

RESOLUTION NO.

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL THE DOCUMENTS NECESSARY FOR A PERMANENT WATER EASEMENT AGREEMENT WITH THE SAN JOSE WATER COMPANY FOR WATER FACILITIES INSTALLATION TO SUPPORT THE CONSTRUCTION OF THE COLEMAN HIGHLINE PROJECT

WHEREAS, the City of San José's ("City") Coleman Highline development project ("Project"), adjacent to the Avaya Soccer Stadium on Coleman Avenue, includes public and private improvements that require granting a permanent easement ("Easement") to the San José Water Company ("SJWC") over certain real property described and depicted in Exhibits A, B, C, and D in the memorandum to City Council from Kim Walesh, Director of Economic Development; and

WHEREAS, the Easement will allow SJWC to install new water service lines on Aviation Avenue, Champions Drive, and Champions Way, which will provide and maintain necessary water services for building and fire protection uses; and

WHEREAS, a portion of the Easement will ultimately become a public right of way when the new streets are completed, and the other portion will become a private street once the new street is completed and transferred to the developer; and

WHEREAS, staff considers the proposed Easement essential for completing the Project and does not believe that granting the proposed easement rights to SJWC will adversely affect the design or operations of future projects; and

WHEREAS, the City desires to execute all required documents for a permanent water easement agreement with SJWC to support the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager or his designee is hereby authorized to execute all the documents necessary for a permanent water easement agreement with the San Jose Water Company for water facilities installation to support the construction of the Coleman Highline Project.

ADOPTED this _____ day of _____, 2020, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk