

RESOLUTION NO. .

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

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RESOLUTION AUTHORIZING: A) THE BOARD PRESIDENT TO EXECUTE AN AGREEMENT WITH THE CITY OF SAN MATEO FOR THE CONVEYANCE OF PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS OVER COUNTY-OWNED PROPERTY COMPRISING COYOTE POINT RECREATION AREA IN CONNECTION WITH THE CITY OF SAN MATEO'S NORTH SHOREVIEW FLOOD IMPROVEMENTS PROJECT; AND B) THE BOARD PRESIDENT TO EXECUTE ON BEHALF OF THE COUNTY THE EASEMENT DEEDS AND ACCEPT A QUITCLAIM DEED FROM THE CITY OF SAN MATEO AS PROVIDED IN THE AGREEMENT; AND C) THE COUNTY MANAGER, OR HIS DESIGNEE, TO EXECUTE ESCROW INSTRUCTIONS, NOTICES, CONSENTS, APPROVALS, AND ANY OTHER DOCUMENTS IN CONNECTION WITH THE AGREEMENT AND RELATED CONVEYANCES

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

WHEREAS, the City of San Mateo ("City") is undertaking a project referred to as the "North Shoreview Flood Improvements Project" ("Project") that involves the construction, expansion, and replacement of infrastructure and flood protection improvements, the purpose of which is to remove portions of the North Shoreview neighborhood in the City and adjacent areas in the City of Burlingame from the Special Flood Hazard Area on the affected Flood Insurance Rate Map for San Mateo County and thereby protect the public and property from flood damage and produce flood insurance savings for the affected property owners; and

WHEREAS, the City's Project consists of rehabilitation work to improve the City's stormwater pumping capacity, deemed insufficient by FEMA, at the Coyote Point

and Poplar Avenue pump stations as well as the construction of improvements to the adjacent levee and Bay Trail over certain County-owned property that comprises the Coyote Point Recreation Area (“Property”); and

WHEREAS, the County desires to support the Project by conveying temporary and permanent easements (“Easements”) over the Property to the City for the location of certain construction activities and permanent facilities in connection with the Project and accepting the quitclaim by the City of an existing but no longer adequate easement (“Quitclaim”) supporting the Coyote Point pump station; and

WHEREAS, the Board finds the conveyance of the Easements to the City is in the public interest and the Easements will not substantially conflict or interfere with the County’s use or operation of Coyote Point Recreation Area; and

WHEREAS, the City is responsible for the requisite environmental approvals and permits from the Regional Water Quality Control Board, California Fish & Wildlife, the US Army Corp of Engineers, and Bay Conservation Development Commission; and

WHEREAS, the County shall not assume any liability for the Project, and the City agrees to inspect, maintain, operate, and repair the levees, including all bike and pedestrian trails running on or across the levees, and pump stations in accordance with applicable federal, state, and local standards, and rules, requirements, and policies; and

WHEREAS, there has been presented to this Board for its consideration the Agreement between the City of San Mateo and County of San Mateo for the Conveyance and Acquisition of Permanent Easements and Temporary Construction Easements (“Agreement”) that provides for the conveyance by the County to the City of

the Easements in support of the Project, attaches forms of easement deeds for the associated permanent and temporary construction easements (“Deeds”), and specifies the quitclaim by the City of the existing but inadequate easement at Coyote Point Recreation Area (“Quitclaim”); and

WHEREAS, this Board has considered the Agreement and desires to enter into it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of this Board of Supervisors be, and is hereby, authorized and directed to execute the Agreement, accept the Quitclaim for and on behalf of the County of San Mateo, and execute the Deeds substantially of the form attached to the Agreement with any non-substantive additions, clarifications, and other changes, reviewed and approved by County Counsel, that are necessary to effectuate the intent of this Resolution, and the Clerk of this Board shall attest the President’s signature thereto.

IT IS FURTHER DETERMINED AND ORDERED that the County Manager, or his designee, be, and is hereby, authorized to execute on behalf of the County any and all escrow instructions, notices, consents, approvals, and any other documents in connection with the Agreement and related conveyances.

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