

**CALENDAR ITEM
C67**

A 72
S 34

02/09/16
PRC 7996.1
S. Kreutzburg

REVISION OF RENT

LESSEE:

Frank B. DeGelas and Donna L. DeGelas, as Trustees of the Frank and Donna DeGelas Trust, dated February 27, 2003

AREA, LAND TYPE, AND LOCATION:

Sovereign land in Huntington Harbour, adjacent to 3622 Venture Drive, city of Huntington Beach, Orange County.

AUTHORIZED USE:

The continued use and maintenance of an existing boat dock, access ramp, rock slope protection, and cantilevered deck extending no more than five feet waterward of the bulkhead.

LEASE TERM(S):

10 years, beginning April 6, 2011.

CONSIDERATION:

Rock Slope Protection: The public health and safety with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

Cantilevered Deck: This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends rent be revised from \$979 to \$1,175 per year, effective April 6, 2016.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.
2. On April 6, 2011, the Commission authorized a General Lease – Recreational and Protective Structure Use to Frank B. DeGelas and Donna L. DeGelas, as Trustees of the Frank and Donna DeGelas Trust,

CALENDAR ITEM NO. **C67** (CONT'D)

dated February 27, 2003, for a term of 10 years beginning April 6, 2011. The lease will expire on April 5, 2021.

3. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
4. Staff conducted the rent review called for in the lease and recommends the rent be increased based on the 2011 Huntington Beach benchmark.
5. Approving the revision of rent is not a project as defined by the California Environmental Quality Act (CEQA) because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378, subdivision (b)(5).

EXHIBIT:

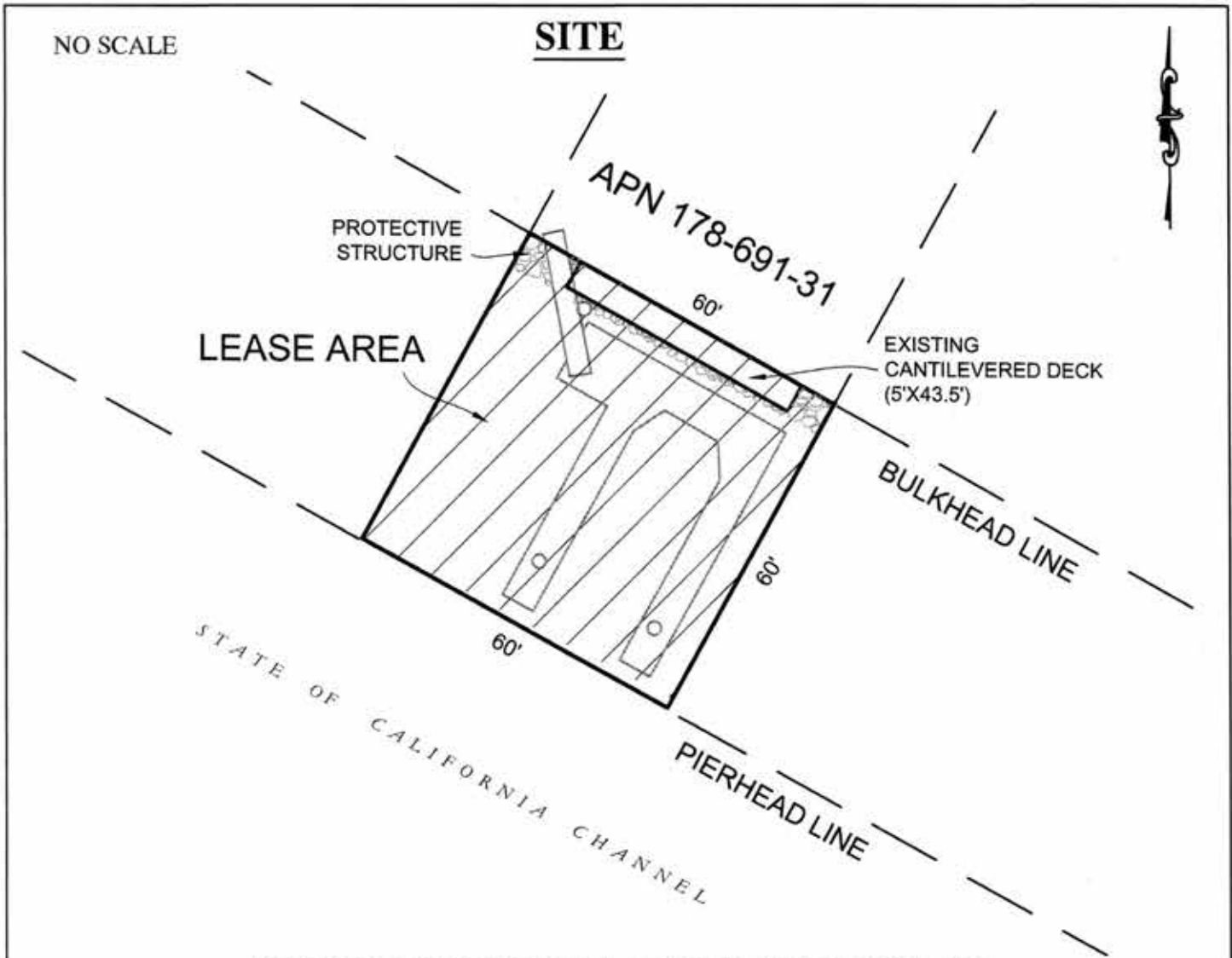
- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 7996.1 from \$979 per year, to \$1,175 per year, effective April 6, 2016.



3622 VENTURE DRIVE, HUNTINGTON BEACH



Exhibit A

PRC 7996.1
 DeGelas TRUST
 APN 178-691-31
 GENERAL LEASE -
 RECREATIONAL &
 STRUCTURE USE
 ORANGE COUNTY



MJJ 12/28/2015

This Exhibit is solely for purposes of generally defining the lease premises, is based on unverified information provided by the Lessee or other parties and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other property.