



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Outlining Proposed Terms for a New Agreement Between El Dorado County and the City of South Lake Tahoe for the Development, Operation, and Maintenance of Recreation and Government Facilities on the “56-Acres”

WHEREAS, the property commonly known as the “56-Acres” is currently divided into multiple distinct parcels, with El Dorado County (the County) identified as the owner of approximately 41 acres and the City of South Lake Tahoe (the City) identified as the owner of approximately 15 acres.

WHEREAS, The “56-Acres” is currently utilized for both County and City public facilities, and each entity’s responsibilities are outlined in multiple, older agreements (as amended) between the County and City that stipulate management and maintenance responsibilities.

WHEREAS, The County and the City seek to maximize the public benefits derived from these parcels in the future, and seek to implement a new partnership to enable the provision of the highest quality recreation and government facilities and services on the “56-Acres” in the future.

WHEREAS, Previous master planning activities for the “56-Acres” were completed but not implemented, and the County and the City seek to update previous planning efforts and implement an updated vision for the “56-Acres”.

WHEREAS, The “56-Acres” is expected to become the identifiable recreation and government center of South Lake Tahoe in the future, with the future development of the “56-Acres” as a “Central Park-like” campus for South Lake Tahoe, with plentiful recreation facilities, the future centralization of City government facilities and services, and the promotion of a “downtown” environment centered on the “56-Acres” (including Lakeview Commons) and the existing Harrison Avenue commercial district.

WHEREAS, County and City staff have been working collaboratively to identify potential future public improvements on the “56-Acres” and to identify terms for a new, 50-year+ agreement between the County and the City, and hereby present proposed terms for consideration by the El Dorado County Board of Supervisors and the South Lake Tahoe City Council.

WHEREAS, California Tahoe Conservancy staff have indicated that grant funding is available for the development of an updated vision for the “56-Acres”, and have expressed support for the execution of a new agreement between El Dorado County and the City of South Lake Tahoe, and the future development, operation, and maintenance of recreation and government facilities on the “56-Acres”.

WHEREAS, The El Dorado County Board of Supervisors’ and City Council’s direction to staff to draft a new, formal agreement based on the preliminary terms in this resolution creates no legal obligations unless and until the parties have negotiated, executed, and delivered a mutually acceptable agreement based upon information produced from the CEQA environmental process and shall not be construed as a binding commitment to approve that agreement, and the parties maintain full discretion to approve, not approve, or modify that agreement at such time it is presented for formal consideration.

NOW, THEREFORE, BE IT RESOLVED by the El Dorado County Board of Supervisors:

1. The Board of Supervisors recognizes and appreciates the need for the County and the City to work collaboratively on this initiative, and values a strong partnership between the two entities to enable the provision of the highest quality recreation and government facilities and services in our community.
2. The Board of Supervisors supports efforts to develop the “56-Acres” as the identifiable recreation and government center of South Lake Tahoe in the future, with the future development of the “56-Acres” as a “Central Park-like” campus for South Lake Tahoe, with plentiful recreation facilities, the future centralization of City government services, and the promotion of a “downtown” environment centered on the “56-Acres” (including Lakeview Commons) and the existing Harrison Avenue commercial district.
3. The Chief Administrative Officer, with assistance from County Counsel, is hereby directed to coordinate with the City Manager and City Attorney to negotiate and draft a new formal agreement for the development, operation, and maintenance of recreation and government facilities on the “56-Acres”, consistent with the following proposed terms:
 - a. The City of South Lake Tahoe shall retain ownership of approximately 15 acres currently held by the City (or reconfigured upon mutual agreement), and shall lease the remaining approximately 41 acres from El Dorado County for the development, operation, and maintenance of recreation and government facilities on the entire “56-Acres”.
 - b. The new agreement shall be for a term of 50 years, with provisions for automatic extension(s) if the City adheres to applicable development, operation, and maintenance requirements.
 - c. The new agreement shall supersede and consolidate all existing agreements, as amended, for the “56-Acres”, including Lakeview Commons, into one new agreement.
 - d. The City shall develop, operate, and maintain the “56-Acres” for recreation and government facilities to serve the residents and visitors of South Lake Tahoe and El Dorado County.
 - e. The City shall have the sole authority to determine the desired improvements, and shall be solely responsible for the construction, operation, and maintenance of all existing and new improvements on the 56-acres, with the following exceptions:
 - i. The County shall retain ownership and maintenance responsibilities for the El Dorado County library facility located on the northeast corner of the “56-Acres”.
 - ii. The County shall vacate and abandon the existing vector control facility in a mutually-agreeable timeframe.
 - iii. The City and the County shall share costs associated with any environmental remediation necessary on the “56-Acres”.
 - iv. The City shall provide ample space for County senior services programs in existing or new City facilities on the “56-Acres”, and the County shall be responsible for any operating costs associated with the provision of County programs in City facilities located on the “56-Acres”.

