

RESOLUTION NO. 74997

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSÉ AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A WATER SALES CONTRACT WITH THE CITY AND COUNTY OF SAN FRANCISCO

WHEREAS, this Council has previously approved the Water Supply Agreement between the City and County of San Francisco and Wholesale Customers in Alameda County, San Mateo County and Santa Clara County (Agreement); and

WHEREAS, to implement the Agreement, each wholesale customer also must enter into an individual Water Sales Contract (Contract) with the San Francisco Public Utilities Commission (SFPUC), which will describe the specific service area of each wholesale customer, will identify points of connection between the San Francisco Regional Water System and the wholesale customer's distribution system, and will contain other specialized provisions, if any, required by the unique circumstances of each wholesale customer; and

WHEREAS, in addition to including contract details specific to San José, including locations and descriptions of the service connections and a map of the service area supplied by water purchased from San Francisco, the San José Contract will also need to include San José's temporary supply limit, which will be equivalent to San José's portion of the 9 MGD combined annual water supply limit of the cities of San José and Santa Clara;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSÉ THAT the City Manager is authorized to negotiate and execute a water sales contract with the City and County of San Francisco to implement the previously approved Water Supply Agreement.

ADOPTED this 16th day of June, 2009, by the following vote:

AYES: CAMPOS, CHU, CONSTANT, HERRERA, KALRA,
LICCARDO, OLIVERIO, PYLE; REED.

NOES: NONE.

ABSENT: CHIRCO, NGUYEN.

DISQUALIFIED: NONE.

CHUCK REED
Mayor

ATTEST:

LEE PRICE, MMC
City Clerk