

STAFF REPORT

39

A 7

S 6

06/28/19
PRC 6427.1
N. Lavoie

REVISION OF RENT

LESSEE:

Riverbank Holding Company, LLC

AREA, LAND TYPE, AND LOCATION:

5.326 acres, more or less, of sovereign land in the Sacramento River, adjacent to 1371 Garden Highway, near Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of a commercial marina consisting of 132 covered berths, 25 uncovered berths, outside side-tie docks accommodating approximately 19 boats, an inside side-tie dock accommodating approximately nine boats, a sewage pumpout dock, debris deflector, two speed signs; a restaurant and bar with an accommodation dock; two floating office buildings; and a two-line marine fuel dispenser with hose reel.

LEASE TERM:

31 years, beginning September 1, 2013.

CONSIDERATION:

This lease provides that the Commission may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that minimum rent be revised from \$45,000 per year to \$50,438 per year, against a percentage of gross, effective September 1, 2019.

OTHER PERTINENT INFORMATION:

1. On September 20, 2013, the Commission authorized a General Lease – Commercial Use to Riverbank Holding Company, LLC, for a term of 31 years beginning September 1, 2013 ([Item C16, September 20, 2013](#)). The lease will expire on August 31, 2044.
2. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. Upon

STAFF REPORT NO. 39 (CONT'D)

expiration or prior termination of the lease, the lessee has no right to a new lease or to renewal of any previous lease.

3. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.
4. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

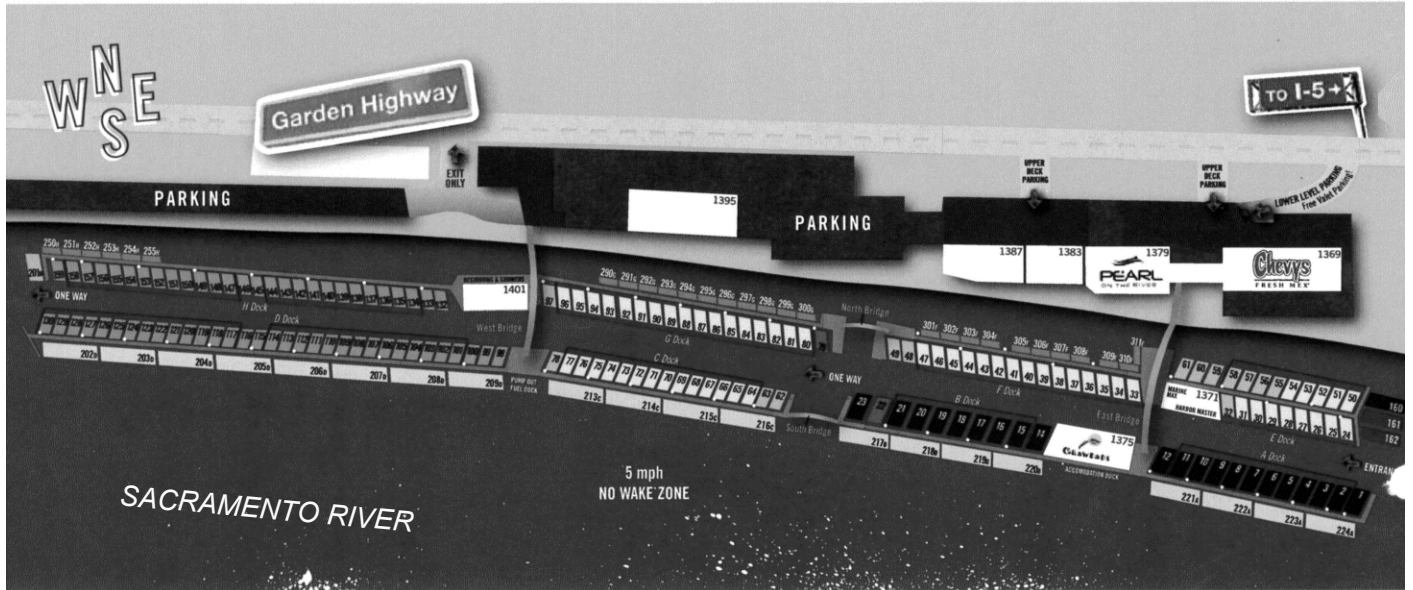
Approve the revision of minimum rent for Lease No. PRC 6427.1 from \$45,000 per year to \$50,438 per year, against a percentage of gross, effective September 1, 2019.

NO SCALE

SITE



MARINA MAP



KEY

█ - 24' SLIPS	█ - Outside Tie Various Sizes
█ - 27' SLIPS	█ - Inside Tie Various Sizes up to 21'
█ - 30' SLIPS	█ - Pilings
█ - 37' SLIPS	█ - Covered Slips
█ - 40' SLIPS	
█ - 50' SLIPS	

GARDEN HWY., SACRAMENTO

NO SCALE

LOCATION

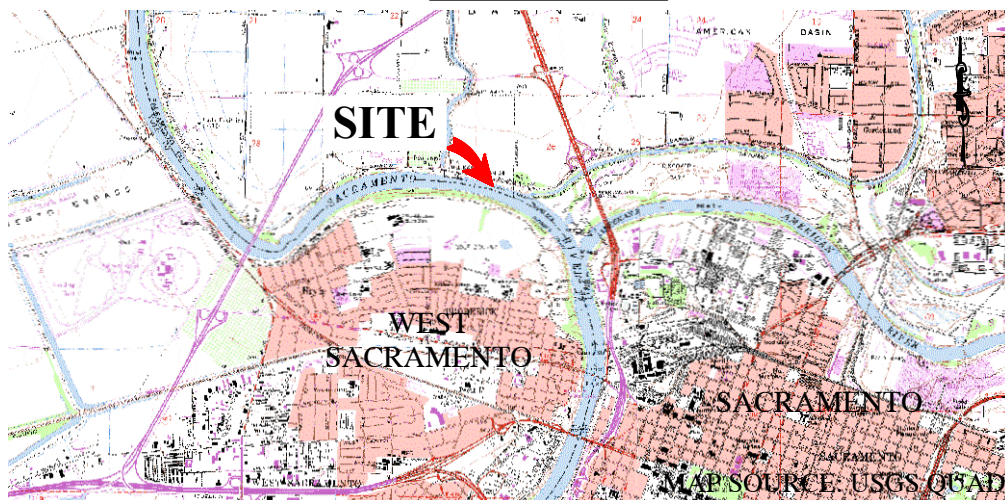


EXHIBIT A

PRC 6427.1
 RIVERBANK HOLDING CO.
 APN 274-0320-035, 036
 GENERAL LEASE -
 COMMERCIAL USE
 SACRAMENTO COUNTY



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.

JAK 5/19