

**CALENDAR ITEM
C26**

A 8
S 4

04/26/13
PRC 6002.9
W. Hall

AMENDMENT OF GENERAL LEASE – PUBLIC AGENCY USE

LESSEE:

City of West Sacramento

AREA, LAND TYPE, AND LOCATION:

0.990 acre, more or less, of sovereign land in the Sacramento River, near the city of West Sacramento, Yolo County.

AUTHORIZED USE:

Emergency removal of existing uncovered wooden floating docks with a suspended aluminum gangway, and water and electric utilities; and continued use and maintenance of eight existing steel dolphins and 10 steel pilings.

LEASE TERM:

20 years, beginning December 15, 2011.

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 best interest of the State.

PROPOSED AMENDMENT:

Amend the lease to extend the deadline for the Lessee to submit a final dock rehabilitation plan to December 31, 2013. All other terms and conditions of the lease shall remain in effect without amendment.

OTHER PERTINENT INFORMATION:

1. Lessee owns the upland adjoining the lease premises.
2. On January 26, 2012, the Commission authorized the emergency removal of the existing uncovered wooden floating docks with a suspended aluminum gangway, and water and electric utilities; and continued use and maintenance of eight existing steel dolphins and 10 steel pilings. Pursuant to the lease, Lessee was required to submit, within 12 months of

CALENDAR ITEM NO. **C26** (CONT'D)

the execution of the lease, a final dock rehabilitation plan design for the reconstruction of the dock facilities. Lessee is now applying for an amendment to the lease to extend the deadline to submit the final dock rehabilitation plan due to lack of sufficient funding and delays in the competitive bid process for the final dock design. Staff recommends extending the deadline to submit the final dock rehabilitation design to December 31, 2013.

3. The staff recommends that the Commission find that the subject lease amendment 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.

EXHIBITS:

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

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that the subject lease amendment 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:

Authorize the Amendment of Lease No. PRC 6002.9, a General Lease - Public Agency Use, effective April 26, 2013, to extend the deadline to submit the final dock rehabilitation plan design to December 31, 2013; all other terms and conditions of the lease will remain in effect without amendment.

EXHIBIT A

PRC 6002.9

LEASE PARCEL DESCRIPTION

A parcel of tide and submerged land in the Sacramento River lying northerly of the easterly extension of West Capitol Avenue in the City of West Sacramento, Yolo County, California, described as follows:

COMMENCING at the point of intersection of the southerly line of Swamp and Overflowed Land Survey No. 962 and the Ordinary High Water Agreement Line described in Exhibit "B" of "An Agreement Between The State Lands Commission and Thomas P. Raley To Establish A Boundary Line Between Private Property and Public Sovereign Property In The Sacramento River, Yolo County" recorded in Book 2028 of Official Records of Yolo County at Page 152 on May 26, 1989; thence along last said line the following three (3) courses: 1) South 08°27'04" West 76.93 feet; 2) along the arc of a tangent, 500.00 foot radius curve to the left having a central angle of 05°23'20" an arc distance of 47.03 feet; and 3) along the arc of a tangent, 325.00 foot radius curve to the right having a central angle of 14°13'31" an arc distance of 80.69 feet to the POINT OF BEGINNING for said parcel; thence from said POINT OF BEGINNING and leaving last said line the following sixteen (16) courses: 1) South 83°24'54" East 52.82 feet; 2) South 69°36'57" East 157.97 feet; 3) North 14°19'58" East 374.77 feet; 4) South 75°40'02" East 72.00 feet; 5) North 14°19'58" East 30.00 feet; 6) South 75°40'02" East 5.00 feet; 7) South 14°19'58" West 30.00 feet; 8) South 75°40'02" East 33.00 feet; 9) South 19°49'01" West 502.31 feet; 10) North 75°40'02" West 62.00 feet; 11) North 14°19'58" East 107.85 feet; 12) North 70°03'57" West 132.44 feet; 13) South 15°41'59" West 10.43 feet; 14) North 67°45'04" West 16.93 feet; 15) North 17°56'01" East 5.16; and 16) North 83°24'54" West 63.84 feet to a point on said Ordinary High Water Agreement Line; thence along last said line from a tangent that bears North 21°48'40" East along the arc of a 325.00 foot radius curve to the left having a central angle of 04°31'26" an arc distance of 25.66 feet to the POINT OF BEGINNING, and containing 1.091 acres, more or less.

