



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY MANAGER

File #: 21-570

Board Meeting Date: 7/13/2021

Special Notice / Hearing: Public Hearing
Required

Vote Required: 4/5

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Manager
John C. Beiers, County Counsel

Subject: Adoption of a Resolution of Necessity for acquisition of four easements upon the parcel at 2710 Middlefield Road in North Fair Oaks

RECOMMENDATION:

Conduct a public hearing on a Resolution of Necessity to acquire easements by eminent domain for an affordable housing project at 2700 Middlefield Road:

- A) Open public hearing
- B) Close Public hearing
- C) Adopt a Resolution of Necessity declaring that the acquisition of three permanent easements and one temporary construction easement burdening a portion of the real property located at 2710 Middlefield Road, unincorporated Redwood City, California, Assessor Parcel Number 054-113-130, by eminent domain, is necessary to construct an affordable housing project at 2700 Middlefield Road.

BACKGROUND:

The Middlefield Junction Project is a 179-unit, 100% affordable development proposed to be located in the North Fair Oaks community of San Mateo County. The three-acre site is located behind the Fair Oaks Health Clinic at 2710 Middlefield Road, and will include housing for families, a 10,000-square foot childcare center, and a 3,500 square foot public community space. The 179 units of one, two and three bedrooms will be restricted to households between 30% to 80% of Area Median Income, and 15% to 20% of units will be set aside for persons experiencing homelessness. The development offers enormous potential to improve the housing and amenity needs of the North Fair Oaks Community's existing residents, as well as expand the supply of much-needed affordable housing in the Bay Area.

The parcel on which the project is proposed is already served by a 24-foot-wide access and emergency vehicle easement across the 2710 Middlefield property. The project as designed also requires a new access easement along the easterly property boundary, between the preexisting 24-foot access easement and the east property line, for pedestrian and bicycle access to the project site. The area covers a total of 5,807 square feet and is needed to accommodate that pedestrian and bicycle access between Middlefield Road and the proposed Middlefield Junction development project.

The proposed water line easement consists of 8,423 square feet across a portion of the existing 24-foot wide access easement and will be a subsurface area to accommodate a new water line for the housing project.

The proposed garden easement is located at the northeast corner of the subject property, within a 1,518 square foot area that is currently used for landscaping. The area is being sought for conversion into a permanent community garden for use of the residents of the proposed housing project.

Finally, the temporary construction easement (TCE) covers a total of 4,367 square feet and is located on the easterly portion of the property, on the west side of the proposed water line easement. The duration of the TCE is anticipated to be six months. The TCE is needed to facilitate the construction of the utilities and access pathways for the proposed housing project.

DISCUSSION:

The County Manager and County Counsel recommend adoption of a Resolution of Necessity that authorizes and directs the Office of the County Counsel to file and, if possible, resolve an action in eminent domain to permit this important public project to proceed in a timely fashion. This resolution is a legal formality that must occur in order for the County to have the right to proceed with eminent domain if a voluntary transaction cannot be finalized and consummated in time for the Project to proceed.

The owner of the property has been notified of the County's intention to bring this Resolution of Necessity before the Board for approval, and the parties have been in ongoing discussions regarding an amicable and voluntary transaction to acquire the easement interests. Those discussions will continue. However, adoption of the Resolution of Necessity is nonetheless necessary because it will establish the scope of the County's intentions to acquire the property and will provide an appropriate vehicle for the resolution of any unresolved disputes as to the appropriate value to be paid to the owner for the easement rights.

The attachments to the resolution describe the location of the easements to be acquired.

FISCAL IMPACT:

The acquisition of the easements is projected to cost \$705,891.