and or mismanagement by the 5th District.

If your goal is to turn our Dana Point Harbor into Newport Beach South you are succeeding, however if that is the case, your are failing your long time constituents.

Sincerely

Jeffrey B Singer

From: Anne Eubanks
To: [CSLC CommissionMeetings](#)
Cc: "[BOD](#)" (bod@danapointboaters.org); [Advisors](#); Advocacy@danapointboaters.org
Subject: 8/25/21 External Affairs-Grantee County of Orange-Dana Point Harbor
Date: Tuesday, August 24, 2021 2:07:54 PM
Attachments: [DPBA Logo Letterhead SLC letter.pdf](#)
[2018 Slip Rate Survey.pdf](#)

Attention: This email originated from outside of SLC and should be treated with extra caution.

Chairwoman Kounalakis, members of the Commission:

I am the President of Dana Point Boaters Association. Dana Point Harbor Partners (DPHP) has notified boaters in Dana Point Marina of an upcoming slip rate increase effective Oct. 1st.

The methodology used for this rate increase is not in compliance with a 20+ year OC Board of Supervisors written policy for slip rate increases. We have asked the Board of Supervisors to clarify how this rate increase is compliant with the policy and the Tidelands Grant and cannot get a response other than a deferral to a letter written by DPHP.

We have also asked for clarification of who has oversight over the lease and revitalization project and to date have not received a response from the Board of Supervisors, or County executives.

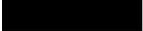
Since the ultimate oversight of the Tidelands Grant falls on the CA State Lands Commission we are asking for your assistance.

I have attached a letter for your review. Also included is the last market rate survey done under the County's guidance from 2018.

We are looking forward to your response.

Sincerely,

Anne Eubanks
DPBA President





DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
PHONE: 949-485-5656 | WEBSITE: [HTTPS://DANAPPOINTBOATER.ORG](https://danapointboater.org)

August 24, 2021

Chairwoman Kounalakis, members of the Commission:

I am the President of the Dana Point Boaters Association. I want to address the impending October 1, 2021, slip rate increase in Dana Point Harbor by Dana Point Harbor Partners (DPHP), current lessee of the harbor on a 66-year lease.

Dana Point Harbor Partners is raising slip fees by 25% to 96% depending upon the size of the slip. They are doing this based on a market survey of Orange County marinas with the bulk of the marinas in Newport Harbor.

Newport Harbor marinas are different than marinas in Dana Point, Sunset Beach, Long Beach/Alamitos Bay, Oceanside, San Diego, etc. Marinas have two components, the tidelands portion, and the uplands portion. The uplands portion of Newport Harbor marinas are private entities leasing land and facilities to the marina. This makes Newport Harbor marinas unique from almost all other southern California marinas. The uplands portion of Dana Point Marina is leased by the County. This is true for marinas in Long Beach, Alamitos Bay, Sunset Beach, Oceanside, and San Diego, etc. where the uplands are leased by the county, city, or port district. When a private entity is leasing the uplands to a marina in Newport Beach, they must analyze the rate of return on the property if the property was used for other purposes like a restaurant, hotel, etc. Newport Beach real estate values for both commercial and residential properties are the highest or near the highest in the county. This results in much higher costs to operate the marina. In County or City owned uplands this isn't as much of a factor.

Since 1992, the Orange County Board of Supervisors has had a **written** slip rate policy in effect for Orange County Marinas. "The policy essentially allows the marina lessees to charge prices consistent with competing and/or comparable marinas, subject only to the specific terms and conditions of their existing individual leases."

In 2001, the marina operator for Dana West Marina requested slip increases based on a market rate study which only included Newport Beach marinas. This slip rate increase was rejected by Orange County PFRD and unanimously by the Board of Supervisors. The reason for the rejection was because the market survey didn't include slip pricing from Santa Barbara to San Diego.

At the March 6, 2001, Board of Supervisor meeting the below policy was approved:

RECOMMENDED ACTION

Approve the following pricing policy for boat slip rentals in marinas in Dana Point Harbor:

A. Prices shall be reasonably consistent with market prices charged by competing and/or comparable Orange County and Southern California (Santa Barbara to San Diego) marinas.



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B. Price adjustments shall be subject to the following procedures:

1. Adjustments may be proposed once a year and must be submitted to the Director, PFRD for approval at least 90 days prior to their scheduled effective date.
2. An evaluation of prices must be completed every year.
3. Annual adjustments can be proposed based upon the cumulative changes in the Consumer Price Index [Los AngelesAnaheim-Riverside, CA (All Urban Consumers- All Areas) promulgated by the Bureau of Labor Statistics of the U.S. Department of Labor (or any replacement index thereto)]. However, adjustments may not exceed 4 percent per year in any slip size category and must be accompanied by a detailed marina slip survey of comparable Southern California marinas confirming that the proposed adjustments are consistent with market conditions.
4. Every fourth year, beginning in year 2005, annual adjustments can be proposed that exceed the cumulative CPI, if the adjustments can be justified as being reasonably consistent with market prices as confirmed by a detailed marina slip survey.

