

**RESOLUTION NO. 17-22**

**RESOLUTION NO.**

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

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**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE,  
CALIFORNIA RESCINDING THE MILLBRAE 2016 WATER SHORTAGE  
CONTINGENCY PLAN, STAGE 1, AND MAINTAINING THE STATE WATER  
RESOURCES CONTROL BOARD'S WATER USE REGULATIONS**

**WHEREAS**, on January 17, 2014 Governor Edmund G. Brown Jr. issued Proclamation No. 1-17-2014 declaring a State of Emergency to exist in California due to severe drought conditions and calling on Californians to reduce their water usage by 20 percent; and

**WHEREAS**, on April 25, 2014, the Governor issued an Executive Order which directed the State Water Resources Control Board (State Water Board) to adopt Drought Emergency Regulations (Emergency Regulations); and

**WHEREAS**, the Governor issued various emergency proclamations and drought related Executive Orders, including B-26-14, B-28-14, B-29-15, B-36-15 and B-37-16, and the State Water Board followed the orders by adopting, amending and extending various Emergency Regulations and imposing water conservation measures on individuals and water suppliers; and

**WHEREAS**, the City Council adopted the Emergency Regulations and enacted the Water Shortage Contingency Plan at Stage 1 in 2014, Stage 2 in 2015, and Stage 1 in 2016 in order to impose drought related restrictions to reduce water waste, to reduce the irrigation of ornamental landscapes and turf with potable water, and achieve mandated water use reductions; and

**WHEREAS**, on April 7, 2017 Governor Brown issued Executive Order B-40-17, which terminated the declared drought state of emergency in all California counties except Fresno, Kings, Tulare and Tuolumne and keeps in effect certain requirements and prohibitions in Executive Order B-37-16, which is aimed at long term actions for using water wisely, reducing water waste, and improving water use efficiency; and

**WHEREAS**, as a result of above average precipitation over the past winter and an adequate supply of water, the San Francisco Public Utility Commission is no longer requesting water use reductions; and

**WHEREAS**, the State Water Board on April 26, 2017 repealed portions of the Emergency Regulations that require a water supply stress test or mandatory conservation standards for urban water agencies, but retained portions of the Emergency Regulations that prohibit specified wasteful water practices under California Code of Regulations, title 23, section 864; and

**WHEREAS**, the City's Urban Water Management Plan and the Water Shortage Contingency Plan, adopted by the City Council on June 14, 2016, provides the requirements and

goals for water conservation plans and programs as set forth in the Millbrae Municipal Code (MMC) in Chapter 8.45 at Section 8.45.060, "Conservation Planning and Programs"; and

**WHEREAS**, staff recommends that the City Council rescind the 2016 Water Shortage Contingency Plan at Stage 1 and authorize the continued implementation and enforcement of the rules set forth in Exhibit A as an efficacious and comprehensive response to maintaining the Emergency Regulations of the State Water Board.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Millbrae hereby rescinds the 2016 Water Shortage Contingency Plan at Stage 1 and maintains the State's Emergency Regulations with the adoption of the Water Conservation Rules set forth in **Exhibit A** to this Resolution until the State Water Board amends, extends, or makes permanent the Emergency Regulations or until such time as the City Council determines to amend these Rules, with the understanding that these Rules shall be effective upon the passage of this Resolution.

**REGULARLY PASSED** and adopted this 13th day of June, 2017.

  
MAYOR

ATTEST:

  
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 13<sup>th</sup> day of June 2017, by the following vote:

AYES:	COUNCILMEMBERS:	Holober, Papan, Schneider, Lee, and Oliva
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None

  
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CITY CLERK



## **EXHIBIT A**

### **CITY OF MILLBRAE WATER CONSERVATION RULES EFFECTIVE FOR THE DURATION OF THE STATE EMERGENCY REGULATIONS**

**EFFECTIVE JUNE 13, 2017**

#### **Water Conservation Rules**

In addition to the water conservation measures provided in the Millbrae Municipal Code (MMC) Chapter 8.45, "Water Conservation," the following Water Conservation Rules continue to be in effect as incorporated in Resolutions 14-44 and 15-21. (Authority: California Code of Regulations, Title 23, Sections 864 and 865; MMC Chapter 8.45.)

1. Hoses used for any purposes shall have positive shut-off valves.
2. No use of water shall be allowed which results in flooding or runoff in gutters, driveways or streets.
3. Sidewalks, walkways, plazas, houses, businesses, driveways, patios, parking lots, tennis courts, buildings, awnings, or other hard surfaced areas shall not be cleaned using water from hoses or by use of water directly from faucets or other outlets.
4. Water used to fill or maintain decorative fountains or pools shall be recycled.
5. The irrigation of turf and ornamental landscapes is prohibited during and 48 hours following measurable precipitation.
6. Restaurants and other public places where food or drink are served and/or purchased can only serve drinking water upon request.
7. Hotels and motels must provide guests with the option of choosing not to have towels and linens laundered daily. Notices should prominently be displayed in each bathroom using clear and easily understood language.
8. Irrigation with potable water of ornamental turf on public street medians is prohibited.
9. Irrigation with potable water of landscapes outside of newly constructed homes and buildings must be consistent with the regulations established by the California Building Standards Commission and Department of Housing and Community Development.
10. Staff to provide prompt notification to customers of water leaks within the customer's control and require the repair of leaks.
11. Staff to prepare and submit to the State Water Resources Control Board a water monitoring report by the 15th of each month.

### **Enforcement**

The Resolution and the Water Conservation Rules will be enforced through MMC Sections 8.45.070 and 1.05.010. Further, any violation of the Water Conservation Rules and Regulations may be subject to a \$500 fine for each day a violation occurs under the California Code of Regulations, Title 23, Section 864(d).

### **Effective Date**

The Water Conservation Rules are effective on June 13, 2017 and will remain in effect unless the State Water Board determines that the Emergency Regulations are no longer necessary due to changed conditions, the State Water Board renews the Emergency Regulations due to continued drought conditions, the State Water Board makes the emergency Regulations permanent, or the Water Conservation Rules are amended and/or extended by the City Council.