

**CALENDAR ITEM
C20**

A 4
S 1

10/16/08
PRC 4195.1
N. Lee

REVISION OF RENT

LESSEE:

Brockway Shores
P.O. Box 7345
Tahoe City, CA 96145

AREA, LAND TYPE, AND LOCATION:

0.67 acres, more or less, of sovereign lands in Lake Tahoe, adjacent to 144 Chipmunk Street, near Kings Beach, Placer County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier, 20 mooring buoys and two marker buoys as shown on Exhibit A.

LEASE TERM:

Ten years, beginning September 28, 2003.

CONSIDERATION:

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$295 per year to \$1,241 per year, effective September 28, 2008.

OTHER PERTINENT INFORMATION:

On October 6, 2004, the Commission authorized a General Lease – Recreational Use to Brockway Shores. That lease will expire on September 27, 2013. Brockway Shores is a California non-profit corporation doing business as a homeowners association and owns the littoral property adjacent to the lease premises. The rent for the pier and 20 mooring buoys has been prorated according to the members qualifying for rent-free status pursuant to Section 6503.5 of the Public Resources Code. The two marker buoys do not qualify for rent-free status.

CALENDAR ITEM NO. **C20** (CONT'D)

EXHIBIT:

- A. Location and Site Map

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 RENT FOR LEASE NO. PRC 4195.1 FROM \$295 PER YEAR TO \$1,241 PER YEAR, EFFECTIVE SEPTEMBER 28, 2008.