

RESOLUTION NO. _____

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

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**RESOLUTION AUTHORIZING: A) THE COUNTY EXECUTIVE OFFICER, OR THEIR
DESIGNEE, TO EXECUTE AN EASEMENT DEED GRANTING AN EASEMENT
ACROSS A PORTION OF COUNTY LANDS FROM CRYSTAL SPRINGS ROAD, AND
FROM WITHIN JUNIPERO SERRA PARK LOCATED AT 1801 CRYSTAL SPRINGS
ROAD, SAN BRUNO, ("PROPERTY") TO THE CITY OF SAN BRUNO ("CITY"); AND
B) AUTHORIZING THE COUNTY EXECUTIVE OR THEIR DESIGNEE TO RECORD
SAID EASEMENT DEED UPON THE FULFILLMENT OF THE OBLIGATIONS OF THE
CITY UNDER THE CULVERT REPLACEMENT AND HILLSIDE RESTORATION
REIMBURSEMENT AGREEMENT ("REIMBURSEMENT AGREEMENT") MADE
BETWEEN THE COUNTY, CITY, AND THE CITY AND COUNTY OF SAN
FRANCISCO (CCSF), ACTING BY AND THROUGH THE SAN FRANCISCO PUBLIC
UTILITIES COMMISSION (SFPUC), ("PARTIES"), AFFIRMING THE PARTIES'
OBLIGATIONS; AND
C) AUTHORIZING THE COUNTY EXECUTIVE, OR THEIR DESIGNEE, TO EXECUTE
ON BEHALF OF THE COUNTY, ANY AND ALL NOTICES, CONSENTS,
APPROVALS, AND OTHER DOCUMENTS IN CONNECTION WITH THE EASEMENT**

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

WHEREAS, the City and County of San Francisco (CCSF), acting by and
through the San Francisco Public Utilities Commission (SFPUC) owns and operates a
regional water system that serves the City of San Francisco and twenty-seven (27)
wholesale water customers located in San Mateo, Santa Clara, and Alameda counties
in the Bay Area; and

WHEREAS, the CCSF water system includes the San Andreas Pipelines No. 2
and 3, both of which are located in an easement within the area owned and operated by

County of San Mateo as a public park known as Junipero Serra Park located at 1801 Crystal Springs Road in San Bruno; and

WHEREAS, CCSF constructed a project consisting of replacing four segments, approximately 6,500 feet, of the San Andreas Pipeline No. 2 in San Bruno including a segment within the easement area (“SFPUC Project”); and

WHEREAS, in or around July 2020, during the SFPUC Project, CCSF discovered a leaking and broken stormwater pipeline which resulted in erosion near the CCSF easement area and El Zanjon Creek; and

WHEREAS, to facilitate construction of the SFPUC Project, SFPUC’s contractor, Ranger Pipelines, removed the Pipe and replaced it with a section of new culvert (“Culvert”) from the upstream inlet on Crystal Springs Road to a point on the slope above El Zanjon Creek; and

WHEREAS, to protect the slope and existing pipelines, the Culvert needs to be extended to El Zanjon Creek (“Culvert Extension”) and the hillside restored (“Hillside Restoration”), with the Culvert and Culvert Extension collectively referred to as the “New Culvert” and the New Culvert and Hillside Restoration collectively referred to as the “Work”; and

WHEREAS, while the City, the County and SFPUC dispute ownership of the Pipe and legal responsibility for the Work, in order to settle the dispute and mitigate

further erosion and impact to the existing pipelines, the parties have agreed to share the cost of the Work as described in the Reimbursement Agreement; and

WHEREAS, pursuant to the Reimbursement Agreement, the City has agreed to own and maintain the New Culvert subject to conditions described in the agreement, the County has agreed to maintain the repaired slope, and the Parties have mutually agreed to waive any and all claims against each other for any damage arising out of or related to the Work, the Pipe, or occurring up until San Bruno's acceptance of the New Culvert; and

WHEREAS, the City will pay \$450,000 toward the total cost of the Work as previously allocated (inclusive of fees and costs); and CCSF will be responsible for all other costs associated with the Work, including any cost increases; and

WHEREAS, in connection with the Work, the County will grant an easement for the City's ownership, access, maintenance, inspections and repairs of the New Culvert together with the right to discharge stormwater from the New Culvert onto County property; and

WHEREAS, the City and the County have agreed that the County will issue, and the City will accept, an easement deed upon completion of the Work; and

WHEREAS, this Board has examined and approved the Easement and desires to convey it; and

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the County Executive be and is hereby authorized to execute said Easement Deed on behalf of the County of San Mateo.

IT IS FURTHER DETERMINED AND ORDERED that the County Executive or their designee is hereby authorized and directed to record said Easement Deed upon completion of the improvements and fulfillment of the obligations of Grantee under the Reimbursement Agreement.

IT IS FURTHER DETERMINED AND ORDERED that the County Executive or their designee is hereby authorized to execute on behalf of the County, any and all notices, consents, approvals, and other documents in connection with the Easement Deed.

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