- f. The City shall endeavor to construct a new Recreation / Swim / Senior Center facility on the “56-Acres”, generally located along US 50 on the northern edge of the “56-Acres” west of the existing library facility.
- i. The City shall be responsible for all design, construction, and maintenance costs associated with a new Recreation / Swim / Senior Center facility, and shall own the new facility.
 - ii. The City shall allocate approximately 9,000 sq. ft. of space in the new facility for County senior programs, with a goal to maximize the use of all elements in the new Recreation / Swim / Senior Center facility for programs that benefit all user groups in the community.
 - iii. The existing Senior Center facility shall remain in operation until the City constructs a new Recreation / Swim / Senior Center facility on the “56-Acres”.
- g. As compensation for the new agreement between El Dorado County and the City of South Lake Tahoe, the City shall remit 50% of net campground operating profits to the County. The calculation of net campground profits shall not include special campground infrastructure fees levied specifically for capital improvements to the existing campground and / or any future campground configuration, and shall not include campground capital improvement expenses funded by special campground infrastructure fees.
- i. The City shall also remit 50% of net operating profits associated with additional outdoor recreation facilities that may be developed in the future to the County as compensation for the new agreement.
 - ii. The City shall retain all net operating profits associated with existing and / or new indoor recreation facilities on the “56-Acres”.
- h. As additional compensation for the new agreement between El Dorado County and the City of South Lake Tahoe, the City shall also remit an amount equal to \$200,000 annually (in 2020 dollars) beginning in the later of year 30 of the new agreement or the full retirement of City-issued debt to finance the construction of the new Recreation / Swim / Senior Center facility. This annual payment shall be adjusted based on the annual change in the consumer price index, all items, West Region published by the US Bureau of Labor Statistics.
- i. In order to benefit the residents and visitors of South Lake Tahoe and the unincorporated areas of El Dorado County in the Tahoe Basin, the County commits to re-invest all compensation provided by the City under the new agreement into other County infrastructure initiatives in the Tahoe Basin area of El Dorado County.
- j. The intent of the new agreement is to enhance recreation facilities, programs, activities, and events available to the residents and visitors of South Lake Tahoe and El Dorado County, however, the City shall specifically have the right to design, construct, operate, and maintain a new City government / Police Station facility generally located along US 50 on the southern edge of the “56-Acres” in the future.
- k. The City shall endeavor to adequately preserve all historically-significant buildings currently located on the “56-Acres”, and shall locate and design any new recreation and government facilities in a manner that is complementary to historically-significant buildings.
- l. Residents of El Dorado County (not residing in the City limits) shall be eligible to use existing and new recreation facilities on the “56-Acres” under the same policies and fee schedule applicable to City residents.

m. The County and the City commit to meet at least annually to ensure adequate communication, review the agreement, and strengthen the partnership between the two entities.

n. The County Counsel, City Attorney, County Chief Administrative Officer, and City Manager shall recommend and incorporate additional terms for inclusion in the new agreement that are necessary to promote a strong partnership, ensure clarity in the agreement, and address other concerns not contemplated herein.

4. The Chief Administrative Officer, with assistance from the County Counsel, is hereby directed to present a new, formal agreement for the development, operation, and maintenance of recreation and government facilities on the "56 Acres" to the El Dorado County Board of Supervisors and South Lake Tahoe City Council for consideration later in 2020.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
James S. Mitrisin
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors

RESOLUTION ROUTING SHEET

Date Prepared: 1/6/2020

Need Date: 1/8/2020

PROCESSING DEPARTMENT:

Department: CAD
Dept. Contact: Shawne Corley
Phone: x 5123
Department Head Signature: [Signature]

CONTRACTOR:

Name: _____
Address: _____
Phone: _____
Org Code: _____
Project String: _____

for Agenda

CONTRACTING DEPARTMENT:

Service Requested: Chief Admin Office
Review & Approval of final Resolution
Contract Term: _____ Contract Value: for proposed terms of

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: Disapproved: _____ Date: 1/6/2020 By: [Signature]
Approved: _____ Disapproved: _____ Date: _____ By: _____

Agmt w/ City of SLT

HR APPROVAL: WILL BE REVIEWED THROUGH WORKFLOW

RISK MANAGEMENT: WILL BE REVIEWED THROUGH WORKFLOW

PLEASE CALL x _____ FOR PICK-UP... THANKS!

COUNTY COUNSEL
2020 JAN 6 AM 11:08