

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

Meeting Date: <u>07/13/15</u>		Item Number: <u>A-1</u>	
CITY COUNCIL AGENDA ITEM: (1) Adoption of a Resolution Declaring the Existence of Level 2 Water Supply Shortage Conditions and Implementing Mandatory Conservation Requirements per Chapter 5.03, Water Conservation, of the Culver City Municipal Code and (2) FOUR-FIFTHS VOTE REQUIREMENT - Introduction and Adoption of an Urgency Ordinance and Declaring the Urgency Thereof Amending Section 5.03.040.B.5 of the Culver City Municipal Code Relating to Level 2 Water Supply Shortage Conservation Requirements Pertaining to Swimming Pools.			
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) Meetings and Agendas - City Council (07/08/15); (E-Mail) Ongoing Topics – Sustainability and Environmental Issues (07/08/15); (E-Mail) Homeowners Associations (07/08/15); Downtown Business Association (07/08/15).			
Department Approval: Charles D. Herbertson ()		City Attorney Approval: Carol Schwab (by H. Baker) (07/07/15)	
Chief Financial Officer Approval: Jeff Muir (07/07/15)		City Manager Approval: John M. Nachbar (07/07/15)	
<u>RECOMMENDATION:</u> Staff recommends the City Council: (1) adopt a resolution declaring the existence of Level 2 Water Supply Shortage conditions and implementing mandatory conservation requirements per Chapter 5.03, Water Conservation of the Culver City Municipal Code; and (2) Introduce and adopt an Urgency Ordinance and Declaring the Urgency Thereof amending Section 5.03.040.B.5 relating to Level 2 Water Supply Shortage conservation requirements pertaining to swimming pools (introduction and adoption of an urgency ordinance requires a four-fifths vote of the City Council). <u>BACKGROUND:</u> On January 17, 2014, Governor Jerry Brown declared a drought emergency urging reduction of water usage statewide 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) as well as implementing restrictions for use of potable water in decorative water features as well as washing sidewalks and driveways.			

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On April 1, 2015, Governor Jerry Brown imposed mandatory water restrictions. These restrictions, aimed at a 25% reduction in water usage, include the following:

- Prohibiting new homes and developments from irrigating with potable water unless water-efficient drip irrigations systems are used.
- Ban watering of ornamental grass on public street medians.
- Require 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.

State Emergency Water Regulations

Prohibited statewide.

- Using potable water to irrigate ornamental turf on public street medians
- Using portable water to irrigate landscapes of new homes & buildings inconsistent with California Building Standards Commission (CBSC) & Department of Housing and Community Development (DHCD) requirements
- Using outdoor irrigation during & 48 hours following measurable precipitation
- Using potable water in decorative water features that do not recirculate the water
- Using hoses with no shutoff nozzles to wash cars
- Runoff when irrigating with potable water
- Using potable water to wash sidewalks & driveways

Golden State Water (GSW) Restrictions

GSW has applied to the California Public Utilities Commission (CPUC) to implement staged mandatory water conservation and rationing. These restrictions will go into effect upon approval of the CPUC.

- Outdoor irrigation is restricted to two days per week:
 - o Addresses ending in even Numbers (0,2,4,6,8) Sunday & Wednesday
 - o Addresses ending odd Numbers (1,3,5,7,9) Tuesday & Saturday

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- All outdoor irrigation must occur between the hours of 7:00pm & 8:00am

Failure to comply with these restrictions may result in the installation of a flow restrictor device along with associated fees for installation and removal. For additional information or questions, contact Golden State Water at (800) 999-4033 or visit www.gswater.com.

At the Regular Meeting of the City Council held on April 13, 2015, after considering public comment and the information presented by staff, the City Council directed the City Manager to place on a future agenda the appropriate documents to implement Level 2 restrictions as set forth in Culver City Municipal Code (CCMC) Section 5.03.040. Level 2 restrictions are in addition to the permanent water conservation requirements set forth in CCMC Section 5.03.030 and include the Level 1 restrictions set forth in CCMC Section 5.03.035.

At the Regular Meeting of the City Council held on June 22, 2015, the City Council discussed the proposed resolution and the proposed ordinance. As a result of that discussion, staff has presented the City Council with a revised proposed ordinance which includes findings declaring the urgency thereof which would allow the proposed ordinance to be introduced and adopted this evening and take effect immediately upon its adoption by a four-fifths vote of the City Council. The proposed urgency ordinance is discussed in more detail below.

DISCUSSION:

As provided in Chapter 5.03 of the CCMC, the current permanent conservation requirements include the following restrictions:

- No watering between 9:00am and 5:00pm
- Watering limited to 15 minutes per day (except for high-efficiency systems)
- No excessive water flow or runoff
- No washing down hard or paved surfaces (except using low-water use methods for safety and sanitary purposes)
- Must fix leaks within 7 days
- Car washes and fountains must use re-circulating water
- Restaurants must use water conserving nozzles and only offer water upon request
- Hotels must allow patrons to reject daily linen and towel laundering
- No installation of single pass cooling systems or non-re-circulating commercial laundry systems

Should the City Council adopt the proposed resolution, the following Level 1 and Level 2 restrictions would be implemented:

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Culver City Level 1 Water Restrictions

In addition to the permanent water restrictions current in place as set forth in Section 5.03.030 and listed above, Level 1 restrictions include:

- Must fix leaks within 72 hours
- 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 and Level 1 restrictions, the Level 2 requirements include:

- Watering limited to 2 days/week or 1 day/week from November to March
- Must fix leaks within 48 hours
- No filling or refilling ornamental lakes or ponds unless needed to sustain aquatic life.
- Refilling of more than one foot and initial filling of residential swimming pools or outdoor spas with potable water is prohibited.

