

**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 AN OPTION AGREEMENT WITH THE CITY OF SAN MATEO FOR PURCHASE OF EASEMENTS OVER PORTIONS OF THE COUNTY-OWNED PROPERTY LOCATED AT 2495 SOUTH DELAWARE STREET IN THE CITY OF SAN MATEO TO SUPPORT THE CITY OF SAN MATEO'S CLEAN WATER PROGRAM; AND B) THE COUNTY MANAGER, OR HIS DESIGNEE, TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE SALE AND CONVEYANCE OF TEMPORARY AND PERMANENT EASEMENTS TO THE CITY OF SAN MATEO AS AUTHORIZED IN THE OPTION AGREEMENT**

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

**WHEREAS**, in March 2009, the San Francisco Bay Regional Water Quality Control Board issued the City of San Mateo ("City") a Cease and Desist Order mandating the elimination of sanitary sewer overflows ("SSOs") from its wastewater system; and

**WHEREAS**, in order to comply, the City is planning a comprehensive approach to increase the capacity of the City's wastewater system by constructing an underground, in-system storage facility upstream of the City's wastewater treatment plant; and

**WHEREAS**, to support the construction, operation, and maintenance of the underground storage basin, the City and County have negotiated an Option Agreement for Purchase of Easements ("Agreement"), which would entitle the City to purchase from

the County temporary and permanent easements over portions of the County-owned property located at 2495 South Delaware Street in the City of San Mateo (the “Property”); and

**WHEREAS**, the Agreement and the contemplated sale of easements are in the public interest by contributing to the resolution of sanitary sewer overflows in the City of San Mateo, and the easements will not substantially conflict or interfere with the use of the Property by the County; and

**WHEREAS**, there has been presented to this Board for its consideration and approval the Agreement, reference thereto is made for further particulars, whereby the City has the option to purchase, and the County is required to sell, upon exercise of such option, specified temporary and permanent easements to the City of San Mateo to support its Clean Water Program at a price to be determined by the procedure set forth in the Agreement.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of the Board of Supervisors is hereby authorized to execute the Option Agreement with the City of San Mateo for Purchase of Easements for temporary and permanent easements over portions of the County-owned property located at 2495 South Delaware Street in the City of San Mateo to support the City of San Mateo’s Clean Water Program.

**IT IS FURTHER DETERMINED AND ORDERED** that the County Manager, or his designee, is hereby authorized and directed, upon exercise of the option by the City,

to execute any and all documents necessary for the sale and conveyance of temporary and permanent easements to the City of San Mateo as authorized in the Option Agreement.

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