

CITY COUNCIL
CITY OF ROLLING HILLS ESTATES
LOS ANGELES COUNTY, CALIFORNIA
RESOLUTION NO. 2353

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTATES
IMPLEMENTING WATER SHORTAGE RESPONSE LEVEL 2 UNDER THE CITY'S
WATER CONSERVATION AND WATER SHORTAGE MANAGEMENT PLAN**

The City Council of the City of Rolling Hills Estates resolves as follows:

SECTION 1. Findings. The City Council finds as follows:

- A. A reliable supply of potable water is essential to the public health, safety, and welfare of the people and economy of the City of Rolling Hills Estates ("City").
- B. Article X, Section 2 of the California Constitution declares that the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare.
- C. Article XI, Section 7 of the California Constitution provides that the City may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws of the State.
- D. In 2009, the City Council adopted Ordinance No. 650 that established a "Water Conservation and Water Shortage Management Plan," which was codified as Chapter 13.04 of the Rolling Hills Estates Municipal Code.
- E. In 2009, following the adoption of Chapter 13.04, the City Council declared a level 1 response under the Water Conservation and Water Shortage Management Plan which resulted in City residents and business and property owners being subject to the level 1 response water conservation measures set forth in Municipal Code Section 13.04.070.
- F. Until recently, the water conservation measures under level 1 have proved adequate with respect to the availability of water supplies to the City. However, the onset of one of the worst drought periods in California history has required the implementation of additional conservation measures.
- G. On January 17, 2014, Governor Edmund G. Brown Jr. issued Governor's Proclamation No. 1-17-2014, declaring a State of Emergency in California due to severe drought conditions. The Proclamation called on all Californians to reduce their water usage by 20 percent.
- H. On April 25, 2014, the Governor issued an executive order to strengthen the state's ability to manage water and habitat effectively in drought conditions and called on all Californians to redouble their efforts to conserve water.
- I. On July 15, 2014, the California Water Resources Control Board ("State Water Board") adopted Resolution No. 2014-0038, which made findings that emergency drought conditions existed that warranted the need for emergency regulations to prevent the waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of water, and to promote water recycling and water conservation throughout the state.
- J. The resolution added a new Article 22.5, including Sections 863, 864, and 865 to Title 23 of the California Code of Regulations ("CCR"), which established certain emergency water conservation regulations ("Emergency Regulations").
- K. Among other things, the Emergency Regulations required urban water suppliers to implement a mandatory water conservation measure or measures intended to achieve a

reduction in water consumption by persons served relative to the amounts consumed in 2013.

- L. Drought conditions continue to persist in California due to record low snowpack in the Sierra Nevada mountains this past winter, decreased water levels in most of California's reservoirs, reduced flows in the state's rivers and shrinking supplies in underground water basins. The area within and surrounding the City has experienced similar limited rainfall over the winter months and is subject to the same or similar drought conditions experienced throughout the state.
- M. On April 1, 2015, Governor Brown issued Executive Order B-29-15 ("Executive Order"), which, among other things, directed the State Water Board to impose additional water conservation measures to achieve an overall 25 percent reduction in potable urban water usage as compared to amounts used in 2013.
- N. On May 5, 2015, the State Water Board approved revisions to the Emergency Regulations ("revised Emergency Regulations"), which are intended to implement Governor Brown's Executive Order.
- O. The City's water retailer, California Water Service Company ("CalWater"), has adopted Rule 14.1, which establishes an updated water shortage contingency plan and related conservation measures in response to the Governor's Executive Order and the revised Emergency Regulations. Rule 14.1 has been approved by the California Public Utilities Commission and went into effect on June 1, 2015. The conservation measures contained in Rule 14.1 apply to all City customers of CalWater.
- P. Under the revised Emergency Regulations as implemented by CalWater, City water customers are required to reduce water consumption by 36 percent over comparable periods during 2013.
- Q. While the efforts to date of City water customers to conserve water during the level one response are commendable, in order to achieve additional reductions in usage over 2013 levels additional conservation measures are necessary.
- R. On July 14, 2015, the City Council amended and restated Municipal Code Chapter 13.04 in order to further the conservation mandates imposed under the revised Emergency Regulations and to have conservation measures in place that are generally consistent with those set forth in CalWater's Rule 14.1.
- S. The City Council also desires to declare a response level 2 water shortage condition under the amended and restated Municipal Code Chapter 13.04, and implement the additional corresponding water conservation measures set forth in Rolling Municipal Code section 13.04.070.

SECTION 2. Declaration of Water Shortage Response Level 2. Based on the above findings, the City Council hereby declares the existence of a water shortage response level 2 condition throughout the City effective as of August 1, 2015. During the duration of the response level 2 condition, City property and business owners and residents are required to follow all water conservation measures listed in Municipal Code sections 13.04.050, 13.04.060, and 13.04.070.

SECTION 3. Certification. The City Clerk is directed to certify to the adoption of this Resolution.

ADOPTED this 14th day of July 2015.

JOHN C.ADDLEMAN, MAYOR

ATTEST:

DOUGLAS R. PRICHARD, CITY CLERK

I HEREBY CERTIFY that the foregoing Resolution No. 2353 was adopted by the City Council of the City of Rolling Hills Estates at a regular meeting held thereof on the 14th day of July 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DOUGLAS R. PRICHARD, CITY CLERK