

**RESOLUTION NO. 2022-\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO ACCEPTING AND APPROVING THE PHASE 1 FINAL MAP, SUBDIVISION IMPROVEMENT AGREEMENT, AND SECURITIES FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE GOOGLE-BAYHILL PHASE 1 PROJECT**

**WHEREAS**, The Google Phase 1 project in the Bayhill Specific Plan Area consists in part of two office buildings, realignment and improvement of Grundy Lane, a multi-modal transportation hub, and an outdoor plaza for public use at the northeast corner of Cherry Avenue and Grundy Lane; and

**WHEREAS**, on September 28, 2021 the City Council adopted Resolution No. 2021-79 approving Vesting Tentative Map TM19-001 for the Google project in the Bayhill Specific Plan Area, subject to certain conditions of approval; and

**WHEREAS**, the developer, Google, LLC, has applied for approval to construct the proposed buildings and associated improvements, including a Phase 1 Final Map; and

**WHEREAS**, the Final Map and improvement plans for each parcel as prepared by BKF Engineers, have been reviewed by the City Engineer and were determined to be technically correct and in compliance with the project conditions of approval; and

**WHEREAS**, Google LLC has requested the City approve the Final Map prior to completion of all the project's public and private site improvements; and

**WHEREAS**, pursuant to the previous project approval, the City and Google LLC have negotiated a Subdivision Improvement Agreement that guarantees construction of the improvements and provision of adequate security for the improvements; and

**WHEREAS**, staff has reviewed the Final Map and the Subdivision Improvement Agreement and deemed them accurate and appropriate for execution; and

**WHEREAS**, the City Engineer has determined that security in the amount of \$5,624,022 is required for the guarantee and warranty of the improvements Google LLC is required to construct under the Subdivision Improvement Agreement, and the City Engineer has recommended that the City accept a letter of credit in this amount instead of bonds, all of which is specified in the Subdivision Improvement Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the San Bruno City Council as follows:

Section 1. The City Council approves the amount recommended for improvement security, and approves acceptance of a letter of credit satisfying City requirements as that security.

Section 2. The City Council approves the form of the Subdivision Improvement Agreement attached hereto as Exhibit 2, authorizes the City Manager to execute the Subdivision

Improvement Agreement, subject to such minor amendments necessary to effectuate the intent of the parties, and directs that the Subdivision Improvement Agreement be recorded after execution.

Section 3. The City Council approves the Phase 1 Final Map in the form attached hereto as Exhibit 1, and directs that it be recorded, subject to execution of the Subdivision Improvement Agreement and City receipt of the appropriate letter of credit security.

Section 4. The City Clerk shall certify to the adoption of this resolution and shall cause this resolution and this certification to be entered in the Book of Resolutions of the Council of this City.

Dated: August 23, 2022

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I, hereby certify that the foregoing **Resolution No. 2022- \_\_\_\_** was introduced and duly and regularly passed and adopted by the City Council of the City of San Bruno on August 23, 2022 by the following vote:

AYES: Councilmembers: \_\_\_\_\_

NOES: Councilmembers:

RECUSED: Councilmembers:

ABSENT: Councilmembers:

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Vicky S. Hasha, Deputy City Clerk