

Castro St.
Cost Share Agmt
456

June 20, 1967

Mrs. Jean Hixson
City Clerk
City of Mountain View
540 Castro Street
Mountain View, California

Subject: Agreement with **City of Mountain View**
For **improvement of the Castro-Miramonte**
Street Intersection

Dear **Mrs. Hixson:**

Enclosed you will find (**2**) fully executed copies of
an agreement between the County of Santa Clara and the
party ~~(ies)~~ named above. The Board of Supervisors at
its regularly scheduled meeting on June 19, 1967
approved this agreement on behalf of the County.

The enclosed copies are for your records.

Very truly yours,

JEAN PULLAN, Clerk
of the Board of Supervisors

By _____
Deputy Clerk

JP: 11

Encl. (2 Agreements & 2 certified copies of Resolution)
cc: Public Works

No. 4

RESOLUTION AUTHORIZING EXECUTION OF
AGREEMENT BETWEEN THE CITY OF MOUNTAIN
VIEW AND THE COUNTY OF SANTA CLARA FOR
THE IMPROVEMENT OF THE CASTRO-MIRAMONTE
STREET INTERSECTION

WHEREAS, the County of Santa Clara and the City of Mountain View desire to enter into an agreement for the improvement of the Castro-Miramonte intersection; and

WHEREAS, the Board of Supervisors finds and determines that it is in the best public interest to enter into said agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Santa Clara, State of California, that it enter into said proposed agreement, and that the Chairman of the Board of Supervisors is hereby authorized and directed to execute said agreement on behalf of the County of Santa Clara.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Clara, State of California, on JUN 19 1967

by the following vote:

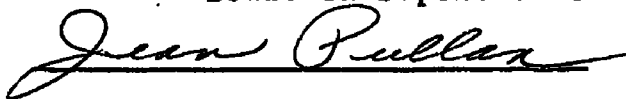
AYES : Supervisors, Della Maggiore Spangler Mehrkens Sanchez Quinn

NOES : Supervisors, None

ABSENT: Supervisors, None


Chairman, Board of Supervisors

ATTEST: JEAN PULLAN, Clerk
Board of Supervisors



APPROVED AS TO FORM:

JOHN R. KENNEDY
County Counsel

By 
Deputy County Counsel

Dated: June 5, 1967

GJT:bc
6/5/67

cc: Public Works (2)

JUN 19 1967

AGREEMENT BETWEEN THE CITY OF MOUNTAIN VIEW AND
THE COUNTY OF SANTA CLARA FOR THE IMPROVEMENT
OF THE CASTRO-MIRAMONTE STREET INTERSECTION

THE FOLLOWING is an agreement between the COUNTY OF SANTA CLARA, a political subdivision of the State of California, hereinafter called "County", and the CITY OF MOUNTAIN VIEW, a municipal corporation of the State of California, hereinafter called "City".

WHEREAS, City and County desire to improve Miramonte Avenue from a point approximately 100 feet northerly of Hans Avenue to Harpster Drive, and Castro Street from Miramonte Avenue to Sonia Way, which improvements are hereinafter referred to as "said project"; and

WHEREAS, said project is within the joint jurisdiction of said City and said County; and

WHEREAS, "A Resolution Granting Consent of the Board of Supervisors of the County of Santa Clara to the City of Mountain View to Acquire and Construct Public Improvements and to Provide that the Costs Thereof Shall Be Assessed Upon a Special District Pursuant to Special Assessment and Assessment Bond Acts for Castro-Miramonte Street Improvements Assessment District" was passed by said Board of Supervisors on February 28, 1966;

NOW, THEREFORE, the County and City agree as follows:

1. Plans and Specifications. City shall prepare plans and specifications for the construction of said project and shall submit one complete set of said plans and specifications to County for review and approval.

2. Acquisition of Right of Way, Award of Contract and Insurance. City shall acquire right of way, award contract and supervise construction to completion, and indemnify County in accordance with the provisions of aforesaid "Resolution Granting Consent of the Board of Supervisors of the County of Santa Clara to the City of Mountain View to Acquire and Construct Public Improvements and to Provide that the Costs Thereof Shall Be Assessed Upon a Special District Pursuant to Special Assessment and Assessment Bond Acts for Castro-Miramonte Street Improvements Assessment District". Said resolution is attached to this agreement as Exhibit "A" and shall become a part hereof.

3. Payment. Upon approval of said plans and specifications by County and upon submission by the City of a statement requesting payment of County's share of said project, County

shall pay to the City the sum of \$80,000.00, which shall constitute County's full share of the total cost of said project including right of way, construction, land acquisition, construction supervision, engineering and any additional expense arising out of or in any way connected with the construction of said project.

4. Termination. In the event that City does not advertise for bids for said project on or before July 1, 1967, this agreement shall terminate upon said date and shall be of no further force or effect and City agrees to return to County any money that County has paid City.

IN WITNESS WHEREOF, City and County have caused this agreement to be executed by their respective officers duly authorized: by County this JUN 19 1967; and by City this _____.

COUNTY OF SANTA CLARA

By *[Signature]*
Chairman
Board of Supervisors

ATTEST: JEAN PULLAN, Clerk
of the Board of Supervisors

Jean Pullan

APPROVED AS TO FORM:

Stanley Thompson
Deputy County Counsel

Date: June 5, 1967

CITY OF MOUNTAIN VIEW, a municipal corporation

By *[Signature]*
John T. O'Halloran
City Manager

ATTEST:

Jean Nixon
CITY CLERK

APPROVED AS TO FORM

[Signature]
CITY ATTORNEY

EXHIBIT A

A RESOLUTION GRANTING CONSENT OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA CLARA TO THE CITY OF MOUNTAIN VIEW TO ACQUIRE AND CONSTRUCT PUBLIC IMPROVEMENTS AND TO PROVIDE THAT THE COSTS THEREOF SHALL BE ASSESSED UPON A SPECIAL DISTRICT PURSUANT TO SPECIAL ASSESSMENT AND ASSESSMENT BOND ACTS

CASTRO-MIRAMONTE STREET IMPROVEMENTS ASSESSMENT DISTRICT
PROJECT AD 63-38

RESOLVED, by the Board of Supervisors of the County of Santa Clara, California, that

WHEREAS, it is the intention of the Council of the City of Mountain View to undertake appropriate special assessment and assessment bond proceedings for the acquisition and construction of public improvements, described as follows:

(a) The acquisition of rights of way to provide a right-of-way width of 90 feet for Miramonte Avenue from a point 100 feet, more or less, northerly of Hans Avenue to Harpster Drive and for Castro Street from Miramonte Avenue to Sonia Way, and the improvement thereof by clearing and grubbing, grading, paving, the construction and installation of Portland cement concrete curbs, gutters and sidewalks, surface and subsurface storm drainage facilities, street lighting facilities, the relocation, replacement and extension of existing sanitary sewers and water mains, and the modification of the existing traffic signal system at Miramonte Avenue and Castro Street.

(b) The doing of all work and the acquisition of all lands and easements auxiliary to any of the above necessary to complete the same.

WHEREAS, the costs and expenses of making said acquisitions and doing said work and the expenses incidental thereto, are to be made chargeable upon the district benefited thereby, the exterior boundaries of which have been declared by said Council to be the coterminous boundaries of the composite and consolidated area shown on the map of said assessment district on file in the office of the City Clerk, to which reference is hereby made for a more detailed description thereof;

WHEREAS, parcels of property proposed to be assessed, and some of the work and improvements are within unincorporated territory in the County of Santa Clara;

WHEREAS, this Board has investigated and has been fully informed as to the nature of said facilities and of the property which will be benefited by the improvement thereof, and is fully advised in the premises;

WHEREAS, there has been filed with this Board a proposed form of Resolution of Preliminary Determination and of Intention to be used in said proceedings;

WHEREAS, the public interest, convenience and necessity will be served by the making of said acquisitions and improvements;

NOW, THEREFORE, IT IS HEREBY FOUND and DETERMINED, that the facilities proposed to be constructed in said proceedings are of such a character that they will directly and peculiarly affect property not only within the boundaries of the City of Mountain View but also unincorporated territory in the County of Santa Clara outside the limits of the City, and the purpose sought to be accomplished can best be accomplished by a single comprehensive scheme of work; and it is necessary and manifestly desirable that said acquisitions and improvements be accomplished under the jurisdiction of the City in order to accomplish said single comprehensive scheme.

IT IS HEREBY RESOLVED, subject to the acceptance of the terms and conditions hereof by said City;

1. That consent be, and the same is hereby, granted to said City to the formation of the assessment district and to the work described in said Resolution of Preliminary Determination and of Intention and the assumption of jurisdiction thereover for the purposes aforesaid, and to acquire and construct said improvements and to levy said assessments upon the property benefited thereby, including property within the unincorporated territory in this County.

2. That consent be, and the same is hereby, granted to said City to acquire and construct said improvements, said work to be done under the direction of the Director of Public Works of said City pursuant to plans and specifications approved by the Director of Public Works of this County and in conformity with good engineering practice.

3. That said Director of Public Works of said City shall require of the contractor that all of the provisions of the specifications approved by the Director of Public Works of this County and said Council be complied with, and that City shall comply with all the terms and conditions of Santa Clara County Ordinance No. NS-701.1 and shall require that all persons, firms or corporations engaged by City to perform said construction work comply with said Ordinance.

4. That the form of the Resolution of Preliminary Determination and of Intention to be adopted by said Council of said City be, and the same is hereby, approved.

5. That City agrees to indemnify and hold harmless the County of Santa Clara, its officers and employees from and against any and all liability, loss, cost or expense of whatsoever character which may accrue to or be sustained by the County of Santa Clara, its officers and employees on account of any damages or injuries to property or persons (including death) arising out of or in any way connected with the construction of the aforesaid work, including but without limitation, any damages or injuries to property or persons (including death) occasioned by the use of improper materials or workmanship or by any act or omission of City or any person, firm or corporation employed in the construction of said work. City further agrees to defend, and pay all costs, attorneys' fees and judgments resulting from any suit or action at law brought against the

County of Santa Clara as a result of or in any way arising out of the construction of said work.

