

Before the Board of Supervisors of the County of Fresno, State of California

Resolution No. 16-099

**Resolution Declaring Water Conservation Stage in County Service Area No. 39
Zones A & B 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 Service Area No. 39 Zones A and B (CSA 39AB); 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 CSA 39AB;

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 CSA 39AB;

WHEREAS, the Report includes a recommendation regarding the duration of the conservation period in CSA 39AB, namely the 2016–2017 water year, a recommendation regarding the appropriate water conservation stage for CSA 39AB during that period, and a proposed resolution declaring the water conservation stage for CSA 39AB 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 CSA 39AB; and

WHEREAS, the Director caused notice of the time and place of a public hearing and the details of the recommendation for CSA 39AB 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 CSA 39AB 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 CSA 39AB; and

WHEREAS, during the period from April 1, 2016, through November 30, 2016, and March 2, 2017, through March 31, 2017, limits on the availability of water resources or the ability of the County to supply water for human consumption are not expected to exceed the normal limits such that the ordinary demands and requirements of water consumers within CSA 39AB would not be satisfied without depleting the water supply for CSA 39AB to the extent that there would be a severe shortfall in the supply of water available for human consumption, sanitation, and fire protection within CSA 39AB; however, because the City of Fresno, which supplies water for CSA 39AB, has limited outdoor watering by its water users to two days per week, Water Conservation Stage Two (Significant Water Shortage Emergency Condition) is appropriate.

WHEREAS, during the period from December 1, 2016, through March 1, 2017, limits on the availability of water resources or the ability of the County to supply water for human consumption are not expected to exceed the normal limits such that the ordinary demands and requirements of water consumers within CSA 39AB would not be satisfied without depleting the water supply for CSA 39AB to the extent that there would be a severe shortfall in the supply of water available for human consumption, sanitation, and fire protection within CSA 39AB; however, because the City of Fresno, which supplies water for CSA 39AB, has limited outdoor watering by its water users to one day per week, Water Conservation Stage Three (Critical Water Shortage Emergency Condition) is appropriate.

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 CSA 39AB, this Board finds that declaring Water Conservation Stage Two (Significant Water Shortage Emergency Condition) (Ord. Code, § 14.01.090) in CSA 39AB for the dates of April 1, 2016 through November 30, 2016, and March 2, 2017 through March 31, 2017 of the 2016–

2017 water year (April 1, 2016, through March 31, 2017) will conserve the water supply to CSA 39AB for the greatest public benefit for that period, with particular regard to domestic use, sanitation, and fire protection, and will comply with the restrictions imposed by the City of Fresno.

3. Based on the Report and all of the testimony and other information presented at the public hearing as to CSA 39AB, this Board finds that declaring Water Conservation Stage Three (Critical Water Shortage Emergency Condition) (Ord. Code, § 14.01.100) in CSA 39AB for the dates of December 1, 2016 through March 1, 2017, of the 2016–2017 water year (April 1, 2016, through March 31, 2017) will conserve the water supply to CSA 39AB for the greatest public benefit for that period, with particular regard to domestic use, sanitation, and fire protection, and will comply with the restrictions imposed by the City of Fresno.
4. The regulations for Water Conservation Stage Two (Significant Water Shortage Emergency Condition), under Ordinance Code Section 14.01.090, shall be in effect in CSA 39AB from April 1, 2016, through November 30, 2016, and March 2, 2017, through March 31, 2017.
5. The regulations for Water Conservation Stage Three (Critical Water Shortage Emergency Condition), under Ordinance Code Section 14.01.100, shall be in effect in CSA 39AB from December 1, 2016, through March 1, 2017.
6. The Director is authorized and directed to send by United States Postal Service first-class mail, postage prepaid, to all property owners in CSA 39AB, as shown on the last equalized assessment roll, a copy of the regulations imposed under this resolution, Ordinance Code Sections 14.01.090 and 14.01.100, 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 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 [Signature]
Deputy

[Signature]

Chair, Board of Supervisors