

RESOLUTION NO. 7831

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF HAWTHORNE, CALIFORNIA
IMPLEMENTING STAGE 1 OF THE WATER
SHORTAGE CONTINGENCY PLAN AND
ELIMINATING MANDATORY WATER BUDGETS
AND ASSOCIATED DROUGHT PENALTIES**

WHEREAS, a reliable supply of potable water is essential to the public health, safety, and general welfare of the people and economy of the City of Hawthorne;

WHEREAS, Article X, Section 2 of the California Constitution declares that the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use or unreasonable method of use of water be prevented, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare;

WHEREAS, Article XI, Section 7 of the California Constitution declares that a city or county may make and enforce within its limits all local, police, sanitary and other ordinances and regulations not in conflict with general laws;

WHEREAS, California Water Code Section 375 authorizes water suppliers to adopt and enforce water conservation programs to reduce water consumption and conserve supplies;

WHEREAS, on January 17, 2014, the Governor of California proclaimed a State of Emergency to exist throughout the State of California due to severe drought conditions;

WHEREAS, on April 25, 2014, the Governor of California proclaimed a Continued State of Emergency to exist throughout the State of California due to the ongoing drought;

WHEREAS, on April 1, 2015 the Governor of California proclaimed, under the provisions of Section 8558(b) of the California Government Code, a Continued State of Emergency to exist throughout the State of California due to water shortage and drought conditions and mandated that the California State Water Resources Control Board impose restrictions to achieve a statewide 25-percent reduction in potable urban water usage through February 28, 2016;

WHEREAS, on May 5, 2015 the California State Water Resources Control Board adopted emergency regulations requiring an immediate 25-percent reduction in overall potable urban water use statewide in accordance with the Governor of California's April 1, 2015 Executive Order;

WHEREAS, the adoption and enforcement of water conservation regulations is essential to ensure a reliable supply of water to meet current and future needs;

WHEREAS, by Ordinance No. 2080, the City of Hawthorne adopted a "Water Conservation Ordinance," which is contained in Chapter 8.60;

WHEREAS, the City Council adopted Resolution 7657 on October 28, 2014 which declared a drought emergency;

WHEREAS, on June 23, 2015, the City of Hawthorne adopted an amendment to Chapter 8.60 to establish permanent water conservation regulations and further establish conservation stages to be implemented during times of declared water shortage or declared water shortage emergency, with increasing restrictions on water use in response to worsening drought or emergency conditions;

WHEREAS, on May 18, 2016 the California State Water Resources Control Board adopted Resolution 2016-0029 establishing a process for developing locally appropriate water conservation standards and requiring urban water suppliers to self-certify regarding the level of available water supplies they have assuming three additional dry years;

WHEREAS, the City of Hawthorne's self-certification requirement is zero percent as it has adequate short-term water supplies to meet projected customer demand based on local water supply conditions over the next three years;

WHEREAS, the City Council of the City of Hawthorne finds that adoption of Resolution 7831 will continue to serve the health, safety and general welfare of the community;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hawthorne, as follows:

Section 1. The City of Hawthorne directs the Public Works Director to implement Stage I of the Water Shortage Contingency Plan provisions as outlined in Title 8 Health and Safety of the Hawthorne Municipal Code regarding the Water Conservation Program.

Section 2. The City of Hawthorne will eliminate mandatory water budgets and associated drought penalties summarized in Section 8.60.130 of Title 8 Health and Safety of the Hawthorne Municipal Code, and for the first bill received on or after August 1, 2016, waive any penalties incurred in the previous billing period.

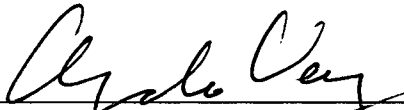
Section 3. The City of Hawthorne will ask customers to meet a water conservation target of 10%.

Section 4. The City of Hawthorne will continue to administer waste of water penalties when it or its agent verifies that a person is violating or causing or permitting to be violated the provisions outlined in Section 8.60.040 and Section 8.60.050 of Title 8 Health and Safety of the Hawthorne Municipal Code.


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Section 5. This Resolution shall take effect on July 29, 2016 after its adoption by the City Council and the Clerk of the Council shall attest to and certify the vote adopting the Resolution.

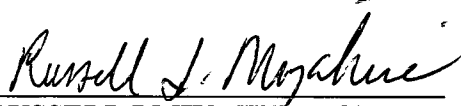
PASSED, APPROVED AND ADOPTED THIS 26TH DAY OF JULY, 2016.


ALEX VARGAS, Mayor
City of Hawthorne, California

ATTEST:


NORBERT A HUBER, City Clerk
City of Hawthorne, California

APPROVED AS TO FORM:


RUSSELL I MIYAHIRA, City Attorney
City of Hawthorne, California

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF HAWTHORNE)

I, **Monica Dicrisci**, the duly appointed Deputy City Clerk of the City of Hawthorne, California, **DO HEREBY CERTIFY** that the foregoing Resolution, being Resolution No. 7831 was duly adopted by the City Council of the City of Hawthorne, at the regular meeting of the City Council held **July 26, 2016** and that it was adopted by the following vote, to wit:

AYES: Councilmembers Awad, Reyes English, Valentine, Mayor Vargas.

NOES: None.

ABSTAIN: None.

ABSENT: Councilmember Michelin.



Deputy City Clerk
City of Hawthorne, California