

**RESOLUTION NO. 6112**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL ADOPTING THE SANTA CLARA VALLEY WATER RESOURCES PROTECTION COLLABORATIVE GUIDELINES AND STANDARDS FOR LAND USE NEAR STREAMS**

**WHEREAS**, the Santa Clara Valley Water District (SCVWD), along with representatives of the County of Santa Clara, the fifteen Cities in Santa Clara County, the San Francisco Bay Regional Water Quality Board, and various business, development, property owner, environmental and community interests have formed and are members of the Water Resources Protection Collaborative; and the City of Morgan Hill participates in the Collaborative; and

**WHEREAS**, all Collaborative members share the watershed resource protection goals of flood management, drinking water quality and quantity, surface and groundwater quality and quantity, and habitat protection and enhancement; and

**WHEREAS**, the SCVWD, Cities and County are committed to furthering these goals through the adoption of land development guidelines and standards jointly developed with other stakeholders; and

**WHEREAS**, in order to accomplish these goals, the Collaborative recognizes the importance of private creek side owners' interests, monitoring and accountability, and delineation of responsibility for administering mutually agreed-upon policy, guidelines, and standards to which SCVWD, County and municipal activities, and permit review, will conform; and,

**WHEREAS**, it is recognized that SCVWD, Cities and County through Implementation of their National Pollutant Discharge Elimination System (NPDES) Permit, Best Management Practices and other means have continuously acted to protect the watersheds and water quality in Santa Clara County, and that implementation of the Guidelines & Standards will complement those practices; and,

**WHEREAS**, it is recognized that local control is the key principle for the implementation of resource protection goals, and that Cities and the County are the primary jurisdictions for land use planning and land use permit regulation, and that the broader stakeholder community has a central role in local stewardship and enhanced resource protection.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Morgan Hill ratifies and supports the above foundational principles of the Water Resources Protection Collaborative and will implement the policies, guidelines and standards contained in the User Manual Guidelines and Standards for Land Use Near Streams that have been developed by the Collaborative, through undertaking the following actions:

1. The City Council of the City of Morgan Hill hereby adopts the Water Protection Collaborative Guidelines and Standards for Land Use Near Streams dated August 2005, and as revised July 2006, and as may be periodically revised in the future by the Collaborative, as a "best practices" water resources protection manual.

2. The City of Morgan Hill commits to apply the Guidelines & Standards for Land Use Near Streams to streamside developments and activities within the City of Morgan Hill to the extent feasible and appropriate, and to the extent that the Guidelines & Standards are consistent with Morgan Hill's General Plan, Specific Plans, Design Guidelines, Zoning Ordinance, and Municipal Code.
3. The City of Morgan Hill commits to continue to involve the Santa Clara Valley Water District in the process of the city's review of proposed projects and activities on properties near streams, such as through the early consultation process, referral of proposed development plans for District comments, and/or transmittal of draft CEQA documents for review and comment by the District.
4. The City of Morgan Hill commits to continue to participate in the Santa Clara Valley Water Resources Protection Collaborative on matters pertaining to water resources protection, such as through attendance at planned quarterly meetings of the Collaborative.

**PASSED AND ADOPTED** by the City Council of Morgan Hill at a Regular Meeting held on the 22<sup>nd</sup> day of August 2007 by the following vote:

<b>AYES:</b>	<b>COUNCIL MEMBERS:</b>	<b>Larry Carr, Mark Grzan, Marby Lee, Greg Sellers, Steve Tate</b>
<b>NOES:</b>	<b>COUNCIL MEMBERS:</b>	<b>None</b>
<b>ABSTAIN:</b>	<b>COUNCIL MEMBERS:</b>	<b>None</b>
<b>ABSENT:</b>	<b>COUNCIL MEMBERS:</b>	<b>None</b>

**∞ CERTIFICATION ∞**

**I, IRMA TORREZ, CITY CLERK OF THE CITY OF MORGAN HILL, CALIFORNIA, do hereby certify that the foregoing is a true and correct copy of Resolution No. 6112, adopted by the City Council at a Regular Meeting held on August 22, 2007.**

**WITNESS MY HAND AND THE SEAL OF THE CITY OF MORGAN HILL.**

**DATE:** \_\_\_\_\_

8/28/07

  
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**IRMA TORREZ, City Clerk**