Pursuant to Section 5.03.050 of the CCMC, should the City Council adopt the proposed resolution this evening, the mandatory Level 2 water restrictions would take effect on the tenth day after adoption of the Resolution (or July 2, 2015).

Municipal Code Amendment for Swimming Pools

The City Council provided direction on June 22, 2015 for a modification to the Culver City Municipal Code (CCMC) pertaining to swimming pools. The amended proposed ordinance deletes restrictions relating to filling or refilling swimming pools or spas but instead includes a requirement for pool owners to utilize pool covers for residential swimming pools. The requirement is enforceable by the City's Code Enforcement Division and is aimed at contributing to a reduction in water usage throughout the City.

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Based upon the historic drought being experienced by the State of California, including the City, and the urgent need to conserve water, staff has included findings in the proposed urgency ordinance which, if adopted by a four-fifths vote of the City Council, would allow the proposed urgency ordinance to be introduced and adopted this evening.

City Outreach/Awareness Program and Water Conservations 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 outreach steps have included collaboration with Golden State Water Company and West Basin Municipal Water District. These efforts were aimed at bringing awareness to residents about free water saving kits available through these organizations. The City's Code Enforcement Division of the Community Development Department continues to take proactive steps informing residents of existing water restrictions. The City is also empowered to issue administrative citations when necessary to achieve compliance. To date, 138 notices have been issued for water waste violations. To aid the efforts of the Code Enforcement Division, a special category was created on the GoRequest app specifically for reporting water waste. Also, the City has created a specific webpage which contains all water conservation resources available to residents and businesses at <http://www.culvercity.org/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.

Culver City Water Conservation Plan (This plan was discussed during the City Council meeting of June 22, 2015. Staff has retained this information in this updated report for the benefit of members of the public who may not have attended the June 22, 2015 meeting.)

The purpose of this Water Conservation Plan (Plan) is to inform and guide the public on how to adhere to the restrictions and the mandate to conserve water and to implement the recommendations found in a water use Survey of various City facilities. The City Manager has requested \$200,000 to implement the Survey recommendations in the City Manager's Proposed Budget for Fiscal Year 2015/2016 (CIP No. PO02 420) (which Budget is presented to the City Council for approval this evening as part of a separate agenda item).

Highlights of the Plan include:

- Mandatory Water Use Restrictions: This section outlines the ongoing as well as Level, 1, Level 2 and Level 3 water use restrictions.

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- Voluntary Water Saving Measures: Includes information on optional measures residents may take to save water such as installation of graywater systems, acquiring rain barrels and or installing cisterns to capture and reuse storm water, where to find mulch and compost to place in gardens to reduce water evaporation and tips to reduce water use in bathrooms.
- Culver City Turf Removal Incentive Program: The first 50 residents that apply for funding through the turf removal rebate program from the Metropolitan Water District will have their City \$176 bin rental fee waived for removal of their turf.
- Water Saving Measures at City Facilities: This section highlights water saving measures the City has or will be implementing at City facilities. It includes outdoor irrigation system improvements and altering or replacing over 300 water fixtures at City facilities such as low-flow shower heads, dual-flush toilets, waterless urinals and low-flow aerators on faucets. It also includes hiring a landscape architect to prepare and implement drought-tolerant landscaping and irrigation plans for City Hall that will become a template for use at other City facilities.

Staff anticipates the water saving measures at City facilities will result in an approximately 20% reduction in water use at City facilities. Staff will be tracking the amount of water saved at City facilities as a result of implementing these measures and will provide quarterly reports to the City Council showing the results of the City's water conservation efforts.

FISCAL ANALYSIS:

Implementation of Level 2 restrictions may result in increased revenue from administrative citations issued to achieve compliance. After the initial costs of installation, the City will use less water to maintain drought-tolerant landscaping. Turf removal incentives will increase costs to the Refuse Fund. The amount of these fiscal impacts are difficult to estimate at this time.

ATTACHMENTS:

1. Proposed Resolution
2. Proposed Ordinance
3. Water Conservation Information Brochure
4. Water Conservation Plan

MOTION:

That the City Council:

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1. Adopt a resolution declaring Level 2 Water Supply Shortage conditions and implementing the Restrictions set forth in Section 5.03.040 of the Culver City Municipal Code; and,
2. Pursuant to findings contained in the proposed ordinance, introduce and adopt an Urgency Ordinance amending Section 5.03.040.B.5 of the Culver City Municipal Code relating to Level 2 Water Supply Shortage conservation requirements, to replace the restriction of filling and refilling swimming pools with a requirement to install pool and spa covers.