

**Before the Board of Supervisors of the County of Fresno, State of California,
Sitting as the Board of Directors for Fresno County Waterworks District No. 40**

Resolution No. 16-104

**Resolution Declaring Water Conservation Stage in County Waterworks District
No. 40 for the 2016–2017 Water Year (Ord. Code, § 14.01.060)**

WHEREAS, under Fresno County Ordinance Code Section 14.01.040, the Director of Public Works and Planning (Director) has presented to this Board, and this Board has received, an annual water conservation report (Report) covering all of the County Service Areas, County Service Area Zones, and County Waterworks Districts whose governing body is this Board where the County supplies water for human consumption (Districts), including County Waterworks District No. 40 (WWD 40); and

WHEREAS, the Report is based on all relevant information reasonably available to the Director regarding water demand and availability during 2016–2017 water year in each of the Districts, including WWD 40;

WHEREAS, the Report includes a statement of whether and to what extent the Director anticipates limits on the availability of water resources or the ability of the County to supply water for human consumption, sanitation, and fire protection during the 2016–2017 water year in WWD 40;

WHEREAS, the Report includes a recommendation regarding the duration of the conservation period in WWD 40, namely the 2016–2017 water year, a recommendation regarding the appropriate water conservation stage for WWD 40 during that period, and a proposed resolution declaring the water conservation stage for WWD 40 during that period; and

WHEREAS, a copy of the Report is on file with the Clerk to this Board; and

WHEREAS, on January 4, 2016, under Ordinance Code Section 14.01.040, the Director caused a draft of the Report, along with instructions for submitting comments by January 25, 2016, to be emailed to all Citizens Advisory Committee (CAC) members for WWD 40; and

WHEREAS, the Director caused notice of the time and place of a public hearing and the details of the recommendation for WWD 40 identified in the Report to be sent by United States Postal Service first-class mail on January 29, 2016, to each record owner of property in WWD 40 as shown on the last equalized assessment roll, and notice of the

time and place of the public hearing was published in the Fresno Bee on February 23, 2016, as required by Ordinance Code Section 14.01.050 and Water Code section 352; and

WHEREAS, a public hearing was held on March 1, 2016, before this Board, at which time there was opportunity for all interested persons to protest the declaration of a water conservation stage, and to present their respective needs and any other relevant information to the Board, as provided in Ordinance Code Section 14.01.060 and Water Code Section 351; and

WHEREAS, this Board has considered the Report and all of the testimony and other information presented at the public hearing as to WWD 40; and

WHEREAS, during the period from April 1, 2016, through March 31, 2017, limits on the availability of water resources or the ability of the County to supply water for human consumption are expected to exceed the normal limits such that the ordinary demands and requirements of water consumers within WWD 40 cannot be satisfied without depleting the water supply for WWD 40 to the extent that there would be a critical shortfall in the supply of water available for human consumption, sanitation, and fire protection within WWD 40.

Therefore, be it resolved:

1. This Board finds that all of the recitals above are true and correct.
2. Based on the Report and all of the testimony and other information presented at the public hearing as to WWD 40, this Board finds that declaring Water Conservation Stage Four (Severe Water Shortage Emergency Condition) (Ord. Code, § 14.01.110) in WWD 40 for the 2016–2017 water year (April 1, 2016, through March 31, 2017) will conserve the water supply to WWD 40 for the greatest public benefit for that period, with particular regard to domestic use, sanitation, and fire protection.
3. The regulations for Water Conservation Stage Four (Severe Water Shortage Emergency Condition), under Ordinance Code Section 14.01.110, shall be in effect in WWD 40 from April 1, 2016, through March 31, 2017.
4. The Director is authorized and directed to send by United States Postal Service first-class mail, postage prepaid, to all property owners in WWD 40, as shown on the last equalized assessment roll, a copy of the regulations imposed under this resolution, Ordinance Code Section 14.01.110, and Water Code Section 353.

The foregoing resolution was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno sitting as the Board of Directors for Fresno County Waterworks District No. 40 this 1st day of March, 2016:

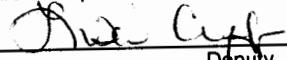
Ayes: Supervisors Borgeas, Mendes, Pacheco, Perea, Poochigian

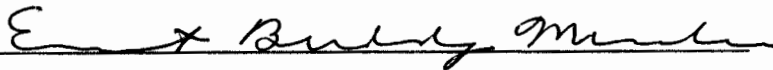
Noes: None

Absent: None

ATTEST:

BERNICE E. SEIDEL, Clerk
Board of Supervisors

By 
Deputy



Chair, Board of Directors

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