



**FINAL**



**City of Morgan Hill**

**OCTOBER 2021**

# **2020 Water Shortage Contingency Plan**

**AKEL**  
ENGINEERING GROUP, INC.



**CITY OF MORGAN HILL**

# 2020 WATER SHORTAGE CONTINGENCY PLAN

Final

October 2021



**A K E L**  
ENGINEERING GROUP, INC.

November 22<sup>nd</sup>, 2021

City of Morgan Hill  
17575 Peak Avenue  
Morgan Hill California, 95037

Attention: Mario Jimenez, Project manager

Subject: **Water Shortage Contingency Plan**

Dear Mario:

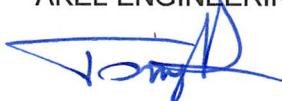
We are pleased to submit the City of Morgan Hill 2020 Water Shortage Contingency Plan (2020 WSCP) which is intended to address the Urban Water Management Planning Act (UWMPA) of 1983 and amendments thereof.

The City's Water Shortage Contingency Plan (WSCP) was originally included in the 2015 UWMP, which received letters of review and completeness from the Department of Water Resources. As part of amendments to the UWMPA the WSCP is now required to be prepared and adopted separately from the UWMP. The 2020 WSCP builds upon previous water shortage contingency planning efforts completed by the City and reflects updates to the City's water shortage levels and water conservation measures for consistency with state-wide requirements provided by the Department of Water Resources.

We extend our thanks to you, Chris Ghione, Public Services Director, James Sylvain, Deputy Director for Utilities Services; Anthony Eulo, Environmental Services Program Administrator; and other City staff whose courtesy and cooperation were valuable in reviewing and completing this study.

Sincerely,

AKEL ENGINEERING GROUP, INC.



Tony Akel, P.E.  
Principal

Enclosure: 2020 Water Shortage Contingency Plan



## Acknowledgements

### City Council

**Rich Constantine**, Mayor

**John McKay**, Mayor Pro Tempore

**Gino Borgioli**

**Yvonne Beltran**

**Rene Spring**

### Management Personnel

**Christina Turner**, City Manager

**Chris Ghione**, Public Services Director

**James Sylvain**, Deputy Director of Utility Services

**Mario Jimenez**, Assistant Engineer

**Jennifer Carman**, Development Services Director

**Anthony Eulo**, Environmental Services Program Administrator

# City of Morgan Hill 2020 Water Shortage Contingency Plan

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## Section 1 INTRODUCTION

This report documents the City of Morgan Hill's Water Shortage Contingency Plan (WSCP). This 2020 WSCP document builds upon previous water shortage contingency planning efforts completed by the City of Morgan Hill (the City) and documented in the 2010 and 2015 Urban Water Management Plans (UWMP). This WSCP reflects updates to the City's water shortage levels and water conservation measures for consistency with state-wide requirements provided by the Department of Water Resources. As part of the 2020 UWMP update, the Department of Water Resources requires urban water suppliers to prepare a stand-alone 2020 WSCP, that is separate from the 2020 UWMP, and intended to manage a water shortage. As the City continues to monitor the effectiveness of the WSCP this document can be updated and adopted separately from the UWMP.

Though it is a stand-alone document, the 2020 WSCP is still considered one of the elements of the 2020 UWMP, as required by California State Law.

Based on DWR requirements, and consistent with previous planning efforts, this WSCP includes the following sections:

- Water Supply Reliability Analysis
- Annual Water Supply and Demand Assessment
- Shortage Response Actions
- Communication Protocols
- Compliance and Enforcement
- Legal Authorities
- Financial Consequences of WSCP Activation
- Monitoring and Reporting
- Special Water Feature Distinction
- Plan Adoption, Submittal, and Availability

## Section 2 WATER SUPPLY RELIABILITY ANALYSIS

### *Law*

10632 (a)(1) *The analysis of water supply reliability conducted pursuant to Section 10635.*

The City currently uses groundwater as the sole source of water supply, with wells extracting water from the Llagas Subbasin and Coyote Valley Subarea of the Santa Clara Subbasin. These groundwater basins are managed by Valley Water, and the Valley Water 2016 GMP lists the rates of natural recharge for these groundwater supply sources. Consistent with previous planning efforts, the City's Water Supply Reliability Analysis considers the available supply volume for each Subbasin as equal to the rate of natural recharge. The Water Supply Reliability Analysis also

considers the effects on available supply during a single-dry and five-year dry period; for conservative planning purposes, supply reduction percentages from the Valley Water 2020 UWMP were used to estimate the available groundwater supply during these dry year periods.

As part of the 2020 UWMP the City has also prepared a Drought Risk Assessment (DRA), which is a proactive planning review that readies the City for worst-case water supply conditions should they occur in the immediate future. The DRA compares the City's projected demands over the next five years to estimate available supplies should a five-year dry period occur. The results of the DRA prepared as part of the 2020 UWMP indicate that the City has sufficient supplies to meet projected demands over the next five years.

### **Section 3 ANNUAL WATER SUPPLY AND DEMAND ASSESSMENT PROCEDURES**

#### **Law**

10632 (a)(2)	<p><i>The procedures used in conducting an annual water supply and demand assessment that include, at a minimum, both of the following:</i></p> <p><i>(A) The written decision-making process that an urban water supplier will use each year to determine its water supply reliability.</i></p> <p><i>(B) The key data inputs and assessment methodology used to evaluate the urban water supplier's water supply reliability for the current year and one dry year, including all of the following:</i></p> <p><i>(i) Current year unconstrained demand, considering weather, growth, and other influencing factors, such as policies to manage current supplies to meet demand objectives in future years, as applicable.</i></p> <p><i>(ii) Current year available supply, considering hydrological and regulatory conditions in the current year and one dry year. The annual supply and demand assessment may consider more than one dry year solely at the discretion of the urban water supplier.</i></p> <p><i>(iii) Existing infrastructure capabilities and plausible constraints.</i></p> <p><i>(iv) A defined set of locally applicable evaluation criteria that are consistently relied upon for each annual water supply and demand assessment.</i></p> <p><i>(v) A description and quantification of each source of water supply.</i></p>
10632.1	<p><i>An urban water supplier shall conduct an annual water supply and demand assessment pursuant to subdivision (a) of Section 10632 and, on or before July 1 of each year, submit an annual water shortage assessment report to the department with information for anticipated shortage, triggered shortage response actions, compliance and enforcement actions, and communication actions consistent with the supplier's water shortage contingency plan. An urban water supplier that relies on imported water from the State Water Project or the Bureau of Reclamation shall submit its annual water supply and demand assessment within 14 days of receiving its final allocations, or by July 1 of each year, whichever is later.</i></p>

