



# CITY OF SAN MATEO

City Hall  
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## Agenda Report

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Agenda Number: 15

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**TO:** City Council  
**FROM:** Drew Corbett, City Manager  
**PREPARED BY:** Public Works Department  
**MEETING DATE:** June 07, 2021

**SUBJECT:**  
Sale of City-Owned Real Property Adjacent to Private Property and Abutting the Marina Lagoon

### RECOMMENDATION:

Adopt a Resolution to authorize the sale of real property adjacent to private property on Los Prados Street and Lago Street, finding that the real property transfers serve the public convenience and necessity, and authorize the execution of a grant deed for the City-owned portion of Lot 16, Block 1 of the Los Prados Segundos Subdivision and a grant deed for the City-owned portion of Lot 17, Block 1 of the Los Prados Primeros Subdivision, by the Mayor in substantially the form presented.

### BACKGROUND:

On April 18, 1966, the City Council approved Resolution 1966-35 (Attachment 4) to deed the City-owned, adjacent portions of Lot 16, Block 1 in the Los Prados Segundos Subdivision ("Lot 16") and Lot 17, Block 1 in the Los Prados Primeros Subdivision ("Lot 17"), to the specific 1966 property owners listed in the Resolution. Resolution 1966-35 was created to win the support of the abutting property owners for the assessment to improve the Marina Lagoon in the mid-1960s. Most of the grantees recorded their deeds to own the adjacent portions of Lot 16 and 17 in fee. However, several property owners, including the 1966 property owners of Lot 10, Block 1 of the Los Prados Segundos Subdivision ("Lot 10") and Lot 11, Block 1 of the Los Prados Primeros Subdivision ("Lot 11") did not record their deeds from the City.

The current property owners of Lot 10, Tyson Y. Shimomi and Bonnie S. Tai, requested an opportunity to acquire the portion of Lot 16 adjacent to their property and the current property owners of Lot 11, Chau-Chad Tsai and Wei-Hung Li requested an opportunity to acquire the portion of Lot 17 adjacent to their property. Resolution 1966-35 executed deeds with the people who owned the property in 1966 and does not authorize execution of modified deeds with the current property owners. Accordingly, new deeds are required if the title transfer is to be completed.

The new deeds (Attachment 1, Exhibit A and Exhibit C) duplicate the language, reservations, and conditions of the 1966 deeds. Moreover, the new deeds maintain the easement reservations for emergency vehicle access and placement of dredge anchors. The conditions of the new deeds allow only perpendicular fencing, as approved by the appropriate City-issued permits, and landscaping improvements. If at any time the City sees the reservations or conditions to be no longer applicable, City staff shall present a new resolution to City Council to abandon the reservations or conditions for all affected property owners.

Municipal Code 3.62.040(b) authorizes the sale of real property with the approval and adoption of a resolution by the City Council, and upon findings that the sale would serve the public convenience and necessity. The subject portions of Lot 16 and 17 are between private property and the Marina Lagoon and are inaccessible from the street. The size of the subject portion of Lot 16 is approximately 1,332 square feet. The size of the subject portion of Lot 17 is approximately 1,602 square feet. Due to the incapability of independent development and the original intent to deed Lot 16 and 17 to the

adjacent property owners in 1966, the real property serves little value to the City.

Municipal Code 3.62.050(b) and 3.60 requires bids for the sale of real property within the awarding authority of City Council, except as exempted by Municipal 3.60.050. Municipal Code 3.60.050(b), which provides that competitive bidding is not required if bids would be impracticable. Due to the use limitations and location of Lot 16 and Lot 17, and the original intent to deed the properties as outlined in Resolution 1966-35, staff does not recommend going through the bid process, obtaining an appraisal of the property, or publication in a daily newspaper. The City is proposing to sell the portion of Lot 16 and Lot 17 in an amount equal to costs required to recuperate staff and mapping consultant review time. To recuperate review time, the property owners have contributed deposits to mapping project accounts. The property owners shall pay off any outstanding balances of the mapping project accounts prior to recordation of the grant deeds. Tyson Y. Shimomi and Bonnie S. Tai and Chau-Chad Tsai and Wei-Hung Li have obtained legal descriptions and plats (Attachment 1, Exhibit B and Exhibit D) of the real property prepared by a licensed surveyor at their own cost. The City's mapping consultant has reviewed the legal descriptions and plats to be technically correct.

Therefore, staff recommends that the City Council adopt a new Resolution finding that the transfer of the real property serves the public interest and convenience by releasing the City of maintenance responsibility and granting the land as intended per Resolution 1966-35. This action will authorize the execution of two grant deeds: one to Tyson Y. Shimomi and Bonnie S. Tai and the other to Chau-Chad Tsai and Wei-Hung Li.

**BUDGET IMPACT:**

To recuperate costs associated with review of the plat and legal descriptions and associated materials, the project applicants provided funds for mapping project accounts.

**ENVIRONMENTAL DETERMINATION:**

In accordance with CEQA Guidelines Section 15312, this project is categorically exempt from CEQA as a sale of surplus government property, because the real property is not needed for City purposes and was offered for dedication to the previous adjacent property owner.

**NOTICE PROVIDED**

All meeting noticing requirements were met.

**ATTACHMENTS**

- Att 1 – Proposed Resolution with Exhibits
- Att 2 – Los Prados Segundos Subdivision Map
- Att 3 – Los Prados Primeros Subdivision Map
- Att 4 – Resolution 1966-35
- Att 5 – Sample of 1966 Grant Deed

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