

**STAFF REPORT**

**33**

A 10

S 2

08/23/19  
PRC 5211.1  
N. Lavoie

**REVISION OF RENT**

**LESSEE:**

Millbrae Highlands Co., L.P.

**AREA, LAND TYPE, AND LOCATION:**

Sovereign land in Corte Madera Creek, adjacent to 1005 South Eliseo Drive, near Greenbrae, Marin County.

**AUTHORIZED USE:**

Use and maintenance of an existing boat dock.

**LEASE TERM:**

10 years, beginning October 1, 2014.

**CONSIDERATION:**

This lease provides that the Commission may modify the rent periodically during the lease term. Pursuant to this provision, staff reviewed the rent under this lease and recommends that rent be revised from \$156 per year to \$187 per year, effective October 1, 2019.

**OTHER PERTINENT INFORMATION:**

1. Approval or denial of the revision of rent is a discretionary action by the Commission. Each time the Commission approves or rejects a revision of rent, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. Upon expiration or prior termination of the lease, the lessee has no right to a new lease or to renewal of any previous lease.
2. On June 19, 2014, the Commission authorized a General Lease – Recreational Use to Millbrae Highlands Co., L.P., for a term of 10 years, beginning on October 1, 2014 ([Item C44, June 19, 2014](#)). The lease will expire on September 30, 2024.
3. This action is consistent with Strategy 2.2 of the Commission's Strategic Plan to ensure timely receipt of revenues and royalties from the use and development of State lands and minerals.

STAFF REPORT NO. 33 (CONT'D)

4. Approving the revision of rent 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, section 15378, subdivision (b)(5).

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

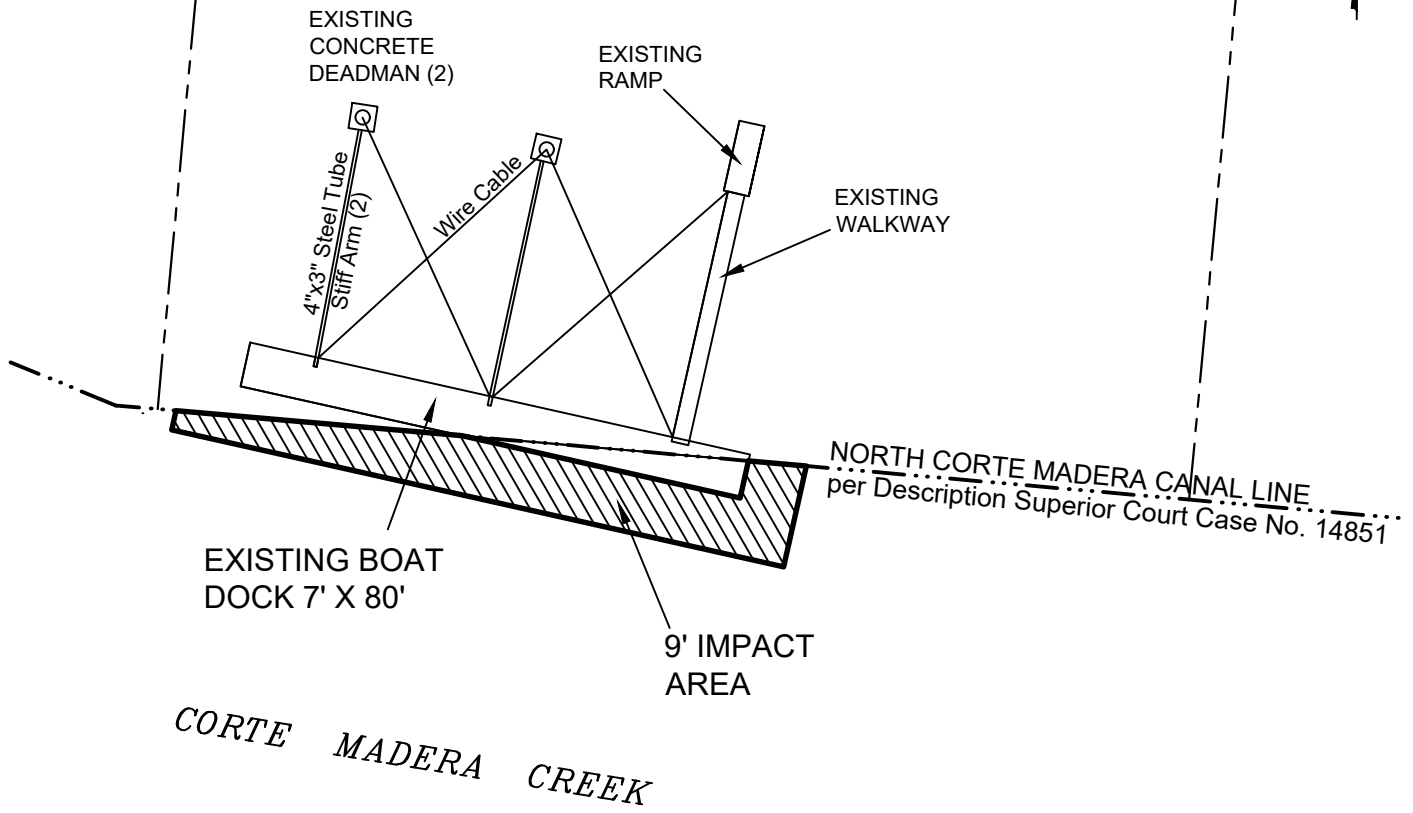
**AUTHORIZATION:**

Approve the revision of rent for Lease No. PRC 5211.1 from \$156 per year to \$187 per year, effective October 1, 2019.

NO SCALE

# SITE

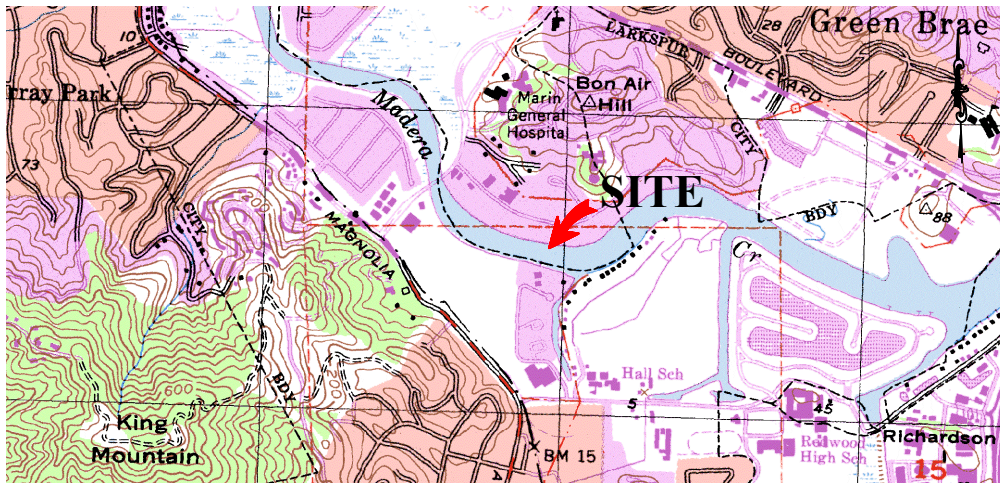
APNs 022-281-06 & 07



1005 S. ELISEO DRIVE, GREENBRAE

NO SCALE

# LOCATION



**Exhibit A**

PRC 5211.1

MILLBRAE HIGHLANDS CO.

APNs 022-281-06 & 07

GENERAL LEASE - RECREATIONAL USE

MARIN COUNTY



TS 07/22/19

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.