

MINUTE ITEM

This Calendar Item No. C29 was approved as Minute Item No. 29 by the California State Lands Commission by a vote of 3 to 0 at its 06/26/06 meeting.

CALENDAR ITEM

C29

A 67

06/26/06
PRC 8687 W 26097
S. Young

S 35

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANT:

City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

AREA, LAND TYPE, AND LOCATION:

0.030 acres, more or less, of sovereign lands adjacent to the Bolsa Chica Interpretive Center and across the street from Warner Avenue Fire Station No. 7, city of Huntington Beach, Orange County.

AUTHORIZED USE:

Upgrade, construct and maintain traffic signal poles, pull-boxes, conduit and loop detectors adjacent to the driveway entrance of the Bolsa Chica Interpretive Center.

LEASE TERM:

20 years, beginning June 26, 2006.

CONSIDERATION:

The public use and benefit; 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 interest.

SPECIFIC LEASE PROVISIONS:

Insurance:

Liability insurance of no less than \$1,000,000.

OTHER PERTINENT INFORMATION:

1. Applicant has the right to use the uplands adjoining the lease premises.
2. On March 21, 2005, the Huntington Beach City Council (City) approved an amendment to the City's Capital Improvement Program by authorizing

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bids to upgrade and construct the Warner Avenue Fire Station (Fire Station) Traffic Signal. The City has applied for a General Lease – Public Agency Use for that portion of the signal upgrade which will take place on sovereign lands adjacent to the Bolsa Chica Interpretive Center's (Center) parking lot, in the vicinity of the Bolsa Chica Wetlands in Huntington Beach and across the street from the Fire Station. This upgrade from a flashing signal to an actuated traffic signal will benefit local traffic control and visitors to the Center. The project is slated to begin in late June 2006, and be completed within 90 days of the project's start date.

3. On October 3, 2005, the city of Huntington Beach, acting as the lead agency under the provisions of the California Environmental Quality Act (CEQA) determined that construction and upgrading of the Warner Fire Station Traffic Signal, as described above, was categorically exempt from the CEQA pursuant to section 15302 under Class 2, Replacement or Reconstruction. Staff concurs with the city of Huntington Beach's determination.
4. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. However, the Commission has declared that all state school lands and submerged lands are "significant" by nature of their public ownership (as opposed to "environmentally significant"). Since such declaration of significance is not based upon the requirements and criteria of Public Resources Code sections 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by Title 2, California Code of Regulations, section 2954 is not applicable.

EXHIBITS:

- A. Location and Site Map
- B. Land Description
- B-1. Traffic Signal Easement (Graphic)

PERMIT STREAMLINING ACT DEADLINE:

September 2, 2006

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

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CEQA FINDING:

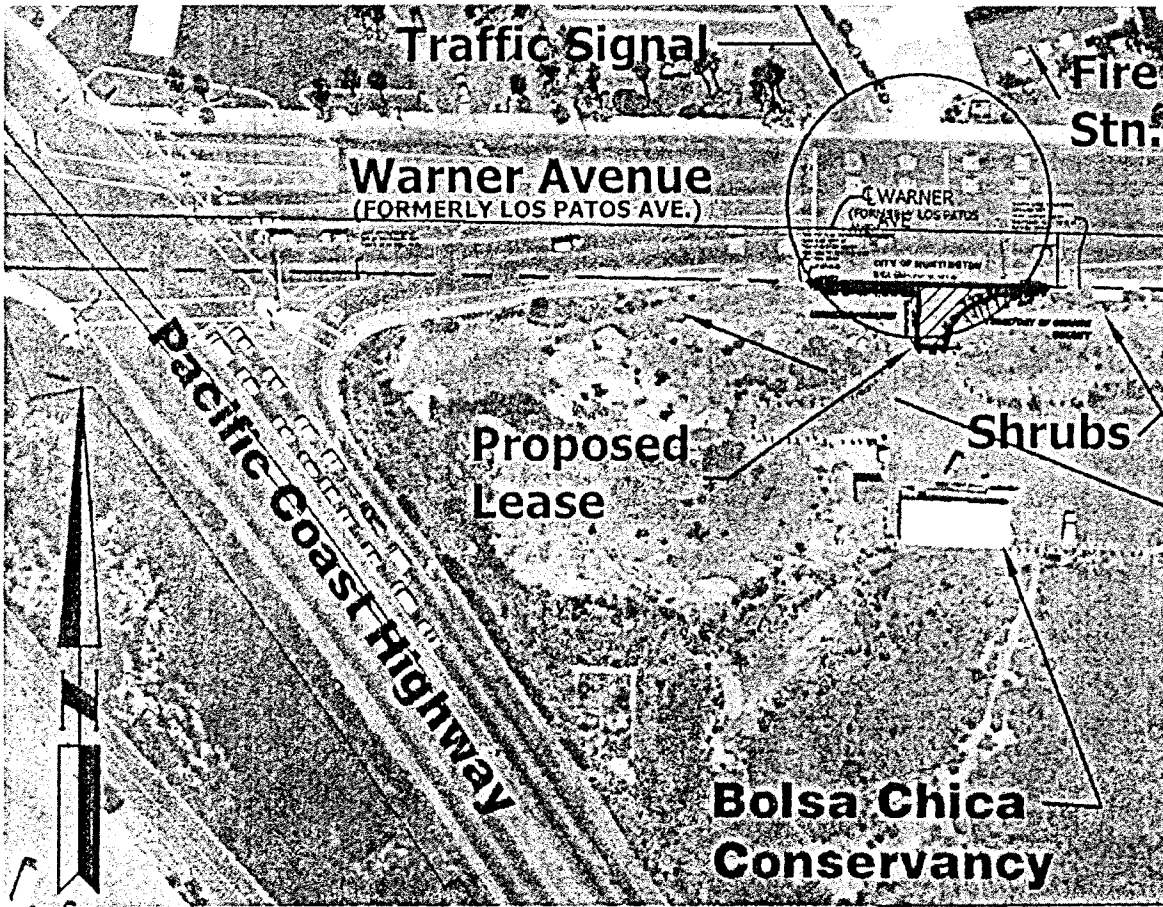
CONCUR WITH THE CITY OF HUNTINGTON BEACH'S DETERMINATION THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15061 AS A CATEGORICALLY EXEMPT PROJECT, UNDER CLASS 2, REPLACEMENT OR RECONSTRUCTION, TITLE 14, CALIFORNIA CODE OF REGULATIONS SECTION 15302.

