

RESOLUTION NO. 73299

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING AN AGREEMENT WITH THE SANTA CLARA VALLEY TRANSPORTATION AGENCY FOR THE TRANSFER OF CERTAIN PROPERTY INTERESTS IN CONNECTION WITH THE TASMAN AND CAPITOL LIGHT RAIL PROJECTS AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL DOCUMENTS NECESSARY TO TRANSFER SUCH PROPERTY INTERESTS

WHEREAS, through the 1996 Measure B Transit Improvement Program, VTA has constructed light rail and roadway improvements in the City of San José as part of the Tasman East and Capitol Light Rail Transit Projects, referred to herein as “PROJECTS”

WHEREAS, CITY and VTA entered into those certain agreements entitled: “Cooperative Agreement between the City of San Jose and the Santa Clara Valley Transportation Authority for the Tasman East Light Rail Transit Project” (approved by CITY on April 29th, 2003 and dated May 19th, 2003), and “Cooperative Agreement between the Santa Clara Valley Transportation Authority and the City of San Jose for Light Rail Transit System Operation and Maintenance in the City of San Jose” (approved by CITY on April 6, 2004, and dated August 24, 2004).

WHEREAS, in order to construct improvements associated with the PROJECTS that typically fall within the ownership, operations and maintenance responsibility of the CITY, it was necessary for VTA to acquire rights-of-way, easements, or fee title from private property owners (herein referred to as “PROPERTIES”), as shown on **Exhibit B** hereto.

WHEREAS, most of the PROPERTIES acquired were used for roadway widening and the construction of facilities and infrastructure that fall within the operation and maintenance responsibility of CITY.

WHEREAS, VTA and CITY desire that PROPERTIES acquired by VTA and those improvements upon PROPERTIES acquired by VTA for the PROJECTS be transferred from VTA to CITY, at no cost to CITY.

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

The agreement entitled “Cooperation Agreement between the City of San Jose and the Santa Clara Valley Transportation Authority for the Transfer of Properties associated with the Tasman East and Capitol Light Rail Projects” is approved, and the Director of Public Works is authorized to execute all deed acceptances and all documents necessary to complete these transactions.

ADOPTED this 27th day of June, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE,
NGUYEN, PYLE, REED, WILLIAMS, YEAGER;
GONZALES

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk