

RESOLUTION NO. 23-63

**CITY OF MILLBRAE, COUNTY OF SAN MATEO
STATE OF CALIFORNIA**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE
RESCINDING RESOLUTION 22-41 WATER SHORTAGE EMERGENCY AND
ENACTING THE CITY'S 2020 WATER SHORTAGE CONTINGENCY PLAN,
STAGE TWO, AND ENACTING WATER SHORTAGE CONTINGENCY PLAN,
STAGE ONE**

WHEREAS, on November 23, 2021, by Resolution No. 21-0177, the San Francisco Public Utilities Commission (SFPUC) approved the declaration of a local Water Shortage Emergency pursuant to the California Water Code (Division 1, Chapter 3, Sections 350-359) and called for a voluntary system-wide 10% reduction in water use compared to baseline water use during Fiscal Year 2019-2020; and

WHEREAS, on March 28, 2022, Governor Newsom issued Executive Order N-7-22 directing the California State Water Resources Control Board (State Water Board) and local water agencies to enact shortage response actions consistent with local drought contingency plans; and

WHEREAS, on May 24, 2022, the State Water Board adopted an emergency drought regulation to Reduce Water Demand and Improve Water Conservation. The State Water Board adopted California Code of Regulations, title 23, section 996, as appended in Resolution No. 2022-0018, as an emergency regulation that applies to urban water suppliers, as defined by Water Code section 10617; and

WHEREAS, under the emergency regulations each urban water supplier that had submitted a Water Shortage Contingency Plan (WSCP) to the Department of Water Resources was required to implement, at a minimum, all demand reduction actions identified in the supplier's WSCP adopted under Water Code section 10632 for a shortage level of ten (10) to twenty (20) percent (Level 2). (23 CCR §996 (c)(1).) Further, to prevent the unreasonable use of water and to promote water conservation, the use of potable water was prohibited for the irrigation of non-functional turf at commercial, industrial, and institutional sites. (23 CCR §996 (c).); and

WHEREAS, on March 24, 2023, Governor Newsom issued an Executive Order N-5-23 that terminated the relevant portions of Executive Order N-7-22 that prompted the State Water Board to adopt emergency regulations requiring urban water suppliers to implement level 2 of their WSCPs. The State Water Board level 2 drought regulations and ban on irrigation non-functional turf automatically expired on June 10, 2023; and

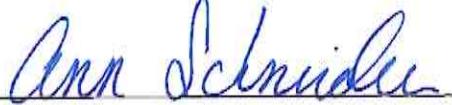
WHEREAS, on April 11, 2023, the SFPUC took action to rescind its declaration of a local water shortage emergency however, there remained a voluntary call for an 11% water use reduction within the San Francisco Regional Water System. The action approved by the SFPUC enabled that 11% call for reduction to be dropped when the associated State Water Board drought action requirements expired on June 10, 2023; and

WHEREAS, staff has reviewed water supply updates from SFPUC and recommends the City likewise rescind the Water Shortage Emergency and enactment of Stage Two of the WSCP. However, given climate change and the multi-year nature of the recent drought, which began three years after the record setting drought of 2012 -2016, and to maintain a continuing level of drought awareness, staff recommends it would be prudent as a precautionary measure to adopt Stage One of the WSCP. This year has been one of the wettest on record with a snowpack that has reached historic levels; however, it follows three of the driest years on record; and

WHEREAS, Stage One of the WSCP calls for 0 – 5% Demand Reduction Target which can be accomplished with a combination of voluntary conservation measures and minimal usage restrictions, combined with enhanced enforcement of the Millbrae Municipal Code Chapter 8.45 on Water Conservation.

NOW, THEREFORE BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MILLBRAE rescind Water Shortage Emergency and Enacting the City's 2020 Water Shortage Contingency Plan (WSCP), Stage Two, Resolution 22-41; and Adopt a Resolution Enacting the WSCP Stage One.

REGULARLY PASSED AND ADOPTED this 25th day of July, 2023.



Ann Schneider
Mayor

ATTEST:



7/20/23
City Clerk

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 25th day of July 2023, by the following vote:

AYES: COUNCILMEMBERS: Schneider, Fung, Cahalan, Papan

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

EXCUSED: COUNCILMEMBERS: Goodman



7/26/23

CITY CLERK