DPHP took over the management of the marina in late October 2018. The last slip rate increase by **Orange County** in DP Marina was in July 2018 right before DPHP took over and was a 2.8% increase. It was based on a market survey which included slips from Santa Barbara to San Diego. I have attached a copy.

Prior to DPHP taking over the management of the marina, boats were allowed a 3' overhang at no additional charge. Once DPHP took over, the new Slip License Agreement allowed a 10% overhang, but they charged per foot for the overhang (basically a second rate increase in 2018 for most boaters). To date, no revitalization has taken place and the docks are in a very bad state of disrepair.

Dana Point Boaters feel the rate increase is not warranted for the below reasons:

1. The methodology used to justify the rate increase does not comply with the written Board of Supervisors Policy, *a twenty-year precedent*.
2. Market rate calculations in Newport Harbor marinas are not comparable to Dana Point because of privately controlled uplands.
3. The slips in Dana Point are in very bad condition. Dana Point boaters have paid market rate for their slips for many years as dictated by the Board of Supervisors policy and haven't received any maintenance or upgrades to the slips. Part of the slip fees should be reserved for maintenance but none of that money has been spent. Boaters have paid once and now they are being required to pay for revitalization a second time before it even begins. Plans for the harbor revitalization have been in the works for twenty years without any movement but boaters have



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still paid market rate. 75% of the revenue in Fund 108 is derived from slip fees with a fund balance of approximately \$76 million as of June 2020. *It should also be noted that Orange County agreed to pay DPHP \$20 million out of Fund 108 to help build the dry storage facility.*

4. Dana Point marina rates are more comparable with marinas like Long Beach and San Diego. The market analysis used for the last 20 years includes marinas from SB to SD including Newport which actually increases the market rate for Dana Point. If Newport wasn't included in the average, Dana Point rates would have been less for the last twenty years.
5. Previous Operating Agreements between the county and the Marina Operator included the following: The Operating Agreement includes a provision (Clause 24.A.5- "Boat Slip Prices") that reaffirms the principle of market pricing but includes specific procedures for price adjustments intended to ensure that *prices charged are fair and reasonable and that the pricing procedure is readily understandable to the boaters.*

The impending rate increase on October 1st is neither fair and reasonable and definitely not readily understandable to the boaters. This rate increase was a shock to all boaters. The lease requires the DPHP to provide evidence of financing to the County prior to work beginning on the revitalization. We have requested a copy of the evidence of financing but was advised by the County they have not yet received it. Revitalization was supposed to have started in October and has been delayed to early 2022. Could the rate increase have anything to do with the financing on the project?

We have asked the OC Board of Supervisors and County Executives the below questions and cannot get a response:

1. Please explain how the rate increase is compliant with the Tidelands Grant.
2. Who has oversight over this lease and project, including the status of o RFP NO. 080-C014368-IM (2) for CEO REAL ESTATE OWNER'S REPRESENTATIVE TO THE COUNTY OF ORANGE FOR THE DANA POINT REVITALIZATION PROJECT? (It appears no one has oversight)

We ask that the CA State Lands Commission intervene and hold the Supervisors accountable to their duty to supervise the activities of the County lessee, DPHP, and demand they comply with the spirit of the Tidelands grant, their lease with the County of Orange and responsibility to the boaters to upgrade the slips before another increase. Please assist in getting this slip rate increase reversed or at least significantly reduced and insist future slip rate increases are in compliance with the existing OC Board of Supervisors policy. The board of directors of Dana Point Boaters Association is available for a Zoom meeting if there are any further questions on this issue.

Sincerely,

Anne Eubanks, President ([REDACTED])

