MINUTE ITEM

22

05/23/85
W 23550
Townsend

GENERAL LEASE - PUBLIC AGENCY USE

Calendar Item 22, attached, was pulled from the agenda prior to the meeting.

Attachment: Calendar Item 22.

CALENDAR ITEM

A 58

S 37

22

05/23/85
W 23550
Townsend

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT: City of Huntington Beach
Attn: Paul Cook, Director
Department of Public Works
2000 Main Street
Huntington Beach, California 92648

AREA, TYPE LAND AND LOCATION:
A 0.047-acre parcel of tide and submerged land located in the Huntington Harbour Main Channel, City of Huntington Beach, Orange County.

LAND USE: Public dock.

TERMS OF PROPOSED LEASE:
Initial period: 25 years beginning June 1, 1985.

Public liability insurance: Combined single limit coverage of $100,000.

CONSIDERATION: The public use and benefit; with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:
Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:
Filing fee and processing costs have been received.

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STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 08/11/85.

OTHER PERTINENT INFORMATION:

1. On January 28, 1985, Commission staff received an application from the City of Huntington Beach for a General Lease - Public Agency Use, for the existing public dock which extends over tide and submerged land in the Huntington Harbour Main Channel in the City of Huntington Beach.

   Although the dock was originally constructed for public use in association with the adjacent upland park site, which was dedicated to the City, the status of the dock as part of the offer of dedication appears to have been uncertain. The City has determined that both were dedicated to the City by Subdivision Tract No. 8636, and accepted by the City pursuant to a Notice of Completion for Tract 8636 filed on October 5, 1981.

2. The public shall be allowed the continued use of the public dock; however, such use shall be subject to rules and regulations of the City as have been approved in writing by Commission staff. In addition, a sign shall be posted at the entrance to the dock which states the rules and regulations of the City applicable to use of the dock.

3. The annual rental value of the site is estimated to be $1,475.00.

4. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project The project is exempt under Class 1, Existing Facilities, 2 Cal. Adm. Code 2905(a)(2).

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Authority: P.R.C. 21084, 14 Cal. Adm. Code 15300, and 2 Cal. Adm. Code 2905.

APPROVALS OBTAINED:
N/A.

FURTHER APPROVALS REQUIRED:
N/A.

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. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 1, EXISTING FACILITIES, 2 CAL. ADM. CODE 2905(a)(2).

2. AUTHORIZE ISSUANCE TO THE CITY OF HUNTINGTON BEACH OF A 25-YEAR GENERAL LEASE - PUBLIC AGENCY USE BEGINNING JUNE 1, 1985; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF $100,000; FOR AN EXISTING PUBLIC DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

EXHIBIT "A"

LAND DESCRIPTION W 23550

A parcel of tide and submerged land in Huntington Harbour, Huntington Beach, Orange County, California described as follows:

All that land lying immediately beneath a pier TOGETHER WITH a necessary use area extending 10 feet from the extremities of said pier, said pier being adjacent to Lot 73 of Tract No. 8636 as filed for record February 18, 1977, in Book 397 of Miscellaneous Maps, Page 34, Orange County Official Records.

END OF DESCRIPTION

PREPARED MARCH 20, 1985, BY BOUNDARY SERVICES UNIT; M. L. SHAFER, SUPERVISOR.

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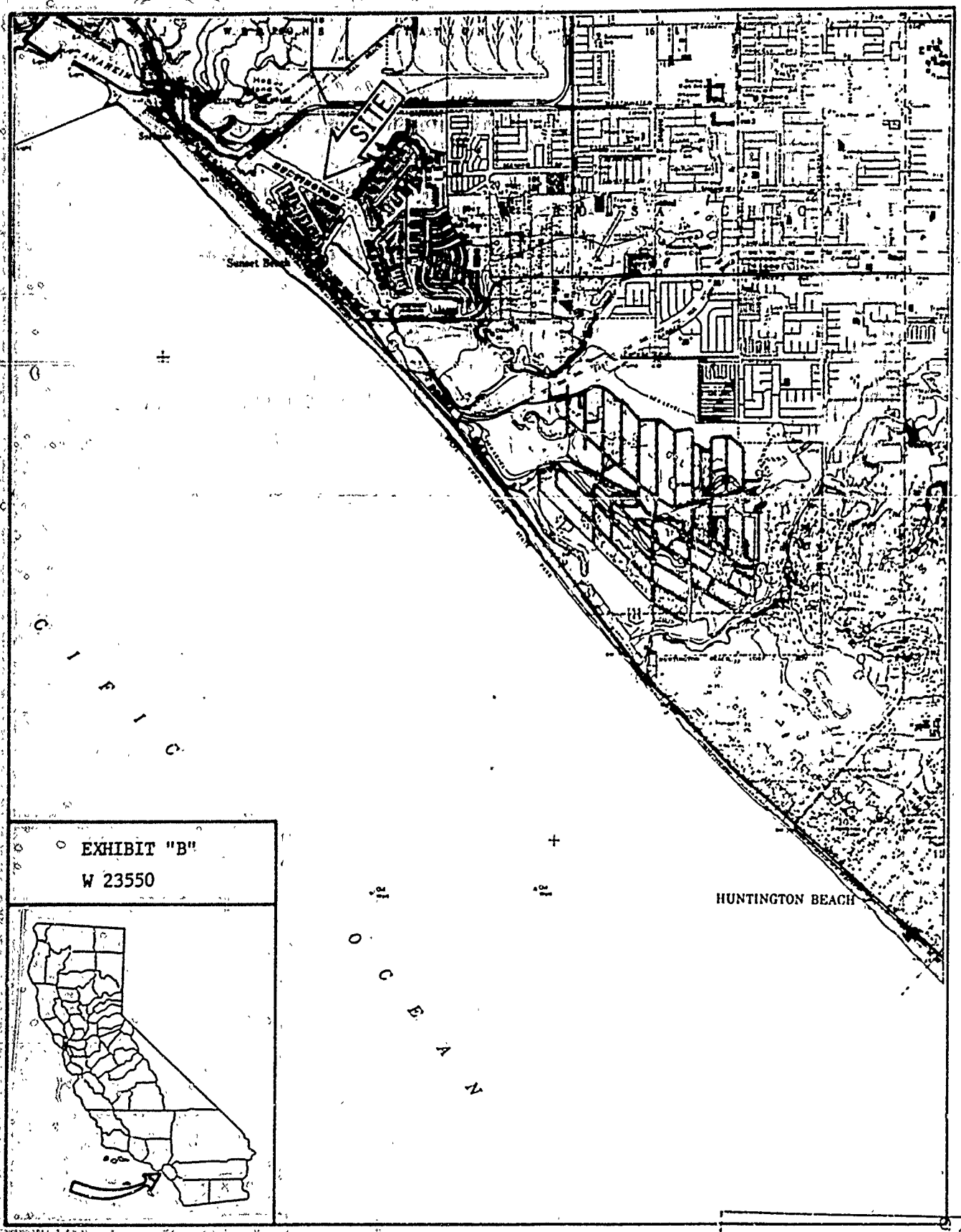

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