

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
APPROVING PURCHASES OF OVERHEAD ELECTRIC
EASEMENTS**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, the City of Santa Clara, a chartered city and municipal corporation acting by and through its municipally owned utility, Silicon Valley Power (“City” or “SVP”) is constructing approximately 0.6 miles of new single circuit 60 Kilovolt overhead transmission lines within the eastern area of the City of Santa Clara for the Memorex Junction Transmission Line Extension Project (“Project”). One of the objectives of the Project is to provide service to the new Memorex Junction Substation for the Memorex Data Center project and other potential datacenter or industrial developments within the vicinity;

WHEREAS, the Project will involve the placement of multiple new monopole steel structures and result in either the expansion of existing electric overhead and wire clearance easements or the acquisition of new easements;

WHEREAS, the Project was analyzed in accordance with the requirements of the California Environmental Quality Act (CEQA). This Project was analyzed in the Final Environmental Impact Report for the Memorex Data Center Project, which was adopted by Council on November 9, 2021, by Resolution No. 21-9017; and

WHEREAS, on June 8, 2021, and December 14, 2021, City Council provided authority in closed session to negotiate Easements with owners of certain parcels required to construct the Project and the City has reached agreements with the 3 property owners to purchase easements necessary for the Project, upon the terms set forth below.

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NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the purchase of the easements from the following 3 property owners for the negotiated purchase prices are approved.

| Address | Grantors | APN | Purchase Price |
|--------------------|-------------------------------|------------|----------------|
| 2380 Lafayette St | Dinapoli Family L. P. | 224-63-020 | \$28,290 |
| 1045 Shulman Ave | Berto Development | 224-63-006 | \$20,000 |
| 2206 Lafayette St. | Panis, Felix A and Remelita S | 224-67-042 | \$25,000 |

2. That the City Manager, or his duly authorized designee, is hereby authorized and directed to execute a Purchase and Sale Agreement (Utility Easement) with each of the forgoing Grantors, in a form substantially the same as the form(s) of Purchase and Sale Agreement (Utility Easement) attached hereto as Exhibits A, B and C.

3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 2022, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: _____
NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Report to Council #22-837
2. Agreement for Purchase and Sale – 2380 Lafayette Street [APN 224-63-020]
3. Agreement for Purchase and Sale – 1045 Shulman Avenue [APN 224-63-006]
4. Agreement for Purchase and Sale – 2206 Lafayette Street [APN 224-67-042]