

**CALENDAR ITEM
C16**

A 6
S 3

08/14/12
PRC 6168.1
R. Boggiano

CONTINUATION OF RENT

LESSEE:

Russell J. Gilardi dba Lakeville Marina

AREA, LAND TYPE, AND LOCATION:

0.454 acres, more or less, of sovereign land in the Petaluma River, adjacent to 5684 Lakeville Highway, near the city of Petaluma, Sonoma County.

AUTHORIZED USE:

Continued operation and maintenance of a commercial marina consisting of three uncovered floating boat docks, walkways, and a launching ramp.

LEASE TERM:

20 years, beginning January 1, 1997

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 continued at \$1,130 per year, effective January 1, 2013.

SPECIFIC LEASE PROVISIONS:

Insurance:

This lease provides that Lessor may increase the amount of liability insurance periodically during the lease term. Pursuant to this provision, staff recommends an increase in liability insurance from \$1,000,000 to \$2,000,000, effective January 1, 2013.

Surety:

This lease provides that Lessor may increase the amount of the surety bond or other security periodically during the lease term. Pursuant to this provision, staff recommends an increase in the surety bond or other security from \$5,000 to \$10,000, effective January 1, 2013.

CALENDAR ITEM NO. C16 (CONT'D)

OTHER PERTINENT INFORMATION:

1. On January 29, 1999, the Commission authorized a General Lease – Commercial Use to Evelyn Gilardi, for the operation and maintenance of a commercial marina consisting of three uncovered floating boat docks, walkways, and a launching ramp. On December 16, 2002, the Commission authorized an assignment of the lease from Evelyn Gilardi to Russell J. Gilardi. The lease will expire on December 31, 2016.

2. The staff recommends that the Commission find that the subject continuation of rent does not have a potential for resulting in either a direct or a reasonably foreseeable indirect physical change in the environment, and is, therefore, not a project in accordance with the California Environmental Quality Act (CEQA).

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

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject continuation of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations, Title 14, section 15378.

AUTHORIZATION:

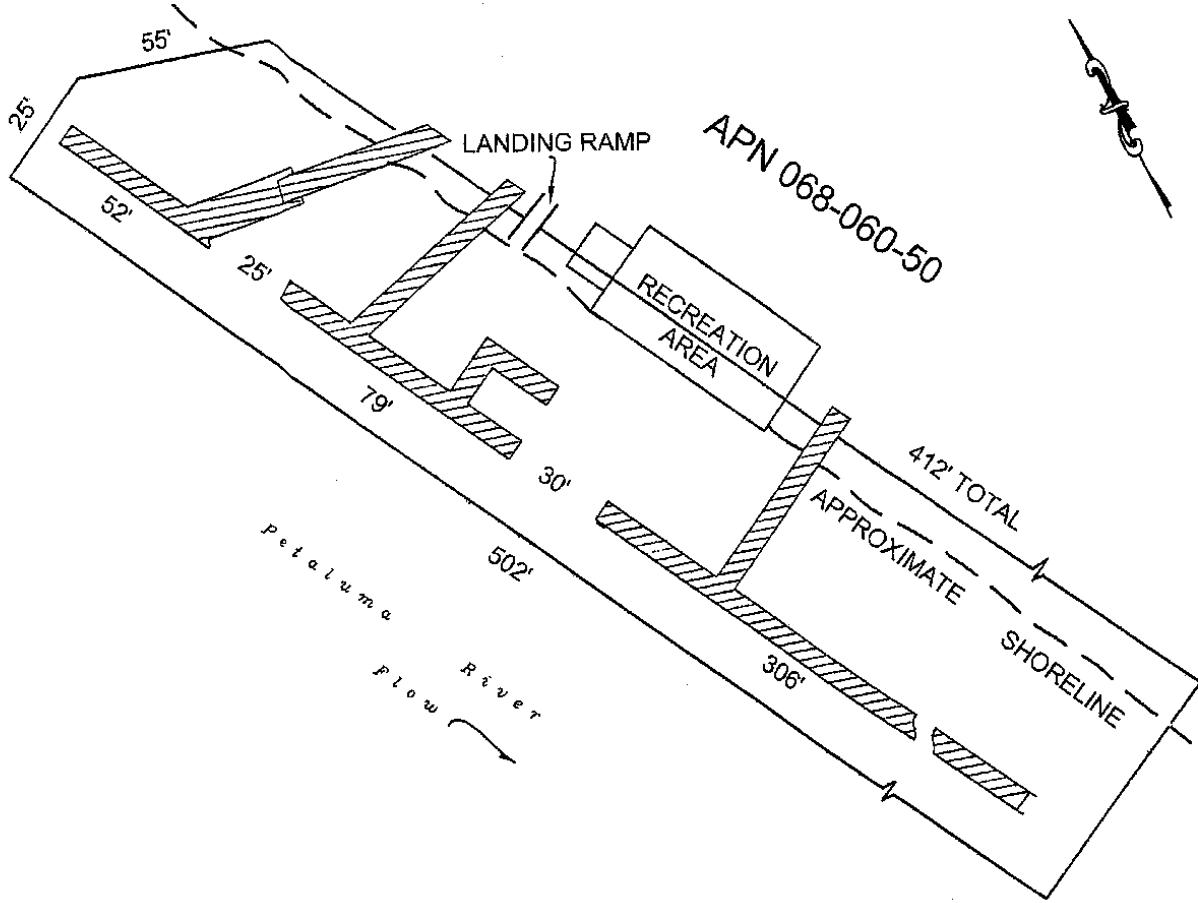
1. Approve the continuation of rent for Lease No. PRC 6168.1 at \$1,130 per year, effective January 1, 2013.

2. Approve the increase in liability insurance from \$1,000,000 to \$2,000,000, effective January 1, 2013.

3. Approve the increase in the surety from \$5,000 to \$10,000, effective January 1, 2013.

NO SCALE

SITE



5684 LAKEVILLE HWY., PETALUMA RIVER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 6168.1
 GILARDI
 APN 068-060-50
 GENERAL LEASE -
 COMMERCIAL USE
 SONOMA 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.

MJJ 03/07/12