6. That this resolution is hereby expressly conditioned upon and made subject to the agreement by City that it shall require any contractor engaged to perform the work and improvements within the unincorporated area of said proposed assessment district to take out and maintain at all times during the performance of any work to be done within said area, a separate policy or policies of public liability and property damage insurance naming thereon County, its officers and employees, as insureds against liability of any kind whatsoever arising out of or in any way connected with the work and improvements to be performed by, for, or on behalf of, the contractor. Said policy and the limits of liability contained therein shall be subject to the approval of County.

7. That City shall accept the terms and conditions hereof, and that said acceptance shall be indicated by authorized representatives of City affixing their signatures hereto in the space provided.

IT IS FURTHER ORDERED, that the Director of Public Works of the County of Santa Clara be, and he is hereby, authorized and directed to carry out the provisions of this resolution for and on behalf of the County of Santa Clara and that the Clerk of the Board of Supervisors be, and she is hereby, directed to forward to City a certified copy of this resolution for signature as hereinabove stated.

* * * * *

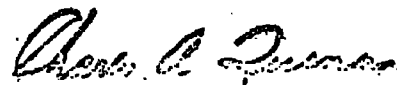
PASSED and ADOPTED by the Board of Supervisors of the
County of Santa Clara, California, this _____ day of FEB 28 1968,
196__, by the following vote:

AYES, and in favor thereof, Supervisors:

Della Maggiore Spangler Mehrkens Sanchez Quinn

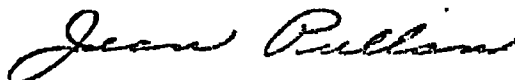
NOES, Supervisors: None

ABSENT, Supervisors: None



Chairman of the Board

ATTEST:



Clerk of said Board

ACCEPTED by the City of Mountain View, California.

/s/ Charles Gordon
Mayor

ATTEST:

/s/ Jean Hixson
City Clerk

Fully executed copy on file in:
Office of Board of Supervisors

RESOLUTION No. 7545

Series 1967

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
A COOPERATIVE AGREEMENT WITH SANTA CLARA COUNTY

(Castro-Miramonte Intersection Street
Improvement Project AD 63-38)

The City Council of the City of Mountain View does
resolve as follows:

THAT, on the recommendation of the Director of Public
Works, the City Manager be, and he hereby is, authorized
and directed to execute a cooperative agreement with the
County of Santa Clara, as proposed by said County.

* * * *

The foregoing Resolution was regularly introduced
and adopted at a Regular Adjourned Meeting of the City
Council of the City of Mountain View, held on the 29th
day of May, 1967, by the following roll call vote:

AYES: Councilmen Gordon, Herfurth, Jelavich,
Laveroni, Moore, Musso and Mayor Calvo

NOES: None

ABSENT: None

NOT VOTING: None

APPROVED:

VICTOR CALVO
MAYOR

ATTEST:

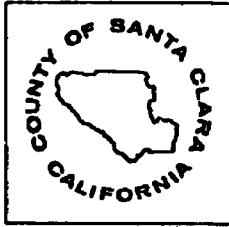
JEAN HIXSON
CITY CLERK

I do hereby certify that the foregoing
resolution was passed and adopted by the
City Council of the City of Mountain View
at an Adjourned Regular meeting
held on the 29th day of May, 1967
by the foregoing vote.

Kay Walsh, Deputy

City Clerk
City of Mountain View

H



TRANSMITTAL MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

DATE: June 8, 1967

FOR: BOARD OF SUPERVISORS AGENDA OF June 19, 1967

FROM: STEFFANI, DESIGN, PUBLIC WORKS

TITLE: AGREEMENT BETWEEN THE CITY OF MOUNTAIN VIEW AND THE COUNTY OF SANTA CLARA FOR THE IMPROVEMENT OF THE CASTRO-MIRAMONTE STREET INTERSECTION

DESCRIPTION:

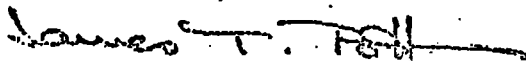
Attached herewith are copies of the above Agreement and the authorizing resolution. This project is a cooperative project of the County of Santa Clara, City of Mountain View, and a local street improvement assessment district.

The City of Mountain View is the administrative agency for this project. Funds for the County's share of the cost were authorized in the FY 66-67 budget.

Approval is recommended.

A fully executed copy of the Agreement should be returned to the City Clerk of Mountain View.

ECS:LM:vlh
Attachment

APPROVED: 
JAMES T. POTT, COUNTY ENGINEER

<u>AGENDA DATA</u>	
DATE:	_____
ITEM NO:	_____
BOARD ACTION	_____

JUN 19 1967 