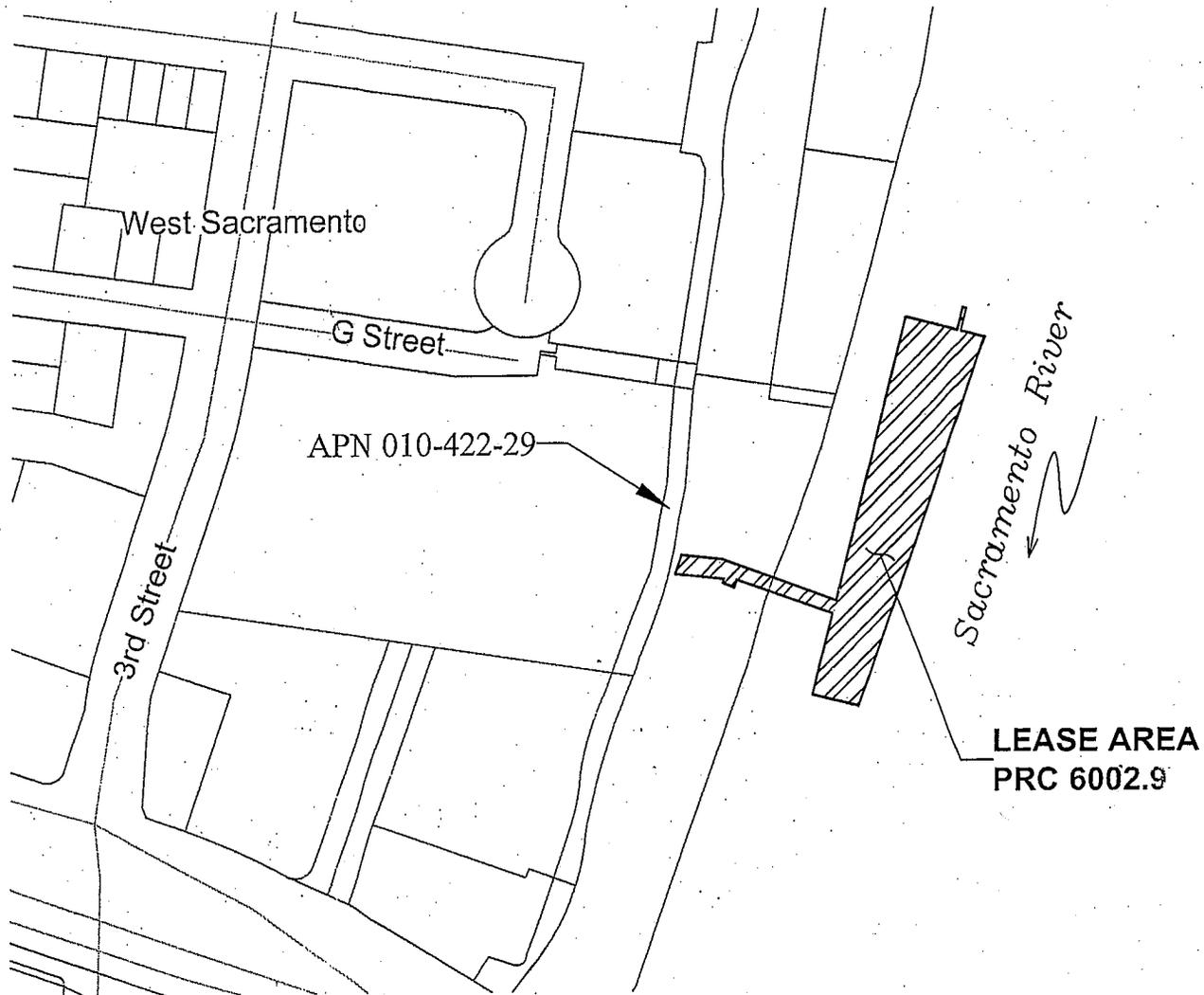
Brian E. Bullock
Brian E. Bullock L.S. 5260
License Expires: 12-31-95



LD072-M
July 6, 1995

NO SCALE

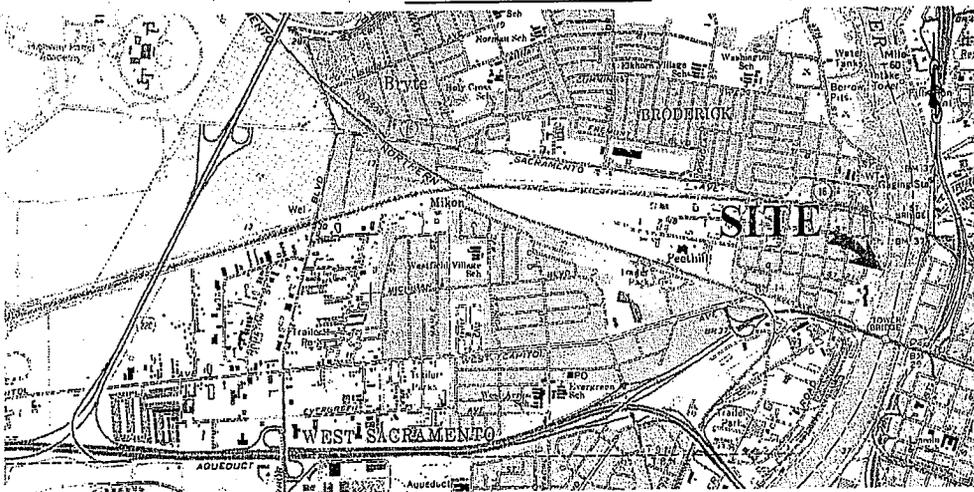
SITE



RIVER WALK DOCK, SACRAMENTO RIVER

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit B

PRC 6002.9
CITY OF
WEST SACRAMENTO
GENERAL LEASE -
PUBLIC AGENCY USE
YOLO 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.