**2018 Southern California
Slip Rate Survey Comparison**

LOC	MARINA	21'	25'	30'	35'	40'	45'	50'	55'	60'	65-85'
		AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT / FT
SB	SANTA BARBARA HARBOR	\$181	\$225	\$283	\$345	\$410	\$481	\$554		\$722	\$14.15
V	VENTURA WEST	\$265	\$324	\$387	\$496	\$589	\$688	\$794	\$905	\$1,022	\$19.30
V	VENTURA ISLE		\$316	\$413	\$529	\$653	\$768	\$886	\$1,006	\$1,128	\$20.26
V	VENTURA HARBOR VILLAGE			\$363	\$434	\$507	\$585		\$757	\$840	\$14.50
V	VINTAGE MARINA		\$301	\$362	\$506	\$619	\$698	\$813			\$19.00
V	CHANNEL ISLANDS MARINA		\$327	\$400	\$559	\$682	\$766	\$896		\$1,157	\$19.00
V	ANACAPA ISLE		\$280	\$439	\$564	\$684	\$818	\$943	\$975	\$1,203	\$22.50
MDR	DOLPHIN MARINA	\$333	\$374	\$505	\$631	\$861	\$995	\$1,278			\$24.15
MDR	PANAY WAY	\$333	\$374	\$505	\$631	\$861	\$995	\$1,278			\$24.15
MDR	HOLIDAY MARINA	\$333	\$374	\$505	\$631	\$861	\$995	\$1,278			\$24.15
MDR	MARINA HARBOR ANCHORAGE	\$316	\$395	\$495	\$648	\$860	\$945	\$1,250	\$1,450	\$1,740	\$30.00
RB	KING HARBOR	\$252	\$311	\$428	\$569	\$732	\$914	\$1,045	\$1,163	\$1,272	\$21.20
RB	PORT ROYAL		\$325	\$454	\$641	\$778	\$989	\$1,099	\$1,209	\$1,319	\$21.98
SP	CABRILLO MARINA		\$305	\$401	\$573	\$655	\$830	\$922	\$1,097	\$1,197	\$23.00
LB	ALAMITOS BAY	\$196	\$300	\$442	\$563	\$698	\$822	\$941	\$1,110	\$1,211	\$22.28
LB	CERRITOS BAHIA	\$207	\$246	\$311	\$380	\$434					
LB	SHORELINE	\$196	\$300	\$442	\$563	\$698	\$822	\$941	\$1,110	\$1,211	\$22.28
HB	HUNTINGTON HARBOR		\$350	\$500	\$700	\$800	\$900	\$1,250	\$1,500	\$1,500	\$30.00
HB	** PETER'S LANDING		\$300	\$360	\$508	\$660	\$743	\$925	\$1,128		
HB	SUNSET AQUATIC		\$350	\$420	\$595	\$800	\$900	\$1,000	\$1,100	\$1,200	
NB	BALBOA YACHT BASIN	\$461	\$587	\$837	\$1,065	\$1,354	\$1,662	\$2,129		\$2,965	\$50.88
NB	* BAYSHORE MARINA	\$720	\$936	\$1,376		\$1,989				\$4,410	\$76.00
NB	BAYSIDE VILLAGE	\$483	\$550	\$750	\$980	\$1,360	\$1,530	\$1,850			\$37.00
NB	LIDO YACHT	\$546	\$650	\$840	\$1,050	\$1,680	\$1,980	\$2,200	\$2,750	\$3,000	\$57.00
NB	NEWPORT DUNES	\$588	\$700	\$900	\$1,295	\$1,920	\$2,160	\$2,550	\$2,805	\$3,060	\$51.00
NB	* BAYSIDE MARINA			\$1,365	\$1,663	\$2,583	\$2,925			\$4,245	\$78.00
NB	* BALBOA MARINA	\$690	\$863	\$1,008	\$1,376	\$2,100		\$3,250	\$4,060		\$72.00
OS	OCEANSIDE	\$302	\$360	\$471	\$550	\$628	\$707	\$785	\$864	\$942	\$15.70
MB	DRISCOLL MISSION BAY		\$302	\$375	\$438	\$524	\$637	\$708	\$853	\$930	\$15.50
MB	MARINA VILLAGE		\$321	\$403	\$521	\$662	\$759	\$883	\$932		\$17.50
MB	KONA KAI	\$431	\$513	\$615	\$715	\$820	\$923	\$1,225	\$1,458	\$2,010	\$37.00
SDB	CABRILLO ISLE		\$437	\$565	\$711	\$783	\$902	\$1,222	\$1,514	\$1,693	\$32.50
SDB	GLORIETTA BAY	\$322	\$383	\$538	\$665	\$760	\$836	\$1,056	\$1,161	\$1,227	\$24.30
SDB	HALF MOON	\$362	\$431	\$518	\$639	\$730	\$923	\$1,025			\$22.50
SDB	HARBOR ISLAND WEST		\$406	\$510	\$606	\$714	\$925	\$945	\$1,155	\$1,260	\$23.00
SDB	SHELTER COVE		\$490	\$525	\$630	\$760	\$966		\$1,320	\$1,680	\$30.00
SDB	CHULA VISTA		\$356	\$461	\$576	\$696	\$806	\$905	\$1,180	\$1,311	\$23.00
SO CAL AVERAGE		\$376	\$410	\$553	\$682	\$916	\$1,009	\$1,213	\$1,382	\$1,684	30.43
DANA POINT		\$278	\$362	\$531	\$655	\$766	\$878	\$1,012	\$1,094	\$1,325	22.30
PERCENTAGE DIFFERENCE		35.2%	13.4%	4.2%	4.1%	20%	14.9%	19.9%	26.4%	27.1%	36%

White - SB/Ventura County
Blue - LA County

Amounts rounded to the nearest dollar except for per foot pricing

Orange - Orange County
Yellow - San Diego County

* 2017 Rates - Refused to disclose current slip rates. ** Marina only offered verbal rate quotes.

