COUNTY OF SANTA CLARA
BOARD OF SUPERVISORS
SUPERVISORIAL DISTRICT FIVE
SUPERVISOR LIZ KNISS

BOSD5-012412-06

DATE: January 24, 2012

TO: Board of Supervisors

FROM: Liz Kniss
Supervisor, District 5

SUBJECT: Payment by Stanford for Alternate Recreational Facilities

RECOMMENDED ACTION
Request administration provide a report back to the Board of Supervisors through the HLUET Committee related to the funds due Santa Clara County as specified in the “Agreement for Trail Easements, Construction, Management and Maintenance and Grant of Easements” with Stanford University, to include any legal parameters for expenditure of the funds, internal mechanisms available to earmark the funds for expenditure according to said parameters, and clarification related to administration of the funds. (Kniss)

FISCAL IMPLICATIONS
There is no impact to the General Fund from this referral.

REASONS FOR RECOMMENDATION
Santa Clara County will soon be receiving over $10 million from Stanford that can only be spent for trails and similar recreational facilities for those who use or would have used recreational facilities at Stanford. The “Agreement for Trail Easements, Construction, Management and Maintenance and Grant of Easements” (Trails Agreement) with Stanford provides that, in the event that San Mateo County did not complete the C1 Trail or extend the
agreement with Stanford by December 31, 2011, an indexed $8.4 million is to be paid by Stanford to Santa Clara County. The current payment amount for the indexed $8.4 million is now approximately $10.2 million. On December 13, 2011, the San Mateo County Board of Supervisors rejected the C1 Trail for the third and final time and did not extend the agreement.

The Trails Agreement between Santa Clara County and Stanford requires 1) that this money be spent on mitigation for lost recreational opportunities resulting from Stanford development and 2) that the money not be spent for projects on Stanford lands without Stanford’s approval.

**CHILD IMPACT**

The creation of recreational opportunities is positive for the health and development of children.

**SENIOR IMPACT**

The creation of recreational opportunities is positive for seniors.

**SUSTAINABILITY IMPLICATIONS**

Increased pedestrian and bicycle access to recreation and the enhancement of bicycle commuting would have positive impacts on sustainability.