

**CALENDAR ITEM
C38**

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12/02/13
PRC 1987.9
W. Hall

GENERAL LEASE – PUBLIC AGENCY USE

APPLICANT:

City of West Sacramento

AREA, LAND TYPE, AND LOCATION:

Sovereign land located in the Sacramento River, adjacent to 20079 Riverfront Street, city of West Sacramento, Yolo County.

AUTHORIZED USE:

Continued use and maintenance of an existing pier and remnant pilings.

LEASE TERM:

30 years, beginning July 25, 2013.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest in the lease.

OTHER PERTINENT INFORMATION:

1. Applicant owns the upland adjoining the lease premises.
2. On September 23, 1982, the Commission authorized a 30-year General Lease – Industrial Use to Rice Growers Association of California, for the use and maintenance of existing wharfage for industrial purposes. On March 6, 1991, the Commission authorized an assignment from Rice Growers Association to Scanvik, L.P. On April 7, 2003, the Commission authorized an assignment from Scanvik, L.P. to Rumsey GPF I, LLC, and Morton L. Friedman and Marcine Friedman, dba Triangle Partners. That lease expired on August 20, 2012.
3. On July 25, 2013, the upland was deeded to the City of West Sacramento (City). At some time in the future, the City plans to redevelop the upland and rehabilitate the existing pier as an amenity to the River Walk

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Promenade, as part of the City's Bridge District Specific Plan and dedication of the waterfront property. The lease includes a requirement that the Applicant shall submit an application to amend the lease for any new docking facilities and no construction shall begin without Commission approval and execution of an amendment of lease. Applicant is now applying for a General Lease –Public Agency Use for the existing pier and remnant pilings.

4. The staff recommends that the Commission find that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) as a categorically exempt project. The project is exempt under Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

Authority: Public Resources Code section 21084 and California Code of Regulations, Title 14, section 15300 and California Code of Regulations, Title 2, section 2905.

5. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but such activity will not affect those significant lands. 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.

EXHIBITS:

- A. Land Description
- B. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the activity is exempt from the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15061 as a categorically exempt project, Class 1, Existing Facilities; California Code of Regulations, Title 2, section 2905, subdivision (a)(2).

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 section 6370 et seq.

CALENDAR ITEM NO. **C38** (CONT'D)

AUTHORIZATION:

Authorize issuance of a General Lease – Public Agency Use to the City of West Sacramento beginning July 25, 2013, for a term of 30 years, for the continued use and maintenance of an existing pier and remnant pilings, described in Exhibit A and shown on Exhibit B (for reference purposes only) attached and by this reference made a part hereof; consideration being the public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interest in the lease.

EXHIBIT A

PRC 1987.9

LAND DESCRIPTION

Two parcels of tide and submerged land situate in the bed of the Sacramento River, lying adjacent to Swamp and Overflowed Land Survey 1102, patented December 23, 1872, County of Yolo, State of California and more particularly described as follows:

PARCEL 1

COMMENCING at a 3¼ inch brass disk, designated as Station B15-03 on that certain Record of Survey filed in Book 13 of Maps and Surveys, Pages 61 thru 69, Records of Yolo County; thence South 33° 21' 25" West 370.17 feet; thence South 42° 19' 38" West 608.92 feet; thence South 48° 50' 39" East 357.30 feet to the POINT OF BEGINNING; thence North 42° 36' 00" East 77.77 feet; thence South 47° 24' 00" East 130.00 feet; thence South 42° 36' 00" West 180.00 feet; thence North 47° 24' 00" West 130.00 feet; thence North 42° 36' 00" East 102.23 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

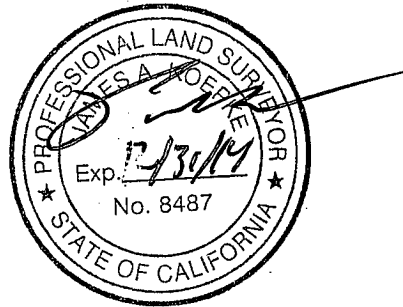
PARCEL 2

COMMENCING at a 3¼ inch brass disk, designated as Station B15-03 on that certain Record of Survey filed in Book 13 of Maps and Surveys, Pages 61 thru 69, Records of Yolo County; thence South 33° 21' 25" West 370.17 feet; thence South 42° 19' 38" West 608.92 feet; thence South 48° 50' 39" East 357.30 feet; thence South 42° 36' 00" West 360.17 feet to the POINT OF BEGINNING; South 47° 24' 00" East 115.00 feet; South 42° 36' 00" West 40.00 feet; North 47° 24' 00" West 115.00 feet; thence North 42° 36' 00" East 40.00 feet to the point of beginning.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the right bank of said river.

