



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Katy Allen

SUBJECT: SEE BELOW

DATE: 04-07-04

Approved

Date

Council District: Citywide

SUBJECT: GRANT OF EASEMENT TO THE CITY OF SANTA CLARA FOR AN INTERCONNECTION OF WATER SYSTEMS

RECOMMENDATION

Approval of an agreement for donation of an easement on and under 357 square feet of City of San José-owned property at the intersection of Brokaw Road and Martin Avenue to the City of Santa Clara to allow for placement of a pipeline to connect water systems owned by the San José Water Company and the City of Santa Clara and authorization for the Director of Public Works to execute any additional documents necessary to complete the transfer.

CEQA: Resolution Nos. 67380 and 71451, PP04-03-103.

BACKGROUND

The City of Santa Clara and the San José Water Company are engaged in the supply of water in the contiguous service area adjacent to Norman Y. Mineta San José International Airport. The San José Jet Center utilizes water provided by the San José Water Company.

Currently, the Jet Center is expanding its operations and constructing a new building at the Airport. In the process of planning for this construction, the San José Fire Department informed the Jet Center that its current supply of water needed to be enhanced because it is at the end of the San José Water Company's waterline and its existing supply could be endangered in the event of an emergency. As a result, staff for the City of Santa Clara, the Jet Center and the San José Water Company have negotiated an agreement permitting the connection of the water systems.

The connection between the San José Water Company and Santa Clara water systems would require placement of pipeline on City of San José-owned property at the intersection of Brokaw Road and Martin Avenue. The City of Santa Clara and the Jet Center have thus requested that the City of San José provide it with a 357 square foot easement for placement of a water pipeline

on this unimproved land, which is located on the periphery of Norman Y. Mineta San José International Airport.

In addition to the benefits to the Jet Center, the City of San José and the City of Santa Clara believe it is prudent to have an interconnection of the water systems that service their respective districts so that water can be supplied by either the City of Santa Clara or the San José Water Company to the other jurisdiction, on a limited basis, in the event of an emergency or disaster situation.

Construction of the building at the Jet Center has been underway since fall of 2003 and will be finalized upon consummation of this easement transfer.

ANALYSIS

The rights conveyed by the City of San José to the City of Santa Clara consist of a non-exclusive easement to place underground water lines on the City property together with surface rights to access those lines. The transaction involves no compensation other than the mutual benefits resulting from the improvement of the water supply system in both cities.

The developer of the San José Jet Center will assume the actual construction costs of the pipeline, estimated to be \$66,000. Though the City will not receive compensation for its donation of property rights to the City of Santa Clara, the City will receive public benefits equal to or greater than the value of the easement by the interconnection of the water systems.

The design of the water interconnection systems shall be subject to approval by the Cities of Santa Clara, San José as well as the Jet Center and the San José Water Company.

PUBLIC OUTREACH

Not applicable.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office, the City Manager's Budget Office, the Norman Y. Mineta San José International Airport and the Department of Planning, Building and Code Enforcement.

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COST IMPLICATIONS

The only cost associated with this water interconnection system easement is staff time, which is estimated at \$4,200 and charged to the Airport Capital Program.

CEQA

Resolution Nos. 67380 and 71451, PP04-03-103.

KATY ALLEN
Director, Public Works Department

MK:hla
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Attachment