



Legislation Text

File #: 23-0148, **Version:** 1

Chief Administrative Office, Parks Division, recommending the Board approve and authorize the Chair to sign the amendment to the agreement with Marshall Foundation for Community Health (Foundation), for the property identified by Assessor's Parcel Number 331-400-002, located at 3447 Clemenger Drive, to extend the due date to complete the CEQA process to December 31, 2023, and make changes to the reversion provision as requested by the foundation.

FUNDING: N/A

DISCUSSION / BACKGROUND

The Board of Supervisors on January 25, 2022, authorized the execution of a Dedication Agreement and the conditional acceptance of the donation from the Marshall Foundation of the property identified by Assessor's Parcel Number 331-400-002, located at 3447 Clemenger Drive for the purpose of developing a Sports Complex/Community Park in Diamond Springs. The proposed project is in an area of the County that is underserved by parks.

The subject property was purchased by an anonymous donor through the Foundation in 2019 for the purpose of building a Sports Complex in the community of Diamond Springs. In addition to the offer of donation, community partners including the Boys and Girls Club, Mother Lode School District, Union Mine High School, and other anonymous donors, have also expressed commitment to help with the development of the proposed project.

Relevant to this proposed Amendment, the dedication agreement included the following provisions:

- 1) If the Board of Supervisors does not certify a CEQA document for the Park Project by April 25, 2023, the Agreement will expire.
- 2) If the County does not commence construction of the park within five years of acceptance of the property or if the County ceases to use the property for a park, the property may revert back to the Foundation.

This amendment will change those provisions as follows:

- 1) It extends the date for the Board of Supervisors to certify the CEQA document to December 31, 2023.
- 2) If the County does not commence construction of the park within five years of acceptance of the property or if the County ceases to use the property for a park, the property may revert back to the Foundation's designee (the Boys & Girls Club of El Dorado County Western Slope).

ALTERNATIVES

The Board could decide to not sign the Amendment, in which case it will likely expire as the County is not prepared to certify a CEQA document for the project prior to April 25, 2023.

PRIOR BOARD ACTION

Legistar Item 21-0785, 5/27/21; Legistar Item 21-1058, 7/13/21; Legistar Item 21-1702, 11/2/21, Legistar Item 22-0064, 1/4/22, and Legistar Item 22-0099

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel
Marshall Foundation
Boys and Girls Club
Mother Lode School District
Union Mine High School

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

The subject property is being donated at no cost to the County; therefore, there is no direct cost to the County for accepting the property. The Board directed \$250,000 in proceeds from the sale of the Bass Lake property to this project at their meeting on September 1, 2020 (Legistar #20-1141). The Board has allocated \$1 million of Transient Occupancy funds and \$3 million of fund balance with the Fiscal Year 2022-23 Adopted Budget. Funding for the environmental constraints analysis has been included in the Fiscal Year 2022-23 Budget. Future financial impacts could include costs associated with vegetation management and park development. Staff will pursue volunteer, donation, and grant funding to cover any unfunded costs and will return to the Board for the allocation of any General Fund if necessary.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- Obtain the Chair's signature on the Amendment to the Dedication Agreement
- Provide a copy of final executed documents to County Counsel.

STRATEGIC PLAN COMPONENT

Infrastructure, Healthy Communities, and Economic Development

CONTACT

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