

County of Santa Clara
Parks and Recreation Department



23-1742

DATE: January 23, 2024 (Item No.)

TO: Board of Supervisors

FROM: Don Rocha, Director, Parks and Recreation Department

SUBJECT: Resolution of Intent to Purchase Real Property (Richmond Ranch)

RECOMMENDED ACTION

Consider recommendations relating to intent to purchase Real Property necessary for a public park purpose.

Possible action:

- a. Adopt Resolution finding that the acquisition of the Real Property located on San Felipe Road in unincorporated San Jose, County of Santa Clara, California (Assessor's Parcel No. 660-01-013) is exempt from the California Environmental Quality Act (CEQA); and issuing a Notice of Intent to purchase Real Property from The Conservation Fund.
- b. Authorize the Clerk of the Board to set Tuesday, February 27, 2024, at no earlier than 10:00 a.m. as the date and time to consider acquisition of Real Property.

FISCAL IMPLICATIONS

No fiscal impact for this action. The anticipated funding request of \$5,000,000 for the purchase price and any additional funds for due diligence and closing costs for this Property will be brought forward during the requested public hearing date of February 27, 2024, and will be funded through the Park Charter Fund.

REASONS FOR RECOMMENDATION AND BACKGROUND

Reasons for Adopting Resolution and Setting Hearing Date

Adopting and subsequently publishing this Notice of Intent fulfill the first step required by California Government Code for the Board of Supervisors to consider this acquisition during a public hearing.

Reasons for Acquisition

The Parks and Recreation Department ("Department") is recommending purchase of an approximately 1,487-acre portion of the "Richmond Ranch" property, APN 660-01-013, located on San Felipe Road in unincorporated San José, in the County of Santa Clara, State of California ("Property") from the anticipated owner, The Conservation Fund ("TCF").

Adopted: 01/23/2024

The property is located in the eastern region of the Santa Clara Valley Habitat Plan study area in the Diablo Range, north of the Coyote Ridge Open Space Reserve and the County's Metcalf Motorcycle Park, west of the San Felipe Ranch, and south of Joseph D. Grant County Park. Currently used for grazing, the Property is zoned AR-d1-sr (Agricultural Ranchlands) with permitted uses including ranching or agriculture, low-intensity recreation, mineral extraction, and land in its natural state. Other uses such as very-low-intensity residential, commercial, industrial and institutional may also be allowed under certain circumstances.

The County's proposed purchase of the Property is part of a greater acquisition in partnership with the Valley Habitat Agency ("VHA") of the approximately 3,654-acre Richmond Ranch property (APNs 660-01-014, 678-01-001, 660-01-002, 627-11-005, 660-47-001, 660-51-001, 660-50-001, 660-01-013, 660-58-004, and 660-55-002) and would provide regional trail connectivity, public access, protection and preservation of habitat, critical connectivity for wildlife, expansion and connectivity of protected open space areas, and ultimately enhance climate change resiliency. More specifically, the Property provides an opportunity, in collaboration with VHA, to ultimately develop a public, regional trail and enroll the vast majority of the Richmond Ranch into the Habitat Reserve System, subject to future Board approval.

TCF, a national non-profit conservation organization with a proven track record of collaborating with multiple partners, including public agencies, was recently able to negotiate a purchase agreement for the Richmond Ranch. Three parcels (APNs 678-01-001, 660-01-002, and 627-11-005) are anticipated to be purchased by VHA from TCF, with the remaining parcels to be purchased by VHA in early 2025 when their planned funding becomes available. Thus, ultimately the entire Richmond Ranch property would be partially owned by the County and partially owned by VHA and jointly managed by the two parties.

The proposed acquisition of the Property is supported by the Board-adopted Parkland Acquisition Plan (2012) which incorporates policy from other Board-adopted documents including but not limited to the Countywide Trails Master Plan Update, which is the guiding document for future trail planning, including completion of the Bay Area Ridge Trail, the Parks and Recreation System Strategic Plan and Update (2018), and the Countywide Trails Prioritization and Gaps Analysis (2015). The proposal is supported by the 1995 General Plan, including the Parks and Recreation Chapter (1994), which commits the County to meet future recreational demand and protection of natural resources through numerous strategies including expanding the regional parks system and expanding the trails network.

California Environmental Quality Act

For purposes of CEQA, Administration has determined that the acquisition of the Property is exempt from CEQA pursuant to CEQA Guidelines 15316 and 15325, as acquisition of land in its natural condition for Parkland for which no master plan has yet been prepared.

