August 09, 2022

Honorable Board of Supervisors  
Marin County Civic Center  
San Rafael, CA 94903

SUBJECT: REQUEST TO AUTHORIZE PRESIDENT TO EXECUTE PURCHASE AGREEMENT FOR ACQUISITION OF THE SMITH PROPERTY, ASSESSOR’S PARCEL NUMBERS 186-010-10 AND 186-010-16

Dear Supervisors:

RECOMMENDATION:

1. Approve the Purchase and Sale Agreement between County of Marin and Smith Brothers Trusts.
2. Approve the Certificate of Acceptance of Grant of Interest in Real Property for the Grant Deed from the Smith Brothers Trusts.
3. Authorize the Director of Finance to complete budget adjustments as described in the Fiscal Impact Section of this report.

SUMMARY: The County of Marin (County) has an opportunity to purchase 7.27 +/- acres of land adjacent to Buck’s Landing Park at the mouth of Las Gallinas Creek in the neighborhood of Santa Venetia. The fair market value of the property is $1.75 million as determined by a recent appraisal.

The property is an inholding between the China Camp State Park, and the Marin County Park, Buck’s Landing, which was acquired in 2020 and includes access to the existing boat ramp and launch into Gallinas Creek. The property will be a key addition to the County’s Buck’s Landing Park. Based on an appraisal conducted by Semple Appraisals, Inc., the Public Works, Real Estate Division has negotiated the purchase of the property from the Smith family for $1,750,000, in addition to a $100,000 allowance to cover the cost of personal property removal and property cleanup prior to close of escrow. If the purchase agreement is approved by your Board, County staff will conduct due diligence investigations including title research, a thorough environmental hazard investigation, and a review of any documents disclosed by the sellers during the due diligence period of the purchase.

Pursuant to California Government Code Section 25350 and 6063 and your Board’s approval on July 12, 2022, the County published a Notice of Intent to purchase the property.

Staff has determined that the acquisition of the subject property is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15316 of the State CEQA Guidelines, which allows for acquisition, sale, or other transfer of land to establish a park where the land is in a natural condition or contains historical or archaeological resources and a management plan for the park has not
been prepared or the management plan proposes to keep the area in a natural condition or preserve the historic or archaeological resources. A management plan has not yet been prepared for the subject property. The County would prepare a separate CEQA compliance document when a management plan for the subject property is developed. State CEQA Guidelines Section 15004 allows for a separate compliance document to be prepared for any future project pursuant to CEQA after sufficient meaningful information is available to conduct an assessment of environmental effects. The County would prepare a separate CEQA compliance document should a future project be identified on the subject property. Acquisition of the subject property would not commit the County to implementation any future project.

**EQUITY IMPACT:** Acquisition of the Smith Property at Buck's Landing would expand the overall footprint of Buck's Landing Park which provides local recreational opportunities for the communities of Santa Venetia and San Rafael. Education and outreach to underserved populations in these communities about Buck's Landing Park and its recreational opportunities is currently underway by Staff. The primary goal of this outreach effort to raise awareness about the new park property, promote a feeling of welcome for these communities, and to build a stronger relationship between underserved communities and Marin County Parks.

**FISCAL IMPACT:** Approval will not increase General Fund net county costs as the acquisition will be fully funded through the Marin County Parks and Open Space Measure A Fund. Approval will increase Marin County Parks Measure A (Fund 2560) expenditure appropriations by $1,850,000 in the Real Estate and Acquisition Program for purchase of the property, which is offset through use of available fund balance set aside for acquisition.

On June 21, 2022, your Board designated $6,000,000 of this reserve for the potential purchase of the Martha Property in Tiburon. With approval of this purchase, the Parks and Open Space Reserve for Acquisition will be fully expended.

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**REVIEWED BY:**
- County Administrator    □ N/A
- Department of Finance    □ N/A
- County Counsel           □ N/A
- Human Resources          □ N/A

Respectfully submitted,

Chris Chamberlain
Assistant Director

**Attachments**

- Purchase and Sale Agreement
- Certificate of Acceptance