

Staff Report 41

LESSEE:

James Robert Uhl, dba Stan's Yolo Marina

PROPOSED ACTION:

Revision of Rent and Bond

AREA, LAND TYPE, AND LOCATION:

0.67 acre of sovereign land in the Sacramento River, adjacent to 31070 South River Road, Clarksburg, Yolo County.

AUTHORIZED USE:

Continued use and maintenance of a commercial marina including two side-tie boat docks, electrical and water hookups, three dolphins, pilings, gangway, launch ramp with accommodation dock, moveable debris diverter, four 5-mph speed buoys, and a security vessel.

TERM:

15 years, beginning February 8, 2011.

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 annual rent be revised from \$1,658 per year to \$1,909 per year, and the increase the bond from \$15,000 to \$20,000, effective February 8, 2023.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the

State's Public Lands as authorized by law. Upon expiration or prior termination of the lease, the Lessee has no right to a new lease or to renewal of any previous lease.

2. On February 8, 2011, the Commission authorized a General Lease – Commercial Use (Item 07, February 8, 2011) to Thomas Weborg, as Sole Trustee of the Stanley F. Rodriguez Revocable Trust, dba Stan's Yolo Marina. On February 21, 2014, the Commission authorized an assignment of lease (Item 05, February 21, 2014) from the then lessee to James Robert Uhl, dba Stan's Yolo Marina, effective February 21, 2014. On December 18, 2015, the Commission approved a revision of annual rent (Item 28, December 18, 2015) from \$3,000 to \$1,658, effective February 8, 2016. The reduction in rent was a result of lower revenues generated on the lease premises after the phase out of liveaboard vessels between 2013 and 2015 as required by the lease.
3. Under the terms of the current lease, the lessee holds a surety bond in the amount of \$15,000. This amount is subject to increases over the lease term and serves the purpose of being able to mitigate costs that might otherwise be shouldered by the state, including where the state must take restorative actions with the leased premises upon lease termination or lease premises abandonment. Removal of the improvements is currently estimated to cost approximately \$16,000 to \$25,000. A bond adjustment is appropriate at this time to keep it consistent with the estimated removal costs. The lease will expire on February 7, 2026.
4. This action is consistent with the "Meeting Evolving Public Trust Needs" Strategic Focus Area of the Commission's 2021-2025 Strategic Plan.
5. Approving the revision of rent is not a project as defined by the California Environmental Quality Act because it is an administrative action that will not result in direct or indirect physical changes in the environment.

Authority: Public Resources Code section 21065 and California Code of Regulations, title 14, section 15378, subdivision (b)(5).

EXHIBIT:

A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

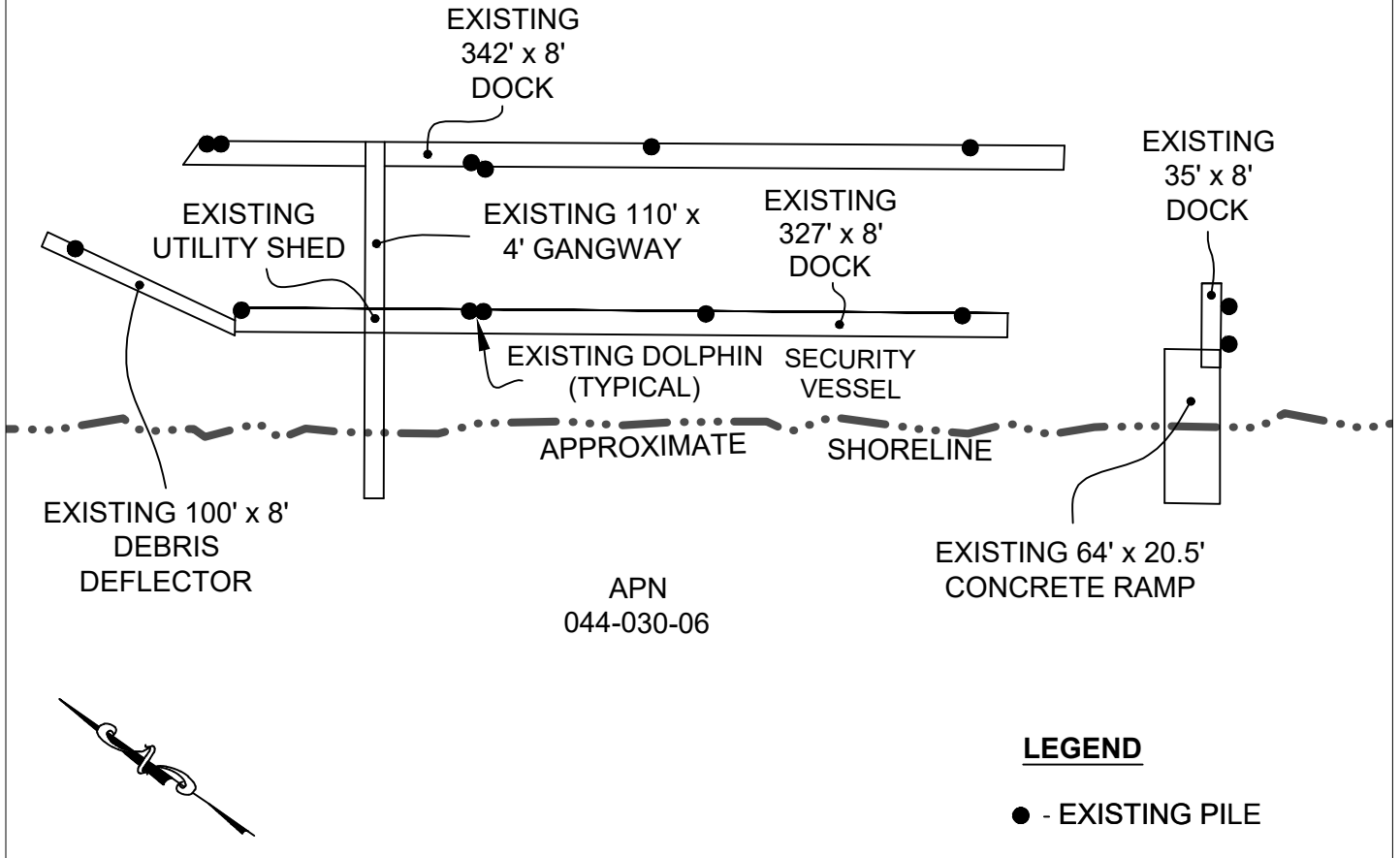
AUTHORIZATION:

Approve the revision of the annual rent for Lease PRC 4405 from \$1,658 per year to \$1,909 per year and the revision of bond from \$15,000 to \$20,000, effective February 8, 2023.

NO SCALE

SITE

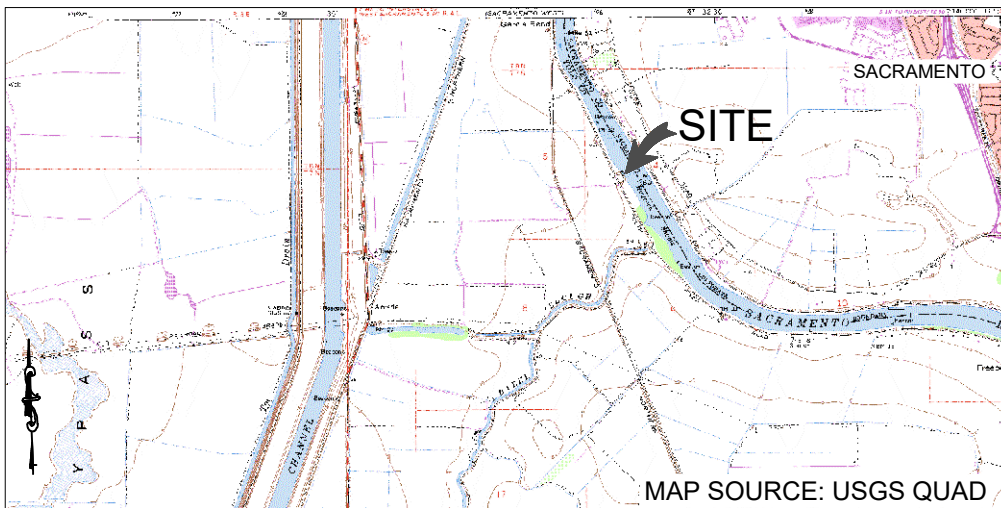
SACRAMENTO RIVER



STAN'S YOLO MARINA 31070 SOUTH RIVER RD., CLARKSBURG

NO SCALE

LOCATION



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 A

PRC 4405
UHL dba STAN'S
YOLO MARINA
APN 044-030-06
GENERAL LEASE -
COMMERCIAL USE
YOLO COUNTY



JWP 11/17/2022