Public Notice Requirement

Sections 25350 and 6063 of the California Government Code require that a notice of the Board's intended action be published at least three successive weeks in a newspaper of general circulation in Santa Clara County before the Board may take final action. Three publications in a newspaper regularly published once a week or more frequently, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the twenty-first day, including therein the first day.

CHILD IMPACT

The recommended action will have a positive impact on children and youth once all necessary land entitlements are acquired and a future trail is developed.

SENIOR IMPACT

The recommended action will have a positive impact on seniors once all necessary land entitlements are acquired and a future trail is developed.

SUSTAINABILITY IMPLICATIONS

The recommended action will have positive sustainability implications as it will contribute toward land preservation.

CONSEQUENCES OF NEGATIVE ACTION

The County would not adopt the Resolution of Intent and would not consider purchase of the Property on the date indicated therein. The County would not be guaranteed future opportunity to develop a component of the Board-adopted Countywide Trails Master Plan.

STEPS FOLLOWING APPROVAL

1. Send notification to Eric Ross, Parks and Recreation Department.
2. The Clerk of the Board will set the hearing date to consider the purchase of the Property for February 27, 2024, at time certain for no earlier than 10:00 AM.
3. In accordance with the California Government Code Sections 25365 and 6063, the Clerk of the Board will publish the Notice of Intent to Purchase Real Property at least three weeks prior to February 27, 2024 in a newspaper of general circulation.
4. Send proof of publication to Eric Ross, Parks and Recreation Department.

ATTACHMENTS:

- Attachment A – Resolution of Intent to Purchase Richmond Ranch

RESOLUTION NO. BOS-2024-09

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA FINDING THAT THE ACQUISITION OF THE REAL PROPERTY LOCATED ON SAN FELIPE ROAD IN UNINCORPORATED SAN JOSÉ, COUNTY OF SANTA CLARA, CALIFORNIA (APN 660-01-013) IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND ISSUING A NOTICE OF INTENT TO PURCHASE REAL PROPERTY FROM THE CONSERVATION FUND

WHEREAS, the County of Santa Clara, a political subdivision of the State of California ("County"), wishes to purchase the real property located on San Felipe Road in unincorporated San José, in the County of Santa Clara, State of California, known as Assessor's Parcel Number 660-01-013 ("Property") for public park purposes from The Conservation Fund ("Seller");

WHEREAS, Seller wishes to sell the Property to the County for an agreed upon purchase price based upon a fair market appraisal not to exceed \$5,000,000;

WHEREAS, acquisition of the Property would provide regional trail connectivity, public access, protection and preservation of habitat, expansion and connectivity of protected open space areas, and ultimately enhance climate change resiliency and is supported by the Board-adopted Parkland Acquisition Plan (2012), the Countywide Trails Master Plan Update (1995), the Parks and Recreation System Strategic Plan and Update (2018), the Countywide Trails Prioritization and Gaps Analysis (2015), and the 1995 General Plan, including the Parks and Recreation Chapter (1994);

WHEREAS, the proposed purchase is exempt from the California Environmental Quality Act (CEQA) pursuant to, among other things, CEQA Guidelines sections 15316 and 15325; and

WHEREAS, because the purchase price of the Property exceeds \$50,000, Government Code section 25350 requires that notice of the Board of Supervisors' intent to purchase this property interest be published pursuant to Government Code section 6063.

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Clara, State of California that:

1. The purchase of the Property is exempt from CEQA pursuant to, among other things CEQA Guidelines sections 15316 and 15325;
2. A notice of intent to purchase the Property containing all of the following information shall be published in compliance with Government Code section 6063 before the Board of Supervisors meets to approve consummation of the purchase:
 - a. The approximately 1,487-acre property to be purchased is located on San Felipe Road in unincorporated San José, in the County of Santa Clara, State of California, known as Assessor's Parcel Number 660-01-013 ("Property");

- b. The purchase will not exceed \$5,000,000;
- c. The Seller is The Conservation Fund, a non-profit corporation; and
- d. The County of Santa Clara Board of Supervisors will meet to conduct a public hearing and consider the consummation of this proposed purchase on February 27, 2024, at 10:00 A.M., or as soon thereafter as the matter can be heard. The hearing will be conducted either in the Chambers of the Board of Supervisors at 70 West Hedding Street, San Jose, California, or by virtual teleconference, pursuant to the provisions of California Government Code section 54953.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on **JAN 23 2024** by the following vote:

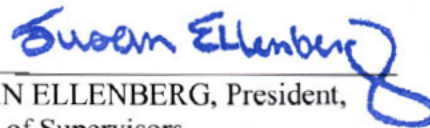
ARENAS, CHAVEZ, ELLENBERG

AYES: LEE, SIMITIAN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE



SUSAN ELLENBERG, President,
Board of Supervisors

Signed and certified that a copy of this document has been delivered by electronic or other means to the President, Board of Supervisors.