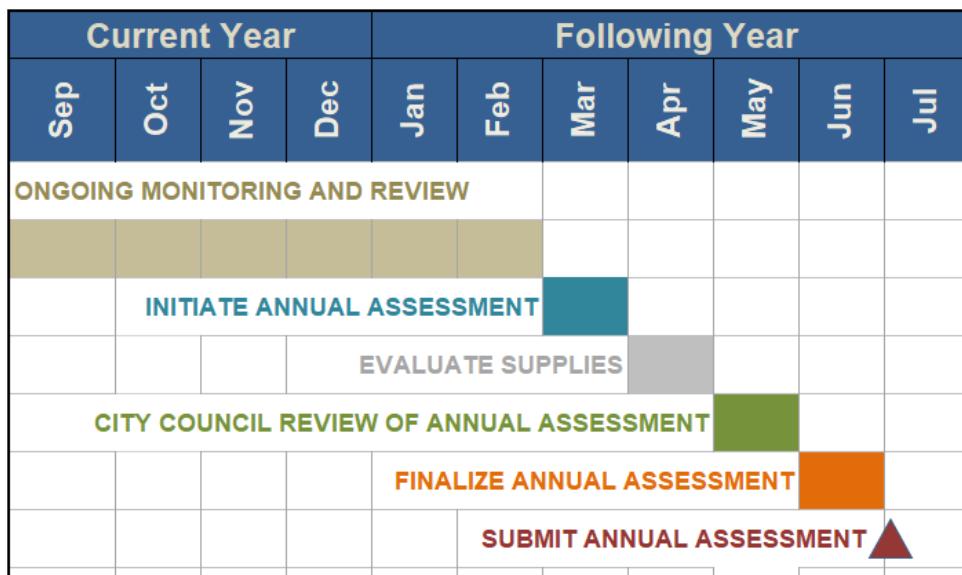
Updates to the California Water Code now require that urban water suppliers prepare a water supply and demand assessment on an annual basis (Annual Assessment). The findings of this Annual Assessment will be summarized in a report submitted to the Department of Water Resources (DWR) by July 1<sup>st</sup> of each calendar year, with the first report required for submission on July 1<sup>st</sup>, 2022. The purpose of this Annual Assessment is to ensure water suppliers are

proactively considering the available water supplies and service area demand requirements, as well as identifying the potential need for implementing the Water Shortage Contingency Plan.

It should be noted that DWR is in the process of preparing a stand-alone guidance document that will outline general procedures to aid urban water suppliers in preparing the Annual Assessment. The decision-making process and Annual Assessment completion steps are preliminary at this point in time and will be further refined as the guidance document by DWR is completed.

### 3.1 Decision Making Process

This section describes the decision-making process to prepare and approve the Annual Assessment each year. It should be noted that the Annual Assessment and decision-making process will rely on the findings of the Valley Water Annual Assessment, which will include documentation of available water supply information and any County-wide required water shortage actions to be implemented.



**Figure 3-1 Annual Assessment Reporting Timeline**

#### September to February – Ongoing Monitoring and Review

For a majority of the year, City staff will continue to monitor and report monthly water consumption and production. This information will be used when the Annual Assessment is initiated to prepare a year-to-year comparison of system-wide water demands for the purpose of projecting demands for the following year.

### **March – Initiate WSCP Annual Assessment**

City staff will initiate the Annual Assessment process by gathering the collected demand and production data. Other relevant information includes but is not limited to the following:

- Land Use/Planning: Changes in land use or number of building permits will be used in estimating the next year's demands.
- Hydrologic Year Review: The City's wet year typically ends in April and rainfall information over the past year can be gathered and reviewed.
- Climate Forecast: Any available climate projection

The purpose of gathering this information will be to compare the various factors that affect water demand throughout the City's service area. This comparison will guide the City's projection for water demand in the upcoming year.

### **April – Review Available Supply Information**

According to the Valley Water 2020 UWMP a preliminary Annual Assessment will be completed by the month of April. City staff will review this document once available and use it as a basis for estimating the available supply in the upcoming year. If required, City staff will also prepare to initiate any water shortage response actions noted by Valley Water.

### **May – City Council Review of Annual Assessment**

The Annual Assessment draft will be presented to City Council for their information and discussion. If water shortage actions are recommended by the Annual Assessment, the City Council will be asked to begin the implementation of the recommended actions.

### **June – Finalize Annual Assessment**

The Annual Assessment is finalized based on any feedback received during the City Council review process.

### **July – Submit Annual Assessment**

The Annual Assessment will be submitted to DWR on or before July 1<sup>st</sup>.

## **3.2 Data and Methodologies**

This section describes the key data and methodologies used in the preparation of the Annual Assessment. This includes historical water supply information, historical and projected water demand, and projected water supply, which the city uses to evaluate their water supply reliability for a normal and a dry subsequent year.

### **3.2.1 *Evaluation Criteria***

The primary criteria used in preparing the City's Annual Assessment are the projected water demand and available supply. The available supply information will be based on a County-wide review of available water supplies prepared by Valley Water. The demand projections will be prepared using a combination of factors including a comparison to historical demand, land use changes, building permits, and historical rainfall. The City will continue to review its Annual Assessment preparation process and additional criteria may be added if considered appropriate.

### **3.2.2 *Water Supply***

The City currently relies on groundwater as the sole source of supply. There are 16 groundwater wells used by the City, each of which is monitored and has production reported on a monthly basis. These monthly production records will be used to characterize the City's current water production requirement and compared to previous years to estimate production requirements for the upcoming year.

As the Groundwater Sustainability Agency, Valley Water manages water supplies throughout Santa Clara County; this also includes the Llagas Subbasin and Coyote Valley Subarea, which are used by the City for supply. The water supply analysis prepared by Valley Water in preparation of their Annual Assessment will provide a critical basis for water supply assumptions, regarding available water supply volumes and any pumping restrictions required to be implemented if any.

### **3.2.3 *Current Year Unconstrained Customer Demand***

Billed water consumption is reported on a monthly basis and will be used to characterize the current water consumption requirements for the City. The monthly records will be compared to corresponding months of the previous year to identify any significant changes in water use behavior throughout the City's service area. In addition to consumption records, known recent developments or current building permits will enable City staff to estimate changes to water demand in the upcoming year.

### **3.2.4 *Current Year Available Supply***

The Annual Assessment estimates the current year available supply for current hydrological conditions as well as a possible subsequent dry year. The supply estimate will be based on the Drought Risk Assessment supply estimation methodology documented in the 2020 UWMP and will also incorporate information from the Valley Water Annual Assessment.

### **3.2.5 *Infrastructure Considerations***

The annual assessment will include a review of any ongoing capital projects that are expected to affect the demands and supply projections. Examples of such capital projects include water loss reductions, distribution expansion to serve growth, or new groundwater wells. The City is also in

the process of updating the 2017 Water System Master Plan, which will identify any additional infrastructure considerations to be implemented within the City's service area.

