

RESOLUTION NO. 2015-1219

RESOLUTION OF THE BOARD OF DIRECTORS OF THE TRABUCO CANYON WATER DISTRICT MAKING MODIFICATIONS TO WATER CONSERVATION MEASURES UNDER ORDINANCE NO. 2008-18 AND RESOLUTION NO. 2015-1210

WHEREAS, the Trabuco Canyon Water District (“District” or “TCWD”) is a county water district organized and operating pursuant to California Water Code (“Water Code”) Sections 30000 and following; and

WHEREAS, pursuant to statutory authority, the Board of Directors (“Board”) of TCWD has previously adopted Ordinance No. 2008-18 (“Ordinance No. 2008-18”) on December 18, 2008, adopting and enacting a Water Conservation and Water Supply Shortage Program (“Program”); and

WHEREAS, Ordinance No. 2008-18, which incorporates the Program, establishes permanent water conservation standards intended to alter behavior related to water use efficiency for non-shortage conditions and further establishes three levels of water supply shortage response actions to be implemented during times of declared water shortage or declared water shortage emergencies, with increasing restrictions on water use in response to worsening drought or emergency conditions and decreasing supplies as determined by the Board; and

WHEREAS, Ordinance No. 2008-18 is on file with TCWD’s Secretary and is incorporated herein by this reference; and

WHEREAS, ON May 15, 2015, this Board received information concerning current drought conditions existent within the State of California (“State”), directives of the State Governor and State Agencies, and thereafter adopted Resolution No. 2015-1210 (“Resolution No. 2015-1210”), which made certain findings, provided for activation of certain potable water conservation measures and took certain related actions, which Resolution No. 2015-1210 is on file with TCWD’s Board Secretary and is incorporated herein by this reference; and

WHEREAS, following final directives from the California State Water Resources Control Board (“State Board”), TCWD’s District-wide potable water conservation level was set at twenty-eight percent (28%) for the period from June, 2015 through February, 2016 (“Water Conservation Level”); and

WHEREAS, subsequent to the adoption of Resolution No. 2015-1210, TCWD undertook a comprehensive messaging campaign to convey to TCWD potable water users the need for water conservation, methods by which potable water could be conserved, the water conservation directives and programs set out in Ordinance No. 2008-18 and Resolution No. 2015-1210; and

WHEREAS, commencing in June, 2015, through the month of September, 2015, TCWD potable water customers have responded in an exemplary fashion and have not simply met the Water Conservation Level, but have exceeded it through the hottest months of the summer of 2015; and

WHEREAS, pursuant to the provisions of Ordinance No. 2008-18, Section VIII, this Board may direct implementation of potable water conservation measures to be applied during a declared Level 2 Water Supply

Shortage (as declared within Resolution No. 2015-1210); and

WHEREAS, in light of the foregoing, the Board has determined to modify the potable water conservation measures put into place by Resolution No. 2015-1210, which shall be amended as set forth in Attachment "A," attached hereto and incorporated herein by this reference; and

WHEREAS, the Board, based on the factors, information and conditions described herein, has determined that it is appropriate at this time to make certain findings and to direct certain actions; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TRABUCO CANYON WATER DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. **Recitals.** The Board does hereby find and determine that the foregoing recitals and above-referenced determinations are true and correct.

Section 2. **Authority.** The actions of this Resolution are authorized pursuant to State law and the provisions of Ordinance No. 2008-18 and the Program included therein.

Section 3. **Findings.** The Board hereby finds and determine as follows:

(a) Following the adoption of Resolution No. 2015-1210, TCWD undertook a comprehensive informational program to inform TCWD potable water customers with respect to the State-mandated Potable Water Consumption Requirements, current drought conditions, methods for conserving potable water and awareness concerning potable water use; and

(b) TCWD customers have responded to the need to conserve potable water in an exemplary fashion, resulting in TCWD exceeding its designated water conservation levels in every month between June, 2015, and September, 2015.

Section 4. **Modification to Water Supply Shortage Measures as Set Forth in Resolution No. 2015-1210.** The water conservation measures set out in Resolution No. 2015-1210 (Level 2 Water Supply Shortage Actions) are modified as set forth in Attachment "A" to this Resolution.

Section 5. **Further Actions.** The General Manager and legal counsel to the District and the District's staff and consultants are authorized to take any and all actions necessary to implement the directives and intention of this Resolution.

Section 6. **Prior Actions Ratified.** All actions heretofore taken by the General Manager, officers, employees, consultants and agents of the TCWD with respect to the actions set forth herein are hereby approved, confirmed and ratified.

Section 7. **No Other Actions or Amendment.** Except as directed herein, the provisions of Ordinance No. 2008-18, the Program and Resolution No. 2015-1210 are not otherwise amended.

Section 8. **Effective Date.** This Resolution shall be effective as of October 22, 2015 ("Effective Date").

Section 9. Effectiveness of Resolution. The findings, determinations, directives and actions set out in this Resolution shall remain in force and effect until repealed, amended, rescinded or modified by action of the Board.

ADOPTED, SIGNED, and APPROVED this 21st day of October, 2015.

TRABUCO CANYON WATER DISTRICT:



President/Vice President



District Secretary

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Michael Perea, Secretary of the Board of the Trabuco Canyon Water District, do hereby certify that the foregoing resolution was duly adopted by the Board of such District at a meeting of such Board held on the 21st day of October, 2015, of which meeting all of the members of the Board had due notice and at which a quorum thereof were present and acting throughout and for which notice and an agenda was prepared and posted as required by law and that at such meeting such resolution was adopted by the following vote:

AYES: Dopudja, Acosta, Haselton, Mandich, Safranski
NOES: None
ABSTAIN: None
ABSENT: None



District Secretary,
Trabuco Canyon Water District

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I, Michael Perea, Secretary of the Board of the Trabuco Canyon Water District, do hereby certify that the foregoing is a full, true and correct copy of Resolution No. 2015-1219 of such Board and that the same has not been amended or repealed.

Dated this 21st day of October, 2015.



District Secretary,
Trabuco Canyon Water District

ATTACHMENT A

LEVEL 2 WATER SUPPLY SHORTAGE ACTIONS (WATER ALERT)

Watering Days:

Except as provided for below watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to two days per week during the months of April through October, as set forth below. During the months of November through March, ***and if so determined/directed by the Board***, watering or irrigating of lawn, landscape or other vegetated area with potable water is limited to no more than one day per week on a schedule established and posted by the District. This provision does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigating by use of a hand-held bucket or similar container, a hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system. ***Any change in watering days shall be preceded by notice provided by posting at TCWD's business offices and on TCWD's website.***