

**CALENDAR ITEM
C51**

A 41
S 23

02/21/14
PRC 391.1
D. Oetzel

REVISION OF RENT

LESSEE:

The Kissel Company
dba Paradise Cove Land Company
28128 Pacific Coast Highway
Malibu, CA 90265

AREA, LAND TYPE, AND LOCATION:

0.2629 acre, more or less, of sovereign land in the Pacific Ocean, at Paradise Cove, Malibu, Los Angeles County.

AUTHORIZED USE:

Continued use and maintenance of Paradise Cove Pier for commercial events, commercial film set location, fishing, and recreational use. Authorized uses specifically exclude the mooring, docking, storage, fueling, and launching of any vessels including personal watercraft from the pier.

LEASE TERM:

10 years, beginning February 25, 2009.

CONSIDERATION:

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 that the minimum rent be revised from \$2,565 per year to \$3,565 per year, effective February 25, 2014.

OTHER PERTINENT INFORMATION

1. On June 28, 2010, the Commission authorized a ten-year General Lease – Commercial Use with The Kissel Company, for the operation, use, and maintenance of the existing Paradise Cove Pier for commercial events, fishing, and recreational use; the lease commenced on February 25, 2009.
2. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a

CALENDAR ITEM NO. **C51** (CONT'D)

reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

Authority: Public Resources Code section 21065 and California Code of Regulations, Title 14, sections 15060, subdivision (c)(3), and 15378.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

CEQA FINDING:

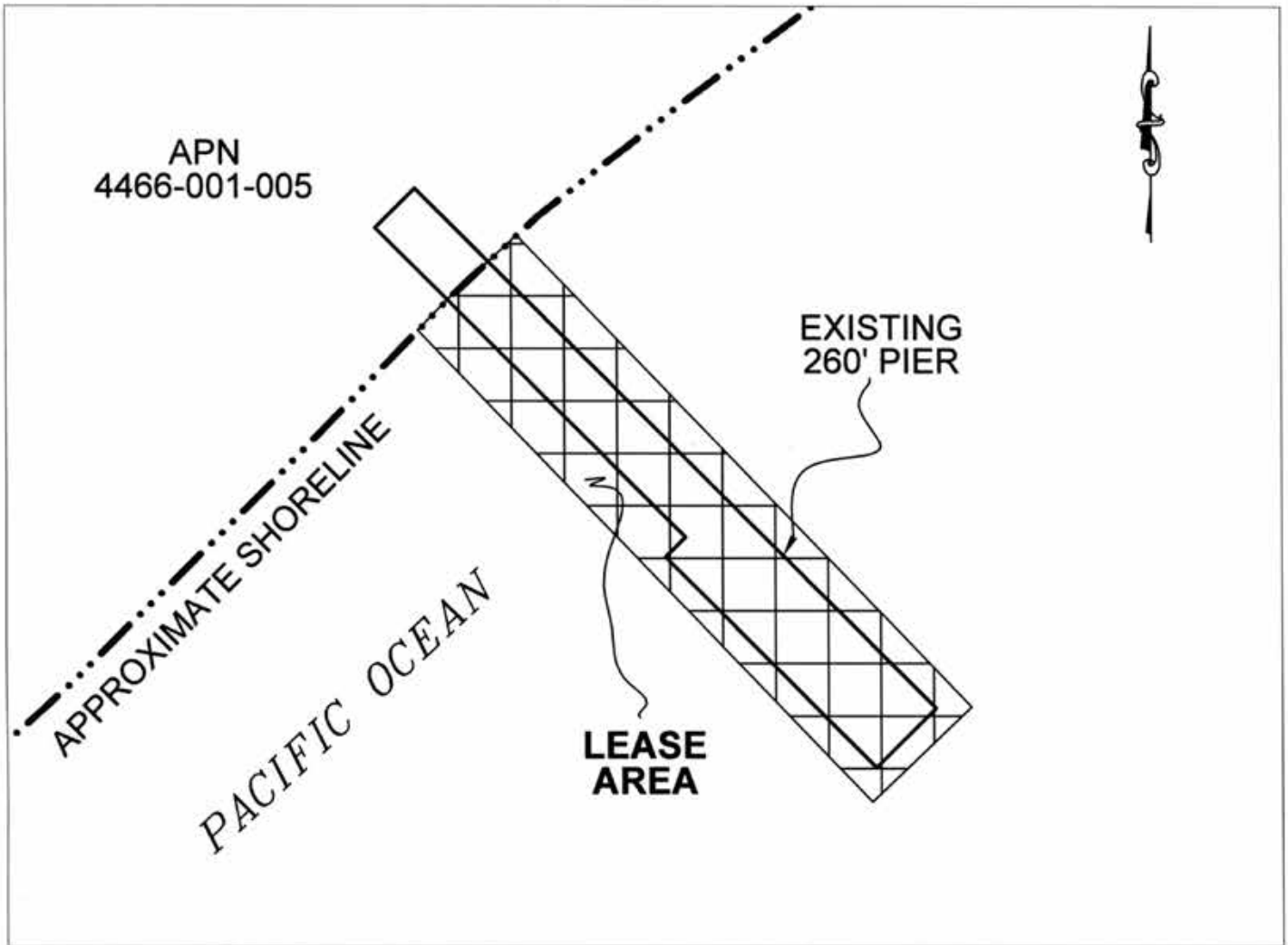
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 391.1 from \$2,565 per year to \$3,565 per year, effective February 25, 2014.

NO SCALE

SITE



28128 PACIFIC COAST HIGHWAY, MALIBU

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit A

PRC 391.1
 THE KISSEL COMPANY
 PARADISE COVE PIER
 APN 4466-001-005
 GENERAL LEASE -
 COMMERCIAL LEASE
 LOS ANGELES COUNTY



JWP 04/11/13