## Section 4 SIX STANDARD WATER SHORTAGE LEVELS

### Law

10632 (a)(1) *Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply and an outline of specific water supply conditions which are applicable to each stage.*

10632 (a)(3)

(A) *Six standard water shortage levels corresponding to progressive ranges of up to 10, 20, 30, 40, and 50 percent shortages and greater than 50 percent shortage. Urban water suppliers shall define these shortage levels based on the suppliers' water supply conditions, including groundwater levels, changes in surface elevation or level of subsidence, or other changes in hydrological or other local conditions indicative of the water supply available for use. Shortage levels shall also apply to catastrophic interruption of water supplies, including but not limited to, a regional power outage, an earthquake, and other potential emergency events.*

(B) *An urban water supplier with an existing water shortage contingency plan that uses different water shortage levels may comply with the requirement in subparagraph (A) by developing and including a cross-reference relating its existing categories to the six standard water shortage*

The City recently adopted the DWR-recommended six standard water shortage levels, as documented on [Table 4-1](#). Identifying the appropriate shortage level will be in accordance with the procedures outlined in [Section 3 – Annual Water Supply and Demand Assessment Procedures](#). As an example, if the Annual Assessment determines a shortage of 22%, The City would be considered in a Severe Drought condition. With recommendations from City staff, the City Council has the authority to declare the appropriate conservation level considered necessary to manage the system demands and mitigate the water shortage. The City Council can also downgrade, upgrade, or terminate a shortage response level based on City staff recommendations.

**Table 4-1 Water Shortage Levels**

Shortage Level	Shortage Level Condition	Percent Shortage Range
0	Normal	None
Level 1	Alert	Up to 10%
Level 2	Significant	11 to 20%
Level 3	Severe	21 to 30%
Level 4	Critical	31 to 40%
Level 5	Crisis	41 to 50%
Level 6	Emergency	> 50%

The City's groundwater supply is dependent on natural recharge from surface water runoff as well as additional recharge provided by Valley Water through raw water imports. In periods of drought, when less imported water is available to Valley Water for the purpose of recharging the groundwater basins they manage, Valley Water will call on water suppliers to reduce groundwater pumping to avoid basin overdraft and minimize subsidence. In order to reduce water consumption city-wide, the City has a water conservation ordinance that may be invoked to implement restrictions on water use.

Currently, the City's conservation ordinance describes permanent water use restrictions as well as a multiple-stage water rationing plan that can be invoked to adjust water use with shortage conditions. Each water rationing stage includes a water demand reduction percentage, which is to be applied to normal water demands. The plan is dependent on the cause, severity, and anticipated duration of the water shortage, and a combination of voluntary and mandatory water conservation measures, which can be put in place to reduce City-wide water usage. The water shortage stages are summarized on the following page in [Table 4-2](#).

**Table 4-2 Water Shortage Contingency Plan Levels**

Shortage Level	Percent Supply Shortage/ Reduction	Morgan Hill Shortage Level	Valley Water Shortage Level Title	Water Supply Condition
Level 0	<b>None</b>	<b>Normal</b>	<i>Normal</i>	At Level 0, no Water Supply Shortage condition exists.
Level 1	<b>Up to 10%</b>	<b>Alert</b>	<i>Alert</i>	A Level 1 Water Supply Shortage condition exists when City Council determines and agrees that 1% - 10% consumer demand reduction is necessary to make more efficient use of water.
Level 2	<b>11 to 20%</b>	<b>Significant</b>	<i>Severe</i>	A Level 2 Water Supply Shortage condition exists when City Council determines and agrees that 11% - 20% consumer demand reduction is necessary to make more efficient use of water.
Level 3	<b>21 to 30%</b>	<b>Severe</b>	<i>Critical</i>	A Level 3 Water Supply Shortage condition exists when City Council determines and agrees that 21% - 30% consumer demand reduction is necessary to make more efficient use of water.
Level 4	<b>31 to 40%</b>	<b>Critical</b>	<i>Critical</i>	A Level 4 Water Supply Shortage condition exists when City Council determines and agrees that 31% - 40% consumer demand reduction is necessary to make more efficient use of water.
Level 5	<b>41 to 50%</b>	<b>Crisis</b>	<i>Emergency</i>	A Level 5 Water Supply Shortage condition exists when City Council determines and agrees that 41% - 50% consumer demand reduction is necessary to make more efficient use of water.
Level 6	<b>&gt; 50%</b>	<b>Emergency</b>	<i>Emergency</i>	A Level 6 Water Supply Shortage condition exists when City Council determines and agrees that a consumer demand reduction of greater than 50% is necessary to maintain public water supplies.

## Section 5 SHORTAGE RESPONSE ACTIONS

### Law

10632 (a)(4) *Shortage response actions that align with the defined shortage levels and include, at a minimum, all of the following:*

- (F) *Locally appropriate supply augmentation actions.*
- (G) *Locally appropriate demand reduction actions to adequately respond to shortages.*
- (H) *Locally appropriate operational changes*
- (I) *Additional, mandatory prohibitions against specific water use practices that are in addition to state-mandated prohibitions and appropriate to the local conditions.*
- (J) *For each action, an estimate of the extent to which the gap between supplies and demand will be reduced by implementation of the action.*

Pursuant to the CWC 10632 (a) (4), this section documented the detailed shortage response actions which align with the shortage levels into different categories.

### 5.1 Demand Reduction

There are a number of demand reduction measures an urban water supplier can implement as response actions to corresponding water shortage levels. Some of these may include irrigation and outdoor water usage prohibitions, water rate structure changes, public educations, or water supply service adjustments. Other demand reduction such as infrastructure improvements or installing water-efficient fixtures is considered as long-term water demand reductions but is not listed in this water shortage contingency plan. It should be noted that the City staff will be exploring Water Offsets for new developments and review of the implementation of drought rates in the immediate future.

Consumption reduction actions are methods taken by a water supplier to reduce demand within the service area, whereas prohibitions are specific limitations on water use; the City's consumption reduction actions are summarized on [Table 5-1](#). The permanent water use restrictions enforced year-round are also documented in the table.

