

MINUTE ITEM

This Calendar Item No. C43 was approved as Minute Item No. 43 by the California State Lands Commission by a vote of 3 to 0 at its 12-3-99 meeting.

CALENDAR ITEM

C43

A 73

12/03/99

S 38

PRC 5542.9

WP 5542.9

J. Smith

**APPROVE, BY ENDORSEMENT, EXTENSION OF SUBLEASE
PORTION OF LEASE NO. PRC 5542.9**

LESSEE/SUBLESSOR:

City of San Clemente
100 Avenida Presidio
San Clemente, California 92672

SUBLESSEE:

Kamal A. Ibrahim and Priscilla M. Ibrahim
2401 Camino Corso Rio
San Clemente, California 92673

AREA, LAND TYPE, AND LOCATION:

Master Lease: 1.38 acres, more or less, of sovereign lands in the Pacific Ocean, San Clemente, Orange County.

AUTHORIZED USE:

LEASE: Operation and maintenance of a public fishing pier.

SUBLEASE: Continued operation of a bait and tackle shop.

TERM:

LEASE: 35 years, beginning May 1, 1999.

SUBLEASE: Five years, beginning September 15, 1999.

CONSIDERATION:

LEASE: Submission by the City of annual reports of the income and expenses on the lease premises. The State has the right to set a monetary rental for any reporting period in which the income exceeds the expenses, not to exceed the amount of such excess income.

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CALENDAR ITEM NO. C43 (CONT'D)

SUBLEASE: Rent to city is 5% of first \$15,000 of annual gross sales; 10% of the next \$15,000 of annual gross sales; and 15% of annual gross sales in excess of \$30,000.

OTHER PERTINENT INFORMATION:

1. On May 3, 1995, pursuant to Minute Item 33, the Commission approved, by endorsement, the amendment and assignment of a sublease between the city of San Clemente, as Sublessor, and Kamal A. Ibrahim and Priscilla M. Ibrahim, as Sublessees, for a four-year tenancy to expire on September 15, 1999, for the continued operation of a bait and tackle shop located on the San Clemente Municipal Pier.
2. The City has submitted an application requesting that the Commission approve the proposed extension of the sublease as set forth above. Staff has reviewed the request and has no objection.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (Title 14, California Code of Regulations, section 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: Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

APPROVALS OBTAINED:

City of San Clemente.

EXHIBIT:

- A. Location Map

PERMIT STREAMLINING ACT DEADLINE:

N/A

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

CALENDAR ITEM NO. **C43** (CONT'D)

FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 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:

AUTHORIZE, BY ENDORSEMENT, AN EXTENSION OF THE SUBLEASE BETWEEN THE CITY OF SAN CLEMENTE, SUBLESSOR, AND KAMAL A. IBRAHIM AND PRISCILLA M. IBRAHIM, SUBLESSEE, FOR A FIVE-YEAR TENANCY TO EXPIRE ON SEPTEMBER 15, 2004, OF A PORTION OF LEASE NO. PRC 5542.9, FOR CONTINUED OPERATION OF A BAIT AND TACKLE SHOP LOCATED ON THE SAN CLEMENTE MUNICIPAL PIER.

