

DEPARTMENT OF PUBLIC WORKS

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ALL AREA CODES ARE 415

Ref.

February 7, 2012

Board of Supervisors
Marin County Flood Control and Water Conservation District
3501 Civic Center Drive
San Rafael, CA 94903

SUBJECT: Flood Control Zone No. 9 – Corte Madera Creek – License for use of District property between Marin County Flood Control and Water Conservation District and Tracy Toland, owner of 304 Kent Avenue, Kentfield.

Dear Board Members:

RECOMMENDATION: Approve and authorize the President to execute the License between Marin County Flood Control and Water Conservation District and Tracy Toland, owner of 304 Kent Avenue, Kentfield.

SUMMARY: Since 1998, previous owners of 304 Kent Avenue have been allowed to maintain backyard landscaping and fencing on a portion of District's property adjacent to Corte Madera Creek. The encroachments have been permitted by License and said permission expires upon sale of the residence or termination by either party. Ms. Tracy Toland is the new owner of the residence and has requested that the District continue to allow the encroachments to remain until such time that District needs use of the property. District staff has reviewed the request and has determined that allowing the encroachments to remain by entering into the proposed License will not impair the District's ability to use the property in the future. Therefore, District staff recommends approval of the enclosed License. County Counsel has previously reviewed and approved the enclosed boilerplate License as to form.

FISCAL IMPACT: The district will receive \$500.00 per year as a license fee. Funds will be deposited into Zone 9 Cost Center 6219011000, Fund 23781, Revenue Account 4710642. There is no impact on the General Fund.

REVIEWED BY:	<input type="checkbox"/>	Department of Finance	<input checked="" type="checkbox"/>	N/A
	<input checked="" type="checkbox"/>	County Counsel	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,


Eric K. Lueder
Chief Real Property Agent

Enclosure

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MJ