

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING: 1) THE PARKS DIRECTOR, OR HIS DESIGNEE, TO EXECUTE THE POST TRANSFER AGREEMENT BETWEEN THE COUNTY AND THE PENINSULA OPEN SPACE TRUST THEREBY ESTABLISHING THE COUNTY'S RIGHTS AND OBLIGATIONS FOR ACCESSING THE FUNDS RAISED BY THE PENINSULA OPEN SPACE TRUST FOR THE BENEFIT OF THE TUNITAS CREEK BEACH PROPERTY; AND 2) THE PARKS DIRECTOR, OR HIS DESIGNEE, TO EXECUTE THE COWELL-PURISIMA TRAIL AGREEMENT BETWEEN THE COUNTY OF SAN MATEO, THE PENINSULA OPEN SPACE TRUST, AND CALIFORNIA STATE COASTAL CONSERVANCY DETAILING EACH PARTY'S RESPONSIBILITIES RELATED TO THE COWELL-PURISIMA TRAIL FOR TWO CONSECUTIVE FIVE-YEAR TERMS

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on May 14, 2019, the San Mateo County Board of Supervisors approved a Purchase and Sale Agreement between the County and the Peninsula Open Space Trust ("POST") for the County's acquisition of the real property located at 20775 Cabrillo Highway South, in unincorporated San Mateo County, also known as the Tunitas Creek Beach Property ("Property"); and

WHEREAS, as a condition precedent to the consummation of the Purchase and Sale Agreement, two separate agreements were to be negotiated and executed; specifically, the Post Transfer Agreement and the Cowell-Purisima Trail Agreement; and

WHEREAS, Parks Department staff has negotiated the Post Transfer Agreement, which includes, among other provisions, that the County is to create a two

million dollar trust fund, the proceeds of which will be used for property-related purposes, such as planning, permitting, designing, constructing, managing, maintaining, and repairing the Property's infrastructure, improvements, and facilities; to purchase equipment and supplies required to manage the Property as a County park; and to conduct habitat restoration and preservation efforts at the Parks Department's discretion; and

WHEREAS, the Post Transfer Agreement requires POST to establish an account totaling no less than \$3,245,000, which is comprised of funds donated by the Moore Foundation, Midpeninsula Regional Open Space District, and POST donors, which may be accessed by the Parks Department to plan, permit, design, construct, maintain, operate, manage, and upgrade facilities and improvements relating to public access and recreation and resource protection on the Property; and

WHEREAS, the funds in the POST account may also be utilized by the Parks Department for part-time staffing, but not for full-time Department staffing, to assist in the protection of Property resources; and

WHEREAS, Parks Department staff has negotiated the Cowell-Purisima Trail Agreement, which describes the Parks Department's responsibilities for the management of the Cowell-Purisima Trail including, among other things, opening and closing the trail seven days a week; enforcing applicable trail rules and regulations; providing emergency response services; conducting routine maintenance of the trail and minor improvements; ensuring culverts are not blocked prior to winter storms; and cleaning and pumping of restrooms; provided, however, that the County will not be

responsible for maintaining large infrastructure, such as restrooms and bridges, or completing large-scale capital improvements or repairs; and

WHEREAS, this Board has reviewed and considered the Post Transfer Agreement and Cowell-Purisima Trail Agreement, has approved them as to form and content and desires to enter into them on behalf of the County.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Parks Director, or his designee, is hereby authorized to execute the Post Transfer Agreement between the County and the Peninsula Open Space Trust; and

IT IS FURTHER DETERMINED AND ORDERED that the Parks Director, or his designee, is hereby authorized to execute the Cowell-Purisima Trail Agreement between the County, the Peninsula Open Space Trust, and California State Coastal Conservancy.

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