**Table 5-1 Demand Reduction Actions**

Level	Restrictions and Prohibitions on End Users Category	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
<b>Level 0 (Year-Round)</b>	Landscape - Limit landscape irrigation to specific times	<p>Prohibits watering or irrigating lawn, landscape, or other vegetated area 9:00 a.m. and 5:00 p.m. with the following exceptions:</p> <ul style="list-style-type: none"> <li>- Using a hand-held bucket or similar container</li> <li>- Using a hand-held hose equipped with a positive self-closing water shut-off nozzle or device</li> <li>- For very short periods of time for the express purpose of adjusting or repairing an irrigation system</li> </ul>	Yes
<b>Level 0 (Year-Round)</b>	Landscape - Limit landscape irrigation to specific times	<p>Prohibits watering or irrigating of lawn, landscape, or other vegetated area using a system or device that is left unattended for more than fifteen (15) minutes per day per station. Exceptions include low-flow drip systems where no emitter produces flow more than two (2) gallons per hour, and weather based controllers or stream rotor sprinklers with 70% efficiency standard.</p>	Yes
<b>Level 0 (Year-Round)</b>	Landscape - Restrict or prohibit runoff from landscape irrigation	<p>Prohibits watering or irrigating of lawn, landscape, or other vegetated area that causes or allows excessive flow or runoff onto sidewalk, driveway, street, etc.</p>	Yes
<b>Level 0 (Year-Round)</b>	Other - Prohibit use of potable water for washing hard surfaces	<p>No washing down hard or paved surfaces except with the use of hand-held water container, hand-held hose with a positive self-closing water shut-off device, low-volume high-pressure cleaning machine equipped to recycle any water used, or low-volume high-pressure water broom.</p>	Yes
<b>Level 0 (Year-Round)</b>	Other - Customers must repair leaks, breaks, and malfunctions in a timely manner	<p>Requires repairs to be made to breaks, leaks, or other malfunctions no more than ten (10) days upon receiving written notice from the City.</p>	Yes

**Table 5-1 Demand Reduction Actions**

Level	Restrictions and Prohibitions on End Users Category	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
<b>Level 0 (Year-Round)</b>	Water Features - Restrict water use for decorative water features, such as fountains	Prohibits operation of a water fountain or decorative water features that does not use recirculated water.	Yes
<b>Level 0 (Year-Round)</b>	Other	Prohibits using water to wash a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not except by the use of a hand-held water container or hand-held hose with a positive self-closing water shut-off device. This does not apply to any commercial car washing facility.	Yes
<b>Level 0 (Year-Round)</b>	CII - Restaurants may only serve water upon request		Yes
<b>Level 0 (Year-Round)</b>	CII - Lodging establishment must offer opt out of linen service	Requires hotels, motels, and other commercial lodging established to provide customers the option of not having towels and linen laundered daily. Commercial lodging establishments must prominently display notice of this option in each bathroom using clear and easily understood language.	Yes
<b>Level 0 (Year-Round)</b>	CII - Other CII restriction or prohibition	Prohibits installation of a single pass cooling system for buildings requesting new water service.	Yes
<b>Level 0 (Year-Round)</b>	CII - Other CII restriction or prohibition	Prohibits installation of non-recirculating water systems in new commercial conveyor car wash and new commercial laundry systems.	Yes
<b>Level 0 (Year-Round)</b>	CII - Commercial kitchens required to use pre-rinse spray valves	Prohibits the use of non-water conserving dishwasher spray valves in food preparation establishments, such as restaurants or cafes.	Yes

**Table 5-1 Demand Reduction Actions**

Level	Restrictions and Prohibitions on End Users Category	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
<b>Level 0 (Year-Round)</b>	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	All commercial conveyor car wash systems must have installed recirculating water systems, or secured a waiver of this requirement from the City.	Yes
<b>Level 0 (Year-Round)</b>	Landscape - Limit landscape irrigation to specific days	Limits watering or irrigating of lawn, landscape or other vegetated area to three days per week during the months of March through October. Watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week during the months of November through February. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.	Yes
<b>Level 1</b>	Expand Public Information Campaign	Communication campaign asking community to conserve water use.	Yes
<b>Level 2</b>	Expand Public Information Campaign	Targeted communications relating to leaks and high water users.	Yes
<b>Level 3</b>	Landscape - Limit landscape irrigation to specific days	Active enforcement of limiting watering or irrigating of lawn, landscape or other vegetated area to 3 times per week during March to October.	Yes

**Table 5-1 Demand Reduction Actions**

Level	Restrictions and Prohibitions on End Users Category	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
<b>Level 3</b>	Other - Prohibit vehicle washing except at facilities using recycled or recirculating water	Prohibits using water to wash a vehicle, including but not limited to any automobile, truck, van, bus, motorcycle, boat or trailer, whether motorized or not except at a commercial car washing facility that utilizes a recirculating water system to capture or reuse water.	Yes
<b>Level 3</b>	Implement or Modify Drought Rate Structure or Surcharge	Imposition of alternative "drought" rate schedule if City adopts such a schedule.	Yes
<b>Level 4</b>	Landscape - Limit landscape irrigation to specific days	Active enforcement of limiting watering or irrigating of lawn, landscape or other vegetated area to 2 times per week during March to October.	Yes
<b>Level 5</b>	Landscape - Limit landscape irrigation to specific days	Active enforcement of limiting watering or irrigating of trees and shrubs to 1 time per week during March to October.	Yes

**Table 5-1 Demand Reduction Actions**

Level	Restrictions and Prohibitions on End Users Category	Additional Explanation or Reference	Penalty, Charge, or Other Enforcement?
<b>Level 5</b>	Moratorium or Net Zero Demand Increase on New Connections	<p>Limits on New Potable Water Service: Upon declaration of a Level 5 Water Shortage Crisis condition, the City may limit the issuance of new potable water services, temporary meters and/or statements of immediate ability to serve or provide potable water service (such as, will-serve letters, certificates, or letters of availability), except under the following circumstances:</p> <ul style="list-style-type: none"> <li>- A valid, unexpired building permit has been issued for the project;</li> <li>- The project is necessary to protect the public health, safety, and welfare;</li> <li>- The applicant provides substantial evidence of an enforceable commitment that water demands for the project will be offset prior to the provision of a new water meter(s) to the satisfaction of the City.</li> <li>- This provision does not preclude the resetting or turn-on of meters to provide continuation of water service or the restoration of service that has been interrupted for a period of one year or less.</li> </ul>	Yes
<b>Level 5</b>	Landscape - Limit landscape irrigation to specific days	No irrigation for turf, except turf utilized for active recreation at a school, park, or public facility may remain at 2 times per week during March to October.	Yes
<b>Level 6</b>	Landscape - Limit landscape irrigation to specific days	No irrigation allowed.	Yes
<p>Note: Active enforcement means utility AMI data would be mined to find water users not abiding by published schedule + utility to allocate funds to contract or hire 1 FTE enforcement officer.</p>			

## 5.2 Supply Augmentation

As noted in previous sections groundwater is the City's sole source of supply and there are no known opportunities for water supply augmentation through actions such as exchanges, transfers, or purchase programs. Therefore, supply augmentation actions are excluded from the City's Water Shortage Contingency Plan at this time.

## 5.3 Operation Changes

During a water shortage, changes to water system operations may be considered. These operational changes may include improving water usage consumption and tracking, changes to fire hydrant testing frequencies, alteration in maintenance cycles, and expedited water leak repairs.

## 5.4 Additional Mandatory Restrictions

Additional mandatory restrictions have been reported in a previous section.