ATTEST:



CURTIS BOONE

Acting Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGALITY:



KIMBERLY KERNAN
Deputy County Counsel

Attachments to this Resolution

Exhibit A: Assessor's Map of Richmond Ranch Property

Exhibit B: Illustrative Map of Richmond Ranch Property

Exhibit A
Assessor's Map of Richmond Ranch Property
APN: 660-01-013

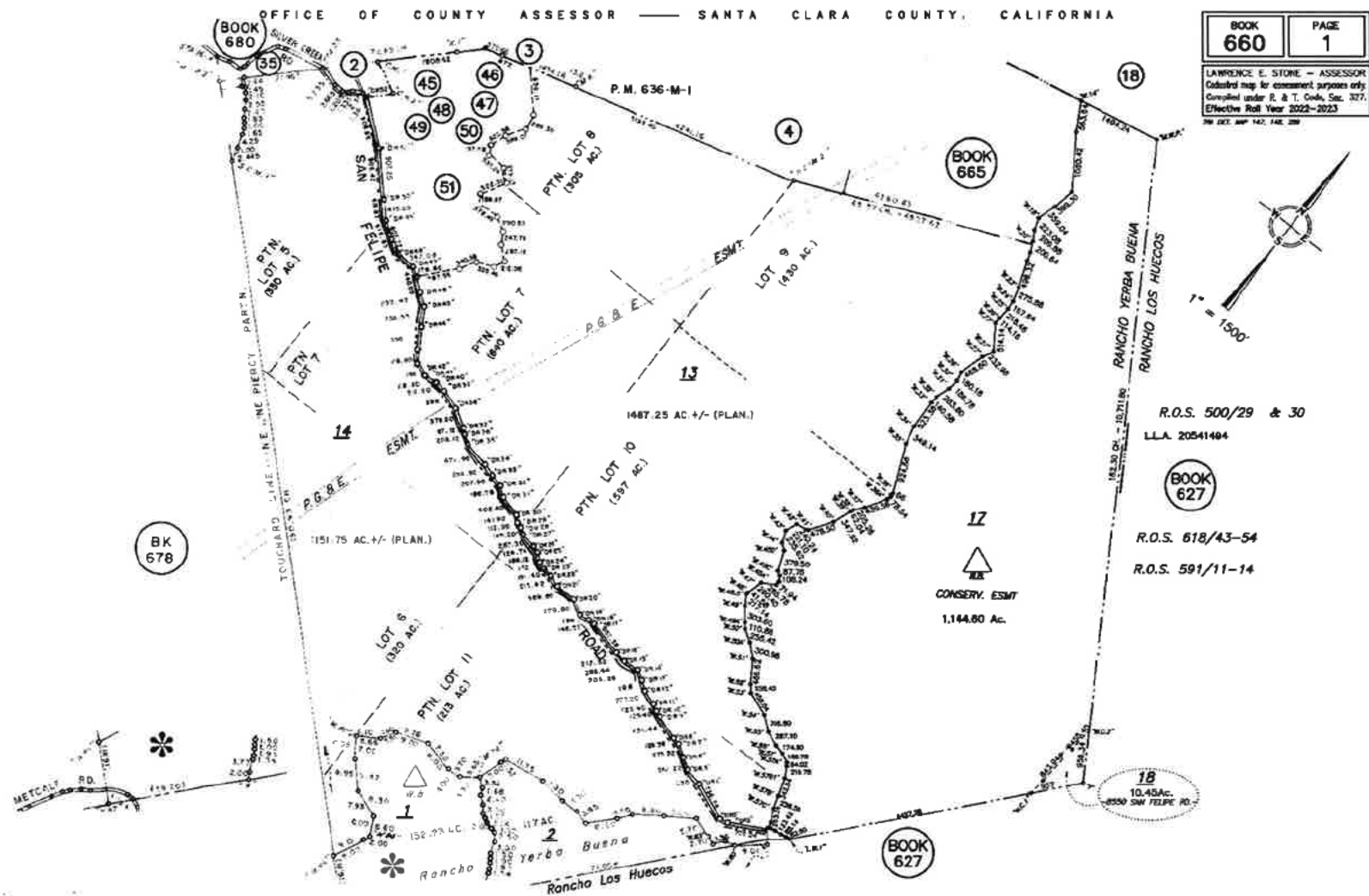
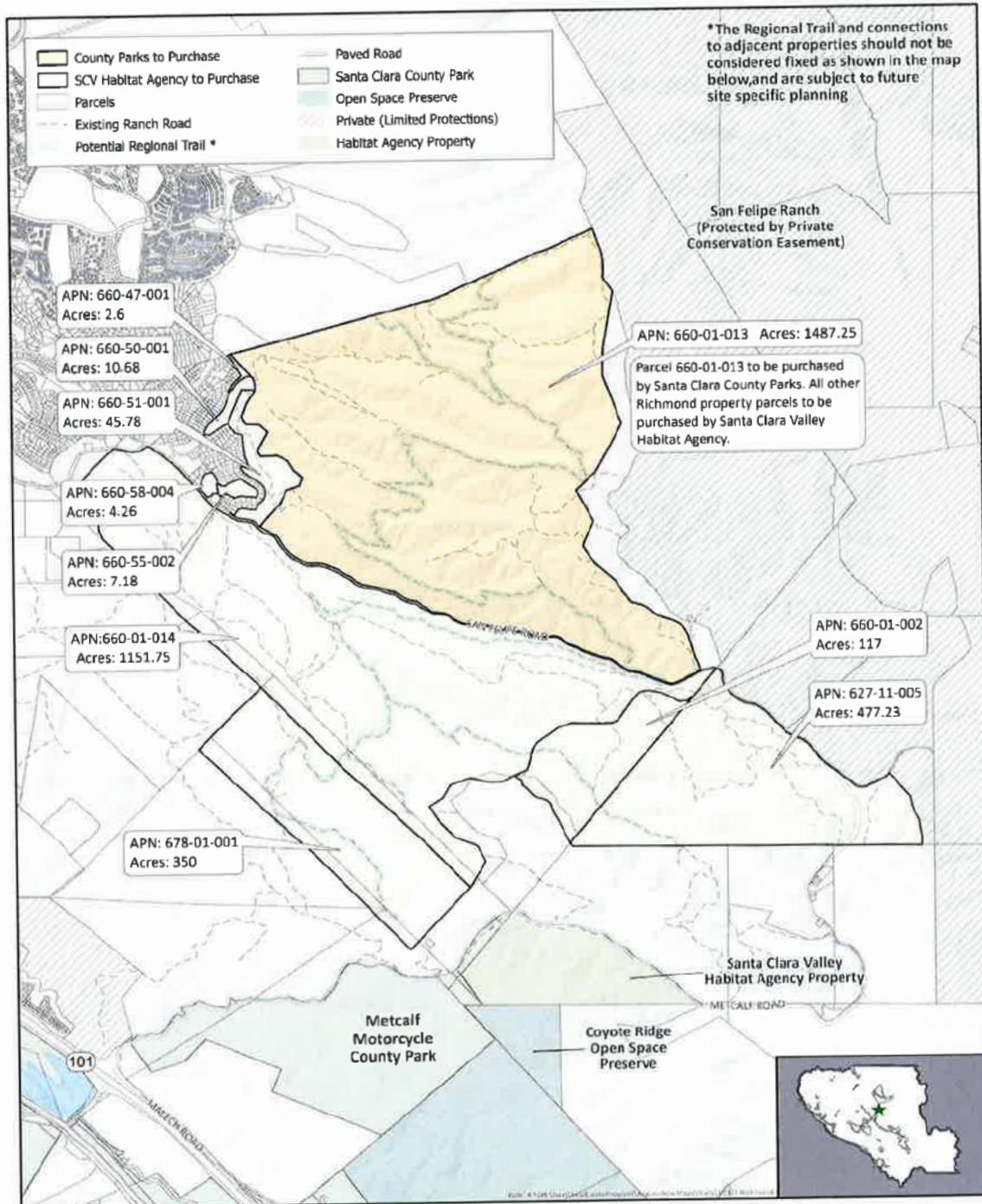


Exhibit B
Illustrative Map of Richmond Ranch Property
APN: 660-01-013



This map generated by the County of Santa Clara Department of Parks and Recreation. The GIS files were compiled from various sources. While deemed reliable, the Department assumes no liability.

Richmond Ranch Parcels
 Created: 9/21/2023
 Created by: S. Hatt

