



# County of San Mateo

## Inter-Departmental Correspondence

---

**Department:** COUNTY MANAGER

**File #:** 18-098

Board Meeting Date: 2/13/2018

---

**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** John L. Maltbie, County Manager

**Subject:** Permit Agreement with the Granada Community Services District to enable the construction and operation of approved park and recreation improvements on plazas and medians within the unincorporated community of El Granada (Permit No. 5392)

### **RECOMMENDATION:**

Adopt a resolution authorizing:

- A) The President of the Board of Supervisors to execute a Permit Agreement with the Granada Community Services District to enable the construction, operation, and maintenance of approved park and recreation improvements on plazas and medians in the unincorporated community of El Granada for a term of 20 years; and
- B) The County Manager, or his designee, to accept and execute on behalf of the County any and all notices, options, consents, approvals, terminations, and documents in connection with the Permit Agreement.

### **BACKGROUND:**

In 1908, the County was granted an easement for certain streets, roads, highways, and public places within the platted property of Subdivision Numbers 2 and 3 of Granada in the unincorporated community of El Granada. Included in the streets, roads, and public places are plazas and medians, which currently contain trees, vegetation, and unimproved space. The County's Department of Public Works provides limited services to the plazas and medians, and only in a manner necessary to satisfy the County's obligation to provide a safe roadway system. County does not use the plazas and medians to provide any direct services to the public.

During the 2014 June election, residents of El Granada, Princeton, Princeton-by-the-Sea, Clipper Ridge, Miramar, and portions of Half Moon Bay approved Measure G; a ballot initiative to reorganize the Granada Sanitary District into a community services district with authority to provide park and recreation services. Upon approval of the measure, the Granada Sanitary District formally converted to the Granada Community Services District ("District"). Under the District's new authority, a needs assessment was prepared by surveying District members. Through the needs assessment, it was

determined that District members desired more active recreation opportunities.

In order to provide these new opportunities, the District approached the County and requested the ability to use the County's rights to the plazas and medians to construct, maintain, and operate active recreation park improvements.

**DISCUSSION:**

Real Property Services has negotiated a Permit Agreement with the District ("Permit"), which authorizes the District to make specified park and recreation improvements to the plazas and medians shown in the Permit ("Plazas and Medians"). Approved improvements include benches, children's tree houses, children's nature play areas, fencing for safety, fitness/exercise-stations, horse shoes, picnic tables, pump tracks, softball pitch and catch, spider-web rope net climbing equipment, swings and/or swing sets, tree maintenance and other landscaping, walking path improvements, water fountains, and youth basketball ½ court ("Improvements"). Additionally, any Improvement that promotes the use of a ball or any object that could enter the road right-of-way and create a safety hazard for both pedestrians and vehicles must be accompanied by fencing that will prevent such an occasion from occurring. All Improvements will be required to comply with the American's with Disabilities Act.

The Permit has a term of 20 years; however, County and District reserve the right to terminate the Permit upon 120 days' written notice without cause. Because the Improvements will benefit County residents, County will not charge a Permit Fee.

Upon approval of the Permit, County will still be responsible for maintaining a safe roadway system adjacent to the Plazas and Medians. To ensure this can occur, the Permit prevents the Improvements and District's use of the Plazas and Medians from interfering with County's ability to maintain the roadway system. Further, District will be responsible for maintaining all trees and vegetation within any Plazas and Medians on which Improvements are constructed.

The Improvements create an inherent risk associated with active recreation activities. For this reason, the District agrees to indemnify and hold County harmless from any and all claims that may arise from the use of the Plazas and Medians and Improvements. District shall also maintain an insurance policy deemed appropriate, in the sole discretion of the County's Risk Manager, for the operation of the Improvements.

Upon expiration or termination of the Permit, District shall, at District's sole cost, return any and all Plazas and Medians that contained Improvements in their original condition.

The County's Risk Manager and Director of the Department of Public Works concur with the recommendation. County Counsel has approved the resolution to form.

Approval of this action contributes to the Shared Vision 2025 outcome of a Collaborative Community by supporting the District in their efforts to provide active recreational opportunities to District residents.

**FISCAL IMPACT:**

There is no Net County Cost associated with this item.