**2018 Southern California
Slip Rate Survey Comparison**

LOC	MARINA	21'	25'	30'	35'	40'	45'	50'	55'	60'	65-85'
		AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT	AMT / FT
HB	HUNTINGTON HARBOR		\$350	\$500	\$700	\$800	\$900	\$1,250	\$1,500	\$1,500	\$30.00
HB	** PETER'S LANDING	\$252	\$300	\$360	\$508	\$660	\$743	\$925	\$1,128		
HB	SUNSET AQUATIC		\$350	\$420	\$595	\$800	\$900	\$1,000	\$1,100	\$1,200	
NB	BALBOA YACHT BASIN	\$461	\$587	\$837	\$1,065	\$1,354	\$1,662	\$2,129		\$2,965	\$50.88
NB	* BAYSHORE MARINA	\$720	\$936	\$1,376		\$1,989				\$4,410	\$76.00
NB	BAYSIDE VILLAGE	\$483	\$550	\$750	\$980	\$1,360	\$1,530	\$1,850			\$37.00
NB	LIDO YACHT	\$546	\$650	\$840	\$1,050	\$1,680	\$1,980	\$2,200	\$2,750	\$3,000	\$57.00
NB	NEWPORT DUNES	\$588	\$700	\$900	\$1,295	\$1,920	\$2,160	\$2,550	\$2,805	\$3,060	\$51.00
NB	* BAYSIDE MARINA			\$1,365	\$1,663	\$2,583	\$2,925			\$4,245	\$78.00
NB	* BALBOA MARINA	\$690	\$863	\$1,008	\$1,376	\$2,100		\$3,250	\$4,060		\$72.00
AVERAGE		\$534	\$587	\$836	\$1,026	\$1,525	\$1,600	\$1,894	\$2,224	\$2,911	56.49
DANA POINT		\$278	\$362	\$531	\$655	\$766	\$878	\$1,012	\$1,094	\$1,325	22.30
PERCENTAGE DIFFERENCE		92.2%	62.2%	57.4%	56.6%	99%	82.2%	87.2%	103.3%	119.7%	153%

Amounts rounded to the nearest dollar except for per foot pricing

* **2017 Rates.** Irvine Company (Bayshore Marina, Bayside Marina, Balboa Marina) refused to disclose slip rates online, by fax, email or verbally.

** Verbal slip rate quotes. Peter's Landing will not fax, or email slip rates.

From: Markus Lenger
To: [CSLC CommissionMeetings](#)
Subject: Dana Point harbor slip increases
Date: Tuesday, August 24, 2021 4:17:18 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear commissioners

Please carefully evaluate the proposed slip rate increase that the DPHP are proposing.

The increase is not only against the spirit and very existing of a tidal trust but also makes boating unaffordable for many current boaters in Dana Point, as any are retired and on a fixed income. Besides most of us DP boaters feel we are coursed to be the and to finance the revitalization of the harbor. DPHP have again proven that the only thing that they are interested in is unrealistic profits and pure and blatant money grappling. Unfortunately our local politicians sold us out but we all look to you to restore some measure of justice and to restore Dana Point harbor to what is meant to be - a place we can all enjoy, regardless of economic standing. I do believe the tidal trust was created to ensure that very right and protect the public from reckless profiteering as planned by the DPHP.

Thank you for your consideration.

Respectfully

Markus Lenger

Capistrano Beach, CA 92624

August 10, 2021

California Independent System Operator
CAISO
Request for Comments on the 2021/2022 TTP
P.O. Box 639014
Folsom, CA 95630

Attn.: Isabella Nicosia

Dear Ms. Nicosia,

We would like to submit an addendum to the 2021-2022 TTP comments previously submitted on August 6, 2021 (August 6, Letter) in response to the California Independent System Operators' (CAISO) request for Comments on the 2021-2022 Transmission Planning Process (TTP).

As shown in our submission, we made some suggestions as to how to transport the potential 6.6 gigawatts of wind power from the Del Norte Coast to the north/south interconnection lines. We all know that there are major hurdles to be overcome when selecting transmission corridors. We wish to address two important areas that need to be discussed when selecting a possible corridor.

1) Cost Effectiveness

When choosing a route for the ratepayers there needs to be serious consideration as to the cost of a suggested transmission corridor. Obviously, the cost of upgrading an existing corridor and/or the creation of a new corridor will play heavily in the decision-making process. As we all know the taxpayer will ultimately pay for the cost of either. One thing to keep in mind is the cost per mile of any project.

When talking to industry consultants and reviewing existing technical studies, we came up with a ballpark estimate of the cost of construction. As a rule of thumb, taking an overland route will be far less expensive than laying an undersea cable.

- Example:
- A) The cost of developing a new corridor will range from 2.5 million dollars a mile while the cost to upgrade an existing transmission corridor can be as low as 1.5 million dollars per mile, and
 - B) It can cost as much as six (6) million dollars a mile for an undersea cable.

As with any route there are also the costs associated with acquiring the right of way, adding additional width to the existing right of way and all the other associated costs needed for the project.

We believe that any of the costs associated with developing any of the right of ways described in our August 6, Letter would be far more cost effective than either upgrading the overland right of way out of

Eureka, California to Cottonwood California (Eureka Route) or the undersea cable (Undersea Route) running to the Bay Area that has been proposed.

