

RESOLUTION NO. 73109

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AMENDMENTS TO AGREEMENTS AMONG THE CITIES OF SAN JOSE, SANTA CLARA, MILPITAS AND WEST VALLEY SANITATION DISTRICT TO REFLECT THE TRANSFER OF ONE MILLION GALLONS OF WASTEWATER CAPACITY IN THE SAN JOSE/SANTA CLARA WATER POLLUTION PLANT FROM WEST VALLEY SANITATION DISTRICT TO THE CITY OF MILPITAS

WHEREAS, on December 15, 2005, the West Valley Sanitation District (District) notified the City of San José that a recent engineering study had confirmed that its capacity rights in the San José/Santa Clara Water Pollution Plant exceeded its projected demand for new sewer connections over the next twenty five (25) years; and

WHEREAS, on January 11, 2006 the Board of Directors of the District approved the designation of one million gallons of the District's capacity as "excess pooled capacity" pursuant to the term of the Master Agreements for Wastewater Treatment among the cities of San José, Santa Clara and West Valley Sanitation District and requested approval of the sale of the excess pooled capacity to the City of Milpitas; and

WHEREAS, on January 17, 2006, the City Council of the City of Milpitas authorized the purchase of one million gallons of excess pooled capacity from the District;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

The City Manager is hereby authorized to negotiate and execute amendments to agreements among the cities of San José, Santa Clara, Milpitas and West Valley Sanitation District to reflect the transfer of one million gallons of wastewater capacity in the San José/Santa Clara Water Pollution Plant from West Valley Sanitation District to the City of Milpitas.

ADOPTED this 21st day of March, 2006, by the following vote:

AYES: CAMPOS, CHAVEZ, CHIRCO, CORTESE, LeZOTTE,
NGUYEN, PYLE, REED, WILLIAMS, YEAGER;
GONZALES

NOES: NONE

ABSENT: NONE

DISQUALIFIED: NONE

RON GONZALES
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk