

RESOLUTION NO. 2011-30

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK
AUTHORIZING AND APPROVING A LETTER AGREEMENT
BETWEEN AND AMONG THE CITIES OF SANTA ROSA, ROHNERT PARK,
SONOMA, COTATI, PETALUMA, TOWN OF WINDSOR AND NORTH MARIN
WATER DISTRICT, MARIN MUNICIPAL WATER DISTRICT AND VALLEY OF THE
MOON WATER DISTRICT FOR ESTABLISHING A REGIONAL ALLIANCE TO
COMPLY WITH SB X7-7, THE WATER CONSERVATION ACT OF 2009**

WHEREAS, Senate Bill X7-7 the Water Conservation Act was signed into law in 2009;

WHEREAS, the Water Conservation Act of 2009 sets a goal for urban water suppliers to reduce per capita water use by 20 percent by the year 2020; and

WHEREAS, the City desires to participate in a regional alliance for the purposes of compliance with the Water Conservation Act of 2009.

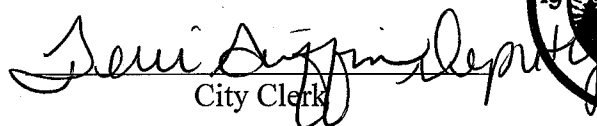
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve a letter agreement between and among the cities of Santa Rosa, Rohnert Park, Sonoma, Cotati, Petaluma, Town of Windsor and North Marin Water District, Marin Municipal Water District and the Valley of The Moon Water District for establishing a regional alliance to comply with SB X7-7, The Water Conservation Act of 2009.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to take all actions to effectuate this agreement for and on behalf of the City of Rohnert Park, including execution, if necessary, in substantially similar form to the agreement attached hereto as Exhibit "A," subject to minor modifications by the City Manager or City Attorney.

DULY AND REGULARLY ADOPTED this 12th day of April, 2011.

CITY OF ROHNERT PARK

ATTEST:


City Clerk




Mayor

AHANOTU: <u>ABSENT</u> CALLINAN: <u>AYE</u> MACKENZIE: <u>AYE</u> STAFFORD: <u>AYE</u> BELFORTE: <u>AYE</u>
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

Letter Agreement
Between and Among
Cities of Santa Rosa, Rohnert Park, Sonoma, Cotati, Petaluma, Town of Windsor
And
North Marin Water District, Marin Municipal Water District
and Valley of the Moon Water District
For
Establishing a Regional Alliance to Comply with
SB x7-7 the Water Conservation Act of 2009

Recitals

A. The Water Conservation Act of 2009 (SB x7-7) set a goal of achieving a 20% reduction in statewide urban per capita water use by the year 2020 and requires urban water retailers to set a 2020 urban per capita water use target. SB x7-7 provides that urban water retailers may plan, comply and report on a regional basis, individual basis or both.

B. The Parties to this Letter Agreement (Cities of Santa Rosa, Rohnert Park, Sonoma, Cotati, Petaluma, Town of Windsor and North Marin, Marin Municipal and Valley of the Moon Water Districts) are eligible to form a "Regional Alliance" pursuant to the *Department of Water Resources Methodologies for Calculating Baseline and Compliance Urban Per Capita Water Use* (DWR Methodologies) because the Parties receive water from a common water wholesale water supplier, the Sonoma County Water Agency (Agency). The Parties desire to establish a Regional Alliance for purposes of complying with SB x7-7.

C. The Parties and the Agency are signatories to the Sonoma-Marín Saving Water Partnership Memorandum of Understanding (S-MSWP MOU) that provides for the identification and implementation of regional water conservation programs and tasks as directed by the Water Advisory Committee (WAC). The S-MSWP MOU requires financial and reporting commitments for implementation of water conservation programs.

Agreement for Regional Alliance Target Setting and Reporting

1. Regional Alliance Formation and Target Setting

Pursuant to the DWR Methodologies, the Parties hereby form a Regional Alliance and agree to send a letter to the Department of Water Resources (DWR) prior to July 1, 2011 informing DWR that a Regional Alliance has been formed. The Parties agree that the Regional Alliance Target will be established using Option 1 (as Option 1 is described in the DWR Methodologies) and that each Party will include the Regional Alliance Target in its individual 2010 Urban Water Management Plan.

2. Regional Alliance Review

No later than December 31, 2015, the Parties agree to review and re-analyze the Regional Alliance and Regional Alliance Target as part of the preparation of the 2015 Urban Water Management Plan.

3. Regional Alliance Reporting

The Parties agree to prepare Regional Alliance Reports pursuant to the DWR Methodologies including but not limited to the following information: baseline gross water use and service area population, individual 2015 and 2020 water use targets for each Party and for the Regional Alliance, compliance year gross water use and service area population, and adjustments to gross water use in compliance year. The information will be provided by each Party and reported in the annual S-MSWP report in addition to the information required in the annual report, as outlined in the S-MSWP MOU.

4. Regional Water Supply Planning

The Parties agree to participate in discussions regarding regional water supply planning.

5. Regional Alliance Dissolution

The Parties agree that each Party can withdraw from the Regional Alliance at any time without penalty by giving written notice to all other Parties. If a Party withdraws from the Regional Alliance, the Parties agree that the Regional Target will be recalculated among remaining participating Parties as set forth in the DWR Methodologies and in Section 2 above.

6. Miscellaneous

This Letter Agreement shall be between and among those Parties that have executed this Letter Agreement by May 1, 2011. If all Parties have not executed this Letter Agreement by said date, the Parties who have executed this Letter Agreement by May 1, 2011, agree that the Regional Target will be recalculated among participating Parties as set forth in the DWR Methodologies and in Section 2 above.

7. Letter Agreement Authorization

This Letter Agreement may be signed in counterparts. By signing below, each signatory states that he or she is authorized to sign this Letter Agreement on behalf of the Party for which he or she is signing.

Name: _____
City of Santa Rosa

Date

Name: _____
City of Rohnert Park

Date

Name: _____
City of Sonoma

Date

Name: _____
City of Cotati

Date

Name: _____
City of Petaluma

Date

Name: _____
Town of Windsor

Date

Name: _____
North Marin Water District

Date

Name: _____
Marin Municipal Water District

Date

Name: _____
Valley of the Moon Water District

Date