

**CALENDAR ITEM
C33**

A 5
S 6

08/14/12
PRC 5381.1
N. Lavoie

REVISION OF RENT

LESSEE:

Lawrence H. Cassidy

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 1963 Garden Highway, near the city of Sacramento, Sacramento County.

AUTHORIZED USE:

Continued use and maintenance of an existing boat dock, with boathouse, sundeck, ramp, debris diverter, and bank protection.

LEASE TERM:

10 years, beginning August 27, 2007.

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 \$122 per year to \$516 per year for the sundeck, effective August 27, 2012.

OTHER PERTINENT INFORMATION:

1. On May 10, 2007, the Commission authorized a General Lease – Recreational and Protective Structure Use to Lawrence H. Cassidy, for a term of 10 years. The lease will expire on August 26, 2017.
2. Under the terms of the lease, the sundeck is the only portion of the authorized improvements subject to annual rent. The sundeck is considered a residential use and therefore exempt from rent-free status. The dock, boathouse, ramp, and debris diverter are rent-free for the term of the lease.
3. The staff recommends that the Commission find that the subject revision of rent does not have a potential for resulting in either a direct or a

CALENDAR ITEM NO. **C33** (CONT'D)

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:

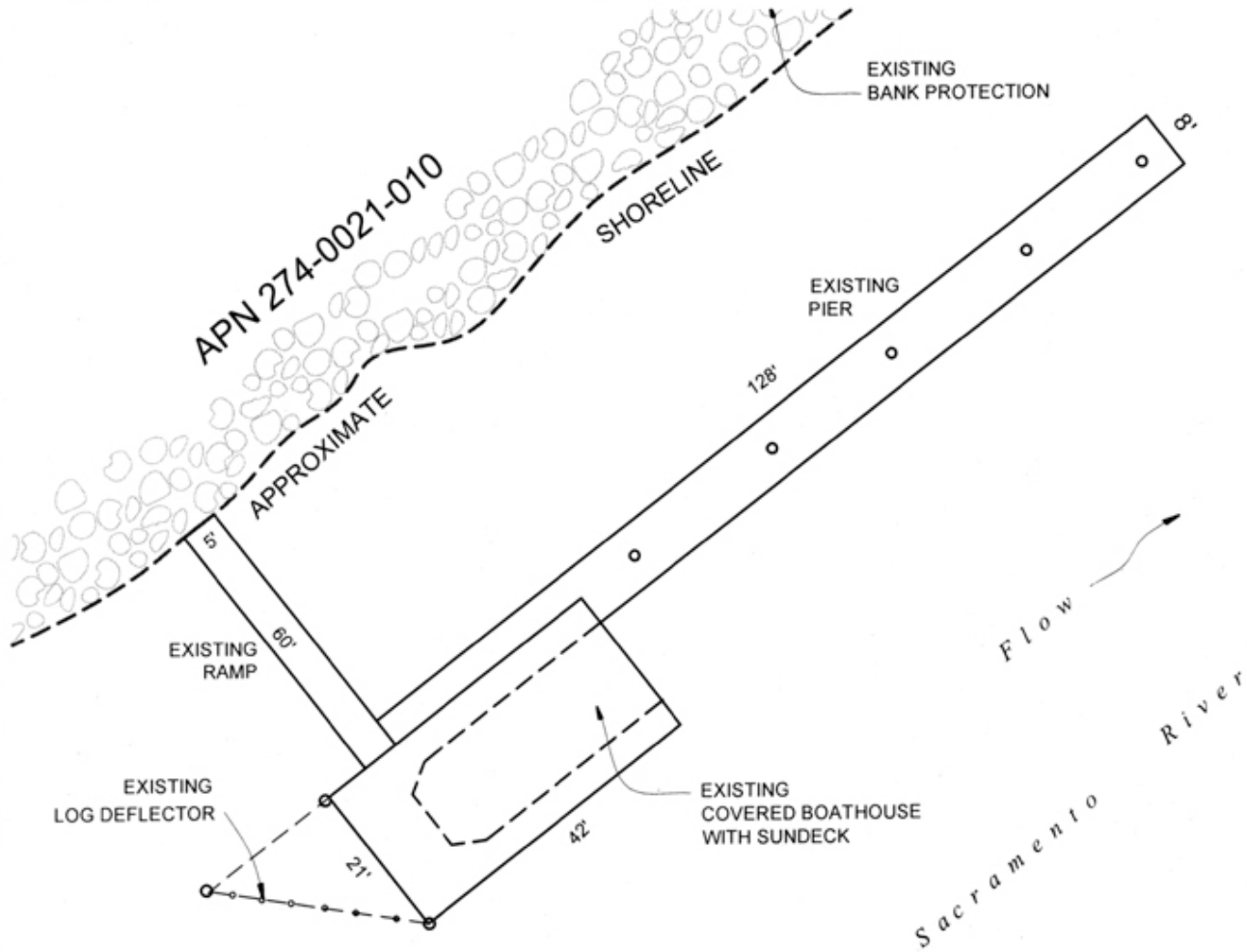
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations,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

AUTHORIZATION:

Approve the revision of rent for Lease No. PRC 5381.1 from \$122 per year to \$516 per year, effective August 27, 2012.

NO SCALE

SITE



1963 GARDEN HIGHWAY, SACRAMENTO

NO SCALE

LOCATION



Exhibit A

PRC 5381.1
 CASSIDY
 APN 274-0021-010
 GENERAL LEASE -
 RECREATIONAL &
 PROTECTIVE STRUCTURE USE
 SACRAMENTO 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.