



DANA POINT BOATERS ASSOCIATION | PO BOX 461, DANA POINT, CA 92629-0461
PHONE: 949-485-5656 | WEBSITE: <https://danapointboaters.org>

July 20, 2026

Dana Point City Council
33282 Golden Lantern #203
Dana Point, CA 92629

Dear Mayor Gabbard and Council Members,

On behalf of the boating community in Dana Point, many of whom are your constituents, we ask that you write all five members of the Board of Supervisors and support adding the slip rate language as proposed by Supervisor Foley at the June 23rd Board of Supervisors meeting, to the new 66-year lease for the Marina and the Commercial Core.

We also ask, if you have not already done so, to review the 918 pages of the Agenda Item S94Z from the June 23rd Board of Supervisors meeting and ensure the requirements of all the 66-year leases being submitted for approval are good for the Dana Point community.

The County of Orange, as Trustee of the Dana Point Tidelands Grant, has thirteen fiduciary responsibilities as mandated in 6009.1 of the Public Resources Code. Click here for the complete list: <https://codes.findlaw.com/ca/public-resources-code/prc-sect-6009-1/>.

Several of the duties include the duty to administer the trust solely in the interest of the beneficiaries, and the duty to not delegate to others the performance of acts that the trustee can reasonably be required to perform. The duty to not use or deal with trust property for the trustee's own profit or for any other purpose unconnected with the trust, and to not take part in a transaction in which the trustee has an interest adverse to the beneficiaries.

Like the present lease, Section 11.9 of the proposed 66-year lease, as interpreted by the County, gives sole discretion for slip rate pricing to Dana Point Harbor Partners which conflicts with the Public Resources Code. By allowing Dana Point Harbor Partners to set slip rates, the County has effectively privatized a public marina.

While we understand the City of Dana Point has a financial interest in seeing that the hotel lease gets approved, you also have a duty to the community to ensure that all three leases are equitable.

We kindly ask you to support the slip rate policy as proposed by Supervisor Foley and confirm your support via a letter to all five Supervisors. We would appreciate a copy of the letter you sent to them.

Sincerely,

Anne Eubanks, President