


CITY COUNCIL ACTION REQUEST			
DEPARTMENT(S) Public Works	CEQA Not a Project, File No. PP17 003, Agreement/ Contracts (New or Amended) resulting in no physical changes to the environment.	COORDINATION City Attorney's Office, City Manager's Budget Office, Planning, Building, and Code Enforcement Department, Department of Transportation	Director Approval /s Matt Loesch
COUNCIL DISTRICT(S) City-Wide			CMO Approval  6/5/25
SUBJECT: Amendment to the Cost-Sharing Agreement with West Valley Sanitation District for Joint Use Sanitary Sewers			
RECOMMENDATION:			
Approve the Third Amendment to the Cost-Sharing Agreement with West Valley Sanitation District extending the term of the Agreement by one year, through June 30, 2026, for construction, operation, and maintenance of joint use sanitary sewers.			
BASIS FOR RECOMMENDATION:			
<p>On June 25, 2002, City of San José (City) and West Valley Sanitation District (WVSD) entered into an agreement entitled "Cost-Sharing Agreement between the City of San José and West Valley Sanitation District of Santa Clara County for Construction, Operation and Maintenance of Joint Use Sanitary Sewers." The term of the Agreement was retroactive to July 1, 2000 through June 30, 2020.</p> <p>A first amendment to the Agreement with WVSD was executed on June 30, 2020, which extended the term of the agreement by two years, through June 30, 2022.</p> <p>A second amendment to the Agreement with WVSD was executed on June 30, 2022, which extended the term of the agreement by three years, through June 30, 2025.</p> <p>The City and WVSD have been actively discussing a new cost-sharing agreement to reflect changes in joint use sanitary sewer systems and administrative practices related to recent addition and construction of new joint-use sanitary sewer lines, capacity reserved for the City and WVSD, and operations and maintenance responsibilities. However, these negotiations have taken longer than expected and will not conclude before the expiration of the second amendment to the Agreement. Therefore, a third amendment is being proposed to extend the term of the Agreement for an additional term of one year, until June 30, 2026. This extension will provide sufficient time for City staff to complete negotiations of the remaining terms of a new cost-sharing agreement with WVSD.</p>			
COMMISSION RECOMMENDATION AND INPUT			
No commission recommendation or input is associated with this action.			
COST AND FUNDING SOURCE:			
Revenues are based on actual sewer capital improvements and will be reflected in future Sanitary Sewer System Capital Improvement Programs, Fund 545, under Sanitary Sewer Joint Participation Revenues.			
FOR QUESTIONS CONTACT: Mathew Nguyen, Deputy Director of Public Works, at Mathew.Nguyen@sanjoseca.gov			