

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE DECLARING AN END TO THE CITY-WIDE WATER SUPPLY SHORTAGE, AND SUPERSEDING RESOLUTION NO. 80749

WHEREAS, on May 10, 2021, California Governor Gavin Newsom (“Governor Newsom”) declared a state of emergency due to statewide drought conditions for 39 California counties, bringing the total to 41 of 58 total California counties; and

WHEREAS, on June 9, 2021, the Board of Directors of the Santa Clara Valley Water District (“Valley Water”) declared a water shortage emergency condition in Santa Clara County and called for a mandatory 15% reduction in water usage Countywide as compared to 2019; and

WHEREAS, on June 15, 2021, the Santa Clara County Director of Emergency Services proclaimed a local emergency related to extreme drought conditions; and

WHEREAS, on June 22, 2021, the Santa Clara County Board of Supervisors adopted a resolution ratifying the June 15, 2021 proclamation by the Director of Emergency Services; and

WHEREAS, on July 8, 2021, California Governor Gavin Newsom extended his previous drought proclamation to include Santa Clara County; and

WHEREAS, the San José Municipal Water System’s Water Shortage Contingency Plan (“WSCP”) was last adopted by the City Council of the City of San José (“Council”) on June 15, 2021, as part of its Urban Water Management Plan; and

WHEREAS, a Council declaration of a water shortage is required to implement Stage 2 of the WSCP, corresponding to a 10-20% water shortage; and

WHEREAS, Chapter 15.10 of Title 15 of the San José Municipal Code contains mandatory requirements for water conservation measures that become effective city-wide upon Council declaration of a water shortage, and provides for the adoption of a resolution declaring a water shortage by the Council whenever a minimum water conservation level of 10% has been established by Valley Water; and

WHEREAS, on November 30, 2021, the Council adopted Resolution No. 80303, declaring a 15% water shortage for the purpose of implementing and enforcing mandatory city-wide water conservation measures, effective through October 31, 2022; and

WHEREAS, on November 8, 2022, the Council adopted Resolution No. 80749, continuing the 15% water shortage declaration and enhanced level of city-wide restrictions on potable water use through May 31, 2024; and

WHEREAS, due to improved hydrologic conditions during late 2022 and early 2023, concerns over water supply availability have eased throughout the State; and

WHEREAS, on March 24, 2023, Governor Newsom signed Executive Order N-5-23 which rescinded the 15% water conservation target, while continuing to encourage Californians to make water conservation a way of life, and maintained in effect the ban on wasteful water uses; and

WHEREAS, on April 11, 2023, the Valley Water Board of Directors rescinded the water shortage emergency condition and made a call for 15% voluntary water use reduction, while enforcing restrictions on water-wasting activities, and requested recommendations

for the Board's consideration for additional actions to support water conservation as a way of life in Santa Clara County; and

WHEREAS, on June 13, 2023, Valley Water's Board of Directors unanimously adopted a resolution declaring that water conservation must be a way of life in Santa Clara County, and passed an ordinance with permanent water waste prohibitions to ensure that water as a precious resource is not misused, even during non-drought periods; and

WHEREAS, the City's water use restrictions, which are in effect at all times regardless of a drought declaration, meet the State's requirements for water use reductions, and therefore Council may rescind the drought declaration;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The city-wide water shortage initially declared by the City Council on November 30, 2021 and extended through May 31, 2024, pursuant to Chapter 15.10 of Title 15 of the San José Municipal Code, is hereby declared to be at an end.
2. This resolution shall supersede Resolution No. 80749 and be effective on the date adopted by the City Council.

ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk