

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-_____

Introduced by Council Member _____

RESOLUTION RESCINDING RESOLUTION 22-117 IMPLEMENTING
LEVEL 2 OF THE CITY OF HAYWARD WATER SHORTAGE
CONTINGENCY PLAN

WHEREAS, on March 28, 2022, Governor Newsom issued Executive Order No. N-7-22 directing the State Water Resources Control Board to consider adoption of an emergency regulation to increased water conservation; and

WHEREAS, on May 24, 2022, the State Water Resources Control Board adopted an emergency regulation, requiring among other provisions, that urban water suppliers implement Level 2 of their Water Shortage Contingency Plans, which is designed for water shortages of 11 percent to 20 percent; and

WHEREAS, Hayward's wholesale water supplier, the San Francisco Public Utilities Commission, declared a drought emergency and requested a voluntary system-wide decrease in water usage of 11 percent, based on FY 2019-20 demand; and

WHEREAS, Hayward is an urban water supplier under the California Water Code Section 10617; and

WHEREAS, on July 20, 2021, the Hayward City Council adopted the 2020 Urban Water Management Plan, which includes a Water Shortage Contingency Plan, adopted separately by Resolution 21-167; and

WHEREAS, on June 28, 2022, the Hayward City Council adopted Resolution 22-177 implementing Level 2 of the City's Water Shortage Contingency Plan; and

WHEREAS, Statewide water supplies have been significantly replenished due to exceptionally strong winter storm events; and

WHEREAS, on March 24, 2023, Governor Newsom issued Executive Order N-5-23, which terminated numerous provisions in the Governor's drought-related Emergency Proclamations and Executive Orders; and

WHEREAS, the State Water Resources Control Board is expected to take action to rescind the requirement for urban water suppliers to implement Level 2 of their Water Shortage Contingency Plans; and

WHEREAS, on April 11, 2023, the San Francisco Public Utilities Commission rescinded its declaration of a drought emergency and acted to end its Water Shortage Contingency Plan Level 2 implementation at such time as the State Water Resources Control Board takes the appropriate action; and

WHEREAS, the City of Hayward has reviewed water supply updates and information from the San Francisco Public Utilities Commission and has determined that sufficient water supplies are available.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby rescinds Resolution 22-177, effective upon the State Water Resources Control Board terminating or allowing to expire the Emergency Regulation (Cal. Code Regs. tit. 23, § 996(c)) that requires the City of Hayward to implement all actions identified in the Water Shortage Contingency Plan for a Level 2 shortage.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2023

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward