

**MINUTE ITEM**  
This Calendar Item No. 25  
was approved as Minute Item  
No. 25 by the State Lands  
Commission by a vote of 3  
to 0 at its 1/26/89  
meeting.

CALENDAR ITEM

25

04/26/89  
PRC 6696  
Townsend

A 58

S 27

WAIVE PENALTY AND INTEREST CHARGES  
GENERAL LEASE - COMMERCIAL USE

LESSEE: City of Avalon  
Attn: Chuck Prince, City Manager  
P.O. Box 707  
Avalon, California 90704

AREA, TYPE LAND AND LOCATION:  
A 10.356-acre parcel of tide and submerged land  
located in Hamilton Cove, Santa Catalina  
Island, Los Angeles County.

LAND USE: Provision and maintenance of recreational  
moorings.

TERMS OF ORIGINAL LEASE:

Initial period: Fifteen years beginning  
July 1, 1984.

Surety bond: \$20,000.

Public liability insurance: Combined single  
limit coverage of \$5,000,000.

Consideration: For each installed mooring,  
\$195 per annum, with the  
State reserving the right to  
fix a different rental on  
each fifth anniversary of the  
lease. However, in no case  
shall the annual rental be  
less than \$1,500.

CALENDAR ITEM NO. 25 (CONT'D)

Special: The lease provides for the issuance by the City of Avalon of individual mooring site subleases.

AB 884:

N/A.

OTHER PERTINENT INFORMATION:

1. A controversy arose between the Lessee and the Commission staff regarding the terms of the lease governing the payment of rent. The Lessee has now paid all additional rental due for the lease period July 1, 1985 through June 30, 1989, in the amount of \$20,080. Any and all questions relative to payment of rent in the future have been resolved. Lessee has, however, requested that penalty and interest, in the amount of \$3,902.76, be waived. Staff supports this request.
2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq., but will not affect those significant lands.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 15061), the staff has determined that this activity is exempt from the requirements of the CEQA because the activity is not a "project" as defined by CEQA and the State CEQA Guidelines.

Authority: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

EXHIBITS: A. Land Description.  
B. Location Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.

CALENDAR ITEM NO. 25 (CONT'D)

2. WAIVE ALL PENALTY AND INTEREST CHARGES IN THE AMOUNT OF \$3,902.76, ASSESSED TO GENERAL LEASE - COMMERCIAL USE PRC 6696, THE CITY OF AVALON, FOR THE LEASE PERIOD JULY 1, 1985 THROUGH JUNE 30, 1989.

EXHIBIT "A"

LAND DESCRIPTION

PRC 6696

A parcel of submerged land in San Pedro Channel adjacent to and northerly of the northwesterly boundary of the City of Avalon, Santa Catalina Island, Los Angeles County, State of California, more particularly described as follows:

BEGINNING at Station 46 as shown on the map filed for record December 22, 1966 in Map Book 2423 Page 904, Official Records, Los Angeles County, said point being on the northwesterly boundary of the City of Avalon and on the ordinary high water mark of the Pacific Ocean as shown on said map; thence along the continuation of said City boundary N 37° 01' E, 490 feet; thence leaving said boundary N 14° 04' W, 608 feet; thence N 34° 44' W, 400 feet, thence S 55° 16' W, 350 feet, more or less, to the ordinary high water mark of the Pacific Ocean on Santa Catalina Island; thence along said ordinary high water mark southerly 1300 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the mean lower low waterline.

END OF DESCRIPTION

REVISED MAY 7, 1984 BY BOUNDARY AND TITLE UNIT, LEROY WEED, SUPERVISOR.

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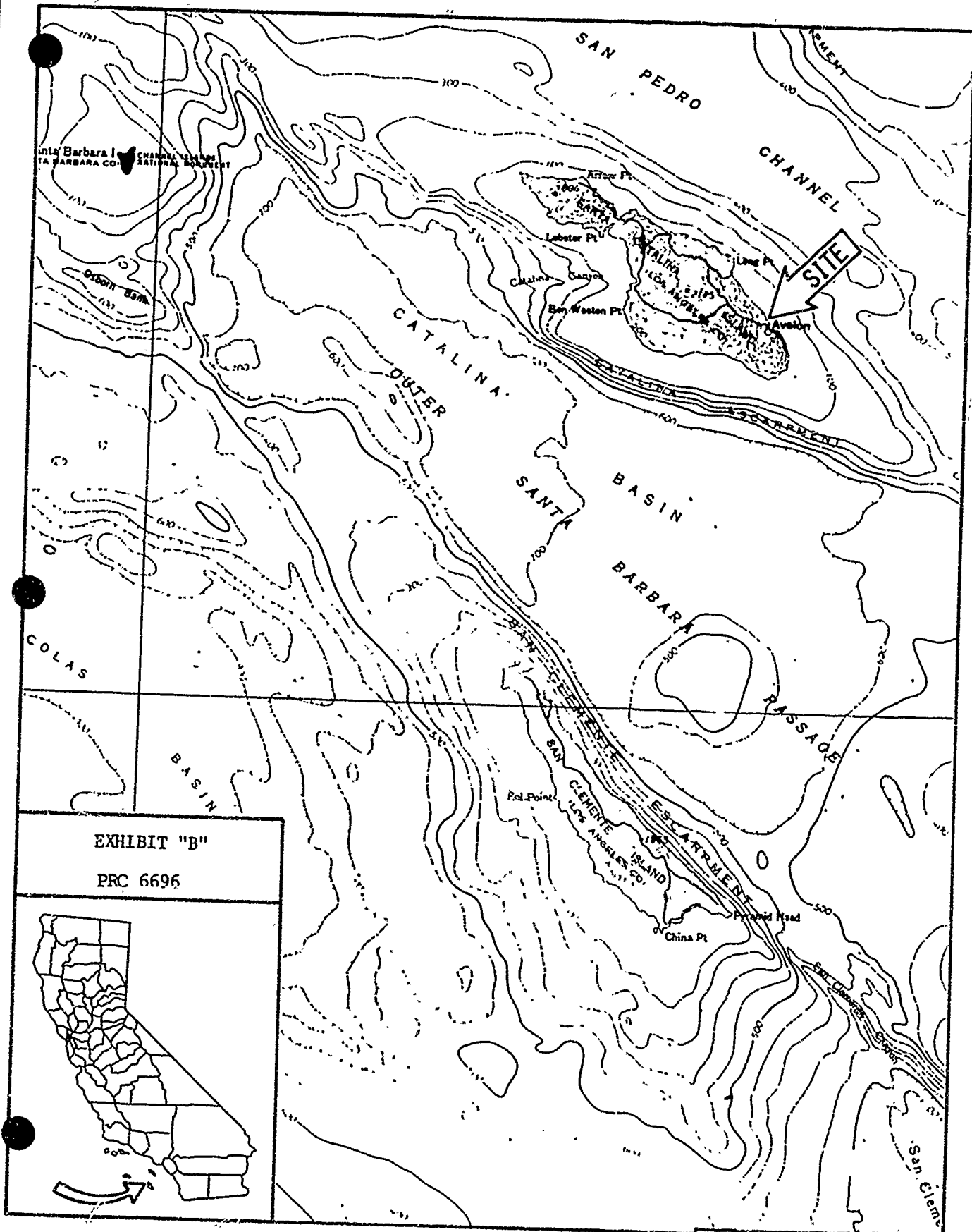


EXHIBIT "B"

PRC 6696

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