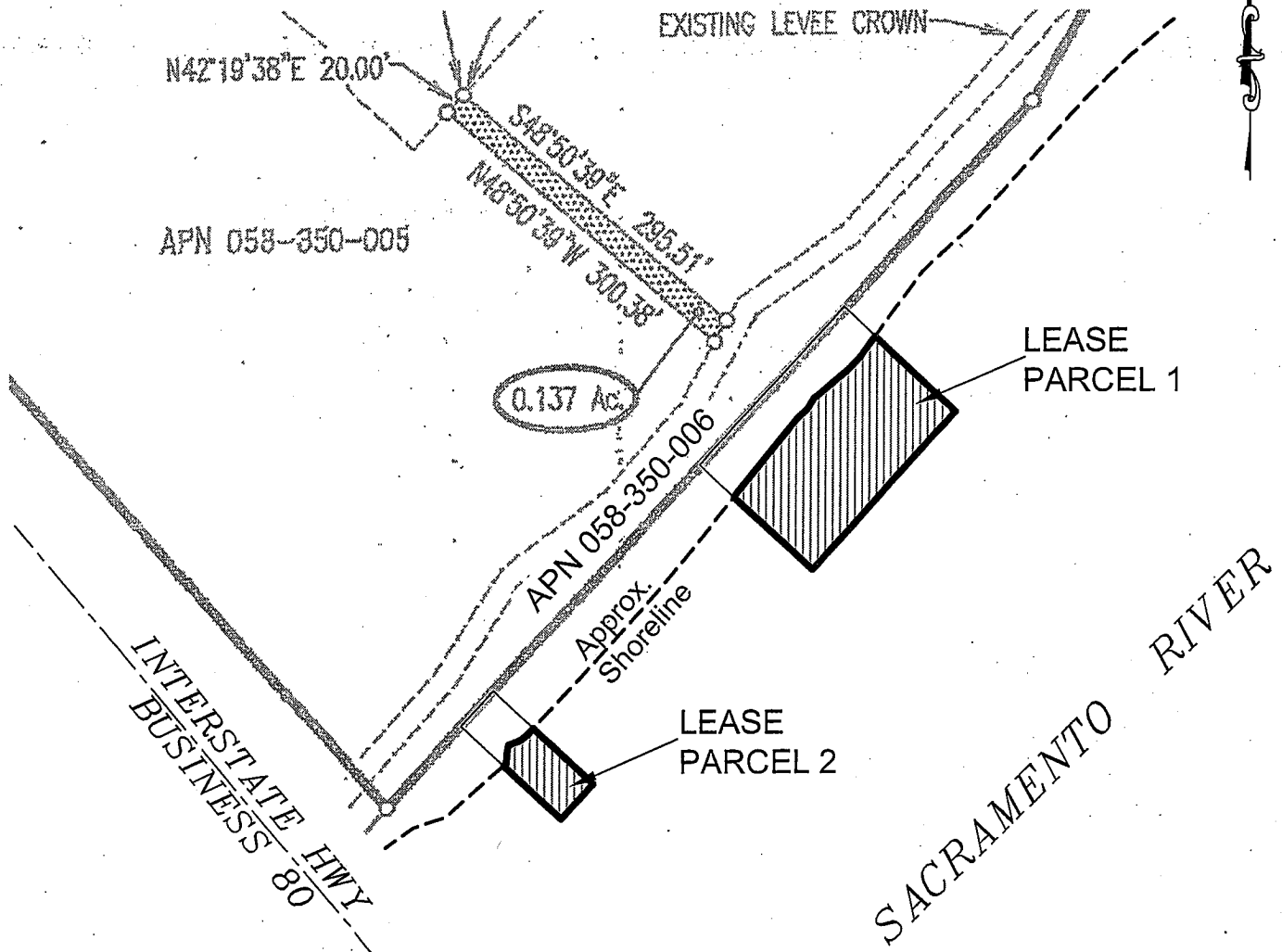
END OF DESCRIPTION

Prepared 10/30/13 by the California State Lands Commission Boundary Unit



NO SCALE

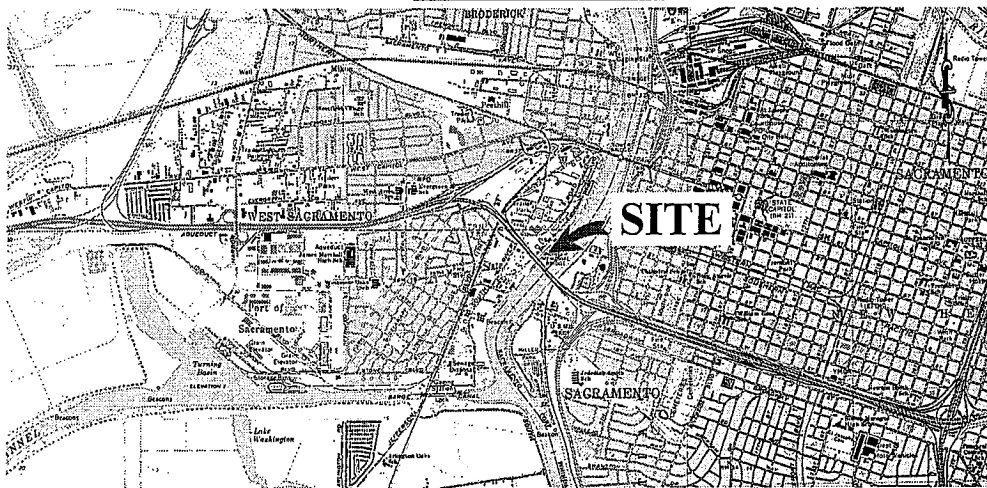
SITE



20079 RIVERFRONT STREET, WEST SACRAMENTO

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

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.

Exhibit B

PRC 1987.9
 CITY OF WEST SACRAMENTO
 APN 058-350-006
 GENERAL LEASE -
 PUBLIC AGENCY USE
 YOLO COUNTY



TS 10/30/13