

Resolution No. 2023-XXX N.C.S.  
of the City of Petaluma, California

**REPEALING RESOLUTIONS NO. 2022-130 N.C.S. (IMPLEMENTATION OF STAGE 4 OF THE CITY'S WATER SHORTAGE CONTINGENCY PLAN) AND NO. 2021-150 N.C.S. (LOCAL DROUGHT EMERGENCY PROCLAMATION) AND AUTHORIZING THE CITY MANAGER TO ADHERE TO THE IMPLEMENTATION OF THE REQUIREMENTS OF THE GOVERNOR'S EXECUTIVE ORDER N-5-23 (DROUGHT UPDATE EXECUTIVE ORDER) AND ALL SUBSEQUENT AMENDMENTS**

**WHEREAS**, the City of Petaluma is a California municipal corporation and charter city authorized to provide water services within certain boundaries in accordance with Government Code Section 38730 et seq., Title 15 of the Petaluma Municipal Code, and other applicable law; and

**WHEREAS**, the Sonoma County Water Agency (Sonoma Water) is a wholesale supplier of water to the City of Petaluma and other municipal water contractors pursuant to the Restructured Agreement for Water Supply ("Restructured Agreement,") executed on June 23, 2006, by and between Sonoma Water, the Cities of Cotati, Petaluma, Rohnert Park, Santa Rosa, Sonoma, and Forestville, the North Marin and Valley of the Moon Water Districts and the Town of Windsor, collectively known as the Water Contractors; and

**WHEREAS**, the City's primary source of water supply is Sonoma Water, which delivers imported water from the Russian River and groundwater wells in the Santa Rosa Plain to the City of Petaluma pursuant to the Restructured Agreement; and

**WHEREAS**, on March 22, 2021, the State Water Resources Control Board reported that 95% of California is experiencing Moderate to Exceptional Drought and called upon all water users to prepare for drought impacts; and

**WHEREAS**, on April 21, 2021, Governor Newsom declared a local drought emergency in Sonoma and Mendocino Counties; and

**WHEREAS**, on April 27, 2021, the Sonoma County Board of Supervisors adopted a Resolution proclaiming a local emergency due to drought conditions in the Sonoma County Operational Area and requesting the Governor to seek a Presidential Declaration; and

**WHEREAS**, as a result of several temporary urgency change petitions filed with the State Water Resources Control Board (State Water Board) over the past two years, Sonoma Water had to seasonally reduce Russian River diversions by 20%, and correspondingly reduced water contractor deliveries, including the City of Petaluma, by 20% compared to 2020 for the months of July through October in 2021 and 2022; and

**WHEREAS**, on May 3, 2021, the City Council adopted Resolution No. 2021-063 N.C.S. implementing Stage 1 of the City's 2015 Water Shortage Contingency Plan (WSCP); and

**WHEREAS**, the City of Petaluma has the authority and pursuant to the Restructured Agreement is obligated to adopt water demand reduction measures within its area of service during water supply shortages in accordance with water supply reductions imposed by Sonoma Water; and

**WHEREAS**, on June 21, 2021, the City Council adopted Resolution No. 2021-103 N.C.S. Implementing Stage 3 of the City's 2020 WSCP; and

**WHEREAS**, on September 13, 2021, the City Council adopted Resolution No. 2021-150 N.C.S. proclaiming a local drought emergency and adopted Resolution No. 2021-151 N.C.S. implementing Stage 4 of the City's WSCP with a mandatory 30% reduction in citywide water use to meet the reduced allocations from Sonoma Water; and

**WHEREAS**, on August 1, 2022, the City Council adopted Resolution No. 2022-130 N.C.S., which implemented Stage 4 of the newly Amended 2020 WSCP, which took into consideration water customer feedback on drought water use restrictions; and

**WHEREAS**, on March 28, 2022, Governor Newsom issued Executive Order N-7-22, thereby ordering the State Water Board to consider adopting emergency regulations including a requirement that each urban water supplier that has submitted a WSCP to the Department of Water Resources implement, at minimum, the shortage response actions for a shortage level of up to 20% (Level 2); and

**WHEREAS**, on May 24, 2022, the State Water Board via Resolution No. 2022-0018, adopted Title 23 California Code of Regulations (C.C.R.), Section 996, of which Section 996 (c)(1) requires the City to implement all demand reduction actions identified in the City's WSCP for a shortage level of 10% to 20% (Level 2); and

**WHEREAS, on March 24, 2023, Governor Newsom issued Executive Order N-5-23, which rolled back numerous drought-related restrictions dated back to April 21, 2021; and**

**WHEREAS, Executive Order N-5-23 maintained a ban on certain wasteful water uses that have been effective since January 2022 and the ban on watering decorative grass in commercial, industrial, and institutional areas which has been effective since June 2022; and**

**WHEREAS**, the region recently received substantial rainfall and Lakes Sonoma and Mendocino have fully recovered after reaching historically low levels following three years of severe drought; and

**WHEREAS**, at the February 6, 2023, Sonoma Water Advisory Committee meeting, Sonoma Water staff announced that Lakes Mendocino and Sonoma will be operated under normal water year conditions and that no water shortage conditions are anticipated this year.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Petaluma as follows:

1. The above recitals are hereby declared to be true and correct and to be findings of the City Council.
2. Resolutions No. 2022-130 N.C.S. and No. 2021-150 N.C.S. are hereby repealed.
3. The City Manager is authorized to adhere to the implementation of the requirements of the Governor's Executive Order N-5-23 and all subsequent amendments.
4. This regulation shall become effective immediately.

<b>REFERENCE:</b>	I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 17 <sup>th</sup> day of April 2023, by the following vote:	Approved as to form:
		_____ City Attorney
<b>AYES:</b>		
<b>NOES:</b>		
<b>ABSENT:</b>		
<b>ABSTAIN:</b>		
<b>ATTEST:</b>	_____ City Clerk	_____ Mayor