



The previous concession agreement expired on July 31, 2011. The proposed agreement will be valid retroactively to August 1, 2011 and will run for a period of ten (10) years from the date of execution with the County. The agreement includes an option to renew for an additional 10 year period subject to conditions as set forth in the agreement.

The agreement spells out the Association's responsibilities and uses of the property. The agreement stipulates that the Association shall submit to the Parks Director a schedule of seasonal uses and special events planned for each calendar year. Special events are subject to approval of the Parks Director. In addition, the agreement requires that the Association obtain all necessary permits and comply with all health, safety and public welfare laws.

On December 16, 2014 the Board of Supervisors held a hearing to review the proposed concession agreement. At the meeting there was considerable public input in support of the existing operating framework. There was also considerable public input regarding the gated nature of the facility and about the need to provide access which is compliant with requirements of the Americans with Disabilities Act (ADA). After considerable discussion, the Board directed staff to return within 90 days with "clarifications of the terms of the agreement and resolution of ADA compliance and access issues." Due to scheduling issues, related to the Board calendar this matter was not able to be scheduled in March (90 days) but was placed on the first available date in April (21<sup>st</sup>). Several modifications have been made to the draft agreement as follows:

- **Article III, Section 3, Part D** has been modified to clarify that Manzanita Park, per terms of the concession agreement, is a gated facility operated by the North County Youth Recreation Association. Essentially, under this provision, the gate remains closed unless the Association has opened it for a scheduled event; however, pedestrian access is available.
- **Article III, Section 4 "Americans with Disabilities Act Compliance"** has been added which spells out the manner in which a disabled individual may gain access to the park. This generally involves signage with contact information and an agreement by the Association to place a live-on volunteer on the site who will open the gate for disabled access upon notification by the Parks staff.

OTHER AGENCY INVOLVEMENT:

The Manzanita Park concession agreement has been prepared with the involvement of County Counsel.

FINANCING:

The concession agreement specifies that the Association agrees to pay the County \$1.00 per year for a term of 10 years. The development, operation and maintenance of the grounds and structural facilities on the premises are the sole responsibility of the Association. The water well, associated infrastructure and use of County volunteers as part of the Turf Maintenance Program is the responsibility of the Parks Department.

Approved by:

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Nicholas E. Chiulos  
Assistant County Administrative Officer

Attachments: Revised Draft Manzanita Park Concession Agreement