

FILE NO.

LEGISLATIVE DIGEST

[Park Code – Long Term Management Agreement with the National Park Service for Sharp Park]

Ordinance amending the San Francisco Park Code by amending Section 3.20

1) requiring the Recreation and Park Department to offer a long term management agreement to the National Park Service for certain property under the jurisdiction of the Recreation and Park Commission located in San Mateo County that is within the Golden Gate National Recreation Area’s legislative boundary (“Sharp Park”); and 2) making environmental and other findings.

Existing Law

In May 2009, the Board enacted legislation requiring the Recreation and Park Department to: develop a plan, schedule, and budget for restoring the habitat for the California red-legged frog and the San Francisco garter snake in Sharp Park, and for transferring Sharp Park to, or developing a joint management agreement with, the Golden Gate National Recreation Area and the City of Pacifica and/or San Mateo County. The plan must comply with all regulatory requirements, including the federal Endangered Species Act, and be in accord with the deed granting Sharp Park to San Francisco, as well as with the San Francisco Administrative Code. The plan must include alternatives that retain or redesign the Sharp Park Golf Course and that eliminate it.

In November 2009, the Recreation and Park Department produced the *Sharp Park Conceptual Restoration Alternatives Report*.

Amendments to Current Law

Park Code section 3.20 is replaced in its entirety to:

- Require the General Manager of the Recreation and Park Department offer to the National Park Service (NPS) to enter into a long term management agreement for Sharp Park, which: 1) provides trail-based recreation, 2) supports stewardship of the park, 3) enhances nature-based educational opportunities, all consistent with the NPS' and the Golden Gate National Recreation Area's enabling legislation and management policies, and 4) includes an option to terminate use of the golf course.
- Prohibit the City from entering into any new leases, contracts or agreements for the operation of the golf course.
- Offer City of Pacifica residents the right to purchase San Francisco resident golf cards and play all of S.F. municipal golf courses at S.F. resident rates for 5 years.
- Require the City to offer positions to all City employees at Sharp Park Golf Course consistent with applicable civil service rules and collective bargaining agreements.

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- Require the RPD GM to provide a report to the Board of Supervisors on the development of the transition plan status of negotiations with the NPS on June 1, 2012, including discussions on the option to close the golf course, and quarterly thereafter until the ~~transition is~~ negotiations are complete.
- Changes to the long-term management of Sharp Park that may occur under a proposed agreement with the NPS shall not proceed unless and until the City and NPS negotiate, execute and deliver mutually acceptable agreements based upon information produced from any required CEQA and NEPA environmental review processes, other public review and hearing processes, and subject to all applicable governmental approvals. The City retains the absolute sole discretion to propose terms, consistent with this ordinance, for inclusion in the Agreement, and as may be necessary to comply with CEQA, if applicable. Approval of this ordinance grants NPS no vested rights, does not authorize or require any construction or other physical alteration of Sharp Park, results in no approved development plan for Sharp Park, and no legal obligations will exist unless and until the City and NPS negotiate, execute and deliver mutually acceptable agreements based upon information produced from applicable environmental review processes, and on other public review and hearing processes, subject to all applicable governmental approvals.
- The General Manager may enter into negotiations with other third parties for the lease, contract or agreement for operation of the golf course, subject to the restriction on new leases set forth above. Any such agreement shall also be subject to the approval of the Board of Supervisors.

Background Information

Sharp Park ("Park") was deeded to the City for public recreation purposes in 1917, is located in the City of Pacifica, San Mateo County, and bisected by Highway 1. The Park is approximately 410 acres, and includes a golf course, archery range, and open space. Areas of the Park are habitat to the California red-legged frog, listed as a threatened species under the federal Endangered Species Act (ESA), and the San Francisco garter snake, listed as an endangered species under ESA.

Sharp Park is also within the legislative boundaries of the Golden Gate National Recreation Area.