July 12, 2022

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

SUBJECT: RESOLUTION ISSUING A NOTICE OF INTENT TO PURCHASE REAL PROPERTY LOCATED AT 665 N. SAN PEDRO ROAD, UNINCORPORATED SAN RAFAEL, FROM THE SMITH FAMILY TRUSTS

Dear Board Members:

RECOMMENDATION:

1. Approve and authorize the President to execute the Resolution Issuing a Notice of Intent to Purchase Real Property at 665 N. San Pedro Road, unincorporated San Rafael.

2. Order the Clerk of the Board to publish a Notice of Intent to Purchase Real Property three (3) times in the Marin Independent Journal, the 1st time on July 18, 2022, the 2nd time on July 25, 2022, and the 3rd time on August 1, 2022.

3. Order the Clerk of the Board to schedule a public hearing to consider the consummation of the proposed purchase for 10 am or as soon thereafter as the matter can be heard on August 9, 2022.

SUMMARY: Property within an area commonly referred to as “Buck’s Landing” is owned by The Michael J. Smith Trust U.T.D, the Edward P. Smith and Nancy M. Smith 2006 Revocable Trust and The Circle Bar Trust. The Smith Family Trusts parcels are identified as Assessor’s Parcel Nos: 186-010-10 & 16 comprising 7.27 +/- acres in total located in unincorporated San Rafael adjacent to China Camp State Park. The property is an inholding between the 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 $1,850,000, including an allowance to cover the cost of personal property removal and property cleanup prior to close of escrow. If the purchase 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, the County is required to publish a Notice of Intent when purchasing real property over $50,000 in appraised value.

If the purchase is approved, the County will make findings pursuant to the California Environmental Quality Act that the acquisition of the Property is exempt from environmental review as set forth in State CEQA Guidelines Sections 15061(b)(3), 15301, Class 1 (Existing Facilities), and 15304, Class 4 (Minor Alterations to Land) and 15316, Class 16 (Transfer of Ownership of Land in Order to Create Parks).

County Counsel has reviewed and approved the attached Resolution and Notice of Intent as to form. Staff anticipates returning to your board on August 9, 2022 to present the Purchase and Sale Agreement and CEQA compliance for your consideration.

EQUITY IMPACT: The actions contemplated in this staff report are related to a Notice of Intent to purchase property, and would have no direct impact on issues related to equity. However, the property being proposed for purchase 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: No fiscal impact will result from this action. A purchase and sale agreement has been drafted which includes a purchase price of $1,850,000 plus a $100,000 allowance to cover the personal property removal and property cleanup prior to the close of escrow. Staff will return to your Board to request authorization to execute the purchase and sale agreement and will provide additional fiscal details at that time.

Please feel free to contact us should you have any questions or concerns.

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: Notice of Intent to Purchase Real Property
Resolution of the Notice of Intent to Purchase Real Property