



CITY OF MARTINEZ

**PARKS, RECREATION, MARINA,
& CULTURAL COMMISSION**

March 2, 2010

DATE: February 24, 2010
TO: PRMCC Commission
FROM: Michael Chandler, Senior Management Analyst
SUBJECT: Grazing Lands License Agreement

RECOMMENDATION:

Review and approve the Grazing Lands License Agreement.

BACKGROUND

The City entered into a Grazing License with Patricia Hornung on April 1, 2004, to allow Ms. Hornung, as Licensee, access to approximately 49 acres in the Roanoke Open Space Area for the purposes of grazing horses. Ms. Hornung exercised the 3-year option to extend in 2007 upon the City's approval. The current extension is due to expire on April 1, 2010. Ms. Hornung sent the City a letter on November 22, 2009, requesting another 3-year extension of the license under the same terms and conditions.

The City is amenable to executing another 3-year License Agreement with Ms. Hornung for the purposes of grazing horses in the Roanoke Open Space Area, but recommends certain changes to the agreement:

- 1) Licensee's authorized use is for grazing, care and feeding of horses only (previously included "livestock")
- 2) Licensee's use is limited to 6 horses, but additional horses may be authorized at City's discretion
- 3) Licensee must remove and properly dispose of horses that die on the premises (previously allowed to bury on premises)
- 4) City licenses property "as is" and bears no maintenance or repair responsibility to Licensee on premises
- 5) Licensee's security deposit increased from \$500 to \$2,000
- 6) City's termination notice reduced from 180 days to 90 days

The term of the license remains unchanged at 3 years, with an option to extend for another 3 years (which may be granted at the City's sole discretion). The fee also remains consistent at \$20/horse, paid semiannually as before.

Attachment: Grazing Lands License Agreement