

**RESOLUTION NO. 15-12
OF
TAHOE CITY PUBLIC UTILITY DISTRICT**

DECLARATION OF DROUGHT RESPONSE STAGE 2

WHEREAS, Tahoe City Public Utility District (“District”) was formed pursuant to the California Public Utility District Act to provide potable water, sewer collection and parks and recreation service to lands within the District; and,

WHEREAS, on April 1, 2015, Governor Brown signed Executive Order B-29-15, and on May 5, 2015, the State Water Resources Control Board, under Water Code Section 1058.5, adopted emergency regulations which established water conservation mandates throughout the State of California, including a statewide 25% reduction in potable urban water usage; and,

WHEREAS, at the District Board meeting on April 17, 2015, the District’s Board of Directors adopted Ordinance 284 “Water Conservation and Drought Response Standards”, which replaced the existing Ordinance 264 “Water Conservation and Drought Response Standards”; and,

WHEREAS, in response to the State of California mandates, the District shall implement its Drought Response Stage 2, as defined in Ordinance 284 “Water Conservation and Drought Response Standards”, with a goal to reduce its total potable water production by 22% for each month as compared to the amount used in the same month in 2013; and,

WHEREAS, in order to meet the total potable water production reduction requirements per State mandate, the District shall require the following varying water consumption reduction amounts for its residential Owners, based upon their historical monthly water usage in 2013. As such, the District has categorized these Owners based upon their monthly historical water usage, and placed them into custom categories, with the highest category associated with the highest historical monthly water usage. Water consumption reduction amount requirements for each category have been assigned, as per the table below;

Historical Summer Monthly Water Usage (June - Oct)	Summer Consumption Reduction Amounts
100,001 gallons and up	37%
40,001 - 100,000 gallons	27%
20,001 - 40,000 gallons	22%
8,001 - 20,000 gallons	17%
0 - 8,000 gallons	12%

and,

WHEREAS, in order to meet the total potable water production reduction requirements per State mandate, the District shall require its condominium Owners to achieve an overall monthly water consumption reduction of 22%, as compared to 2013 monthly water consumption; and,

WHEREAS, in order to meet the total potable water production reduction requirements per State mandate, the District shall require its commercial Owners to achieve an overall water consumption reduction of 22%, as compared to 2013 monthly water consumption; and,

WHEREAS, the District reserves the right to set water consumption reduction amounts for Owners in its jurisdiction based upon individual situations, which may be more or less restrictive than the amounts described above; and,

WHEREAS, if 2013 water consumption data is not available for a specific property, be it residential, condominium, or commercial, 2014 water consumption data shall be used; and,

WHEREAS, the District shall, by October 15, 2015, establish new water consumption reduction amounts for all customer classes for Winter Months beginning with November 2015; and,

WHEREAS, the District shall establish the following penalties for Owners that fail to reduce water consumption by the required conservation amount as defined above, which will be reviewed and enforced as frequently as on a monthly basis;

Failure to Reduce Water by Required Consumption Reduction Amount	Penalty Amount
First Notice (Written Warning)	\$0.00
Second Notice	\$100.00 one time
Third Notice	\$250.00 one time
Fourth & Subsequent Notices	\$500.00 per day*

*may include disconnection of water service

and,

WHEREAS, the District may levy these penalties in the most efficient and effective manner in order to best achieve the District and State mandated reduction goals; and,

WHEREAS, in order for Owners to implement the required water conservation measures and water consumption reduction amounts to achieve the District's consumption reduction amounts and the State mandated overall total potable water production reductions, the District shall make the required water consumption reduction amounts available to Owners and communicate the associated penalties for failure to meet said amounts, prior to June 1, 2015; and,

WHEREAS, the District shall establish the following penalties for Owners that violate any provisions of Ordinance 284 "Water Conservation and Drought Response Standards", specifically those pertaining to water mis-use as described in Sections 2.01.2 through 2.02.8;

Violation	Penalty Amount
First Violation (Written Warning)	\$0.00
Second Violation	\$100.00 one time
Third Violation	\$250.00 one time
Fourth & Subsequent Violations	\$500.00 per day*

*may include disconnection of service

and,

WHEREAS, the District may levy these penalties in the most efficient and effective manner in order to best achieve the District and State mandated reduction goals; and,

WHEREAS, any penalties, whether they are related to failure to achieve total potable water consumption reduction requirements or water mis-use, will be added to the Owner's next monthly bill. Failure to pay said bill may result in a lien on the Owner's property in accordance with the District's standard Accounting procedures; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Tahoe City Public Utility District, that the Declaration of Drought Response Stage 2, and all of the above-described components, is adopted.

BE IT FURTHER RESOLVED that the General Manager of said Tahoe City Public Utility District is hereby authorized and directed to implement Drought Response Stage 2, and all associated components and programs.

PASSED AND ADOPTED on the 15th day of May, 2015 by the following vote:

AYES: Wilkins, Pang, Friedman, Treabess, Henrikson

NOES: None

ABSENT: None

ABSTAINING: None

TAHOE CITY PUBLIC UTILITY DISTRICT

BY:


Erik Henrikson, President

ATTEST:


Terri Viehmann, District Clerk