



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Parks



Date: April 18, 2014
Board Meeting Date: June 3, 2014
Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Marlene Finley, Parks Director

Subject: Acceptance of David and Lucile Packard Foundation Grant Conditions

RECOMMENDATION:

Adopt a Resolution authorizing the Parks Director, or her designee, to accept the covenants and conditions set forth by the David and Lucile Packard Foundation to grant \$500,000 to the Peninsula Open Space Trust to support the County's acquisition of the 174-acre Office of Education Loma Mar property.

BACKGROUND:

On November 6, 2013, the San Mateo County Board of Education adopted Resolution 13-57 with the intent to sell real property located at Assessor Parcel Numbers (APNs) 084-101-010; 084-110-020; 085-102-010; 084-102-020; 084-102-030; and 084-102-040. These parcels are collectively referred to as the "Loma Mar property" and are adjacent to Memorial County Park.

On December 10, 2013, your Board adopted a resolution supporting a funding agreement between Peninsula Open Space Trust (POST) and the County regarding the future acquisition of this 174-acre Loma Mar property and setting the conditions for the funding, purchase, and deed conditions for the acquisition and transfer of the property to the County.

On January 22, 2014, the San Mateo County Planning Commission determined that the County's acquisition of these six parcels located in Loma Mar would conform to the General Plan.

On January 28, 2014, your Board adopted a resolution authorizing the acquisition of the 174-acre Office of Education Loma Mar property through a funding agreement with POST for the purchase price of \$3.9 million.

DISCUSSION:

POST and the David and Lucile Packard Foundation (Foundation) are entering into a grant agreement in which the Foundation has agreed to provide POST a grant of \$500,000 toward the purchase of the Loma Mar property. The Foundation's willingness to provide the grant funds in support of the County's acquisition is conditioned upon the County's acceptance of all terms, conditions and covenants of the grant. The County's agreement to accept the terms of the grant will allow POST to accept the funds which will be transferred directly into escrow. The County's post-acquisition obligations include:

- Grantee shall ensure the Property is (a) promptly included by the County within the boundaries of Memorial Park, and (b) managed and stewarded by the County in a manner that will permanently preserve and protect the natural resource and recreational values and ecological integrity of the Property.
- If for any reason County decides to transfer or sell any interest in the Property to any entity or organization, County shall first take the following actions:
 - ❖ County shall promptly notify Foundation in writing of County's intention to transfer such property interest, including the name and contact information for the proposed transferee, and shall secure Foundation's approval of such transferee and sale or transfer, which approval shall be granted, withheld or conditioned in Foundation's sole and absolute discretion, and any transferee shall commit in writing to manage and steward such property interest in accordance with the management and stewardship requirements set forth in **Section 4.a.** and the Proposal and the Deed Restriction;
- County shall ensure that the Grant funds remain fully invested at all times solely in property interests that support the Grant purpose and the permanent protection of the Property's natural resource values.

All terms and conditions of the grant are found in Attachment 1 of Exhibit A to the proposed Resolution.

County Counsel has reviewed and approved the Resolution as to form.

Approval of this Resolution contributes to the Shared Vision 2025 outcome of an Environmentally Conscious Community in that this grant will help facilitate acquisition of property as park lands, which will increase the number and quality of natural experiences and recreational opportunities for County Park visitors. Each visitor gains a greater appreciation of the natural environment and the need for its preservation.

FISCAL IMPACT:

Accepting the terms, conditions and covenants of the grant from the Foundation to POST has no fiscal impact.