

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
APPROVING THE TIER 2 DROUGHT RESPONSE IMPLEMENTATION PLAN
PURSUANT TO SECTION 3.11.C OF THE AMENDED
AND RESTATED WATER SUPPLY AGREEMENT WITH SAN FRANCISCO

WHEREAS, the City of Mountain View (City) is one (1) of twenty-six (26) agencies in San Mateo, Santa Clara, and Alameda Counties (Wholesale Customers) which purchases water from the City and County of San Francisco (San Francisco) pursuant to the Water Supply Agreement, originally entered into in 2009 and recently amended in 2018 and 2021 (the Agreement or WSA). Collectively, these 26 agencies are referred to in the Agreement as Wholesale Customers; and

WHEREAS, Agreement Section 3.11 addresses situations when insufficient water is available in the San Francisco Regional Water System (RWS) to meet the full demands of all users. Section 3.11.C provides that during periods of water shortage caused by drought, the San Francisco Public Utilities Commission (SFPUC) will allocate available water between its retail customers and the Wholesale Customers, collectively, in accordance with a schedule contained in the Water Shortage Allocation Plan set forth in Attachment H to the Agreement (Tier 1 Plan); and

WHEREAS, Section 3.11.C authorizes Wholesale Customers to adopt a Drought Allocation Plan, including a methodology for allocating the available water among the individual Wholesale Customers (Tier 2 Plan). The WSA also commits the SFPUC to honor allocations of water unanimously agreed to by all Wholesale Customers or, if unanimous agreement cannot be achieved, water allocations that have been adopted by the Board of Directors of the Bay Area Water Supply and Conservation Agency (BAWSCA). The Agreement also provides that the SFPUC can allocate water supplies as necessary during a water shortage emergency if no agreed upon plan for water allocation has been adopted by the 26 Wholesale Customers or the BAWSCA Board of Directors; and

WHEREAS, commencing in January 2022, representatives appointed by the managers of each of the Wholesale Customers began meeting monthly to develop a set of principles to serve as guidelines for an equitable allocation methodology and to develop formulas and procedures in order to implement those principles. These discussions, and supporting technical analyses, have been conducted with the assistance of BAWSCA; and

WHEREAS, the Tier 2 Plan has been endorsed by all of the Wholesale Customer representatives who participated in the formulation process, and they have each recommended that it be formally adopted by the governing body of their respective agencies; and

WHEREAS, the Tier 2 Plan allocates the collective Wholesale Customer share of RWS supply made available by SFPUC among each of the 26 Wholesale Customers through December 31, 2034 and is coordinated with the term of the Agreement and extension and renewal terms; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View approves the Tier 2 Drought Response Implementation Plan; and be it

FURTHER RESOLVED: that this approval is conditioned upon all of the other twenty-five (25) Wholesale Customers approving the Tier 2 Plan, such approvals being evidenced through adoption of similar resolutions or, in the case of private-sector organizations, by other equivalently binding written commitments signed by an executive officer acting within the scope of delegated authority, and all such approvals occurring on or before December 31, 2025; and be it

FURTHER RESOLVED: that this approval is conditioned upon SFPUC and all of the other twenty-five (25) Wholesale Customers approving the 2025 Amended and Restated Water Supply Agreement between San Francisco and Wholesale Customers in Alameda County, San Mateo County, and Santa Clara County (2025 WSA), such approvals being evidenced through adoption of similar resolutions or, in the case of private-sector organizations, by other equivalently binding written commitments signed by an executive officer acting within the scope of delegated authority, and all such approvals occurring on or before December 31, 2025; and be it

FURTHER RESOLVED: that if such resolutions or binding commitments approving the 2025 WSA and the Tier 2 Plan are not adopted by December 31, 2025, this resolution will automatically expire and be of no further effect after December 31, 2025, unless it has been extended prior thereto by further action of this Council.

EF/LL/1/RESO
703-06-24-25r-1