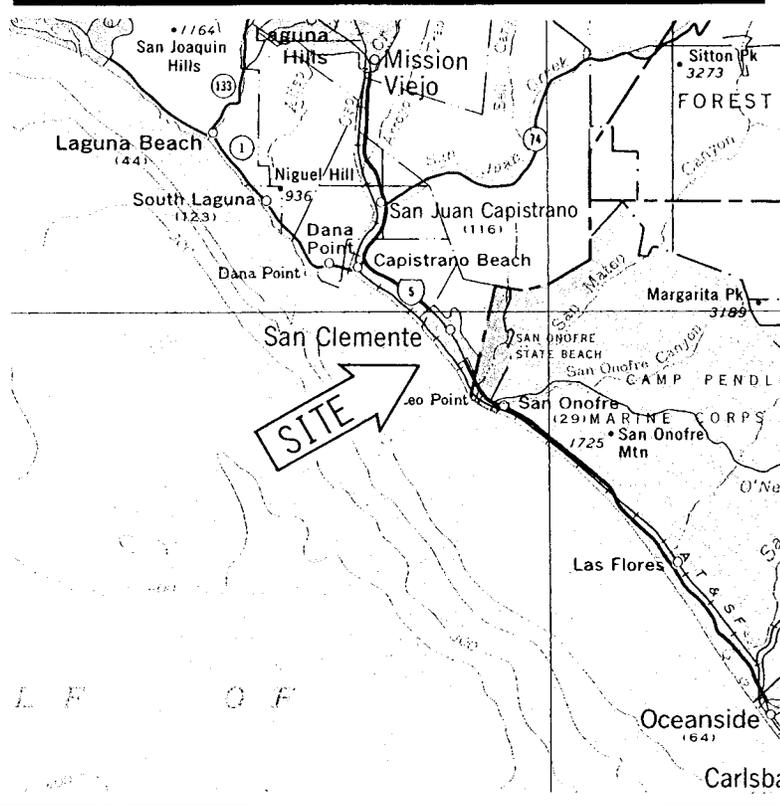
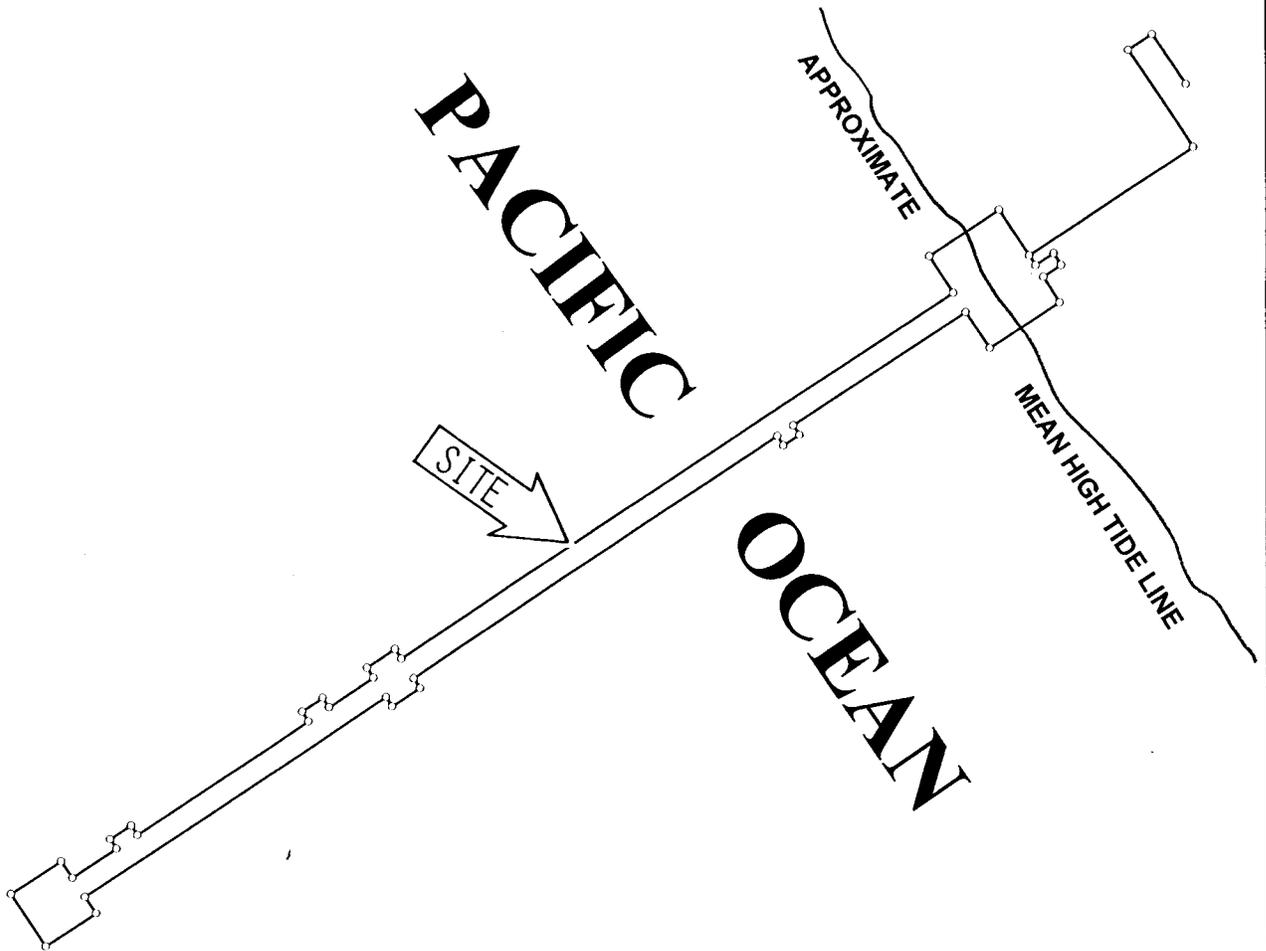


EXHIBIT A
 PRC 5542.9
 SITE MAP
 SAN CLEMENTE PIER
 CITY OF SAN CLEMENTE
 ORANGE, COUNTY
 CALIFORNIA



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