



Santa Clara Valley Water District

File No.: 18-1054

Agenda Date: 1/8/2019

Item No.: 3.4.

BOARD AGENDA MEMORANDUM

SUBJECT:

Resolution Authorizing Conveyance of Real Property Interests for the Harriet Avenue Sidewalk Improvements, at Assessor Parcel Nos. 403-53-105, 403-53-107, and 403-53-108, near San Tomas Aquino Creek, to the City of Campbell, Real Estate File No. 2019-101.3 (Campbell) (District 4).

RECOMMENDATION:

- A. Adopt the Resolution AUTHORIZING CONVEYANCE OF REAL PROPERTY INTERESTS TO THE CITY OF CAMPBELL; and
- B. Authorize the Chief Executive Officer to execute the Quitclaim Deed, Real Estate File No. 2019-101.3.

SUMMARY:

The City of Campbell (City) initiated a project to construct minor sidewalk improvements along Harriet Avenue as it crosses San Tomas Aquino Creek within Santa Clara Valley Water District (District) fee title right of way shown on Attachment 1. According to a cost share agreement executed in 1972 between the City and the District wherein the parties agreed that permanent land rights necessary to provide the City with ownership of the Harriet Avenue crossing and to operate and maintain the same would be granted to the City at no cost. In September 2016, the District quitclaimed fee title property with an easement reservation after it was determined that the transfer of right of way for Harriet Avenue, as agreed to in the 1972 agreement, had never been completed. In 2016 the intention was to transfer sufficient right of way to the City for Harriet Avenue, including sidewalks. The City is in the process of designing and constructing minor sidewalk improvements and it has been found that the right of way transferred in 2016 did not include sufficient right of way to cover the sidewalks as was originally intended. To rectify this, the City has requested the transfer of the additional right of way to meet the intent of the 2016 transaction and 1972 cost share agreement.

This item is presented to the Board in accordance with the District Act, Section 31 which states that the Board may by a majority vote sell, lease or otherwise transfer to any city, any real property or interest therein belonging to the District upon the terms and conditions that are agreed upon.

The District possesses fee title rights and would quitclaim fee title rights at no cost to the City for the public street improvements in accordance with the 1972 agreement. The Quitclaim Deed (Attachment 3) reserves easement rights to the District for water management and storm drainage purposes, which will allow us to continue to operate and manage San Tomas Aquino Creek.

FINANCIAL IMPACT:

Staff labor costs to process the conveyance of property interests are available in the Watersheds Asset Protection Support Project 62011002.

CEQA:

This project qualifies for an exemption under CEQA Guidelines 15301 Existing Facilities, 15303 New Construction or Conversion of Small Structures, and 15304 Minor Alterations to Land. The proposed project would not result in adverse impacts to the environment. No adverse physical disturbance would occur during project construction.

ATTACHMENTS:

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

UNCLASSIFIED MANAGER:

Melanie Richardson, 408-630-2035