

RESOLUTION NO. 74360

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AGREEMENTS WITH THE SANTA CLARA COUNTY OPEN SPACE AUTHORITY AND PACIFIC GAS & ELECTRIC COMPANY RELATING TO THE GARY ALBERTSON PARKWAY TRAIL

WHEREAS, in 1987 the City of San José (“City”) installed a concrete paved path and other improvements on Gary Albertson Parkway in south San José near the Santa Teresa Foothills, which property is owned by Pacific Gas & Electric Company (“PG&E”) and use authorized under an easement agreement with City; and

WHEREAS, the City desires to improve Gary Albertson Parkway, to include reconstruction of the paved trail, installation of irrigation, landscaping, drainage swales and other miscellaneous improvements (“Project”); and

WHEREAS, the City desires to enter into a grant agreement with the Santa Clara County Open Space Authority (“Authority”), under which the Authority will provide a grant amount of up to \$400,000 to be used for the Project; and

WHEREAS, the City also desires to enter into an addendum to the easement agreement or a revised easement agreement with PG&E for use of the property, which will outline all planned improvements, including irrigation and landscaping improvements, and include specific conditions for access and maintenance; and

WHEREAS, the City desires to negotiate and execute the grant agreement with the Authority and the easement agreement with PG&E; and

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

The City Manager is hereby authorized to negotiate and execute the following:

1. A grant agreement with the Santa Clara County Open Space Authority for a grant to the City in an amount not to exceed \$400,000 to supplement existing City funds for the construction of improvements to Gary Albertson Parkway Trail.
2. An easement with Pacific Gas & Electric Company that will permit development of the planned improvements and recreational use on Gary Albertson Parkway Trail.

ADOPTED this 13th day of May, 2008, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, CORTESE,
LICCARDO, NGUYEN, OLIVERIO, PYLE, WILLIAMS,
REED

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk