

COUNTY OF SAN MATEO

6

Inter-Departmental Correspondence

Date: April 25, 2001

Board Meeting Date: May 8, 2001

TO: Honorable Board of Supervisors
FROM: Neil R. Cullen, Director of Public Works
SUBJECT: **Transfer of County-Owned Property to the East Palo Alto County Waterworks District (4/5ths Vote Required)**

RECOMMENDATION

1. Adopt a resolution determining that the property at the intersection of Gloria Way and Bay Road in East Palo Alto that was acquired for County road purposes, is no longer necessary for County road purposes and authorizing execution of a Deed and the transfer of funds for the conveyance of title of said County-owned real property to the East Palo Alto County Waterworks District (District)
2. Approve an Appropriation Transfer Request (ATR) in the amount of \$200,000 transferring an appropriation from Operating Expenses to Acquisition Cost of Land in the East Palo Alto County Waterworks District Fund and approving \$200,000 in unanticipated revenue in the Road Fund

Previous Board Action

1. Purchased the property at the intersection of Gloria Way and Bay Road with County Road funds, as the property was needed for the improvement of Bay Road.
2. Authorized the construction of a well on the subject property for the benefit of the District
3. Authorized the dissolution of the District with the assets to be transferred to the Cities of East Palo Alto and Menlo Park.

Key Facts

1. The property at the intersection of Bay Road and Gloria Way is not needed for County road purposes.
2. Transfer of title to the subject property to the District will clarify that both the well and property are District assets.
3. Section 25365 of the California Government Code provides that a transfer of title of a piece of property between agencies may be approved by a resolution adopted by at least a 4/5ths vote of the governing body when the governing body of both public entities are the same board.

Honorable Board of Supervisors

**Subject: Transfer of County-Owned Property to the East Palo Alto County
Waterworks District (4/5ths Vote Required)**

April 25, 2001

Board Meeting Date: May 8, 2001

Page 2

- 4 Section 960 of the California Streets and Highways Code provides that property acquired with Road Funds may be sold or transferred with the revenue for such sale or transfer deposited to the credit of any fund available for highway purposes (i.e. the Road Fund).

Discussion

The property at the intersection of Gloria Way and Bay Road identified as Assessor's Parcel Number 063-102-390 was acquired in 1979, as it was needed for the improvement of Bay Road. The property remained as County owned property and a well was constructed as a secondary source of water for the District. However, the District did not acquire the property from the County. Your Board has approved the dissolution of the District with the assets to be transferred to the Cities of Menlo Park and East Palo Alto as provided by the applicable statutes that govern the dissolution of special districts that serve areas in more than one city.

Your Board will no longer be the governing board of the District, and we believe that transferring title to the property at this time clarifies that both the well, and property on which the well is located, is an asset of the District that will also be transferred to the City when the dissolution of the District is complete.

Fiscal Impact

The Real Property Division had an independent appraiser evaluate the property and he has appraised the current market value at \$200,000. We are recommending that funds in the amount of \$200,000 be transferred from the District to the Road Fund upon transfer of title as provided by Section 960 of the Streets and Highways Code.

A form of resolution, deed and ATR has been approved by County Counsel.

There is no impact to the General Fund



Neil R. Cullen
Director of Public Works

NRC:DJV:sdd

F:\USERS\ADMIN\P&S\EPA\CD\BOARDSUP\2001\EPA Water Transfer Well Site Revision.doc

cc. Paul Scannell, Assistant County Manager
Brian C Lee, P.E., Division Manager, Programs and Engineering Services

Resolution No. _____

Board of Supervisors, County of San Mateo, State of California

* * * * *

Resolution Determining that the Property at the Intersection of Gloria Way and Bay Road in East Palo Alto that was Acquired for County Road Purposes, is No Longer Necessary for County Road Purposes and Authorizing Execution of a Deed and the Transfer of Funds for the Conveyance of Title of said County-Owned Real Property to the East Palo Alto County Waterworks District

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

WHEREAS, this Board is the governing board of the East Palo Alto Waterworks District, a special district formed pursuant to Section 55000 et. seq of the State of California Water Code; and

WHEREAS, the County acquired the property at the corner of Gloria Way and Bay Road more particularly described as Assessor's Parcel Number 063-102-390, with Road Funds in conjunction with the improvement of Bay Road; and

WHEREAS, this Board acting as the governing board of East Palo Alto Waterworks District authorized the construction of a well and ancillary facilities on said property for the benefit of said District, and

WHEREAS, Section 25365 of the California Government Code provides that a transfer of title of a piece of property between agencies may be approved by a resolution adopted by at least a 4/5ths vote of the governing body when the governing body of both public entities are the same board, and

WHEREAS, Section 960 of the California Streets and Highways Code provides that property acquired with Road funds may be sold or transferred with the revenue for such sale or transfer deposited to the credit of any fund available for highway purposes, and

WHEREAS, transferring said property to the District would clarify that both the well and property are District assets; and

WHEREAS, said property is no longer needed for County road purposes;

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1) the property at the corner of Gloria Way and Bay Road and more particularly described as Assessor's Parcel Number 063-102-390, which was acquired in conjunction with the improvement of Bay Road is no longer needed for County Road purposes;

2) the President of this Board is authorized and directed to execute a Grant Deed to East Palo Alto Waterworks District conveying title to said County owned real property identified as Assessor's Parcel Number 063-102-390; and the signature of the Clerk of this Board shall attest thereto.

* * * * *