

SAN JOSE / SANTA CLARA

WATER POLLUTION CONTROL PLANT

TREATMENT PLANT ADVISORY COMMITTEE

November 13, 2025

The Honorable Mayor and City Council
City of San José
200 East Santa Clara Street
San José, CA 95113

Dear Mayor Mahan and City Council:

At its meeting on November 13, 2025, the Treatment Plant Advisory Committee (TPAC) reviewed this item:

5.C. Master Easements Agreement and Site Works Agreement with Microsoft Corporation and Valley Water for San José-Santa Clara Regional Wastewater Facility

Staff Recommendation:

Adopt a resolution authorizing the City Manager, or her designee, to negotiate and execute a:

- (a) Master Easement Agreement with Microsoft Corporation in exchange for a payment of no less than \$9,274,314, including \$8,725,000 for the easements and \$549,314 for the City to purchase the potable water line serving the San José-Santa Clara Regional Wastewater Facility, that will:
1. Convey permanent easements to install below-grade utilities, including potable water lines, recycled water lines, sanitary sewer lines, fire water lines, and storm drains across undeveloped buffer lands situated to the south of the San José-Santa Clara Regional Wastewater Facility operational area;
 2. Convey temporary construction easements as required to facilitate execution of the projects contemplated by this Agreement and enumerated in this memorandum;
 3. Convey an easement for the extension of McCarthy Lane and provide ingress and egress access across McCarthy Lane; and
 4. Convey a temporary construction easement to widen and improve Zanker Road to include bicycle lanes, a center median, pedestrian walkways, and bioswales; and
- (b) Site Works Agreement with Microsoft Corporation and Valley Water defining the scope, location, and terms of Microsoft Corporation's construction of a new visitor center on lands of the San José-Santa Clara Regional Wastewater Facility, which are leased to the Santa Clara Valley Water District, and other site improvements; and
- (c) Any other documents related to and necessary to execute, administer, and/or enforce the above Agreements.

Action: On a motion made by Vice Chair Hardy and a second by Committee Member David Cohen, TPAC recommended approval of item

Ayes - (Candelas, Cohen, Hardy, Kwok, Gonzalez, Pineda)

Nays - (Shannon)

Abstain

Absent- (Montano, Mulcahy)

Sincerely,

A handwritten signature in black ink, appearing to read "Domingo Candelas". The signature is fluid and cursive, with the first name being more prominent.

Domingo Candelas, Chair
TREATMENT PLANT ADVISORY COMMITTEE