

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>04/13/15</u>		Item Number: <u>A-2</u>	
CITY COUNCIL AGENDA ITEM: Discussion and Direction to the City Manager Regarding the Consideration of Implementing Level 1, 2 or 3 Water Restrictions under Chapter 5.03, Water Conservation, of the Culver City Municipal Code.			
Contact Person/Dept.: Rudolph R. Galindo/PW		Phone Number: (310) 253-5618	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) City Council (04/08/15); (E-Mail) Ongoing Topics – Sustainability and Environmental Issues (04/08/15); (E-Mail) Homeowners Associations – (04/08/15); Downtown Business Association (04/08/15).			
Department Approval: Charles D. Herbertson (04/02/15)		City Attorney Approval: Carol Schwab (by H. Baker) (04/06/15)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (04/07/15)		City Manager Approval: John M. Nachbar (04/08/15)	

RECOMMENDATION:

Staff recommends the City Council discuss and provide direction to the City Manager regarding implementation of Level 1, 2 or 3 water restrictions under Chapter 5.03, Water Conservation, of the Culver City Municipal Code (CCMC).

BACKGROUND:

On November 9, 2009, the City Council adopted an amendment to Chapter 5.03 of the CCMC establishing a Water Conservation and Water Supply Shortage Program, including regulations (the “Program”) (Attachment 1). The Program provides for the reduction of water consumption within the City through conservation, enabling effective water supply planning, assuring reasonable and beneficial use of water, preventing water waste and maximizing the efficient use of water within the City.

The Program establishes permanent water conservation standards intended to minimize the effect and hardship of a water shortage and specifies permanent water use restrictions, as well as Level 1, 2, and 3 restrictions in the event of the need for higher levels of water conservation in the case of more severe water shortage.

The permanent conservation requirements included in the Program impose the following restrictions:

- o No watering between 9:00am and 5:00pm

City of Culver City, California
Agenda Item Report

- o Watering limited to 15 minutes per day (except for high-efficiency systems)
- o No excessive water flow or run-off
- o No washing down hard or paved surfaces (except using low-water use methods for safety and sanitary purposes)
- o Must fix leaks within 7 days
- o Car washes and fountains must use re-circulating water
- o Restaurants must use water conserving nozzles and only offer water upon request
- o Hotels must allow patrons to reject daily linen and towel laundering
- o No installation of single pass cooling systems or non-recirculating commercial laundry systems

DISCUSSION:

On January 17, 2014, Governor Jerry Brown declared a drought emergency urging reduction of water usage by 20%.

On March 17, 2015, the State Water Resource Control Board adopted an expanded emergency regulation to safeguard the State's remaining water supplies. The directive for cities is to limit the number of days residents can water (recommending no more than two days per week) and implement restrictions for use of potable water in decorative water features as well as for washing sidewalks and driveways.

Most recently, on April 1, 2015, Governor Jerry Brown imposed mandatory water restrictions aimed at a 25% reduction in water usage, including the following:

- Prohibiting new homes and developments from irrigating with potable water unless water-efficient drip irrigations systems are used.
- Banning watering of ornamental grass on public street medians.
- Requiring university campuses, cemeteries, golf courses, and other large landowners to make major cuts in their water usage.

In order for California to recover from the drought emergency, 11 trillion gallons of water are needed.

Pending Actions by State Officials

City of Culver City, California
Agenda Item Report

Based upon a briefing provided by the League of California Cities on April 8, 2015, staff wanted to ensure the City Council is aware of the following actions currently being considered by the State of California:

The State Water Board indicates that it is committed to expedited development of the requirements to implement the Governor's directive for Californians to reduce water use by 25%. The proposed schedule below is for the development of emergency regulations to implement both the new prohibitions and restrictions on water use as well as the 25% statewide reduction in potable urban water use contained in the April 1, 2015 Executive Order.

Proposed Emergency Conservation Regulation Schedule

- April 7, 2015 - State Water Board members discuss the importance of the Board having measures in place by June 2015, following the Governor's latest Executive Order, to assist water districts and their customers to ensure water conservation remains a priority for all Californians.
- April 17, 2015 - Notice announcing release of draft regulations for informal public comment.
- April 28, 2015 - Emergency rulemaking formal notice.
- May 5 or 6, 2015 - The State Water Board expects to consider an emergency water conservation regulation that requires a mandatory 25% reduction in urban water use statewide beginning the month following Board adoption. That regulation will use a sliding scale, so that communities that have been conserving water will have lower mandates than those that haven't conserved this past year and/or over the last decade since the last major drought.

