

**CALENDAR ITEM
C45**

A 54
S 27

06/01/09
PRC 6696.1
J. Smith

CONTINUATION OF RENT

LESSEE:

City of Avalon
P.O. Box 707
Avalon, California 90704

AREA, LAND TYPE, AND LOCATION:

Ten acres, more or less, of sovereign lands in the Pacific Ocean at Hamilton Cove, near Avalon, Santa Catalina Island, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of existing recreational mooring facilities.

LEASE TERM:

15 years, beginning July 1, 1999.

CONSIDERATION:

This lease provides that the 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 that the minimum annual rent be continued at \$379 per year per mooring, against 25 percent of gross income from the moorings, whichever is greater, as provided in the lease, effective July 1, 2009.

OTHER PERTINENT INFORMATION:

1. On April 20, 2000, the Commission authorized a General Lease – Commercial Use to the City of Avalon for a term of 15 years. The lease will expire on June 30, 2014.
2. The City has maintained the mooring facilities at Hamilton Cove since they were originally installed in 1984. The lease provides for installation of a maximum of 61 moorings; however, the Lessee presently maintains only ten moorings within the lease premises.

CALENDAR ITEM NO. **C45** (CONT'D)

EXHIBIT:

- A. Location Map

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

AUTHORIZATION:

APPROVE THE CONTINUATION OF THE MINIMUM ANNUAL RENT FOR LEASE NO. PRC 6696.1 AT \$379 PER YEAR PER MOORING, AGAINST 25 PERCENT OF THE GROSS INCOME FROM THE MOORINGS, WHICHEVER IS GREATER, AS PROVIDED IN THE LEASE, EFFECTIVE JULY 1, 2009.