

**CALENDAR ITEM
C09**

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12/17/09
PRC 7766.1
V. Caldwell

REVISION OF RENT

LESSEE:

Verona Marina, Inc.

AREA, LAND TYPE, AND LOCATION:

Sovereign lands in the Sacramento River, adjacent to 6955 Garden Highway, near Verona, Sutter County.

AUTHORIZED USE:

Continued use and maintenance of an existing 48 berth commercial marina, including 22 covered berths, 450 lineal feet of side-tie dockage, day use docks, sewage pump out, debris deflector, boat launching ramp, and a gabion wall.

LEASE TERM:

25 years, beginning May 26, 1994.

CONSIDERATION:

This lease provides that Lessor may modify the method, amount, or rate of consideration 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 annual rent be revised from \$3,770 to \$7,173, and that the annual percent of gross income continue at five percent for boat berthing, and ten percent of all other gross income, effective May 26, 2010.

OTHER PERTINENT INFORMATION:

On May 26, 1994, the Commission authorized a General Lease – Commercial Use, to Gary Kaveney. Subsequently, on June 26, 2006, the Commission authorized an assignment of the lease to Verona Marina Inc., and an amendment to include Marina Best Management Practices. The lease will expire on May 25, 2019.

EXHIBIT:

A. Site and Location Map

CALENDAR ITEM NO. **C09** (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) 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:

APPROVE THE REVISION OF MINIMUM ANNUAL RENT FOR LEASE NO. PRC 7766.1 FROM \$3,770 PER YEAR, TO \$7,173, AND CONTINUE THE PERCENT OF GROSS INCOME AT FIVE PERCENT FOR BOAT BERTHING, AND TEN PERCENT OF ALL OTHER GROSS INCOME, EFFECTIVE MAY 26, 2010.