

Resolution

RESOLUTION NO.

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE 1.) APPROVING THE SAN JOSE MUNICIPAL WATER SYSTEM 2020 WATER SHORTAGE CONTINGENCY PLAN (“WSCP”); 2.) APPROVING THE SAN JOSE MUNICIPAL WATER SYSTEM 2020 URBAN WATER MANAGEMENT PLAN (“UWMP”) UPDATE; AND 3.) DIRECTING STAFF TO FILE THE PLANS WITH THE CALIFORNIA DEPARTMENT OF WATER RESOURCES**

**WHEREAS**, the Urban Water Management Planning Act (“Act”), enacted in 1983, requires all California urban water retailers supplying more than 3,000 acre feet (AF) (1 AF = 325,000 gallons) per year or providing water to more than 3,000 customers to develop an Urban Water Management Plan (“UWMP”) and to update the UWMP every five years; and

**WHEREAS**, the City of San José (“City”) filed its initial UWMP for the San José Municipal Water System (“SJMWS”) with the California Department of Water Resources in 1985 and most recently updated the UWMPs in 2015; and

**WHEREAS**, the Act requires the City to file a 2020 updated UWMP for the SJMWS with the California Department of Water Resources by July 1, 2021; and

**WHEREAS**, the SJMWS Water Shortage Contingency Plan (“WSCP”), a detailed plan for how a water provider intends to respond to and address a water supply shortage and last adopted as part of the 2015 UWMP, must now be separated from the UWMP, according to new legislation and revised WSCP requirements, and adopted first; and

**WHEREAS**, the City timely provided a draft UWMP and WSCP for public review and comment; and

**WHEREAS**, on June 15, 2021, the City Council held a properly noticed public hearing to consider the recommended 2020 updated WSCP and UWMP for the SJMWS and receive community input on the proposed 2020 update; and

**WHEREAS**, the approval and adoption of the 2020 updated WSCP and UWMP will allow SJMWS staff to submit the 2020 updated plans to the Department of Water Resources (“DWR”) to fulfill the requirements of the 1983 California Urban Water Management Act, and enable the City to be eligible for water management grants or loans administered by the DWR, the State Water Resources Control Board, and/or the Delta Stewardship Council; and

**WHEREAS**, Water Code Section 10652 exempts the preparation of the WSCP and the UWMP from the California Environmental Quality Act (“CEQA”); and

**WHEREAS**, before taking action on this item, City Council considers and agrees with such exemption;

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

- 1.) The San José Municipal Water System 2020 Water Shortage Contingency Plan (“WSCP”) is hereby approved; next,
- 2.) The San José Municipal Water System’s 2020 Urban Water Management Plan Update (“UWMP”) is hereby approved; and
- 3.) Staff is hereby directed to finalize the WSCP and UWMP with final documents, including this adopted Resolution, and file the plans with the California Department of Water Resources.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

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SAM LICCARDO  
Mayor

ATTEST:

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TONI J. TABER, CMC  
City Clerk