

**RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF SAN MATEO AND SILICON VALLEY CLEAN WATER FOR THE COUNTY'S GRANTING OF CERTAIN PUBLIC UTILITY EASEMENT DEEDS AND RELATED PERMITS OVER AN UNDEVELOPED PORTION OF THE SAN CARLOS AIRPORT; B) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A PUBLIC UTILITY EASEMENT DEED GRANTING TO SILICON VALLEY CLEAN WATER THE NON-EXCLUSIVE RIGHT TO USE A SUBSURFACE PORTION OF THE NORTH OF HOLLY PORTION OF THE SAN CARLOS AIRPORT FOR OPERATION OF A SEWERAGE PIPELINE SYSTEM; C) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A PUBLIC UTILITY EASEMENT DEED GRANTING TO SILICON VALLEY CLEAN WATER THE NON-EXCLUSIVE RIGHT TO USE A SUBSURFACE PORTION OF THE TAXIWAY PORTION OF THE SAN CARLOS AIRPORT FOR OPERATION OF A SEWERAGE PIPELINE SYSTEM; D) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A PUBLIC UTILITY EASEMENT DEED GRANTING TO SILICON VALLEY CLEAN WATER THE NON-EXCLUSIVE RIGHT TO USE A SUBSURFACE PORTION OF THE INNER BAIK ISLAND PORTION OF THE SAN CARLOS AIRPORT FOR OPERATION OF A SEWERAGE PIPELINE SYSTEM; AND E) THE COUNTY MANAGER, OR THE COUNTY MANAGER'S DESIGNEE, TO ACCEPT OR EXECUTE ON BEHALF OF THE COUNTY ANY AND ALL NOTICES, CONSENTS, APPROVALS, TERMINATIONS, AND OTHER DOCUMENTS IN CONNECTION WITH THE MEMORANDUM OF UNDERSTANDING AND THE PUBLIC UTILITY EASEMENT DEEDS**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the County owns real property bearing San Mateo County Assessor Parcel Numbers 046-081-580, 046-081-790, 046-082-010, 095-220-140, and 095-030-230, and commonly known as San Carlos Airport; and

**WHEREAS**, Silicon Valley Clean Water ("SVCW"), a joint powers agency, provides wastewater treatment and disposal services to a large population within the County; and

**WHEREAS**, SVCW currently operates a wastewater conveyance system that includes a force main, a portion of which runs under the taxiway of the San Carlos Airport; and

**WHEREAS**, as part of its capital improvement plan, SVCW plans to ensure reliability of its wastewater conveyance system by replacing the force main with a new gravity pipeline and desires to obtain temporary and permanent property interests under the San Carlos Airport to facilitate the construction and operation of the new gravity pipeline; and

**WHEREAS**, there has been presented to this Board of Supervisors for its consideration a Memorandum of Understanding (“MOU”) setting forth the terms and conditions of the transfer from the County to SVCW of permanent Public Utility Easements on the San Carlos Airport property, in the form of the Deeds shown in Exhibits A through C of the MOU (“Deeds”), and temporary Permits in the form shown in Exhibits D and E of the MOU (“Permits”); and

**WHEREAS**, there has been presented to this Board of Supervisors for its consideration the forms of the Deeds granting SVCW certain permanent subsurface and surface rights over the undeveloped portions of the San Carlos Airport known as North of Holly, the Taxiway, and Inner Bair Island, as more particularly described in the Deeds; and

**WHEREAS**, the Bair Island Revised Public Utility Easement Deed will replace that Public Utility Easement Deed approved by the Board of Supervisors on January 29, 2019, by resolution Number 076393, and recorded as Instrument No. 2019-015528 in the San Mateo County Recorder’s Office; and

**WHEREAS**, the Permits attached to the MOU as Exhibits D and E, will be brought back to the Board of Supervisors for its consideration and approval at a later date; and

**WHEREAS**, this Board has determined that execution of the MOU, and the grant to SVCW of the Public Utility Easements described in the Deeds is in the public interest and will not substantially interfere with the use of the San Carlos Airport property for County purposes; and

**WHEREAS**, this Board has reviewed and approved the MOU and the Deeds as to both form and content and desires to enter in to the MOU and execute the Deeds.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby, authorized to execute the MOU for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto; and

**IT IS FURTHER DETERMINED AND ORDERED** that the President of this Board of Supervisors be, and is hereby authorized to, execute the Deeds for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto; and

**IT IS FURTHER DETERMINED AND ORDERED** that the County Manager or the County Manager's designee is hereby authorized to accept or execute on behalf of the County, any and all notices, consents, approvals, terminations, and other documents in connection with the MOU and the Deeds.

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