## 5.5 Emergency Response Plan

The City has an Emergency Response Plan (ERP), most recently updated in 2018, that provides a framework for the City to address a catastrophic supply interruption due to various hazards, including seismic, geological, wildfire, and flooding hazards. The plan is intended to define the actions required of the City before, during, and after an emergency. It also guides the City's response to major emergencies and disasters.

## 5.6 Seismic Risk Assessment and Mitigation Plan

### Law

- |             |   |
|-------------|---|
| 10632.5 (a) | <i>In addition to the requirements of paragraph (3) of subdivision (a) of Section 10632, beginning January 1, 2020, the plan shall include a seismic risk assessment and mitigation plan to assess the vulnerability of each of the various facilities of a water system and mitigate those vulnerabilities.</i>  |
| (b)         | <i>An urban water supplier shall update the seismic risk assessment and mitigation plan when updating its urban water management plan as required by Section 10621.</i>   |
| (c)         | <i>An urban water supplier may comply with this section by submitting, pursuant to Section 10644, a copy of the most recent adopted local hazard mitigation plan or multi-hazard mitigation plan under the federal Disaster Mitigation Act of 2000 (Public Law 106-390) if the local hazard mitigation plan or multi-hazard mitigation plan addresses seismic risk.</i> |

In addition to the emergency response plan described in a previous section, the California Water Code now requires urban water suppliers to document a locally appropriate multi-hazard mitigation plan, as developed under the federal Disaster Mitigation Act of 2000, that includes documentation of seismic risk assessment. Valley Water, previously Santa Clara Valley Water

District, developed such a hazard mitigation plan in October 2017. The City's service area is included in the boundaries reviewed as part of this mitigation plan.

### **5.7 Shortage Response Action Effectiveness**

In addition to documenting demand reduction actions, the 2020 UWMP also estimates the effectiveness of these actions on reduce system-wide demand. The City records water consumption and production on a monthly basis and this data can be used to estimate the effect of any demand reduction actions implemented. Most recently, during the 2012-2016 drought, the City entered Water Shortage Level 2 for several summer months of 2015. This included the implementation of multiple demand reduction actions described in a previous section. Based on a comparison of historical monthly production data it is estimated that the system-wide water use was 10%-20% lower for the duration of the Level 2 Water Shortage as compared to other years. Therefore, as documented on [Table 5-2](#), the Level 2 Water Shortage response actions have an estimated reduction effectiveness of 10%-15%. For conservative planning purposes the Level 3 Water Shortage response actions were given estimated reduction effectiveness of 20%.

## **Section 6 COMMUNICATION PROTOCOLS**

### **Law**

- |              |  |
|--------------|--|
| 10632 (a)(5) | <i>Communication protocols and procedures to inform customers, the public, interested parties, and local, regional, and state governments, regarding, at a minimum, and of the following:</i><br><i>(A) Any current or predicted shortages as determined by the annual water supply and demand assessment described pursuant to Section 10632.1.</i><br><i>(B) Any shortage response actions triggered or anticipated to be triggered by the annual water supply and demand assessment described pursuant to Section 10632.1.</i><br><i>(C) Any other relevant communications.</i> |
|--------------|--|

When the City identifies the need for short-term water use reductions as directed by the Water Shortage Contingency Plan or Annual Assessment, clear and effective communication will be critical to achieve the necessary demand reductions. Methods of public notification include newspaper publications, bill inserts, City website announcements, social media posts, and press releases or informational campaigns. These public notification methods would be implemented in the event of a Level 1 Water Shortage and target communications relating to leaks and high-water users in the event of a Level 2 Water Shortage.

## Section 7 COMPLIANCE AND ENFORCEMENT

### Law

10632 (a) (6) *For an urban retail water supplier, customer compliance, enforcement, appeal, and exemption procedures for triggered shortage response actions as determined pursuant to Section 10632.2.*

Customers who violate the provisions noted in the water code for water shortage conditions shall receive the following penalties:

- First violation will result on a written warning delivered to the customer along with a copy of the water conservation ordinance.
- Second violation within any 12 consecutive months will result in a fine not to exceed one hundred dollars.
- Third violation within any 12 consecutive months will result in a fine not to exceed two hundred dollars.
- Any subsequent violation within any 12 consecutive months will result in a fine not to exceed five hundred dollars and the installation of a water flow restrictor device of approximately one gallon per minute for services up to one and one-half inch size and comparatively sized restrictors for larger services. The customer shall receive a written notice of intent to install a flow restrictor a minimum of 48 hours before the installation of the restrictor. The customer will be charged for the installation and removal of the flow restrictor. The first flow restrictor installation shall remain in place for a period between three and ten days. The second flow restrictor installation shall remain in place between ten and thirty days.

## Section 8    **LEGAL AUTHORITIES**

### **Law**

- 10632 (a) (7)    (A) *A description of the legal authorities that empower the urban water supplier to implement and enforce its shortage response actions specified in paragraph (4) that may include, but are not limited to, statutory authorities, ordinances, resolutions, and contract provisions.*  
(B) *A statement that an urban water supplier shall declare a water shortage emergency in accordance with Chapter 3 (commencing with Section 350) of Division 1. [see below]*  
(C) *A statement that an urban water supplier shall coordinate with any city or county within which it provides water supply services for the possible proclamation of a local emergency, as defined in Section 8558 of the Government Code.*

Water Code Section Division 1, Section 350

*Declaration of water shortage emergency condition. The governing body of a distributor of a public water supply, whether publicly or privately owned and including a mutual water company, shall declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.*

This City has the legal authority to implement and enforce its water shortage response actions and relative penalties, water charge adjustments, and water service alteration or prohibition. City Ordinance 2159, which amended the water supply shortage regulations for the City in September 2015, documents the demand reduction measures as well as enforcement protocols.

## Section 9    **FINANCIAL CONSEQUENCES OF WSCP ACTIVATION**

### **Law**

- 10632 (a) (8)    *A description of the financial consequences of, and responses for, drought conditions, including, but not limited to, all of the following:*  
(A) *A description of potential revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).*  
(B) *A description of mitigation actions needed to address revenue reductions and expense increases associated with activated shortage response actions described in paragraph (4).*  
(C) *A description of the cost of compliance with Chapter 3.3 (commencing with Section 365) of Division 1. [retail urban suppliers only]*

The activation of the Water Shortage Contingency Plan and related Water Shortage Levels have financial consequences for the City. Reduced water consumption will contribute to reduced revenue, while proactive operational practices will contribute to higher operational and maintenance costs. Currently, the City maintains some funds as rate stabilization reserves as well as approximately 60 days of operating reserves. In addition the City Council has the authority to increase water rates to offset reduced revenues. These reserve funds or rate modifications have the ability to mitigate financial consequences of the Water Shortage Contingency Plan.

Additionally, potential mitigation actions are documented in **Table 9-1** below. These are preliminary actions and would be evaluated in more detail should a water shortage occur.

**Table 9-1 Financial Consequences of WSCP**

Stage	Supply Reduction	Financial Consequences	Anticipated Mitigation Actions
<b>0</b>	Up to 10%	None	Funding provided for supplemental water supply reserve.
<b>1-2</b>	10 – 20%	Potential increase in O&M expenses and mild reduction in revenue.	Reduce O&M costs and identify supplemental funding sources.
<b>3-4</b>	20-40%	Moderate increase to O&M expenses and decrease in revenue.	Defer capital expenditures and consider use of reserves.
<b>5-6</b>	40%+	Significant increases to O&M and decreases in revenue.	Implement long-term O&M budget reductions.

The City will be considering the adoption of a “Drought Rate Schedule” during its next Water Rate Study as a mechanism to partially address the financial consequences resulting from water use reductions.

## Section 10 MONITORING AND REPORTING

### Law

10632 (a) (9) *For an urban retail water supplier, monitoring and reporting requirements and procedures that ensure appropriate data is collected, tracked, and analyzed for purposes of monitoring customer compliance and to meet state reporting requirements.*

Monitoring and reporting as part of the Water Shortage Contingency Plan and Annual Assessment will be based on the metered production and consumption data. Ongoing review of this information, and comparisons to historical data for similar months, will enable the City to monitor the effectiveness of the WSCP measures. Additionally, due to implemented shortage response actions and water shortage levels, the City’s Water Department may increase the frequency of reading meters in order to collect, track, and analyze the water use.

## Section 11 WSCP REFINEMENT PROCEDURES

### Law

10632 (a) (10) *Reevaluation and improvement procedures for systematically monitoring and evaluating the functionality of the water shortage contingency plan in order to ensure shortage risk tolerance is adequate and appropriate water shortage mitigation strategies are implemented as needed*

While the WSCP is a standalone document adopted separately from the 2020 UWMP it should be considered a dynamic planning tool and be subject to ongoing refinement efforts as necessary. Following the declaration of a water shortage and implementation of the WSCP, the monitoring and reporting steps described in a previous section will provide valuable insight into the effectiveness of the WSCP. City staff will evaluate the effectiveness of communication protocols, demand reduction actions, operational changes, or financial consequence mitigation. If this review reveals opportunities for procedural refinements or new WSCP actions, City staff may elect to incorporate these items into an amended version of the WSCP.

## Section 12 SPECIAL WATER FEATURE DISTINCTION

### Law

10632 (b) *For purposes of developing the water shortage contingency plan pursuant to subdivision (a), an urban water supplier shall analyze and define water features that are artificially supplied with water, including ponds, lakes, waterfalls, and fountains, separately from swimming pools and spas, as defined in subdivision (a) of Section 115921 of the Health and Safety Code.*

The California Water code requires urban water suppliers to distinguish between water features that are artificially supplied with water as opposed to swimming pools and spas. The City's current demand reduction actions include this distinction, as documented in a previous section.

## Section 13 PLAN ADOPTION, SUBMITTAL, AND AVAILABILITY

### Law

10632 (c) *The urban water supplier shall make available the water shortage contingency plan prepared pursuant to this article to its customers and any city or county within which it provides water supplies no later than 30 days after adoption of the water shortage contingency plan.*

The WSCP adoption and submittal process, as well as the public availability, are the same as those for the City's UWMP. However, the WSCP may be periodically amended independently from the City's UWMP. Should an amendment to the WSCP be implemented, stakeholder and public notification methods consistent with the UWMP will be performed prior to adoption of the amended plan.

## **APPENDIX A**

### **Water Shortage Contingency Plan Public Notice and Meeting Minutes**

**PROOF OF PUBLICATION  
(2015.5 C.C.P.)  
STATE OF CALIFORNIA  
County of Santa Clara**

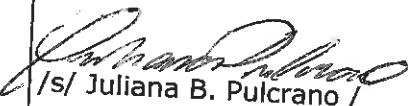
I am a resident of the State of California and over the age of eighteen years, and not a party to or interested in the above entitled matter.

I am the principal clerk of the publisher of the Morgan Hill Times, published in the city of Morgan Hill, County of Santa Clara, State of California, **Friday, and on line** for which said newspaper has been adjudicated a newspaper of general circulation by the **Superior Court of the County of Santa Clara, State of California, under the date of June 10, 1952, Action Number 83751**, that the notice of which the annexed is a printed copy had been published in each issue thereof and not in any supplement on the following date(s):

**August 13, 20, 2021.**

I, under penalty of perjury, that the foregoing is true and correct. This declaration has been executed on **August 20, 2021.**

**MORGAN HILL TIMES  
17500 DEPOT ST.  
MORGAN HILL, CA 95037**

  
/s/ Juliana B. Pulcrano

Legal Publications Specialist  
Morgan Hill Times, Gilroy Dispatch,  
Hollister Free Lance

Phone # (408) 709 3952  
E-mail: [jpulcrano@newsvmedia.com](mailto:jpulcrano@newsvmedia.com)  
Website: [www.morganhilltimes.com](http://www.morganhilltimes.com)

**City of Morgan Hill**

Public Notice  
Notice of Public Hearing

**NOTICE IS HEREBY GIVEN**  
that the City Council of the City of Morgan Hill, California, will hold a Public Hearing on September 1, 2021, at 7:00 p.m. or as soon as possible thereafter, in the City of Council Chambers located at 17555 Peak Avenue, Morgan Hill, California to consider the following matter:

**PUBLIC HEARING ON URBAN  
WATER MANAGEMENT  
PLAN & WATER SHORTAGE  
CONTINGENCY PLAN FOR  
2020**

The Morgan Hill City Council will hold a Public Hearing to receive comments from the public on the final draft of the City of Morgan Hill 2020 Urban Water Management Plan (UWMP) and 2020 Water Shortage Contingency Plan. The City is preparing its 2020 UWMP to continue to provide adequate water supplies to meet existing and future water demands within City's Urban Growth Boundary. The 2020 UWMP updates the information in the existing 2015 UWMP and provides an overview of the City's efficient water uses, water supplies, and demand management measures. Additionally, the 2020 WSCP builds upon previous planning efforts and outlines the City's plan to address potential future water shortages. At the conclusion of receipt of comments by the public, the Public Hearing will be closed.

Written communications may be filed prior to the Public Hearing. Questions or comments regarding the plans should be emailed to [Marco.Jimenez@morganhill.ca.gov](mailto:Marco.Jimenez@morganhill.ca.gov). The final draft plans are available for review at the Utilities Division located at 100 Edes Court, Morgan Hill, CA 95037, Monday through Thursday between the hours of 6:30 a.m. and 4:00 p.m. Further detail may be obtained from the City of Morgan Hill Utilities Division at (408) 776-7333. The final draft plan can be viewed and downloaded at: [www.morgan-hill.ca.gov/586/Utility-Services](http://www.morgan-hill.ca.gov/586/Utility-Services).

