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CALENDAR ITEM

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C 0 4

11/21/85  
W 23583 PRC 6926  
Grimmett

GENERAL LEASE - COMMERCIAL USE

APPLICANT: James O. Muncill and Lilac Muncill  
dba Capital City Cruises  
1207 Front Street  
Sacramento, California 95814.

AREA, TYPE LAND AND LOCATION: An approximate 0.024-acre parcel of tide and submerged land in the Sacramento River in Sacramento city and county.

LAND USE: Mooring of the river cruise boat "River City Queen" and a temporary floating dock.

TERMS OF PROPOSED LEASE:  
Initial period: Seven months beginning March 1, 1986.  
Surety bond: \$2,000.  
Public liability insurance: Combined single limit coverage of \$5,000,000.

CONSIDERATION: \$90 per month.

BASIS FOR CONSIDERATION:  
Pursuant to 2 Cal. Adm. Code 2003.

APPLICANT STATUS:  
Applicant is permittee of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:  
Filing fee has been received.

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STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Adm. Code: Title 2, Div. 3; Title 14, Div. 6.

AB 884: 05/22/86.

OTHER PERTINENT INFORMATION:

1. The Applicant proposes to attach a temporary floating dock to the columns of an existing concrete wharf approximately 50 feet upstream of Tower Bridge to moor the river cruise boat "River City Queen". By letter dated October 4, 1985, the City of Sacramento has approved this temporary arrangement, at no charge, which is subject to termination upon the City and the Commission signing a master lease agreement for the "Old Sacramento" waterfront area.

Likewise, the State's lease to the Applicant will state that its term is on a month-to-month basis and is subject to termination upon the Commission and the City of Sacramento executing a master lease agreement currently under negotiation covering the "Old Sacramento" waterfront.

The Applicant has stated that they do not require upland access to the dock and have no need to use the wharf itself. The lease provides that no use is to be made of the concrete wharf deck.

As the Applicant has an existing lease, PRC 4812 Metro Marina, in good standing, staff proposes to accept an endorsement on this existing \$2,000 surety bond as surety for the temporary dock.

2. This activity involves lands identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. Based upon the staff's consultation with the persons nominating such lands and through

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the CEQA review process, it is the staff's opinion that the project, as proposed, is consistent with its use classification.

3. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines (14 Cal. Adm. Code 15061), the staff has determined that this activity is exempt from the requirements of the CEQA as a categorical exempt project. The project is exempt under Class 4, Minor Alteration to Land, 14 Cal. Adm. Code 15304.

Authority: P.R.C. 21084 and 14 Cal. Adm. Code 15300.

APPROVALS OBTAINED:

City of Sacramento.

FURTHER APPROVALS REQUIRED:

United States Army Corps of Engineers.

EXHIBITS:

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

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CEQA PURSUANT TO 14 CAL. ADM. CODE 15061 AS A CATEGORICAL EXEMPT PROJECT, CLASS 4, MINOR ALTERATION TO LAND, 14 CAL. ADM. CODE 15304.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO P.R.C. 6370, ET SEQ.
3. AUTHORIZE ISSUANCE TO JAMES O. MUNCILL AND LILAC MUNCILL dba CAPITAL CITY CRUISES OF A SEVEN-MONTH GENERAL LEASE - COMMERCIAL USE BEGINNING MARCH 1, 1986; IN CONSIDERATION OF MONTHLY RENT IN THE AMOUNT OF \$90, PROVISION OF A \$2,000 SURETY BOND, AS SET FORTH IN LEASE PRC 4812; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$5,000,000; FOR THE MOORING OF THE RIVER CRUISE BOAT "RIVER CITY QUEEN" AND A TEMPORARY FLOATING DOCK ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND BEING SUBJECT TO

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TERMINATION UPON THE EXECUTION OF A MASTER LEASE AGREEMENT BETWEEN THE STATE AND THE CITY OF SACRAMENTO, WHICH LEASE AGREEMENT IS TO COVER THE ADMINISTRATION OF THE "OLD SACRAMENTO" WATERFRONT.

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EXHIBIT "A"

LAND DESCRIPTION

W23583

A strip of tide and submerged land in the bed of the Sacramento River waterward of a concrete wharf on the left bank of the Sacramento River, said wharf being about 50 feet north of the Tower Bridge in the City of Sacramento, Sacramento County, California, said strip lying immediately adjacent to and parallel with said wharf and extending 70 feet along said river and 18 feet into said river.

