

MINUTE ITEM
This Calendar Item No. 23
was approved as Minute Item
No. 23 by the State Lands
Commission by a vote of 3
to 0 at its 10-21-87
meeting.

CALENDAR ITEM

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10/21/87
WP 6427 PRC 6427
Maricle

SUBLEASE APPROVAL

SUBLESSOR: Riverbank Holding Company
Attn: Mr. Thomas C. Westley
General Manager
1361 Garden Highway, Suite 200
Sacramento, California 95833

SUBLESSEE: James and Lilac Muncill
1207 Front Street
Sacramento, California 95814

AREA, TYPE LAND AND LOCATION: LEASE PRC 6427, MASTER LEASE,
A 5.326-acre parcel of tide and submerged land,
Sacramento River, Sacramento County.

LAND USE: Commercial marina, floating restaurant, harbor
master office, boat sales office, debris
deflector, and all appurtenant facilities
related thereto.

TERMS OF EXISTING LEASE PRC 6427:
Initial period: 20 years beginning August 1,
1984.
Surety bond: \$10,000.
Public liability insurance: Combined single
limit coverage of \$1,000,000.

CONSIDERATION: ANNUAL RENTAL:
Six percent of the gross income derived from
the rental of boat docks and moorings. Three
percent of the gross income derived from the

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operation of restaurant and bar. Twenty-five percent of the gross income derived from the operation of coin-operated vending and electronic game machines. A percentage of the gross income derived from boat sales (yacht brokerage). Ten percent of the gross income derived from sources exclusive of those described above. A minimum annual rental of \$4,000 for the period August 1, 1984 through July 31, 1985 and a minimum annual rental of \$15,000 thereafter.

PROPOSED ACTION: (SUBLEASE APPROVAL)

Validation of a tenancy between the Lessee and James and Lilac Muncill, covered below in Other Pertinent Information.

APPLICANT STATUS:

Applicant is owner of upland and the Master Lessee in PRC 6427.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

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

AB 884: N/A.

OTHER PERTINENT INFORMATION:

1. Approve sublease by endorsement

Sublessor: Riverbank Holding Company

Sublessee: James and Lilac Muncill

2. Terms of sublease:

TERM: One year, from July 1, 1987.

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RENT: (Muncill to Riverbank):
\$520.50 per month, and \$25 per
cruise departing the premises,
excepting therefrom the first 23
cruises per month.

AREA: 347 square feet of tenant space.

INSURANCE:
\$1,000,000: Liability
\$250,000: Property Damage

PURPOSE:
Passenger assemblage area for river
boat cruises. The sublessee
operates such a business under the
name of Capital City Cruises.

The staff has reviewed this sublease and
finds it acceptable.

3. Compensation to State: Ten percent of the
amount paid by James and Lilac Muncill to
the Riverbank Holding Company.
4. The sovereign land sublet hereunder was
sublet earlier by the Lessee to Adventure
Cruises, Inc. and Ron Harmon, approved by
the Commission on October 24, 1985, under
Minute Item No. 21; that sublessee was
terminated by Riverbank Holding Company,
effective June 9, 1987.
5. Environmental Considerations
 - A. The Commission authorized the issuance
of Lease PRC 6427 on July 12, 1984. At
that time, the Commission found that an
EIR was prepared and adopted for the
Sublessor's marina project by the City
of Sacramento Planning Department and
that the Commission had reviewed and
considered the information contained
therein.

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B. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that the activity covered herein is exempt from the requirements of the CEQA under the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. The staff believes there is no possibility that this activity may have a significant effect on the environment.

Authority: 14 Cal. Adm.
Code 15061(b)(3).

APPROVALS OBTAINED:
None.

FURTHER APPROVALS REQUIRED:
None.

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. ADM. CODE 15061 BECAUSE THERE IS NO POSSIBILITY THAT THE ACTIVITY MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT. (14 CAL. ADM. CODE 15061(b)(3))
2. APPROVE, BY ENDORSEMENT, EFFECTIVE JULY 1, 1987, THE SUBLEASE AGREEMENT BETWEEN RIVERBANK HOLDING COMPANY (SUBLESSOR) AND JAMES AND LILAC MUNCILL (SUBLESSEE).