AUTHORIZATION:

AUTHORIZE ISSUANCE TO THE CITY OF HUNTINGTON BEACH OF A GENERAL LEASE - PUBLIC AGENCY USE, BEGINNING JUNE 26, 2006, FOR A TERM OF 20 YEARS, TO UPGRADE, CONSTRUCT, USE, AND MAINTAIN TRAFFIC SIGNAL POLES, PULL-BOXES, CONDUIT, AND LOOP DETECTORS ADJACENT TO THE DRIVEWAY ENTRANCE TO THE BOLSA CHICA INTERPRETIVE CENTER AND ACROSS THE STREET FROM THE WARNER AVENUE FIRE STATION NO. 7, AS SHOWN ON EXHIBIT A AND AS DESCRIBED ON EXHIBIT B AND EXHIBIT B-1 ATTACHED AND BY THESE REFERENCES MADE A PART HEREOF; CONSIDERATION BEING THE PUBLIC USE AND BENEFIT; 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 INTEREST; LIABILITY INSURANCE OF NO LESS THAN \$1,000,000.

NO SCALE

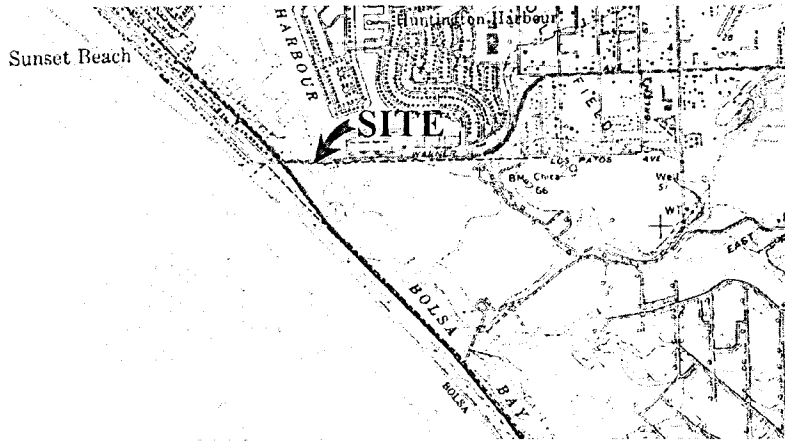
SITE



WARNER AVE. AT FIRE STATION #7, HUNTINGTON BEACH

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

W 26097
 GENERAL LEASE
 PUBLIC AGENCY USE
 HUNTINGTON BEACH
 ORANGE COUNTY



MTF #13/06

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EXHIBIT B

W26097

LAND DESCRIPTION

THOSE STATE SOVEREIGN LANDS LOCATED IN THE CITY OF HUNTINGTON BEACH, COUNTY OF ORANGE, STATE OF CALIFORNIA, IN THE RANCHO LA BOLSA CHICA, ALSO BEING A PORTION OF PROTRACTED SECTION 29, T5S, R11W, AS SHOWN ON THE MAP FILED IN BOOK 51, PAGE 13 OF MISCELLANEOUS MAPS IN RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHEASTERLY EXTENSION OF THE NORTHEASTERLY LINE OF PARCEL 2 AS SHOWN ON THE PARCEL MAP FILED IN BOOK 115, PAGE 18 OF PARCEL MAPS, WITH THE CENTERLINE OF WARNER AVENUE (FORMERLY LOS PATOS AVENUE), SAID CENTERLINE BEING 30 FEET NORTHERLY OF AND PARALLEL TO THE CITY OF HUNTINGTON BEACH BOUNDARY AS SHOWN ON SAID PARCEL MAP, SAID INTERSECTION BEING 346.5 FEET ± EASTERLY OF THE CENTERLINE OF PACIFIC COAST HIGHWAY AS MEASURED ALONG SAID CENTERLINE, THENCE ALONG SAID CENTERLINE OF WARNER AVENUE, SOUTH 89°12'47" EAST, 67.49 FEET;

THENCE AT RIGHT ANGLES TO SAID CENTERLINE SOUTH 00°47'13" WEST, 30.00 FEET TO A POINT, SAID POINT BEING ON THE SOUTH LINE OF WARNER AVENUE, SAID SOUTH LINE ALSO BEING THE BOUNDARY OF THE CITY OF HUNTINGTON BEACH, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING;

