



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 7/8/2025

To: Board of Supervisors

Department or Agency Name(s): Sonoma County Public Infrastructure

Staff Name and Phone Number: Johannes J. Hoevertsz, 707-565-2550

Vote Requirement: 4/5th

Supervisorial District(s): Fifth District

Title:

New License Agreement with Porto Bodega LP for Use of County-Owned Tidelands Property in Bodega Bay

Recommended Action:

- A) Authorize the Director of Sonoma County Public Infrastructure (SPI) to execute a new license agreement with Porto Bodega LP, for a portion of County property commonly known as the Porto Bodega Tidelands, located off of Bay Flat Road at the northeast area of the Bodega Bay Harbor, for an initial term of five years, with 2, five-year options to extend, for a rental payment of \$1,017 per month, subject to 3% annual increases
- B) Authorize the SPI Director to execute future amendments and associated documents required for the operation of the aforementioned agreement, as reasonably requested by SPI and in consultation with County Counsel, which are consistent with the essential terms of the original agreement and do not extend the term of the agreement.

(Fifth District) (4/5th Vote Required)

Executive Summary:

The County owns real property located at the northeast area of the Bodega Bay, known as the Porto Bodega Tidelands, which contains the County-owned Sports Fishing Center, and is adjacent to a privately-owned business, the Porto Bodega Marina & RV Park, owned by Porto Bodega LP (the proposed Licensee for the subject agreement). The Porto Bodega Tidelands is part of the grant of coastal tidelands up to the mean high tide mark along the Sonoma County coast, granted in trust by the State of California to the County. Upon acceptance of the Tidelands, the County is bound to promote the interests of the Tidelands, and the Tidelands are limited to the promotion of commerce and navigation by water or related specific uses, including fishing, recreation and public access to Bodega Bay. Under the proposed revocable license agreement with Porto Bodega LP, the Licensee will be allowed to utilize the four (4) existing County-owned RV parking spaces #38-#41 (the Premises), installed at the tip of the Porto Bodega Tidelands, for a term of five (5) years, with two (2) options to extend the agreement, each for five (5) years. The Licensee would be charged monthly rent in the amount of \$1,017, subject to annual 3% increases. In addition, the Licensee will be responsible for the procurement, installation and costs of any utilities needed for operation of the Premises, as well costs and expenses for maintenance and repair to the Premises.

Discussion:

In 2015, County staff executed a revocable license agreement with Porto Bodega LP, for the subject Premises, four (4) RV parking spaces, together with access over the existing County Tidelands driveway area for ingress/egress to the 4 RV parking spaces, with a rent of \$6,000 per year. The agreement expired in December 2020, and in 2023, Porto Bodega LP and County staff entered into negotiations for a new lease for an expanded area of the Porto Bodega Tidelands, which would include the four RV parking spaces, and a portion of the Porto Bodega Tidelands to install and operate 50+ boatslips. However, Porto Bodega LP determined that costs to maintain the Tidelands infrastructure outweighed the financial expense of managing and renting out boatslips and the RV parking spaces in the proposed, expanded Premises, and Licensee subsequently requested use of the four (4) County-owned RV parking spaces only.

This Board item seeks delegated authority for the SPI Director to execute a proposed revocable license agreement with Porto Bodega LP. Porto Bodega LP owns and operates the Porto Bodega Marina & RV park, which contains approximately 80 RV parking spaces, as well as boat slips in the inner harbor at Porto Bodega, immediately adjacent to the proposed Premises. The proposed Premises consists of four (4) County-owned RV parking spaces #38 through #41, each measuring 50' in length and 28' in width, and would be for use by guests of Licensee's RV park, together with permitted, non-exclusive access over the existing County Tidelands driveway area as necessary for ingress/egress to/from the Premises. The Premises, Licensee's RV park, and the County Sports Fishing Center are accessible by land via Bay Flat Road. Please see Attachment 1, Site Plan and Map.

This license agreement comes before your Board pursuant to the 4/5ths vote requirement in California Government Code section 25536 and Sonoma County Code section 2-175 to lease or license County-owned property held for beach and recreation purposes. The Licensee's use is consistent with the conditions of the State land grant of the Bodega Bay Tidelands providing public access and recreational opportunities to the shoreline.

Proposed license. The proposed License Agreement ("Agreement") contains the following terms:

- Premises: Use of four (4) RV parking spaces, #38 through #41, for guests of Licensee's RV park, Porto Bodega Marine & RV Park, together with access over the County Tidelands driveway area as necessary for vehicular and pedestrian access to/from the Premises.
- Initial Term: Five (5) years, with two (2) options to extend the term, each for a period of five-years. Licensee to provide County with 90 days' notice of Licensee's desire to exercise each option.
- Rent: \$1,017/month, subject to annual 3% increases on the anniversary of the commencement date of the Agreement.
- Termination: County may terminate the Agreement, for any reason, with 30 days' notice.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

01/01/15 – General Services Director executed Revocable License Agreement with Porto Bodega LP for four (4) existing improved RV parking spaces, # 38, 39, 40 and 41

10/21/14 – Adopted a Resolution, reading the title, and waiving further reading of, and introducing for adoption, an Ordinance of the County of Sonoma amending Article XVII of Chapter 2 of the County Code to re-authorize and expand delegation of authority for Department Heads to execute certain leases and licenses valued at less than \$10,000/month and for a term of up to 10 years. Such leases are excluded from bidding requirements and may convey interest to other public agencies for up to one year; the Ordinance to be effective for a period not to exceed five years.

FISCAL SUMMARY

	FY25-26 Adopted	FY26-27 Projected	FY27-28 Projected
Expenditures			
Budgeted Expenses	-	-	-
Additional Appropriation Requested			
Total Expenditures	-	-	-
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other	\$12,204	\$12,570	\$12,947
Use of Fund Balance			
General Fund Contingencies			
Total Sources	\$12,204	\$12,570	\$12,947

Narrative Explanation of Fiscal Impacts:

Revenue associated with this Board Item is included in the FY 2025-26 SPI Tidelands Leases (21040500 / 44105) Adopted Budget and will be included in future annual Recommended Budgets.

Staffing Impacts:			
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

- 1 – Site plan and map
- 2 – Copy of proposed Agreement

Related Items “On File” with the Clerk of the Board:

None