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark.

END OF DESCRIPTION

REVISED DECEMBER 10, 1985, BY BOUNDARY SERVICES UNIT, M. L. SHAFER, SUPERVISOR.

(ADDED 12/12/85)

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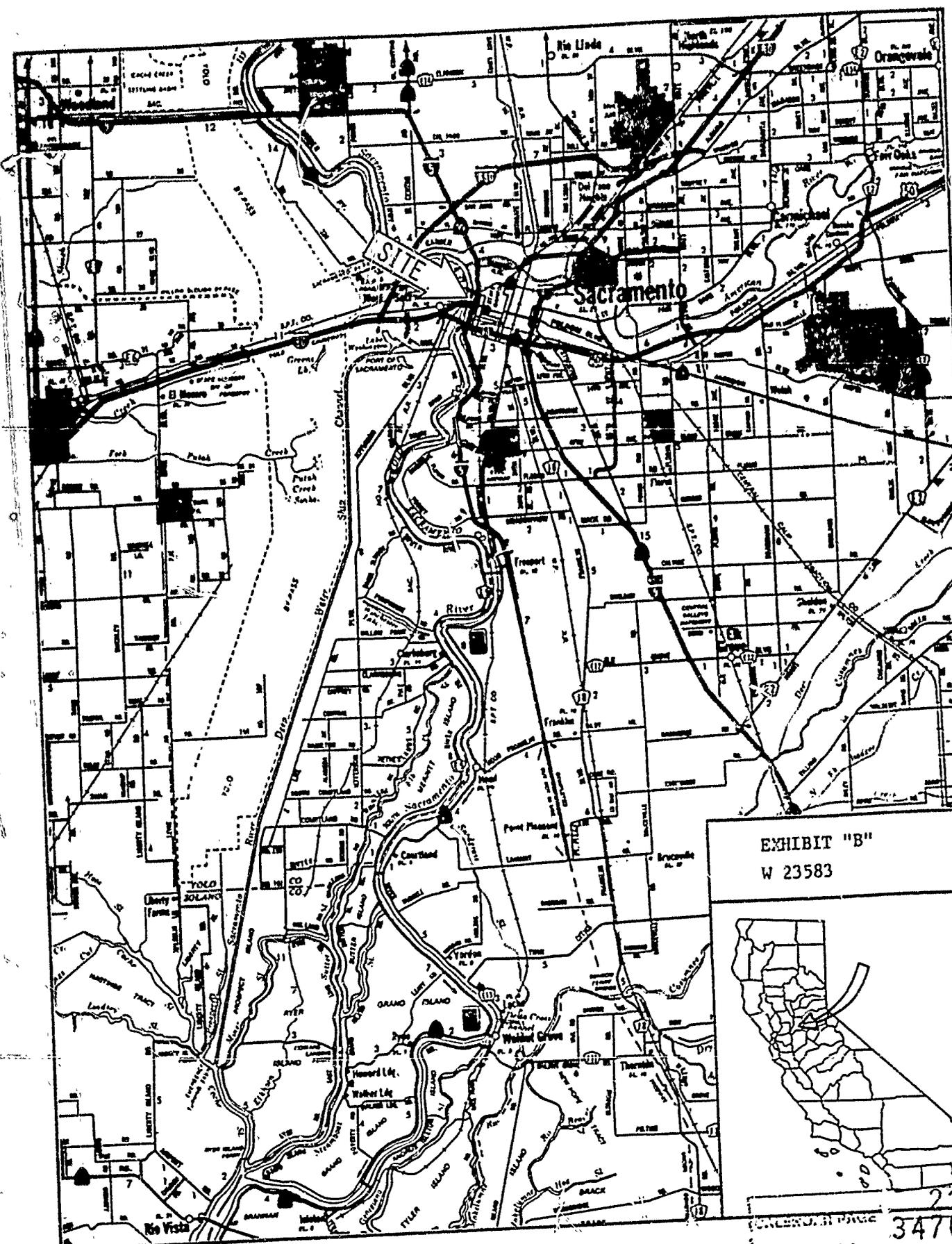


EXHIBIT "B"  
W 23583



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