


CITY COUNCIL ACTION REQUEST

Department(s): Office of Economic Development	CEQA: Determination of Consistency with the FMC/Colman Avenue PD Rezoning Final EIR (File No. PDC98-104, Resolution No. 71716) and Addenda thereto	Coordination: Public Works Department, City Attorney's Office	Dept. Approval: /s/ Kim Walesh
Council District(s): 3			CMO Approval:  12-6-18

SUBJECT: UTILITY EASEMENT BETWEEN THE CITY OF SAN JOSE AND SAN JOSE WATER COMPANY

RECOMMENDATION:

Adopt a resolution authorizing the City Manager or his designee to:

1. Negotiate and execute an easement agreement with the San Jose Water Company for water facilities installation to support the construction of the Coleman Highline Project, a LEED Gold project located in San José.
2. Negotiate and execute all other documents and take further actions as are necessary to complete these transactions.

BASIS FOR RECOMMENDATION:

The project is located near the Avaya Soccer Stadium on Coleman Avenue, Assessor's Parcel Number 230-46-062 (Property). It includes two new office buildings that total 350,000 square feet of leasing space. The site work includes surface parking to support the new buildings, which includes infrastructure to support those buildings. Part of the public/private improvements requires granting a water line easement over approximately 8,228 square feet to the San Jose Water Company (SJWC) over the Property to allow SJWC to install new water service lines, which would connect from Coleman Avenue into the site and provide necessary water services for building and fire protection uses.

The project is currently completing core and shell improvements for each building and needs water services to be installed in order to commission and close-out the core and shell improvements and allow for tenant improvements to proceed. The cost of preparation of the engineering plans, trenching and installation of the appropriate pipes, connections, and other equipment required for water service to the projects will be paid by the Developer.

The easement area will ultimately become part of the dedicated right of way when the new streets are completed and dedicated to the City, at which time, SJWC would have the ability to maintain its facilities within the public right of way. Staff considers the proposed easement essential for completing the proposed project and does not believe granting the proposed easement rights to SJWC will adversely affect the design or operations of future projects.

COST AND FUNDING SOURCE:

There are no additional costs to the City as a result of approving this recommendation.

FOR QUESTIONS CONTACT: Nanci Klein, Assistant Director of Economic Development, at (408) 535-8184