

**MARIN EMERGENCY RADIO AUTHORITY**

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**DATE:** September 10, 2014  
**TO:** MERA Executive Board  
**FROM:** Maureen Cassingham, Executive Officer  
**SUBJECT:** AGENDA ITEM **B-4**: REPORT ON BODEGA/BAY HILL  
TOWER AND SITE LEASES

Recommended Action: Receive and file the Report on Bay Hill Tower Site.

Background: In July, MERA was contacted by Incline Partners on behalf of Rancho Vista Del Mar, Bodega/Bayhill property owners and advised they would be replacing Crown Castle (AT&T, et al.) as the Site's primary lessor effective August 1, 2014. MERA and Sonoma County, current subleasees of Crown Castle, have been invited to become subleasees of Incline Partners.

There is longstanding dispute between Rancho Vista Del Mar and Crown Castle as to who owns the Tower itself. Crown Castle asserts it is theirs and, with the expiration of their lease with Rancho Vista Del Mar, is proposing to move it to a nearby site. MERA General Counsel Ortiz and I concur with Crown Castle's Tower ownership assertion, along with their ownership of MERA's facilities. Incline concurs that Tower ownership is not settled and is proceeding with design and permitting with Sonoma County to replace it with a taller tower to accommodate more subleasees.

In the meantime, Crown Castle has requested MERA's list of extensive criteria to successfully relocate our facilities. Crown Castle is currently reviewing these criteria. DPW has completed the Carrier Information Sheet requested by Incline Partners to compare our current facilities with what was permitted in the 2009 Master Use Permit and what we might like to add or modify. This information will assist Incline Partners with preparation of their permit drawings and tower engineering submittals to Sonoma County in September.

MERA is continuing on the Tower and Site as a holdover tenant and making monthly payments to Crown Castle as owner of the Tower and Rancho Vista Del Mar, the Site owners until the relationships with the parties are clarified and Tower issues are resolved.

It should be noted that both Crown Castle and Incline Partners have confirmed they have no intent to disrupt MERA's mission-critical communications at this location.