

CALENDAR ITEM

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MINUTE ITEM  
This Calendar Item No. 77  
was approved as Minute Item  
No. 77 by the State Lands  
Commission by a vote of 3  
to 0 at its 9/23/92  
meeting.

09/23/92  
PRC 6015  
Fong

RENT REVIEW  
GENERAL LEASE - COMMERCIAL USE

LESSEE:

River View Marina, a limited partnership  
c/o Edmund J. Coyne  
901 Tamalpais Avenue, Suite 200  
San Rafael, California 94901

AREA, TYPE LAND AND LOCATION:

3.86 acres of tide and submerged lands located in the  
Sacramento River adjacent to the Garden Highway, Sacramento  
County.

LAND USE:

Commercial marina.

The lease provides that the State may adjust the annual rental to  
a different amount, effective on each fifth anniversary of the  
lease.

Staff has reviewed the lease in accordance with the Commission's  
rental regulations (2 Cal. Code Regs. 2003) and is recommending  
that the Commission approve the revision in rent. Staff has  
notified the lessee of the change to rental as recommended herein  
within the time limits prescribed under the lease and has  
afforded lessee the opportunity to comment on the proposed  
change.

TERMS OF CURRENT LEASE:

Initial period:

Thirty (30) years beginning January 1, 1981.

Surety bond:

\$5,000.

Public liability insurance:

Combined single limit coverage of \$1,000,000.

CALENDAR PAGE	<u>857</u>
MINUTE PAGE	<u>3488</u>

**Consideration:**

Five percent of the gross income derived from the rental of boat docks and moorings, one percent of the gross income from sources exclusive of dock rentals and moorings with a minimum annual rental of \$7,000 paid in advance on January 1, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

**TERMS OF PROPOSED RENT REVISION:**

**Consideration:**

Five and one-half percent of the gross income derived from the rental of boat docks and moorings, three percent of the gross income generated on the premises from snackbar/deli operations, one percent of the gross income derived from yacht sales, and ten percent of all other gross income generated from the lease premises with a minimum annual rental of \$8,000 paid in advance on January 1 of each year, effective January 1, 1991, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

**STATUTORY AND OTHER REFERENCES:**

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

**AB 884:**

N/A.

**OTHER PERTINENT INFORMATION:**

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Code Regs. 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: P.R.C. 21065 and 14 Cal. Code Regs. 15378.

**EXHIBIT:**

- A. 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. CODE REGS. 15061 BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY P.R.C. 21065 AND 14 CAL. CODE REGS. 15378.
2. APPROVE THE SETTING OF A REVISED RENTAL BASED UPON A MINIMUM ANNUAL RENT OF \$8,000; FIVE AND ONE-HALF PERCENT OF THE GROSS INCOME FROM BERTHING; THREE PERCENT OF THE GROSS INCOME GENERATED ON THE PREMISES FROM SNACKBAR/DELI OPERATIONS; ONE PERCENT OF THE GROSS INCOME DERIVED FROM YACHT SALES, AND TEN PERCENT OF ALL OTHER GROSS INCOME GENERATED FROM THE LEASE PREMISES, EFFECTIVE JANUARY 1, 1991, FOR A 30-YEAR GENERAL LEASE - COMMERCIAL USE, LEASE NO. PRC 6015, A 3.86-ACRE PARCEL OF TIDE AND SUBMERGED LAND LOCATED IN THE SACRAMENTO RIVER ADJACENT TO THE GARDEN HIGHWAY, SACRAMENTO COUNTY, FOR A COMMERCIAL MARINA.

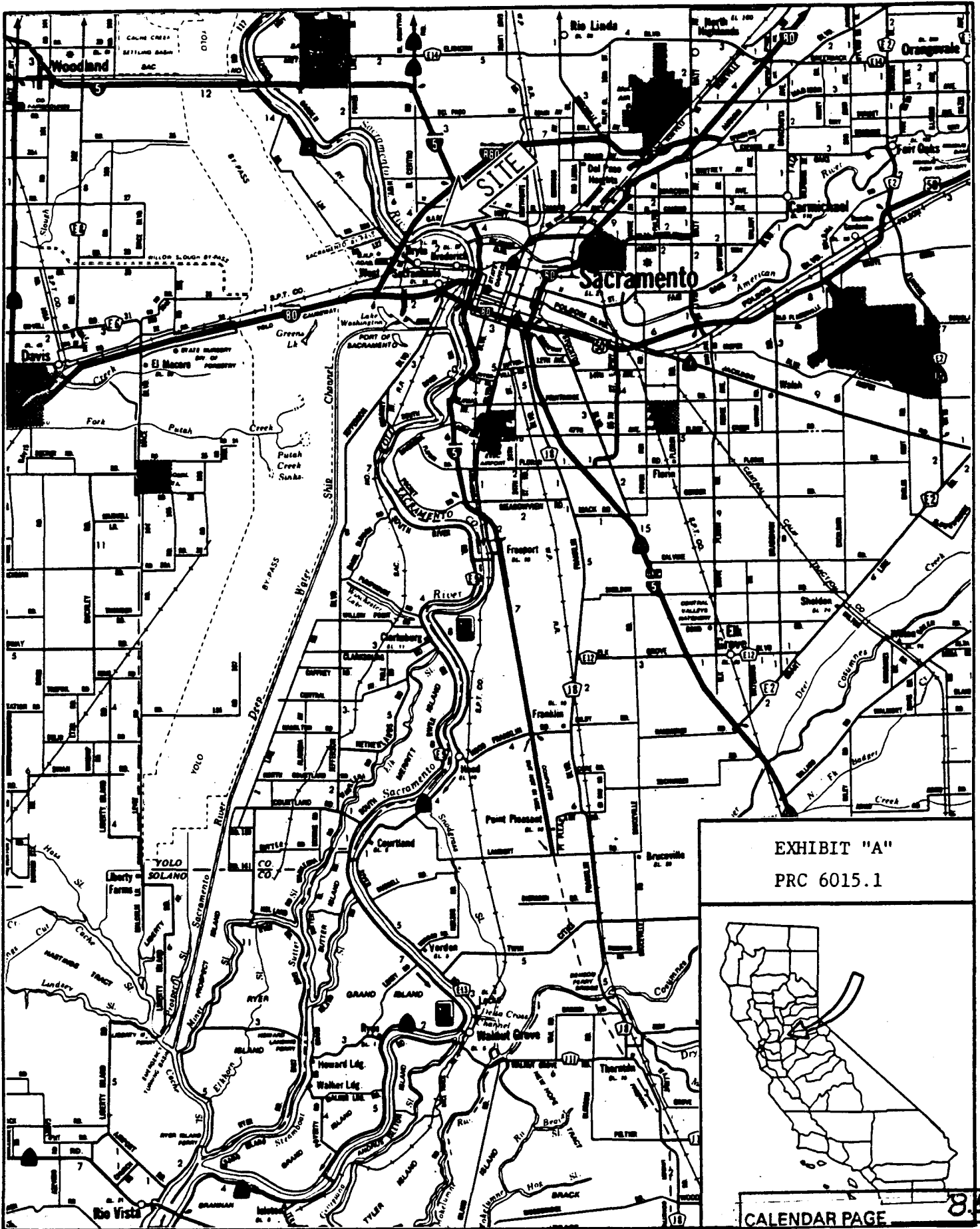


EXHIBIT "A"  
 PRC 6015.1



CALENDAR PAGE

8573

MINUTE PAGE

3491