

Mark Sandoval
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Declaration of Mark Sandoval

I, Mark Sandoval, hereby declare as follows:

At the time of my retirement in September 2013, I had been employed by the City of Long Beach (California) for 26 years, and Manager of the Long Beach Marine Bureau for the last 18 years. In this capacity, my day-to-day responsibilities included operational management for the City's Alamitos Bay, Downtown and Rainbow Marinas, which provide commercial and recreational boating, dock and boat mooring services.

It was in this management capacity that I was working with Captain Chuck Foster, administrator for the organization I knew as WishCruise Navy (WCN), and in his capacity as founder and administrator of the business known to me as WishCruise Pirate Adventures (WCPA).

I had been collaborating with Captain Foster on the development of the WCPA business plan since 2012. As such, when Captain Foster requested a meeting during the latter part of January, 2013, I was very familiar with, and supportive of the WCPA business plan, its goals, and objectives, promotion, publicity and community service aspects, and believed WCPA had a good to excellent revenue generating potential.

Given all of the above, it was my intention to recommend to the Long Beach City Manager and City Council that a long-term dock/operating permit be issued to WCPA for Pine Avenue Pier - one of, if not the most prestigious and commercially advantageous dock locations in all of the Long Beach waterfront.

When Captain Foster called me and requested the meeting, I was told that he had out-of-town guests, visiting from Canada as I recall, that were considering becoming WCPA investors or business partners - or "the money people" I believe was the term Captain Foster used.

Captain Foster told me the purpose of the Canadian couple's Long Beach visit was to inspect Pine Avenue Pier dock and surrounding amenities, and to meet with local City officials and businesses that already had, or were anticipating becoming involved with the WCPA business. I also remember this couple had or intended to meet with the local ship builder being considered, and if selected, would build and maintain the "pirate ship" which, when completed, was to become WC-'s flagship and used for a variety of commercial, community service and charitable purposes.

When Captain Foster and his guests arrived at my Alamitos Bay office, we met in the conference room. In addition to Mr. Foster, I recall there being three other people, the Canadian "money people" being a woman and a man associate. I believe the other man was also from Canada but already affiliated in some capacity with the WCPA business. The meeting lasted about a half-hour with the conversation initially focusing on what I could tell the Canadian couple about Captain Foster, the Pine Avenue Pier location, and the WCPA

program, including the pirate ship's viability as a revenue-generating business. During the latter part of the discussion, the Canadian couple shared their enthusiasm for the WCPA organization, and their future association with the same.

I remember speaking favorably about Captain Foster, including his ability to create, plan and professionally present a business opportunity for consideration by the City of Long Beach - a plan that had multiple and predictable benefits for all parties involved. I also mentioned that I was impressed with WCPA's uniqueness and having the foreseeable ability to financially succeed.

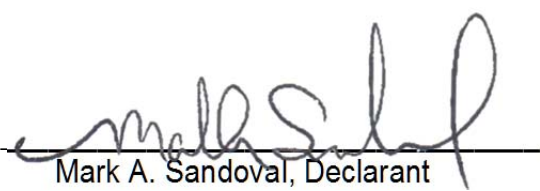
Given the questions asked, and related statements made by the Canadian woman and her associate, coupled with statements made by Captain Foster to which the Canadian couple appeared to be in agreement, it was my impression that this Canadian couple was considering either a WCPA investment opportunity and/or a partnership. I say this because parts of the discussing pertained to Canadian couple's underwriting the cost of the pirate ship's construction which I recall being somewhere between one and two million dollars.

I also recall all three of Captain Foster's guest speaking favorably about their visit to Pine Avenue Pier and Rainbow Harbor, and that the Canadian couple was looking forward the opportunity and challenge of part of this unique, start-up company. It was my belief that the Canadian couple was evaluating WCPA as an investor or partner; It did not appear to be a sponsorship relationship. Captain Foster called the following week to let me know that the Canadian woman with whom I had met was now a part of the WCPA organization, and the contract had been signed whereby she would provide start-up funding and underwrite the pirate ship's construction cost. Captain Foster also called a month or so later to let me know that a written contract for the pirate ship's construction had also been signed with the local boat builder he'd previously identified.

From my perspective, this was a wonderful business opportunity, and one that the City could fully support. As a result, I submitted a favorable recommendation regarding the WCPA dock and operating permit request to the Long Beach City Council. On May 7, 2013, by a 9-0 vote, the City Council unanimously approved a 10-year initial operating permit, with two 5-year renewal options, issued to WCPA for the use of the fixed eastern side of the Pine Avenue Pier in Rainbow Harbor.

ON THIS 23RD DAY OF APRIL, 2014, UPON INFORMATION AND BELIEF, I HEREBY DECLARE AND WOULD TESTIFY AS SUCH, THAT THE STATEMENTS MADE IN MY DECLARATION ARE, TO MY BEST KNOWLEDGE AND RECOLLECTION, TRUTHFUL AND SO GIVEN UNDER PENAL TV OF PERJURY ACCORDING TO THE LAWS AND STATUTES OF STATE OF CALIFORNIA

By: _____


Mark A. Sandoval, Declarant