Below are the mileages needed to develop the corridors described in our August 6, Letter. The mileages from Crescent City Harbor to the north/south transmission lines east of Yreka California are as follows:

- 1) Exhibit A is the existing Pacific Power and Light (PP&L) corridor that goes from the north end of the Crescent City Harbor up into Oregon and back down into California. The length of this right of way is about 110 miles to the north/south transmission lines (See Exhibit A submitted in the August 6, Letter.)
- 2) Exhibit B uses the existing PP&L corridor to a point just west of the Collier Tunnel near State Highway 199 with the creation of a new right of way running east to Happy Camp, California and then back onto the existing PP&L right of way and then east to the north/south transmission lines. The length of this right of way is approximately 105 miles. (See Exhibit B submitted in the August 6, Letter.)
- 3) Exhibit C uses the existing PP&L corridor extending out of the south end of the Crescent City Harbor and goes through the existing State and National Redwood Park lands to a point five (5) miles east of State Highway 101. A new right of way would then be created running east to Happy Camp, California, then back onto the existing PP&L right of way and then east to the north/south transmission lines. The length of this right of way is approximately 100 miles. (See Exhibit C submitted in the August 6, Letter.)
- 4) Exhibit D would basically create a new transmission corridor. This route would use the existing PP&L corridor extending out of the south end of the Crescent City Harbor and then extend east through the existing State and National Redwood Park lands to a point 5 miles east of State Highway 101. Then a new right of way would then be created running east to the north/south transmission lines east of Yreka, California. The length of this right of way is approximately 95 miles (See Exhibit D submitted in the August 6, Letter.)
- 5) The Eureka Route is about 140 miles in length to the north/south transmission lines by Cottonwood, California. As you can see any of the above proposed right of ways are shorter. We understand that the main north/south transmission lines would need to be upgraded, but when you consider that this right of way would have to be upgraded anyway due to the expected out of state power transmission from Idaho or Montana into California there would not be an increase cost for the mileage between Yreka, California and Cottonwood, California, when comparing the overall cost of a project.
- 6) The Undersea Cable route that has been proposed would be approximately 400 miles from the south end of the Crescent City Harbor to a connection in the Bay Area. The Undersea Cable route will travel through sensitive fishing grounds, seismically sensitive areas, and cross over numerous undersea canyons. With respect to crossing under sea canyons, engineers are not certain as to how to cross them creating further problems.

By holding an industry estimate of cost per mile constant, you can see a comparison for each of the suggested routes:

Exhibit A	110 miles x 2.5 million per mile =	\$275 Million Dollars
Exhibit B	105 miles x 2.5 million per mile =	\$255 Million Dollars
Exhibit C	100 miles x 2.5 million per mile =	\$250 Million Dollars
Exhibit D	95 miles x 2.5 million per mile =	\$237.5 Million Dollars
Eureka Route	140 miles x 2.5 million per mile =	\$355 Million Dollars
Undersea	400 miles x 5.5 million per mile =	\$ 2.2 Billion Dollars

Obviously, the cost for each route will need to be studied to arrive at the actual cost for each of the above suggested routes so they could be accurately studied. Bottom line is that any one of the four routes that we proposed in our August 6, Letter would be far more cost effective for the taxpayers.

2) Vaulting or Underground Cables

While our previous letter already laid out the above suggestions, the main point of this letter is to suggest that serious consideration be given to vaulting or placing new transmission cables underground. A cost analysis is suggested as to whether this should be done only in sensitive areas (such as through parks, environmentally sensitive areas or areas prone to forest fires) or the whole of a project. Doing so would further reduce the cost per mile of the project and greatly reduce the potential fire hazard in the region or area that one is traversing. All four of the routes suggested, in our August 6, Letter will travel through existing forest land. Vaulting or putting the transmission cables underground would eliminate the potential for forest fires in fire prone areas thereby reducing the cost to the state of California and local governments by billions of dollars per year in fire protection costs.

In a recent article, PG&E stated that it would cost approximately 1.5 to 2 million dollars per mile to vault or bury their existing transmission lines to prevent future forest fires.

Vaulting or burying any of the new or existing right of ways, as suggested in our Aug. 6 letter, would require less land to develop any new or improved transmission corridor. This means that the additional area needed for fire breaks would be reduced and likewise reduce the required cost of purchasing the additional land for the right of way. In place of needing to acquire a 400 foot right of way for a proposed route, the developer of the new route would need to acquire only half of the needed width or a 200 foot right of way. This would vary based upon the conditions and requirements of the specific right of way.

Could you please consider studying the four potential corridors for future transmission of offshore wind from the Del Norte County coast. Any of the potential corridors could help provide a pathway for future power generation to the citizens of California in an economical and cost-effective way.

Thank you for your serious consideration of these possible corridors as well as the above suggested methodologies.

Sincerely,



Wes White,
Secretary, Crescent City Harbor Board, and
Tri-Agency Economic Development Agency
Member



Brian L. Stone,
President, Crescent City Harbor Board,
Tri-Agency Economic Development Agency
Member

CC: Jeffrey Billington
The California Independent Operators Association
P.O. Box 639014
Folsom, CA 95630

CC: Marybel Batjer, President
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

CC: Liane M. Randolph, Commissioner
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

CC: Martha Guzman Aceves, Commissioner
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CC: Clifford Rechtschaffen, Commissioner
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- CC: Genevieve Shiroma, Commissioner
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- CC: Rachael Peterson, Acting Executive Director
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- CC: Edward Randolph, Deputy Executive Director for Energy and Climate Policy
California Public Utilities Commission
505 Van Ness Avenue
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- CC: Julie A Fitch, Staff to Commissioner Liane M. Randolph
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
- CC: Commissioner Karen Douglas
California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814
- CC: Commissioner David Hochschild
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- CC: Commissioner J. Andrew McAllistar, PHD
California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814

