

<b>County of Sonoma</b> <b>Agenda Item Summary Report</b>	Clerk of the Board Use Only	
	Meeting Date ____/____/____	Held Until ____/____/____
	Agenda Item No. _____	Agenda Item No. _____

<b>Department:</b> General Services	<b>( ) 4/5 Vote Required</b>
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<b>Contact:</b> Mike Wagner Robert Kambak	<b>Phone:</b> (707) 565-2463 (707) 565-3211	<b>Board Date:</b> 04/07/09	<b>Deadline for Board Action:</b>
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**Agenda Short Title:**

MASON'S MARINA LEASEHOLD EVALUATION

**Requested Board Action:**

Authorize the General Services Director, or his Deputy, to execute an agreement with Winzler & Kelly Consulting Engineers, in the amount not to exceed \$74,900, for the Mason's Marina Evaluation project.

<b>CURRENT FISCAL YEAR FINANCIAL IMPACT</b>			
<u>EXPENDITURES</u>		<u>ADD'L FUNDS REQUIRING BOARD APPROVAL</u>	
Estimated Cost	\$74,900	Contingencies (Fund Name: )	\$
Amount Budgeted	\$74,900	Unanticipated Revenue (Source: )	\$
Other Avail Approp (Explain Below)	\$	Other Transfer(s) (Source: )	\$
<b>Additional Requested:</b>	<u>\$</u>	<b>Additional Funds Requested:</b>	<u>\$</u>

Explanation (if required):

**Prior Board Action(s):**  
07/14/96—Resolution authorizing Lease No. 8 between the County and Leon O. Mason and Olivia Mason  
01/17/61—Resolution authorizing Lease No. 2 between the County and Leon O. Mason and Olivia Mason

**Alternatives – Results of Non-Approval:**  
If the evaluation is not performed, staff may not have reliable, supportable and independent expert information regarding the condition of tidelands leasehold improvements.

**Background:** (Copy of proposed Consulting Services Agreement, copies of Leases and copy of Notice and Order are on file with the Clerk of the Board.)

**Project Description**

The County of Sonoma holds a number of tidelands leases along the Sonoma County Coast in Bodega Bay, which are leased to private entities such as the Tides Restaurant and Wharf, Lucas Wharf, Mason’s Marina, and others. Mason’s Marina leases two tracts of land and submerged land on the north side of Bodega Bay. These leases were entered into in the early 1960’s, and they are scheduled to expire on March 31, 2012. Under the leases, the tenant constructed leasehold improvements consisting of revetments, piles, docks, gangways, utilities, parking, breakwaters, buildings, fueling facilities, and other improvements. Many of these improvements were constructed without permits (see Notice & Order on file with Clerk), and this has been the subject of numerous actions on the part of County’s Permit & Resource Management Department. As of the date of this report, there still exist many building and zoning code violations on the leased premises. The leases require the tenant to maintain and keep in good, sound repair, all structures, facilities or appurtenances upon the property. In addition, the County has the right to require that the tenant remove any or all improvements erected on the property by tenant at tenant’s sole cost and expense.

Because the leases are nearing expiration (March 30, 2012), staff is recommending an independent, professional evaluation of the condition of the leasehold improvements in order to enable the County to make sound decisions regarding enforcement of repair and maintenance provisions of the leases and/or requiring the tenant to remove some or all of the leasehold improvements. The study will identify deficiencies in these improvements, including ADA access, and develop a range of estimated costs to correct the deficiencies. In addition the information will be valuable with regard to any future lease agreements that the County may want to pursue. Hydrographic surveying and an evaluation of water depths in the marina and dredging requirements are not included in the evaluation and are not believed to be necessary at this time.

**Engineer Selection**

The work plan for this project calls for the services of a consulting engineer to evaluate improvements comprising Mason’s Marina, located at Bodega Bay. A Request for Qualifications was advertised and issued to firms known to have expertise in the evaluation of marina facilities, or who expressed an interest in providing such services.

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**Attachments:**

Map of Mason’s Marina and Environs.

**On File With Clerk:**

Copy of proposed Consulting Services Agreement; copies of Leases; and copy of Notice & Order.

**CLERK OF THE BOARD USE ONLY**

Board Action if Other than ("Requested")	Vote:

**Background (continued):**

Three firms submitted qualifications by the March 14, 2008 deadline: Clausen Engineers, Winzler & Kelly Consulting Engineers, and URS Cash & Associates. After evaluating the qualifications submitted, Winzler & Kelly Consulting Engineers was selected as the top-ranking firm and contract negotiations were initiated.

A scope of services has been developed which divides the consulting work into five primary tasks: 1) conduct field condition survey of the marina improvements; 2) perform facilities condition evaluation; 3) recommend repairs and alternatives; 4) determine estimated range of probable repair costs; and 5) prepare and submit final Facilities Condition Assessment Report.

Winzler & Kelly Consulting Engineers has provided a detailed proposal and fee for these tasks and sub-tasks in an amount not to exceed \$74,900, which staff believes to be a fair and reasonable price for the scope of work, taking into account the complex nature of marina improvements.

**Funding**

The proposed fee for engineering services is within current appropriations. The primary source of funding is Project #09909A (Index # 010959), which is the Tidelands Special Revenue Fund.

**Schedule**

Based on the estimated project schedule provided by the consulting engineer, staff anticipates that all tasks will be completed within three months of the consulting contract being fully executed. Staff will return to the Board with the results of the study and a recommendation regarding any specific actions required and disposition of the Lease.

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