

RESOLUTION 259-2021 [DRAFT]

A RESOLUTION DECLARING ACTIVATION OF MANDATORY WATER RATIONING IN THE SERVICE AREA OF THE INVERNESS PUBLIC UTILITY DISTRICT WATER SYSTEM

WHEREAS, on July 22, 2020, the Board of Directors of the Inverness Public Utility District adopted Resolution 255-2020 declaring a Water Shortage Emergency to be in effect within the area served by the District's Water System, pursuant to Division 1, Chapter 3 of the Water Code of the State of California; and

WHEREAS, adoption of said Resolution 255-2020 placed Water System Regulation 117 in effect with the full force of law until said Water Shortage Emergency is declared ended by the Board of Directors; and

WHEREAS, said Water Shortage Emergency remains in effect as of the date of adoption of this Resolution 259-2021; and

WHEREAS, said Water System Regulation 117 establishes the Water Conservation Program that is in effect during a declared Water Shortage Emergency; and

WHEREAS, said Water Conservation Program establishes three stages of the District's water conservation effort, which are "Stage 1: General Conservation and Prohibition of Nonessential Uses of Water," "Stage 2: Prohibitions on Outdoor Uses of Water and/or Restrictions on When Outdoor Watering Is Permitted," and "Stage 3: Water Rationing"; and

WHEREAS, Stage 1 was declared in effect on July 22, 2020; and

WHEREAS, Stage 2 was declared in effect on August 2, 2021, with prohibitions on the use of potable System-provided water for outdoor irrigation except for spot watering by watering can or hand-held hose, for washing vehicles, and for filling swimming pools, outdoor spas, or ornamental ponds, in addition to the restrictions declared by Stage 1; and

WHEREAS, the Board of Directors has been advised by the District's Administrator and the District's Chief of Operations that there is an imminent need to conserve an even greater portion of the public water supply than is being achieved by implementing the said Stage 1 and Stage 2 restrictions, and that there is a clear and present danger that the water supply may soon become inadequate to service the existing demands and requirements of the System's customers without endangering maintenance of adequate reserves for human consumption, sanitation, fire protection, and preservation of the ecological health of the community and the District's watershed; and

WHEREAS, the District's Ordinance 100-2021 defines the procedures for implementing and enforcing the District's Water Rationing Program in the event that water rationing is activated in the service area of the District's Water System,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Inverness Public Utility District as follows:

SECTION 1. This Resolution of the Board of Directors of the Inverness Public Utility District constitutes a rationing activation resolution adopted in support of the Water Shortage Emergency declared on July 22, 2020, and shall be known as the "rationing activation resolution."

SECTION 2. The residential service water allotments to be applied to water rationing under this Resolution shall be based on Track 5, “Uniform allocation plus per-occupant allocation,” as defined in Section 4(e) of the District’s Ordinance 100-2021.

SECTION 3. Pursuant to the provisions for Track 5 in Section 3(e) of Ordinance 100-2021, the number of gallons that shall constitute the base number of gallons per day to be allocated uniformly to every residential service shall be set at **50 gallons**.

SECTION 4. Pursuant to the provisions for Track 5 in Section 3(e) of Ordinance 100-2021, the number of gallons per day to be allocated for each reported full-time occupant of a residential service shall be set at **25 gallons**.

SECTION 5. The Board of Directors affirms that, pursuant to the provisions of Section 3(e) of Ordinance 100-2021, the District’s Administrator may reduce temporarily the allocations specified in Sections 3 and 4 of this Resolution by up to 25% on an emergency basis if the Administrator determines that such reductions are necessary to protect the public health, safety, and welfare or to spread more equitably the availability of water among the classes of users, and that any such temporary reductions must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors further affirms that it may, at any time, adjust or modify by Resolution the number of gallons that constitute the base number of gallons per day allocated uniformly to every residential service and the number of gallons per day allocated for each reported full-time occupant of a residential service.

SECTION 6. Pursuant to Section 4 of the District’s Ordinance 100-2021, the base year for determining water rationing allotments for non-residential services shall be the Water System’s six bimonthly billing periods of July/August 2018 through May/June 2019, and that the percentage of each non-residential customer’s per-billing-period usage during the base year that is to be used to determine the customer’s maximum allowable usage during each comparable billing period while this Resolution is in effect shall be set as follows:

- (a) For any non-residential service whose average daily usage does not typically exceed 50 gallons, the daily usage allocation during rationing shall be set initially at **50 gallons**.
- (b) For each other non-residential service, the initial percentage of base-year usage shall be set as determined mutually by District staff and the customer, subject to approval or modification by the Board of Directors by adoption of a motion.

SECTION 7. The Board of Directors affirms that, pursuant to the provisions of Section 4 of Ordinance 100-2021, the District’s Administrator may utilize any appropriately applicable period other than the base year set in Section 6 of this Resolution to determine a service’s base usage. The Board of Directors further affirms that it may establish a schedule of varying ratios together with triggers for implementing the various ratio levels. At any time, the Administrator may reduce temporarily the allocation that is in effect by up to 25% on an emergency basis if the Administrator determines that such a reduction is necessary to protect the public health, safety, and welfare; any such temporary reduction must be approved by the Board of Directors at its next duly noticed meeting in order to remain in effect. The Board of Directors may, at any time, adjust or modify by Resolution the ratio (percentage) of the base year’s usage to be allocated uniformly to each non-residential service in each bimonthly billing period.

SECTION 8 {OPTION 1}. Water rationing pursuant to the provisions of this Resolution and Ordinance 100-2021 shall be in full force and effect immediately upon adoption of this Resolution.

SECTION 8 {OPTION 2}. Water rationing pursuant to the provisions of this Resolution and Ordinance 100-2021 shall be in full force and effect as of September 1, 2021.

SECTION 8 {OPTION 3}. Water rationing pursuant to the provisions of this Resolution and Ordinance 100-2021 shall take effect and be in full force when the Administrator determines that overall

water consumption in the Water System’s service area has resulted in the overall volume of water stored in the System’s tanks has been less than 50% of capacity for seven consecutive days.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Inverness Public Utility District on the 25th day of August, 2021, by the following vote, to wit:

AYES: Directors

NOES:

ABSTAINING:

ABSENT:

Kenneth J. Emanuels, President

ATTEST:

Shelley Redding, Clerk of the Board

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I hereby certify that the foregoing instrument is a true and correct copy of the original of Resolution 259-2021 on record in this office and that subsequent to its adoption no declaration contained in Resolution 259-2021 has been amended, modified, or revoked by the governing body.

_____, Clerk of the Board, Inverness Public Utility District,
County of Marin, State of California.

By _____ Date _____