

**CALENDAR ITEM  
C02**

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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

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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.