

Staff Report 38

LESSEE:

Delta Marina Yacht Harbor, Inc.

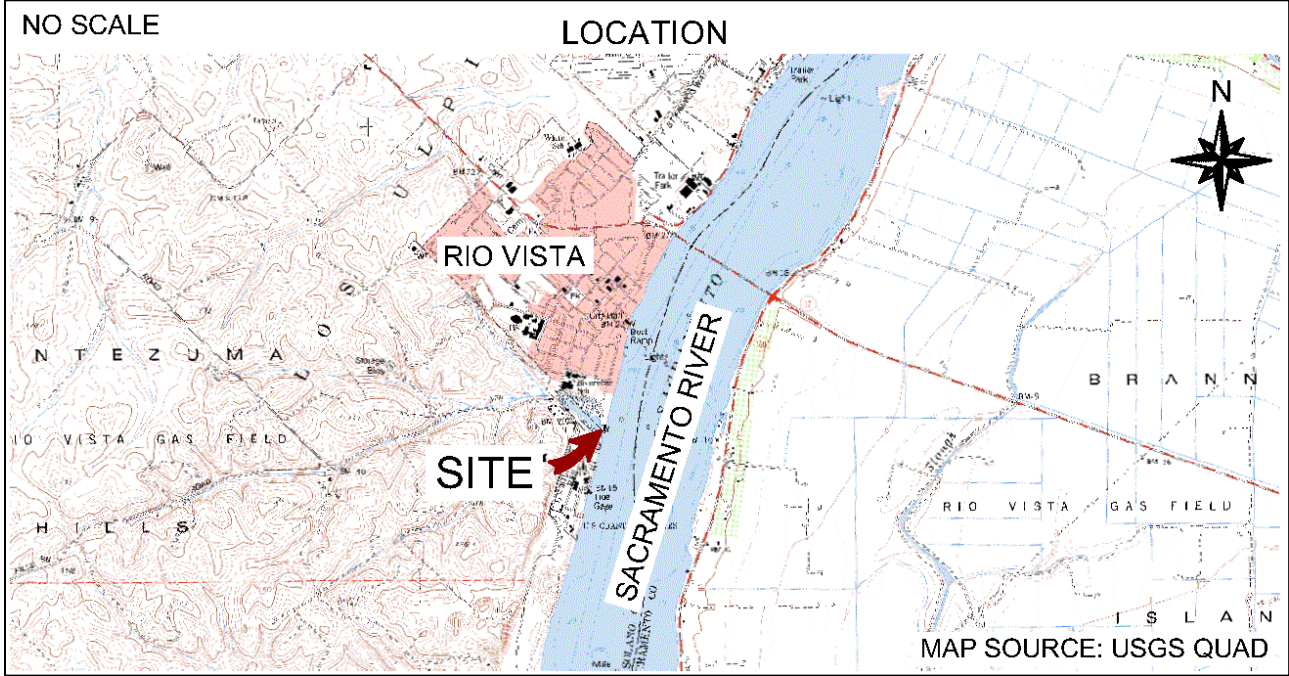
PROPOSED ACTION:

Revision of Rent and Bond

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the Sacramento River, adjacent to 120 Marina Drive, Rio Vista, Solano County (as shown in Figure 1).