THENCE LEAVING THE SOUTH LINE OF WARNER AVENUE AND THE CITY OF HUNTINGTON BEACH BOUNDARY AND ENTERING THE LANDS OF THE UNINCORPORATED TERRITORY OF ORANGE COUNTY SOUTH 59°14'05" EAST, 9.54 FEET;

THENCE SOUTH 89°12'47" EAST, 53.65 FEET;

THENCE SOUTH 00°47'13" WEST, 30.78 FEET;

THENCE SOUTH 89°12'47" EAST, 16.93 FEET, TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 26.00 FEET, A RADIAL LINE TO SAID POINT OF CURVATURE BEARS SOUTH 89°12'47" WEST;

THENCE NORTHEASTERLY THROUGH A DELTA OF 49°08'21", AN ARC DISTANCE OF 22.30 FEET TO A POINT OF COMPOUND CURVATURE, SAID COMPOUND CURVE BEING CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 21.50 FEET, A RADIAL LINE TO SAID POINT OF COMPOUND CURVATURE BEARS NORTH 41°38'52" WEST;

THENCE NORTHEASTERLY THROUGH A DELTA OF 18°09'15", AN ARC DISTANCE OF 6.81 FEET TO A POINT, A RADIAL LINE TO SAID POINT BEARS NORTH 23°29'37" WEST;

THENCE NON-TANGENT TO LAST SAID CURVE NORTH 66°30'23" EAST, 3.00 FEET TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST AND HAVING A RADIUS OF 250.00 FEET, A RADIAL LINE TO SAID POINT OF CURVATURE BEARS NORTH 23°29'37" WEST;

THENCE NORTHEASTERLY THROUGH A DELTA OF 00°59'05", AN ARC DISTANCE OF 4.30 FEET;

THENCE TANGENT TO LAST SAID CURVE NORTH 67°29'28" EAST, 6.25 FEET TO THE BEGINNING ON A TANGENT CURVE CONCAVE TO THE SOUTH, AND HAVING A RADIUS 25.00 FEET;

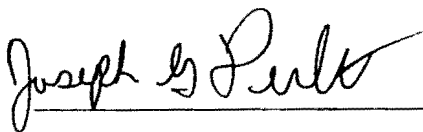
THENCE EASTERLY THROUGH A DELTA OF 12°50'57", AN ARC DISTANCE OF 5.61 FEET TO A POINT, A RADIAL LINE TO SAID POINT BEARS NORTH 09°39'35" WEST;

THENCE NON-TANGENT NORTH 80°20'25" EAST, 26.77 FEET, TO A POINT ALONG THE SOUTH LINE OF WARNER AVENUE AND THE BOUNDARY OF THE CITY OF HUNTINGTON BEACH;

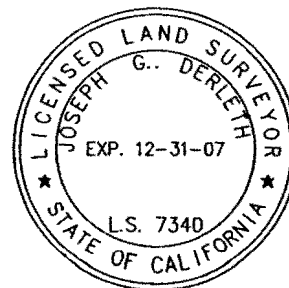
THENCE WESTERLY ALONG SAID SOUTH LINE NORTH 89°12'47" WEST, 137.05 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 1344 SQUARE FEET MORE OR LESS.

THE BASIS OF BEARINGS FOR THIS LAND DESCRIPTION IS BASED UPON THE CENTERLINE OF WARNER AVENUE BEARING NORTH 89°12'47" WEST, AS SHOWN ON RECORD OF SURVEY 97-1000, FILED IN BOOK 169, PAGES 29 THROUGH 36 INCLUSIVE, OF RECORDS OF SURVEY, IN ORANGE COUNTY RECORDS.



JOSEPH G. DERLETH
PLS 7340 EXPIRES 12/31/07



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