County of Santa Clara
Office of the County Executive

HLUET-CEO1 031512

DATE: March 15, 2012

TO: Housing, Land Use, Environment, & Transportation Committee (HLUET)

FROM: Sylvia Gallegos
Deputy County Executive

SUBJECT: Status Report Relating to the Administration of Funds and Legal Parameters for the Expenditure of Funds Paid to the County as Specified in the Agreement for Trail Easements, Construction, Management and Maintenance, and Grant of Easements with Stanford University

RECOMMENDED ACTION
Accept status report relating to the administration of funds and legal parameters for the expenditure of funds paid to the County as specified in the Agreement for Trail Easements, Construction, Management and Maintenance, and Grant of Easements with Stanford University (Agreement).

FISCAL IMPLICATIONS
There are no fiscal implications to the General Fund by acceptance of this status report.

REASONS FOR RECOMMENDATION
County Counsel is finalizing its legal opinion with respect to the future direction of the Agreement and expenditure of $10.4 million provided to the County by Stanford University and the Administration is preparing an off-agenda report that would describe the internal mechanisms that have been utilized to segregate the funds as well as a proposed process for the
utilization of these funds. Consistent with the Board referral, this off-agenda report will be provided to the Board of Supervisors no later than the end of March 2012.

BACKGROUND

At the January 24, 2012 Board meeting, the Board of Supervisors referred to the Administration and County Counsel a request to provide a report that sets forth the legal parameters for the expenditure of funds in the amount of $10.4 million and that describes internal mechanisms to earmark and administer the funds that were provided to the County on February 29, 2012 as specified in the Agreement with Stanford University.

The Agreement provides that if the County of San Mateo does not enter into an agreement for improvements to the C-1 trail or fails to extend the Agreement by December 31, 2011, Stanford University would pay the total accumulated funds or a portion thereof to the County of Santa Clara for the purposes of mitigating impact OS-3 of the Environmental Impact Report for the Stanford General Use Permit.