In the event these pending State actions become final (and staff anticipates they will become final), at a future meeting the City Council may be requested to consider additional water conservation related actions. It is also important to be aware that several of the State's actions may impact water utilities directly. Those utilities may also be required to implement their own water conservation programs directly with their customers. At the time of the writing of this report, the City Manager and Director of Public Works/City Engineer were scheduled to meet with representatives of Golden State Water Company on April 9, 2015. Staff will provide a verbal update to the City Council related to this meeting during the City Council meeting this evening.

Current City Awareness Efforts

In response to the drought emergency, the City has taken active steps to encourage and promote water conservation throughout the community over the past four months. These have included collaboration with Golden State Water Company and

City of Culver City, California
Agenda Item Report

West Basin Municipal Water District. These ongoing efforts are aimed at improving awareness of residents about free water saving kits available through these organizations. The Enforcement Services Division of the Community Development Department continues to take proactive steps to inform residents of existing water restrictions, while citing those in violation. To date, 138 notices have been issued for water waste violations. To aid in Enforcement Services' efforts, a special category was created on the GoRequest app specifically for water waste. A main source of all water conservation resources available to residents and businesses is the City's website at:

<http://www.culvercity.org/en/Government/PublicWorks/EnvironmentalPrograms/WaterConservation>

In addition to community awareness, the City has also halted irrigation of the turf lawn adjacent to City Hall on Lafayette Place and is ceasing watering of turf in landscaped medians.

Due to the recent emergency regulations of the State, staff is recommending the City Council discuss and consider the designation of increased Level 1, 2 or 3 water restrictions. The various levels are outlined below.

Level 1 Water Restrictions

Level 1 Restrictions are determined at the discretion of the City Council as a result of drought or other water shortage conditions. In addition to the permanent water restrictions in place, Level 1 Restrictions include:

- o Must fix leaks within 72 hours
- o Watering limited to 3 days/week and 1 day/week during November through March*

**This restriction does not apply to landscape irrigation zones that exclusively use very low flow drip type irrigation systems when no emitter produces more than two (2) gallons of water per hour. This provision also does not apply to watering or irrigation by use of a hand-held bucket or similar container, hand-held hose equipped with a positive self-closing water shut-off nozzle or device, or for very short periods of time for the express purpose of adjusting or repairing an irrigation system.*

Level 2 Water Restrictions

In addition to the permanent water restrictions of Level 1, the Level 2 Restrictions include:

- o Watering limited to 2 days/week or 1 day/week from November to March
- o Must fix leaks within 48 hours
- o No filling or refilling ornamental lakes or ponds unless needed to sustain aquatic life.

City of Culver City, California
Agenda Item Report

- o Refilling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.

Level 3 Water Restrictions (Emergency Condition)

In addition to the permanent water restrictions of Level 1 and Level 2, the Level 3 Restrictions include:

- o Watering or irrigating of lawn, landscape or other vegetated area with potable water is prohibited.
- o Must fix leaks within 24 hours

Next Steps

Should the City Council determine to impose Level 1, Level 2, or Level 3 Restrictions, CCMC Section 5.03.050 provides:

“The existence of Level 1, Level 2 or Level 3 Water Supply Shortage conditions may be declared by resolution of the City, adopted at a regular or special public meeting held in accordance with state law. The mandatory conservation requirements applicable to Level 1, Level 2 or Level 3 conditions will take effect on the tenth day after the date the shortage level is declared. Within five days following the declaration of the shortage level, the City must publish a copy of the resolution in a newspaper used for publication of official notices.”

In the case the City Council provides such direction, staff would prepare the appropriate resolution for the City Council's consideration at an upcoming City Council meeting.

FISCAL ANALYSIS:

There is no fiscal impact created by the discussion of this agenda item. Should the City Council ultimately designate additional Level 1, 2, or 3 water restrictions, there might be a slight increase in citations issued due to non-compliance, but it is anticipated to be minimal.

ATTACHMENTS:

1. Chapter 5.03, Water Conservation
2. Water Conservation Brochure

MOTION:

That the City Council:

City of Culver City, California
Agenda Item Report

1. Discuss the implementation of designation of Level 1, 2, or 3 Water Restrictions under Chapter 5.03, Water Conservation, of the Culver City Municipal Code; and,
2. Direct the City Manager as deemed appropriate.