

ORDINANCE NO. 03-09-256

AN URGENCY ORDINANCE OF THE BOARD OF DIRECTORS OF  
LAS VIRGENES MUNICIPAL WATER DISTRICT  
AMENDING ORDINANCE NO. 11-86-161  
(LAS VIRGENES CODE)  
ADOPTING FURTHER WATER CONSERVATION MEASURES

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT as follows:

**1. Purpose.**

This ordinance amends the Las Virgenes Code to establish further water conservation regulations as a result of reductions in the amount of water delivered to the District by the Metropolitan Water District of Southern California ("Metropolitan").

**2. Findings.**

The following facts are true:

- (a) The District obtains its entire potable water supply from Metropolitan.
- (b) Metropolitan obtains water for the District through the State Water Project.
- (c) The Department of Water Resources has informed Metropolitan to expect delivery of approximately 20% of its entitlement for State Water Project water during the next year.
- (d) The yield of the State Water Project has been reduced because of drought conditions in Northern California and a series of court decisions which have required the State Water Project to release water for the protection of fishes instead of delivering water to Metropolitan.
- (e) While it is possible for additional rainfall to lessen the impact of drought conditions on the State Water Project, the aforementioned court decrees will prevent the State Water Project from delivering its full yield for several years.
- (f) Based on the foregoing, the amount of water available to the District for distribution and sale to its customers will be severely reduced and is likely to continue to be severely reduced for the foreseeable future.
- (g) This ordinance is an urgency ordinance because it must be adopted immediately on first reading to ensure adequate water supply for the customers of the District.

**3. Amendment.**

Section 3-4.409 is hereby added to Ordinance No. 11-86-161 (Las Virgenes Code) to read as follows:

**"3-4.409 WATER SHORTAGE RESPONSE – WATER BUDGETS**

- (a) A water budget shall be assigned to each potable water customer based on the customer's classification. Water budget shall reflect water supply allocation levels to the District by Metropolitan. The General Manager shall provide each customer with thirty days' notice of the customer's water budget.
- (b) Customers who consume no more water than their budget will pay normal rates and charges. Customers who consume more than their water budget will be assessed a surcharge for usage above the budget. Proceeds collected as a result of a surcharge will be used to pay penalties assessed by Metropolitan, to stabilize rates, to support water conservation programs, and at the discretion of the Board of Directors, to rebate surcharges to customers.

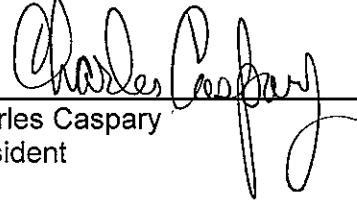
(c) The water shortage committee shall hear appeals concerning the customer's water budget pursuant to an appeals process approved by the board of directors. The General Manager and District Counsel shall provide support to the committee.

(d) The water allocation levels for each classification and surcharge rates shall be established by the board from time to time by resolution."

**4. Other.**

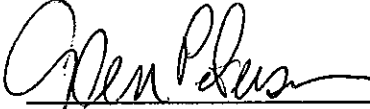
Except as provided herein, Ordinance No. 11-86-161 is reaffirmed and readopted. This ordinance is effective immediately.

**PASSED, APPROVED AND ADOPTED** on March 24, 2009.



Charles Caspary  
President

ATTEST:



Glen Peterson  
Secretary

[Seal]

APPROVED AS TO FORM:



Wayne Lemieux  
District Counsel