

MINUTE ITEM

This Calendar Item No. C33 was approved as Minute Item No. 33 by the California State Lands Commission by a vote of 2 to 0 at its 12/18/05 meeting.

**CALENDAR ITEM
C33**

A 9
S 6

12/8/2005
PRC 7001.1
D. Jones

AMENDMENT AND ASSIGNMENT SUBLEASE

LESSEE/SUBLESSOR:

City of Sacramento
915 I Street
Sacramento, California 95831

SUBLESSEE:

Sacramento Yacht Charters, L.L.C.
110 L Street
Sacramento, California 95814

AREA, LAND TYPE, AND LOCATION:

LEASE: 4.0 acres, more or less, of tide and submerged lands in the Sacramento River, in the city of Sacramento, Sacramento County.

AUTHORIZED USE:

LEASE: Continued use and maintenance of docks, walkways, access ramps, floating vessels and any other structures necessary or appurtenant to the development of the State parcel and for the mooring of vessels.

SUBLEASE: The operation of a commercial tour vessel service, including the "Spirit of Sacramento" and the "Matthew McKinley".

TERM:

LEASE: 49 years, beginning July 1, 1986.

SUBLEASE: 10 years beginning in 1987, with two, five year renewal options.

CONSIDERATION:

LEASE: Commencing with years 6 through 25, the State shall receive twenty percent (20%) of the gross annual rent the City receives.

CALENDAR ITEM NO. C33 (CONT'D)

SUBLEASE: Five (5) % of gross receipts, with an annual guaranteed minimum of \$10,000.

OTHER PERTINENT INFORMATION:

1. On July 24, 1986, the California State Lands Commission approved issuance of a Master Lease to the city of Sacramento covering a portion of the Sacramento River located along the waterfront in "Old Sacramento". On April 28, 1993, the Commission approved a sublease between Channel Star Excursions, Inc. for the operation of commercial vessel tours. Currently, the authorized vessels under that Sublease are the "Matthew McKinley" and the "Spirit of Sacramento". Channel Star has sold its interests to Sacramento Yacht Charters, L.L.C. At its meeting of June 28, 2005, the City Council of the city of Sacramento authorized an Amendment and Assignment of the Sublease to Sacramento Yacht Charters, L.L.C. The Amendments to the Sublease do not materially affect the Sublease.
2. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code sections 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.
3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

Authority: Public Resources Code section 21065 and Title 14, California Code of Regulations, sections 15060 (c)(3) and 15378.

EXHIBIT:

- A. Location Map.

CALENDAR ITEM NO. C33 (CONT'D)

RECOMMENDED ACTION:

IT IS RECOMMENDED THAT THE COMMISSION:

CEQA FINDING:

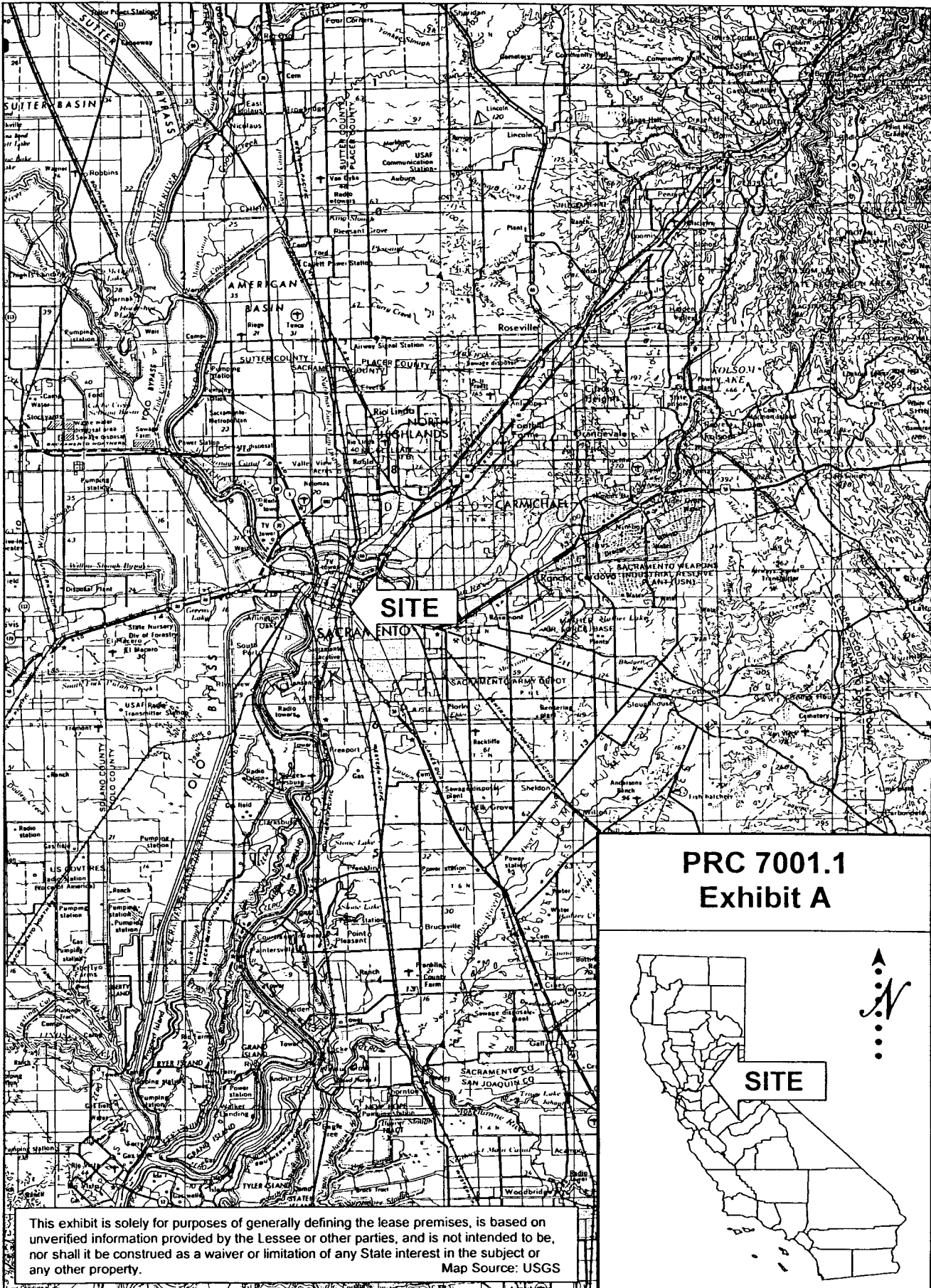
FIND THAT THE ACTIVITY IS NOT SUBJECT TO THE REQUIREMENTS OF THE CEQA PURSUANT TO TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15060(c)(3) BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND TITLE 14, CALIFORNIA CODE OF REGULATIONS, SECTION 15378.

SIGNIFICANT LANDS INVENTORY FINDING:

FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED BY THE COMMISSION FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

AUTHORIZATION:

AUTHORIZE THE AMENDMENT AND ASSIGNMENT, BY ENDORSEMENT, OF A SUBLEASE BETWEEN THE CITY OF SACRAMENTO AND SACRAMENTO YACHT CHARTERS, L.L.C., OF A PORTION OF LEASE NO. PRC 7001.1, MORE PARTICULARLY SHOWN ON EXHIBIT A ATTACHED AND BY THIS REFERENCE MADE A PART HEREOF, EFFECTIVE JUNE 28, 2005.



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.
 Map Source: USGS

**PRC 7001.1
 Exhibit A**

SITE