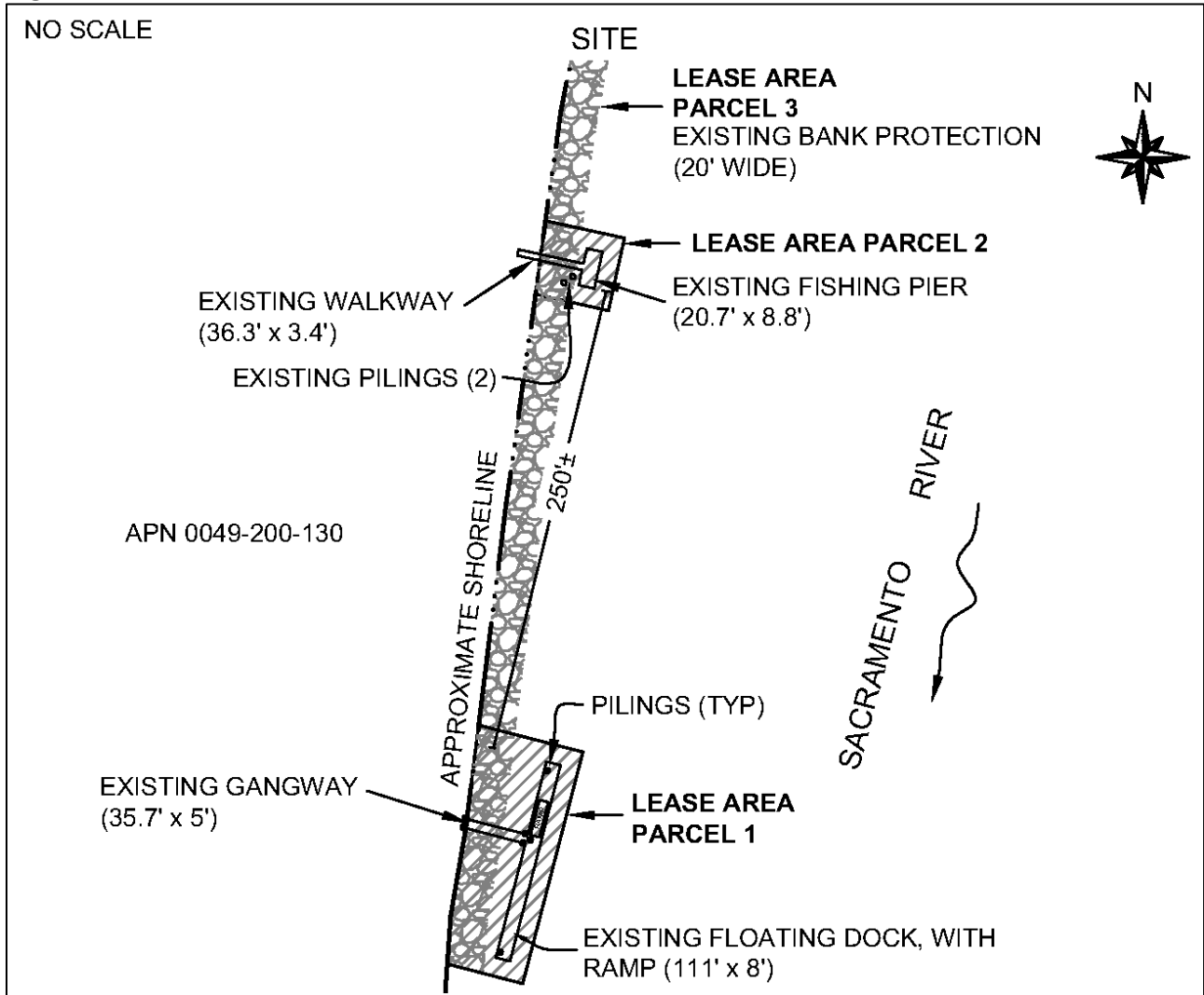
Figure 1. Location



AUTHORIZED USE:

Continued use and maintenance of an existing accommodation dock, gangway, ramp, fishing pier, nine pilings, and bank protection (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Applicant or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

20 years, beginning May 28, 2011.

CONSIDERATION:

The lease provides that Lessor may modify the rent and bond periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent and bond under this lease and recommends that the rent be revised from \$952 per year to \$1,136 per year, and the bond increased from \$10,000 to \$20,000, effective May 28, 2026.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the revision of rent and bond is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent and bond, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Lands as authorized by law. The Lessee has no right to a new lease or to renewal of any previous lease.
2. On August 14, 2012, the Commission authorized a 20-year General Lease – Commercial Use ([Item 30](#)) for the continued use and maintenance of an existing accommodation dock, gangway, ramp, fishing pier, nine pilings, and bank protection located on sovereign land in the Sacramento River, adjacent to 120 Marina Drive, Rio Vista, Solano County. On February 28, 2020, the Commission authorized a revision of rent ([Item 21](#)) from \$909 to \$952 per year, effective May 28, 2020. The lease expires May 27, 2031.
3. The Commission requires a bond or security instrument to protect the interest of the state as it relates to rent payments and lease compliance, especially the requirement to restore the leased premises upon lease termination. The lease requires the lessee to maintain a bond in the amount of \$10,000. Staff believes the bond is inadequate and recommends increasing the bond to \$20,000. This recommendation will minimize the gap between the ability to pay rent and the financial means to remove the facilities and is in line with similar facilities.
4. This action is consistent with the “efficient and effective management of the revenue generation portfolio” and “addresses current and future risk and liabilities” elements in the “Meeting Evolving Public Trust Needs” Strategic Focus Area of the Commission's 2021-25 Strategic Plan.
5. Approving the revision of rent and bond 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, sections 15060, subdivision (c)(3), and 15378, subdivision (b)(5).

RECOMMENDED ACTION:

It is recommended that the Commission:

AUTHORIZATION:

Approve the revision of rent for Lease PRC 3141 from \$952 per year to \$1,136 per year, and an increase in the bond from \$10,000 to \$20,000, effective May 28, 2026.