- CC Commissioner Patty Monahan
California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814
- CC: Congressman Jarod Huffman
1527 Longworth House Office Building
Washington, DC 20515
- CC: Congressman Jarod Huffman
317 third Street, Suite 1
Eureka, CA 95501
- CC: Senator Mike McGuire, Second District
1303 10th Street, Room 5061
Sacramento, CA 95814
- CC: Senator Mike McGuire, Second District
1036 5th Street, Suite D
Eureka, CA 95501
- CC: Assemblyman Jim Wood
State Capital
P. O. Box 942849
Sacramento, CA 94249-0002
- CC: Walter Musial, Director
The National Renewable Energy Laboratory (NREL)
15013 Denver West Parkway
Golden, CO 80401
- CC: Lieutenant Governor Eleni Kounalakis, Commissioner
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825
- CC: State Controller, Betty T Yee, Commissioner
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825

- CC: Finance Director, Keely Bosler, Commissioner
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825
- CC: Ninette Lee, Public Land Manager,
Northern California and Delta
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825
- CC: Jennifer Lucchesi, *Executive Officer*
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825
- CC: Brian Bugsch, Chief,
Land Management
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825
- CC: Bureau of Ocean Energy Management
Pacific OCS Region
760 Paseo Camarillo,
Suite 102 (CM 102)
Camarillo, CA 93010
Attn: Jean Thurston -Keller,
Renewable Energy Specialist & California Task Force Coordinator
- CC: Chair Brenda Mallory
White house Council on Environmental Quality
1600 Pennsylvania Avenue, N. W.
Washington, DC 20500
- CC: Secretary Debra A. Haaland
US Department of the Interior
1849 "C" Street, N. W.
Washington DC 20240
- CC: The Honorable David Chiu
State Assemblyman, 49th District
P. O. Box 942849
Sacramento, CA 94249-0017
Attn.: AB-525 and SB-423

CC: The Honorable Henry I Stern
State Senator, 27th District
State Capitol, Room 5080
Sacramento, CA 95814-4900
Attn.: SB-423 and AB-525

Exhibit B



O'Brien, OR

Oregon

California

Happy Camp, CA

Yreka, CA

New Right of way

Highway 199

Existing PP&L R/W

Existing Interconnection Lines
to Central California

Crescent City

Interstate 5

Highway 101

Exhibit C



Exhibit D



August 6, 2021

Commissioner Karen Douglas

California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814

Dear Commissioner Douglas,

We at the Tri Agency (a joint powers authority between the county, the city, and the harbor here in Del Norte County) would like you to know of our interest in developing our offshore wind resource here. We have spent several years quietly working behind the scenes exploring this possibility for our county. Given the National Renewable Energy Laboratory's (NREL) analysis this is one of the best wind resources available anywhere along the whole U.S. coastline and the fact that only approximately 6% of all of California's coastline can be considered as developable for offshore wind we would like to formally announce our intentions to pursue a wind farm's development here. We recognize that both governmental and private interests are presently concentrating their efforts on developing the Morro Bay and Humboldt call areas and thus believe it is time for us to declare our desire to be the next area to be developed.

Del Norte County is the most northwestern county in California. It borders both Oregon to the north and the Pacific Ocean to the west. It is an impoverished county (the median household income of \$45,283 is 60% of that of the average in California) and in need of economic development. Its past relied on the harvesting of timber and seafood but with changes in both the climate and environmental concerns this has negatively impacted this county greatly.

The Tri Agency Economic Redevelopment Agency is comprised of two city councilmen, two county supervisors and two harbor commissioners. We recently met and voted unanimously to pursue the development OSW off Del Norte County. In addition, The Schantz Energy Center recently completed a study for the Crescent City Harbor Commission that shows that the concept of OSW is a viable concept and can be pursued to provide economic growth in this county.

We recently have submitted comments to CAISO regarding their request for comments on the 2021-2022 Transmission Planning Process (TTP). As you are aware, the California Public Utilities Commission (CPUC) made a ruling on January 7, 2021 with respect to Offshore Wind resources in Northern California. The Transmission Planning Process (TPP) as described in Attachment B (Descriptions of the Proposed Portfolios for the 2021-2022 TTP) as developed by the CPUC, Energy Division, dated October 23, 2020, describes the need for the future development of a 6.6 GV Transmission Corridor out of the Del Norte County Region. In our comments we requested that CAISO review three possible corridors for future transmission of power generated here from offshore wind power to the citizens of California. We believe the potential for each of these corridors would provide an economical and cost-effective way for such transmission.

We are in the process of developing and sending requests for information to developers with the intent to form a community organization that will participate such partners in the local development of a 6.6 gig wind farm here.

We would ask for your support in our efforts and would appreciate any feedback and thoughts as to how we might best pursue our goals.

Thank you for your consideration.

