

TO: COMMITTEE MEMBERS

FROM: DON SPAGNOLO
GENERAL MANAGER 

DATE: SEPTEMBER 21, 2010

AGENDA ITEM

2

SEPTEMBER 27, 2010

REVIEW STATUS OF MILLER PARK

ITEM

Review status of Miller Park [RECEIVE REPORT, PROVIDE DIRECTION TO STAFF AND FORWARD RECOMMENDATIONS, IF ANY, TO THE BOARD OF DIRECTORS].

BACKGROUND

The Memorandum of Understanding between the NCSD and County requires the following to be accomplished before the property can be transferred:

1. NCSD submits a plan for approval to County Planning identifying park features and improvements. County Planning says that approval of a Minor Use Permit is required for approval of the public park. The NCSD may request a fee waiver for the MUP, but Planning will go through the normal processing requirements. The NCSD will need to submit plans and details of the proposed layout, parking, building(s), lighting (cut sheets), fencing, and landscaping, trash receptacles and enclosure (s), signage, grading and drainage.
2. NCSD provides County General Services with an analysis of the costs of construction and the funding sources for construction as well as on-going park maintenance.
3. LAFCO must activate NCSD's park powers.
4. NCSD applies to County Planning for a public lot split, which will be necessary to separate the railroad right. It must be approved by the Subdivision Review Board.
5. County processes an environmental determination and general plan conformity report, which is submitted to the County Planning Commission.
6. County will proceed with the transfer of the property per CA Govt Code 25365.

Please note that the deed will contain a reversionary clause stating that the ownership of the property will revert to the County if the property is not developed in substantial conformity with the design plans and made open to the public as a park within 3 years of the transfer date, so it is important that the NCSD not acquire the property too early. Also, if the County were to transfer ownership to soon, the NCSD would need to accept it with the ConocoPhillips remediation project in process and the lead abatement issue yet to be resolved with County Environmental Health, which may delay the park improvements.

RECOMMENDATION

Staff recommends that the Committee review the status of the Miller Park, provide direction to staff and forward recommendations, if any, to the Board of Directors.

ATTACHMENTS

None