

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING THE 2009 WATER AND SEWER MASTER PLAN UPDATES

WHEREAS, the City of Milpitas (“City”) owns and operates the water and sewer utility systems contained within the City limits; and

WHEREAS, the City’s 2002 Water Master Plan and 2004 Sewer Master Plan identify the water supply and sanitary sewer system infrastructure necessary to accommodate the City’s projected build-out and growth based on the 1998 City of Milpitas General Plan; and

WHEREAS, since the completion of those Master Plans, additional land use changes have occurred in the Midtown Specific Plan and Transit Area Specific Plan areas of the City, as well as in several other parts of the City, that would affect water and sewer demand; and

WHEREAS, in view of such planned growth and changed land use designations, the City has prepared a draft update and revision of the outline of capital improvements to the City’s water and sanitary sewer systems needed to serve such anticipated growth, in the form of the proposed 2009 Water and Sewer Master Plan Updates; and

WHEREAS, on May 4, 2010, prior to the actions set forth in this Resolution, the City Council held a duly noticed public hearing on the 2009 Water and Sewer Master Plan Updates and reviewed an Environmental Impact Report prepared for the project in accordance with the California Environmental Quality Act (“CEQA”) (“Water and Sewer Master Plan Updates EIR”), which identifies the potential for significant effects on the environment from the proposed 2009 Water and Sewer Master Plan Updates. The City Council, after review of the submitted materials, found by separate resolution that the 2009 Water and Sewer Master Plan Updates EIR was completed in compliance with CEQA and the CEQA Guidelines.

NOW THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby approves the 2009 Water Master Plan Update.
3. The City Council hereby approves the 2009 Sewer Master Plan Update.

PASSED and ADOPTED this _____ day of _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Robert Livengood, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney