



Santa Clara Valley Water District

File No.: 20-0173

Agenda Date: 5/12/2020

Item No.: 3.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Adopt a Resolution Authorizing Conveyance of Real Property Rights to San Jose Water Company at APN No. 404-07-033, Real Estate File No. 9417-2.1 (Campbell) (District 4).

RECOMMENDATION:

- A. Adopt the Resolution AUTHORIZING CONVEYANCE OF REAL PROPERTY RIGHTS TO THE SAN JOSE WATER COMPANY; and
- B. Authorize the Chief Executive Officer to execute the Quitclaim Deed Agreement, Real Estate File No. 9417-2.1.

SUMMARY:

The San Jose Water Company (SJWC) has requested that the Santa Clara Valley Water District (Valley Water) quitclaim an existing pipeline easement located over SJWC property (APN: 404-07-033), as they will retire their operation at this site and likely will sell the property in the future.

In 1996 Valley Water acquired this easement at no cost from the SJWC for the construction of a pipeline to supply water for the San Tomas Injection Facility Project; however, the supply line for the San Tomas Injection Facility was ultimately constructed to the north and this easement was never used. As such SJWC has requested Valley Water to vacate this pipeline easement. Staff determined there is no existing or future need for the easement and recommends that the Board approve the quitclaim of real property rights by adopting the Resolution (Attachment 2) and authorize the Chief Executive Officer (CEO) to execute the Quitclaim Deed Agreement (Attachment 3).

This item is presented to the Board in accordance with the District Act, Section 31 which provides that the Board of Directors may reconvey real property to the former owner by whom the property was conveyed, or his or her successor in interest for less than fair market value if the District finds that a public purpose exists justifying that reconveyance for less than fair market value. The District Act also requires that the Board, prior to disposition of a property right, determine the property right is no longer necessary to be retained for District purposes. Staff recommends that the Board find that the easement is not required for any other District purpose because the supply line for the San Tomas Injection Facility was ultimately constructed to the north and this pipeline easement was never used. District staff also recommends that the Board find that the Property be sold to the property

owner at the cost of \$1.00, in part, because the easement was originally granted to the District without cost, and because the reconveyance of the easement results in some public cost savings benefits to the District.

FINANCIAL IMPACT:

SJWC will pay for the cost of Valley Water's staff time to prepare and process this transaction.

CEQA:

This project qualifies for a Categorical Exemption under CEQA Guidelines 15305 Minor Alterations in Land Use Limitations. The project would strictly consist of the quitclaim of the pipeline easement. Valley Water staff determined there is no existing or future need for the easement. The project would not result in any changes in land use or density.

ATTACHMENTS:

- Attachment 1: Location Map
- Attachment 2: Resolution
- Attachment 3: Quitclaim Deed Agreement

UNCLASSIFIED MANAGER:

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