**ADOPTION OF THE 2020  
URBAN WATER MANAGEMENT  
PLAN and 2020 WATER  
SHORTAGE CONTINGENCY  
PLAN**

At the regularly scheduled meeting of the Morgan Hill City Council on October 6, 2021, the City Council will also consider adoption of a resolution approving the City of Morgan Hill 2020 UWMP and 2020 WSCP and directing staff to submit the plan to the State Department of Water Resources.

This notice is given pursuant to Ordinance No. 559, New Series.

**BY ORDER OF THE CITY  
COUNCIL OF THE CITY OF  
MORGAN HILL**

Michelle Bigelow  
City Clerk  
(Pub MHT 8/13, 8/20)



## **Meeting Minutes City Council**

*Rich Constantine* - Mayor

*John McKay* - Mayor Pro Tem

*Gino Borgioli* - Council Member

*Yvonne Martinez Beltran* - Council Member

*Rene Spring* - Council Member

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**Wednesday, October 6, 2021 6:00 pm**

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**Virtual Meeting**

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### **SPECIAL/REGULAR MEETING**

**A special meeting of the City Council was called at 6:00 p.m. for the purpose of conducting a Closed Session.**

6:00 p.m. Closed Session

7:00 p.m. Regular Meeting

### **SPECIAL MEETING**

**6:00 p.m. Closed Session**

### **CALL TO ORDER**

Mayor Constantine called the meeting to order at 6:01 p.m.

### **ROLL CALL ATTENDANCE**

City Clerk Michelle Bigelow called the roll.

Attendee Name	Title	Status	Arrived
Rich Constantine	Mayor	Remote	
John McKay	Mayor Pro Tem	Remote	
Gino Borgioli	Council Member	Remote	
Yvonne Martinez Beltran	Council Member	Late	
Rene Spring	Council Member	Remote	

## **DECLARATION OF POSTING AGENDA**

City Clerk Michelle Bigelow declared the posting of the agenda.

## **CLOSED SESSION**

City Attorney Donald Larkin announced the closed session item.

## **OPPORTUNITY FOR PUBLIC COMMENT**

Public comment opened at 6:03 p.m. There being no requests to speak, public comment closed.

## **ADJOURN TO CLOSED SESSION**

The meeting adjourned to closed session 6:04 p.m.

## **CONFERENCE WITH LABOR NEGOTIATORS**

Authority:	Pursuant to Government Code Section 54957.6
City Negotiators:	Christina Turner, City Manager; Donald Larkin, City Attorney; Michael Horta, Human Resources Director; Dat Nguyen, Finance Director
Employee Organization:	Morgan Hill Police Officers Association Employees Covered under Management Resolution #21-025 AFSCME Local 101 Morgan Hill Community Service Officers Association

## **REGULAR MEETING**

7:00 p.m.

**The regular meeting was convened at 7:10 p.m.**

## **RECOGNITIONS**

Morgan Hill Hospitality and Tourism Industry

Madrone Channel Trail Completion

## **PROCLAMATIONS**

Proclaiming October 6, 2021 as Clean Air Day

Proclaiming September 15, 2021-October 15, 2021 as Latinx Heritage Month

## **CITY COUNCIL REPORTS**

Council Member Martinez Beltran reported that the Silicon Valley Clean Energy (SVCE) Board met in August and September. They approved their annual budget, strategic focus areas, a 2020 green energy attestation, and a two-year employment contract for the CEO. She shared that the Latino Caucus celebrated 30 years at the League Conference. She announced that Sister Cities has planned a trip to Turkey next October. She concluded by sharing the local events and celebrations she has attended.

## **CITY MANAGER'S REPORT**

City Manager Christina Turner spoke to the evening's supplements and presentations. She introduced and acknowledged the City's new, promoted, and retired teammates. She announced that effective Monday, October 4th, City Hall fully reopened and is open to the public Monday through Friday, 8:00 a.m. to 5:00 p.m. She shared that staff is recommending Council adopt a resolution to continue holding City Council and Commission meetings by teleconference as to not encourage indoor gatherings and limit the risk of COVID-19 exposure. Assembly Bill (AB) 361, which became operative on October 1, 2021, allows for this arrangement. In the meantime, we are working on technology to allow for hybrid meetings that would allow in-person and Zoom participation. This way, members of the public who are at high risk for COVID-19 could still participate even when we return to in-person meetings. She shared that on Saturday, September 25, the Rotary Club continued their work improving Galvan Park. At this cleanup day Rotary partnered with youth from the Boys and Girls Club to increase the impact. The group repainted tables, waste receptacles, and BBQ pits, spread mulch and picked up litter throughout the park. The Rotary Club formally adopted Galvan Park earlier this year and has held multiple workdays and funded tens of thousands of dollars in park improvements. She announced that Redistricting is happening now, there are multiple meetings in October and November, and we want the engagement of our community to help redraw the maps. She concluded by announcing the Morgan Hill Steve Tate Library Dedication and Children's Area Expansion Celebration is happening on Saturday, October 9<sup>th</sup> at 10:30 a.m.

### **CITY MANAGER'S TEAMMATE RECOGNITION PRESENTATION**

## **CITY ATTORNEY'S REPORT**

City Attorney Donald Larkin announced that there was no reportable action from the two closed session items from the September 1, 2021 City Council meeting. Prior to this evening's meeting, Council met in closed session and there is no reportable action from that closed session.

## **OTHER REPORTS**

None.

## **PUBLIC COMMENT**

Public comment opened at 7:34 p.m. The following people were called to speak:

Marisol Palomares

Dave Matthews

There being no further requests to speak, public comment closed.

## **ADOPTION OF AGENDA**

### **MOTION:**

Adopting the agenda as posted.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rene Spring, Council Member
<b>SECONDER:</b>	John McKay, Mayor Pro Tem
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

## **CONSENT CALENDAR**

### **MOTION:**

Approving consent calendar items 1, 2, and 6.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Gino Borgioli, Council Member
<b>SECONDER:</b>	Yvonne Martinez Beltran, Council Member
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

**1. ADOPT RESOLUTION DETERMINING THAT CONDUCTION OF IN-PERSON MEETINGS WOULD PRESENT A PUBLIC HEALTH RISK AND CONTINUING TELECONFERENCE MEETINGS**

Recommendation:

Adopt a resolution to continue holding City Council and commission meetings by teleconference.

Public comment opened at 7:45 p.m.

Joe Baranowski

Dave Matthews

There being no further requests to speak, public comment closed.

