



Legislation Text

File #: 23-0419, **Version:** 1

Chief Administrative Office recommending the Board approve and authorize the Chair to sign:

- 1) Management Agreement - Chili Bar Park, between El Dorado County and the American River Conservancy (ARC) for the continued management and operation of Chili Bar Park by the ARC; and
- 2) Lease Agreement - 1671 Chili Bar Ct - Upper Parking Area, between El Dorado County and the ARC for the continued use of the upper parking area for ARC's operation of Chili Bar Park.

FUNDING: General Fund - Chili Bar Park Revenues.

DISCUSSION / BACKGROUND

Chili Bar is the common-name reference to the approximately 16-acre site owned by El Dorado County. The site is located downstream of the Highway 193 Bridge, which spans the South Fork of the American River. The lower level of the property, located immediately adjacent to the river, is operated by the American River Conservancy (ARC) as a rafting/kayaking put-in park "Chili Bar Park" under the terms of a conservation easement. The upper level includes a parking area used by the ARC as part of their Chili Bar Park operations, and the site of a previously existing mobile home park and associated buildings including a store, a single-family residence, and a restroom/laundry facility. The upper and lower levels of the property are collectively referred to as the Chili Bar Facility for the purposes of this item.

On June 29, 1994, property owners Richard and Marianne DeChant, and the American River Land Trust entered into a Management Agreement and Deed of Conservation Easement for the right to study, plan, develop and manage a public access river park along the lower portion of the Chili Bar Facility. Chili Bar Park was then developed pursuant to plans produced by the ARC and approved by DeChant, as provided in the Conservation Easement.

On October 3, 2006 (Item 06-1593), the Board authorized County staff to submit a joint application with the ARC to the State for grant funding to purchase the Chili Bar Facility.

On August 14, 2007 (Item 07-1306 and Item 07-1390), the Board authorized County staff to enter negotiations for said property.

Subsequently, a \$1,100,000 grant was awarded by the State and on November 6, 2007 (Item 07-1550), the Board authorized the acquisition and transfer of the property from ARC to the County, with the ARC maintaining the Conservation Easement for the continued operation of Chili Bar Park. The ARC also continued use of the Upper Parking Area; however, a Lease Agreement with the County for the use of the Upper Parking Area was not established, and the 1994 Management Agreement was never updated.

With recent Board direction to pursue a Feasibility Study of the Chili Bar Facility (Item 20-0420 and Item 20-0859) to gather information on existing infrastructure and provide recommendations on the potential use, and the subsequent release of a Request for Information (RFI) (Item 21-1199 and Item 22-2088) to gather information from potential concessionaires, it is essential that current agreements are accurate and in place.

Therefore, staff are recommending the Board approve and authorize the Chair to sign the attached Lease Agreement for the Upper Parking Area and Management Agreement for Chili Bar Park.

ALTERNATIVES

The Board could choose to provide direction to staff to modify the terms of either agreement and return to the Board for approval.

PRIOR BOARD ACTION

- 1) 10/03/2006, Item 06-1593 - Chili Bar Acquisition Grant application
- 2) 08/14/2007, Item 07-1306 - Chili Bar Acquisition Negotiations
- 3) 08/14/2007, Item 07-1390 - Chili Bar Acquisition Negotiations
- 4) 11/06/2007, Item 07-1550 - Chili Bar Acquisition
- 5) 06/23/2020, Item 20-0420 - Chili Bar Feasibility Study Conceptual Approval
- 6) 07/21/2020, Item 20-0859 - Contract Approval for Chili Bar Feasibility Study
- 7) 07/27/2021, Item 21-1199 - Chili Bar Feasibility Study and RFI
- 8) 07/26/2022, Item 22-1215 - Chili Bar Lease Negotiations
- 9) 12/06/2022, Item 22-2088 - Chili Bar RFI Ad Hoc Committee

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

American River Conservancy

FINANCIAL IMPACT

The ARC collects revenue from day-use fees paid by park users. The 1994 Management Agreement includes a term that after all costs are paid by ARC for the operation of Chili Bar Park, any remaining funds shall be distributed 80% to the ARC and 20% to the County. This revenue sharing term is administratively burdensome and the annual revenue actualized by the County is approximately \$1000. The proposed revised Management Agreement removes this term, which will have a negligible impact on Net County Cost.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Return two signed copies of the Lease Agreement and two signed copies of the Management Agreement to the CAO's Office.

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

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