



County of San Mateo

Inter-Departmental Correspondence

Department: COUNTY EXECUTIVE

File #: 23-79

Board Meeting Date: 2/14/2023

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Michael P. Callagy, County Manager

Subject: Amendment to Agreement with the City of San Mateo to reduce temporary easements and expand a perpetual easement near Poplar Avenue Pump Station - Easements required for the City of San Mateo's North Shoreview Flood Improvement Project

RECOMMENDATION:

Adopt a resolution authorizing:

- A) The Board President to execute an amendment to the agreement between the City of San Mateo and County of San Mateo to reduce temporary easements and expand perpetual easements near Poplar Avenue Pump Station, in connection with the City of San Mateo's North Shoreview Flood Improvements Project at Coyote Point Park); and
- B) The County Executive, or designee, to execute escrow instructions, notices, consents, approvals, and any other documents in connection with the amendment to the agreement and related conveyances.

BACKGROUND:

The City of San Mateo is currently in construction of the North Shoreview Flood Improvements Project (Project), consisting of levee improvements and replacement of pump stations, to remove the North Shoreview and North Central neighborhoods from the Federal Emergency Management Agency's (FEMA) special flood hazard zones. The Project is located entirely within Coyote Point Recreation Area, which required the transfer of specific property rights to the City from the County of San Mateo (County) at no cost.

On July 9, 2019, via Resolution No. 76794, the County of San Mateo Board approved the Conveyance and Acquisition of Permanent Easements and Temporary Construction Easements ("Agreement") setting out the conveyances among the parties in support of the North Shoreview Flood Improvement Project. The Real Property Division has assisted the Department of Parks with the preparation of the Perpetual Easements for Levee Improvements and Pump Station Facilities and related Temporary Construction Easements to be transferred to the City for the Project

("Easements"). The Easements are situated in two different locations in Coyote Point Recreation Area: 1) along the promenade to the east of the new Animal Shelter; and 2) at the southeasterly limits of the park past the Marina. The County conveyed the Easements to the City on the terms and conditions set forth in the Agreement, provided the conveyance is in the public interest and the interests in land conveyed will not substantially conflict or interfere with the use of the park property by the County. The Easements set forth critical public uses. The existing Coyote Point pump station easement, the area of which is insufficient to support the Project, was quitclaimed by the City to the County and the County then conveyed a new expanded pump station easement.

Following the approval of the Agreement, a new fire pump station was constructed by the County within the temporary easement near the Poplar Avenue levee improvement site. In January 2021, the County authorized the City of San Mateo to reroute the levee easement around the new fire pump station to avoid major delays on the Project while resurveying and revisions of plats and descriptions occurred.

The formal Amendment to the Agreement including revised and resurveyed plats and descriptions to account for the new pump station and include the expanded area is proposed. The Poplar Avenue levee segment in this area contains utility assets for the County, the amendment for the permanent easement agreement includes additional language that the County will seek authorization from the City prior to any work that can affect the integrity of the levee.

DISCUSSION:

The City of San Mateo and County of San Mateo agree to amend the Agreement to reduce temporary easements and expand perpetual easements near the Poplar Avenue Pump Station at no fee due to a new fire pump station.

FISCAL IMPACT:

There is no impact directly associated with the Amendment. After completion of the Project, the City of San Mateo will assume additional responsibility for the ongoing maintenance of the easements.