Sincerely yours,



Brian L. Stone,

Tri Agency Treasurer

Crescent City Harbor President



Wes White,

Tri Agency Board Member

Crescent City Harbor Secretary

CC: Jeffrey Billington
The California Independent Operators Association
P.O. Box 639014
Folsom, CA 95630

CC: Marybel Batjer, President
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CC: Finance Director, Keely Bosler, Commissioner
State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825

CC: State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825
Attn: Ninette Lee, Public Land Manager,
Northern California and Delta Region

From: acjdds
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021: Comment on Dana Point Harbor Slip Rate Increase
Date: Tuesday, August 24, 2021 5:51:31 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commissioners,

I recently retired. I am 70 years old. I am a lifelong resident of California. I was planning to enjoy Dana Point Harbor for hopefully the next 10+ years. I did wait 6 years to get my current slip in the harbor. I did budget accordingly, planning for reasonable slip fee increases.

The proposed fee increases of up to 96% IS NOT REASONABLE FOR A SMALL BOAT PUBLIC HARBOR.

Also, today I received notice from BOATUS

BoatUS News -

SACRAMENTO, Calif., August 24, 2021 — California's recreational boaters could have been in for a shock with a proposed 250% recreational vessel registration fee increase being discussed among Golden State legislators earlier this year.

Because of the massive, proposed increase in slip fees proposed by the Lessees of the Dana Point Marina, I believe the Tidelands Grant requirement of maximum reasonable public access has been violated, and the grantee, the County of Orange, has abdicated its responsibility to monitor and protect the public interest.

I am therefore asking this Commission to step in and help assure the public rights are protected.

Thank you,

Alan C Johnson
Ocean Racing Catamaran Association
Treasurer

From: Flo Escobar
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting- External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Tuesday, August 24, 2021 9:41:48 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Hello,

I'm a service connected disabled Veteran that uses my boat for therapy. If the slip rates increase, I will not be able to afford them and will be forced to sell my boat. Please reconsider the price increase or perhaps a discount for disabled Veterans. It might not seem like a big deal to some but for me it's all I have.

Thank you for listening,
Florante Escobar
US Navy Veteran
[REDACTED]

From: Patrick Russell
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 10:17:26 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Dear Commissioners,

Our family is still in shock about the proposed massive increase in marina slip fees proposed by the operator (lessee) of the Dana Point marina. The operator has notified us the slip rates will increase up to 90% on October 1, 2021. The method to determine the increase is flawed and was heavily slanted to benefit the private operator and take advantage of boaters who currently rent slips in Dana Point. Many boaters, including ourselves, may be forced to sell our boat because we can no longer afford to remain in the harbor. This massive increase is driving out many long term residents of the harbor and limiting accessibility to the wealthy only. Young families, retirees or middle/lower class citizens will no longer be able to afford and access this public recreation hub for boating in south Orange County. A survey of public marinas from Santa Barbara to San Diego should serve as the benchmark to determine any slip fee increase. This survey should be conducted by an unbiased 3rd party professional and reviewed by Orange County supervisors prior to approval of any increases. Boater advocates and public comments should be allowed when determining the legitimacy of a proposed increase. The amount of increase should generally reflect cost of living increases over time. The rates for this public marina should be affordable so all Californians have equal access to this important public asset situated directly on the beautiful California coastline. Thank you for your attention and assistance in resolving this important public access and affordability dispute. Sincerely,
Denise and Patrick Russell
Laguna Niguel, Ca

From: Thomas Reagan
To: [CSLC CommissionMeetings](#)
Subject: 8/25/2021 meeting-external affairs-county of orange grantee-Dana Point Harbor
Date: Tuesday, August 24, 2021 10:18:37 PM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I have had a small boat in Dana Point marina since the 1980s. Slip fee increases were routinely in the 5-8% range . Since 2018 we have had 2 increases and now we're looking at another 26 to 90% increase. This is only greed.

DPHP is making a laughingstock of OC policy. This harbor was supposed to be affordable for the residents, as opposed to Newport Beach. We'll now, thanks to the agreement signed by our county supervisors, we are going to become Newport Beach. This is just wrong!

Tom Reagan

From: Jeff Singer
To: [CSLC CommissionMeetings](#)
Subject: Please act to stop The Marina at Dana Point Rate increase planned for 10/1/2021
Date: Wednesday, August 25, 2021 9:08:02 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

As a resident of OC since 73 and a 20 year slip renter in Dana Point Harbor; I hope you'll review the letter link below written to our County legal department.

[https://danapointboaters.org/documents/dpba/blp/Letter%20to%20County%20Counsel%20from%20DW%20Aug%202021%20\(002\).pdf](https://danapointboaters.org/documents/dpba/blp/Letter%20to%20County%20Counsel%20from%20DW%20Aug%202021%20(002).pdf)

My slip fee is going up 45% as of Oct 1st and this will force me to move my sailboat out of the county.

I serve on multiple nonprofit boards in OC and for someone who should be enjoying their golden years you are forcing me to take my boat which I've owned since 1977 out of the county!

The attached link shows a clear abuse of power by the new partnership whose interest is clearly self-serving.

I've paid county property tax, possessory use tax, and boat luxury tax and now my reward for these activities is to be financially forced to move my boat outside Orange County.

The Harbor partners, if allowed to take to this outrageous action exhibits a clear disregard for long time OC residence and or mismanagement by the 5th District.

