

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF SANTA CLARA,
CALIFORNIA, TERMINATING THE PROCLAMATION OF
EMERGENCY DROUGHT CONDITIONS BY THE DIRECTOR OF
EMERGENCY SERVICES, CONTINUING STAGE 2 OF THE
WATER SHORTAGE CONTINGENCY PLAN, AND
ESTABLISHING A 15% VOLUNTARY WATER USE
REDUCTION**

BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

WHEREAS, section 2.140.060 of “The Code of the City of Santa Clara, California” (“SCCC”) empowers the Director of Emergency Services to proclaim the existence or threatened existence of a “local emergency” when the City of Santa Clara is affected or likely to be affected by a public calamity, subject to ratification by the City Council within seven days;

WHEREAS, extreme drought conditions in the San Francisco Bay Area region and the City of Santa Clara have the potential of extreme peril to the safety of persons and property within the City;

WHEREAS, on June 9, 2021 the Board of Directors of the Santa Clara Valley Water District (“Valley Water”) declared a water shortage emergency condition in Santa Clara County and called for a mandatory 15% reduction in water usage County wide as compared to 2019;

WHEREAS, on June 15, 2021, the Santa Clara County Director of Emergency Services proclaimed a local emergency related to extreme drought conditions;

WHEREAS, on June 22, 2021, the Santa Clara County Board of Supervisors adopted a resolution ratifying the June 15, 2021 proclamation by the Director of Emergency Services;

WHEREAS, on July 8, 2021, California Governor Gavin Newsom extended his previous drought proclamation to include Santa Clara County;

WHEREAS, on July 12, 2021, City Manager Deanna J. Santana, acting in her role as the City’s Director of Emergency Services, proclaimed a local emergency due to extreme drought conditions in the City of Santa Clara;

WHEREAS, on July 13, 2021, pursuant to Resolution 21-8989, the City Council found that these extreme drought conditions did warrant and necessitate the proclamation of the existence of a local emergency;

WHEREAS, Resolution 21-8989 also implemented Stage 2 of the City's Water Shortage Contingency Plan, with slight modifications, and instituted water use prohibitions, including a restriction on outdoor watering to a maximum of three (3) days per week;

WHEREAS, on April 19, 2022, the City Council adopted Resolution 22-9077, which amended Resolution 21-8989 to further restrict outdoor watering to a maximum of two (2) days per week;

WHEREAS, since the City Council's ratification of the emergency proclamation on July 13, 2021, the degree of the emergency conditions has decreased as follows:

1. The March 3, 2023 snow survey conducted by the Department of Water Resources and partner agencies found that most regions of the Sierra Nevada are above average for snow water content, some regions are nearing record amounts of snow, and rain has fallen across many regions of the state since with more precipitation forecasted.
2. On March 24, 2023, Governor Newsom ended both the 15% water conservation target and requirement that local agencies implement their drought contingency plans with Executive Order N-5-23.
3. On April 11, 2023, Valley Water rescinded the water shortage emergency condition for Santa Clara County and called for a 15% voluntary water use reduction, replacing a mandatory reduction in water use as compared to 2019. Additionally, Valley Water will continue enforcing a number of water-wasting activities, including, a maximum of two day per week for outdoor watering.
4. On April 11, 2023, the San Francisco Public Utilities Commission rescinded the drought emergency but keep a voluntary call for an 11% water use reduction compared FY19/20 and Level 2 requirements until the State Water Resources Control Board (SWRCB) requirements expire or are rescinded.

WHEREAS, although the statewide drought emergency may be over, the SWRCB Drought Emergency Regulations requiring implementation of level 2 drought contingency plans remain in effect and are set to expire on June 10, 2023 and SWRCB emergency regulations prohibiting certain wasteful water practices set to expire on December 21, 2023. Therefore, Stage 2 of the City's Water Shortage Contingency Plan is still required until the SWRCB requirements expire or are rescinded. Additionally, permanent water use restrictions and prohibitions outlined in Section 1C of the City's Water Service and Use Rules and Regulations that prevent water wasting and other measures are still needed in order to promote conservation as a way of life and to preserve the City's water supply.

WHEREAS, in accordance with Government Code Section 8630, the City Council deems it reasonable to proclaim the termination of the local drought emergency at this time.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the local emergency ratified by the City Council on July 13, 2021, related to the Drought Emergency, is hereby proclaimed terminated in accordance with Government Code Section 8630.
2. That the City reaffirms its commitment to comply with the State Water Resources Control Board Level 2 drought water shortage contingency plan measures. All water use regulations set forth in Resolution 22-9077 shall remain in full force and effect.
3. That the City hereby establishes a 15% voluntary water use reduction target for all users compared to 2019 usage, in alignment with the Valley Water Board recommendation.
4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE ____ DAY OF _____, 20__, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST:

NORA PIMENTAL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference: None