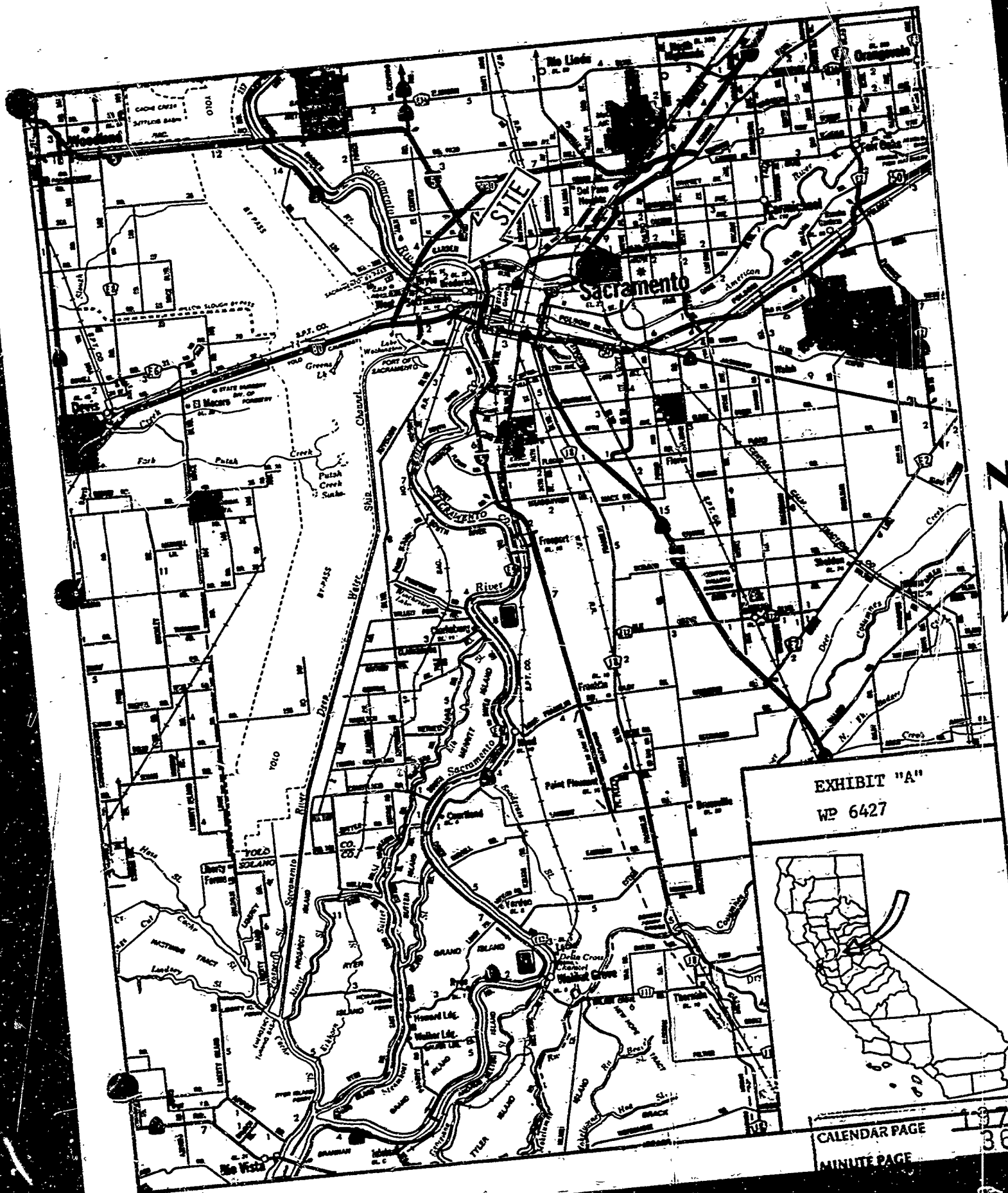


EXHIBIT "A"
WP 6427



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