Sincerely

Jeffrey B Singer



Sent from [Mail](#) for Windows

From: Cliff Allen
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Wednesday, August 25, 2021 9:13:57 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

To whom this may concern,

The increases of the slip rate in Dana Point Harbor are unrealistic considering the condition of the slips and the fact that we are going to have to endure construction for the next five years. The inconvenience and having to be possibly moved around should be considered in pricing. The fact we are being charged for a completed state of the art facility before the project is done is unfair and unjustified. It is sad to see so many long-time DP Harbor tenants leaving for other nearby harbors. We hope that you consider a gradual increase that is more fair and sustainable.

Regards,

Cliff Allen



From: Devon Allen
To: [CSLC CommissionMeetings](#)
Subject: "8/25/2021 Meeting-External Affairs-County of Orange Grantee-Dana Point Harbor."
Date: Wednesday, August 25, 2021 9:29:49 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

Hello,

I am writing today to express my extreme disappointment in the proposed DP harbor slip rate increase. Many loyal and long-term slip tenants are being forced to other harbors along the So Cal coast that are more realistic and just with their slip rates. The "community" that has grown together in the harbor is being broken apart. Current tenants are being disregarded and potentially either forced to leave or pay inflated rates for a harbor that is not even going to be completed for another 5 years. A gradual increase over time that mirrors the improvements in the harbor would be much more realistic and fair. Current tenants are possibly being expected to pay for a harbor that is in poor condition along with being inconvenienced with loud and unsightly construction. The possibility of having to move slips throughout the construction would also be very inconvenient, yet tenants would be paying nearly double the slip rates while going through such inconveniences. This slip rate increase is unfair and wrong.

Devon Allen

From: George Hughes
To: [CSLC CommissionMeetings](#)
Cc: Wayne Addison; Del Darrell De Fabry; Stacy Mata; Donna Groves; Cindy & Steve Fiorillo; Patrick Russell
Subject: August 25, 2021 Speaker Comment
Date: Wednesday, August 25, 2021 11:07:14 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

The County of Orange has admitted that they approved the rent rate increase based on documents submitted by DPHP that showed comparable rates in only Orange County but ignored past precedents set by previous County Supervisors to survey rent rates of like marinas from Santa Barbara to San Diego.. Current Supervisor Lisa Bartlett has repeatedly told myself and others to talk to Joe Eueberroth & Ralph Grippo (aka DPHP) because OC Supervisors have no control over rent rates. Tidelands Act of 1961 as amended requires "Market Rates" not just in Orange County.

My slip rent is \$1,035. plus 40% or \$414.00 for live-aboard electricity (aka status), it comes to \$1,449. per month. This will be increased to \$1,767.50 plus an additional 40% or \$707.00 for live aboard electricity (aka status) , which comes to **\$2,474.50** per month. An increase of \$1,028.5 or 90%. As a

Disabled US Vietnam Veteran, California Medical Status; Handicapped (displays handicap signage on rear view mirror of 2016 Toyota). Retired, 76 years young and on Social Security. I cannot sustain that increase especially when "Dana Point Harbor Partners" has announced plans for further increases in inorder to develop parity with Newport Harbor (the only other Orange County Harbor).

By the nature of these increases the "PUBLIC" is excluded from DP harbor slips.

By the nature of that exclusion; Retiree's fire, law enforcement, teachers, seniors and medium income residents of Orange County are also excluded.

THE DPHP Letter of June 21,2021, by nature of the increase 70% to over 100% (55' and up) is a declaration of "**Eviction**". I have no harbor to take my live-aboard boat to. What am I to do? Anchor 300 yards offshore?

Nowhere in the State of California is a 90 day "Notice of Eviction" no matter how it is phrased legal except in Orange County.

"Balboa Basin Marina" in Newport Beach, is **today** charging the exact same price, to the penny, for a 35' slip the same as DPHP will be charging on October 1st here in Dana Point. If Dana Point Harbor Partners is allowed to charge the same amount in Dana Point as Ralph Grippo (Dana Point Harbor Partners) charges his tenants in Balboa Basin Marina, a "private" marina, it will be "Newport South" and not Dana Point "the public" harbor.

George Hughes Status:

Disabled (100%) US Vietnam Veteran (exposed to Agent Orange, Heart bypass, etc.)
California Medical Status; Handicapped (displays handicap signage on rear view mirror of 2016 Toyota).
Retired, 76 years young and on Social Security.

Regards,

George J. Hughes

From: George Gregory
To: [CSLC CommissionMeetings](#)
Subject: Dana point harbor
Date: Wednesday, August 25, 2021 11:08:51 AM

Attention: This email originated from outside of SLC and should be treated with extra caution.

I have to question the right of the Orange County supervisor to sell the taxpayers harbor to the partners because of the prequalification process no one else could qualify for. Or the right to sell without representing existing tenants to the Seattle carpetbagger who has taken my rents from approximately \$8400 in 2017 to over \$10,000 now to over \$20,000 next month annually. I waited for 18 years for a fiscally county protected slip on the channel now I'm told a rich person wants my spot and I'll be shoved out of the way at twice the cost. What an outrage
Even criminals get a redo if they have bad representation and me and my fellow tenants are not criminals.

Please help unwind this trickery and theft of public wealth

GEORGE GREGORY USCG 100 ton master and California contractor @ [REDACTED]