

**CALENDAR ITEM
C66**

A 78
S 39

06/21/13
PRC 7987.1
K. Foster

REVISION OF RENT

LESSEE:

San Diego Unified Port District
P.O. Box 120488
San Diego, CA 92112

AREA, LAND TYPE, AND LOCATION:

108 acres, more or less, of ungranted sovereign lands in San Diego Bay near the Cities of San Diego and Coronado, San Diego County.

AUTHORIZED USE:

Breakwater; Maintenance Access Road; Mooring Basin; Marine Terminal, Commercial or Industrial Use; Quarantine Anchorage/No Anchorage Buoys; Small Craft Mooring and Anchorage areas; and Anchorage /Boundary Markers and Buoys.

LEASE TERM:

28 years, beginning July 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 for the operation of small craft recreational moorings be revised from a minimum of \$10,000 per year to a minimum of \$14,965 per year; effective July 1, 2013. Annual rent of \$100 for the operation of a maintenance access road will remain fixed during the term of the lease.

OTHER PERTINENT INFORMATION:

1. On August 26, 1997, the Commission authorized Lease No. PRC 7987.1, a General Lease – Public Agency Use for a 28-year period beginning on July 1, 1997, to the San Diego Unified Port District (Lessee). The authorization approved the consolidation of eight individual leases, including several leases for revenue-producing moorings within San Diego

CALENDAR ITEM NO. C66 (CONT'D)

Bay, into a single lease. None of the other original authorized uses generates revenue or is subject to rent.

2. On June 18, 2002, the Commission authorized a sublease to Lease No. PRC 7987.1 to allow the San Diego Mooring Company, LLC to operate all of the Lessee's moorings, both on granted and ungranted sovereign lands in San Diego Bay.
3. On December 10, 2010, the Commission authorized an amendment to Lease No. PRC 7987.1 to allow the City of Coronado to use a maintenance access road for the adjacent Coronado Municipal Golf Course. The authorization included a fixed rent of \$100 per year for the additional area occupied by the access road.
4. 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 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:

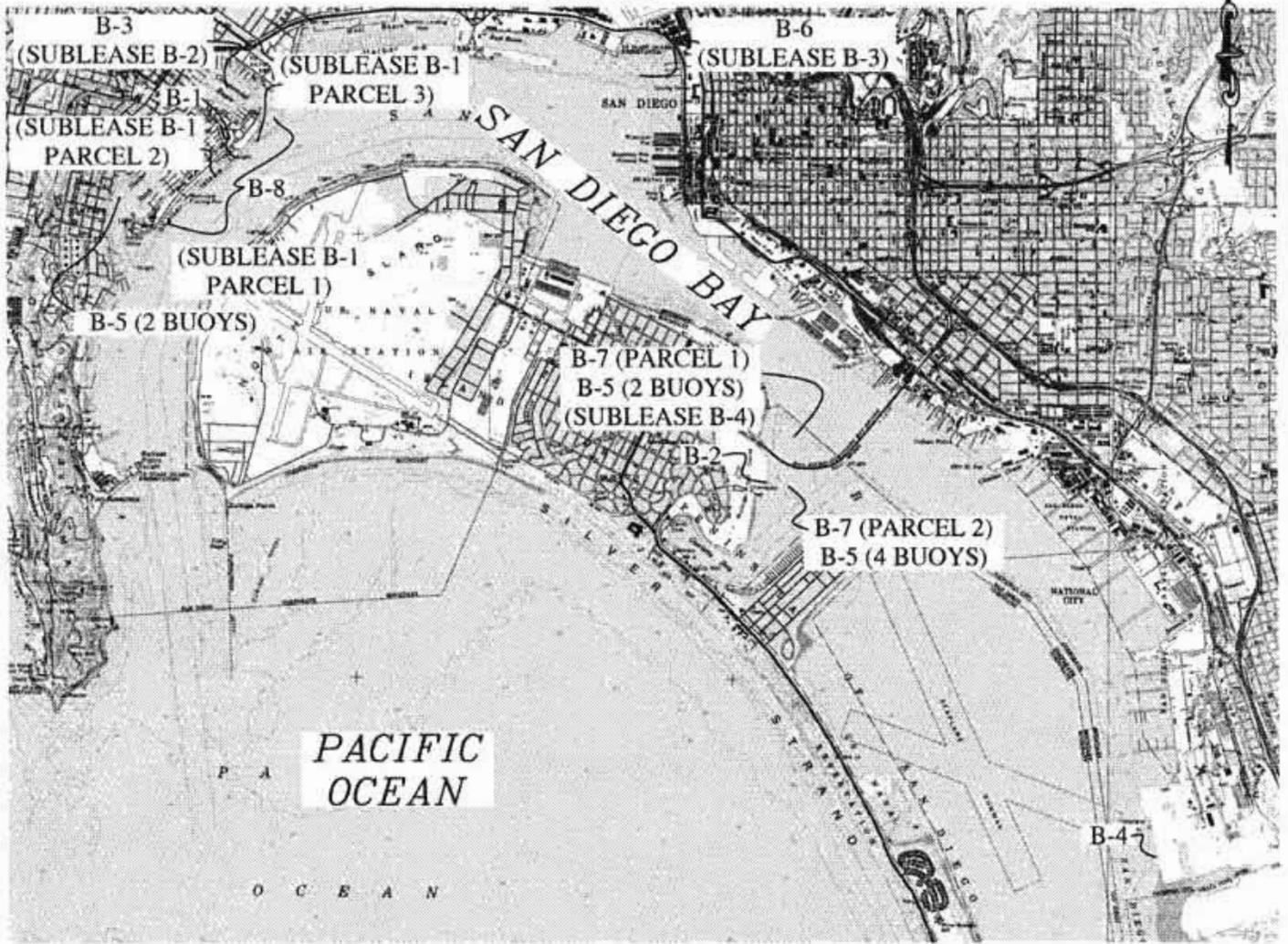
Find that the subject revision of rent is not subject to the requirements of CEQA pursuant to California Code of Regulations, Title 14, section 15060, subdivision (c)(3), because the subject activity is not a project as defined by Public Resources Code section 21065 and California Code of Regulations,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

AUTHORIZATION:

Approve the Revision of Rent for the operation of small craft recreational moorings under Lease No. PRC 7987.1 from a minimum of \$10,000 per year to a minimum of \$14,965 per year; effective July 1, 2013. Annual rent of \$100 for the operation of a maintenance access road will remain fixed during the term of the lease.

NO SCALE

SITE



SAN DIEGO, CORONADO & NATIONAL CITY

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 7987.1
 SAN DIEGO UNIFIED
 PORT DISTRICT
 GENERAL LEASE -
 PUBLIC AGENCY USE
 SAN DIEGO COUNTY



MF 6/4/13

SITE

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.