

**CALENDAR ITEM
C02**

A 6
S 3

09/01/11
PRC 7220.1
M. Andersen

REVISION OF RENT

LESSEE:

City of Novato
75 Rowland Way #200
Novato, California 94945

AREA, LAND TYPE, AND LOCATION:

1.12 acres, more or less, of sovereign land in Novato Creek, near the city of Novato, Marin County.

AUTHORIZED USE:

Continued use and maintenance of an existing vehicular bridge, utilities, and drainage facilities crossing Novato Creek as shown on Exhibit A.

LEASE TERM:

49 years, beginning February 28, 1991.

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 be revised from \$300 per year to \$330 per year, effective February 28, 2012.

OTHER PERTINENT INFORMATION:

1. The Lessee has the right to use the uplands adjoining the lease premises.
2. On March 6, 1991, the Commission authorized a 49-year General Lease – Public Agency Use to the City of Novato for the construction and maintenance of a vehicular bridge, utilities, and drainage facilities crossing over the Novato Creek. That lease will expire February 27, 2040. The bridge was constructed to provide public access to a light industrial park.
3. The annual rent charged to the city of Novato applies to the existing utilities crossing the lease area. At this time, the utilities have been

CALENDAR ITEM NO. **C02** (CONT'D)

identified as two cable conduits, eight telecommunications conduits, a waterline, a natural gas pipeline, and two electrical conduits. The City is not authorized to place additional utilities within the lease area without prior approval by the Commission.

EXHIBIT:

- A. Site and Location Map

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

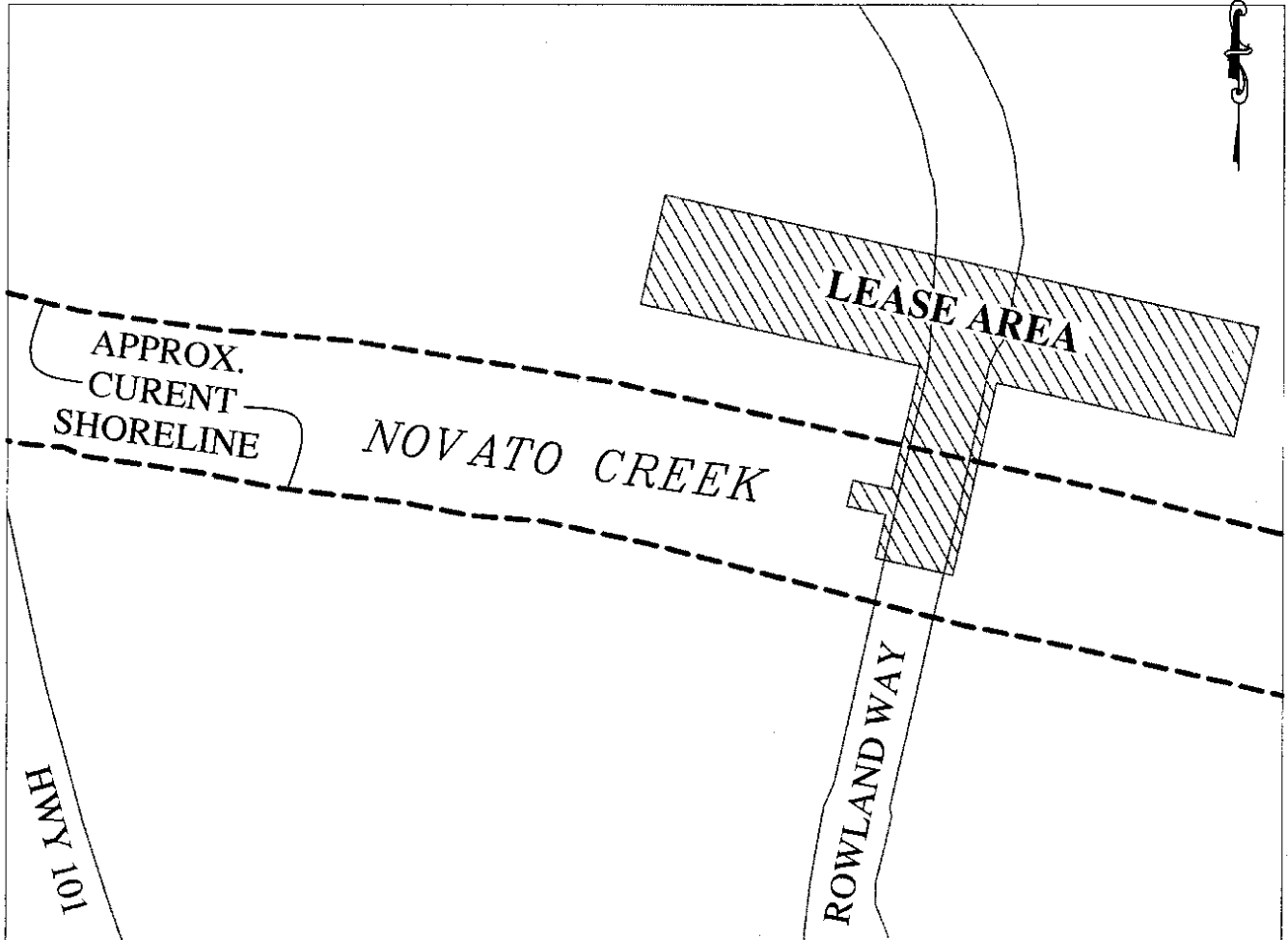
Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

AUTHORIZATION:

Approve the Revision of Rent for Lease No. PRC 7220.1 from \$300 per year to \$330 per year, effective February 28, 2012.

NO SCALE

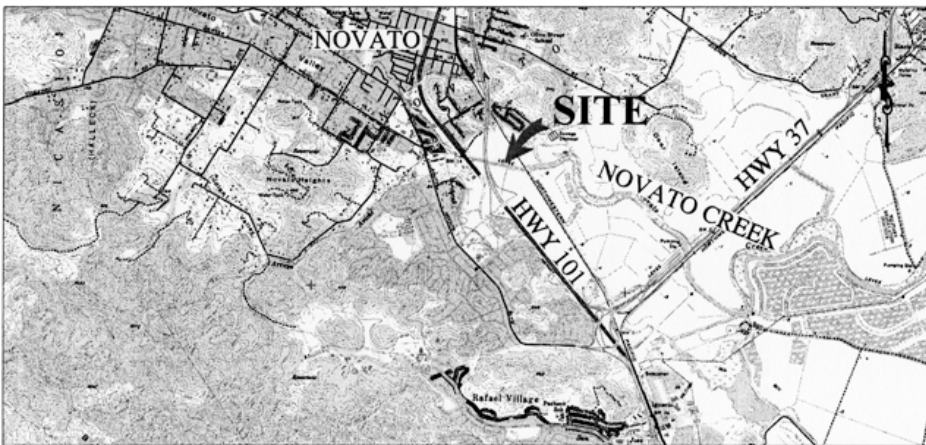
SITE



Novato Creek, Rowland Way, Novato

NO SCALE

LOCATION



MAP SOURCE: USGS QUAD

Exhibit A

PRC 7220.1
 CITY OF NOVATO
 GENERAL LEASE -
 PUBLIC AGENCY USE
 MARIN 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.