**2. ADOPT RESOLUTION AUTHORIZING PARTICIPATION IN THE CALPERS CALIFORNIA EMPLOYER'S RETIREE BENEFIT SECTION 115 TRUST (CERBT) PROGRAM FOR FUNDING OTHER POST-EMPLOYMENT BENEFIT (OPEB) AS AN ALTERNATIVE TO THE PUBLIC AGENCY RETIREMENT SERVICES (PARS) SECTION 115 TRUST FUND**

Recommendation:

1. Authorize participation in the CalPERS CERBT program;
2. Adopt resolution delegating authority to request disbursements from the CERBT program; and
3. Terminate the PARS agreement for OPEB Section 115 Trust Fund.

**3. ITEM PULLED FOR DISCUSSION**

**4. ITEM PULLED FOR DISCUSSION**

**5. ITEM PULLED FOR DISCUSSION**

**6. APPROVE THE AUGUST 18, 2021 MEETING MINUTES**

Recommendation:

Approve Minutes.

**ITEMS PULLED FOR DISCUSSION**

**3. APPROVE LEASE AGREEMENT FOR COMMUNITY AND CULTURAL CENTER BUILDING 2 TO UPLIFT FAMILY SERVICES**

Recommendation:

Authorize the City Manager to execute and administer a lease agreement with Uplift Family Services for Building 2 (17060 Monterey Road) at the Community and Cultural Center.

Public Services Director Chris Ghione provided a report. He introduced Don Taylor with Uplift who provided a presentation. Police Chief Shane Palsgrove wrapped up the presentation.

Public comment opened at 8:08 p.m.

Armando Benavides was called to speak.

There being no further request to speak, public comment closed.

**MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>AUTHORIZED [UNANIMOUS]</b>
<b>MOVER:</b>	Rene Spring, Council Member
<b>SECONDER:</b>	Gino Borgioli, Council Member
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

**4. ACCEPT ANNUAL REPORTS OF ACTIVITIES BY NONPROFIT PARTNER ORGANIZATIONS**

Recommendation:

Accept annual reports from City partner organizations.

Public Services Director Chris Ghione provided a report.

Public comment opened at 8:23 p.m. There being no requests to speak, public comment closed.

**MOTION:**

Approving the recommended actions.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvonne Martinez Beltran, Council Member
<b>SECONDER:</b>	Gino Borgioli, Council Member
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

**5. APPROVE MURAL AT GALVAN PARK FRIENDLY INN BUILDING**

Recommendation:

Approve Galvan Park Mural.

Public Services Director Chris Ghione provide a report.

Public comment opened at 8:49 p.m. The following people were called the speak:

Jessica Arciga

Armando Benavides

There being no further requests to speak, public comment closed.

**MOTION:**

Approving the recommended action for the most updated version of the mural until another proposal is accepted.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvonne Martinez Beltran, Council Member
<b>SECONDER:</b>	Rene Spring, Council Member
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

The meeting recessed at 9:11 p.m. and reconvened at 9:21 p.m.

**PUBLIC HEARING**

**7. CONDUCT TAX AND EQUITY FISCAL RESPONSIBILITY ACT (TEFRA) HEARING APPROVING ISSUANCE OF BONDS FOR DEPOT COMMONS AFFORDABLE HOUSING APARTMENTS AT 17145 DEPOT STREET AND THE WILLOWS AFFORDABLE**

## **HOUSING APARTMENTS AT 50 W. EDMUNDSON AVENUE WITHIN THE CITY OF MORGAN HILL**

Recommendation:

1. Open/close public hearing consistent with the requirements of the Federal Tax and Equity Fiscal Responsibility Act ("TEFRA") and Section 147 (f) of the Internal Revenue Code of 1986, as amended (the "Code"); and
2. Adopt resolution approving the issuance of bonds by the California Municipal Finance Authority (CMFA), for the acquisition, rehabilitation, expansion, and improvement of two multifamily rental housing facilities: Depot Commons, located at 17145 Depot Street and The Willows, located at 50 W. Edmundson Avenue.

Housing Director Rebecca Garcia provided a report and presentation.

The public hearing opened at 9:25 p.m. There being no requests to speak, the public hearing closed.

### **MOTION:**

Approving the recommended actions.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Yvonne Martinez Beltran, Council Member
<b>SECONDER:</b>	John McKay, Mayor Pro Tem
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

## **OTHER BUSINESS**

### **8. APPROVE AGREEMENT WITH FLOCK SAFETY CAMERAS FOR AUTOMATED LICENSE PLATE READERS**

Recommendation:

Authorize the City Manager to execute and administer the lease agreement with Flock Safety for 25 Automated License Plate Readers for the initial term of 24 months with a cost of \$68,7500 for the first year and \$62,500 for the second year.

Police Captain Mario Ramirez provided a report and presentation. Captain Ramirez and John Anderson with Flock Safety answered questions.

Public comment opened at 10:09 p.m.

Brian Sullivan was called to speak.

There being no further requests to speak, public comment closed.

### **MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John McKay, Mayor Pro Tem
<b>SECONDER:</b>	Gino Borgioli, Council Member
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

### **9. ACCEPT MORGAN HILL TOURISM BUSINESS IMPROVEMENT DISTRICT (MHTBID) OWNER'S ASSOCIATION ANNUAL REPORT (DBA VISIT MORGAN HILL)**

Recommendation:

Accept and file the Visit Morgan Hill Annual Report.

Assistant City Manager for Development Services Edith Ramirez introduced Krista Rupp, Executive Director of Visit Morgan Hill who provided a report and presentation.

Public comment opened at 10:40 p.m. There being no requests to speak, public comment closed.

<b>RESULT:</b>	<b>REPORT RECEIVED</b>
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#### **10. ADOPT THE 2020 URBAN WATER MANAGEMENT AND WATER SHORTAGE CONTINGENCY PLANS**

Recommendation:

Adopt the 2020 Urban Water Management Plan and 2020 Water Shortage Contingency Plan.

Deputy Director for Utility Services James Sylvain provided a report and presentation.

Public comment opened at 10:55 p.m. There being no requests to speak, public comment closed.

**MOTION:**

Approving the recommended action.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rich Constantine, Mayor
<b>SECONDER:</b>	Rene Spring, Council Member
<b>AYES:</b>	Constantine, McKay, Borgioli, Martinez Beltran, Spring

### **FUTURE COUNCIL INITIATED AGENDA ITEMS**

Council Member Martinez Beltran requested 1) a policy process for camera requests from public, 2) that art at Galvan Park be included in the LCAC work plan, and 3) requested a review of art installation policy.

Mayor Pro Tem McKay requested that staff elevate discussion around how we complete bicycle path connections in our community.

Council Member Spring asked the Chief to come back with a report with the state of the Police Department, sharing data regarding how it's going with staff, and an update on Flock cameras.

Council Member Borgioli would like to follow up on his request to look into making the Downtown a district.

### **ADJOURNMENT**

There being no further business, the meeting adjourned at 10:59 p.m.

**MINUTES PREPARED BY:**

Michelle Bigelow, City Clerk