

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO STATE OF CALIFORNIA

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RESOLUTION

- A) AUTHORIZING THE COUNTY EXECUTIVE, OR DESIGNEE, TO EXECUTE A TRILATERAL MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY, THE CITY OF EAST PALO ALTO, AND EAST PALO ALTO COMMUNITY ALLIANCE AND NEIGHBORHOOD DEVELOPMENT ORGANIZATION TO FACILITATE THE POTENTIAL EXCHANGE OF REAL PROPERTY, INTERIM SITE CONTROL, AND FUTURE DEVELOPMENT OF A 100% AFFORDABLE HOUSING PROJECT ON UNIVERSITY AVENUE AND THE EXPANSION OF MARTIN LUTHER KING JR. PARK IN EAST PALO ALTO; AND**
- B) AUTHORIZING AND DIRECTING THE DIRECTOR OF THE DEPARTMENT OF HOUSING, OR DESIGNEE, IN CONSULTATION WITH THE EAST PALO ALTO COMMUNITY ALLIANCE AND NEIGHBORHOOD DEVELOPMENT ORGANIZATION, TO CONDUCT A COMPETITIVE PROCESS TO SELECT A DEVELOPER FOR THE PROPOSED UNIVERSITY AVENUE AFFORDABLE HOUSING DEVELOPMENT**
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RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, the County is the owner of approximately 1.85 acres of real property located at 1266 Beech Street in the City of East Palo Alto (Assessor's Parcel Number 063-600-060) (the "County Property"), which is adjacent to Martin Luther King Jr. Park and designated for Parks/Recreation/Conservation uses under the East Palo Alto Vista 2035 General Plan; and

WHEREAS, the City of East Palo Alto ("City") is the owner of approximately 0.36 acres of real property located at 2277 University Avenue (Assessor's Parcel Number 063-302-460) (the "City Property"), which is designated as Mixed-Use Corridor under

the East Palo Alto Vista 2035 General Plan and is well suited for high-density residential development, including affordable housing; and

WHEREAS, East Palo Alto Community Alliance and Neighborhood Development Organization ("EPACANDO"), a California non-profit public benefit corporation, holds an option and is under contract to acquire the real property located at 2263 University Avenue (Assessor's Parcel Number 063-302-210) (the "2263 University Property"), which is improved with seven rent-stabilized residential units and which is adjacent to the City Property; and

WHEREAS, the City desires to facilitate expansion of Martin Luther King Jr. Park through potential acquisition of the County Property, and the County desires to facilitate development of a 100% affordable housing project on University Avenue through potential acquisition of the City Property to be developed together with the 2263 University Property (the "Project"); and

WHEREAS, the County, City, and EPACANDO have negotiated a Trilateral Memorandum of Understanding ("Trilateral MOU") establishing a framework to coordinate actions related to (i) a potential exchange of the County Property and City Property; (ii) EPACANDO's interim acquisition and operation of the 2263 University Property; (iii) future development of the Project as a 100% affordable housing project on the City Property and the 2263 University Property; and (iv) expansion of Martin Luther King Jr. Park, all subject to subsequent approvals by the respective governing bodies of the City and the County; and

WHEREAS, the proposed Trilateral MOU specifies cooperation and delineates responsibilities among the parties, should EPACANDO exercise its option to acquire the 2263 University Property, including due diligence, title clearance, surplus land compliance, interim property operations, tenant relocation planning, developer selection, and entitlement coordination, with actions remaining subject to future approvals by the Board of Supervisors and the City Council; and

WHEREAS, the proposed Trilateral MOU is predicated on EPACANDO's interim operation of existing rent-stabilized housing until close of construction finance for the Project; and

WHEREAS, the proposed Trilateral MOU contemplates that the County would conduct a competitive process to select a private developer, in consultation with and participation by EPACANDO, to construct and operate the Project; and

WHEREAS, California Government Code section 25365(a) authorizes counties, by a four-fifths vote of the Board of Supervisors, to exchange real property with a city upon agreed terms when the property to be acquired is required for County use, and Government Code section 37351 authorizes cities to exchange real property for municipal purposes; and

WHEREAS, execution of the Trilateral MOU does not obligate the County to consummate a property exchange, convey any interest in County-owned property, approve any development, or commit County funding, but establishes a framework for further evaluation and potential future actions; and

WHEREAS, this Board has been presented with a form of the Trilateral MOU and has examined and approved it as to both form and content and desires to enter into said Trilateral MOU.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the Board of Supervisors authorizes the County Executive, or designee, to execute a Trilateral Memorandum of Understanding between the County, the City of East Palo Alto, and East Palo Alto Community Alliance and Neighborhood Development Organization to facilitate the potential exchange of real property, interim site control, and future development of a 100% affordable housing project on University Avenue and the expansion of Martin Luther King Jr. Park in East Palo Alto.

BE IT FURTHER RESOLVED that the Director of the Department of Housing, or designee, in consultation with the East Palo Alto Community Alliance and Neighborhood Development Organization, is hereby authorized and directed to conduct a competitive process to select a developer for the proposed University Avenue affordable housing development.

BE IT FURTHER RESOLVED that the County Executive, or designee, is authorized to execute contract amendments which modify the Trilateral MOU term and/or to make such nonmaterial changes as the County Executive, or designee, may require or approve, such approval to be conclusively evidenced by execution and delivery thereof.

BE IT FURTHER RESOLVED that the Board hereby authorizes the County Executive, or designee(s), to take such actions as may be necessary and advisable to

effectuate the purposes of this Resolution and to carry out the responsibilities specified in the Trilateral MOU.

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