

MINUTE ITEM

This Calendar Item No. C13
was approved by the Commission by a vote of 3 to 0 at its 9/29/77 meeting.

CALENDAR ITEM

C13.

GENERAL LEASE
COMMERCIAL USE

9/77
WP 494
Scott
PRC 494

APPLICANT: Gene Celli
905 W. Magnolia Street
Stockton, California 95203

AREA, TYPE LAND AND LOCATION:
A 1.05 acre parcel of tide and submerged
land in Horseshoe Bend, Sacramento River,
Sacramento County.

LAND USE: Continued maintenance of an existing commercial
marina.

TERMS OF ORIGINAL LEASE:

Initial period: 15 years, from February
10, 1950.

Renewal options: 2 successive periods
of 10 years each.

Surety bond: \$1,000.

Consideration: \$50 per annum.

TERMS OF FIRST RENEWAL:

Renewal period: 10 years, from February
10, 1965.

Renewal options: 1 successive period of
10 years.

Surety bond: \$1,000.

Consideration: \$150 per annum.

TERMS OF PROPOSED AMENDMENT AND RENEWAL:

Initial period: 10 years, from February
10, 1975.

Surety bond: \$1,000.

Public liability insurance: \$100,000/\$300,000
per occurrence for bodily
injury and \$100,000 for
property damage.

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CONSIDERATION: \$756 per annum, with the State reserving the right to fix a different rental on each fifth anniversary of the lease.

BASIS FOR CONSIDERATION:
8% of appraised value of land.

PREREQUISITE TERMS, FEES AND EXPENSES:
Applicant is owner of upland.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code: Div. 6, Parts 1 & 2.

B. Administrative Code: Title 2, Div. 3,
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. During the process of completing the signing of the amendment/renewal the lessee has paid, when due, the revised rental of \$756 per annum.
2. An Environmental Impact Report is not required. This transaction is within the purview of 2 Cal. Adm. Code 2907 Class 1B, which exempts an existing structure or facility that is in an acceptable state of repair and there is no evidence of record to show injury to adjacent property, shoreline erosion, or other types of environmental degradation.
3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff review indicates that there will be no significant effect upon the identified environmental values. This is an existing facility for which no adverse comments have been received.

EXHIBIT: A. Location Map.

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IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT REPORT HAS NOT BEEN PREPARED FOR THIS ACTIVITY AS SUCH REPORT IS NOT REQUIRED UNDER THE PROVISIONS OF PRC 21085, 14 CAL. ADM. CODE 15100 ET SEQ., AND 2 CAL. ADM. CODE 2907.
2. FIND THAT GRANTING OF THE LEASE WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
3. AUTHORIZE ISSUANCE TO GENE CELLI OF A 10-YEAR AMENDMENT - RENEWAL OF LEASE PRC 494.1 FROM FEBRUARY 10, 1975; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$756, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$1,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE IN AMOUNTS OF \$100,000/\$300,000 PER OCCURRENCE FOR BODILY INJURY AND \$100,000 FOR PROPERTY DAMAGE; FOR THE CONTINUED MAINTENANCE OF AN EXISTING MARINA ON THE LAND SHOWN ON EXHIBIT "A" ON FILE WITH THE OFFICE OF THE STATE LANDS COMMISSION.