

RESOLUTION NO. RES-2025-162

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AN AIRSPACE LEASE AMENDMENT 04-SON-101-0002-05 WITH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR FREEWAY LEASE AREA SON-101-0002

WHEREAS, the City of Santa Rosa (Tenant) and the State of California Department of Transportation (Caltrans, Landlord) entered into an Airspace Lease on April 13, 2010, identified as tenancy 04-SON-101-0002-05, covering Freeway Lease Area SON-101-0002 located in Sonoma County; and

WHEREAS, Section 10.2 of the original lease requires the City to maintain Commercial General Liability (CGL) insurance with a minimum of \$5 million per occurrence; and

WHEREAS, Caltrans has determined that the existing \$5 million per occurrence CGL requirement is no longer sufficient to ensure adequate protection for the State and for members of the public using or accessing the transportation structure associated with the leased premises; and

WHEREAS, the City and Caltrans have mutually agreed to amend the Airspace Lease to increase the minimum required CGL insurance coverage from \$5 million per occurrence to \$20 million per occurrence; and

WHEREAS, all other terms and conditions of the original lease remain unchanged.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby approves the Airspace Lease Amendment 04-SON-101-0002-05 with the State of California Department of Transportation, increasing the Commercial General Liability insurance coverage from \$5 million per occurrence to \$20 million per occurrence, in substantially the same form as Exhibit A to the resolution, subject to approval as to form by the City Attorney.

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BE IT FURTHER RESOLVED that the Council authorizes the City Manager, or designee, to make non-substantive changes and execute the Amendment and any related documents necessary to carry out the intent of this resolution, subject to approval by the City Attorney.

IN COUNCIL DULY PASSED this 30th day of September, 2025.

AYES: (5) Mayor Stapp, Vice Mayor Alvarez, Council Members Bañuelos, MacDonald, Okrepkie

NOES: (0)

ABSENT: (2) Council Members Fleming, Rogers

ABSTAIN: (0)

RECUSE: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney

Exhibit A – Airspace Lease Amendment 04-SON-101-0002-05